

June 17, 1998

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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.

PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 34.05 RCW, is available for public inspection during normal office hours. The code reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (360) 786-6697.

REPUBLICATION OF OFFICIAL DOCUMENTS

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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 June 1998 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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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following six sections:

- (a) **PREPROPOSAL**-includes the Preproposal Statement of Inquiry that will be used to solicit public comments on a general area of proposed rule making before the agency files a formal notice.
- (b) **PROPOSED**-includes the full text of formal proposals, continuances, supplemental notices, and withdrawals.
- (c) **PERMANENT**-includes the full text of permanently adopted rules.
- (d) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (e) **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.
- (f) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (g) **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 OR 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].

1997 - 1998
DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

| Issue No. | Closing Dates ¹ | | | Distribution Date | First Agency Hearing Date ³ | Expedited Adoption ⁴ |
|--------------------|---------------------------------|-----------------------|--|----------------------|--|---------------------------------|
| | Non-OTS & 30 p. or more | Non-OTS & 11 to 29 p. | OTS ² or 10 p. max. Non-OTS | | | |
| For Inclusion in-- | File no later than 12:00 NOON-- | | | Count 20 days from-- | For hearing on or after | First Agency Adoption Date |
| 97-16 | Jul 9 | Jul 23 | Aug 6 | Aug 20 | Sep 9 | Oct 4 |
| 97-17 | Jul 23 | Aug 6 | Aug 20 | Sep 3 | Sep 23 | Oct 18 |
| 97-18 | Aug 6 | Aug 20 | Sep 3 | Sep 17 | Oct 7 | Nov 1 |
| 97-19 | Aug 20 | Sep 3 | Sep 17 | Oct 1 | Oct 21 | Nov 15 |
| 97-20 | Sep 3 | Sep 17 | Oct 1 | Oct 15 | Nov 4 | Nov 29 |
| 97-21 | Sep 24 | Oct 8 | Oct 22 | Nov 5 | Nov 25 | Dec 20 |
| 97-22 | Oct 8 | Oct 22 | Nov 5 | Nov 19 | Dec 9 | Jan 3, 1998 |
| 97-23 | Oct 22 | Nov 5 | Nov 19 | Dec 3 | Dec 23 | Jan 17, 1998 |
| 97-24 | Nov 5 | Nov 19 | Dec 3 | Dec 17, 1997 | Jan 6, 1998 | Jan 31 |
| 98-01 | Nov 26 | Dec 10 | Dec 24, 1997 | Jan 7, 1998 | Jan 27 | Feb 21 |
| 98-02 | Dec 10 | Dec 24, 1997 | Jan 7, 1998 | Jan 21 | Feb 10 | Mar 7 |
| 98-03 | Dec 24, 1997 | Jan 7, 1998 | Jan 21 | Feb 4 | Feb 24 | Mar 21 |
| 98-04 | Jan 7 | Jan 21 | Feb 4 | Feb 18 | Mar 10 | Apr 4 |
| 98-05 | Jan 21 | Feb 4 | Feb 18 | Mar 4 | Mar 24 | Apr 18 |
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| 98-16 | Jul 8 | Jul 22 | Aug 5 | Aug 19 | Sep 8 | Oct 3 |
| 98-17 | Jul 22 | Aug 5 | Aug 19 | Sep 2 | Sep 22 | Oct 17 |
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| 98-23 | Oct 21 | Nov 4 | Nov 18 | Dec 2 | Dec 22 | Jan 16, 1999 |
| 98-24 | Nov 4 | Nov 18 | Dec 2 | Dec 16, 1998 | Jan 5, 1999 | Jan 30 |

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.

⁴A minimum of forty-five days is required between the distribution date of the Register giving notice of the expedited adoption and the agency adoption date. No hearing is required, but the public may file written objections. See RCW 34.05.230, as amended by section 202, chapter 409, Laws of 1997.

REGULATORY FAIRNESS ACT

The Regulatory Fairness Act, chapter 19.85 RCW, was enacted in 1982 to minimize the impact of state regulations on small business. Amended in 1994, the act requires a small business economic impact analysis of proposed rules that impose more than a minor cost on twenty percent of the businesses in all industries, or ten percent of the businesses in any one industry. The Regulatory Fairness Act defines industry as businesses within a four digit SIC classification, and for the purpose of this act, small business is defined by RCW 19.85.020 as "any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, that has the purpose of making a profit, and that has fifty or fewer employees."

Small Business Economic Impact Statements (SBEIS)

A small business economic impact statement (SBEIS) must be prepared by state agencies when a proposed rule meets the above criteria. Chapter 19.85 RCW requires the Washington State Business Assistance Center (BAC) to develop guidelines for agencies to use in determining whether the impact of a rule is more than minor and to provide technical assistance to agencies in developing a SBEIS. All permanent rules adopted under the Administrative Procedure Act, chapter 34.05 RCW, must be reviewed to determine if the requirements of the Regulatory Fairness Act apply; if an SBEIS is required it must be completed before permanent rules are filed with the Office of the Code Reviser.

Mitigation

In addition to completing the economic impact analysis for proposed rules, state agencies must take reasonable, legal, and feasible steps to reduce or mitigate the impact of rules on small businesses when there is a disproportionate impact on small versus large business. State agencies are encouraged to reduce the economic impact of rules on small businesses when possible and when such steps are in keeping with the stated intent of the statute(s) being implemented by proposed rules. Since 1994, small business economic impact statements must contain a list of the mitigation steps taken, or reasonable justification for not taking steps to reduce the impact of rules on small businesses.

When is an SBEIS Required?

When:

The proposed rule has more than a minor (as defined by the BAC) economic impact on businesses in more than twenty percent of all industries or more than ten percent of any one industry.

When is an SBEIS Not Required?

When:

The rule is proposed only to comply or conform with a federal law or regulation, and the state has no discretion in how the rule is implemented;

There is less than minor economic impact on business;

The rule **REDUCES** costs to business (although an SBEIS may be a useful tool for demonstrating this reduced impact);

The rule is adopted as an emergency rule, although an SBEIS may be required when an emergency rule is proposed for adoption as a permanent rule; or

The rule is pure restatement of state statute.

WSR 98-12-007
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed May 22, 1998, 1:55 p.m.]

Subject of Possible Rule Making: Converting the state deferred compensation plan to a trust to comply with recent changes to the Internal Revenue Code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 41.50.770 and 41.50.780 which govern the state's deferred compensation plan were amended in 1998 to comply with changes in the Internal Revenue Code. The amendments to the state statute require that assets be held in trust for the beneficiaries.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Because the department already has existing rules on this subject in place and the amendments are being made only for the purpose of bringing the existing rule into compliance with RCW 41.50.770, [41.50.]780 and the Internal Revenue Code, the department did not seek input on the preliminary draft prior to filing the CR-101. Copies of the draft rule will be circu-

lated to interested parties for comment. Interested parties include those persons known to the department, such as state employees, and any other person who requests a copy and/or opportunity to comment.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Elyette M. Weinstein, Rules Coordinator, Legal/Legislative Affairs, Department of Retirement Systems, Mailstop 48380, P.O. Box 48380, Olympia, WA 98504-8380, phone (360) 709-4747, FAX (360) 753-3166.

May 22, 1998

Elyette M. Weinstein
 Rules Coordinator

WSR 98-12-010
PREPROPOSAL STATEMENT OF INQUIRY
SOUTHWEST AIR
POLLUTION CONTROL AUTHORITY

[Filed May 22, 1998, 3:28 p.m.]

Subject of Possible Rule Making: Amendments to SWAPCA 400, General Regulations for Air Pollution Sources.

Section

- 400-030 - Change definition of VOC to exclude methyl acetate as a VOC consistent with federal rule making (63 FR 17331)
- Include definition for "pollutant"
- Revise definition of "new source" to address physical relocation of a source
- Revise definition of "open burning" to be consistent with recent legislation
- 400-040 - Revise (i) visible emissions to make reference to EPA Method 9 applicability for NSPS, NESHAP & MACT sources in addition to current Method 9 requirements to be consistent with federal rules
- Revise (6) to remove exception for meeting SO₂ emission standards
- 400-050 - Correct typographical errors in (2) to be consistent with chapter 173-400 WAC
- 400-070 - Add new section to address "dry cleaners" - this will only make reference to a separate rule being developed by SWAPCA which will be consistent with existing state and federal rules.
- 400-075 - Update adoption of federal hazardous air pollutant rules
- 400-099 - Add a new section to document the per capita and other fee assessments as provided under RCW 70.94.093
- 400-100 - (3) revise to increase Registration Fee assessed to sources
- (6) add a new section to clarify transfer of ownership of registered sources
- 400-109 - General revisions for clarity
- 400-110 - Changes and additions to source categories and to include fee increases in some source categories
- Move requirements for gas dispensing facilities to SWAPCA 491
- Update Table C to include new federal ozone and PM standards
- 400-111 - General revisions for clarity
- 400-115 - Update adoption dates of NSPS as required by EPA for federal delegation
- Add new reference to Subpart WWW - Municipal Solid Waste Landfills by reference
- 400-131 - (2) further elaborate on what it means for an "emission reduction has been accomplished"
- 400-136 - (5) change the time of use for an ERC to expire five years after the original date of issuance instead of ten years, to be consistent with the federal rules

- 400-171 - Revise to further clarify the public involvement process for issuance of a variance
- 400-180 - Clarify the requirements for issuance of a variance
- 400-230 - (2) revise to include discussion of liability for owner or owner's agent
- 400-280 - Revise to include a new item to make reference to adjudicative proceedings as found in RCW 43.21B.240

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141 and 70.94.093.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: General update of the rules to (1) revise fee schedules to include or increase fees; (2) adopt current federal standards as required by EPA; (3) update definitions; and (4) clarifications to many sections.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Environmental Protection Agency and Washington Department of Ecology, the Southwest Air Pollution Control Authority will be adopting by reference several existing federal and state rules.

Process for Developing New Rule: Agency study for fee increases. Other changes are for adopting other federal or state regulatory provisions.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties may write to Paul Mairose, Southwest Air Pollution Control Authority, 1308 N.E. 134th Street, Vancouver, WA 98685, voice (360) 574-3058 ext. 30, FAX (360) 576-0925.

May 19, 1998
Robert D. Elliott
Executive Director

WSR 98-12-011
PREPROPOSAL STATEMENT OF INQUIRY
SOUTHWEST AIR POLLUTION
CONTROL AUTHORITY
[Filed May 22, 1998, 3:29 p.m.]

Subject of Possible Rule Making: New SWAPCA 494 Dry Cleaning Operations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Southwest Air Pollution Control Authority (SWAPCA) is proposing to develop a new rule which incorporates the existing federal rules under 40 CFR 60 and 40 CFR 63 subpart M. SWAPCA's proposed rules will also incorporate the Department of Ecology rules at WAC 173-400-075(6). SWAPCA is required under current agreements and delegations with EPA and ecology to maintain current program delegation for this source category. This rule will document SWAPCA's program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Environmental Protection Agency at 40 CFR 60 and 40 CFR 63 subpart M. WDOE at WAC 173-400-075. SWAPCA will be incorporating these programs into the local rule.

Process for Developing New Rule: The SWAPCA rule will be substantially similar to the existing federal and state rules. Minor changes will be made to the existing rules to make it applicable to SWAPCA jurisdiction.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties may write to Paul Mairose, Southwest Air Pollution Control Authority, 1308 N.E. 134th Street, Vancouver, WA 98685, voice (360) 574-3058 ext. 30, FAX (360) 576-0925.

May 19, 1998
Robert D. Elliott
Executive Director

WSR 98-12-012
PREPROPOSAL STATEMENT OF INQUIRY
SOUTHWEST AIR POLLUTION
CONTROL AUTHORITY
[Filed May 22, 1998, 3:30 p.m.]

Subject of Possible Rule Making: New SWAPCA 802 SEPA Procedures.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141, 43.21C.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed amendment updates the SWAPCA rules consistent with legislative changes in the SEPA rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of Ecology, chapters 173-802 and 197-11 WAC. As proposed SWAPCA 802 will incorporate most of chapter 197-11 WAC verbatim. Sections which apply specifically to units of government other than SWAPCA will not be incorporated. SWAPCA 802 will incorporate appropriate sections from chapter 173-802 WAC with clarification made for SWAPCA purposes.

Process for Developing New Rule: The SWAPCA rule will be the same as chapter 197-11 WAC except for sections that do not apply to SWAPCA. This rule will not impose new requirements on business. SWAPCA is required by RCW 43.21C.120 to adopt amended SEPA rules after changes are made by Department of Ecology.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties may write to Paul Mairose, Southwest Air Pollution Control Authority, 1308 N.E. 134th Street, Vancouver, WA 98685, voice (360) 574-3058 ext. 30, FAX (360) 576-0925.

May 19, 1998
Robert D. Elliott
Executive Director

WSR 98-12-013
PREPROPOSAL STATEMENT OF INQUIRY
SOUTHWEST AIR POLLUTION
CONTROL AUTHORITY

[Filed May 22, 1998, 3:31 p.m.]

Subject of Possible Rule Making: Amendments to SWAPCA 491 Emission standards and controls for sources emitting gasoline vapors.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This amendment is necessary to make the SWAPCA rule consistent with chapter 173-491 WAC. Rule changes are necessary because of RCW 20.94.165 (SHB 2376, 1996 regular session) which identifies the conditions under which Stage II gasoline vapor recovery systems are important to achieving or maintaining ozone attainment status.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Chapter 173-491 WAC regulates gasoline vapors in Washington state. SWAPCA is proposing to amend SWAPCA 491 to be consistent with chapter 173-491 WAC.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties may write to Paul Mairose, Southwest Air Pollution Control Authority, 1308 N.E. 134th Street, Vancouver, WA 98685, Voice (360) 574-3058 ext. 30, FAX (360) 576-0925.

May 19, 1998
 Robert D. Elliott
 Executive Director

WSR 98-12-033
PREPROPOSAL STATEMENT OF INQUIRY
LOTTERY COMMISSION

[Filed May 28, 1998, 4:15 p.m.]

Subject of Possible Rule Making: Rules regarding licensing of retailers and credit checks for retailers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.70.040(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The lottery is considering amending chapters 315-04 and 315-30 WAC to provide for credit checks of retailers applying for instant scratch ticket licenses. The lottery is also considering revising the provisions regarding retailer credit and moving some provisions from chapter 315-30 WAC to chapter 315-04 WAC. The lottery is also considering providing for the reporting of retailer credit history to credit bureaus or other credit organizations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mary Jane Ferguson, Rules Coordinator, at (360) 753-1947, FAX (360) 586-6586, P.O. Box 43025, Olympia, WA 98504-3025, with any comments or questions regarding this statement of intent.

May 27, 1998
 Mary Jane Ferguson
 Rules Coordinator

WSR 98-12-039
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE

[Filed May 29, 1998, 10:30 a.m.]

Subject of Possible Rule Making: Rules relating to commercial feeds, official definitions adopted by the Association of American Feed Control Officials and federal regulations adopted under the federal Food, Drug and Cosmetic Act.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.53.9012(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To update sections of rules relating to commercial feeds, chapter 16-200 WAC, with regard to references to Title 21, parts 500-599, 225, and 226 under the federal Food, Drug and Cosmetic Act as published in the 1998 edition, and official definition of feed ingredients and official feed terms as adopted by the Association of American Feed Control Officials as appear in their 1998 official publication. Federal regulations have been amended since rules relating to commercial feeds were adopted (1996). Additionally new definitions and terms have been adopted by the Association of American Feed Control Officials since 1996. Rules relating to commercial feeds need to be updated accordingly to remain in conformity with federal regulations and national standards and uniformity.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Food and Drug Administration regulates this subject. A memorandum of partnership may be developed for future coordination of the inspection activities.

Process for Developing New Rule: Working with stakeholders, feed advisory committee and other interested parties.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To receive additional information or provide comments (comments should be provided before July 8, 1998), please contact Ali Kashani, Washington State Department of Agriculture, Pesticide Management Division, P.O. Box 42589, Olympia, WA 98502, phone (360) 902-2028, FAX (360) 902-2093, e-mail akashani@agr.wa.gov.

May 27, 1998
 Bob Arrington
 Assistant Director

WSR 98-12-040
PREPROPOSAL STATEMENT OF INQUIRY
SOUTHWEST AIR
POLLUTION CONTROL AUTHORITY

[Filed May 29, 1998, 11:42 a.m.]

Subject of Possible Rule Making: Amendments to SWAPCA 493, VOC Area Source Rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SWAPCA is proposing to amend the rule to include 493-100 Consumer Products. During original rule development, the business community requested that SWAPCA postpone adoption of this section until the federal consumer product rules were issued. This rule making happened in April of 1996 and the federal rules were to be finalized in a month from that date. To date, no federal rules have been finalized. SWAPCA has relied on VOC emission reductions in the SWAPCA Ozone Maintenance Plan as a result of these rules. There currently is no way for SWAPCA to implement the consumer product VOC reductions as credited in the Ozone Maintenance Plan. SWAPCA proposes to adopt the language originally proposed which was a negotiated rule making consistent with rules implemented by the Oregon Department of Environmental Quality unless the federal rules are finalized by such date.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by writing to Jennifer Brown, Southwest Air Pollution Control Authority, 1308 N.E. 134th Street, Vancouver, WA 98685-2747, voice (360) 574-3058 ext. 27, FAX (360) 576-0925.

May 26, 1998
 Robert D. Elliott
 Executive Director

WSR 98-12-044
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY

[Order 98-10—Filed May 29, 1998, 1:08 p.m.]

Subject of Possible Rule Making: Chapter 173-98 WAC, Uses and limitations of the water pollution control revolving fund.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 90.50A RCW, Water pollution control facilities—Federal capitalization grants.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rule became effective in 1989 and needs to be updated in order to improve ecology's flexibility in providing effective and efficient financial assis-

tance to local governments. Changes relate to an ongoing effort to achieve a high level of consistency between the SRF and the state-funded centennial clean water fund, and to insure the perpetuity of the fund. Other changes are simply "housekeeping" or are intended to clarify the existing rule or put existing policy into rule form.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The existing "Financial Assistance Realignment Committee" includes representatives of other state and federal agencies that are involved in the issue.

Process for Developing New Rule: Traditional rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Public workshops in Spokane, Yakima and Lacey in June; public hearing in Lacey in September. For more information contact Brian Howard, (360) 407-6510, e-mail brho461@ecy.wa.gov or Tim Hilliard, (360) 407-6429, e-mail thil461@ecy.wa.gov, FAX (360) 407-6426, Department of Ecology, Box 47600, Olympia, WA 98504-7600.

May 28, 1998
 Megan White, PE
 Program Manager

WSR 98-12-069
PREPROPOSAL STATEMENT OF INQUIRY
NOXIOUS WEED CONTROL BOARD

[Filed June 1, 1998, 3:37 p.m.]

Subject of Possible Rule Making: Chapter 16-750 WAC, State noxious weed list and schedule of monetary penalties.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 17.10.080 and 17.10.010(5).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state Noxious Weed Control Board is charged with updating the state noxious weed list on an annual basis, to ensure it accurately reflects noxious weed control priorities and noxious weed distribution. A revised mission statement for the Washington State Noxious Weed Control Board will be considered in order to make the statement more consistent with current state weed board goals.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state agencies regulate this subject. Federal agencies are subject to federal noxious weed laws that require them to coordinate with state regulations. Federal agencies in Washington are invited to participate in all stages of noxious weed rule making.

Process for Developing New Rule: The State Noxious Weed Board annually solicits suggestions from county programs, state and federal agencies, interest groups and the general public by a series of extensive mailings. Comments are welcome in written or oral form. The Noxious Weed Committee of the state board, which includes representation from the Washington Native Plant Society, county weed boards,

the public interest and several scientific advisors, meets twice to review and research the suggestions. Their draft suggestions are sent out again for public comment before the Noxious Weed Committee drafts their final recommendation to the full state Noxious Weed Board. The state [Noxious] Weed Board will then consider these recommendations and draft a final rule-making proposal. Public comment is welcome at all committee and state board meetings. A press release and information mailing is prepared on the recommended changes and a public hearing is scheduled. The state [Noxious] Weed Board makes their final decision after considering the public input received during the hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lisa E. Lantz, Washington State Noxious Weed Control Board, 1851 South Central Place, Suite 211, Kent, WA 98031-7507, phone (253) 872-2972, FAX (253) 872-6320. Contact Lisa for information on preparing a recommended change or for meeting dates and other participation opportunities.

June 1, 1998
Lisa E. Lantz
Executive Secretary

WSR 98-12-078
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE

[Filed June 2, 1998, 8:40 a.m.]

Subject of Possible Rule Making: To describe the requirements for registration of commercial fertilizers, including the methods for analysis of metals and specifying the metals information which must be submitted with the registration application; to describe the methods for determining maximum use rates for plant nutrients; to set the Washington application rates; to express the Washington standards for metals in pounds per acre per year; to describe how the department will determine if a commercial fertilizer meets or exceeds the standards; and to describe a violation of rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.54.325, 15.54.330, 15.54.370, 15.54.800.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules are necessary to implement the requirements of the new fertilizer law (SSB 6474). The new law requires metals analysis and the use of Washington application rates, and gives authority to the department to specify which methods are acceptable and how rates will be determined. The rules will establish the acceptable analysis methods and the methods for determining Washington application rates. In addition, the rules also will express the standards for metals in pounds per acre per year and enable the department to implement the new registration requirements and enforce the requirements of the new law against commercial fertilizers which do not meet Washington standards.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington State Department of Ecology (ecol-

ogy) also regulates certain commercial fertilizers and the Department of Agriculture has been working closely with ecology on the issue.

Process for Developing New Rule: The Washington State Department of Agriculture will be meeting with the Fertilizer Advisory Committee and other interested parties. Anyone wishing to receive more information on the proposed rule should contact the department by one [of] the methods listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by sending any comments/suggestions to Washington State Department of Agriculture, Attn: Robin Schoennessa, P.O. Box 42589, Olympia, WA 98504-2589, phone (360) 902-1934, FAX (360) 902-2093, Attn: Robin Schoennessa, e-mail rnessa@agr.wa.gov.

June 2, 1998
William E. Brookreson
Assistant Director

WSR 98-12-080
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 2, 1998, 11:16 a.m.]

Subject of Possible Rule Making: Longshore and marine terminals, chapter 296-56 WAC, Safety standards for longshore, stevedore and related waterfront operations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, [49.17].040, [49.17].050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Federal OSHA issued amendments to their CFR 1910, 1917 and 1918 standards relating to longshoring and marine terminals, in Federal Register Volume 62, Number 143, published on July 25, 1997. Amendments will be proposed to maintain rules that are at least as effective as those enforced by federal OSHA.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal OSHA also regulates this subject. We must maintain rules that are at least as effective as those enforced by federal OSHA. No other state or federal agencies are known that regulate this subject.

Process for Developing New Rule: The department must adopt rules identical to or at-least-as-effective-as OSHA rules as required by the OSHA/WISHA state plan agreement.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cindy Ireland, Project Manager, WISHA Services Division, P.O. Box 44620, Olympia, WA 98504-4620, phone (360) 902-5522, FAX (360) 902-5529.

June 2, 1998
Gary Moore
Director

WSR 98-12-081
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 2, 1998, 11:17 a.m.]

Subject of Possible Rule Making: Abatement verification, chapter 296-27 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, [49.17].040, [49.17].050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state plan agreement, which authorizes Washington state to operate the state industrial safety and health program, requires Washington to adopt regulations at least as effective as all OSHA codes. OSHA adopted 29 CFR 1903.19, Abatement Verification, on March 31, 1997. Federal document STP 2.23, Final Rule on Abatement Verification, advises Washington that it must adopt rules at least as effective.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state or federal agencies (other than OSHA) are known that regulate abatement of WISHA violations.

Process for Developing New Rule: The department must adopt rules identical to or at least as effective as OSHA rules as required by the OSHA/WISHA state plan agreement. Parties interested in the formulation of these rules for proposal may contact the individuals listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Project Manager, Michael McCauley, Management Analyst, phone (360) 902-5779, FAX (360) 902-5529; Technical Specialist, Roger Dickey, Safety and Health Specialist, phone (360) 902-5476, FAX (360) 902-5438; Department of Labor and Industries, WISHA Services Division, P.O. Box 44620, Olympia, WA 98504-4620.

June 2, 1998

Gary Moore
Director

WSR 98-12-082
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 2, 1998, 11:18 a.m.]

Subject of Possible Rule Making: Eyewash, chapter 296-62 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, [49.17].040, [49.17].050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WISHA Regional Directive (WRD) 12-35, which is based on ANSI Z358.1-1990 Emergency Eyewash and Shower Equipment, specifies restrictions in emergency washing facilities that are not included in chap-

ter 296-62 WAC. The department will propose amendments to chapter 296-62 WAC to incorporate these restrictions and eliminate confusion caused by the different requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state or federal agencies (other than OSHA) are known to regulate this subject.

Process for Developing New Rule: Interested parties may contact the individual below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ken Lewis, Project Manager, phone (360) 902-4568, FAX (360) 902-5529, Department of Labor and Industries, WISHA Services Division, P.O. Box 44620, Olympia, WA 98504-4620.

June 2, 1998

Gary Moore
Director

WSR 98-12-083
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 2, 1998, 11:19 a.m.]

Subject of Possible Rule Making: Accident prevention plan, chapter 296-24 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, [49.17].040, [49.17].050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently the requirements for employers to develop formal, written accident prevention plans are found scattered throughout the various sections of the WISHA WACs. The department will be proposing to consolidate the references to these requirements into a central reference list within this one chapter (296-040 WAC) but leave the actual requirements in the referenced chapter. This would simplify the employer's task of identifying the requirements to create an effective prevention program. No other changes or additional requirements are anticipated.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state or federal agencies (other than OSHA) are known that regulate this subject.

Process for Developing New Rule: Interested parties may contact the individual below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ken Lewis, Project Manager, phone (360) 902-4568, FAX (360) 902-5529, Department of Labor

and Industries, WISHA Services Division, P.O. Box 44620, Olympia, WA 98504-4620.

June 2, 1998
 Gary Moore
 Director

WSR 98-12-084
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed June 2, 1998, 11:20 a.m.]

Subject of Possible Rule Making: Hazardous waste operations and emergency response, chapter 296-62 WAC, Part P.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, [49.17].040, [49.17].050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 296-62 WAC, Part P, contains requirements for both hazardous waste operations and emergency response. The department is considering separating these requirements into two parts: Part P for existing hazardous waste requirements and a new Part R for existing emergency response requirements. This revision will eliminate confusion caused by the commingled requirements. This change would be consistent with OSHA's standards where these subjects are separate. No new requirements will be proposed.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state or federal agencies (other than OSHA) are known to regulate this subject.

Process for Developing New Rule: Interested parties may contact the individual below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ken Lewis, Project Manager, phone (360) 902-4568, FAX (360) 902-5529, Department of Labor and Industries, WISHA Services Division, P.O. Box 44620, Olympia, WA 98504-4620.

June 2, 1998
 Gary Moore
 Director

WSR 98-12-088
PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR CONTROL BOARD
 [Filed June 2, 1998, 1:13 p.m.]

Subject of Possible Rule Making: Amend WAC 314-12-170 to include the agency's penalty guidelines policies for liquor licensees into rule form.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030, 66.24.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Liquor Control Board has, by policy, published penalty guidelines for liquor licensees. The agency believes these policies should be converted into rule form.

The penalty guidelines were created in order to:

- Provide technical assistance to licensees and the public;
- Provide a measure of equal treatment to all licensees; and
- Prevent violations by informing licensees of the consequences of failing to operate their business according to legal requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: The agency will work with interested parties during one or more public hearing(s).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Teresa Berntsen, Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, phone (360) 586-1641, FAX (360) 704-4920, e-mail rules@liq.wa.gov.

June 2, 1998
 Nathan S. Ford, Jr.
 Chairman

WSR 98-12-089
PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR CONTROL BOARD
 [Filed June 2, 1998, 1:14 p.m.]

Subject of Possible Rule Making: Amend WAC 314-14-160 to include the agency's penalty guideline policy for holders of mandatory alcohol server permits.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030, 66.20.070, 66.20.340.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Liquor Control Board has, by policy, published penalty guidelines for holders of mandatory alcohol servers permits. The agency believes this policy should be converted into rule form.

The penalty guidelines were created in order to:

- Provide a measure of equal treatment to all mandatory alcohol server training permit holders and
- Prevent violations by informing permit holders of the consequences of failing to perform according to legal requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: The agency will work with interested parties during one or more public hearing(s).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before pub-

lication by contacting Teresa Berntsen, Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, phone (360) 586-1641, FAX (360) 704-4920, e-mail rules@liq.wa.gov.

June 2, 1998
Nathan S. Ford, Jr.
Chairman

WSR 98-12-095
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION

[Filed June 3, 1998, 8:36 a.m.]

Subject of Possible Rule Making: Amend WAC 468-72-050, adopt-a-highway eligibility criteria to allow privately sponsored adoptions in addition to volunteer organizations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.40.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state adopt-a-highway program has been successful in soliciting volunteer help to clean up state highways and interest has been expressed by businesses and other private parties in sponsoring contracts for clean up. This approach has been successfully implemented in other states and it should help increase the level of service for litter control on state highways without fiscal impact.

Process for Developing New Rule: Legislative process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Raymond Willard, Adopt-a-Highway Program Manager, Washington State Department of Transportation, P.O. Box 47358, Olympia, WA 98504-7358, phone (360) 705-7865, FAX (360) 705-6823.

June 3, 1998
Gerald E. Smith
Deputy Secretary, Operations

WSR 98-12-098
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF COMMUNITY,
TRADE AND ECONOMIC DEVELOPMENT

[Filed June 3, 1998, 9:50 a.m.]

Subject of Possible Rule Making: This rule revision pertains to the process necessary for applying to the state and federal historic registers. It also profiles the administrative procedures that the applications will follow as well as the steps necessary to protest listing on either register.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 43.330 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules must be changed in order to bring the Office of Archaeology and Historic Preservation (OAHP) and the Department of Community, Trade and Economic Development (CTED) in line with new federal

regulations. In addition the application process will be clarified and written in a clear comprehensive manner.

Process for Developing New Rule: In order to assure the most inclusive process the OAHP will work informally with stakeholders and the public to develop to draft rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Department of Community, Trade and Economic Development, Attn: David Hansen, Office of Archaeology and Historic Preservation, P.O. Box 48343, Olympia, WA 98504-8343, phone (360) 407-0752, FAX (360) 407-6217.

June 3, 1998
Tim Douglas
Director

WSR 98-12-102
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 3, 1998, 11:30 a.m.]

Subject of Possible Rule Making: Criteria used by the department for making medical coverage decisions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 51.04.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Legislation that passed in the 1998 session (SHB 2822, chapter 230, Laws of 1998) clarifies that medical coverage decisions of the department do not constitute a "rule" and are not subject to the rule-making provisions of chapter 34.05 RCW, the Administrative Procedure Act. SHB 2822 mandates that criteria used by the department to establish medical coverage decisions be adopted by rule.

A new rule describing these criteria will make clear the objective methods and variety of information sources the department will use to make medical coverage decisions.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Labor and Industries will consider related licensure and approval processes of the federal Food and Drug Administration (FDA) and the Washington State Department of Health.

Process for Developing New Rule: Develop in consultation with major stakeholders and other interested parties: Workers Compensation Advisory Committee, Chiropractic Advisory Committee, Washington State Medical Association's Industrial Insurance Advisory Committee, Washington State Trial Lawyers Association.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jami Lifka by phone (360) 902-4941 or FAX (360) 902-4249 or mail Department of Labor and Industries, Office of the Medical Director, P.O. Box 44321, Olympia, WA 98504-4321.

June 1, 1998
Gary Moore
Director

WSR 98-12-106
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Division of Child Support)
[Filed June 3, 1998, 11:40 a.m.]

Subject of Possible Rule Making: Change to WAC 388-14-045 to conform with ESSB 6418, chapter 160, Laws of 1998.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 26.23.120(2), as amended by chapter 160, Laws of 1998.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 388-14-045 was adopted by Division of Child Support (DCS) prior to the enactment of SSB 6418, which changes the criteria for when a parent is eligible for notice before DCS releases their address to the other parent. WAC 388-14-045 provided that notice would be given to either parent when the other requested disclosure of the whereabouts information; SSB 6418 provides that the noncustodial parent must request such notice in writing.

Process for Developing New Rule: Those persons wishing to participate in developing the new rules are encouraged to contact Nancy Koptur at the Department of Social and Health Services Division of Child Support headquarters prior to July 30, 1998, when DCS intends to file the CR-102 and proposed rules. DCS will post information regarding this rule development project and others on its web site, which can be found at www.wa.gov/dshs/dcs/csdc.html. DSHS/DCS encourages the public to take part in developing these rules. After the rules are drafted, DSHS will file a copy with the Office of the Code Reviser with a notice of proposed rule making, and will send a copy to everyone currently on the mailing list and anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nancy Koptur, Division of Child Support, P.O. Box 9162, Mailstop 45860, Olympia, WA 98507-9162, phone (360) 664-5065, FAX (360) 664-5055, TTY/TDD (360) 664-5011, e-mail nkoptur@dshs.wa.gov.

June 1, 1998

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

WSR 98-12-107
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Division of Child Support)
[Filed June 3, 1998, 11:42 a.m.]

Subject of Possible Rule Making: The Division of Child Support is developing a "most wanted" list on the Internet.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 26.23.120(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These new rules will set forth the criteria for listing an absent parent on the Internet on the DCS web page as someone who owes a significant amount of back child support.

Process for Developing New Rule: Those persons wishing to participate in developing the new rules are encouraged to contact Nancy Koptur at the Department of Social and Health Services Division of Child Support headquarters prior to July 30, 1998, when DCS intends to file the CR-102 and proposed rules. DCS will post information regarding this rule development project and others on its web site, which can be found at www.wa.gov/dshs/dcs/csdc.html. DSHS/DCS encourages the public to take part in developing the rules. After the rules are drafted, the Department of Social and Health Services will file a copy with the Office of the Code Reviser with a notice of proposed rule making, and will send a copy to everyone currently on the mailing list and anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nancy Koptur, Division of Child Support, P.O. Box 9162, Mailstop 45860, Olympia, WA 98507-9162, phone (360) 664-5065, FAX (360) 664-5055, TTY/TDD (360) 664-5011, e-mail nkoptur@dshs.wa.gov.

June 1, 1998

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

WSR 98-12-109
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
GENERAL ADMINISTRATION
[Filed June 3, 1998, 11:58 a.m.]

Subject of Possible Rule Making: Local government self insurance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.62.061.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Governor's Executive Order 97-02 asks each state agency to begin a review of their administrative rules. The local government self-insurance program will conduct a review of chapter 236-22 WAC. The review will focus on the need, effectiveness, clarity, intent and fairness of the rule. A plan for the review of the rule will be coordinated with the property/liability and health/welfare advisory boards.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting John Nicholson, P.O. Box 41027,

Olympia, WA 98504-1027, (360) 902-7311, FAX (360) 586-1789, JNICHOL@GA.WA.GOV.

May 20, 1998
Marygrace G. Jennings
Administrative Rules Coordinator

WSR 98-11-077
PROPOSED RULES
OLYMPIC AIR POLLUTION
CONTROL AUTHORITY

[Filed May 19, 1998, 12:45 p.m.]

Date of Intended Adoption: August 9, 1998.

May 14, 1998

Charles Peace

Executive Director

Original Notice.

Exempt from preproposal statement of inquiry under RCW 70.94.141.

Title of Rule: Amending OAPCA Regulation 1 Article 1, Section 1.07; Article 8, Section 8.03, Solid Fuel Burning Device.

Purpose: Amend these Articles and definitions to conform with changes to chapter 70.94 RCW imposed by SHB 1354 as passed by the legislature in 1998.

Other Identifying Information: Adoption changes to chapter 70.94 RCW in SHB 1354 as approved by the governor.

Statutory Authority for Adoption: Chapter 70.94 RCW.
 Statute Being Implemented: RCW 70.94.141.

Summary: Amending OAPCA Regulation 1, Section 1.07 (definitions) and Section 8.03 to conform with changes to chapter 70.94 RCW under SHB 1354.

Reasons Supporting Proposal: The 1998 legislature passed and the governor signed SHB 1354 to make changes to the definition of "impaired air quality stage 1."

Name of Agency Personnel Responsible for Drafting: Jean-Paul Huys, 909 Sleater Kinney Road S.E. #1, 438-8768; Implementation and Enforcement: John Kelly, 909 Sleater Kinney Road, 438-8768.

Name of Proponent: Olympic Air Pollution Control Authority (OAPCA), governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Amending OAPCA's Regulation 1, Sections 1.07 (definitions) and 8.03 to conform with changes to chapter 70.94 RCW under SHB 1354. May increase frequency of declarations of impaired air quality curtailments (burn bans) to protect public health.

Proposal Changes the Following Existing Rules: It will change the definition of "impaired air quality stage 1."

No small business economic impact statement has been prepared under chapter 19.85 RCW. This agency is not subject to the small business economic impact provisions of the Administrative Procedure Act.

RCW 34.05.328 does not apply to this rule adoption. Pursuant to RCW 70.94.141 (i)[(1)], RCW 34.05.328 does not apply to this adoption.

Hearing Location: Olympic Air Pollution Control Authority Office, 909 Sleater Kinney Road S.E. #1, Lacey, WA 98503, on July 8, 1998, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Craig Weckesser by July 3, 1998, (360) 438-8768 ext. 111.

Submit Written Comments to: John Kelly, 909 Sleater Kinney Road #1, Lacey, FAX (360) 491-6308, by July 8, 1998.

AMENDATORY SECTION

SECTION 1.07 DEFINITIONS

When used in regulations of the Olympic Air Pollution Control Authority, the following definitions shall apply, unless they are preempted by definitions in individual Articles:

ACTUAL EMISSIONS means the actual rate of emissions of a pollutant from an emission unit, as determined in accordance with (a) through (c) of this subsection.

(a) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during a one year period which precedes the particular date and which is representative of normal source operation. The Authority shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the emissions unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(b) The Authority may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the emissions unit.

(c) For an emissions unit which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the emissions unit on that date.

ADVERSE IMPACT ON VISIBILITY means visibility impairment which interferes with the management, protection, preservation, or enjoyment of the visitor visual experience of the Federal Class I area. This determination must be made on a case-by-case basis taking into account the geographic extent, intensity, duration, frequency, and time of visibility impairment, and how these factors correlate with (a) times of visitor use of the Federal Class I area, and (b) the frequency and timing of natural conditions that reduce visibility. This term does not include effects on integral vistas.

AGRICULTURAL BURNING means burning of vegetative debris from an agricultural operation necessary for disease or pest control, necessary for crop propagation and/or crop rotation, or where identified as a best management practice by the agricultural burning practices and research task force established in RCW 70.94.650 or other authoritative source on agricultural practices.

AGRICULTURAL OPERATION means the growing of crops, the raising of fowl or animals as gainful occupation.

AIR CONTAMINANT means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substance, or any combination thereof. "Air pollutant" means the same as "air contaminant".

AIR POLLUTION means the presence in the outdoor atmosphere of one or more air contaminants in sufficient quantities, and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, property, or which unreasonably interferes with enjoyment of life and property. For the purpose of this Regulation, air pollu-

PROPOSED

tion shall not include air contaminants emitted in compliance with chapter 17.21 RCW, the Washington Pesticide Application Act, which regulates the application and control of the use of various pesticides.

AIR POLLUTION EPISODE means a period when a forecast, alert, warning, or emergency air pollution state is declared, as stated in Chapter 173-435 WAC.

ALLOWABLE EMISSIONS means the emission rate calculated using the maximum rated capacity of the source (unless the stationary source is subject to limits enforceable by the Authority which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

(a) The applicable standards as set forth in 40 CFR part 60 or 61;

(b) Any applicable state implementation plan emissions limitation including those with a future compliance date; or

(c) The emissions rate specified in an approval order, permit condition, or regulatory order issued by the Authority including those with a future compliance date.

ALTERATION means any addition to or enlargement or replacement; or any major modification or change of the design, capacity, process or arrangement; or any increase in the connected loading of equipment or control facility which will significantly increase or adversely affect the kind or amount of air contaminant emitted.

AMBIENT AIR means that portion of the atmosphere external to a building to which the general public has access.

AMBIENT AIR QUALITY STANDARD means an established concentration, exposure time, and frequency of occurrence of air contaminant(s) in the ambient air which shall not be exceeded.

ANCILLARY for the purpose of defining "source", means "related".

AUTHORITY means the Olympic Air Pollution Control Authority.

AUTHORIZED PERMITTING AGENT means either the county, county fire marshal, fire districts, or county conservation district, provided an agreement has been signed with the local air pollution control authority or Department of Ecology.

BEST AVAILABLE CONTROL TECHNOLOGY (BACT) means an emission limitation (including a visible emission standard) based on the maximum degree of reduction for each air pollutant subject to this regulation which would be emitted from any proposed new or modified source which the permitting authority, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such sources or modification through application of production processes, available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such air pollutant. In no event shall application of the best available technology result in emissions of any air pollutant which would exceed the emissions allowed by any applicable standard under 40 CFR Part 60 and Part 61. If the reviewing authority determines that technological or economic limitations on the application of the imposition of an emission standard is infeasible, it may instead prescribe a design, equipment, work practice or operational standard, or combination thereof, to meet the requirement of BACT.

Such standard shall, to the degree possible, set forth the emission reduction achievable by implementation of such design, equipment, work practice or operation and shall provide for compliance by means which achieve equivalent results. The term "all known available and reasonable methods of emission control" is interpreted to mean the same as best available control technology.

BEST AVAILABLE RETROFIT TECHNOLOGY (BART) means any emission limitation based on the degree of reduction achievable through the application of the best system of continuous emission reduction for each pollutant which is emitted by an existing source. The emission limitation must be established, on a case-by-case basis, taking into consideration the technology available, the costs of compliance, the energy and nonair quality environmental impacts of compliance, any pollution control equipment in use or in existence at the source, the remaining useful life of the source, and the degree of improvement in visibility which may reasonably be anticipated to result from the use of such technology. If an emission limitation is not feasible, a design, equipment, work practice, operational standard, or combination thereof, may be required.

BOARD means the Board of Directors of the Olympic Air Pollution Control Authority.

BUBBLE means a set of emission limits which allows an increase in emissions from a given emissions unit(s) in exchange for a decrease in emissions from another emissions unit(s), pursuant to RCW 70.94.155 and WAC 173-400-120.

CAPACITY FACTOR means the ratio of the average load on equipment or a machine for the period of time considered, to the manufacturer's capacity rating of the machine or equipment.

CLASS I AREA means any area designated pursuant to § 162 or 164 of the Federal Clean Air Act as a Class I area. The following areas are the Class I areas in Washington state:

Alpine Lakes Wilderness;
 Glacier Peak Wilderness;
 Goat Rocks Wilderness;
 Mount Adams Wilderness;
 Mount Rainier National Park;
 North Cascades National Park;
 Olympic National Park;
 Pasayten Wilderness; and
 Spokane Indian Reservation.

COMBUSTIBLE REFUSE means any burnable waste material containing carbon in a free or combined state other than liquid or gases.

COMBUSTION AND INCINERATION UNITS means units using combustion for waste disposal, steam production, chemical recovery or other process requirements; but excludes open burning.

COMMENCED CONSTRUCTION means that the owner or operator has all the necessary preconstruction approvals or permits and either has:

(a) Begun, or caused to begin, a continuous program of actual onsite construction of the source, to be completed within a reasonable time; or

(b) Entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program

of actual construction of the source to be completed within a reasonable time.

CONCEALMENT means any action taken to reduce the observed or measured concentrations of a pollutant in a gaseous effluent while, in fact, not reducing the total amount of pollutant discharged.

CONTROL APPARATUS means any device which prevents or controls the emission of any air contaminant.

CONTROL OFFICER means the Air Pollution Control Officer of the Olympic Air Pollution Control Authority.

DAYLIGHT HOURS means the hours between official sunrise and official sunset.

DIRECTOR means director of the Washington State Department of Ecology or duly authorized representative.

DISPERSION TECHNIQUE means a method which attempts to affect the concentration of a pollutant in the ambient air other than by the use of pollution abatement equipment or integral process pollution controls.

ECOLOGY means the Washington State Department of Ecology.

EMISSION means a release of air contaminants into the ambient air.

EMISSION LIMITATION means requirement established by the EPA, Ecology, or the Authority which limits the quantity, rate, or concentration of emissions of air pollutants on a continuous basis, including any requirements which limit the level of opacity, prescribe equipment, set fuel specifications, or prescribe operation or maintenance procedures for a source to assure continuous emission reduction.

EMISSION POINT means the location (place in horizontal plane and vertical elevation) at which an emission enters the atmosphere.

EMISSION REDUCTION CREDIT (ERC) means a credit granted pursuant to WAC 173-400-131. This is a voluntary reduction in emissions.

EMISSION UNIT means any part of a source or a stationary source which emits or would have the potential to emit any pollutant subject to regulation.

EPA means the United States Environmental Protection Agency (USEPA).

EQUIPMENT means any stationary or portable device, or any part thereof, capable of causing the emission of any air contaminant into the atmosphere.

EXCESS EMISSION means emissions of an air pollutant in excess of an emission standard or emission limitation.

EXCESS STACK HEIGHT means that portion of a stack which exceeds the greater of sixty five meters or the calculated stack height described in WAC 173-400-200(2).

FACILITY is defined as all emission units in the same industrial grouping located on contiguous or adjacent properties and under common ownership or control.

FEDERAL CLEAN AIR ACT (FCAA) means the Federal Clean Air Act, also known as Public Law 88-206, Stat. 392, December 17, 1963, 42 U.S.C. & 401 et seq., as last amended by the Clean Air Act Amendments of 1990, P.L. 101-549, November 15, 1990.

FEDERAL LAND MANAGER means, with respect to any lands in the United States, the Secretary of the department with authority over such lands.

FOSSIL FUEL FIRED STEAM GENERATOR means a device, furnace, or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer.

FUEL BURNING EQUIPMENT means any equipment, device or contrivance used for the burning of any fuel, and all appurtenances thereto, including ducts, breechings, control equipment, fuel feeding equipment, ash removal equipment, combustion controls, stacks, chimneys, etc., used for indirect heating in which the material being heated is not contacted by and adds no substances to the products of combustion.

FUGITIVE DUST means a particulate emission made airborne by forces of wind, man's activity, or both. Unpaved roads, construction sites, and tilled land are examples of areas that originate fugitive dust. Fugitive dust is a type of fugitive emission.

FUGITIVE EMISSIONS means emissions which do not pass, and which could not reasonably pass, through a stack, chimney, vent, or other functionally equivalent opening.

GARBAGE means refuse, animal or vegetable matter as from a kitchen, restaurant or store.

GENERAL PROCESS UNIT means an emissions unit using a procedure or combination of procedures for the purpose of causing a change in material by either chemical or physical means, excluding combustion.

GENERATING EQUIPMENT means any equipment, device, process or system that creates any air contaminant(s) or toxic air pollutant(s).

GOOD ENGINEERING PRACTICE (GEP) refers to a calculated stack height based on the equation specified in WAC 173-400-200 (2)(a)(ii).

HOG-FUEL means wood slabs, edging, trimmings, etc., which have been put through a "hog" to reduce them to a uniform small size, and also includes shavings from planing mills, sawdust from saw-kerfs, bits of bark, chips and other small recovered products from the manufacture of wood products or any combination thereof.

IDENTICAL UNITS means units installed and operated in a similar manner on the same premises provided the materials handled, processed, or burned are substantially the same in composition and quantity and their design, mode of operation, connected devices and types and quantities of discharge are substantially the same.

IMPAIRED AIR QUALITY means a condition declared by the department or a local air authority in accordance with the following criteria:

(a) Meteorological conditions are conducive to accumulation of air contamination concurrent with:

(1) Particulate that is ten micron and smaller in diameter (PM-10) at or above an ambient level of (~~seventy-five~~) sixty (60) micrograms per cubic meter measured on a twenty-four-hour average; or

(2) Carbon monoxide at an ambient level of eight parts of contaminant per million parts of air by volume (ppm) measured on an eight-hour average.

(b) Air quality that threatens to exceed other limits established by the department or a local air authority.

INCINERATOR means a furnace used primarily for the thermal destruction of waste.

IN OPERATION means engaged in activity related to the primary design function of the source.

INTEGRAL VISTA means a view perceived from within a mandatory Class I federal area of a specific landmark or panorama located outside the boundary of the Class I area.

LIDAR (Light Detection and Ranging) means the EPA alternate method 1 Determination of the opacity of emissions from stationary sources remotely by lidar.

LOWEST ACHIEVABLE EMISSION RATE (LAER) means for any source that rate of emissions which reflects the more stringent of:

(a) The most stringent emission limitation which is contained in the implementation plan of any state for such class or category of source, unless the owner or operator of the proposed new or modified source demonstrates that such limitations are not achievable; or

(b) The most stringent emission limitation which is achieved in practice by such class or category of source.

In no event shall the application of this term permit a proposed new or modified source to emit any pollutant in excess of the amount allowable under applicable new source performance standards.

MAJOR MODIFICATION means any physical change, or change in the method of operation, of a major source that would result in a significant net emissions increase of any pollutant subject to regulation under the act. Any net emissions increase that is considered significant for volatile organic compounds and nitrogen oxides shall be considered significant for ozone. A physical change or change in the method of operation shall not include:

(a) Routine maintenance, repair, and replacement;

(b) Use of an alternative fuel or raw material by reason of an order under sections 2 (a) and (b) of the Energy Supply and Environmental Supply Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;

(c) Use of an alternative fuel by reason of an order or rule under section 125 of the FCAA, 42 U.S.C. 7425;

(d) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

(e) Use of an alternative fuel or raw material by a source which:

(1) The source was capable of accommodating before December 21, 1976, unless such change would be prohibited under any federally enforceable permit condition which was established after December 12, 1976, in a Prevention of Significant Deterioration permit or Notice of Construction Approval; or

(2) the source is approved to use under any permit issued under regulations approved pursuant to this section;

(f) An increase in the hours of operation or in the production rate, unless such change is prohibited under any federally enforceable permit condition which was established after December 21, 1976 in a Prevention of Significant Deterioration permit or a Notice of Construction Approval.

(g) Any change in ownership of a source.

MAJOR SOURCE means:

(a) Any source which:

(1) Emits or has the potential to emit one hundred tons per year or more of any air contaminant regulated by the state or Federal Clean Air Act;

(2) Is located in a "marginal" or "moderate" ozone nonattainment area and which emits or has the potential to emit one hundred tons per year or more of volatile organic compounds or oxides of nitrogen;

(3) Is located in a "serious" carbon monoxide nonattainment area where sources contribute significantly to carbon monoxide levels and which emits or has the potential to emit fifty tons per year or more of carbon monoxide; or

(4) Is located in a "serious" particulate matter (PM-10) nonattainment area and which emits or has the potential to emit seventy tons per year or more of PM-10 emissions.

(5) Emits or has the potential to emit 10 tons or more per year of any toxic air pollutant or 25 tons per year of any combination of toxic air pollutants.

(b) Any physical change that would occur at a source not qualifying under (a) of this subsection as a major source, if the change would constitute a major source by itself;

(c) A major source that is major for volatile organic compounds or nitrogen oxides shall be considered major for ozone;

(d) The fugitive emissions of a source shall not be included in determining for any of the purposes of this section whether it is a major source, unless the source belongs to one of the following categories of sources or the source is a major source solely due to paragraphs (a)(3) or (a)(4) of this subsection:

- (1) Coal cleaning plants (with thermal dryers);
- (2) Kraft pulp mills;
- (3) Portland cements plants;
- (4) Primary zinc smelters;
- (5) Iron and steel mills;
- (6) Primary aluminum ore reduction plants;
- (7) Primary copper smelters;
- (8) Municipal incinerators capable of charging more than two hundred fifty tons of refuse per day;
- (9) Hydrofluoric, sulfuric, or nitric acid plants;
- (10) Petroleum refineries;
- (11) Lime plants;
- (12) Phosphate rock processing plants;
- (13) Coke oven batteries;
- (14) Sulfur recovery plants;
- (15) Carbon black plants (furnace process);
- (16) Primary lead smelters;
- (17) Fuel conversion plants;
- (18) Sintering plants;
- (19) Secondary metal production plants;
- (20) Chemical process plants;
- (21) Fossil fuel boilers (or combination thereof) totaling more than two hundred fifty million British thermal units per hour heat input;
- (22) Petroleum storage and transfer units with a total storage capacity exceeding three hundred thousand barrels;
- (23) Taconite ore processing plants;
- (24) Glass fiber processing plants;
- (25) Charcoal production plants;
- (26) Fossil fuel fired steam electric plants of more than two hundred fifty million British thermal units per hour heat input; and

(27) Any other stationary source category which, as of August 7, 1980, was being regulated under sections 111 or 112 of the Federal Clean Air Act.

MANDATORY CLASS I FEDERAL AREA means any area defined in § of the FCAA, Subpart D as amended through the adoption date of this rule. The mandatory Class I federal areas in Washington state are as follows:

Alpine Lakes Wilderness;
 Glacier Peak Wilderness;
 Goat Rocks Wilderness;
 Mount Adams Wilderness;
 Mount Rainier National Park;
 North Cascades National Park;
 Olympic National Park;
 Pasayten Wilderness.

MASKING means the mixing of a chemically nonreactive control agent with a malodorous gaseous effluent to change the perceived odor.

MATERIALS HANDLING means the handling, transporting, loading, unloading, storage, and transfer of materials with no significant chemical or physical alteration.

MODIFICATION means any physical change in, or change in the method of operation of, a stationary source that increases the amount of any air contaminant emitted by such sources or that results in the emissions of any air contaminant not previously emitted. The term modification shall be construed consistent with the definition of modification in Section 7411, Title 42, United States Code, and with rules implementing that section.

NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAP) means the federal regulations set forth in 40 CFR Part 61.

NATURAL CONDITIONS means naturally occurring phenomena that reduce visibility as measured in terms of visual range, contrast, or coloration.

NET EMISSIONS INCREASE means:

(a) The amount by which the sum of the following exceeds zero:

(1) Any increase in actual emissions from a particular change or change in method of operation at a source; and

(2) Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.

(b) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs before the date that the increase from the particular change occurs.

(c) An increase or decrease in actual emissions is creditable only if:

(1) It occurred no more than one year prior to the date of submittal of a complete notice of construction application for the particular change, or it has been documented by an emission reduction credit, in which case the credit shall expire ten years after the date of original issue of the ERC. Any emissions increases occurring over the life of the ERC shall be counted against the ERC.

(2) Ecology or the Authority has not relied on it in issuing an order of approval for the source under regulations approved pursuant to CFR Part 51, Subpart I or the EPA has not relied on it in issuing a PSD permit pursuant to 40 CFR

52.21 which the order or permit is in effect when the increase in actual emissions from the particular change occurs.

(d) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(e) A decrease in actual emissions is creditable only to the extent that:

(1) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

(2) It is federally enforceable at and after the time that actual construction on the particular change begins;

(3) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change; and

(4) Ecology or the Authority has not relied on it in issuing any permit under regulations approved pursuant to 40 CFR 51 Subpart I or Ecology or the Authority has not relied on it in demonstrating attainment or reasonable further progress.

(f) An increase that results from a physical change at a source occurs when the emission unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed one hundred eighty days.

NEW SOURCE means:

(a) The construction or modification of a stationary source that increases the amount of any air contaminant emitted by such source or that results in the emission of any air contaminant not previously emitted; and

(b) Any other project that constitutes a new source under the Federal Clean Air Act.

NEW SOURCE PERFORMANCE STANDARDS (NSPS) means the federal regulations set forth in 40 CFR Part 60.

NONATTAINMENT AREA means a clearly delineated geographic area which has been designated by EPA and promulgated as exceeding a national ambient air quality standard or standards for one or more of the criteria pollutants, which includes carbon monoxide, fine particulate matter (PM-10) sulfur dioxide, ozone, and nitrogen dioxide.

NOTICE OF CONSTRUCTION APPLICATION means a written application to permit construction of a new source, modification of an existing source, or replacement or substantial alteration of control technology at an existing source. Replacement or substantial alteration of control technology does not include routine maintenance, repair, or parts replacement.

NUISANCE means an emission that unreasonably interferes with the use and enjoyment of property.

OPACITY means the degree to which an object seen through a plume is obscured, stated as a percentage.

OPEN BURNING means the combustion of material in an open fire or in an open container, without providing for the control of combustion or the control of the emissions from the combustion. Wood waste disposal in wigwam burners is not considered open burning.

OPEN FIRE means a fire where any material is burned in the open or in a receptacle other than a furnace, incinerator or kiln.

ORDER OF APPROVAL OR APPROVAL ORDER means a regulatory order issued by Ecology or the Authority to approve the Notice of Construction Application for a proposed new source or modification or the replacement or substantial alteration of control technology at an existing stationary source, after review of all information received including public comment as required under Article 5 and Article 7.

OWNER means and includes the person who owns, leases, supervises or operates the equipment or control apparatus.

PARTICULATE MATTER OR PARTICULATES means any liquid, other than water, or any solid, which is so finely divided as to be capable of becoming windblown or being suspended in air, or other gas or vapor.

PARTICULATE MATTER EMISSIONS means all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air as measured by a preapproved method by the Authority.

PARTS PER MILLION (ppm) means parts of a contaminant per million parts of gas, by volume, exclusive of water or particulates.

PERMIT means a written warrant or license granted by the Board, Control Officer, or duly authorized Representative or Agent.

PERSON means an individual, firm, public or private corporation, association, partnership, political subdivision, municipality or government agency.

PM-10 means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by a reference method based on 40 CFR Part 50 Appendix J and designated in accordance with 40 CFR Part 53 or by an equivalent method designated in accordance with 40 CFR Part 53.

PM-10 emissions means finely divided solid or liquid material, including condensible particulate matter, with an aerodynamic diameter less than or equal to a nominal 10 micrometers emitted to the ambient air as measured by an applicable reference method, or an equivalent or alternate method, specified in Appendix M of 40 CFR Part 51 or by a test method specified in the Washington State Implementation Plan (SIP).

POTENTIAL CONTROLLED EMISSIONS means the emissions from a facility determined as if the facility was operated at maximum capacity, 8,760 hours per year with control equipment operating. Operating control equipment can be considered only if the affect such controls have on emissions is federally enforceable.

POTENTIAL TO EMIT means the maximum capacity of a source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a source.

POTENTIAL UNCONTROLLED EMISSIONS means the emissions from a facility determined as if the facility was operated at maximum capacity, 8,760 hours per year with control equipment NOT operating.

PREVENTION OF SIGNIFICANT DETERIORATION (PSD) means the program set forth in WAC 173-400-141. Ecology has adopted the federal PSD program contained in 40 CFR 52.21 with some changes, which are described in WAC 173-400-141.

PROCESS means any equipment, device apparatus, chemical, natural element, procedure, effort, or any combination thereof which performs a service, function, use, or method, leading to an end of a particular performance, or manufacturing production.

PROJECTED WIDTH means that dimension of a structure determined from the frontal area of the structure, projected onto a plane perpendicular to a line between the center of the stack and the center of the building.

REASONABLE ALTERNATIVES means disposal alternatives to open burning that cost less than eight dollars fifty cents per cubic yard. After July 1993, this amount shall be adjusted periodically by department policy.

REASONABLY ATTRIBUTABLE means attributable by visual observation or any other technique the Authority deems appropriate.

REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) means the lowest emission limit that a particular source or source category is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility. RACT is determined on a case-by-case basis for an individual source or source category taking into account the impact of the source upon air quality, the availability of additional controls, the emission reduction to be achieved by quality, and the capital and operating costs of the additional controls. RACT requirements for any source category shall be adopted only after notice and opportunity for comment are afforded.

RECREATIONAL FIRE means barbecues and campfires, using charcoal, natural gas, propane, or natural wood, which occur in designated areas, or on private property. Fires used for debris disposal purposes are not considered recreational fires.

REFUSE means waste as defined in Section 1.07 of this Regulation.

REGULATION 1 means any regulation, or any subsequently adopted additions or amendments thereto, of the Olympic Air Pollution Control Authority.

REGULATORY ORDER means an order issued by Ecology or the Authority to an air contaminant source which approves a notice of construction application, limits emissions and/or establishes other air pollution control requirements.

REPRESENTATIVE or AGENT means any person authorized by the Control Officer of the Authority to represent him in an official and specific manner.

RESIDENTIAL means a two or single family unit.

RUBBISH means waste as defined in Section 1.07 of the Regulation.

SALVAGE OPERATION means any operation conducted in whole or in part for the salvaging or reclaiming of any product.

SIGNIFICANT means a rate of emissions equal to or greater than any one of the following rates:

| <u>Pollutant</u> | <u>Tons/Year</u> |
|------------------|------------------|
|------------------|------------------|

| | |
|---|----------|
| Carbon monoxide | 100 |
| Nitrogen oxides | 40 |
| Sulfur dioxide | 40 |
| Particulate matter (PM) | 25 |
| Fine particulate matter (PM ₁₀) | 15 |
| Volatile organic compounds (VOC) | 40 |
| Lead | 0.6 |
| Fluorides | 3 |
| Sulfuric acid mist | 7 |
| Hydrogen sulfide (H ₂ S) | 10 |
| Total reduced sulfur (including H ₂ S) | 10 |
| Reduced Sulfur compounds (including H ₂ S) | 10 |
| Municipal waste combustor organics (measured as total tetra-through octa-chlorinated dibenzo-p-dioxins and dibenzofurans) | 0.000035 |
| Municipal waste combustor metals (measured as PM) | 15 |
| Municipal waste combustor acid gases (measured as SO ₂ and hydrogen chloride) | 40 |

SIGNIFICANT VISIBILITY IMPAIRMENT means visibility impairment which interferes with the management, protection, preservation, or enjoyment of visitor visual experience of the Class I area. The determination must be made on a case-by-case basis, taking into account the geographic extent, intensity, duration, frequency, and time of the visibility impairment, and how these factors correlate with the time of visitor use of the Class I area and frequency and timing of natural conditions that reduce visibility.

SILVICULTURAL BURNING means burning on any land the Department of Natural Resources protects per RCW 70.94.030(13), 70.94.660, 70.94.690, and pursuant to Chapter 76.04 RCW.

SOURCE means all of the emissions unit(s) and all of the pollutant emitting activities which belong to the same industrial grouping, including quantifiable fugitive emissions, that are located on one or more contiguous properties, and are under the control of the same person or persons under common control, whose activities are ancillary to the production of a single product or functionally related groups of products. Pollutant emitting activities shall be considered as part of the same industrial grouping if they belong to the same Major Group (i.e., which have the same two digit code) as described in the Standard Industrial Classification Manual, 1972, as amended by the 1977 Supplement.

SOURCE CATEGORY means all sources of the same type or classification.

STACK means any point in a source designed to emit solids, liquids, or gases into the air, including a pipe or duct.

STACK HEIGHT means the height of an emission point measured from the ground level elevation at the base of the stack.

STANDARD CONDITIONS means a temperature of 20°C (68°F) and a pressure of 760 mm (29.92 inches) of mercury.

STANDARD CUBIC FOOT OF GAS means that amount of the gas which would occupy a cube having dimensions of one foot on each side, if the gas were free of water vapor and at standard conditions.

STATE ACT means the Washington Clean Air Act, Chapter 70.94 RCW, as amended.

STATIONARY SOURCE means any source as defined in this section which is fixed in location temporarily or permanently. This term does not include emissions resulting directly from an internal combustion engine for transportation purposes or from a nonroad engine or nonroad vehicle as defined in section 216 of the FCAA.

SULFURIC ACID PLANT means any facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, or acid sludge.

TEMPORARY means a period of time not to exceed one (1) year.

TOTAL REDUCED SULFUR (TRS) means the sum of the sulfur compounds hydrogen sulfide, mercaptans, dimethyl sulfide, dimethyl disulfide, and any other organic sulfides emitted and measured by EPA method 16 or an approved equivalent method and expressed as hydrogen sulfide.

TOTAL SUSPENDED PARTICULATE means particulate matter as measured by the method described in 40 CFR Part 50 Appendix B as in effect on July 1, 1988.

TOXIC AIR POLLUTANT(S) (TAP) means any class A or Class B toxic air pollutant listed in WAC 173-460-150 and/or WAC 173-460-160.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (USEPA) shall be referred to as EPA.

URBAN GROWTH AREA means an area defined by RCW 36.70A.030.

VENT means any opening through which gaseous emissions are exhausted into the ambient air.

VISIBILITY IMPAIRMENT means any perceptible degradation in visibility (visual range, contrast, coloration) not caused by natural conditions.

VISIBILITY IMPAIRMENT OF CLASS I AREAS means visibility impairment within the area and visibility impairment of any formally designated integral vista associated with the area.

VOLATILE ORGANIC COMPOUND (VOC) means:

(a) Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. This includes any organic compound other than the following, which have negligible photochemical activity: Methane; ethane, methylene chloride (dichloromethane); 1,1,1-trichloroethane (methyl chloroform); 1,1,1-trichloro 2,2,2-trifluoroethane (CFC-113); trichlorofluoromethane (CFC-11); dichlorodifluoromethane (CFC-12); chlorodifluoromethane (CFC-22); trifluoromethane (FC-23); 1,1,2,2-tetrafluoroethane (CFC-114); chloropentafluoroethane (CFC-115); 1,1,1-trifluoro 2,2-dichloroethane (HCFC-123); 1,1,1,2-tetrafluoroethane (HFC-124); pentafluoroethane (HFC-125); 1,1,2,2-tetrafluoroethane (HFC-134); 1,1,1-trifluoroethane (HFC-143a); 1,1-difluoroethane (HFC-152a); and perfluorocarbon compounds which fall into these classes:

(1) Cyclic, branched, or linear completely fluorinated alkanes;

(2) Cyclic, branched, or linear completely fluorinated ethers with no unsaturations; and

(3) Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

(b) For the purpose of determining compliance with emission limits, VOC will be measured by the appropriate methods in 40 CFR Part 60 Appendix A. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly reactive compounds may be excluded as VOC if the amount of such compounds is accurately quantified, and such exclusion is approved by the Authority.

(c) As a precondition to excluding these negligibly reactive compounds as VOC or at any time thereafter, Ecology or the Authority may require an owner or operator to provide monitoring or testing methods and results demonstrating, to the satisfaction of Ecology or the Authority, the amount of negligibly reactive compounds in the source's emissions.

WASTE means unproductive, worthless, useless or rejected material.

WASTE-WOOD BURNER means equipment or facility used solely for the combustion-disposal of waste wood without heat recovery. Such burners shall include, but not be limited to, a wigwam burner, a silo-type burner, or an air-curtain burner.

WIGWAM or TEPEE BURNER - see Waste-wood Burner.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION

SECTION 8.03 DEFINITIONS

ADEQUATE SOURCE OF HEAT means the ability to maintain seventy degrees Fahrenheit (70°F) at a point three (3) feet above the floor in all normally inhabited areas of a dwelling—garages are specifically excluded.

CERTIFIED means that a woodstove meets emission performance standards when tested by an accredited independent laboratory and labeled according to procedures specified by:

(a) EPA in 40 CFR Part 60 Subpart AAA-Standards of Performance for Residential Wood Heaters as amended through July 1, 1990; or

(b) Oregon Department of Environmental Quality Phase 2 emission standards contained in Subsections (2) and (3) of Section 340-21-115, and Oregon Administrative Rules, Chapter 340, Division 21—Woodstove Certification dated November 1984.

COMMERCIAL means a location that is licensed by the State of Washington to conduct business within the State of Washington.

COOK STOVE means an appliance designed with the primary function of cooking food and containing an integrally built in oven, with an internal temperature indicator and oven rack, around which the fire is vented, as well as a shaker grate

ash pan and an ash cleanout below the firebox. Any device with a fan or heat channels used to dissipate heat into the room shall not be considered a cook stove.

IMPAIRED AIR QUALITY STAGE 1 means a condition declared by the Control Officer when particulates, 10 microns and smaller in diameter, are at an ambient level of ((75)) sixty (60) micrograms per cubic meter measured on a 24 hour average or when carbon monoxide is at an ambient level of eight parts of contaminant per million parts of air by volume measured on an eight hour average.

IMPAIRED AIR QUALITY STAGE 2 means a condition declared by the Control Officer when particulates 10 microns and smaller in diameter are at an ambient level of 105 micrograms per cubic meter measured on a 24 hour average.

NONAFFECTED PELLET STOVE means that a pellet stove has an air-to-fuel ratio equal to or greater than 35.0 when tested by an accredited laboratory in accordance with methods and procedures specified by the EPA in 40 CFR Part 60 Appendix A, Reference Method 28A-Measurement of Air to Fuel Ratio and Minimum achievable burn rates for Wood fired Appliances as amended through July 1, 1990.

SALT LADEN WOOD means any species of wood that has been soaked in salt water.

SEASONED WOOD means wood of any species that has been sufficiently dried so as to contain twenty percent or less moisture by weight.

SOLID FUEL BURNING DEVICE means a device that burns wood, coal, or any other nongaseous or nonliquid fuels, and includes any device burning any solid fuel except those prohibited by Section 8.07. This also includes devices used for aesthetic or spaceheating purposes in a private residence or commercial establishment, which has a heat input less than one million British thermal units per hour. A cook stove is specifically excluded from this definition.

TREATED WOOD means wood of any species that has been chemically impregnated, painted, or similarly modified to improve structural qualities or resistance to weathering or deterioration.

WOODSTOVE means an enclosed solid fuel burning device capable of and intended for residential space heating and domestic water heating. Any combination of parts, typically consisting of, but not limited to: Doors, legs, flue pipe collars, brackets, bolts and other hardware, when manufactured for the purpose of being assembled, with or without additional owner supplied parts, into a woodstove, is considered a woodstove.

WSR 98-11-079
PROPOSED RULES
OLYMPIC AIR POLLUTION
CONTROL AUTHORITY

[Filed May 19, 1998, 12:50 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 70.94.141.

Title of Rule: Amend OAPCA's Regulation 1 Article 7 Notice of Construction.

Purpose: Adjust Notice of Construction fees to cover program costs.

Statutory Authority for Adoption: Chapter 70.94 RCW.
Statute Being Implemented: RCW 70.94.141.

Summary: This proposal will establish Notice of Construction fees to cover program costs.

Reasons Supporting Proposal: Notice of Construction fees must be adjusted to cover the costs of administering the program.

Name of Agency Personnel Responsible for Drafting: Mark Goodin, 909 Sleater Kinney Road, 438-8768; Implementation and Enforcement: Charles Peace, 909 Sleater Kinney Road, 438-8768.

Name of Proponent: Olympic Air Pollution Control Authority (OAPCA), governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This proposal would increase Notice of Construction fees to cover the costs of administering the program.

Proposal Changes the Following Existing Rules: Notice of Construction fees would increase to cover program costs.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This agency is not subject to the small business economic impact provision of the Administrative Procedure Act.

RCW 34.05.328 does not apply to this rule adoption. Pursuant to RCW 70.94.140 (i) [(1)], RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Olympic Air Pollution Control Authority, 909 Sleater Kinney Road S.E. #1, Lacey, WA 98503, on July 8, 1998, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Craig Weckesser by July 3, 1998, (360) 438-8768.

Submit Written Comments to: Charles Peace, FAX (360) 491-6308, by July 8, 1998.

Date of Intended Adoption: August 9, 1998.

May 14, 1998

Charles Peace

Executive Director

AMENDATORY SECTION

SECTION 7.01 NOTICE OF CONSTRUCTION

(a) No person shall construct, install, establish, or modify an air contaminant source, except those sources listed in Article 5, section 5.01 (b) of the Regulation without first filing with the Authority a "Notice of Construction and Application for Approval", on forms prepared and provided by the Authority, and without having received approval by the Authority. For the purposes of this Article, addition to, enlargement, or replacement of an air contaminant source, or any alteration thereto, shall be construed as construction, installation or establishment of a new air contaminant source.

New air contaminant sources shall include, but not be limited to, the following:

- (1) Agricultural drying and dehydrating operations.
- (2) Asphalt plants.
- (3) Cattle feedlots with facilities for 1,000 or more cattle.
- (4) Chemical plants.
- (5) Ferrous foundries.

- (6) Fertilizer plants.
- (7) Grain handling, seed processing, pea and lentil processing facilities.
- (8) Mineralogical processing plants.
- (9) Nonferrous foundries.
- (10) Oil refineries.
- (11) Other metallurgical processing plants.
- (12) Power boilers using coal, hog fuel or oil.
- (13) Rendering plants.
- (14) Scrap metal operations.
- (15) Veneer dryers.
- (16) Wood waste incinerators including wigwam burners.
- (17) Other incinerators designed for a capacity of 100 pounds per hour or more.
- (18) Stationary internal combustion engines rated at 500 horse power or more.
- (19) Any category of stationary sources to which a federal standard of performance applies.
- (20) Any source which emits a contaminant subject to a national emission standard for hazardous air pollutants.
- (21) Sawmills, including processing for lumber, plywood, shake, shingle, pulp wood insulating board, or any combination thereof.

Provided, however;

For sources, such as asphalt batch plants, which locate temporarily at particular sites, the owner or operator shall be permitted to operate at a temporary location without filing a Notice of Construction, providing that the owner or operator notifies the (~~Olympic Air Pollution Control~~) Authority of intent to operate at the new location at least 30 days prior to starting the operation, and supplies sufficient information to enable the (~~Olympic Air Pollution Control~~) Authority to determine that the operation will comply with the emission standards for a new source and the applicable ambient air standards. The permission to operate shall be for a limited period of time and the (~~Olympic Air Pollution Control~~) Authority may set specific conditions for operation during said period which shall include a requirement to comply with all applicable emission standards.

(b) A Notice of Construction and Application for Approval shall not be required to begin an alteration of equipment or control apparatus if delaying the alteration may endanger life or the supplying of essential services. The Authority shall be notified in writing of the alteration on the first working day after the alteration is commenced, and a Notice of Construction and Application for Approval shall be filed within fourteen (14) days after the day the alteration is commenced.

(c) RESERVED SUB-SECTION (~~A separate Notice and Application shall be submitted for each unit of equipment or control apparatus, unless identical units of equipment or control apparatus are to be installed, constructed or established in an identical manner on the same premises: PROVIDED, that the owner has the option to give notice and apply for approval of a process with a detailed inventory of contaminant sources and emissions related to said process.~~)

(d) Each Notice of Construction and Application for Approval shall be signed by the applicant or owner, who may be required to submit evidence of their authority.

PROPOSED

~~((e) Notice shall be given to the public for public comment concerning the "Notice of Construction and Application for Approval" filed by the applicant. Such notice shall be given by publication in a newspaper of general circulation in the county in which the proposed contaminant source is to be constructed, installed, or established. The public shall have thirty (30) days from the date of publication within which to submit comments in writing to the Authority concerning the application. The scope of such comment shall be limited to the emission control system and impact on the ambient air standard.))~~

NEW SECTION

SECTION 7.04 PUBLIC NOTICE, COMMENTS AND HEARINGS

(a) Applicability of public notice requirements. The Authority shall provide public notice prior to approval or denial of any Notice of Construction and Application for Approval if:

(1) The proposed installation or modification would cause a significant increase the potential to emit of any air contaminant listed in Table 7.01; or

TABLE 7.1: SIGNIFICANT EMISSIONS INCREASE

| Air Contaminant | Potential Tons/Year |
|--|---------------------|
| Carbon Monoxide (CO) | 100.0 |
| Volatile Organic Compounds (VOC) | 40.0 |
| Sulfur dioxide | 40.0 |
| Nitrogen Oxides (NO _x) | 40.0 |
| Particulate Matter (PM) | 25.0 |
| Fine Particulate Matter (PM ₁₀) | 15.0 |
| Lead | 0.6 |
| Fluorides | 3.0 |
| Sulfuric Acid Mist | 7.0 |
| Hydrogen sulfide (H ₂ S) | 10.0 |
| Total Reduced Sulfur (including H ₂ S) | 10.0 |
| Municipal waste combuster organics (measured as total tetra-through octa-chlorinated dibenzo-p-dioxins and dibenzofurans | 0.0000035 |
| Municipal waste combuster metals (measured as PM) | 15 |
| Municipal waste combuster acid gases (measured as SO ₂ and hydrogen chloride) | 40 |

(2) The applicant requests a limit on the potential to emit; or

(3) The applicant requests to bank emission reduction credits; or

(4) The proposed installation or modification involves refuse burning equipment; or,

(5) The Control Officer determines that there may be substantial public interest in the proposal.

(b) Public notice requirements. Public notice shall be made only after all information required by the Authority has been submitted and after a Preliminary Determination has been made. The cost of providing public notice shall be borne by the applicant according to provisions in section 7.13. Public notice shall include the following:

(1) Availability for public inspection in at least one location near the proposed project, of the nonproprietary information submitted by the applicant, and any written Preliminary Determination by the Authority.

(2) Publication of a legal notice in a newspaper of general circulation in the area of the proposed project which provides:

(i) A brief description of the project;

(ii) Location of the project and location of documents made available for public inspection;

(iii) The deadline for submitting written comments;

(iv) A statement that any person, interested governmental agency, group, or the applicant may request a public hearing; and,

(v) A statement that a public hearing may be held if the Authority determines within a 30-day period that significant public interest exists.

(3) Notice to the U.S. Environmental Protection Agency Regional Administrator.

(c) Consideration of public comments. Unless a public hearing is held, the public comment period shall be the thirty-day period following the date the public notice is first published. If a public hearing is held, the public comment period shall extend through the hearing date and thereafter for such period, if any, as the notice of public hearing may specify. No final decision on any Notice of Construction and Application for Approval for which a public notice is required pursuant to Section 7.04(a) shall be made until the public comment period has ended and any comments received have been considered.

(d) Provisions for public hearings. The applicant, any interested governmental entity, any group, or any person may request a public hearing within the comment period specified in the public notice. Any such request shall indicate, in writing, the interest of the entity filing it and why a hearing is warranted. The Authority may, in its discretion, hold a public hearing if it determines significant public interest exists. Any

such hearing shall be held upon such notice and at a time and place as the Authority deems reasonable. The Authority shall provide at least 30 days prior notice of any hearing.

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

SECTION 7.05 ISSUANCE OF APPROVAL ((OR) ORDER

(a) As soon as practicable after receipt of Notice of Construction and Application for Approval, and, if public noticing is required pursuant to Section 7.04, after consideration of any comments and testimony received, the Board or Control Officer shall issue an Approval Order for the proposed project ~~((of Construction))~~ or an Order that the construction, installation or establishment of a new air contaminant source will not be in accord with the applicable emissions standards as are in effect at the time of filing the Notice of Construction and Application for Approval. Failure to comply with any term or condition of an Approval Order constitutes a violation of this section and is subject to penalties pursuant to RCW 70.94.430 and RCW 70.94.431.

(b) No approval will be issued unless the information required by Section 7.01 and 7.03 evidences to the Control Officer or the Board that:

(1) The equipment or control apparatus is designed and will be installed to operate without causing violation of any law or regulation of the Authority.

(2) Upon request of the Control Officer or Board, equipment or control apparatus having a stack three (3) feet or more in diameter is provided with:

- (i) Sampling ports of a size, number and location as the Authority may require; and
- (ii) Safe access to each port; and
- (iii) Such other sampling and testing facilities as the Control Officer or Board may require.

(3) The equipment incorporates all known available and reasonable methods of emission control and will meet the requirements of all applicable Standards of Performance promulgated by the United States Environmental Protection Agency.

(c) If the Board or Control Officer determines that the construction, installation or establishment of a new air contaminant source or sources will not comply with all laws or regulations of the Authority, the Board or Control Officer shall issue an Order for the prevention of the construction, installation or establishment of the air contaminant source or sources; and

- (1) The Order shall be in writing;
- (2) The Order shall set forth the objections in detail with reference to the specific law or section or sections of the Regulation that will not be met by the proposed construction, installation or establishment;
- (3) The Order shall be signed by the Control Officer or an authorized representative.
- (d) Any Order issued pursuant to this section shall become final unless, no later than twenty (20) days after the

date the Order is served pursuant to Section 3.21 of the Regulation, the owner or applicant petitions for a reconsideration of the Order, stating reasons for the reconsideration.

(1) The Board or Control Officer shall consider the petition and shall within thirty (30) days give written notice of approval or disapproval of the petition, setting forth the reasons for disapproval.

(2) If the petition of the owner or applicant is disapproved, the owner or applicant may appeal to the Pollution Control Hearings Board of the State of Washington, pursuant to Section 3.17 of this Regulation.

(e) Any Order issued or the failure to issue such an order or approval, shall not relieve any person from their obligation to comply with any emission control requirement or with any other provision of law.

AMENDATORY SECTION

SECTION 7.13 NOTICE OF CONSTRUCTION FILING FEES

(a) The fee for processing a Notice of Construction and Application for Approval (NOC) shall include a Filing Fee according to Section 7.13(b). Plan Examination and Inspection Fees according to Section 7.13(c), and any applicable Additional NOC Processing Fees according to Section 7.13(d).

~~((a)) (b) Filing Fees.~~ The Authority shall not commence processing of a ~~((Notice of Construction and Application for Approval))~~ NOC until it has received a filing fee of ~~(((\$50.00;))\$100.00.~~ ~~((Plan Examination and Inspection fees as shown in Table 7.1. One Filing fee, and the Plan Examination and Inspection fees, shall be paid for identical units, except when a separate examination, and/or inspection is required for each identical unit.))~~

(c) Plan Examination and Inspection Fees. A Plan Examination and Inspection Fee shall be paid for each piece of equipment or process proposed which emits air pollutants and requires filing a NOC, and for certain fee eligible reviews and determinations as identified in Table 7.2. The applicant may choose to determine applicable Plan Examination and Inspection Fees based on this section and include payment along with the NOC application, or may elect to have the Authority determine applicable Plan Examination and Inspection Fees during the NOC completeness review, in which case, the applicant would be billed. In either case, the NOC application is incomplete until the Authority has received payment of applicable Plan Examination and Inspection Fees. Plan Examination and Inspection Fees shall be determined as follows:

(1) One Plan Examination and Inspection Fee shall be paid for each regulatory determination or review item identified in Table 7.2 which applies to the NOC;

(2) One Plan Examination and Inspection Fee shall be paid for each piece of equipment or process which emits air pollutants and requires filing a NOC except for equipment or processes which can be considered as identical equipment or processes;

(3) Equipment or processes may be considered identical provided that they have the same physical specifications and

PROPOSED

PROPOSED

only one examination and/or inspection is required by the Authority:

(4) Identical equipment or processes may be accounted for collectively as a single piece of equipment or process subject to a single Plan Examination and Inspection Fee:

(5) The Plan Examination and Inspection Fee for a piece of equipment shall be based on the fee amount in Table 7.2 which most closely matches the equipment or process type: and.

(6) Any fee based on actual cost to the Authority shall be determined according to 7.13(e).

(d) Additional Fees. An Additional NOC Processing Fee shall be paid by the applicant for any work identified in Table 7.3 which has been completed by the Authority for purposes of finalizing review and approval of a NOC. The Authority shall not issue the Final Determination or Order of Approval for any NOC until applicable additional NOC Processing Fees have been paid. The Authority shall determine which additional NOC Processing Fees apply and shall bill an applicant after issuing a Preliminary Determination, but prior to issuing a Final Determination or Approval Order. Additional NOC Processing Fees shall be determined based

on the fee schedule contained in Table 7.3. Any fee based on actual cost to the Authority shall be determined according to 7.13(e).

(e) Fee amounts in Table 7.2 and Table 7.3 which are based on the Authority's actual cost to complete a review or task shall be determined using the actual direct hours expended completing the specific review or task and the corresponding direct hourly salary rate of each Authority staff person directly involved. The following provisions shall apply:

(1) Actual hours used in determining the amount of a fee shall be recorded on a daily basis by each Authority staff person directly involved in completing the specific task:

(2) Time accrued for purposes of determining the amount of a fee for this section shall be accounted for to the nearest 15 minutes:

(3) Current employee salary rates shall be used when calculating actual cost-based fees; and.

(4) The bill issued for any fee based on the Authority's actual cost shall indicate the total hours expended and the hourly cost rates which were used to determine the fee.

NEW TABLE

TABLE 7.2: PLAN EXAMINATION AND INSPECTION FEES

| DESCRIPTION | FEE |
|---|----------------------------|
| Fuel Burning Equipment (new installation) (fee based on Million Btu/hr heat input at design capacity): | |
| less than 10 | \$350 |
| 10 or more but less than 20 | \$500 |
| 20 or more but less than 50 | \$700 |
| 50 or more but less than 100 | \$1,500 |
| 100 or more | \$2,500 |
| fuel change or new fuel | 1/2 x new installation fee |
| Emissions from control equipment or from uncontrolled process equipment (fee based on Actual cubic Feet per minute at design capacity): | |
| less than 10,000 | \$300 |
| 10,000 or more but less than 20,000 | \$400 |
| 20,000 or more but less than 50,000 | \$550 |
| 50,000 or more but less than 100,000 | \$850 |
| 100,000 or more but less than 250,000 | \$1,700 |
| 250,000 or more | \$2,500 |
| Incineration (fee based on rate in pounds per hour at design capacity) | |
| less than 100 | \$300 |
| 100 or more but less than 500 | \$550 |
| 500 or more but less than 1000 | \$1,650 |
| Refuse Combustion (fee based on combustion rate in tons per day at design capacity): | |
| less than 12 | \$2,500 |
| 12 or more | Actual Cost |
| Storage tanks, reservoirs, or containers other than retail gasoline or diesel fuel dispensing facilities (fee based on gallons total capacity): | |

| | |
|--|----------------------|
| 6,000 or more but less than 40,000 | \$350 |
| 40,000 or more but less than 100,000 | \$800 |
| 100,000 or more but less than 500,000 | \$1,250 |
| 500,000 or more | \$1,400 |
| Spray Painting Operation (per booth) | \$300 |
| Dry Cleaner (per machine) | \$200 |
| New Gasoline Station | \$300 |
| Gasoline Station Upgrade or Modification | \$200 |
| Coffee Roaster | \$1,000 |
| Asphalt Plant (initial) | \$1,000 |
| Soil Thermal Desorbtion Unit (initial) | \$2,500 |
| Odor Source | \$500 |
| Soil and Groundwater remediation | \$500 |
| Air Toxics Screening Review (Chapter 173-460 WAC) (provided by source) | \$200 |
| NOC Application Assistance (emission calculations, air toxics screening, etc.) | \$300 |
| SEPA Threshold Determination | \$300 |
| Approval Order Modification | \$100 |
| Other (whichever is greater) | \$200 or Actual Cost |

TABLE 7.3: FEE ELIGIBLE ITEMS

| FEE ELIGIBLE ITEM | DESCRIPTION | FEE AMOUNT |
|--|--|----------------------------|
| Additional NOC Processing Fees for Major Sources | Additional NOC processing fees shall equal the actual cost of processing the NOC for a Major Source less the NOC fees already paid. | Actual Cost |
| Environmental Impact Statements | Preparing an Environmental Impact Statement (EIS) in order to comply with the State Environmental Policy Act. | Actual Cost |
| NOC Assistance | Assistance in completing a NOC application including, but not limited to, assistance in calculating emissions, filling out standard forms, determining applicable requirements, completing a BACT analysis, performing an air toxics screening analysis pursuant to Chapter 173-460 WAC, and selecting monitoring equipment. | Actual Cost |
| Emission Reduction Credits | Review and approval of emission reduction credits pursuant to Chapter 173-400-131 WAC. | Actual Cost |
| Voluntary Emissions Limits (Synthetic Minors) | Review and approval of voluntary limits on emissions requests pursuant to Chapter 173-400-091 WAC. | Actual Cost |
| Alternative Opacity Limits | Review and approval of alternative opacity limit requests pursuant to RCW 70.94.331 (2)(c). | Actual Cost |
| Public Noticing | Work Associated with issuing public notice pursuant to Chapter 173-400-171 WAC and Section 7.01(e) of OAPCA Regulation 1. Associated work includes issuing a press release if warranted, copying and posting the written Preliminary Determination for public viewing, and reviewing and responding to comments. | \$350 |
| Publishing | Cost of publishing any legal public notice required pursuant to Chapter 173-400-171 WAC. | Actual cost of publishing. |
| Public Hearings | Work associated with conducting a public hearing including, but not limited to, preparation of summary materials, copying, issuing hearing notice, conducting the hearing, and responding to comments. | \$400 |

((b))

TABLE 7.1

PLAN EXAMINATION AND INSPECTION FEE

(1) Fuel-Burning Equipment:

| Million BTU per Hour Heat Input (Capacity) | Installation | Fuel Change |
|---|---------------------|------------------------|
| less than 5 | \$ 50 | \$ 25 |
| 5 or more but less than 10 | \$ 100 | \$ 50 |
| 10 or more but less than 20 | \$ 250 | \$ 100 |
| 20 or more but less than 50 | \$ 500 | \$ 200 |
| 50 or more but less than 100 | \$ 1,000 | \$ 300 |
| 100 or more but less than 250 | \$ 2,500 | \$ 400 |
| 250 or more but less than 500 | \$ 4,000 | \$ 600 |

(2) Actual Cubic Feet per Minute (ACFM) from control equipment or from uncontrolled process equipment:

| ACFM | Fee |
|---------------------------------------|------------|
| less than 5,000 | \$ 100 |
| 5,000 or more but less than 20,000 | \$ 200 |
| 20,000 or more but less than 50,000 | \$ 300 |
| 50,000 or more but less than 100,000 | \$ 750 |
| 100,000 or more but less than 250,000 | \$ 2,500 |
| 250,000 or more | \$ 4,000 |

(3) Incinerators:

| Combustion Rate in Pounds Per Hour (capacity) | Fee |
|--|------------|
| less than 100 | \$ 300 |
| 100 or more but less than 500 | \$ 500 |
| 500 or more but less than 1000 | \$ 750 |

| Solid Waste and/or Solid Waste Derived Fuel in Tons per hour (capacity): | Fee |
|---|------------|
| 0.5 or more but less than 2 | \$2,000 |
| 2 or more but less than 4 | \$3,000 |
| 4 or more | \$4,000 |

(4) Storage Tanks: Organic liquids, except gasoline, with a tank capacity greater than 6,000 gallons and a vapor pressure greater or equal to 1.5 lbs per square inch under actual storage conditions and/or gasoline storage tanks with a capacity greater than 40,000 gallons:

| Tank Capacity | Fee |
|---------------------------------------|------------|
| 6,000 or more but less than 40,000 | \$ 65 |
| 40,000 or more but less than 100,000 | \$ 200 |
| 100,000 or more but less than 500,000 | \$ 750 |
| 500,000 or more | \$1,200 |

(5) Odor Source:

| Fee |
|------------|
| \$ 200 |

~~(6) Other, Not Classified in Subsection (1), (2), (3), (4), or (5) above.~~

~~Fee
\$ 100~~

~~(e) State Environmental Policy Act (SEPA) Fee~~

~~(1) Threshold Determination—For every environmental checklist the Authority reviews when it is Lead Agency, the applicant shall first pay the Authority a fee of \$50.00 prior to undertaking the Threshold Determination by the responsible official of the Authority.~~

~~(2) If the Authority decides it must prepare a statement in order to comply with the State Environmental Policy Act before taking any action on a Notice of Construction, the cost of preparing, publishing, and distributing such a statement at a cost per hour rate for Authority staff time based upon actual cost as determined by the Control Officer and such other expenses as mutually agreed upon by the applicant and the Control Officer including consulting services, testing, reproduction, distributing, etc., shall be paid by the applicant.~~

~~(d) Public Notice—Fee~~

~~(1) The cost of publishing a public notice (as defined in WAC 403-110) shall be borne by the applicant or other initiator of the action.)~~

AMENDATORY SECTION

SECTION 7.15 WORK DONE WITHOUT APPROVAL

(a) Where work, for which a Notice of Construction is required, is commenced or performed prior to making application and receiving approval, the Control Officer or an authorized agent may conduct an investigation as part of the Notice of Construction review. In such a case, an investigation fee, in addition to the fees of Section 7.13 shall be assessed in an amount equal to 3 times the ((~~plan examination and inspection~~)) fees required of Section 7.13. Payment of the fees does not relieve any person from the requirement to comply with the regulations nor from any penalties for failure to comply.

**WSR 98-11-080
PROPOSED RULES**

**OLYMPIC AIR POLLUTION
CONTROL AUTHORITY**

[Filed May 19, 1998, 12:55 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 70.94.141 (i) [(1)].

Title of Rule: Amend OAPCA's Regulation 1, Article 6, Air Operating Permits.

Purpose: Adjust air operating permit fees to cover program costs.

Statutory Authority for Adoption: Chapter 70.94 RCW. Statute Being Implemented: RCW 70.94.141.

Summary: This proposal will establish operating permit fees to cover program costs.

PROPOSED

Reasons Supporting Proposal: Air operating permit program must be adjusted to cover the costs of administering the program.

Name of Agency Personnel Responsible for Drafting: Mark Goodin, 909 Sleater Kinney Road, 438-8768; Implementation and Enforcement: Charles Peace, 909 Sleater Kinney Road, 438-8768.

Name of Proponent: Olympic Air Pollution Control Authority (OAPCA), governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This proposal would increase air operating permit fees to cover the costs of administering the program.

Proposal Changes the Following Existing Rules: Operating Permit fees would increase to cover program costs.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This agency is not subject to the small business economic impact provision of the Administrative Procedure Act.

RCW 34.05.328 does not apply to this rule adoption. Pursuant to RCW 70.94.141 (i) [(1)], RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Olympic Air Pollution Control Authority Office, 909 Sleater Kinney Road S.E. #1, Lacey, WA 98503, on July 8, 1998, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Craig Weckesser by July 3, 1998, (360) 438-8768.

Submit Written Comments to: Charles Peace, FAX (360) 491-6308, by July 8, 1998.

Date of Intended Adoption: August 9, 1998.

May 14, 1998

Charles Peace

Executive Director

AMENDATORY SECTION

SECTION 6.00 DEFINITIONS

For purposes of Article 6, the following definitions shall apply.

ACTUAL EMISSIONS means the actual rate of emissions of a pollutant from an emission unit, as determined in accordance with (a) and (b) of this subsection.

(a) In general, actual emissions as of a particular date shall equal the rate, in tons per year, at which the emissions unit actually emitted the pollutant during a one-year period which precedes the particular date and which is representative of normal source operation. Actual emissions shall be calculated using the emission(s) unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(b) The Authority may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the emissions unit.

~~((AIR CONTAMINANT means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substance, or any combination thereof. "Air pollutant" means the same as "air contaminant."))~~

~~AIR CONTAMINANT GENERATING EQUIPMENT means, for purposes of calculating Article 6 fees, any equipment or process capable of generating or emitting air contaminants~~

~~except for the equipment and processes listed in (a) through (g) below:~~

~~(a) Gasoline or other fuel storage tanks located at dispensing facilities as defined in Article 15;~~

~~(b) Storage tanks and other equipment located at dry cleaning facilities;~~

~~(c) Combustion units with less than 10 million BTUs per hour heat input;~~

~~(d) Process equipment with less than 20,000 ACFM flowrate;~~

~~(e) Paint spray booths and related paint spraying equipment;~~

~~(f) Mobile sources;~~

~~(g) Any other equipment or process determined appropriate for this exemption by the Authority.))~~

EMISSIONS means a release of air contaminants into the ambient air.

EMISSIONS UNIT means any part of a source which emits or has the potential to emit any pollutant subject to regulation.

FACILITY means the same as "source".

POTENTIAL TO EMIT means the maximum capacity of a source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable.

SOURCE means all of the emissions unit(s) including quantifiable fugitive emissions, that are located on one or more contiguous properties, and are under the control of the same person or persons under common control, whose activities are ancillary to the production of a single product or functionally related groups of products. Activities shall be considered ancillary to the production of a single product or functionally related group of products if they belong to the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual, 1972*, as amended by the 1977 Supplement.

STACK means, for purposes of calculating Article 6 fees, any point in a source designed to emit solids, liquids, or gases into the air, including a pipe or duct, except for the following:

(a) Emission points associated with gasoline or fuel dispensing stations.

(b) Emission points associated with dry cleaning facilities.

(c) Pipes or ducts equal to or less than twelve (12) inches in diameter.

(d) Any other emission point determined appropriate for this exemption by the Authority.

TOXIC AIR POLLUTANT means any Class A or Class B toxic air pollutants listed in WAC 173-460-150 and 173-460-160. The term toxic air pollutant may include particulate matter and volatile organic compounds if an individual substance or group of substances within either of these classes is listed in WAC 173-460-150 and 173-460-160. The term toxic air pollutant does not include particulate matter and volatile organic compounds as generic classes of compounds.

AMENDATORY SECTION**SECTION 6.03 OPERATING PERMIT FEES(~~(GENERAL)~~)**

(a) (~~(Air Operating Permit Account. The Authority shall establish and maintain a dedicated account for the Air Operating Permit Program called the Air Operating Permit Account. The account shall be funded exclusively by fee revenue from sources requiring an air operating permit pursuant to RCW 70.94.161. All fee revenue collected under Article 6 shall be deposited into the Air Operating Permit Program Account. All direct and indirect costs and expenditures attributable to the Air Operating Permit Program shall be met exclusively with revenue from the Air Operating Permit Account.)~~) **Fee Applicability.** Any source in the Authority's jurisdiction subject to the requirement to obtain an Operating Permit pursuant to 40 CFR 70 or RCW 70.94.161 (major sources), except those sources for which air emissions are regulated by the Washington State Department of Ecology Industrial Section, shall pay fees to the Authority according to the provisions in this section.

(b) (~~(Annual Workload Analysis. On an annual basis, starting with calendar year 1994, the Authority shall conduct a workload analysis to determine the adequacy and fairness of the Article 6 fee schedules. The workload analysis shall be based on the Authority's historical record of time and resource expenditures attributable to the air operating permit program. The workload analysis shall be made available upon request to the Authority. Any proposed revisions to the annual fee schedule shall be presented to the Board for adoption after public noticing pursuant to Regulation 1 public noticing requirements and opportunity for a public hearing.)~~) **Operating Permit Program Account.** The Authority shall maintain a dedicated account for the Air Operating Permit program. The account shall be funded exclusively by fee revenue collected from major sources. All fee revenue collected under this section and all fee revenue from major sources collected under Section 7.13 shall be deposited in the Air Operating Permit account.

(c) **Operating Permit Program Funding.** The sum of fees assessed by the Authority under this section and fee revenue from major sources assessed under Section 7.13 shall be sufficient to cover all direct and indirect costs to develop and administer the Authority's Operating Permit Program including Ecology's cost for development and oversight of the Authority's Operating Permit Program, as provided in RCW 70.94.162.

(d) **Ecology Development and Oversight Fees.** The Authority shall assess an annual **Ecology Development and Oversight Fee** to all major sources. The total amount of **Ecology Development and Oversight Fees** assessed annually by the Authority shall equal Ecology's annual cost of development and oversight of the Authority's Operating Permit Program, as provided in RCW 70.94.162.

(e) **Notice of Construction Fees.** The Authority shall assess **Notice of Construction Fees** to all major sources according to Section 7.13 of Regulation 1.

(f) **Annual Fees, Existing Major Sources.** The Authority shall assess an **Annual Fee** to all existing major sources.

The total amount of **Annual Fees** assessed by the Authority to existing major sources shall equal the projected net annual cost to administer the Authority's Operating Permit Program during the current fiscal year.

(g) **Net Annual Cost Projections.** Projected net annual cost to administer the Authority's Operating Permit Program shall be determined annually and shall equal the projected annual cost to administer the program minus any balance of funds in the Operating Permit Program account at the end of the previous fiscal year. Projected annual costs shall include all direct and indirect costs to administer the Authority's Operating Permit Program and shall be based on a workload analysis conducted by staff. Net annual cost projections including the workload analysis shall be included in the Authority's annual budget and approved by resolution of the Authority's Board of Directors in a public hearing.

(h) **Workload Analysis.** Only fee eligible activities as specified below, as provided in RCW 70.94.162, shall be considered in the workload analysis conducted annually by staff. Fee eligible activities shall include:

(1) Preapplication assistance and review of an application and proposed compliance plan for a permit, permit revision or permit renewal;

(2) Source inspections, testing and other data gathering activities necessary for development of a permit, permit revision or renewal;

(3) Acting on an application for a permit, permit revision or renewal, including the cost of developing an applicable requirement as part of the processing of a permit, permit revision or renewal, preparing a draft permit and fact sheet, preparing a proposed permit and preparing a final permit;

(4) Notifying and soliciting, reviewing and responding to comment from the public and contiguous states and tribes, conducting public hearings regarding the issuance of a draft permit and other costs of providing information to the public regarding operating permits and the permit issuance process;

(5) Modeling necessary to establish permit limits or to determine compliance with permit limits;

(6) Reviewing compliance certifications and emission reports, conducting related compilation and reporting activities;

(7) Conducting compliance inspections, complaint investigations and other activities necessary to ensure that a source is complying with permit conditions;

(8) Administrative enforcement activities and penalty assessment, excluding the cost of proceedings before the Pollution Control Hearings Board (PCHB) and all costs of judicial enforcement;

(9) The share attributable to permitted sources to the development and maintenance of emissions inventories;

(10) The share attributable to permitted sources of the ambient air quality monitoring and associated recording and reporting activities;

(11) Training for permit administration and enforcement;

(12) Fee determination, assessment and collection, including the cost of necessary administrative dispute resolution and enforcement;

(13) Required fiscal audits, periodic performance audits and reporting activities;

(14) Tracking of time, revenues and expenditures and accounting activities;

(15) Administering the permit program including costs of clerical support, supervision and management;

(16) Provision of assistance to small business under jurisdiction of the Authority as required under Section 507 of the Federal Clean Air Act; and,

(17) Other activities required by operating permit regulations issued by EPA under the Federal Clean Air Act.

(i) Allocation of Fees. The Annual Fee for a source shall be calculated using the following three part fee allocation equation:

NEW TABLE

TABLE 6.1: OPERATING PERMIT FEE FORMULAS

$$\text{Annual Fee} = \text{Facility Fee} + \text{Equipment Fee} + \text{Emissions Fee}$$

WHERE:

$$\text{Facility Fee} = (\text{Annual Net Cost} + 3) + n$$

$$\text{Equipment Fee} = [(\text{Annual Net Cost} + 3) + U_{\text{total}}] \times U_{\text{source}}$$

$$\text{Emissions Fee} = [(\text{Annual Net Cost} + 3) + E_{\text{total}}] \times E_{\text{source}}$$

Annual Net Cost = Projected net annual cost as approved by the Authority's Board of Directors.

n = Total number of Operating Permit Program sources in the Authority's jurisdiction.

U_{total} = Total number of emission units located at Operating Permit Program sources in the Authority's jurisdiction.

U_{source} = Number of emission units at the specific source.

E_{total} = Total actual annual emissions of the air pollutants listed in Table 6.2 from Operating Permit Program sources based on the Authority's most recent emissions inventory.

E_{source} = Total actual annual emissions of the air pollutants listed in Table 6.2, Section 6.02 from the specific source for the most recent calendar year.

(j) Initial Fees. New major sources shall be assessed an **Initial Fee** after commencement of operation to cover the Authority's cost of administering the program for the new source for the remainder of the current fiscal year. The Initial Fee for a new source shall equal the Annual Fee based on section 6.03(i), which would otherwise be assessed if the source commenced operation on or prior to the beginning of the current fiscal year, prorated by multiplying by the number of months remaining in the current fiscal year divided by 12.

(k) Fee Assessment and Payment Schedule. The Authority shall assess **Annual Fees** after August 1 of each year to cover the cost of administering the program for the current fiscal year commencing on July 1 and ending on June 30. Upon receipt, **Annual Fees** are due and payable and shall be deemed delinquent if not fully paid within thirty (30) days. However, option shall be given to pay **Annual Fees** in quarterly installments. Owners or operators may choose to pay their **Annual Fees** in quarterly installments by indicating so on the fee invoice received and remitting payment of the first quarterly installment back to the Authority. These installments shall be due October 1, January 1, and April 1, following initial payment. Quarterly installments shall be equal to twenty-five percent (25%) of the total fee.

(l) Late Payment. Any source which does not pay the **Annual Fee** or installment within thirty (30) days of the due date shall be assessed a late penalty equal to twenty-five percent (25%) of the fee amount due. Any penalty shall be in addition to the fee amount due.

(m) Appeal of Annual Fees. **Annual Fees** may be appealed according to the procedure specified in section 3.17 of Regulation 1. The basis for such appeals shall be limited to arithmetic or clerical errors.

(n) Exemption for Article 5 Fees. Sources assessed fees shall not be subject to annual Registration Program Fees under Article 5 of Regulation 1.

(o) Transfer of Ownership. Transfer of ownership of a source shall not affect that source's obligation to pay fees required by this section. Any liability for fee payment, including payment of delinquent fees and other penalties shall survive any transfer of ownership of a source.

(p) Accountability. The sum of the fees assessed by the Authority to all major sources within the Authority's jurisdiction shall not exceed the cost of developing and administering the program. The Authority shall keep record of all direct and indirect costs to develop and administer the Operating Permit Program as specified in 40 CFR part 70. This information shall be used by the Authority in determining the net annual cost projections required by 6.03(g) above. Provided, however, the information obtained from tracking revenues, time, and expenditures shall not provide a basis for challenge to the amount of an individual source's fee.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

PROPOSED

DELETED SECTION

SECTION 6.04 ANNUAL FEES.

The Authority shall assess an annual air operating permit program fee according to section 6.04 subparts (a) through (g) below to any source requiring an air operating permit pursuant to RCW 70.94.161.

(a) Effective Date. Section 6.04 fees shall become effective commencing the date the Authority receives delegation from the Washington Department of Ecology to administer the air operating permit program.

(b) Fee Schedule. The annual air operating permit program fee charged a source shall consist of the sum of;

(1) A FACILITY FEE of an amount as indicated in Table 6.3 applicable to all sources subject to the annual air operating permit program fee; and

(2) A GENERATING EQUIPMENT FEE of an amount as indicated in Table 6.3 for each item of air contaminant generating equipment located at the source; and

(3) A STACK FEE of an amount as indicated in Table 6.3 for each stack located at the source; and

(4) An EMISSIONS FEE of an amount as indicated in Table 6.3 per ton of each air contaminant listed in Table 6.2 emitted by the source in excess of ten tons, evaluated on a pollutant by pollutant basis, during the previous calendar year; and

(5) A CLASS FEE of an amount as specified in Table 6.3; and

(6) A SOURCE SPECIFIC MONITORING FEE of an amount as specified in Table 6.3 if ambient monitoring is a requirement for the source; and

(7) An AGENCY OVERSIGHT FEE of an amount as determined by the Washington Department of Ecology (DOE) to recover DOE's cost of development and oversight of the air operating permit program.

TABLE 6.3: ANNUAL FEES FOR AIR OPERATING PERMIT SOURCES

| ANNUAL FEE COMPONENT | FEE COMPONENT DESCRIPTION | FEE AMOUNT |
|---|--|------------|
| Facility Fee | Fee assessed to all sources requiring registration or an operating permit. | \$103.00 |
| Generating Equip. Fee | Fee assessed per each item of air contaminant generating equipment located at the source. | \$342.00 |
| Stack Fee | Fee assessed per each stack located at the source. | \$325.00 |
| Emissions Fee | Fee assessed per ton of TSP, SO ₂ , NO _x , VOC, and toxic air contaminants (see section 6.04 (b) (4) . | \$18.00 |
| Class Fees: | | |
| OP1 | Major sources (>100 tpy) | \$2,250 |
| OP2 | Major toxic sources | \$2,050 |
| OP3 | General operating permit sources | note 2 |
| OP4 | Non-maj requiring operating permit | \$1,150 |
| SOURCE SPECIFIC AMBIENT AIR MONITORING FEES | Fees charged a source for OAPCA to establish and operate a special purpose source specific monitoring station will be determined on a case by case basis when such monitoring is required. | variable |
| AGENCY OVERSIGHT FEE | Fees charged a source to recover the Department of Ecology's cost of development and oversight of the Title V Operating Permit program. | variable |

TABLE 6.3 NOTES:

1) "na" means non-applicable.

2) Annual air operating permit program fees for general operating permit program sources will be adopted separately after general operating permits are developed and adopted.

(c) Assessment of Annual Fees. The annual air operating permit program fee charged a source shall be assessed according to section 6.04(c) items (1) through (4) below:

(1) The Authority shall assess annual air operating permit fees after August 1 of each year to cover the direct and indirect cost of administering the program for the current fiscal year commencing on July 1 and ending on June 30.

(2) The annual fees required by this section shall be based on process rates, equipment specifications, and emissions data from the previous calendar year on file with the Authority. For purposes of assessing annual fees, the Authority shall consider updates and revisions to any source's

file received prior to August 1 of the current year. If process rates, equipment specifications, and emissions data from the previous calendar year is not on file with the Authority, the Authority may base the annual fee on the enforceable emissions limitations for the source and maximum capacities and production rates.

(3) The authority shall assess the emissions fee based on actual emissions from the source which occurred during the previous calendar year when available.

(4) For purposes of assessing annual fees, definitions for air contaminant generating equipment and stack shall be consistent with the definitions in section 6.00, and air contaminant generating equipment and stacks which are identical in size, capacity, function, and emissions may be counted as one unit as approved by the Authority.

PROPOSED

(d) **Payment of Annual Fees.** Upon assessment by the Authority, annual fees are due and payable and shall be deemed delinquent if not fully paid within thirty (30) days. However, sources classified as OP1, OP2, or OP4 shall be given the option to pay their annual fee in quarterly installments. Sources may choose to pay their annual fees in quarterly installments by indicating so on the first invoice received and remitting payment of the first installment back to the Authority along with the duplicate copy of the invoice. Quarterly installments shall be equal to 25% of the total annual registration fee. Installments shall be due 30 days from assessment by the Authority.

(e) **Late Payment of Annual Fees.** Any source which does not pay their annual fee or annual fee installment within thirty (30) days of the due date, shall be assessed a late penalty in the amount of twenty-five percent of their annual fee. This late penalty shall be in addition to the annual fee.

(f) **Appeal of Annual Fees.** Annual fees may be appealed according to the procedure specified in section 3.17. The sole basis for such appeals shall be that the annual fee assessment contains an arithmetic or clerical error.

(g) **Applicability of Article 5 Registration Fees.** Sources assessed an annual operating permit fee shall not be subject to annual Registration Program Fees under Article 5.

DELETED SECTION

SECTION 6.05 SERVICE FEES FOR OPERATING PERMIT MODIFICATIONS AND APPEALS.

Effective starting the date upon which the Authority receives delegation to administer the air operating permit program pursuant to Title 5 of the federal Clean Air Act Amendments and RCW 70.94.161, the Authority shall charge fees, separate and additional to annual fees, to sources applying for modification, minor modification, or administrative modification of an operating permit, and for services associated with an appeal of a proposed or approved operating permit. For purposes of assessing fees under this section, the terms "modification", "minor modification", "administrative modification", and "permit appeal" shall be defined consistent with definitions in title V of the Federal Clean Air Act Amendments and RCW 70.94.161. Fees charged by the Authority under this section shall be assessed according to subsections (a) through (f) of this section and shall cover the direct and indirect costs of providing these services pursuant to RCW 70.94.161.

(a) **Operating Permit Modification Fees -** All sources applying for modification of an operating permit shall be assessed a fee consisting of the sum of a "application filing fee", "generating equipment fee", "stack fee", "emissions fee", and "class fee" according to (1) through (6) of this subsection and amounts as specified in Table 6.4. The full fee for a modification application shall be assessed by the Authority after receipt of a complete application and shall be due and payable within 30 days. However, the Authority shall not commence processing an application for modification until, at a minimum, the APPLICATION FILING FEE portion of the total fee amount has been paid.

(1) All Sources applying for modification of an operating permit shall pay an APPLICATION FILING FEE of an amount as specified in Table 6.4; and

(2) A GENERATING EQUIPMENT FEE of an amount as specified in Table 6.4 for each item of air contaminant generating equipment located at the source which is directly or indirectly affected by the proposed modification; and

(3) A STACK FEE of an amount as indicated in Table 6.4 for each stack located at the source which is directly or indirectly affected by the proposed modification; and

(4) An EMISSIONS FEE of an amount as indicated in Table 6.4 per ton of each air contaminant listed in Table 6.2 emitted by the source in excess of ten tons, evaluated on a pollutant by pollutant basis, during the previous calendar year; and

(5) A CLASS FEE of an amount as specified in Table 6.4.

(6) The authority shall assess the EMISSIONS FEE based on the sum of actual emissions from stacks and/or generating equipment for the last calendar year directly or indirectly affected by the proposed modification and potential annual emissions from proposed new emissions units. If actual emissions data for the last calendar year is not on record with the Authority, the Authority may base the EMISSIONS FEE on the enforceable emissions limitations which apply to the source and maximum capacities and production rates.

(b) **Minor Modification Fees -** All sources applying for a minor modification of an operating permit shall pay a fee of an amount dependent on the classification of the source as indicated in Table 6.4. The fee for processing a minor permit modification application shall be assessed by the Authority after receipt of a complete application and shall be due and payable within 30 days.

(c) **Administrative Modification Fee -** All sources applying for an administrative modification of an operating permit shall pay a fee of an amount dependent on the classification of the source as indicated in Table 6.4. The fee for processing an administrative permit modification application shall be assessed by the Authority after receipt of a complete application and shall be due and payable within 30 days.

(d) **Operating Permit Appeal Fee -** The cost of Authority services directly or indirectly attributable to an operating permit appeal case shall be charged directly to the associated source at the rates as specified in Table 6.4. On a monthly basis, the Authority shall determine the cost of services provided by the Authority which are attributable to the operating permit appeal case and bill the source accordingly. Included in the billing invoice, the Authority shall provide a record of the time the Authority attributed to the case. Payment of the appeal fee shall be due 30 days after the Authority assesses the fee.

(e) **Payment of Service Fees.** Upon assessment by the Authority, fees charged under section 6.05 are due and payable and shall be deemed delinquent if not fully paid within thirty (30) days.

(f) **Appeal of Service Fees.** Any fee assessed under section 6.05 may be appealed according to the procedure specified in section 3.17. The sole basis for such appeals shall be that the fee assessment contains an arithmetic or clerical error.

TABLE 6.4: OPERATING PERMIT SERVICE FEES

| SERVICE ITEM | DESCRIPTION OF FEE COMPONENT | AMOUNT |
|----------------------------|---|---------|
| PERMIT MODIFICATION | a. Filing Fee | \$ 103 |
| | b. Generating Equipment Fee | \$ 196 |
| | c. Stack Fee | \$ 196 |
| | d. Emissions Fee | \$ 6 |
| | e. Class Fee: | \$1,674 |
| | OP1 - Major sources (>100 tpy) | \$1,474 |
| | OP2 - Major toxic sources | na |
| | OP3 - General permit source | \$ 934 |
| MINOR, PERMIT MODIFICATION | a. Class Fee: | |
| | OP1 - Major sources (>100 tpy) | \$1,058 |
| | OP2 - Major toxic sources | \$ 852 |
| | OP3 - General permit source | na |
| ADMINISTRATIVE PERMIT MOD. | a. Class Fee: | |
| | OP1 - Major sources (>100 tpy) | \$ 212 |
| | OP2 - Major toxic sources | \$ 170 |
| | OP3 - General permit source | na |
| PERMIT APPEALS | OAPCA will log direct time hours spent on a permit appeal case and charge a fee based on the indicated hourly rate plus any incidental costs: | |
| | a. General Staff Cost | \$33/hr |
| | b. Engineer/Control Officer Cost | \$36/hr |
| | c. Attorney Cost | \$50/hr |

AMENDATORY SECTION

SECTION 6.06 RESTRICTING THE POTENTIAL TO EMIT

A service based fee, additional to annual registration or operating permit fees, shall be assessed to those sources applying to the Authority for approval of enforceable conditions that restrict the source's potential to emit, making the source a minor source and not subject to an operating permit. Fees for restricting a source's potential to emit shall be assessed (~~upon application and~~) according to (~~the~~) Article 7, section 7.13(~~(, Plan Examination and Inspection fee schedule)~~). The Authority shall assess the fee based on only those emissions units affected by the enforceable condition as proposed by the applicant.

WSR 98-12-017
PROPOSED RULES
DEPARTMENT OF AGRICULTURE

[Filed May 27, 1998, 8:40 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-08-099.

Title of Rule: Chapter 16-557 WAC, Washington Asparagus Commission. Adopt rules governing promotional hosting expenses.

Purpose: Agricultural commodity commissions are authorized to make expenditures for promotional hosting for agricultural development and trade promotion. These rules will establish guidelines for expenditures.

Statutory Authority for Adoption: RCW 15.04.200.

Statute Being Implemented: RCW 15.65.380.

Summary: The rule established budgeting requirements and guidelines for expenditures of funds for promotional hosting on approved activities of the commission.

Reasons Supporting Proposal: RCW 15.04.200(2) requires agricultural commodity commissions to adopt rules governing promotional hosting if commission funds are used for market development and trade promotion activities authorized in the marketing order.

Name of Agency Personnel Responsible for Drafting: Walter Swenson, Natural Resources Building, 1111 Washington Street, Olympia, WA, (360) 902-1928; Implementation and Enforcement: Mike Harker, 2705 St. Andrews Loop, Pasco, WA, (509) 544-9363.

Name of Proponent: Washington Asparagus Commission, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The Washington Asparagus Commission has the

authority to adopt rules of a technical or administrative nature subject to provisions of chapter 34.05 RCW.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule establishes the budget approval requirement and guidelines governing promotional hosting as required by RCW 15.04.200. The rule authorizes the Asparagus Commission to approve and expend funds [to promote] agricultural development and trade promotional hosting. Trade development and promotion maintains and expands markets for Washington grown asparagus.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rule will not increase grower assessments or cost in equipment, supplies, labor or administrative expenses.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Washington State Department of Agriculture is not a listed agency in section 201.

Hearing Location: WSU Cooperative Extension, 317 West Rose Street, 2nd Floor, Walla Walla, WA 98362, on July 21, 1998, at 10:15.

Assistance for Persons with Disabilities: Contact Cathy Jensen by July 17, 1998, TDD (360) 902-1996, or (360) 902-1976.

Submit Written Comments to: Jeanne Pickel, Chair, Washington Asparagus Commission, 2705 St. Andrews Loop, Pasco, WA 99301, FAX (509) 544-9056, by July 21, 1998.

Date of Intended Adoption: August 5, 1998.

May 27, 1998

Jeanne A. Pickel
Chairperson

AMENDATORY SECTION (Amending WSR 91-09-003, filed 4/4/91, effective 5/5/91)

WAC 16-557-010 Definition of terms. For the purpose of this marketing order:

(1) "Director" means the director of agriculture of the state of Washington or his duly appointed representative.

(2) "Department" means the department of agriculture of the state of Washington.

(3) "Act" means the Washington Agricultural Enabling Act of 1961 or chapter 15.65 RCW.

(4) "Person" means any person, firm, association, or corporation.

(5) "Affected producer" means any person who produces in the state of Washington asparagus in commercial quantities for fresh market, for processing, or for sale to processors.

(6) "Commercial quantity" means any asparagus produced for market in quantities of three tons (6,000 pounds) or more, in any calendar year.

(7) "Affected handler" means both affected handler fresh and affected handler processor.

(8) "Affected handler, fresh" means any person who acts as principal or agent or otherwise in selling, marketing, or distributing fresh asparagus not produced by him.

(9) "Affected handler, processor" means any person who acts as principal or agent or otherwise in processing, freezing asparagus, and selling, marketing, or distributing said processed or frozen asparagus, not produced by him.

(10) "Asparagus commodity board," hereinafter referred to as "board," means the commodity board formed under the provisions of WAC 16-557-020.

(11) "Asparagus" means and includes all kinds, varieties, and hybrids of "*officinalis*" Linn.

(12) "Marketing season" or "fiscal year" means the twelve-month period beginning with January 1 of any year and ending with the last day of December following, both dates being inclusive.

(13) "Producer-handler" means any person who acts both as a producer and as a handler with respect to asparagus. A producer-handler shall be deemed to be a producer with respect to the asparagus which he produces and a handler with respect to the asparagus which he handles, including those produced by himself.

(14) "Affected area" means the following counties in the state of Washington: Adams, Benton, Columbia, Franklin, Grant, Kittitas, Klickitat, Walla Walla, and Yakima.

(15) "Sell" includes offer for sale, expose for sale, have in possession for sale, exchange, barter, or trade.

(16) "Affected unit" means one pound net pay weight of asparagus.

(17) "Promotional hosting" as used in these rules means the hosting of individuals and groups of individuals at meetings, meals, and gatherings for the purpose of cultivating trade relations and promoting sales of Washington grown asparagus.

(18) "Hosting" may include providing meals, refreshments, lodging, transportation, gifts of a nominal value, reasonable and customary entertainment, and normal incidental expenses at meetings or gatherings.

NEW SECTION

WAC 16-557-025 Rules for implementation of promotional hosting by the Washington asparagus commission. The laws of section 1, chapter 26, Laws of 1985 (RCW 15.04.200) provide that agricultural commodity commissions shall adopt rules governing promotional hosting expenditures by agricultural commodity commission employees, agents, or commissioners. The rules governing promotional hosting expenditures for the Washington asparagus commission shall be as follows:

(1) Budget approval. Commission expenditures for agricultural development or trade promotion and promotional hosting shall be pursuant to specific budget items as approved by the commission at annual public hearings on the commission budget.

(2) Officials and agents authorized to make expenditures. The following officials and agents are authorized to make expenditures for agricultural development or trade promotion and promotional hosting in accordance with the provisions of these rules.

(a) Commissioners;

(b) Administrator;

(c) Communications coordinator.

PROPOSED

Individual commissioners shall make promotional hosting expenditures, or seek reimbursements for those expenditures, only in those instances where the expenditures have been approved by the commission.

(3) Payment and reimbursement. All payments and reimbursements shall be identified, and supported by vouchers to which receipts are attached. Voucher forms will be supplied by the commission, and shall require the following information:

- (a) Name and position (if appropriate) of each person hosted;
- (b) General purpose of the hosting;
- (c) Date of hosting;
- (d) Location of the hosting;
- (e) To whom payment was or will be made;
- (f) Signature of person seeking payment or reimbursement.

(4) The chair of the commission, administrator, and/or treasurer are authorized to approve direct payment or reimbursements submitted in accordance with these rules.

(5) The following persons may be hosted when it is reasonably believed such hosting will cultivate trade relations and promote sales of Washington grown asparagus:

- (a) An individual from private business, associations, commissions;
- (b) Foreign government officials;
- (c) Federal and state officials: *Provided*, That lodging, meals, and transportation will not be provided when such officials may obtain full reimbursement for these expenses from their government employer;
- (d) The general public, at meetings and gatherings open to the general public;
- (e) Commissioners and employees of the commission when their attendance at meetings, meals, and gatherings at which the persons described in (a) through (d) of this subsection are being hosted, will cultivate trade relations and promote sales of Washington grown asparagus;
- (f) Spouses of the persons listed in (a), (b), (c), and (e) of this subsection when attendance of such spouse is customary and expected.

WSR 98-12-028
PROPOSED RULES
FOREST PRACTICES BOARD

[Filed May 28, 1998, 9:43 a.m.]

Continuance of WSR 97-15-042, 97-20-107, and 98-02-065.

Preproposal statement of inquiry was filed as WSR 97-05-033.

Title of Rule: Revisions to stream typing rules.

Purpose: To modify forest practices rules that define Type 2 and 3 waters in WAC 222-16-030 and define requirements for the Forest Practices Board manual.

Statutory Authority for Adoption: Chapter 35.05 [34.05] RCW, RCW 76.09.040, [76.09.]050.

Statute Being Implemented: Chapter 76.09 RCW.

Summary: WAC 222-16-030 and 222-12-090.

Reasons Supporting Proposal: New data have shown that the physical characteristics of streams, as defined in the current forest practices rules, are no longer accurate. This proposed rule would update those physical characteristics based on current knowledge so that appropriate riparian protection is provided along streams.

Name of Agency Personnel Responsible for Drafting: Judith Holter, 1111 Washington Street S.E., Olympia, WA 98501-7012, (360) 902-1412; Implementation and Enforcement: John Edwards, 1111 Washington Street S.E., Olympia, WA 98501-7012, (360) 902-1730.

Name of Proponent: Forest Practices Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rules establish presumptions for determining fish use in the absence of field verification. Current knowledge about fish use of streams and habitat is needed in the forest practices rules so that appropriate riparian protection is provided along streams. Recent studies have resulted in upgrading a large number of Type 4 (nonfish-bearing) streams to fish bearing (Type 2 or 3). The proposed rules are necessary to protect public resources, specifically fish, by ensuring that riparian rules are being applied to fish-bearing streams and that the water quality upstream of fish hatchery intakes is protected.

The proposal also adds fish use determination protocols to the Forest Practices Board manual.

Timber, fish and wildlife (TFW) participants developed this rule and recommended it as a consensus proposal to the Forest Practices Board as a first step in developing a comprehensive strategy to deal with fish, water quality, and a functional water typing system. TFW is currently developing a more comprehensive proposal that will also meet federal water quality requirements.

Because this proposed rule pertains to water quality, it will be coadopted by the Department of Ecology per RCW 76.09.040(1). The board and ecology will conduct a joint public review process that will include public hearings.

Proposal Changes the Following Existing Rules: WAC 222-12-090 adds a new section to the Forest Practices Board manual.

WAC 222-16-030: Provides protection of water quality above fish hatcheries; stream gradient percentages change from "less than 12%" to "16% or less"; stream channel widths change from "5 ft" to "2 ft or greater in western Washington" and "3 ft or greater in eastern Washington"; contributing basin sizes are added to the rule: 50 acres in western Washington and 175 acres in eastern Washington; and the department is given authority to waive the presumption of fish use based on three specific criteria.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

The small business economic impact statement was published in Washington State Register 97-16 as WSR 97-15-042.

A copy of the statement may be obtained by writing to Forest Practices Board Recording Secretary, Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 90504-7012 [98504-7012], phone (360) 902-1413, FAX (360) 902-1730.

Section 201, chapter 403, Laws of 1995, applies to this rule adoption.

Hearing Location: Natural Resources Building, Room 172, 1111 Washington Street S.E., Olympia, WA, on December 10, 1998, at 9 a.m.

Assistance for Persons with Disabilities: Contact Forest Practices Board Secretary, (360) 902-1413, by December 1, 1998, TDD (360) 902-1431.

Submit Written Comments to: Judith Holter, Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012, FAX (360) 902-1784, by December 11, 1998.

Date of Intended Adoption: December 17, 1998.

May 27, 1998

Jennifer M. Belcher

Commissioner of Public Lands

AMENDATORY SECTION (Amending WSR 97-15-105 [97-24-091], filed 7/21/97 [12/3/97], effective 8/21/97 [1/3/98])

WAC 222-12-090 Forest practices board manual.

When approved by the board the manual serves as an advisory technical supplement to these forest practices regulations. The department, in cooperation with the departments of fisheries, wildlife, agriculture, ecology, and such other agencies, affected Indian tribes, or interested parties as may have appropriate expertise, is directed to prepare, and submit to the board for approval, revisions to the forest practices board manual. The manual shall include:

- (1) **Method for determination of adequate shade requirements on streams** needed for use with WAC 222-30-040.
- (2) **The standard methods** for measuring channel width, stream gradient and flow which are used in the water typing criteria WAC 222-16-030.
- (3) **A chart** for establishing recommended permanent culvert sizes and associated data.
- (4) **Guidelines** for clearing slash and debris from Type 4 and 5 Waters.
- (5) **Guidelines** for landing location and construction.
- (6) **Guidelines** for determining acceptable stocking levels.
- (7) **Guidelines** for calculating average widths of riparian management zones.
- (8) **Guidelines** for wetland delineation.
- (9) **Guidelines** for wetland replacement or substitution.
- (10) A list of nonnative wetland plant species.
- (11) The standard methodology, which shall specify the quantitative methods, indices of resource conditions, and definitions, for conducting watershed analysis under chapter 222-22 WAC. The department, in consultation with Timber/Fish/Wildlife's Cooperative Monitoring, Evaluation and Research Committee (CMER), may make minor modifica-

tions to the version of the standard methodology approved by the board. Substantial amendments to the standard methodology requires approval by the board.

(12) A list of special concerns related to aerial application of pesticides developed under WAC 222-16-070(3).

(13) **Guidelines for determining fish use for the purpose of typing waters under WAC 222-16-030.**

(14) **Survey protocol for marbled murrelets.** The Pacific seabird survey protocol in effect March 1, 1997, shall be used when surveying for marbled murrelets in a stand. Surveys conducted before the effective date of this rule are valid if they were conducted in substantial compliance with generally accepted survey protocols in effect at the beginning of the season in which they were conducted.

(15) The department shall, in consultation with the department of fish and wildlife, develop **platform protocols** for use by applicants in estimating the number of platforms, and by the department in reviewing and classifying forest practices under WAC 222-16-050. These protocols shall include:

(a) A sampling method to determine platforms per acre in the field;

(b) A method to predict the number of platforms per acre based on information measurable from typical forest inventories. The method shall be derived from regression models or other accepted statistical methodology, and incorporate the best available data; and

(c) Other methods determined to be reliable by the department, in consultation with the department of fish and wildlife.

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 WSR 97-24-091, filed 12/3/97, effective 1/3/98)

WAC 222-16-030 Water typing system. *The department in cooperation with the departments of fish and wildlife, and ecology, and in consultation with affected Indian tribes shall classify streams, lakes and ponds and prepare stream classification maps showing the location of Type 1, 2, 3 and 4 Waters within the various forested areas of the state. Such maps shall be available for public inspection at region offices of the department. The waters will be classified using the following criteria. If a dispute arises concerning a water type the department shall make available informal conferences, which shall include the departments of fish and wildlife, and ecology, and affected Indian tribes and those contesting the adopted water types. These conferences shall be established under procedures established in WAC 222-46-020.

***(1) "Type 1 Water"** means all waters, within their ordinary high-water mark, as inventoried as "shorelines of the state" under chapter 90.58 RCW and the rules promulgated pursuant to chapter 90.58 RCW, but not including those waters' associated wetlands as defined in chapter 90.58 RCW.

PROPOSED

***(2) "Type 2 Water"** shall mean segments of natural waters which are not classified as Type 1 Water and have a high fish, wildlife, or human use. These are segments of natural waters and periodically inundated areas of their associated wetlands, which:

(a) Are diverted for domestic use by more than 100 residential or camping units or by a public accommodation facility licensed to serve more than 100 persons, where such diversion is determined by the department to be a valid appropriation of water and the only practical water source for such users. Such waters shall be considered to be Type 2 Water upstream from the point of such diversion for 1,500 feet or until the drainage area is reduced by 50 percent, whichever is less;

(b) Are diverted for use by federal, state, tribal or private fish hatcheries. Such waters shall be considered Type 2 Water upstream from the point of diversion for 1,500 feet and tributaries if highly significant for protection of downstream water quality. The department may allow additional harvest beyond the requirements of Type 2 Water designation provided the department determines after a landowner-requested on-site assessment by the department of fish and wildlife, department of ecology, the affected tribes and interested parties that:

(i) The management practices proposed by the landowner will adequately protect water quality for the fish hatchery; and

(ii) Such additional harvest meets the requirements of the water type designation that would apply in the absence of the hatchery;

(c) Are within a federal, state, local, or private campground having more than 30 camping units: *Provided*, That the water shall not be considered to enter a campground until it reaches the boundary of the park lands available for public use and comes within 100 feet of a camping unit, trail or other park improvement;

~~((e))~~ (d) Are used by substantial numbers of anadromous or resident game fish for spawning, rearing or migration. Waters having the following characteristics are presumed to have highly significant fish populations:

(i) Stream segments having a defined channel 20 feet or greater in width between the ordinary high-water marks and having a gradient of less than 4 percent.

(ii) Lakes, ponds, or impoundments having a surface area of 1 acre or greater at seasonal low water; or

~~((d))~~ (e) Are used by salmonids for off-channel habitat. These areas are critical to the maintenance of optimum survival of juvenile salmonids. This habitat shall be identified based on the following criteria:

(i) The site must be connected to a stream bearing salmonids and accessible during some period of the year; and

(ii) The off-channel water must be accessible to juvenile salmonids through a drainage with less than a 5% gradient.

***(3) "Type 3 Water"** shall mean segments of natural waters which are not classified as Type 1 or 2 Water and have a moderate to slight fish, wildlife, and human use. These are segments of natural waters and periodically inundated areas of their associated wetlands which:

(a) Are diverted for domestic use by more than 10 residential or camping units or by a public accommodation facil-

ity licensed to serve more than 10 persons, where such diversion is determined by the department to be a valid appropriation of water and the only practical water source for such users. Such waters shall be considered to be Type 3 Water upstream from the point of such diversion for 1,500 feet or until the drainage area is reduced by 50 percent, whichever is less;

(b) Are used by significant numbers of anadromous or resident game fish for spawning, rearing or migration. Guidelines for determining fish use are described in the Forest Practices Board Manual. If fish use has not been determined:

(i) Waters having the following characteristics are presumed to have significant anadromous or resident game fish use:

~~((+))~~ (A) Stream segments having a defined channel of ~~((5))~~ 2 feet or greater in width between the ordinary high-water marks in Western Washington; or 3 feet or greater in width between the ordinary high-water marks in Eastern Washington; and having a gradient ~~((of less than 12))~~ 16 percent ~~((and not upstream of a falls of more than 10 vertical feet))~~ or less;

(B) Stream segments having a defined channel of 2 feet or greater in width between the ordinary high-water marks in Western Washington; or 3 feet or greater in width between the ordinary high-water marks in Eastern Washington; and having a gradient greater than 16 percent and less than or equal to 20 percent; and having greater than 50 acres in contributing basin size in Western Washington; or greater than 175 acres in contributing basin size in Eastern Washington based on hydrographic boundaries;

(ii) The department shall waive or modify the characteristics in (i) above where:

(A) Waters have confirmed, long term, naturally occurring water quality parameters incapable of supporting anadromous or resident game fish;

(B) Snowmelt streams have short flow cycles that do not support successful life history phases of anadromous or resident game fish. These streams typically have no flow in the winter months and discontinue flow by June 1; or

(C) Sufficient information about a geographic region is available to support a departure from the characteristics in (i), as determined in consultation with the department of fish and wildlife, department of ecology, affected tribes and interested parties.

~~((+))~~ (iii) Ponds or impoundments having a surface area of less than 1 acre at seasonal low water and having an outlet to an anadromous fish stream.

~~((e))~~ Are used by significant numbers of resident game fish. Waters with the following characteristics are presumed to have significant resident game fish use:

(i) Stream segments having a defined channel of 10 feet or greater in width between the ordinary high-water marks; and a summer low flow greater than 0.3 cubic feet per second; and a gradient of less than 12 percent.

~~((+))~~ (iv) For resident game fish ponds or impoundments having a surface area greater than 0.5 acre at seasonal low water; or

~~((d))~~ (c) Are highly significant for protection of downstream water quality. Tributaries which contribute greater than 20 percent of the flow to a Type 1 or 2 Water are pre-

sumed to be significant for 1,500 feet from their confluence with the Type 1 or 2 Water or until their drainage area is less than 50 percent of their drainage area at the point of confluence, whichever is less.

*** (4) "Type 4 Water"** classification shall be applied to segments of natural waters which are not classified as Type 1, 2 or 3, and for the purpose of protecting water quality downstream are classified as Type 4 Water upstream until the channel width becomes less than 2 feet in width between the ordinary high-water marks. Their significance lies in their influence on water quality downstream in Type 1, 2, and 3 Waters. These may be perennial or intermittent.

*** (5) "Type 5 Water"** classification shall be applied to all natural waters not classified as Type 1, 2, 3 or 4; including streams with or without well-defined channels, areas of perennial or intermittent seepage, ponds, natural sinks and drainageways having short periods of spring or storm runoff.

*** (6) For purposes of this section:**

(a) "Residential unit" means a home, apartment, residential condominium unit or mobile home, serving as the principal place of residence.

(b) "Camping unit" means an area intended and used for:

(i) Overnight camping or picnicking by the public containing at least a fireplace, picnic table and access to water and sanitary facilities; or

(ii) A permanent home or condominium unit or mobile home not qualifying as a "residential unit" because of part time occupancy.

(c) "Resident game fish" means game fish as described in the Washington game code that spend their life cycle in fresh water. Steelhead, searun cutthroat and Dolly Varden trout are anadromous game fish and should not be confused with resident game fish.

(d) "Public accommodation facility" means a business establishment open to and licensed to serve the public, such as a restaurant, tavern, motel or hotel.

(e) "Natural waters" only excludes water conveyance systems which are artificially constructed and actively maintained for irrigation.

(f) "Seasonal low flow" and "seasonal low water" mean the conditions of the 7-day, 2-year low water situation, as measured or estimated by accepted hydrologic techniques recognized by the department.

(g) "Channel width and gradient" means a measurement over a representative section of at least 500 linear feet with at least 10 evenly spaced measurement points along the normal stream channel but excluding unusually wide areas of negligible gradient such as marshy or swampy areas, beaver ponds and impoundments. Channel gradient may be determined utilizing stream profiles plotted from United States geological survey topographic maps.

(h) "Intermittent streams" means those segments of streams that normally go dry.

**WSR 98-12-065
PROPOSED RULES
DEPARTMENT OF LICENSING**

[Filed June 1, 1998, 11:35 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: WAC 308-125-200.

Purpose: Incorporation by reference of the 1998 edition of the Uniform Standards of Professional Appraisal Practice, the generally recognized national organized standards of real estate appraisal. Incorporation by reference is required because to incorporate the whole text would be unduly cumbersome and expensive.

Statutory Authority for Adoption: RCW 18.140.030 (16), (17).

Statute Being Implemented: Chapter 18.140 RCW.

Summary: Incorporate the 1998 edition of the Uniform Standards of Professional Appraisal Practice into WAC 308-125-200.

Reasons Supporting Proposal: That real estate appraisals in Washington state be performed in accordance with current generally accepted appraisal standards as evidenced by the most recent amendments to appraisal standards promulgated by the Appraisal Standards Board of the Appraisal Foundation. This is required by Section 1110, Title XI of the Financial Institutions Recovery, Reform and Enforcement Act of 1989 (12 USC 3339).

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Cleotis Borner, Jr., Olympia, (360) 753-1062.

Name of Proponent: Department of Licensing, Real Estate Appraiser Program, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 308-125-200 will incorporate by reference the 1998 edition of the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

Proposal Changes the Following Existing Rules: Adopts current edition of the Uniform Standards of Professional Appraisal Practice.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed change only adopts the current edition of the Uniform Standards of Professional Appraisal Practice and has no economic impact on small business.

RCW 34.05.328 applies to this rule adoption. The proposed rule change reflects the incorporation of the 1998 edition of the Uniform Standards of Professional Appraisal Practice. (Title XI; 12 U.S.C. Section 3301 et seq.) For this reason, the significant legislative rules provisions apply.

Hearing Location: Department of Licensing, Driver Examining, 2502 112th Street East #200, Tacoma, WA, on Friday, August 14, 1998, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Ralph Birkedahl by August 6, 1998, TDD (360) 753-1966, or (360) 753-1062.

PROPOSED

Submit Written Comments to: Cleotis Borner, Jr., Real Estate Appraiser Program, P.O. Box 9015, Olympia, WA 98507-9015, FAX (360) 586-0998, by August 13, 1998.

Date of Intended Adoption: August 17, 1998.

May 29, 1998

Cleotis Borner, Jr.
Program Manager

AMENDATORY SECTION (Amending WSR 91-04-074, filed 2/5/91, effective 3/8/91)

WAC 308-125-200 Standards of practice. (1) The standard of practice governing real estate appraisal activities will be the 1998 edition of the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation. A copy of the Uniform Standards of Professional Appraisal Practice is available for review and inspection at the office of the Real Estate Appraiser Unit Office, Olympia, Washington. The Uniform Standards of Professional Appraisal Practice is a copyright document. Copy of the full text may be obtained from the Appraisal Foundation at The Appraisal Foundation, P.O. Box 96734, Washington, DC 20090-6734.

(2) Expert review appraisers as defined by RCW 18.140.010(11) while performing expert reviews pursuant to chapter 18.140 RCW are exempt from the Uniform Standards of Professional Appraisal Practice. Standard 3 review provisions while performing expert reviews for the director.

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 98-12-066

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed June 1, 1998, 11:37 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-10-063.

Title of Rule: WAC 308-125-120 Fees and charges.

Purpose: To increase fees pursuant to the requirements of RCW 43.24.086.

Statutory Authority for Adoption: RCW 43.24.086.

Statute Being Implemented: RCW 18.140.050.

Summary: To increase fees identified as WAC 308-125-120(1), (4), (5), (6), (7), (8), (9), and (10).

Reasons Supporting Proposal: Under provision of RCW 43.24.086, the cost of each professional licensing program shall be borne by the members of the profession. The director of the Department of Licensing is charged with setting fees at a level sufficient to defray the costs of administering the program.

Projected revenue for the 1997-99 biennium from licensing fees is not sufficient to cover projected operating costs for the real estate appraiser program. An increase in original license applications anticipated as a result of mandatory licensing legislation has not been realized. In addition, many

licensees have opted not to renew due to market conditions and perceptions regarding the value of certification or licensing.

Current resources are needed, at a minimum, to maintain program effectiveness. Program workload has shifted from primarily an application review process to include an emphasis on the enforcement of practice standards. Consumer complaints are technical in nature; related enforcement involves increased staff training, investigation and legal support costs.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Cleotis Borner, Jr., Olympia, (360) 753-1062.

Name of Proponent: Department of Licensing, Real Estate Appraiser Program, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Increase WAC 308-125-120(1), application fee, from \$182.00 to ~~\$197.00~~; increase WAC 308-125-120(4), original certification fee, from \$102.00 to ~~\$106.00~~; increase WAC 308-125-120(5), certification renewal fee, from \$284.00 to ~~\$303.00~~; increase WAC 308-125-120(6), late renewal penalty fee, from \$36.00 to ~~\$39.00~~; increase WAC 308-125-120(7), duplicate certificate fee, from \$26.00 to ~~\$28.00~~; increase WAC 308-125-120(8), certification history record fee, from \$25.00 to ~~\$27.00~~; increase WAC 308-125-120(9), application for reciprocity fee, from \$182.00 to ~~\$197.00~~; and increase WAC 308-125-120(10), original certification via reciprocity from \$102.00 to ~~\$106.00~~.

Proposal Changes the Following Existing Rules: The 1998 legislature in Supplemental Operating Budget Bill ESSB 6108 approved an increase in fees for 1999 of 8%.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule raises fees 8% with the largest fee increase of only nineteen dollars. The increase does not impose more than minor costs on businesses and are exempt from small business economic impact statement preparation under RCW 19.85.030. The proposed rule also adjusts a fee pursuant to legislative approval.

RCW 34.05.328 does not apply to this rule adoption. RCW 34.05.328 does not apply to rules that set or adjust fees or rates. See RCW 34.05.328 (1)(b)(vi).

Hearing Location: Department of Licensing, Driver Examining, 2502 112th Street East #200, Tacoma, WA, on Friday, August 14, 1998, at 9:00 a.m..

Assistance for Persons with Disabilities: Contact Ralph Birkedahl by August 6, 1998, TDD (360) 753-1966, or (360) 753-1062.

Submit Written Comments to: Cleotis Borner, Jr., Real Estate Appraiser Program, P.O. Box 9015, Olympia, WA 98507-9015, FAX (360) 586-0998, by August 13, 1998.

Date of Intended Adoption: August 17, 1998.

May 29, 1998

Cleotis Borner, Jr.
Program Manager

AMENDATORY SECTION (Amending WSR 97-21-077, filed 10/17/97, effective 1/1/98)

WAC 308-125-120 Fees and charges. The following fees shall be paid under the provisions of chapter 18.140 RCW:

| Title of Fee | Fee |
|---|-----------------------------------|
| (1) Application for examination | \$(182.00) 197.00 |
| (2) Examination ((100.00**)) | (75.00)) 100.00** |
| (3) Reexamination ((100.00**)) | (75.00)) 100.00** |
| (4) Original certification | ((102.00*)) 106.00* |
| (5) Certification renewal | ((284.00*)) 303.00* |
| (6) Late renewal penalty | ((36.00)) 39.00 |
| (7) Duplicate certificate | ((26.00)) 28.00 |
| (8) Certification history record | ((25.00)) 27.00 |
| (9) Application for reciprocity | ((182.00)) 197.00 |
| (10) Original certification via reciprocity | ((102.00*)) 106.00* |
| (11) Temporary practice | 150.00 |

* Proposed fees for these categories marked with an asterisk include an estimated \$25.00 to be submitted by the state to Federal Government. Title XI, SEC. 1109 requires each state to submit a roster listing of state certified appraisers to the Appraiser Subcommittee "no less than annually." The state is also required to collect from such individuals who perform appraisals in federally related transactions, an annual registry fee of "not more than \$50," such fees to be transmitted by the state to the federal government on an annual basis.

~~((** Charges for categories marked with a double asterisk are determined by contract with an outside testing service.))~~

** Charges for categories marked with a double asterisk are determined by contract with an outside testing service.

WSR 98-12-070

PROPOSED RULES

UTILITIES AND TRANSPORTATION COMMISSION

[Docket No. UT-971664—Filed June 1, 1998, 3:40 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-09-033.

Title of Rule: Method of setting rates for Washington telephone assistance program.

Purpose: Change from rule making to order the means by which the commission sets the rates paid by Washington state customers to support this program.

Statutory Authority for Adoption: RCW 80.01.040, 80.04.160, 80.36.440.

Summary: Revises WAC 480-122-020 and 480-122-070 to change the Washington telephone assistance program process from rule making to order.

Reasons Supporting Proposal: The Federal Communications Commission has jurisdiction over matching and non-matching support funding through the LIFELINE program. The Department of Social and Health Services is responsible for administering the program in Washington state. The Washington Utilities and Transportation Commission is authorized to regulate telecommunications companies. Changes to the federal and state low income support programs require speedy changes to assure that funds are generated, used, and properly credited for low income support in a way that allows programs continuity.

Name of Agency Personnel Responsible for Drafting: Rebecca Beaton, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, (360) 664-1287; Implementation and Enforcement: Carole Washburn, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, (360) 664-1174.

Name of Proponent: Washington Utilities and Transportation Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: On May 8, 1997, the Federal Communications Commission (FCC) issued its Report and Order, FCC Order No. 97-157 (FCC Order) implementing key portions of Section 254 of the Telecommunications Act of 1996 (the federal act), which addresses universal service. Among other matters a revised LIFELINE program was made available to all states with matching support funds. This rule changes from rule making to order the means by which the commission sets the rate paid by Washington state customers to support this program. Due to the dynamic nature of the program and the federal and state support mechanisms, the method of revising the client base must be flexible to assure continued universal service discounts are passed through to clients without delay as they become available.

Proposal Changes the Following Existing Rules: Amendment of WAC 480-122-020 and 480-122-070 so the commission may set by order the telephone assistance rate paid by customers to support the program.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There is no fiscal impact, these administrative revisions change the method by which the commission effects the rate, but not the results.

RCW 34.05.328 does not apply to this rule adoption. The commission is not an agency to which RCW 34.05.328 applies.

Hearing Location: Commission Hearing Room, Chandler Plaza, Second Floor, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, on July 8, 1998, at 9:30 a.m.

PROPOSED

Assistance for Persons with Disabilities: Contact Pat Valentine by July 1, 1998, TDD (360) 586-8203, or (360) 664-1133.

Submit Written Comments to: Carole Washburn, Secretary, P.O. Box 47250, Olympia, WA 98504-7250, FAX (360) 586-1150, by June 24, 1998.

Date of Intended Adoption: July 8, 1998.

June 1, 1998
Terrence Stapleton
for Paul Curl
Acting Secretary

AMENDATORY SECTION (Amending Order R-328, Docket No. UT-900462, filed 9/11/90, effective 10/12/90)

WAC 480-122-020 Washington telephone assistance program rate. The commission shall set by order the telephone assistance rate (~~is eight dollars per month~~).

AMENDATORY SECTION (Amending Order R-328, Docket No. UT-900462, filed 9/11/90, effective 10/12/90)

WAC 480-122-070 Recovery of costs. Local exchange companies shall recover to the maximum extent possible by a waiver of all or part of the federal end user access charge and, to the extent necessary, from the telephone assistance fund administered by the department the following amounts:

(1) The difference between the telephone assistance rate (~~specified in~~) set by the commission by order under WAC 480-122-020 and the lowest available local exchange service flat rate, as specified in WAC 480-122-010 (3)(c);

(2) The discounted portion of the service connection fees;

(3) Applicable taxes not billed to the subscriber;

(4) Net uncollectibles directly resulting from the waiver of local exchange service deposits for eligible subscribers, provided that any partial payment collected for disconnected accounts shall be applied first to the payment of the local service bill; with the total for any account not to exceed two times the telephone assistance rate; and

(5) Administrative and program expenses incurred in offering the telephone assistance program, as authorized by the department.

WSR 98-12-071

PROPOSED RULES

UTILITIES AND TRANSPORTATION COMMISSION

[Docket No. UT-970545—Filed June 1, 1998, 3:45 p.m.]

Supplemental Notice to WSR 98-03-011.

Preproposal statement of inquiry was filed as WSR 97-09-023.

Title of Rule: Defining minimum local calling areas.

Purpose: To define when service is sufficient with respect to the scope of subscribers' available local calling area.

Statutory Authority for Adoption: RCW 80.01.040, 80.04.160, and 80.36.140.

Statute Being Implemented: RCW 80.36.080.

Summary: The proposal would require that each local exchange telephone company shall provide as part of its basic flat rate service a local calling area adequate to allow customers to reach community services, including medical facilities, police and fire departments, government offices, and elementary and secondary schools.

Reasons Supporting Proposal: Telephone subscribers in most existing exchanges can reach a diversity of basic services without incurring high toll charges, either because their exchanges are extensive, or because the exchange has been combined in the past into a larger local calling area. However, in some exchanges, people still must pay toll charges for most of their calls to reach basic services or other integral parts of their local community. To ensure that service is sufficient for all subscribers across the state, it is necessary to define a minimum scope of local calling.

Name of Agency Personnel Responsible for Drafting: Jeffrey Showman, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, (360) 664-1212; Implementation and Enforcement: Carole Washburn, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, (360) 664-1174.

Name of Proponent: Washington Utilities and Transportation Commission, 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 each local exchange telephone company to provide as part of its basic service a local calling area adequate to allow customers to reach community services, including medical facilities, police and fire departments, government offices, and elementary and secondary schools.

Telephone subscribers in most exchanges can reach a diversity of basic services without incurring high toll charges, either because their exchanges are extensive, or because the exchange has been combined in the past into a larger local calling area. However, in some exchanges, people still must pay toll charges for most of their calls to reach basic services or even other parts of their local community. The purpose of the rule is to help ensure that local telephone service is sufficient for all subscribers across the state.

The effect of the rule would be to allow subscribers in exchanges that currently have little or no local access to some basic services for their basic telephone rate to obtain such access by incorporating their exchanges into a larger local calling area with other, nearby exchanges.

Proposal Changes the Following Existing Rules: Rule would replace existing rules governing the expansion of local calling areas, WAC 480-120-400 through 480-120-435, which would be repealed.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

MINIMUM LOCAL CALLING AREAS

WUTC Docket UT-970545

Proposed repeal of WAC 480-120-400 through 480-120-435 "Extended Area Service"; and new section(s) to be added to chapter 480-120 WAC, under the title of "Basic service to include a minimum local calling area" (WAC 480-120-045), applicable to all local exchange telecommunications companies.

For more explanation see the 3/25/98 and 5/27/98 Open Meeting backup memorandums on this topic. A copy can be obtained by calling (360) 664-1234 and referencing UT-970545, or by accessing the commission's website for this proceeding at: <http://www.wutc.wa.gov/> "Industry News," "Telephone Matters," "Minimum Local Calling Area Rule," "See Related Documents" at the bottom of the page.

Background: The Washington Utilities and Transportation Commission (WUTC) is proposing a new section applicable to all local exchange telecommunications companies (a subset of SIC 4813; see Appendix 1 for list) operating in the state of Washington.

This new rule is intended to address a clear problem in Washington state: Customers in many local telephone exchanges cannot call basic community services, such as schools, medical facilities, government offices and businesses, without paying toll charges. This really is two problems: (1) Insufficient local calling capability, due to the historic, ad hoc, and somewhat arbitrary nature of local exchange boundaries, and (2) access charges paid by toll calling. This rule making attempts to solve the first problem; the second is being addressed in the access charge reform docket (see UT-970325 and proposed WAC 480-120-540).

Essentially, the goal of the proposed rule is to make Washington's local calling areas more equitable among customers within and between companies, and to reflect today's social, civic, and economic realities.

The Washington Utilities and Transportation Commission (WUTC) is proposing to define a minimum scope of local calling as part of basic telephone service. Telephone subscribers in most exchanges can reach a diversity of basic services without incurring high toll charges, either because their exchanges are extensive, or because the exchange has been combined in the past into a larger local calling area.

However, in some exchanges, people still must pay toll charges for most of their calls to reach basic services or other integral parts of their local community. To ensure that service is adequate and sufficient for all subscribers across the state, the commission is proposing to define a minimum scope of local calling. These changes are consistent with Federal Communications Commission (FCC) rules and policies. The commission has authority to set local exchange boundaries and to regulate service quality.

Summary of Proposed Amendments: The proposed rule would: (A) Require each local exchange telephone company to provide as part of its basic flat rate service a local calling area adequate to allow customers to reach community services, including medical facilities, government offices, ele-

mentary and secondary schools and a primary commercial center, and exchanges which clearly meet this criteria; (B) allow for optional local calling plans; (C) require implementation within ten months; (D) provide for commission review of customer notification materials.

Stakeholder Involvement: This statement has been developed based upon cost estimates from previous comments in this rule-making docket, the small business economic impact statement (SBEIS) prepared for the access charge reform rule making (Docket No. 970325), cost information from previous extended area service (EAS) filings and commission records, and interviews with company representatives.

The analyses and conclusions are not the result of a consensus, but rather are based upon consideration and judgment of the issues presented by the various parties.

Since the initial proposed rule (CR-102) was filed, comments have been received and considered. Based upon input from companies and consumers the rule has been modified in ways to reduce implementation costs while at the same time increasing its effectiveness towards reaching the intended goals.

Professional Services Possibly Needed (and Other Potential Impacts): In order to comply with these new requirements, a local exchange company may require the following professional services: **Engineering consultant** to determine facilities requirements, **tariff consultant** to prepare and file the required tariff changes, **legal counsel** to negotiate interconnection agreements and defend any cost study and/or tariff filing, **billing systems update** to implement the required tariff changes, and other **administrative functions** as may be necessary. In addition, a company may incur **capital costs** to install new trunks (fiber-optic cable or wire) and switches, as well as **installation and engineering costs**. Companies may also **forego some revenues from access charges, foreign exchange, and toll services**.

Costs of Compliance: Determining the precise cost of compliance of the new rule is not an easy task because of the number of exchanges affected (possibly as many as 100 required to implement new routes under the discussion draft), the difficulty in measuring precise mileage and producing specific engineering studies for each; whether or not to include the elasticity (stimulation) effects of shifting to a "free" commodity (i.e. moving from per-minute toll usage to unmeasured, unlimited free local calling can increase demand up to 200%, requiring additional investment in network facilities in both terminating and receiving exchanges), etc. In addition, mitigation measures through the revised proposal will also have varying effects on compliance costs on different companies depending on the adequacy of each company's current local calling area(s). Given this fact, it is essential to recognize that not all companies, and especially not all small companies will necessarily be impacted by this rule; and if so, to varying degrees based on company and situation specific information. To that end this statement is a reflection of what a "worst case scenario" might be for a small business. Finally, any costs incurred as a result of the proposed rule should be compared against the alternative cost

of complying with the existing EAS rule (which would be fairly similar).

With the caveats explained above, local exchange telecommunications companies may experience the following estimated impacts (see also Appendix 2 for the workpaper with comparison calculations):

| Cost element: | Small company: | Large company: |
|--|----------------|----------------|
| Engineering study ¹ | \$1,500 | \$6,000 |
| Capital costs ² | \$30,000 | \$2,280,000 |
| Lost Revenue ³ (access, foreign exchange, and toll) | \$50,000 | \$2,000,000 |
| Negotiate ¹ interconnection agreement | \$2,000 | \$10,000 |
| Tariff filing | \$2,000 | \$3,000 |
| Notification: | \$1,000 | \$30,000 |
| Billing Changes | \$2,000 | \$15,000 |
| Administrative | \$2,000 | 0 |
| Total Impact: | \$90,500 | \$4,344,000 |

Net impact with mitigation \$21,500

¹ Note: These numbers have been amortized over a five-year period.

² Note: These numbers have been annualized by applying a 30% annual charge factor.

³ Note: Lost revenue is not necessarily "cost based," see UT-970325.

Detail: Engineering study: Companies must analyze current and potential calling between two exchanges, determine the capacity necessary to provide sufficient service (i.e. the number of trunks and switches sufficient to handle the estimated number of calls), map the system and determine infrastructure requirements.

Capital Costs: Once a route is determined, the company must install facilities. These depend on both the distance between central offices, the number of trunks and switches installed, and any other facilities that may be needed. Facilities may be necessary to augment existing facilities, if sufficient capacity is not available.

Negotiate Interconnection Agreements: If the target exchange belongs to another local exchange company, a company may have to negotiate one or more interconnection agreements. The final decision on access charge reform rule making in Docket UT-970325, will impact the necessity of individual agreements and the level of intercompany compensation for terminating traffic. The proposed rule (CR-102) in Docket UT-970325 would eliminate the need for company specific interconnection agreements on a case by case, route by route basis; in place of being able to purchase cost-based terminating access service "off the shelf" of each local exchange telecommunications company's tariff.

Lost Access Revenue: For each minute of toll calling that is converted to local calling, a company may will likely lose forego originating access charge revenues (or toll as applicable) from its own customers, and potentially terminat-

ing access revenue for those routes the company establishes pursuant to local interconnection agreements. If the rule making in Docket UT-970325 is adopted there will be less terminating access revenues to lose, and more of an opportunity to avoid the cost of entering into local interconnection agreements as a result of this rule. Therefore, the access charge reform rule making could have a profound impact and mitigation effect on the cost of implementing the minimum local calling area rule in this proceeding.

Interstate cost shift to intrastate jurisdiction. For those companies who calculate costs on an embedded basis, using the fully distributed cost allocation methodology employed by the FCC's Part 36 and 69 (CFR 47), may experience a shift in costs to the state jurisdiction depending on how the actual subsequent traffic patterns develop and impact the associated relative use allocation factors. For purposes of this analysis no amount has been quantified, but companies may justify it on a case by case basis.

Mitigation:

Cost impacts may be mitigated by several measures, including:

- Expanding the list of communities in subsection (2), to reduce the potential length of trunk lines, and to recognize exchanges with current adequate local calling.
- Providing a waiver process in cases where local calling is adequate, but the exchange cannot reach a community on the list.
- Providing an exemption for companies that have already offered mandatory EAS plans under the previous rule.
- Allowing an optional local calling plan to substitute for minimum local calling area if it meets the intent of the rule and is available at a comparable price.
- Allowing phased implementation.
- Allowing a local exchange company to recover costs at the time they file tariffs, e.g. by allowing them to pass through a per-line rate increase capped at a certain amount.
- Implementation of access charge reform, Docket UT-970325.

Comparison of Costs: RCW 19.85.020 defines small companies as those local exchange telecommunications companies which have fifty or fewer employees. RCW 19.85.040 requires comparison with the largest companies, or those which comprise the top ten percent of the local exchange telecommunications industry.

A preliminary analysis of local calling capability indicates that only eight of the small businesses (local exchange companies) would need to take action in order to comply with the rule.

As can be seen from the "cost of compliance" chart above, the total costs and total impacts are estimated to be lower for small businesses. However, the proportionate costs can be illustrated by using the average cost per employee analysis (see below). Thus, the disproportionate effects of the proposed rule on small local exchange telecommunications companies can be evaluated.

The estimated costs per employee are provided below: (See Appendix #2 for details).

| | Small | Large |
|---------------------------------|-----------------|---------------|
| Employees: | 20 | 6,000 |
| Total Cost/Employee: | \$ 2,025 | \$ 391 |
| <i>with mitigation</i> | <i>(175)</i> | |
| Total Lost Rev/Employee: | 2,500 | 333 |
| <i>with mitigation</i> | <i>1,250</i> | |
| Total Impact/Employee: | \$ 4,525 | \$ 724 |
| <i>with mitigation</i> | <i>1,075</i> | |

Although these costs per employee appear fairly high, one must compare to the other costs incurred and revenues realized in the telecommunications industry. In this context, an example of revenues per employee follows:

| | Small | Large |
|--------------------------------|------------------|------------------|
| Employees: | 20 | 6,000 |
| Total Revenue: | \$2.5 Million | \$1.3 Billion |
| Total Revenue/Employee: | \$125,000 | \$217,000 |

The cost per one hundred dollars of sales revenue is another analysis which is useful in determining the relative (or proportionate) costs of implementing this proposed rule:

| | Small | Large |
|----------------------------------|----------------|-----------------|
| Total Sales/100: | \$25,000 | \$13 Million |
| Total Cost/Sales/100: | \$ 1.62 | \$0.1803 |
| <i>with mitigation</i> | <i>(0.14)</i> | |
| Total Lost Rev/Sales/100: | 2.00 | 0.1538 |
| <i>with mitigation</i> | <i>1.00</i> | |
| Total Impact/Sales/100: | \$ 3.62 | \$0.3342 |
| <i>with mitigation</i> | <i>(0.86)</i> | |

As can be seen from each of these analyses, the proportionate total impact of implementing this rule will be disproportionate for small businesses in the local exchange telecommunications company industry. This outcome has been mitigated to the extent feasible as the result of the revised rule language proposed by the Washington Utilities and Transportation Commission, as explained further below.

Mitigation of Disproportionate Costs to Small Employers: Implementation costs have been addressed through mitigations included in the revised rule language - not only as reflected throughout the revised text, but as well as in specific subsection(s) geared specifically towards small businesses.

Capital costs may be necessary as a result of this rule. Foregone revenues are also a consideration in determining its overall impact. Other less material costs are more administrative in nature, yet in the aggregate contribute to the disproportionate effects on small businesses. Local exchange telecommunications companies are familiar with these costs, as they are an ongoing expense of running a business in the regulated (and capital intensive) telecommunications industry.

Because these capital and administrative costs are ongoing, small employers already experience disproportionate capital and administrative costs per employee as compared to large employers, in general.

This fact is also recognized in the economies of scope and scale inherent in the distinction between small and large employers within the telecommunications industry. Smaller employers usually have smaller operations and typically serve in the less dense and/or rural areas of the state (historically). Therefore, due to the capital intensive nature of the telecommunications industry smaller employers have become accustomed to disproportionately higher costs. There are currently in effect support mechanisms through federal and state universal service programs which help defray these distinctions between urban and rural (e.g. large and small) companies.

Other, newer companies known as competitive local exchange companies (CLECs) (who may also be relatively small employers but most likely are not rural) are not as entrenched as incumbent monopolies (both small and large). These CLECs incur initial start-up costs to provide service regardless of this rule, and any CLEC can be expected to offer service only to places in Washington state for which there is calling demand. Since the list of communities in the rule encompass the primary communities in the state, it seems reasonable to assume that any CLEC will already offer service to at least any cities listed in the rule. Thus, the rule will not add costs for new entrants.

As can be seen from the "cost of compliance" chart above, the cost impacts on small businesses are estimated to be about \$90,500. Since regulated companies can recover increased costs from ratepayers (who may be small businesses, which is addressed in the next section), there is always the option of a general rate increase request. However, that may not be necessary given all of the proposed mitigations now included in the revised proposed rule language. (The total impact on small business has been reduced by over 75%, down to \$21,500, as a result of the proposed mitigations).

Additionally, to the extent companies are rural and/or high-cost there are in place federal and state universal service funding mechanisms to defray the costs of providing basic universal service in these areas. Local usage and local calling areas have an impact on the affordability of basic universal service and therefore will be funded in order to meet the minimum level of service required for rural customers to have comparable and affordable telecommunications service. The goal of this rule is to ensure that all customers have access to the minimum local calling area necessary to meet that definition. Therefore, universal service funding may also be looked upon as a mitigation for small businesses, whose costs are otherwise higher than normal due to the rural/high cost nature of their serving territories.

Effect on Other Small Businesses Which Are Not Telephone Companies: The overall purpose of this rule is to establish a minimum scope of local calling. At present, inadequate scope of calling means many customers, including business customers, must pay for toll charges to reach basic community services. Defining a minimum local calling area will allow many small businesses in the state to lower their overall phone bills (an important basic cost of doing business), to expand their customer base, and to be able to reach Internet service providers. The rule should be an overall (composite) benefit to small business long-distance users.

PROPOSED

Small businesses which use telecommunications services in their business may take advantage of expanded or enlarged local calling areas at affordable and predictable local rates.

However, because not all small business consumers have the same usage patterns, there may be instances where benefits are not realized. Additionally, for some small businesses it is hypothetically possible that this rule would adversely affect them to the extent that their current customers choose to shop in the larger cities added as a result of this rule. Although we cannot quantify any such impact, we recognize that this type of lost sales may occur and could be perceived as a problem. We are currently aware of no specific situation, but are cognizant. Nonetheless, we believe the overall benefit of community-based calling will outweigh the potential detriments.

The current toll charges which small businesses have to pay in order to reach their suppliers, employees, and other business associates often imposes significant operating expense on them. With the availability of the defined minimum local calling areas, small businesses will benefit from not only the reduced expense, but also from controllable phone bills given that fixed monthly rates will enable them to reach the community they locate in and also the nearby communities. Staff are not able to quantify other benefits as a result of this proposed rule, however, we believe that the benefits will outweigh the costs because the costs that may need to be recovered in the basic monthly rates will move downward, especially when reflecting access charge reform and universal service support initiatives.

Public comment received in this proceeding (up to this point) has also indicated a strong level of support from both small businesses and individuals alike.

RCW 34.05.328 does not apply to this rule adoption. The commission is not an agency to which RCW 34.05.328 applies.

Hearing Location: Commission Hearing Room, Second Floor, Chandler Plaza, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, on July 22, 1998, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Pat Valentine by July 16, 1998, TDD (360) 586-8203, or (360) 664-1133.

Submit Written Comments to: Paul Curl, Acting Secretary, P.O. Box 47250, Olympia, WA 98504-7250, FAX (360) 586-1150, by June 26, 1998.

Date of Intended Adoption: July 22, 1998.

June 1, 1998
Terrence Stapleton
for Paul Curl
Acting Secretary

ernment, elementary and secondary schools, and libraries. In determining whether an exchange has an adequate local calling area, the commission will consider the overall community of interest of the entire exchange.

(2)(a) For the purposes of this rule, the ability to call and receive calls from one of the following exchanges will be deemed to meet the requirements of subsection (1) of this section: Aberdeen, Anacortes, Auburn, Bellevue, Bellingham, Bremerton, Cathlamet, Centralia, Cle Elum, Colfax, Colville, Coulee Dam, Dayton, Ellensburg, Enumclaw, Ephrata, Everett, Forks, Friday Harbor, Goldendale, Kennewick, Kent, Lewiston (Idaho), Long Beach, Longview, Morton, Moses Lake, Mount Vernon, Newport, North Bend, Oak Harbor, Olympia, Omak, Port Angeles, Port Townsend, Poulsbo, Prosser, Pullman, Renton, Ritzville, Seattle, Shelton, Spokane, South Bend, Stevenson, Sunnyside, Tacoma, Vancouver, Walla Walla, Wenatchee, White Salmon, and Yakima.

(b) The commission may approve a local calling area that does not include any of the exchanges listed above if the local exchange company demonstrates that the local calling area is adequate to meet the requirements of subsection (1) of this section.

(3) Each local calling area for an exchange shall contain all intervening exchanges. Any change in calling area made as a result of this rule shall, as much as reasonably possible, conform to existing county and school district boundaries within the state and shall not reduce the existing calling area of any exchange.

(4) "Basic service" is the minimum service a local exchange company may offer.

(5) Each local exchange company shall offer a choice of local calling plans, including, at a minimum, flat-rated service to the entire local calling area, and local measured service to the entire calling area. Nothing in this rule is intended to prohibit companies from offering optional flat-rated or measured service plans to a larger or smaller geographic area.

(6)(a) Any local exchange company providing service for which the local calling area is not adequate to meet the basic service standard as required in subsection (1) of this section shall, within ninety days from the date this rule becomes effective, file tariff revisions showing projected costs and decreased revenues as a result of this rule, and an implementation schedule to make necessary changes to its calling areas. The implementation schedule shall provide for all revised calling areas to become effective no later than ten months after the date this rule becomes effective.

(b) Companies may request, and the commission may grant, an extension of this deadline if it determines that additional facilities are required and that a company cannot reasonably complete its service revisions within the required time.

(7)(a) Projected costs and decreased revenues resulting from implementation of this section shall be calculated as the net of all cost and revenue changes for access and local service and engineering and plant expense and investment.

(b) Any local exchange company may seek a concurrent increase in rates to recover in whole or part the projected costs and decreased revenues resulting from implementation of this section. The commission shall approve the increase if

NEW SECTION

WAC 480-120-045 Basic service to include a minimum local calling area. (1) Each local exchange company shall provide as an element of basic service, a local calling area adequate to allow customers to call and receive calls from the following community services: Community medical facilities, police and fire departments, city or town gov-

PROPOSED

it is supported by the compliance filing required under subsection (6) of this section and is in the public interest.

(8) Any rate increase allowed under subsection (7) of this section shall be made by:

(a) Increasing local rates in exchanges receiving an expanded local calling area, up to the rate level, including existing charges for extended area service, paid by other similarly situated customers of the company; and, if necessary,

(b) Except as provided in (c) of this subsection, below, increasing local rates of all customers of the company by no more than \$.25 per customer per month, unless the company demonstrates in a general rate filing that a larger increase is in the public interest.

(c) For any local exchange company that is a small business as defined by chapter 19.85 RCW, the limit on local rate increases for all customers in (b) of this subsection shall be \$3.50 per customer per month.

(9)(a) Prior to filing a proposal to increase local calling areas, each company must notify its customers of any resulting changes in services or rates. Each company must submit to the secretary a draft notice for review before it is mailed to consumers. The company must design its customer notice to ensure that its customers receive adequate information about the change in order to understand the change, and determine whether to become involved in the commission's decision-making process. Customers must receive notice at least thirty days prior to the date it proposes to file its implementation plan and tariff.

(b) The notice shall contain an explanation of the new rates and conditions so customers can easily understand the changes and the impact it will have on them, including, at a minimum: A clear, brief explanation of the proposal, and any proposed change in rates; the requested effective date of the change; the implementation date, and a phone number for customers to reach a company representative if they have questions.

(c) Each notice must contain public involvement language as follows:

If you have questions about the filing and how it will affect you, please call (Company name & office phone number). If you have questions about the ratemaking process, you may contact the Washington utilities and transportation commission at the following address:

Secretary
Washington Utilities & Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250
1-800-562-6150 (toll free)
Electronic mail: comments@wutc.wa.gov

The commission encourages your written comments, either in favor or opposition, regarding this proposal. Comments must be submitted in writing or presented at the commission's open meeting to be considered as part of the formal record. If you would like to be added to the commission's mailing list to be notified of the open meeting date, please call the toll-free number listed above and leave your name and mailing address.

(10) As common carriers, local exchange companies have an obligation to interconnect with each other to carry

out the purposes of this rule. Interconnection agreements should be negotiated in good faith on an expedited basis. Existing interconnection agreements should be used to the greatest extent feasible. Any company which believes another company is not fulfilling its obligation to interconnect may file a complaint with the commission pursuant to RCW 80.04.110.

REPEALER

The following sections of the Washington Administrative Code are repealed:

| | |
|-----------------|--|
| WAC 480-120-400 | Purpose. |
| WAC 480-120-405 | Definition of extended area service. |
| WAC 480-120-410 | Local calling capability. |
| WAC 480-120-415 | Determination of extended area service routes. |
| WAC 480-120-420 | Revenue requirements and rate design. |
| WAC 480-120-425 | Community calling fund. |
| WAC 480-120-430 | Impact on current compensation arrangements. |
| WAC 480-120-435 | Petition for waiver. |

**WSR 98-12-072
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed June 1, 1998, 4:50 p.m.]**

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-03-025.

Title of Rule: Vessel registration and certificate of title—Confidential vessel registration, WAC 308-93-241, 308-93-242, 308-93-243, 308-93-244, and 308-93-245.

Purpose: Clarify the process of registering confidential vessels; and to meet the criteria set forth in Governor Locke's Executive Order 97-02.

Statutory Authority for Adoption: RCW 88.02.070, 88.02.100, 88.02.120.

Summary: Clarifying WAC 308-93-241 Confidential vessel registration—Application procedure, 308-93-242 Confidential vessel program—Agency contact, 308-93-243 Confidential vessel registrations—Inventory, 308-93-244 Confidential vessel registrations—Refusal and removal, and 308-93-245 Confidential vessel registrations—Records disclosure.

Reasons Supporting Proposal: Meet criteria supporting Governor Locke's Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting: Patrick Zlateff, 1125 Washington Street Southeast, Olympia, (360) 902-3718; Implementation and Enforcement: Nancy Kelly, 1125 Washington Street Southeast, Olympia, (360) 902-3754.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The anticipated effects will be a clarification of the above mentioned requirements.

Proposal Changes the Following Existing Rules: Clarify sections as needed. Repeal sections as needed. Meet criteria of Executive Order 97-02.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required pursuant to RCW 19.85.030 (1)(a). The proposed rule making does not impose more than a minor cost on businesses in an industry.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The content of the proposed rules are explicitly and specifically dictated by statute.

Hearing Location: Highways-Licenses Building, Conference Room 309, 1125 Washington Street, Olympia, WA 98507, on July 7, 1998, at 11:00 a.m.

Assistance for Persons with Disabilities: Contact Pat Zlateff by July 6, 1998, TDD (360) 664-8885, on (360) 902-3718.

Submit Written Comments to: Patrick Zlateff, Rules Coordinator, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, FAX (360) 664-0831, by July 6, 1998.

Date of Intended Adoption: July 21, 1998.

June 1, 1998

Nancy S. Kelly, Administrator
Title and Registration Services

AMENDATORY SECTION (Amending WSR 92-15-023, filed 7/6/92, effective 8/6/92)

WAC 308-93-241 Confidential vessel registration—Application procedures. ~~((1) Requests for confidential vessel registration shall be in writing, addressed to the Administrator, Title and Registration Services, Department of Licensing, Olympia, Washington and shall be accompanied by the following:~~

~~(a) An application for confidential vessel registrations, on a form furnished by the department;~~

~~(b) An explanation in support of the request for confidential vessel registrations, on a form furnished by the department, setting the purposes for which the vessel registration will be used, and why confidential vessel registrations are necessary to accomplish this purpose;~~

~~(c) Copies of documents establishing that the vessel is owned or controlled by the agency requesting issuance of confidential vessel registrations; acceptable documents include, but are not limited to, current certificate of title or registration, manufacturer's statement of origin, court order or seizure documents;~~

~~(d) Such other documentation as the department at its own discretion may reasonably require.~~

~~(2) The request, application, and explanation shall be signed by the agency head or designated contact person.)) (1) A government agency requesting confidential vessel registration shall:~~

(a) Write to the department on their letterhead requesting one or more vessels be included in the confidential vessel program;

(b) Complete an application form approved by the department;

(c) Provide a copy of the current certificate of ownership or registration certificate showing the vessel is registered to the government agency.

(2) The letter of request and application shall be signed by the government agency head or designated contact person.

AMENDATORY SECTION (Amending WSR 92-15-023, filed 7/6/92, effective 8/6/92)

WAC 308-93-242 Confidential vessel ((registration) program—Agency contact. ~~((1) Except as provided in subsection (2) of this section, the only person authorized to request issuance of confidential vessel registrations or sign correspondence pertaining to the confidential vessel registration program, is the agency head, which shall include regional federal agency administrators and military commanding officers.~~

~~(2) The agency head may designate a maximum of two additional individuals within the agency as contact persons authorized to sign applications and correspondence pertaining to the confidential vessel registration program.~~

~~(3) The agency head must submit information to the department of licensing, on a form provided by the department, indicating the name, title, address, and telephone number of each additional contact person.~~

~~(4) Upon removal or replacement of an agency head or designated contact person, the department of licensing shall be notified in writing within five days of the change, and a new form as indicated in subsection (3) of this section shall be forwarded to the department.)) (1) A government agency head or designee may apply for confidential vessel registrations or sign correspondence pertaining to confidential vessel registrations.~~

(2) The government agency head may designate a maximum of two agency employees to represent the agency regarding confidential vessel registrations. The government agency head shall provide the name, title, address, and telephone number of each designee.

(3) A government agency head or designee shall notify the department in writing within five days of any change in the agency head or designee.

AMENDATORY SECTION (Amending WSR 92-15-023, filed 7/6/92, effective 8/6/92)

WAC 308-93-243 Confidential vessel registrations—((Annual)) Inventory. ~~((By May 31 of each year, each agency having confidential vessel registrations in its possession shall furnish an inventory of the confidential vessel registrations to the department. The inventory shall include:~~

~~(1) A list of confidential vessel registrations;~~

~~(2) The make, year of manufacture, and identification number of each vessel bearing confidential vessel registrations;~~

(3) A certification, signed by the agency head or designated contact person, that all vessel registrations issued to the agency are being utilized solely for those purposes specified by RCW 88.02.035.)) (1) The department shall provide an inventory listing of vessels to each agency participating in the confidential vessel registration program. Each government agency shall verify the accuracy of the information by:

(a) Correcting any erroneous information;

(b) Delete vessels no longer in the program;

(c) Adding vessels in the program, but not shown on the inventory listing;

(d) Signing the inventory listing certifying that all confidential vessel registrations shown on the listing are being utilized under RCW 88.02.035(3); and

(e) Returning the inventory listing to the department.

(2) The department shall not renew a vessel shown on the inventory listing until the government agency has complied with the requirements of subsection (1) of this section.

AMENDATORY SECTION (Amending WSR 92-15-023, filed 7/6/92, effective 8/6/92)

WAC 308-93-244 Confidential vessel registrations—Refusal and removal. ~~((1) The department of licensing may cancel or refuse to issue or reissue a confidential vessel registration when it has reason to believe the registration is being used for purposes not authorized in RCW 88.02.035. Issuance of the registration would violate the intent or meaning of the referenced statute.~~

~~(2) When an agency no longer requires a confidential vessel registration or the registration is canceled, the validation decal must be removed and destroyed and the confidential registration returned to the department of licensing for deletion from the agency's inventory.)) (1) The department may cancel or refuse to issue or renew a confidential vessel registration when the department or chief of the Washington state patrol has reasonable cause to believe the registration is not being used for purposes authorized in RCW 88.02.035.~~

~~(2) When a government agency no longer requires a confidential vessel registration or the registration is cancelled:~~

~~(a) The government agency shall remove and destroy the validation decal and return the confidential vessel registration to the department; and~~

~~(b) The department shall delete the confidential vessel registration record from the confidential vessel program.~~

AMENDATORY SECTION (Amending WSR 92-15-023, filed 7/6/92, effective 8/6/92)

WAC 308-93-245 Confidential vessel registrations—Records disclosure. ~~((1) In accordance with RCW 42.17.310(2), files, records, documents, and any other information pertaining to the confidential vessel registration program shall be exempt from public inspection and copying, as such disclosure would be contrary to vital government interests.~~

~~(2) Information concerning the confidential vessel registrations issued to any particular agency shall not be released, except to the agency head or the designated contact person(s).~~

~~(3) Nothing herein shall be construed to prohibit the disclosure of statistical information which is not descriptive of the identity of the confidential vessel or its usage.)) (1) Because disclosure of confidential vessel registration information is contrary to vital government interest, the department shall not disclose files, records, documents, and any other information pertaining to the confidential vessel registration program. These records are exempt from public inspection and copying under RCW 42.17.310(2).~~

~~(2) The department shall not release information concerning confidential vessel registrations to anyone other than the government agency head or the designee of the agency that owns the vessel.~~

~~(3) The department may disclose confidential vessel statistical information if the information is not descriptive of the identity of the confidential vessel or its usage.~~

WSR 98-12-073

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed June 1, 1998, 4:50 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-03-022.

Title of Rule: Vehicle licensing—Confidential plates, WAC 308-96A-080, 308-96A-085, 308-96A-090, 308-96A-095, and 308-96A-097.

Purpose: Clarify the process of confidential license plates and to meet the criteria set forth in Governor Locke's Executive Order 97-02.

Statutory Authority for Adoption: RCW 46.08.066.

Summary: Clarifying WAC 308-96A-080 Confidential license plates—Application procedures, 308-96A-085 Confidential license plates—Agency contact, 308-96A-090 Confidential vehicle license plates—Inventory, 308-96A-095 Confidential license plates—Refusal and removal, and 308-96A-097 Confidential license plates—Records disclosure.

Reasons Supporting Proposal: Meet criteria supporting Governor Locke's Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting: Patrick Zlateff, 1125 Washington Street Southeast, Olympia, (360) 902-3718; Implementation and Enforcement: Nancy Kelly, 1125 Washington Street Southeast, Olympia, (360) 902-3754.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The anticipated effects will be a clarification of the above mentioned requirements.

Proposal Changes the Following Existing Rules: Clarify sections as needed and repeal those no longer required. Meet criteria of Executive Order 97-02.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required pursuant to RCW 19.85.030 (1)(a). The proposed rule making does not impose more than a minor cost on businesses in an industry.

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Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The content of the proposed rules are explicitly and specifically dictated by statute.

Hearing Location: Highways-Licenses Building, Conference Room 309, 1125 Washington Street, Olympia, WA 98507, on July 7, 1998, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Pat Zlateff by July 6, 1998, TDD (360) 664-8885, or (360) 902-3718.

Submit Written Comments to: Patrick Zlateff, Rules Coordinator, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, FAX (360) 664-0831, by July 6, 1998.

Date of Intended Adoption: July 21, 1998.

June 1, 1998

Nancy S. Kelly, Administrator
Title and Registration Services

AMENDATORY SECTION (Amending Order TL/RG-12, filed 5/8/85)

WAC 308-96A-080 Confidential license plates—Application procedures. ~~((1) Every request for confidential license plates shall be made in writing, on stationery of the requesting agency, to the department of licensing, and shall be accompanied by the following:~~

~~(a) An application for confidential license plates, on a form furnished by the department;~~

~~(b) Except for those confidential plates authorized by RCW 46.08.066(3), by an explanation in support of the request for confidential license plates, on a form furnished by the department, setting forth the purposes for which the plates will be used, and why confidential license plates are necessary to accomplish this purpose;~~

~~(c) Copies of documents establishing that the vehicle is owned or controlled by the agency requesting issuance of confidential license plates; acceptable documents include, but are not necessarily limited to, current certificate of title or registration, manufacturer's statement of origin, and court orders or seizure documents;~~

~~(d) Such other documentation as the department may reasonably require.~~

~~(2) The request, application, and explanation shall be signed by the agency head or an individual designated by the agency head as the authorized contact person as provided in WAC 308-96A-085.~~

~~(3) Every request for confidential license plates will be reviewed on an individual basis to ensure compliance with RCW 46.08.066. The department has the authority to reject or refuse applications which do not conform to the provisions of the referenced statute, and rules and regulations of the department.~~

~~(4) Applications for confidential license plates to be used for the personal security of a public official or employee will be forwarded by the department to the Washington state patrol for review and recommendation prior to final determination by the department.) (1) A government agency requesting confidential license plates shall:~~

(a) Write to the department on their letterhead requesting one or more vehicles be included in the confidential license plate program;

(b) Complete an application form approved by the department;

(c) Provide a copy of the current certificate of ownership or registration certificate showing the vehicle is registered to the government agency.

(2) The letter of request and application shall be signed by the government agency head or designated contact person.

AMENDATORY SECTION (Amending Order TL/RG-12, filed 5/8/85)

WAC 308-96A-085 Confidential license plates—Agency contact. ~~((1) Except as provided in subsection (2) of this section, the only person authorized to request issuance of confidential license plates or sign correspondence pertaining to the confidential plate licensing program, is the agency head, which shall include regional federal agency administrators and military commanding officers.~~

~~(2) The agency may designate a maximum of two individuals as contact persons authorized to apply for confidential plates and sign correspondence pertaining to the confidential plate licensing program.~~

~~(3) The agency head must submit information to the department of licensing, on a form provided by the department, indicating the name, title, address and telephone number of each contact person authorized to apply for confidential license plates.~~

~~(4) Upon removal or replacement of an agency head or designated contact person, the department of licensing shall be notified in writing within five days of the change, and a new form as indicated in subsection (3) of this section shall be forwarded to the department.) (1) A government agency head or designee may apply for confidential license plates or sign correspondence pertaining to confidential license plates.~~

~~(2) The government agency head may designate a maximum of two agency employees to represent the agency regarding confidential license plates. The government agency head shall provide the name, title, address, and telephone number of each designee.~~

~~(3) A government agency head or designee shall notify the department in writing within five days of any change in the agency head or designee.~~

AMENDATORY SECTION (Amending Order TL/RG-12, filed 5/8/85)

WAC 308-96A-090 Confidential license plates—((Annual)) Inventory. ~~((1) At least once each year, at a time designated by the department of licensing, each agency having confidential license plates in its possession shall furnish an inventory of the confidential license plates to the department. The inventory shall include:~~

~~(a) A list of confidential license plates in alphabetical order;~~

~~(b) The make, year of manufacture and identification number of each vehicle bearing confidential license plates;~~

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~~(c) A certification, signed by the agency head or designated contact person, that all plates issued to the agency are being utilized solely for those purposes specified by RCW 46.08.066.)~~ (1) The department shall provide an inventory listing of vehicles, scheduled to be renewed within the next quarter, to each agency participating in the confidential vehicle license plate program. Each government agency shall verify the accuracy of the information by:

- (a) Correcting any erroneous information;
- (b) Deleting vehicles no longer in the program;
- (c) Adding vehicles in the program, but not shown on the inventory listing;

(d) Signing the inventory listing certifying that all confidential license plates shown on the listing are being utilized under RCW 46.08.066; and

(e) Returning the inventory listing to the department.

(2) The department shall not renew a vehicle shown on the quarterly inventory listing until the government agency has complied with the requirements of subsection (1) of this section.

AMENDATORY SECTION (Amending Order TL/RG-12, filed 5/8/85)

WAC 308-96A-095 ~~((Cancellation of))~~ Confidential license plates—Refusal and removal. ~~((1) When an agency no longer requires a set of confidential license plates, the plates and fictitious registration are to be returned to the confidential plate program administrator at the department of licensing for deletion from the agency's inventory.~~

~~(2) The department of licensing may cancel or refuse to reissue confidential license plates when it has reasonable grounds to believe that the plates are being used for purposes not authorized under RCW 46.08.066, or otherwise believes continued issuance of the plates would violate the intent or meaning of the referenced statute.)~~ (1) The department may cancel or refuse to issue or renew confidential license plates when the department or chief of the Washington state patrol has reasonable cause to believe the license plates are not being used for purposes authorized in RCW 46.08.066.

(2) When a government agency no longer requires confidential license plates or the license plates are cancelled:

(a) The government agency shall remove and destroy the license plates and registration or return them to the department; and

(b) Notify the department in writing that the confidential license plates have been removed and destroyed. The department shall delete the confidential license plates record from the confidential program.

AMENDATORY SECTION (Amending Order TL/RG-12, filed 5/8/85)

WAC 308-96A-097 Confidential license plates—Records disclosure. ~~((1) In accordance with RCW 42.17.310(2), files, records, documents, and any other information pertaining to the confidential licensing program shall be exempt from public inspection and copying, as such disclosure would be contrary to vital government interests.~~

~~(2) Information concerning the confidential license plates issued to any particular agency shall not be released, except to the agency head or the designated contact person(s).~~

~~(3) Nothing herein shall be construed to prohibit the disclosure of statistical information which is not descriptive of the identity of the confidential vehicle or its usage.)~~ (1) Because disclosure of confidential license plate information is contrary to vital government interest, the department shall not disclose files, records, documents, and any other information pertaining to the confidential license plate program. These records are exempt from public inspection and copying under RCW 42.17.310(2).

(2) The department shall not release information concerning confidential license plates to anyone other than the government agency head or the designee of the agency that owns the vehicle.

(3) The department may disclose confidential vehicle statistical information if the information is not descriptive of the identity of the confidential vehicle or its usage.

WSR 98-12-074

WITHDRAWAL OF PROPOSED RULES

APPRENTICESHIP AND TRAINING COUNCIL

(By the Code Reviser's Office)

[Filed June 2, 1998, 8:00 a.m.]

Chapter 296-04 WAC, proposed by the Apprenticeship and Training Council in WSR 97-23-088, appearing in issue 97-23 of the State Register, which was distributed on December 3, 1997, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 98-12-079

PROPOSED RULES

**DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed June 2, 1998, 11:15 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-15-141 and 97-15-142.

Title of Rule: Workers' compensation classification plan, chapters 296-17 and 296-14 WAC.

Purpose: Agency proposes to revise general reporting rules, classification plan, and corresponding base insurance rate tables. This includes creating thirty-two general rules, repealing twenty-six general rules, creating three new risk classifications, repealing one risk classification, amending three hundred fourteen risk classifications, and amending two experience rating rules applicable to chapter 296-17 WAC for workers' compensation insurance underwritten by the Department of Labor and Industries. The agency also pro-

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poses to repeal two claim process rules applicable to chapter 296-14 WAC for workers' compensation insurance.

Statutory Authority for Adoption: RCW 51.16.035.

Statute Being Implemented: RCW 51.16.035.

Summary: The department proposes to create thirty-two new general reporting rules, repeal twenty-six general reporting rules, create three new risk classification definitions, repeal one risk classification definition, amend three hundred fourteen risk classification definitions, and amend two experience rating and base insurance rate tables applicable to chapter 296-17 WAC. The department also proposes to repeal two claim process rules applicable to chapter 296-14 WAC.

Reasons Supporting Proposal: RCW 51.16.035 requires the department to maintain actuarial solvency of the industrial insurance funds and maintain a classification plan. Adjustments to the classification and rating plan reflect changes in Washington industries. Revisions to general reporting rules are rewritten in clear rule writing and the risk classifications are being amended to provide greater clarity to the definitions.

Name of Agency Personnel Responsible for Drafting: Ken Woehl and Frank Romero, Tumwater, Washington, 902-4775/902-4835; Implementation: Doug Connell and Kathy Kimbel, Tumwater, Washington, 902-4209/902-4835; and Enforcement: Doug Mathers, Tumwater, Washington, 902-4750.

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: The department is required by RCW 51.16.035 to establish and maintain a workers' compensation insurance classification plan that classifies all occupations or industries within the state, and to set basic rates of premium for all classifications. The rule proposals are intended to better clarify the general reporting rules, to distribute the costs fairly among employers, and to ensure actuarial solvency.

The department proposes to revise general reporting rules, classification plan, and corresponding base insurance rate tables. This includes creating thirty-two general reporting rules, repealing twenty-six general reporting rules, creating three new risk classifications, repealing one risk classification, amending three hundred fourteen risk classifications, and amending two experience rating rules applicable to chapter 296-17 WAC for workers' compensation insurance underwritten by the Department of Labor and Industries. The department also proposes to repeal two claim process rules applicable to chapter 296-14 WAC for workers' compensation insurance.

The department is proposing numerous changes to the general reporting rules and classification plan in order to rewrite many of the rules in clear rule writing and to provide greater detail for risk classification definitions; repeal one classification for chore services/domestic servants and create a separate risk classification and base rate for each due to the dissimilar of services and claim costs; create one classification for energy services and base rate; and repeal two claim process rules which are obsolete.

Proposal Changes the Following Existing Rules:

Repeal – General Reporting Rules

- 296-17-310 General instructions
- 296-17-320 Definitions
- 296-17-345 Professional athletic teams
- 296-17-350 Assumed worker hours
- 296-17-360 Classification by analogy
- 296-17-370 Governing classification
- 296-17-380 Single enterprise
- 296-17-390 Multiple enterprise
- 296-17-400 Mercantile operations
- 296-17-410 Division of single employee's worker hours
- 296-17-411 Supporting separate operations
- 296-17-420 General inclusions
- 296-17-430 General exclusions
- 296-17-440 Standard exceptions
- 296-17-44001 Business by standard exception
- 296-17-441 Special exceptions
- 296-17-450 Special agriculture rule
- 296-17-45001 Special horse racing rule
- 296-17-45002 Trucking
- 296-17-45003 Building construction rule
- 296-17-45004 Forestry industry rule
- 296-17-45005 Logging and/or tree thinning rule
- 296-17-45006 Special drywall industry rule
- 296-17-455 Special temporary help industry rule
- 296-17-460 Classification phraseology
- 296-17-470 Penalty assessment for unregistered employers

Proposed – Create New General Reporting Rules

- 296-17-31001 Introduction
- 296-17-31002 Definitions
- 296-17-31003 What is a workers' compensation program?
- 296-17-31004 Am I required to have coverage for my employees?
- 296-17-31005 How do I determine if I am an employer?
- 296-17-31006 Where can I buy workers' compensation insurance?
- 296-17-31007 As an owner, can I buy Workers' Compensation insurance?
- 296-17-31008 Will you notify me when I open my account?
- 296-17-31009 Do I need to buy insurance when my employees are in a different state?
- 296-17-31010 How much will I pay for workers' compensation insurance?

- 296-17-31011 What is a workers' compensation classification system?
- 296-17-31012 How are classifications assigned to my business?
- 296-17-31013 Does this same classification approach apply to building and construction contractors?
- 296-17-31014 Does this same classification approach apply to farming or agricultural operations?
- 296-17-31015 When are certain operations included and excluded in a basic classification?
- 296-17-31016 How do you determine the classifications for my business if a specific reference does not exist?
- 296-17-31017 Can I have more than one basic classification assigned to my account?
- 296-17-31018 What are exception classifications?
- 296-17-31019 How do you assign classifications to a standard exception business?
- 296-17-31020 How can I divide hours between classes for employees supporting more than one basic class?
- 296-17-31021 What is a "unit of exposure"?
- 296-17-31022 How do I report exception employees on my quarterly report?
- 296-17-31023 How often will I need to report and pay premiums?
- 296-17-31024 How do you determine what rate to charge me?
- 296-17-31025 Should I call if my business operation changes?
- 296-17-31026 If I have more than one business, can I report them on the same account?
- 296-17-31027 Do I need to report workers when hired through a temporary help company?
- 296-17-31028 What are my responsibilities when I close my business, or no longer have employees?
- 296-17-31029 What insurance principles does the department use when a new classification is developed?
- 296-17-35202 Definitions
- 296-17-35203 Special Reporting Instructions
- 296-17-35204 Penalty assessment for unregistered employers

Proposed – Create New Risk Classifications

| | | |
|--------------|---------------------|----------------------|
| 296-17-72201 | Classification 6510 | Domestic servants |
| 296-17-72202 | Classification 6511 | Chore workers |
| 296-17-75303 | Classification 7002 | Department of Energy |

Amend – Risk Classifications

| | | |
|--------------|---------------------|------------------------------|
| 296-17-501 | Classification 0101 | Road building |
| 296-17-503 | Classification 0103 | Drilling |
| 296-17-504 | Classification 0104 | Dredging |
| 296-17-505 | Classification 0105 | Fence erection or repair |
| 296-17-50601 | Classification 0107 | Pipelaying |
| 296-17-50602 | Classification 0108 | Ditch and sewer construction |
| 296-17-50603 | Classification 0112 | Sand and gravel production |
| 296-17-508 | Classification 0201 | Bridge work |
| 296-17-509 | Classification 0202 | Diving operations |
| 296-17-50908 | Classification 0210 | Paving – street or road |
| 296-17-50910 | Classification 0212 | Paving – N.O.C. |
| 296-17-50912 | Classification 0214 | Concrete paving -roadways |
| 296-17-50915 | Classification 0217 | Concrete flatwork |
| 296-17-50917 | Classification 0219 | Roadway specialty services |
| 296-17-510 | Classification 0301 | Landscape construction |
| 296-17-511 | Classification 0302 | Masonry work |
| 296-17-51101 | Classification 0303 | Plastering and stucco work |
| 296-17-512 | Classification 0306 | Plumbing – N.O.C. |
| 296-17-513 | Classification 0307 | Heating and ventilation |
| 296-17-51301 | Classification 0308 | Lawn care maintenance |

Repeal – Risk Classifications

| | | |
|------------|---------------------|-------------------------------------|
| 296-17-721 | Classification 6508 | Chore workers and domestic servants |
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| 296-17-516 | Classification 0403 | Sign erection and repair | 296-17-52125 | Classification 0533 | Wallboard stocking – nondiscounted |
| 296-17-517 | Classification 0502 | Flooring installation | 296-17-52126 | Classification 0534 | Wallboard scrapping – nondiscounted |
| 296-17-519 | Classification 0504 | Exterior painting | 296-17-522 | Classification 0601 | Electrical work – N.O.C. |
| 296-17-52001 | Classification 0506 | Building demolition | 296-17-523 | Classification 0602 | Elevated installation |
| 296-17-52002 | Classification 0507 | Roofwork | 296-17-524 | Classification 0603 | Plant maintenance |
| 296-17-521 | Classification 0508 | Tower and crane erection – N.O.C. | 296-17-525 | Classification 0604 | Scrap metal dealers |
| 296-17-52101 | Classification 0509 | Overhead transmission installation | 296-17-526 | Classification 0606 | Vending machine installation |
| 296-17-52102 | Classification 0510 | Wood frame building construction | 296-17-527 | Classification 0607 | Household appliance installation |
| 296-17-52103 | Classification 0511 | Glass installation - buildings | 296-17-52701 | Classification 0608 | Electrical pre-wire |
| 296-17-52104 | Classification 0512 | Insulation installation | 296-17-528 | Classification 0701 | Dam construction |
| 296-17-52105 | Classification 0513 | Interior finish carpentry | 296-17-529 | Classification 0803 | Cities and towns -clerical |
| 296-17-52106 | Classification 0514 | Garage door installation | 296-17-532 | Classification 0901 | Ship building and repair |
| 296-17-52108 | Classification 0516 | Building repair – N.O.C. | 296-17-534 | Classification 1002 | Shake and shingle mills - automated |
| 296-17-52109 | Classification 0517 | Mobile home installation | 296-17-535 | Classification 1003 | Pole yards and pole treating |
| 296-17-52110 | Classification 0518 | Building construction – N.O.C. | 296-17-53501 | Classification 1004 | Log storage and sort- ing yards |
| 296-17-52111 | Classification 0519 | Sheet metal work | 296-17-53502 | Classification 1005 | Shake and shingle mills |
| 296-17-52113 | Classification 0521 | Interior painting | 296-17-53504 | Classification 1007 | Surveyor services – N.O.C. |
| 296-17-52116 | Classification 0524 | Wallboard installation | 296-17-536 | Classification 1101 | Delivery – N.O.C. |
| 296-17-52118 | Classification 0526 | Wallboard taping | 296-17-537 | Classification 1102 | Trucking – N.O.C. |
| 296-17-52119 | Classification 0527 | Wallboard priming | 296-17-538 | Classification 1103 | Top soil and bark deal- ers |
| 296-17-52120 | Classification 0528 | Wallboard stocking | 296-17-53801 | Classification 1104 | Auto/truck wrecking |
| 296-17-52121 | Classification 0529 | Wallboard scrapping | 296-17-53802 | Classification 1105 | Pumping services |
| 296-17-52122 | Classification 0530 | Wallboard installa- tion – nondiscounted | 296-17-53803 | Classification 1106 | Rental stores |
| 296-17-52123 | Classification 0531 | Wallboard taping – nondiscounted | 296-17-53805 | Classification 1108 | Glass merchants |
| 296-17-52124 | Classification 0532 | Wallboard priming – nondiscounted | 296-17-53806 | Classification 1109 | Auto/truck towing |

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| 296-17-539 | Classification 1301 | Electric companies | 296-17-565 | Classification 2201 | Laundry and dry cleaning operations |
| 296-17-540 | Classification 1303 | Telephone com-panies - manual | 296-17-566 | Classification 2202 | Carpet cleaning |
| 296-17-541 | Classification 1304 | Telephone com-panies - clerical | 296-17-56601 | Classification 2203 | Commercial laundry services |
| 296-17-54101 | Classification 1305 | Television cable com- panies | 296-17-56602 | Classification 2204 | Coin operated laundry services |
| 296-17-542 | Classification 1401 | Taxicab companies | 296-17-567 | Classification 2401 | Paper manufacturing |
| 296-17-544 | Classification 1404 | Bus and transit compa- nies | 296-17-568 | Classification 2903 | Wood products manu- facturing/assembly |
| 296-17-54401 | Classification 1405 | Ambulance services | 296-17-569 | Classification 2904 | Plywood/veneer man- ufacturing |
| 296-17-545 | Classification 1501 | Counties and taxing districts | 296-17-56901 | Classification 2905 | Furniture manufacture or refinish |
| 296-17-546 | Classification 1507 | Waterworks | 296-17-570 | Classification 2906 | Pattern manufacturing |
| 296-17-548 | Classification 1701 | Ore reduction | 296-17-57001 | Classification 2907 | Cabinet manufacturing |
| 296-17-549 | Classification 1702 | Mines – N.O.C. | 296-17-57002 | Classification 2908 | Mobile home and fac- tory housing manufac- turing |
| 296-17-550 | Classification 1703 | Open cut mining | 296-17-57003 | Classification 2909 | Woodenware manu- facturing |
| 296-17-551 | Classification 1704 | Quarries | 296-17-571 | Classification 3101 | Redi mix concrete dealers |
| 296-17-552 | Classification 1801 | Smelting and furnace operations | 296-17-572 | Classification 3102 | Rock wool insulation |
| 296-17-55201 | Classification 1802 | Aluminum smelting | 296-17-573 | Classification 3103 | Cement manufacturing |
| 296-17-555 | Classification 2002 | Freight handling | 296-17-574 | Classification 3104 | Plaster mills and stone cutting |
| 296-17-557 | Classification 2004 | Iron and steel mer- chants | 296-17-575 | Classification 3105 | Concrete product man- ufacturing |
| 296-17-560 | Classification 2007 | Grain elevators | 296-17-57602 | Classification 3303 | Retail meat and fish dealers |
| 296-17-561 | Classification 2008 | Field warehouses | 296-17-57603 | Classification 3304 | Fish and meat proces- sors |
| 296-17-56101 | Classification 2009 | Building material dealers | 296-17-578 | Classification 3309 | Motorcycle sales and service |
| 296-17-562 | Classification 2101 | Grain and feed mills | 296-17-580 | Classification 3402 | Machine shops – N.O.C. |
| 296-17-563 | Classification 2102 | Distribution centers | 296-17-581 | Classification 3403 | Aircraft manufactur- ing |
| 296-17-564 | Classification 2104 | Fruit and vegetable packing | 296-17-582 | Classification 3404 | Metal goods manufac- turing |
| 296-17-56401 | Classification 2105 | Beverage distributors | 296-17-58201 | Classification 3405 | Aircraft parts manu- facturing |
| 296-17-56402 | Classification 2106 | Chemical dealers | 296-17-583 | Classification 3406 | Service stations and car washes |

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| 296-17-584 | Classification 3407 | Refinery operations | 296-17-612 | Classification 3808 | Upholstery work |
| 296-17-585 | Classification 3408 | Natural gas companies | 296-17-614 | Classification 3901 | Retail bakeries |
| 296-17-58501 | Classification 3409 | Self service gas stations | 296-17-615 | Classification 3902 | Food product manufacturing |
| 296-17-58502 | Classification 3410 | Convenient grocery stores | 296-17-616 | Classification 3903 | Sugar refining |
| 296-17-58503 | Classification 3411 | Automobile sales dealerships | 296-17-618 | Classification 3905 | Restaurants |
| 296-17-58504 | Classification 3412 | Automobile body shops | 296-17-61801 | Classification 3906 | Bakeries – N.O.C. |
| 296-17-58505 | Classification 3413 | Semi truck repair centers | 296-17-61804 | Classification 3909 | Caterers |
| 296-17-58506 | Classification 3414 | Boat service centers | 296-17-619 | Classification 4002 | Creameries |
| 296-17-58507 | Classification 3415 | Modular and mobile home dealers | 296-17-620 | Classification 4101 | Printing/silk screening |
| 296-17-586 | Classification 3501 | Brick or clay product manufacturing | 296-17-622 | Classification 4103 | Newspaper publishing |
| 296-17-587 | Classification 3503 | Pottery and earthenware manufacturing | 296-17-626 | Classification 4107 | Business machine repair |
| 296-17-590 | Classification 3506 | Pump truck services | 296-17-627 | Classification 4108 | Mailing companies |
| 296-17-59201 | Classification 3509 | Plaster/concrete statue manufacturing | 296-17-628 | Classification 4109 | Sign painting in shop |
| 296-17-59202 | Classification 3510 | Plastic/graphite goods manufacturing | 296-17-629 | Classification 4201 | Longshoring and stevedoring |
| 296-17-59203 | Classification 3511 | Fiberglass goods manufacturing | 296-17-630 | Classification 4301 | Sausage manufacturing |
| 296-17-59204 | Classification 3512 | Plastic goods – cut/mill/bend | 296-17-631 | Classification 4302 | Custom meat cutting |
| 296-17-59205 | Classification 3513 | Rubber goods manufacturing | 296-17-633 | Classification 4304 | Feed lots |
| 296-17-594 | Classification 3602 | Electronic components manufacturing | 296-17-634 | Classification 4305 | Landfills |
| 296-17-595 | Classification 3603 | Painting - shop | 296-17-635 | Classification 4401 | Cold storage plants |
| 296-17-596 | Classification 3604 | Galvanizing or tinning | 296-17-63501 | Classification 4402 | Ice manufacturing |
| 296-17-597 | Classification 3605 | Truck manufacturing | 296-17-636 | Classification 4404 | Cold storage |
| 296-17-599 | Classification 3701 | Chemical manufacturing | 296-17-637 | Classification 4501 | Radio/television companies |
| 296-17-600 | Classification 3702 | Winery/brewery operations | 296-17-638 | Classification 4502 | Radio/television stations |
| 296-17-604 | Classification 3708 | Textile goods manufacturing | 296-17-640 | Classification 4504 | Theatres |
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| 296-17-646 | Classification 4805 | Nurseries | 296-17-661 | Classification 5101 | Metal molding |
| 296-17-647 | Classification 4806 | Berries – hand harvest | 296-17-663 | Classification 5103 | Foundries – N.O.C. |
| 296-17-649 | Classification 4808 | Field crops – N.O.C. | 296-17-666 | Classification 5106 | Forging |
| 296-17-64901 | Classification 4809 | Greenhouses | 296-17-668 | Classification 5108 | Cable manufacturing |
| 296-17-64902 | Classification 4810 | Farms – field vegeta- bles | 296-17-669 | Classification 5109 | Heavy arms manufac- turing |
| 296-17-64903 | Classification 4811 | Hop farms | 296-17-670 | Classification 5201 | Electric appliance manufacturing |
| 296-17-64904 | Classification 4812 | Fish and shellfish hatcheries | 296-17-673 | Classification 5204 | Railroad car manufac- turing |
| 296-17-64905 | Classification 4813 | Vineyards | 296-17-675 | Classification 5206 | Permanent shop |
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| 296-17-650 | Classification 4901 | Consulting engineers | 296-17-67601 | Classification 5208 | Iron works |
| 296-17-651 | Classification 4902 | State government – clerical | 296-17-67602 | Classification 5209 | Metal goods manufac- turing |
| 296-17-652 | Classification 4903 | Boiler inspections | 296-17-677 | Classification 5301 | Service organizations |
| 296-17-653 | Classification 4904 | Clerical office – N.O.C. | 296-17-678 | Classification 5305 | Cities/towns -clerical |
| 296-17-654 | Classification 4905 | Hotel and motels | 296-17-679 | Classification 5306 | County - clerical |
| 296-17-655 | Classification 4906 | Institutions – higher learning | 296-17-67901 | Classification 5307 | State government – N.O.C. |
| 296-17-656 | Classification 4907 | Inmates – prison industries | 296-17-680 | Classification 6103 | Churches and schools - professional |
| 296-17-657 | Classification 4908 | Inmates – adult camps | 296-17-681 | Classification 6104 | Churches and schools |
| 296-17-658 | Classification 4909 | Inmates – juvenile camps | 296-17-682 | Classification 6105 | Hospitals |
| 296-17-65801 | Classification 4910 | Property management | 296-17-684 | Classification 6107 | Veterinary |
| 296-17-659 | Classification 5001 | Logging – N.O.C. | 296-17-685 | Classification 6108 | Nursing homes |
| 296-17-660 | Classification 5002 | Rafting logs | 296-17-686 | Classification 6109 | Dental clinics |
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| 296-17-687 | Classification 6201 | Crematoriums | 296-17-714 | Classification 6501 | Beauty shops |
| 296-17-688 | Classification 6202 | Cemeteries | 296-17-715 | Classification 6502 | Banks/credit unions |
| 296-17-689 | Classification 6203 | Youth camps | 296-17-716 | Classification 6503 | Labor unions |
| 296-17-690 | Classification 6204 | Health clubs | 296-17-717 | Classification 6504 | Welfare stores |
| 296-17-691 | Classification 6205 | Clubs – N.O.C. | 296-17-718 | Classification 6505 | Welfare programs |
| 296-17-692 | Classification 6206 | Golf courses | 296-17-719 | Classification 6506 | Studios |
| 296-17-693 | Classification 6207 | Carnivals | 296-17-722 | Classification 6509 | Boarding homes |
| 296-17-694 | Classification 6208 | Carnivals – N.O.C. | 296-17-723 | Classification 6601 | Protective services |
| 296-17-695 | Classification 6209 | Camp grounds | 296-17-724 | Classification 6602 | Janitorial services |
| 296-17-696 | Classification 6301 | Auto/truck sales | 296-17-725 | Classification 6603 | Auction sales |
| 296-17-697 | Classification 6302 | Door to door sales | 296-17-726 | Classification 6604 | Lens manufacturing |
| 296-17-698 | Classification 6303 | Outside sales | 296-17-727 | Classification 6605 | Musicians – N.O.C. |
| 296-17-699 | Classification 6304 | Department stores | 296-17-729 | Classification 6607 | Billiard halls |
| 296-17-700 | Classification 6305 | Clothing stores | 296-17-730 | Classification 6608 | Motion picture production |
| 296-17-701 | Classification 6306 | Furniture/appliance stores | 296-17-73105 | Classification 6614 | Horse racing – major tracks |
| 296-17-703 | Classification 6308 | Jewelry stores | 296-17-73106 | Classification 6615 | Horse grooms – major tracks |
| 296-17-704 | Classification 6309 | Retail stores | 296-17-73107 | Classification 6616 | Horse racing – bush tracks |
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| 296-17-708 | Classification 6404 | Florists | 296-17-735 | Classification 6704 | Parking lot operations |
| 296-17-709 | Classification 6405 | Tire stores | 296-17-736 | Classification 6705 | Ski facilities |
| 296-17-711 | Classification 6407 | Wholesale stores | 296-17-737 | Classification 6706 | Athletic teams |
| 296-17-712 | Classification 6408 | Farm machinery dealers | 296-17-738 | Classification 6707 | Professional sport teams |
| 296-17-713 | Classification 6409 | Machinery dealers | 296-17-739 | Classification 6708 | Jockeys and race drivers |
| 296-17-71301 | Classification 6410 | Janitorial supply dealers | 296-17-740 | Classification 6709 | Sheltered workshops |

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| 296-17-741 | Classification | Scheduled airlines – flying crew | 296-17-76203 | Classification | Agriculture services 7112 |
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| 296-17-743 | Classification | Aircraft operations – N.O.C. | 296-17-76205 | Classification | Freight handling 7114 |
| 296-17-744 | Classification | Aircraft companies | 296-17-76206 | Classification | Food processing 7115 |
| 296-17-745 | Classification | Professional non-contact sport teams | 296-17-76207 | Classification | Flagging services 7116 |
| 296-17-746 | Classification | Volunteers | 296-17-76208 | Classification | Machine operators 7117 |
| 296-17-747 | Classification | Log road construction | 296-17-76209 | Classification | Construction 7118 |
| 296-17-748 | Classification | Crop dusting | 296-17-76210 | Classification | Trucking 7119 |
| 296-17-749 | Classification | Fire fighters | 296-17-76211 | Classification | Maritime employment 7120 |
| 296-17-750 | Classification | Law enforcement officers | 296-17-76212 | Classification | Logging 7121 |
| 296-17-751 | Classification | Volunteer law enforcement officers | 296-17-763 | Classification | State government – health care 7201 |
| 296-17-752 | Classification | Moving companies | 296-17-764 | Classification | Real estate agencies 7202 |
| 296-17-753 | Classification | Paper manufacturing | 296-17-765 | Classification | Community service workers 7203 |
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| 296-17-756 | Classification | State government – N.O.C. | 296-17-777 | Classification | Christmas tree farms 7307 |
| 296-17-757 | Classification | Temporary help - administrative | 296-17-778 | Classification | Animal shelters 7308 |
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| 296-17-760 | Classification | Food services | 296-17-870 (4)(b) | Evaluation of actual losses | |
| 296-17-761 | Classification | Packaging or repackaging | 296-17-895 | Industrial insurance accident and medical aid fund base rates | |
| 296-17-762 | Classification | Electronic assembly | <u>Repeal – Claim Process Rules</u> | | |
| 296-17-76201 | Classification | Field technicians | 296-14-010 | Reciprocal agreements - Industrial insurance | |
| 296-17-76202 | Classification | Medical services | 296-14-015 | Industrial insurance labor -management cooperation program. | |

No small business economic impact statement has been prepared under chapter 19.85 RCW. The Regulatory Fairness Act requires that the economic impact of proposed regulations be analyzed in relation to small business, and outlines the information that must be included in a small business economic impact statement (SBEIS). Preparation of a SBEIS is required when a proposed rule has the potential of placing a more than minor economic impact on business. However, since the proposed rule would not place a more than minor economic impact on business, the preparation of a comprehensive SBEIS is not required.

RCW 34.05.328 applies to this rule adoption. RCW 51.16.035 requires the Department of Labor and Industries to establish a classification plan to include general classification rules, risk classifications, and premium rates for all classification in accordance with recognized principles of insurance.

Although the rule proposal would be considered "significant," as defined by statute, the department is exempted from preparing an *Evaluation of Probable Costs and Probable Benefits Analysis* as mandated in RCW 34.05.328(1)©[(c)]. RCW 34.05.328(5)(b)(vi) establishes that rules that set or adjust fees or rates pursuant to legislative standards are exempt from the criteria outlined in RCW 34.05.328.

Hearing Location: Labor and Industries, Auditorium, 7273 Linderson Way S.W., Tumwater, WA, on July 9, at 10 a.m.

Assistance for Persons with Disabilities: Contact Classification Services, (360) 902-4776, by July 9, 1998, TDD (360) 902-4776.

Submit Written Comments to: FAX (360) 902-4729, by July 9, 1998.

Date of Intended Adoption: August 28, 1998.

June 2, 1998

Gary Moore
Director

Chapter 296-17 WAC

~~(MANUAL OF)~~ GENERAL REPORTING RULES, CLASSIFICATIONS, AUDIT AND RECORDKEEPING, RATES((g)) AND RATING SYSTEM FOR WASHINGTON WORKERS' COMPENSATION INSURANCE

NEW SECTION

WAC 296-17-31001 Introduction. WAC 296-17-31001 through 296-17-31029 provides rules applicable to workers' compensation insurance coverage (industrial insurance) that employers in the state of Washington must provide for their workers. We refer to these rules (WACs) as sections and the complete body of information as the *workers' compensation underwriting manual*. The workers' compensation underwriting manual contains sections (WACs) that define or explain:

- Words and phrases which we use
- Who the workers' compensation system applies to
- How to obtain workers' compensation coverage
- Why a classification system is necessary

- How our classification plan is designed
- How our classification approach compares to other states
- How we assign classifications to your business
- How we classify your business if a specific classification treatment is not referenced in our classification plan
- How employers report and pay premiums to us
- How we compute base rates
- Audit and recordkeeping requirements
- Experience rating plan
- Base rate tables.

NEW SECTION

WAC 296-17-31002 General rule definitions. In developing the general reporting rules and classifications which govern Washington's workers' compensation classification plan, we have used certain words or phrases which could have several meanings. Many of these words or phrases are defined by law in the Revised Code of Washington (*Title 51 RCW*) and can be found in **Appendix A** of this manual. Some words, however, are not defined by law. To reduce the misunderstanding which can result by our use of certain words or phrases not defined in law (*Title 51 RCW*), we have developed definitions which will govern what these words and phrases mean for purposes of this chapter (*chapter 296-17 WAC*).

The following words or phrases mean:

Account: A unique numerical reference that we assign to you that identifies your business or businesses and allows us to track exposure that you report to us and losses (*claims*) which we pay on your behalf.

Actual hours worked: A worker's composite work period during each work day, including all of the time the employee performed work, *and* all periods of mandatory presence at the worksite. Actual hours worked *does not* include nonpaid lunch periods. The following example is provided to illustrate how work hours are to be reported. If you have questions on reporting please contact our underwriting section at (360) 902-4817.

Example: *A carpet installer arrives at the employer's place of business at 8:00 a.m. to pick up supplies, carpet, and the job assignment. The carpet installer arrives at the job site at 9:00 a.m. and works until 12 noon. The installer takes a half hour nonpaid lunch period and resumes working from 12:30 p.m. until 4:00 p.m. The installer then returns to the employer's premise to drop off supplies and carpet waste. The installer leaves the employer's premise at 5:30 p.m. The employer is to report nine hours of work time regardless of whether the employee is paid by the hour or by the number of yards of carpet installed.*

All: When a classification contains a descriptive phrase beginning with "all" such as in "all employees," "all other employees," "all operations," or "all work to completion," it includes all operations and employments which are normally associated with the type of business covered by the classification. This condition applies even if the operations or employments are physically separated or conducted at a separate location. Operations or employments are to be classified sep-

arately when the classification wording requires it, or when the operations or employments are not incidental to, and not usually associated with, the business described by the classification.

And: When this word is contained in any rule it is to be considered the same as the phrase "and/or."

Basic classification: A grouping of businesses or industries having common or similar exposure to loss without regard to the separate employments, occupations or operations which are normally associated with the business or industry. Basic classifications describe a specific type of business operation or industry such as mechanical logging, sawmills, aircraft manufacturing, or restaurants. In most business operations some workers are exposed to very little hazard, while others are exposed to greater hazard. Since a basic classification reflects the liability (*exposure to hazard*) of a given business or industry, all the operations and occupations that are common to an industry are blended together and included in the classification. The rate for a basic classification represents the average of the hazards within the classification. All classifications contained in this manual are considered basic classifications with the exception of classifications 4806, 4900, 4904, 5206, 6301, 6302, 6303, 7101, and temporary help classifications 7104 through 7121. Classification descriptions contained in WAC 296-17-501 through 296-17-779, establish the intended purpose or scope of each classification. These descriptions will routinely include types of businesses, operations, processes or employments which are either included or excluded from the classification. These references are not to be considered an all inclusive listing unless the classification wording so specifies.

But not limited to: When this phrase is used in any rule in this manual it is not to be interpreted as an all inclusive list. Such a list is meant to provide examples of operations, employments, processes, equipment or types of businesses which are either included or excluded from the scope of the classification.

Excludes or excluding: When a classification contains a descriptive phrase beginning with "excludes" or "excluding" such as "excluding drivers or delivery," "excluding second hand appliance stores," or "excludes construction operations," you must report those operations in a separate classification. If a business fails to keep the records required in the auditing recordkeeping section of this manual and we discover this, we will assign all workers hours for which records were not maintained to the highest rated classification applicable to the work which was performed.

Exposure: Worker hours, worker days, licenses, material, payroll or other measurement which we use to determine the extent to which an employer's workers have been exposed to the hazards found within a particular business or industry classification.

Governing classification: Is the basic classification assigned to a business that produces the largest number of worker hours during a calendar year (*twelve months*). The governing classification rule applies only to situations where a business has been assigned two or more basic classifications and is used for the sole purpose of determining what classification applies to employees and covered owners who

support two or more operations. The governing classification rule is not to be used to determine the basic classification of a business.

Includes or including: When a classification contains a descriptive phrase beginning with "includes" or "including" such as "including clerical office," "including meter readers," or "includes new construction or extension of lines," you must report these operations in that basic classification even though they may be specifically described by some other classification contained in this manual or may be conducted at a separate location.

Industrial insurance: Refer to the definition of "workers' compensation insurance."

N.O.C.: This abbreviation stands for not otherwise classified. Classifications are often worded in this way when there are many variations of the same general type of business and it would be nearly impossible to list all the variations. Before a classification designated with N.O.C. is used, all other related classifications must be reviewed to determine if the business or industry is specified in another classification.

Example: *You operate a retail store that sells greeting cards. In our search to classify your business we come across a classification that covers retail stores N.O.C. Before our underwriter assigns this classification to your business, they would look at other retail store classifications to see if a more precise classification could be found. In our review we note several classifications such as grocery and department stores where greeting cards are sold. None of these classifications, however, specify that they include stores that exclusively sell greeting cards. Classification 6406 "Retail stores, N.O.C.," on the other hand, contains language in its description that states it includes stores that sell items such as greeting cards, table top appliances, tropical fish and birds, and quick print shops. We would assign classification 6406 "Retail stores, N.O.C." to your business.*

Or: Refer to the definition of the word "and."

Policy manager: An individual who works in the underwriting section of the department of labor and industries and manages an employer's workers' compensation insurance account. A policy manager is also referred to as an underwriter.

Premium: The total amount of money owed to the department of labor and industries as calculated by multiplying the assigned classification composite rate by the total units of exposure.

Rate: The amount of premium due for each unit of exposure. All rates are composite rates per worker hour except as otherwise provided for by other rules in this manual.

Risk: All insured operations of one employer within the state of Washington.

Temporary help: The term "temporary help" means the same as temporary service contractors defined in (*Title 19 RCW*) and applies to any person, firm, association or corporation conducting a business which consists of employing individuals directly for the purpose of furnishing such individuals on a part-time or temporary help basis to others.

Underwriter: Refer to the definition of a "policy manager."

Work day: Any consecutive twenty-four hour period.

Work hour: Refer to the definition of "actual hours worked."

Workers' compensation insurance: The obligation imposed on an employer by the industrial insurance laws (*Title 51 RCW*) of the state of Washington to insure the payment of benefits prescribed by such laws.

NEW SECTION

WAC 296-17-31003 No-fault insurance. What is a workers' compensation insurance program? Workers' compensation insurance is a no-fault insurance program that eliminates blame to either party for workplace injuries or illnesses. The principle features include:

- Wage and medical benefits to employees who suffer on-the-job injuries or illnesses; and
- Immunity from lawsuits for employers as a result of workplace injuries or illnesses suffered by their employees.

NEW SECTION

WAC 296-17-31004 Coverage requirements. I own a business. Am I required to have workers' compensation insurance coverage for my employees? Nearly every employer doing business in the state of Washington is required to have workers' compensation insurance for their employees. Washington law (*RCW 51.12.020*) does exempt certain types of employment from coverage. A copy of this law can be found in **Appendix A** of the workers' compensation manual. If you employ only individuals who are excluded from mandatory workers' compensation insurance coverage, you are not required to have workers' compensation insurance coverage.

NEW SECTION

WAC 296-17-31005 Employer/employee relationship. How do I determine if I am an employer? Chances are that if you employ one or more individuals to work for you, you are probably an employer. *RCW 51.08.070*, *51.08.180* and *51.08.195* all define the employer/employee relationship. These laws present the conditions that must exist before an exception or an independent contractor status can be recognized. Copies of these laws can be found in **Appendix A** of the workers' compensation underwriting manual. You may call one of our offices and a representative will help you determine if you are an employer. We are listed in the government pages of your local telephone directory, or you can call our underwriting section at (360) 902-4817 for assistance.

NEW SECTION

WAC 296-17-31006 Application process. (1) Where can I buy workers' compensation insurance? Washington law requires that you:

- Purchase your workers' compensation insurance through labor and industries; or

- Be certified as a self-insured employer by the self insurance section of the department of labor and industries.

Employers engaged exclusively in interstate or foreign commerce are permitted to purchase workers' compensation insurance from a private carrier in another state if they do business in that state. The workers' compensation laws of the other state must allow the Washington drivers to be covered in that state. You will need to complete a *master application* to obtain workers' compensation insurance from us. For more information on self insurance you can call (360) 902-6867 and one of our self insurance representatives will assist you.

(2) Where can I get a master application?

You can get a master application from any labor and industries, employment security, department of revenue office, the department of licensing master license service, or the corporations division of the office of the secretary of state. For your convenience you can call us at (360) 902-4817 and we will mail you one.

(3) Where do I send my completed master application?

You can mail your completed master application to the department of licensing address shown on the form, or you can return it to your local labor and industries, department of revenue, or employment security district tax office. Be sure to include the appropriate fees indicated on the form.

NEW SECTION

WAC 296-17-31007 Owner coverage. (1) As a business owner, can I buy workers' compensation insurance to cover myself?

Yes, as a business owner or corporate officer you can obtain workers' compensation coverage from us. We refer to this coverage as optional coverage since as the owner/corporate officer, you are not required to have this insurance. Because owner insurance coverage is optional, you must meet certain conditions and requirements which are detailed on the *application for owner/corporate officer optional coverage*. These requirements include:

- Completing an application for optional owner/corporate officer coverage;
- Reporting owner/corporate officer hours in the classification assigned to your business that is applicable to the work being performed by the owner/officer;
- Submitting a supplemental report which lists the name of each covered owner/corporate officer; and
- Reporting four hundred eighty hours or actual hours worked each quarter for each covered owner/corporate officer and in the applicable workers' compensation classification code.

(2) When will my owner/corporate officer coverage become effective?

Your coverage will become effective immediately after the filing date we receive your application unless you indicate a future date. We will not make coverage effective on

the same date or a date prior to our receipt of your completed application for owner/corporate officer coverage.

(3) Where can I obtain an application for owner/corporate officer coverage?

To obtain a copy of this application, contact your local labor and industries office. We are listed in the government pages of your local directory or you can call our underwriting section at (360) 902-4817.

NEW SECTION

WAC 296-17-31008 Notification requirements. (1) Will you notify me when you have opened my workers' compensation insurance account?

Yes, we will notify you when we have opened your workers' compensation insurance account.

(2) Will you contact me if you need additional information about my business?

Yes, we will contact you if we need additional information to classify your business or establish your workers' compensation insurance account.

(3) Will you provide me with instructions on how to report and pay premiums to you?

Yes, we will send you a written notice describing the classification or classifications we have assigned to your business and how to report the worker hours or other exposure of your employees to us. You will receive a rate notice which will detail information about your premium rate and what portions of the rate you may deduct from your employees wages. You should keep these notices with your business records. A copy of a rate notice can be found in **Appendix B** of this manual.

(4) Will you notify me if you are going to change a classification assigned to my business?

Yes, if we need to change the classifications assigned to your business, we will send you a written notice describing the new classifications and when they become effective.

(5) How do I notify my employees that they are covered by workers' compensation insurance?

We will send you a certificate of coverage and a packet of information when we open your account. The packet will include some special notices which you are required to post in areas where employees frequently gather. Areas where you might consider posting the special notices include employee break rooms, employee bulletin boards, or areas where time cards are kept. These notices will inform your employees that they are covered for workers' compensation insurance under the Washington state fund and will tell them what they must do if they suffer a workplace injury or illness. The certificate of coverage should be posted in a place visible to the public. This certificate provides confirmation that you have obtained workers' compensation insurance coverage for your employees.

NEW SECTION

WAC 296-17-31009 Reciprocal agreements. (1) Occasionally one of my Washington employees will do some work for me in another state. Do I need to buy

workers' compensation insurance in the state where they are working?

In some cases, we can provide workers' compensation insurance coverage for your Washington based employees working for you on a temporary assignment in another state. We have formal written agreements with some states which detail coverage and jurisdiction issues. We refer to these formal agreements as "*reciprocal agreements*." If you have questions regarding temporary coverage in another state you should contact your policy manager for assistance. The name and telephone number of your policy manager can be found on your quarterly premium report or annual rate notice. For your convenience you can call us at (360) 902-4817 for assistance and we will put you in contact with your assigned policy manager.

(2) What is a reciprocal agreement?

A reciprocal agreement is a contract between the department of labor and industries acting on behalf of the state of Washington and another state. The primary purpose of the agreement is to identify which state will be responsible for paying benefits if one of your employees is injured. This also limits your insurance costs. If you employ only Washington workers you need to buy workers' compensation insurance only from us.

(3) You mentioned that there are circumstances when you can provide insurance coverage. What are the circumstances?

The actual circumstances will vary by state. In most cases we will look at:

- The work to be performed,
- The location where the work is to be performed,
- Where the employee was first hired to work,
- How long the employee will be working in the other state.

(4) Which states have reciprocal agreements with Washington? We currently have reciprocal agreements with the following states:

- Idaho
- Montana
- Nevada
- North Dakota
- Oregon
- South Dakota
- Wyoming.

(5) Can I get a copy of a reciprocal agreement? You can get a copy of a reciprocal agreement by calling your policy manager. The name and telephone number of your policy manager can be found on your quarterly premium report or your annual rate notice. For your convenience you can call us at (360) 902-4817 and we will put you in contact with your assigned policy manager.

NEW SECTION

WAC 296-17-31010 Premium cost. How much will I pay for workers' compensation insurance? What you pay for workers' compensation insurance will vary by:

- The nature of the business you are conducting,
- The specific classifications applicable to your business,
- The unit of exposure applicable to your industry, and

Your company's experience factor.

You may call our underwriting section at (360) 902-4817 and one of our representatives will help you estimate your premium cost per hour.

NEW SECTION

WAC 296-17-31011 Classification system and plan.

(1) **What is a workers' compensation classification system?**

A workers' compensation classification system is an objective method of collecting money (*premiums*) to pay the benefits of workers injured on the job. We believe the method used to spread this cost among the employers we insure should be fair and have some relationship to their hazard and potential for loss. Classifications are the tool used to achieve a fair method of distributing the risk among employers we insure. Objective boundaries are established for each classification. These boundaries describe the types of businesses which are included in the classification, as well as the operations and employments routinely encountered. We refer to these objective boundaries as the scope of the classification. Once these boundaries have been defined, we can begin collecting information about the employers assigned to each classification. The information includes the exposure which is being covered (*risk*) and the losses (*claims*) which are related to these businesses. Next, we use this information to establish premium rates that employers in each industry will pay for their workers' compensation insurance. Our goal is to produce fair insurance rates which reflect the hazardous nature of each industry. We have tailored our classification system in Washington to reflect industries found in our state. This makes our system responsive to change and provides rate payer equity to the employers we insure. Employers engaged in more hazardous industries such as logging will pay higher insurance rates than employers engaged in less hazardous businesses such as retail store operations.

(2) **Why is a classification system needed?**

We need a classification system to provide fair premium rates. Washington law (*RCW 51.16.035*) also requires us to have a classification system.

(3) **Is the classification system the same as the classification plan?**

No, we refer to the body of rules (*WACs*) which establish the general parameters of how classifications are to be used as the "classification system." These rules speak to the requirements of workers' compensation insurance and to our general classification approach, such as classifying by nature of business, not by occupation of worker. The "classification plan" refers to all of the various classification descriptions which describe different types of business or industry. The classification system rules (*general rules*) will apply to all businesses unless another treatment is specifically provided for in the classification plan rules (*special rules*).

(4) **How is our classification plan designed?**

We have designed a plan which is keyed to the nature of the businesses or industries of the employers we insure. Our plan has over three hundred business or industry classifications. Each classification carries a premium rate which reflects the hazards that workers are exposed to. Descriptions

of our classifications can be found in *WAC 296-17-501* through *296-17-779*.

(5) **Is your classification approach similar to the approach used by private insurance companies?**

Yes, we are required by law (*RCW 51.16.035*) to use the same classification (*underwriting*) approach used by private carriers.

NEW SECTION

WAC 296-17-31012 Classification assignment. (1) How are classifications assigned to my business?

We will assign a basic classification or classifications to your business based on the nature of the business you are engaged in. We will not assign classifications to your business based on the individual operations, duties or occupations of individuals found within your business unless the basic classification assigned to your business either requires or permits a separate classification treatment for specified operations or employments. Exceptions to this approach are outlined in *WAC 296-17-31017* and *296-17-31018*.

(2) **Does this same classification approach apply if I have several businesses?**

This classification approach will apply to each separate legal entity. Each separate legal entity will be classified on its own merits.

(3) **How do you decide what classification(s) to assign to my business?**

To determine what classification(s) to assign to your business, we need enough information to give us a clear understanding of the precise nature of your business. In some cases we will need to call you to obtain more detailed information about your business. Occasionally one of our field representatives may visit your business to gain a better understanding of the nature of your business. In most cases we will find a classification that specifically describes your business.

Example: You operate a company that sells baked goods to retail customers. Before we can classify your business we need to determine whether you bake the goods you are selling or simply selling goods another business has baked. Once we have determined the precise nature of your business, we will review all of the available classifications to find the one that best describes the entire business. If the business has baked the products they are selling, we would consider a bakery classification or maybe a restaurant classification. If your business simply sells baked goods that another business made, we may look at a retail store classification. In most cases we will find a classification that specifically describes the business we are classifying.

NEW SECTION

WAC 296-17-31013 Building construction. (1) Does this same classification approach apply to building and construction contractors?

Yes, but it may not appear that way without further explanation. We classify contractors by phase and type of construction since it is common for each contract to vary in scope.

Example: A contractor who builds and remodels private residences may frame the structure and work on no other phases of the project. On another job the same contractor may do only the interior finish carpentry. On still another job the contractor may install a wood deck or build a garden arbor. Each of these carpentry activities is covered by a different classification code. To ensure that contractor businesses receive the same treatment as other businesses, we assign classifications according to the phases and types of construction they contract to perform. Since some contractors specialize in one area of construction, such as plumbing, roofing, insulation, or electrical services, this classification approach mirrors that of nonbuilding contractor businesses. The policy of assigning several basic classifications to contractors engaged in multiple phases of construction may seem to be in conflict with the classification approach used for nonbuilding contractor businesses, but we have simply used the **multiple business classification approach**.

If we have assigned multiple classifications to your construction business you should take special care in maintaining the records required in the auditing and recordkeeping section of this manual. If we discover that you have failed to keep the required records we will assign all worker hours for which the records were not maintained to the highest rated classification applicable to the work that was performed.

(2) Who does this rule apply to?

If you are a building, construction or erection contractor and we have assigned one or more of the following classifications to your business, this rule applies to you: 0101, 0102, 0103, 0104, 0105, 0107, 0108, 0201, 0202, 0210, 0212, 0214, 0217, 0219, 0301, 0302, 0303, 0306, 0307, 0403, 0502, 0504, 0506, 0507, 0508, 0509, 0510, 0511, 0512, 0513, 0514, 0516, 0517, 0518, 0519, 0521, 0524, 0526, 0527, 0528, 0529, 0530, 0531, 0532, 0533, 0534, 0601, 0602, 0603, 0607, 0608, and 0701.

(3) Can I have a single classification assigned to my business to cover a specific construction project?

Yes, to simplify recordkeeping and reporting requirements we will assign a single classification to cover an entire project.

(4) How do I request the single classification for one of my construction projects?

You should send your request to the attention of your policy manager at the address below:

Department of Labor and Industries
P.O. Box 44144
Olympia, Washington 98504-4144

(5) If I have asked for a single classification on one of my construction projects, how do you determine which classification will apply?

You must supply us with a description of the project and a break down of the total number of hours of exposure by phase of construction that you are responsible for.

Example: You notify us that your company will be responsible for all plumbing and iron erection work on a commercial building site. You have requested a single classification for this project. In your request you tell us that you estimate that it will take one thousand work hours to perform all the plumbing work and five hundred work hours to do the steel erection work.

With this information we will estimate the premiums by classification.

Example: We determine that the plumbing work is covered under classification 0306 and the steel erection work is covered under classification 0518. Assume that classification 0306 has an hourly premium rate of \$1.50 and classification 0518 has an hourly premium rate of \$2.55. We estimate the total premium on this job to be \$2,775 (1,000 hours x \$1.50 = \$1,500 + 500 hours x \$2.55 = \$1,275).

Our next step in this process is to develop an average hourly rate for the project. We will use this information to select the single classification which will apply to this project.

Example: We will take the estimated premium (\$2,775) and divide this number by the estimated hours (1,500) and arrive at an average hourly rate of \$1.85.

To select the single classification that will apply to a construction project, we will compare the average hourly rate that we have computed to the rates of the classifications applicable to the project. We will select the classification whose hourly rate is the closest to the average hourly rate that we computed from the information you supplied us with.

Example: From the information you supplied, we have determined that the average hourly rate for this project is \$1.85. We also know that the rate for the plumbing classification (0306) is \$1.50 per hour and the rate for steel erection is \$2.55 per hour. We would assign classification 0306 as the single classification applicable to this project.

(6) How will I know what classification will apply to my construction project?

We will send you a written notice which will specify the basic classification and premium rate that will apply to this project.

(7) If I have asked for a single classification to cover one of my construction projects, am I required to use the single classification which you gave me?

No, but you should call your policy manager to verify what other classifications would apply to the project. The name and phone number of your policy manager can be found on your quarterly premium report or your annual rate notice. For your convenience you can call us at (360) 902-4817 and we will put you in contact with your assigned policy manager.

(8) I am a general construction or erection contractor, I subcontract all my work and have no employees of my own. Do I have to report to the department of labor and industries?

No, since you do not have employees, you do not need to report to the department of labor and industries. You should be aware that the workers' compensation insurance laws of Washington include certain independent contractors as workers. If we determine that an independent contractor that you used qualifies as a covered worker, you will be responsible for the premium due for their work time. You can also be held responsible for premiums due to labor and industries if you subcontract with an unregistered contractor and they fail to pay premiums on behalf of their employees. It is in your best interest to make sure that your subcontractors are registered contractors by contacting us at 1-800-647-0982.

PROPOSED

(9) Am I required to keep any special records of sub-contractors that I use?

Yes, you are required to keep certain information about the subcontractors that you use. A list of these recordkeeping requirements can be found in the audit and recordkeeping section of this manual.

NEW SECTION**WAC 296-17-31014 Farming and agriculture. (1) Does this same classification approach apply to farming or agricultural operations?**

Yes, but it may not appear so without further explanation. We classify farming and agricultural operations by type of crop or livestock raised. This is done because each type of grower will use different processes and grow or raise multiple crops and livestock which have different levels of hazards. It is common for farmers and ranchers to have several basic classifications assigned to their account covering various types of crops or livestock. If you fail to keep the records required in the auditing recordkeeping section of this manual, and we discover this, we will assign all worker hours for which records were not maintained to the highest rated classification applicable to the work performed.

(2) I am involved in diversified farming and have several basic classifications assigned to my business. Can I have one classification assigned to my account to cover the different types of farming I am involved in?

Yes, your policy manager can assist you in determining the single classification that will apply to your business. The name and phone number of your policy manager can be found on your quarterly premium report or your annual rate notice. For your convenience you can call us at (360) 902-4817 and we will put you in contact with your assigned policy manager.

(3) How do you determine what single farming classification will be assigned to my business?

The approach used to assign a single classification to a farming business is much the same as we use for construction or erection contractors. To do this, we will need a break down of exposure (*estimate of hours to be worked by your employees*) by type of crop or livestock being cared for (*classification*). This information will be used to estimate the premium which would be paid using multiple classifications. The total premium is then divided by the total estimated hours to produce an average rate per hour. We will select the classification assigned to your business which carries the hourly premium rate which is the closest to the average rate that we produced from the estimated hours. Classification 4806 is not to be assigned to any grower as the single farming classification.

(4) How will I know what single farming classification you have assigned to my business?

We will send you a written notice of the basic classification that will apply to your business.

(5) If I requested a single classification for my farming operation can I change my mind and use multiple classifications?

Yes, but you will need to call your policy manager to verify the applicable classifications.

The name and phone number of your policy manager can be found on your quarterly premium report or your annual rate notice. For your convenience you can call us at (360) 902-4817 and we will put you in contact with your assigned policy manager.

(6) I am a farm labor contractor. How is my business classified?

If you are a farm labor contractor we will assign the basic classification that applies to the type of crop being grown, or livestock being cared for. If you contract to supply both machine operators and machinery on a project, all operations are to be assigned to classification 4808.

NEW SECTION

WAC 296-17-31015 General inclusions. When are certain operations like delivery drivers included in a basic classification and when are they excluded? There are certain operations, such as delivery of goods or merchandise, which are routinely found in the businesses we insure. We refer to these operations as *general inclusions* to a basic classification. Although these operations are sometimes covered by a specific basic classification, we will not assign separate basic classifications to a business to cover these operations unless it was, coincidentally, the nature of the employer's business. *General inclusion* operations are support functions or operations of a business and, as such, are usually included within the scope of each basic classification. The determination of whether or not these operations will be included within the scope of a basic classification is made when the basic classification is first developed. That is why some basic classifications will exclude certain operations and others will include them. Unless the wording of a basic classification specifically excludes any operation listed below, they are to be included. The more common general inclusion operations are:

- Aircraft travel by employees in connection with the business of the employer, other than members of the flying crew.
- Commissaries and restaurants for the employers' employees. However, such operations, when operated in connection with construction, erection, lumbering, or mining, will be assigned classification 3905 - restaurants.
- Manufacture of containers, such as bags, barrels, bottles, boxes, cans, cartons, wooden pallets, or packing cases by employees of the employers for use in the employer's operations.
- Hospitals, medical facilities, or dispensaries operated by employers for their employees.
- Printing, lithography, or similar operations of the employer when used exclusively for their own products or needs.
- Maintenance or ordinary repair of the employer's building or equipment when performed by employees of the employer.

- Pick up and delivery when performed by employees of the employer in connection with the business of the employer.
- Sales of all products being manufactured by the employer.
- Warehousing, handling, packing, and shipping when performed by employees of the employer in connection with the business of the employer.
- Testing or analytical laboratories when operated by employees of the employer in connection with the business of the employer.

Example: Picture the variety of delivery vans and trucks you encounter as you drive down a highway. In this example, there is a company-owned truck delivering grocery items, a van that delivers parcels and packages, a moving van transporting household furnishings for a customer, and a common carrier company hauling goods from one state to another. Even though the drivers of these vehicles are performing similar duties (hauling goods/driving on a freeway), we would not assign them to the same basic classification. Our classification policy requires us to assign classifications based on the type of the businesses they work for and to consider the overall operations of that business. We learn that the truck delivering grocery items was owned by a retail grocery store and they were transporting goods from a central warehouse to one of their stores. Since the employer is engaged in operating retail grocery stores we would begin our classification search by looking for a classification that covers retail grocery stores. Our search discloses classification 6402 which covers retail grocery stores. A review of the wording of that classification does not require drivers to be reported in another classification so the grocery store classification would include the driver. Now, assume that the driver of the van delivering parcels and packages is an employee of a drug store. Drug stores are covered in classification 6406. A review of that classification reveals that drivers are to be reported separately in classification 1101. Therefore the driver would be reported in classification 1101 and not classification 6406. Moving and storage companies are covered in classification 6907. Since this classification does not exclude drivers, the driver would be reported in classification 6907. And, finally, we would assign the interstate/intrastate trucking classification 1102 to the common carrier trucking operation.

NEW SECTION

WAC 296-17-31016 Classification by analogy. How do you determine what classification(s) to assign to my business if a specific reference does not exist in the classification plan? You may operate a business which is not specifically referenced in our classification plan. This can simply be the result of differences in terminology. Classifications are constantly evolving as employers adopt new technology, employ more specialized employees, modernize equipment, and employ new processes. In rare instances our classification plan will not specifically reference a type of business. When we discover a type of business or industry for which a classification does not exist, we will follow the same general classification approach that we use to classify a

business when a reference does exist. However, we need to go a step further by considering the processes used and the related hazards. We call this *classifying by analogy*.

Example: You are the owner of a pen manufacturing business. Assume we have contacted you and learn the following:

- *You purchase all the plastic components from another unrelated business;*
- *Some of your pens have plastic housings and others have metal housings;*
- *You manufacture all of the small metal components at your plant;*
- *Your metal manufacturing consists of metal stamping, using metal lighter than nine gauge, and extrusion processes;*
- *You also manufacture small boxes to package your pens;*
- *You operate a printing department for printing your company's logo and pen information on the boxes;*
- *As a special service to customers, you will deliver their pens if they are within a sixty mile radius of your plant.*

We have over three hundred classifications. To simplify the classification process, we have grouped our classification codes into about thirty-eight smaller groupings which we refer to as a schedule grouping. In the case of a pen manufacturer, we can narrow our search to the group which covers metal goods manufacturing. Within the metal goods manufacturing group we have classifications that cover the fabrication of structural iron or steel beams used in construction; classifications that cover the manufacture of wood stoves, storage tanks, and other products using plate metal; classifications that cover light weight sheet metal works such as heating and ventilating duct work; and a classification that covers the manufacture of light metal products. In our search for a classification we encounter classification 3602. Classification 3602 includes the manufacture of fishing tackle, scientific instruments, metal buttons, and jewelry. When we consider the weight of metal, other materials used in the manufacture of the product, the manufacturing processes, and the end product, we conclude that classification 3602 is the most applicable to the manufacture of writing pens and would assign this classification to your pen manufacturing business.

NEW SECTION

WAC 296-17-31017 Multiple classifications. (1) Can I have more than one basic classification assigned to my account?

Yes, we will assign other classifications to your business when the assignment of another basic classification is required or permitted by the description(s) of the employer's other classification(s).

Example: You operate a retail book store. We would assign classification 6406 to your retail book store. Assume that as a part of the book store business you have a separate lunch counter and espresso bar in one section of the book store. A review of classification 6406 reveals that lunch counters are to be reported separately in classification 3905. We would assign classification 3905 for your lunch counter

and espresso bar operation. This classification (3905) would be in addition to the book store classification (6406). Remember to keep accurate records of the exposure of each employee by classification. If you do not keep accurate records we will assign the exposure of each employee to the highest rated classification applicable to the work they performed for you. A detailed explanation of payroll records you must keep can be found in WAC 296-17-35201.

(2) Are there other circumstances when I can have more than one basic classification assigned to my account?

Yes, under certain circumstances we will assign more than one basic classification to your account. These circumstances include:

- The employer is operating a secondary business which includes operations that we do not consider a normal part of that employer's principal business in Washington, or
- The employer has multiple retail store locations.

In these instances we will assign additional basic classifications *only if all of the following conditions are met:*

- The employer maintains separate payroll records for each business,
- Different employees work in each business,
- Each business is separated by structural partitions if they share a common business location,
- Each business can exist independently of the other, and
- The classification language of the principal business does not prohibit the assignment of the secondary classification.

If all of the above *five* conditions are not met, then the operations of the secondary business will be reported in the highest rated classification that applies to the employer.

(3) What do you mean by the term "principal business?"

The principal business is represented by the basic classification assigned to an employer which produces the greatest amount of exposure. The principal business does not include standard exception or general exclusion classifications or operations.

(4) If I have more than one basic classification assigned to my business and I have employees who do work in more than one of these classifications, can I divide their hours between these classifications on my quarterly report?

Yes, you can divide the work hours of any one employee between two or more basic classifications provided the following conditions are met:

- The basic classification assigned to your business allows or requires a division of hours; and
- You keep detailed records of the actual time spent by each employee in each classification. Use of percentages, averages or estimates is not permitted. If you do not have original time card or time book entries to support your reporting, all worked hours in question will be assigned to the highest rated classification applicable to the work being performed.

Example: In a previous rule (WAC 296-17-31017) we described a book store business that operated a lunch counter and espresso bar in connection with the book store.

In that example, the book store business was assigned classification 6406. A review of classification 6406 revealed that the lunch counter operation was to be reported separately in classification 3905. Assume that you have one employee who, in addition to stocking and selling books, prepares sandwiches for customers on occasion. You must keep accurate time records by day for each employee. This time record must reflect the actual time the employee worked in the book store operation and the actual time worked preparing sandwiches. If you fail to keep these records all work hours in question would be assigned to the highest rated classification which, in this example, is classification 3905.

(5) If my business is assigned a basic classification and a standard exception classification and I have an employee who works in both classifications, can I divide their exposure (hours) between the two classifications on my quarterly report?

No, you cannot divide an employee's exposure (*work hours*) between a basic classification and standard exception classification. An explanation of "standard exception classification" is discussed in the next section (WAC 296-17-31018 (2)). If an employee performs work covered by a basic classification and a standard exception classification, all of their exposure (*hours*) must be reported in the basic classification applicable to your business. You cannot report the exposure (*hours*) of any employee in a standard exception classification if they perform duties covered by a basic classification assigned to your business. Refer to WAC 296-17-31018 for a list and explanation of the "*exception classifications.*"

(6) I have more than one standard exception classification assigned to my business. One of my employees works in more than one of the standard exception classifications. Can I divide their exposure (hours) between two or more standard exception classifications on my quarterly report?

No, you cannot divide an employee's work hours between two standard exception classifications. You must report all exposure (*work hours*) in the highest rated standard exception classification applicable to the work being performed.

NEW SECTION

WAC 296-17-31018 Exception classifications. (1) What are exception classifications?

In WAC 296-17-31012 we discussed our classification policy. We described the process used to classify risk and stated that we assign the basic classification or basic classifications that best describe the nature of your company's business. While this policy is modeled after the policy used by private insurance carriers and is geared to administrative ease for you, we recognize that there are some duties or operations where your employees do not share the same general workplace hazards that your other employees are exposed to. To provide for those operations that are outside the scope of a basic classification, we have created three types of exception classifications listed below:

- Standard exception classifications,
- Special exception classifications, and
- General exclusion classifications.

(2) What are the standard exception classifications?

Standard exception classifications cover those employments that are administrative in nature and common to many industries. Employees covered by a standard exception classification cannot be exposed to any operative hazard of the business. If the language of the basic classification assigned to your business does not include these employments, you may be able to report them separately. The standard exception classifications are:

- Classification 4904 (WAC 296-17-653) "clerical office employment." This classification includes clerical, administrative, and drafting employees.
- Sales personnel classifications 6301 (WAC 296-17-696), 6302 (WAC 296-17-697), and 6303 (WAC 296-17-698) includes outside sales personnel and messengers.
- Classification 7101 (WAC 296-17-754) applies to corporate officers who have elected optional coverage. A corporate officer as used in these rules is a person who is an officer in the corporation, such as the president, who also serves on the corporation's board of directors and owns stock in the corporation.

Clerical office employees are defined as employees whose duties are limited to: Answering telephones; handling correspondence; creating or maintaining financial, employment, personnel, or payroll records; composing informational material on a computer; creating or maintaining computer software; and technical drafting. Their work must be performed in a clerical office which is restricted to:

- A work area which is physically separated by walls, partitions, or other physical barriers, from all other work areas of the employer, and
- Where only clerical office work as described in this rule is performed.

A clerical office does not include any work area where inventory is located, where products are displayed for sale, or area where the customer brings products for payment. Clerical office employees can perform cashiering and telephone sales work if they do not provide any retail or wholesale customer service that involves handling, showing, demonstrating, or delivering any product sold by the employer. Clerical office employees can make bank deposits, pick up and deliver mail at the post office, or purchase office supplies, if their primary work duties are clerical office duties as defined in this rule.

Sales personnel are defined as employees whose duties are limited to: Soliciting new customers by telephone or in person; servicing existing customer accounts; showing, selling, or explaining products or services; completing correspondence; placing orders; performing public relations duties; and estimating. Although some of sales person's duties may be performed in a clerical office, most of their work is conducted away from the employer's physical business location or in showrooms. We refer to work that takes place away from the employer's premises as "outside sales." Sales personnel whose duties include customer service activities such as, but not limited to, the delivery of product, stocking shelves, handling inventory, or otherwise merchandising products sold to retail or wholesale customers are excluded from all standard exception classifications. Sales personnel

with duties such as delivery and stocking of shelves are to be reported in the basic classification applicable to the business unless the basic classification assigned to the business requires another treatment.

Messengers are defined as employees whose duties are delivering interoffice mail, making deposits, and similar duties that are exclusively for the administration of the employer's business. Classification 6303 "messengers" does not include delivering mail or packages to the employer's customer or as a service to the public. If a messenger is engaged in delivering mail or packages as a service to the public they are to be assigned to the basic classification of the business or classification 1101 as applicable.

Corporate officers duties in classification 7101 must be limited to: Clerical duties; outside sales duties as described above; administrative duties such as hiring staff, attending meetings, negotiating contracts, and performing public relations work. To qualify for this classification, a corporate officer must:

- Be a shareholder in the corporation,
- Be elected as a corporate officer and empowered in accordance with the articles of incorporation or bylaws of the corporation,
- Serve on the corporation's board of directors,
- Not have any exposure to any operative hazard of the business, and
- Not directly supervise employees who have any exposure to any operative hazard of the business.

Classification 6303 may apply to a corporate officer whose duties are limited to outside sales activities as described in the sales personnel section of this rule. Under no circumstance is classification 4904 to be assigned to any corporate officer. You cannot divide the work hours of an employee between a standard exception classification and a basic classification unless it is permitted by another rule. If an employee works part of their time in a standard exception classification and part of their time in your basic classification, then all exposure (hours) must be reported in the highest rated basic classification applicable to the work being performed.

(3) What are the special exception classifications?

Special exception classifications represent operations found within an employer's business that are allowed to be reported separately when certain conditions are met. Assuming the conditions have been met, the following classifications may be used even if your basic classification includes the phrases "all operations" or "all employees."

Security guards - classification 6601 (WAC 296-17-723) will apply if the security guard:

- Is an employee of an employer engaged in logging or construction,
- Is for the purpose of guarding the employer's logging or construction sites,
- Is employed at the site only during the hours the employer is not conducting any other operations at the site,
- Has no other duties during their work shift as a security guard.

If all of the above conditions are not met, the security guard is to be reported in the basic classification applicable to the construction or logging operation being conducted.

Janitors - classification 6602 (WAC 296-17-724) will apply if:

- The janitorial/cleaning activities being performed are limited to the employer's clerical office,
- The clerical office meets the criteria described earlier in this rule, and
- The employer's office employment is assigned to be reported in classification 4904.

Log truck drivers - classification 5003 (WAC 296-17-66001) will apply if the log truck driver has no other duties during their work shift that are subject to the logging classification 5001 (WAC 296-17-659).

(4) What are the general exclusion classifications?

General exclusion classifications represent operations that are so exceptional or unusual that they are excluded from the scope of all basic classifications. If you have these operations, we will assign a separate classification to cover them. You must keep accurate records of the work hours your employees work in these classifications. If you do not keep accurate time records for each employee performing work covered by a general exclusion classification, we will assign the work hours in question to the highest rated classification applicable to those hours. The general exclusion classifications are:

- Aircraft operations: All operations of the flying crew.
- Racing operations: All operations of the drivers and pit crews.
- Diving operations: All operations of diving personnel and ship tenders who assist in diving operations.
- New construction or alterations of the business premises.
- Musicians and entertainers.

A division of work time is permitted between a standard exception classification and flight crew operations, racing operations, or diving operations. If you fail to keep original time records that clearly show the time spent in the office or in sales work, we will assign all work hours in question to the highest rated classification applicable to the work hours in question.

Example: Assume a corporate officer performs duties which are described in classification 7101. Occasionally, the officer flies a plane to attend a meeting. You would report the flying exposure (hours) of the corporate officer in classification 6803. The remainder of the corporate officer's time would continue to be reported in classification 7101.

NEW SECTION

WAC 296-17-31019 Standard exception classification describes business. What if the only classification that describes my business is a standard exception classification? How do you assign classifications to my business?

When this happens we will assign the standard exception classification that best fits your business. Any work performed by employees that is outside of the scope of the

exception classification will be classified according to the type of work being performed.

Example: You operate an insurance company. Besides having office and sales employees you have a printing department where you produce office stationery, brochures, and insurance policies, and maintenance employees to clean the office. We would assign classification 4904 to your office employees, classification 6303 to your sales employees, classification 4101 for your printing operation and classification 6602 for your janitorial staff. Since classifications 4904 and 6303 are standard exceptions, they do not include printing or maintenance operations.

NEW SECTION

WAC 296-17-31020 Employee supporting multiple business operations. I have more than one basic classification assigned to my business. I have employees such as laundry workers whose duties never change but who support several operations. Can I divide their work hours on my quarterly report?

No, if we have assigned two or more basic classifications to your business and you have employees whose duties remain the same and are performed at the same location regardless of the operation they support, you would report these workers in the classification which carries the largest number of worker hours. To arrive at the classification that carries the largest number of worker hours, you must first eliminate the hours related to the employees who support two or more operations. Whichever basic classification carries largest number of worker hours after the supporting personnel have been segregated is the classification the supporting employees are to be reported in.

Example: You operate a motel and a restaurant which are located next to each other. You have a laundry operation that cleans the linens for the restaurant as well as doing the sheets and towels for the motel. The laundry employee's duties never change regardless of whether they are doing linens or sheets. The classification of the laundry workers would depend on which classification produces the largest amount of exposure. Let us assume for this illustration that the motel has a larger exposure (hours worked) because you have reported the laundry workers in that classification. When you remove the laundry workers hours from both classifications the restaurant classification has the larger volume of exposure (hours worked). You would report the laundry workers in the restaurant classification.

NEW SECTION

WAC 296-17-31021 Units of exposure. (1) What is a "unit of exposure?"

A unit of exposure is the measure which is used to help determine the premium you will pay. For most businesses the unit of exposure is the *hours* worked by their employees. Because not all employees are compensated based on the hours they work, we have developed reporting alternatives to make reporting to us easier.

Example: Employers in the horse racing industry pay their premiums based on a type of license their employees

hold rather than the hours the employees work. Drywall contractors pay premiums based on the square footage of the materials they install rather than the hours it took their employees to install the drywall material.

In other instances, we have developed daily, weekly, or monthly *assumed* work hours.

Example: Commission sales employees who work primarily away from your premises, such as a real estate sales person, are to be reported on the basis of eight hours per day or forty hours per week.

(2) What are the alternatives to actual hours worked?

The exceptions are:

- **Apartment house managers, caretakers, or similar employees:** To determine the number of hours you need to report to us, divide an employee's total compensation, including housing and utility allowances, by the average hourly wage for the classification. The total number of work hours to be reported for each employee is not to exceed 520 hours per quarter. You will need to call us at (360) 902-4817 to obtain average hourly wage information.
- **Baseball, basketball, and soccer teams - including players, coaches, trainers, and officials:** Report each individual at 40 hours per week for each week in which they have duties.
- **Commission personnel - outside (such as, but not limited to, real estate and insurance sales):** For each day they have duties, report each individual at eight hours per day for part-time employees and forty hours per week for full-time employees.
- **Drywall - stocking, installation, scrapping, taping, and texturing:** Premiums are based on material installed/finished rather than the hours it took to install/finish the drywall.
- **Horse racing - excluding jockeys:** Premiums are paid on a license basis and collected by the Washington horse racing commission at the time of licensing.
- **Jockeys:** Report ten hours for each race/mount or for any day in which duties are reported.
- **Race car drivers:** Report ten hours for each race/heat.
- **Salaried personnel:** All salaried employees of an employer must be reported by the same method. You must report either the actual hours worked for each employee *or* one hundred sixty hours per month. You cannot report some salaried workers based on the actual hours they work and others using the one hundred sixty hours per month method.

(3) Can I use assumed work hours for piece workers?

No, if you employ piece workers you must report the actual hours these individuals work for you unless another unit of exposure is required.

Example: If you have employees engaged in drywall work you would report and pay premiums on the basis of the square footage of the material they installed not the hours they worked.

NEW SECTION

WAC 296-17-31022 Reporting exception classification employees. How do I report exception classification

employees on my quarterly report? If the language of the basic classification assigned to your business does not include those occupations, operations or employments which we have defined by exception classifications and treatments, you may report them separately in the applicable exception classification. To report these employments, operations and occupations separately, you must meet all of the conditions specified in the exception classification rules which are applicable to the classification.

NEW SECTION

WAC 296-17-31023 Premium reporting. How often will I need to report and pay premiums? Most employers will report and pay premiums once every three months. We refer to these three-month periods as quarters. For example, the months of January, February, and March represent the first quarter of a calendar year. In some cases employers report at more frequent intervals.

Example: Reforestation contractors report on a contract basis for any project over ten thousand dollars. Since contracts may last only a few days, reforestation contractors may file reports daily, weekly, and monthly.

If you do not have employees during a quarter, you must return your premium report by the due date and indicate "no payroll" or "no employees" across the face of the report. If you do not submit reports when required, we will estimate premiums and initiate legal action against you to collect premiums due.

NEW SECTION

WAC 296-17-31024 Classification rates. (1) How do you determine what rate to charge me?

Each classification has a corresponding base rate. The base rate assigned to your business will depend on the basic classification or classifications assigned to your business.

(2) What do you mean by a base rate?

The base rate is a comparison of losses (*claims*) and exposure to produce a cost per unit of exposure. The base rate is an unmodified rate that all employers with an experience factor of 1.000 will pay in a specific classification.

(3) Do all employers in the same classification pay the base rate?

In practice, only a few employers pay the *base rate*. If you are a new employer, you will pay the base rate until you have reported worker hours during the current *experience period*. After you have reported hours during an experience period, your rate will be modified as of January 1, of the next calendar year. We refer to that modified rate as your *experience rate*. Your experience rate is the base rate adjusted by your own company's claims losses (*experience factor*). It can produce a premium higher or lower than the *base rate*. This means that employers with few claims will pay less than employers in the same classification who have many claims. Experience rating encourages strong safety and accident prevention programs. Details of how experience rating affects your premium are outlined in WAC 296-17-850 through 296-17-875. Your policy manager can also answer questions about your individual experience factor. The name and

phone number of your policy manager can be found on your quarterly premium report or your annual rate notice. For your convenience you can call us at (360) 902-4817 and we will put you in contact with your assigned policy manager.

NEW SECTION

WAC 296-17-31025 Change in business operations. If I change the type of business I operate, or add a new operation, should I call you? Yes, we rely on you to update us about changes in your business operations. We provide a place on your quarterly premium reports to let us know about any changes you have made. If you need help determining if changes to your account are necessary, you can call your policy manager. Depending on the type of change you are making, you may need to complete a new master application. The name and phone number of your policy manager can be found on your quarterly premium report or annual rate notice. For your convenience you can call us at (360) 902-4817 and we will put you in contact with your assigned policy manager.

NEW SECTION

WAC 296-17-31026 Reporting multiple business operations. If I have more than one business, can I report them on the same account? The way the businesses are organized will make a difference. Each separate "ownership type" must be classified and reported separately from any other much the same way you must keep each business' financial records separate from any other. Your master application must specify the "ownership type" of your business, such as, sole proprietor, partnership, corporation, etc. If that one ownership type registration is for more than one location of the same business or more than one type of business, you can choose to report all of them on the same account or on separate accounts. However, if you register each as a separate ownership type, you must report them on separate accounts.

NEW SECTION

WAC 296-17-31027 Temporary help company. Sometimes I use temporary help employees which I obtain through a temporary help company. Do I have to report those workers to labor and industries in my basic classification? No, if you obtain temporary help employees from a temporary help company, the temporary help company should report these workers to us and pay the required premiums. Temporary help companies have special classifications assigned to them to report and pay premiums on behalf of their client businesses. These classifications are used only in the temporary help industry and are different from our basic classifications which are assigned to nontemporary help companies. If the temporary help service fails to pay premiums to us, the client company is held responsible for the unpaid premiums of any temporary help employee used by the client company.

NEW SECTION

WAC 296-17-31028 Closing accounts. What are my responsibilities when I close my business, or when I no longer have employees? You must notify us in writing when you close your business or when you no longer have employees. You may either send a letter, or include a note on your final quarterly report. We will not close your account from a telephone call.

NEW SECTION

WAC 296-17-31029 Insurance principles. (1) What insurance principles does the department of labor and industries use when a new classification is developed?

Those principles are broken down into four major components as follows:

- Administration
- Equity
- Homogeneity
- Safety

A detailed explanation of these principles can be found in subsection (2) of this section.

(2) What are these principles?

- **Administration:** Recordkeeping requirements must be simple and easy to follow. If our classification system imposed burdensome recordkeeping requirements, most employers would find it difficult to comply. Resolving complaints related to burdensome recordkeeping requirements would be in nobody's interest. The premium rate for your basic classification is based on the *average* exposure to hazard of all your workers. If our classification system were based upon individual occupations, you would pay a lower rate for your workers whose duties are considered low hazard, but you would pay a higher rate for your workers who have duties that expose them to a greater hazard. The total premium you pay would not be decreased; it would only be redistributed and would require more recordkeeping. Having one basic classification assigned to cover all the operations makes recordkeeping and reporting easier for you.
- **Statistical credibility or equity:** By monitoring our classification plan, we ensure that enough hours are reported in each classification to provide a meaningful statistical base. A large enough statistical base helps avoid sudden large increases or decreases in rates and keeps them at the lowest possible level. We refer to this as *statistical credibility*. Classifications must also be *responsive to change* if equity and fairness are to be achieved. Our classification plan is in a constant state of evolution. In the early 1970s we had approximately 45 classifications. Today we have over 300 main classifications and approximately 1,000 subclassification codes to track losses. In some industries, the evolution is gradual, and no change to the classification itself is needed. We recognize that the wording used to describe a classification may not have kept up with changes in an industry. However, as the industry conditions evolve because of modern equipment, new processes or materials, or changes in employment laws and

safety standards, so does the experience upon which the rate is based. In other words, the changes in the experience which is used to develop premium rates *reflect* new developments in processes, equipment, and technology even though the wording in the classification is unchanged. We strive to keep our classification language current. Although it would be easy to just change the classification wording as we encounter changes in an industry, Washington law requires that we conduct public hearings before we make official changes to the rule. We do this as a public safeguard and to involve business in the change process. As technologies change or new industries develop, we receive requests from industry representatives for new classifications or for determination of proper classification assignments for the new processes. We will evaluate the request and determine if there is a large enough group of employers to justify a new classification. Any classification must produce enough premium to cover losses. In addition, as specific industries become obsolete or certain processes are no longer in use we will discontinue the classifications that covered them.

- **Homogeneity:** Although it is rare that any two businesses are identical, our classification plan recognizes that similar businesses have similar exposures to occupational injury and disease. Employers with similar operations and exposures are grouped together so each classification includes common exposures and carries a rate that reflects those exposures. This method of grouping *homogenous* risks ensures that the overall cost of the workers' compensation system is distributed fairly among the businesses we insure. Classifications must also be *mutually exclusive*. Our classifications are clearly defined so that each type of business or industry fits in only one basic classification.
- **Workplace safety and accident prevention:** By classifying employers by the nature of their business, each industry can take responsibility for controlling its own workers' compensation costs. Employers may belong to a trade association, which usually offers safety or risk management services. If such services result in fewer and less costly accidents, that improved experience will tend to lower the base rates for that industry. If our classification system were based upon the occupations or duties of employees, the success of a single industry's safety or risk management program would have little impact on its premium costs.

Example: *Many retail grocery stores employ meat cutters. If grocery stores wanted to reduce the frequency of injury to their meat cutters they could develop a safety plan that focused on proper meat handling, lifting, and cutting. Assuming the safety program was successful and reduced the cost associated with meat cutter claims, the rate for grocery stores would go down. If, on the other hand, all meat cutters, such as those who work for restaurants, grocery stores, or slaughter houses, reported in a single meat cutter classification, it is doubtful that the grocery stores' safety program would have any impact on the premium rates since grocery stores' meat cutters would represent only a small portion of a meat cutter classification.*

NEW SECTION

WAC 296-17-35202 Definitions. For the purpose of interpretation of this manual, chapter 296-17 WAC, or administering Title 51 RCW, the following terms shall have the meanings given below:

(1) "Free from control or direction" shall mean that the contracted individual has the responsibility to deliver a finished product or service without the contracting firm or individual either exercising direct supervision over the work hours or the methods and details of performance or having the right to exercise that authority under the contract.

(2) "Principle place of business" shall be the physical location of the business from which the contract of service is directed and controlled.

(3) "Within a reasonable period" for establishing an account with state agencies shall be the time prior to the first date on which the individual begins performance of service toward the contract or the date upon which the individual is required to establish an account with a state agency, as otherwise required by law, whichever event shall last occur.

(4) "Bona fide officer" means any person empowered in good faith by stockholders or directors, in accordance with articles of incorporation or bylaws, to discharge the duties of such officer.

(5) "Related by blood within the third degree" means the degree of kinship as computed according to the rules of the civil law.

(6) "Related by marriage" means the union subject to legal recognition under the domestic relations laws of this state.

NEW SECTION

WAC 296-17-35203 Special reporting instruction. (1) **Professional and semiprofessional athletic teams.** Athletes assigned to a Washington-domiciled sports team are mandatorily covered by Washington industrial insurance: *Provided*, That a professional athlete who is under contract with a parent team domiciled outside of the state of Washington while assigned to a team domiciled within Washington is subject to mandatory coverage by Washington industrial insurance unless the player and employer (parent team) have agreed in writing as to which state shall provide coverage in accordance with RCW 51.12.120(5).

The following rules shall apply to the written agreement:

(a) Agreement must be in writing and signed by the employer and the individual athlete.

(b) Agreement must specify the state that is to provide coverage. The state agreed upon to provide coverage must be a state in which the player's team, during the course of the season, will engage in an athletic event. For example, if the Washington-based team is a part of a league with teams in only Washington, Oregon, and Idaho, the player and the employer can agree to any of those three states to provide coverage. However, they could not agree to have California provide the coverage as this would not qualify as a state in which the player regularly performs assigned duties.

(c) The state agreed upon accepts responsibility for providing coverage and acknowledges such to the department by certified mail.

(d) Agreement and certification by the other state must be received by this department's underwriting section prior to any injury incurred by the athlete.

(e) Agreement will be for one season only commencing with the assigning of the player to a particular team. A separate agreement and certification must be on file for each additional season.

Failure to meet all of these requirements will result in the athlete being considered a Washington worker for premium and benefit purposes until such time as all requirements have been met.

Professional sports teams who are domiciled outside the state of Washington and who participate in sporting events with Washington-domiciled teams are not subject to Washington industrial insurance for their team members while in this state. These out-of-state teams are not considered employers subject to Title 51 on the basis that they are not conducting a business within this state.

(2) **Excluded employments.** Any employer having any person in their employ excluded from industrial insurance whose application for coverage under the elective adoption provisions of RCW 51.12.110 or authority of RCW 51.12.095 or 51.32.030 has been accepted by the director shall report and pay premium on the actual hours worked for each such person who is paid on an hourly, salaried-part time, percentage of profit or piece basis; or one hundred sixty hours per month for any such person paid on a salary basis employed full time. In the event records disclosing actual hours worked are not maintained by the employer for any person paid on an hourly, salaried-part time, percentage of profits or piece basis the worker hours of such person shall be determined by dividing the gross wages of such person by the state minimum wage for the purpose of premium calculation. However, when applying the state minimum wage the maximum number of hours assessed for a month will be one hundred sixty.

(3) **Special trucking industry rules.** The following subsection shall apply to all trucking industry employers as applicable.

(a) **Insurance liability.** Every trucking industry employer operating as an intrastate carrier or a combined intrastate and interstate carrier must insure their workers' compensation insurance liability through the Washington state fund or be self-insured with the state of Washington.

Washington employers operating exclusively in interstate or foreign commerce or any combination of interstate and foreign commerce must insure their workers' compensation insurance liability for their Washington employees with the Washington state fund, be self-insured with the state of Washington, or provide workers' compensation insurance for their Washington employees under the laws of another state when such other state law provides for such coverage.

Interstate or foreign commerce trucking employers who insure their workers' compensation insurance liability under the laws of another state must provide the department with copies of their current policy and applicable endorsements upon request.

Employers who elect to insure their workers' compensation insurance liability under the laws of another state and who fail to provide updated policy information when requested to do so will be declared an unregistered employer and subject to all the penalties contained in Title 51 RCW.

(b) **Reporting.** Trucking industry employers insuring their workers' compensation insurance liability with the Washington state fund shall keep and preserve all original time records/books including supporting information from drivers' logs for a period of three calendar years plus three months.

Employers are to report actual hours worked, including time spent loading and unloading trucks, for each driver in their employ. For purposes of this section, actual hours worked does not include time spent during lunch or rest periods or overnight lodging.

Failure of employers to keep accurate records of actual hours worked by their employees will result in the department estimating work hours by dividing gross payroll wages by the state minimum wage for each worker for whom records were not kept. However, in no case will the estimated or actual hours to be reported exceed five hundred twenty hours per calendar quarter for each worker.

(c) **Exclusions.** Trucking industry employers meeting all of the following conditions are exempted from mandatory coverage.

(i) Must be engaged exclusively in interstate or foreign commerce.

(ii) Must have elected to cover their Washington workers on a voluntary basis under the Washington state fund and must have elected such coverage in writing on forms provided by the department.

(iii) After having elected coverage, withdrew such coverage in writing to the department on or before January 2, 1987.

If all the conditions set forth in (i), (ii), and (iii) of this subsection have not been met, employers must insure their workers' compensation insurance liability with the Washington state fund or under the laws of another state.

(d) **Definitions.** For purposes of interpretation of RCW 51.12.095(1) and administration of this section, the following terms shall have the meanings given below:

(i) "Agents" means individuals hired to perform services for the interstate or foreign commerce carrier that are intended to be carried out by the individual and not contracted out to others but does not include owner operators as defined in RCW 51.12.095(1).

(ii) "Contacts" means locations at which freight, merchandise, or goods are picked up or dropped off within the boundaries of this state.

(iii) "Doing business" means having any terminals, agents or contacts within the boundaries of this state.

(iv) "Employees" means the same as the term "worker" as contained in RCW 51.08.180.

(v) "Terminals" means a physical location wherein the business activities (operations) of the trucking company are conducted on a routine basis. Terminals will generally include loading or shipping docks, warehouse space, dispatch offices and may also include administrative offices.

(vi) "Washington" shall be used to limit the scope of the term "employees." When used with the term "employees" it will require the following test for benefit purposes (all conditions must be met).

- The individual must be hired in Washington or must have been transferred to Washington; and
- The individual must perform some work in Washington (i.e., driving, loading, or unloading trucks).

(4) **Forest, range, or timber land services—Industry rule.** Washington law (RCW 51.48.030) requires every employer to make, keep, and preserve records which are adequate to facilitate the determination of premiums (taxes) due to the state for workers' compensation insurance coverage for their covered workers. In the administration of Title 51 RCW, and as it pertains to the forest, range, or timber land services industry, the department of labor and industries has deemed the records and information required in the various subsections of this section to be essential in the determination of premiums (taxes) due to the state fund. The records so specified and required, shall be provided at the time of audit to any representative of the department who has requested them.

Failure to produce these required records within thirty days of the request, or within an agreed upon time period, shall constitute noncompliance of this rule and RCW 51.48.030 and 51.48.040. Employers whose premium computations are made by the department in accordance with (d) of this subsection are barred from questioning, in an appeal before the board of industrial insurance appeals or the courts, the correctness of any assessment by the department on any period for which such records have not been kept, preserved, or produced for inspection as provided by law.

(a) General definitions. For purpose of interpretation of this section, the following terms shall have the meanings given below:

(i) "Actual hours worked" means each workers' composite work period beginning with the starting time of day that the employees' work day commenced, and includes the entire work period, excluding any nonpaid lunch period, and ending with the quitting time each day work was performed by the employee.

(ii) "Work day" shall mean any consecutive twenty-four-hour period.

(b) Employment records. Every employer shall with respect to each worker, make, keep, and preserve original records containing all of the following information for three full calendar years following the calendar year in which the employment occurred:

- (i) The name of each worker;
- (ii) The Social Security number of each worker;
- (iii) The beginning date of employment for each worker and, if applicable, the separation date of employment for each such worker;
- (iv) The basis upon which wages are paid to each worker;
- (v) The number of units earned or produced for each worker paid on a piece-work basis;
- (vi) The risk classification(s) applicable to each worker;
- (vii) The number of actual hours worked by each worker, unless another basis of computing hours worked is prescribed

in WAC 296-17-31021. For purposes of chapter 296-17 WAC, this record must clearly show, by work day, the time of day the employee commenced work, and the time of day work ended;

(viii) A summary time record for each worker showing the calendar day or days of the week work was performed and the actual number of hours worked each work day;

(ix) In the event a single worker's time is divided between two or more risk classifications, the summary contained in (b)(viii) of this subsection shall be further broken down to show the actual hours worked in each risk classification for the worker;

(x) The workers' total gross pay period earnings;

(xi) The specific sums withheld from the earnings of each worker, and the purpose of each sum withheld;

(xii) The net pay earned by each such worker.

(c) Business, financial records, and record retention. Every employer is required to keep and preserve all original time records completed by their employees for a three-year period. The three-year period is specified in WAC 296-17-352 as the composite period from the date any such premium became due.

Employers who pay their workers by check are required to keep and preserve a record of all check registers and cancelled checks; and employers who pay their workers by cash are required to keep and preserve records of these cash transactions which provide a detailed record of wages paid to each worker.

(d) Recordkeeping - estimated premium computation. Any employer required by this section to make, keep, and preserve records containing the information as specified in (b) and (c) of this subsection, who fails to make, keep, and preserve such records, shall have premiums calculated as follows:

(i) Estimated worker hours shall be computed by dividing the gross wages of each worker for whom records were not maintained and preserved, by the state's minimum wage, in effect at the time the wages were paid or would have been paid. However, the maximum number of hours to be assessed under this provision will not exceed five hundred twenty hours for each worker, per quarter for the first audited period. Estimated worker hours computed on all subsequent audits of the same employer that disclose a continued failure to make, keep, or preserve the required payroll and employment records shall be subject to a maximum of seven hundred eighty hours for each worker, per quarter.

(ii) In the event an employer also has failed to make, keep, and preserve the records containing payroll information and wages paid to each worker, estimated average wages for each worker for whom a payroll and wage record was not maintained will be determined as follows: The employer's total gross income for the audit period (earned, received, or anticipated) shall be reduced by thirty-five percent to arrive at "total estimated wages." Total estimated wages will then be divided by the number of employees for whom a record of actual hours worked was not made, kept, or preserved to arrive at an "estimated average wage" per worker. Estimated hours for each worker will then be computed by dividing the estimated average wage by the state's minimum wage in

effect at the time the wages were paid or would have been paid as described in (d)(i) of this subsection.

(e) Reporting requirements and premium payments.

(i) Every employer who is awarded a forest, range, or timber land services contract must report the contract to the department promptly when it is awarded, and prior to any work being commenced, except as provided in (e)(iii) of this subsection. Employers reporting under the provisions of (e)(iii) of this subsection shall submit the informational report with their quarterly report of premium. The report shall include the following information:

(I) The employers' unified business identification account number (UBI).

(II) Identification of the landowner, firm, or primary contractor who awarded the contract, including the name, address, and phone number of a contact person.

(III) The total contract award.

(IV) Description of the forest, range, or timber land services work to be performed under terms of the contract.

(V) Physical location/site where the work will be performed including legal description.

(VI) Number of acres covered by the contract.

(VII) Dates during which the work will be performed.

(VIII) Estimated payroll and hours to be worked by employees in performance of the contract.

(ii) Upon completion of every contract issued by a landowner or firm that exceeds a total of ten thousand dollars, the contractor primarily responsible for the overall project shall submit in addition to the required informational report described in (e)(i) of this subsection, report the payroll and hours worked under the contract, and payment for required industrial insurance premiums. In the event that the contracted work is not completed within a calendar quarter, interim quarterly reports and premium payments are required for each contract for all work done during the calendar quarter. The first such report and payment is due at the end of the first calendar quarter in which the contract work is begun. Additional interim reports and payments will be submitted each quarter thereafter until the contract is completed. This will be consistent with the quarterly reporting cycle used by other employers. Premiums for a calendar quarter, whether reported or not, shall become due and delinquent on the day immediately following the last day of the month following the calendar quarter.

(iii) A contractor may group contracts issued by a landowner, firm, or other contractor that total less than ten thousand dollars together and submit a combined quarterly report of hours, payroll, and the required premium payment in the same manner and periods as nonforestation, range, or timber land services employers.

(f) Out-of-state employers. Forest, range, or timber land services contractors domiciled outside of Washington state must report on a contract basis regardless of contract size for all forest, range, or timber land services work done in Washington state. Out-of-state employers will not be permitted to have an active Washington state industrial insurance account for reporting forest, range, or timber land services work in the absence of an active Washington forest, range, or timber land services contract.

(g) Work done by subcontract. Any firm primarily responsible for work to be performed under the terms of a forest, range, or timber land services contract, that subcontracts out any work under a forest, range, or timber land services contract must send written notification to the department prior to any work being done by the subcontractor. This notification must include the name, address, Social Security number, farm labor contractor number, (UBI) of each subcontractor, and the amount and description of contract work to be done by subcontract.

(h) Forest, range, or timber land services contract release - verification of hours, payroll, and premium. The department may verify reporting of contractors by way of an on-site visit to an employers' work site. This on-site visit may include close monitoring of employees and employee work hours. Upon receipt of a premium report for a finished contract, the department may conduct an audit of the firm's payroll, employment, and financial records to validate reporting. The department will notify the contractor, and the entity that awarded the contract, of the status of the contractors' account immediately after verification. The landowner, firm, or contractors' premium liability will not be released until the final report for the contract from the primary contractor and any subcontractors has been received and verified by the department.

(i) Premium liability - work done by contract. Washington law (RCW 51.12.070) places the responsibility for industrial insurance premium payments primarily and directly upon the person, firm, or corporation who lets a contract for all covered employment involved in the fulfillment of the contract terms. Any such person, firm, or corporation letting a contract is authorized to collect from the contractor the full amount payable in premiums. The contractor is in turn authorized to collect premiums from any subcontractor they may employ his or her proportionate amount of the premium payment.

To eliminate premium liability for work done by contract permitted by Title 51 RCW, any person, firm, or corporation who lets a contract for forest, range, or timber land services work must submit a copy of the contract they have let to the department and verify that all premiums due under the contract have been paid.

Each contract submitted to the department must include within its body, or on a separate addendum, all of the following items:

(I) The name of the contractor who has been engaged to perform the work;

(II) The contractor's UBI number;

(III) The contractor's farm labor contractor number;

(IV) The total contract award;

(V) The date the work is to be commenced; a description of the work to be performed including any pertinent acreage information;

(VI) Location where the work is to be performed;

(VII) A contact name and phone number of the person, firm, or corporation who let the contract;

(VIII) The total estimated wages to be paid by the contractor and any subcontractors;

(IX) The amount to be subcontracted out if such subcontracting is permitted under the terms of the contract;

(X) The total estimated number of worker hours anticipated by the contractor and his/her subcontractors in the fulfillment of the contract terms;

(j) Reports to be mailed to the department. All contracts, reports, and information required by this section are to be sent to:

The Department of Labor and Industries
Reforestation Team 8
P.O. Box 44168
Tumwater, Washington 98504-4168

(k) Rule applicability. If any portion of this section is declared invalid, only that portion is repealed. The balance of the section shall remain in effect.

(5) **Logging and/or tree thinning—Mechanized operations—Industry rule.** The following subsection shall apply to all employers assigned to report worker hours in risk classification 5005, WAC 296-17-66003.

(a) Every employer having operations subject to risk classification 5005 "logging and/or tree thinning - mechanized operations" shall have their operations surveyed by labor and industries insurance services staff prior to the assignment of risk classification 5005 to their account. Annual surveys will be required after the initial survey to retain the risk classification assignment.

(b) Every employer as a prerequisite of being assigned risk classification 5005 and having exposure (work hours) which is reportable under other risk classifications assigned to the employer shall be required to establish a separate sub-account for the purpose of reporting exposure (work hours) and paying premiums under this risk classification (5005). Except as otherwise provided for in this rule, only exposure (work hours) applicable to work covered by risk classification 5005 shall be reported in this subaccount. In the event that the employer's only other reportable exposure (work hours) is subject to one of the standard exception risk classifications, or the shop or yard risk classification then all exposure (work hours) will be reported under a single main account.

(c) Every employer assigned to report exposure (work hours) in risk classification 5005 shall supply an addendum report with their quarterly premium report which lists the name of each employee reported under this classification during the quarter, the Social Security number of such worker, the piece or pieces of equipment the employee operated during the quarter, the number of hours worked by the employee during the quarter, and the wages earned by the employee during the quarter.

(6) **Special drywall industry rule.**

(a) **Why are we changing the way you pay premiums?** Under Washington law (RCW 51.16.035), we are given the authority to establish how workers' compensation insurance rates are computed. For most industries, workers' compensation insurance rates are based on hours worked by employees. While the worker hour system works well for most industries, this method of paying premium can be unfair when a large segment of workers within an industry are not paid an hourly wage. The drywall industry is one in which many workers are paid on the basis of material installed, finished, stocked and/or scrapped (piece work), not the hours they work. As a

result, employers have developed a variety of different ways of converting payroll to hours worked to comply with our hourly reporting requirements. In many instances the conversion of payroll to hours worked has resulted in the under reporting of work hours to us. Under reporting results in higher premium rates which you pay. To help remedy the problems caused by using work hours as the basis of how you pay premiums, and to provide greater fairness to employers engaged in drywall work, the premium for classifications 0524, 0526, 0527, 0528, 0529, 0530, 0531, 0532, 0533, and 0534 is based on material (square feet).

(b) **How can I qualify for a discounted rate?** For each drywall industry classification, we will establish a second classification covering the same activity. The second classification will carry a discounted rate. To qualify for a discounted classification and rate you will be required to meet all of the following conditions:

(i) Prior to the end of the quarter that you want the discounted classifications and rates to be applied to your business, you must attend two workshops that we will offer. For example, if you want the discounted classifications and rates to apply to your business for the third quarter 1997 (July 1 through September 30, 1997), you must attend the two workshops by September 30, 1997. One of the workshops covers claims and risk management practices. The other workshop will cover premium reporting and recordkeeping. The two workshops may be offered together or separately. Be sure to sign in so that you receive credit for attending the workshops.

(ii) Provide us with a signed and completed voluntary release of information form that we will provide to you or your representative at the workshops. We will use this release form to obtain material and supply/purchase sales records from the material supply dealer(s) that you use in the event of an audit. This will aid us as we verify the information you supply us on your premium and supplemental reports. If we need to verify the information that you supplied us, we will send you written notice before we contact your material supply dealer(s). We must receive this release form prior to the end of the quarter in which you want the discounted classifications and rates to become effective. For example, if you want the discounted classifications and rates to apply to your business for the third quarter 1997 (July 1 through September 30, 1997), we must receive your signed and completed release of information form by September 30, 1997. You can complete the voluntary release form at the workshop and give it to our representative at the workshop or mail it to:

Labor and Industries
Employer Services - Drywall Manager
P.O. Box 44166
Olympia, Washington 98504-4166

(iii) Submit complete and accurate premium reports when they are due and be current with all premium reports and payments. If you owe us money (premiums) for any quarter or period prior to December 31, 1996, we will allow you to report in the discounted classifications. To meet this condition you must file all reports required by this section when due; and if you have not paid premiums which were due for any quarterly report you submitted to us prior to and including the fourth quarter 1996 (October 1, through

PROPOSED

December 31, 1996), either pay the balance due immediately or maintain a current payment agreement with us for any past due premium. For purposes of this section, a "current payment agreement" is a written legal agreement which we have approved and entered into with you. This agreement will set forth your unpaid premium obligation, any applicable penalties and interest that must be paid, the amount of each installment (payment) and a schedule of payment due dates. If you fail to make any payment covered in a payment agreement you will lose the right to use the discounted classifications and rates. You will not be allowed to use a discounted classification or rate if you fail to submit reports, or make premium payments on time for any period beginning with the first quarter 1997. This requirement applies to any classification assigned to your business and for any exposure (hours, square feet, etc.,) which occurs after January 1, 1997.

(iv) Provide us with a supplemental quarterly report which shows by employee the employee's name and Social Security number, the wages you paid them during the quarter, the basis for how they are paid, (piece rate, commission, hourly, etc.,) their rate of pay per unit/hour, and a notation as to whether they are an installer, finisher, scrapper, painter, etc. This report is to be attached to and submitted with your quarterly premium report.

(v) For any work which you subcontract to others, you must maintain the records described in WAC 296-17-31013.

(vi) Keep and retain the payroll and employment records described in WAC 296-17-35201.

If you do not meet all of the above conditions, we will not assign the discounted rates to your business and you will be required to pay premiums in the nondiscounted classification(s).

(c) **Can I be disqualified from using the discounted rates?** Yes, as opposed to failing to qualify because you did not meet the conditions of (b) of this subsection, your business will be disqualified from using the discounted premium rates if you do not file premium reports on time; if you fail to pay premiums on time; if you under report or misclassify the work performed by your employees; if you fail to maintain the payments in a payment agreement you have entered into with us; or fail to meet any other condition set forth in this rule.

(d) **How long will I be disqualified from using the discounted classifications?** If we disqualify your business from using the discounted classifications, the disqualification will be for three years (thirty-six months) from the period of last noncompliance.

(e) **I have several businesses, if one of my businesses is disqualified from using the discounted rates will that affect my other businesses?** Yes, if you have ownership interest in a business which has been disqualified from using the discounted rates, and you also have ownership interest in other construction businesses which have separate industrial insurance accounts or subaccounts, all businesses in which you have ownership interest will be disqualified from using the discounted rates. This includes a business which you own or owned that is in bankruptcy status and for which you have not entered into a payment agreement, if you owe us any

money; or money that you owe us which we wrote off as an uncollectible debt.

(f) **What if I make a mistake in how I reported to you, should I correct the error?** Yes, you should send in a revised report with an explanation of the error you are trying to correct. If we audit your business, and we determine that you have under reported exposure in any classification assigned to your business, all exposure which you reported in the discounted classifications for the audit period will be reclassified to the nondiscounted classifications.

(g) **If I disagree with an audit or other decision can I still use the discounted rates while we are resolving the issue?** Yes, if you are involved in a dispute with us over the status of an independent contractor, the issue being whether an individual is a covered worker; the proper classification of work your employees performed; or under reporting; you may qualify for the discounted classifications by paying the disputed amount while the issue is under dispute. In the event the issue is resolved in your favor we will refund any moneys which you paid which were disputed. We will not pay interest on the refunded amount. If you do not pay the audit balance or disputed amount when requested or post an equivalent bond, you will not be permitted to use any of the discounted classifications.

(h) **I am the owner of the business, and I do some of the work myself, can I deduct the work I do from the total square feet to be reported to you?** Yes, as an owner of the business you can deduct the amount of work that you did from the total square feet which you are going to report to us.

(i) **How do I calculate and report this deduction to you?** To claim this deduction you must send us a report which shows by job, project, site or location the total amount of material that was installed or finished at that job, project, site or location; the amount of material which you as the owner installed and/or finished at the job, project, site or location; the hours that it took you to install and/or finish the material you are claiming deduction for; the total material installed and/or finished by employees at the job, project, site or location; and the hours the employees worked by job, project, site or location. This report must accompany the quarterly report in which you are claiming a deduction. If there are several owners, you must supply this information for each owner you wish to claim a deduction for.

NEW SECTION

WAC 296-17-35204 Penalty assessments for employers who fail to register under Title 51 RCW. (1) Any employer who has failed to secure payment of compensation for their workers covered under this title will be liable, subject to RCW 51.48.010, to a maximum penalty in a sum of five hundred dollars or in a sum double the amount of premiums due for the four quarters prior to securing payment of compensation under this title, whichever is greater, for the benefit of the medical aid fund.

(2) If an injury or occupational disease is sustained by a worker of an employer who has failed to secure payment of compensation under this title that employer may also be lia-

ble for the cost of such an injury or occupational disease at the time the claim for benefits is accepted by the department.

For the purposes of this section only the cost of such claim will be determined as follows:

The case reserve value shall be determined by the nature of the injury or occupational disease, the part of the body affected and other factors which will impact the cost, including but not limited to, age, education and work experience. The case reserve value will include actual costs paid to date and estimated future claim costs. No further adjustments or evaluations of the cost of the claim will be made for the purposes of this subsection after assessment for the cost of an injury or occupational disease is made by the department.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-501 Classification 0101.

~~((Airports, landing strips, runways and taxi ways: Construction including operations such as clearing, grubbing, grading, cut and fill work, and bringing roadbed or project site to grade~~

~~Alley and parking lot: Construction including operations such as clearing, grubbing, grading, cut and fill work, and bringing roadbed or project site to grade~~

~~Excavation work, N.O.C.~~

~~Grading work, N.O.C. including land leveling and grading of farm lands by contractor~~

~~Highway road construction, N.O.C.: Construction including operations such as clearing, grubbing, grading, cut and fill work, and bringing roadbed to grade~~

~~Land clearing, N.O.C. including slope grooming~~

~~Pool or pond excavation~~

~~Railroad line: Construction, maintenance and repair, N.O.C., including the dismantling of tracks and the sale of salvaged track metal and ties~~

~~Retaining wall: Construction or repair when done in connection with road, street and highway construction, N.O.C.~~

~~Tree care and pruning services, N.O.C. use of this classification is limited to employers engaged in providing a variety of tree care services such as tree topping and tree pruning. Work performed subject to this classification will generally take place in residential areas, or settings adjacent to roadways, parking lots, business parks, shopping malls. A primary purpose of this work is to remove tree or branch hazards from power lines or building structures. This classification includes all the incidental ground operations such as picking up branches and limbs, operating mobile chip machines used in connection with a tree topping or limbing operation, spraying or fumigating, and debris removal. This classification excludes tree pruning done in connection with an orchard operation which is to be reported separately in classification 4803; tree pruning done in connection with a nursery operation which is to be reported separately in classification 4805; tree care or tree pruning done in connection with a public or private forest, range land operation which is to be reported separately in classification 5004; or tree pruning done in connection with a Christ-~~

~~mas tree farm operation which is to be reported separately in classification 7307.~~

~~This classification excludes asphalt surfacing/resurfacing which is to be reported separately in classification 0210 or 0212; concrete construction which is to be reported separately in the applicable concrete construction classification(s); bridge construction which is to be reported separately in classification 0201 although such a structure may be constructed as a part of a highway, street or road construction project; logging road construction which is to be reported separately in classification 6902; log railroad construction which is to be reported separately in classification 6902; and tunnels and approaches including lining, cofferdam work, shaft sinking and well digging with caisson done in connection with dam construction which is to be reported separately in classification 0701.)~~

0101-00 Land clearing: Highway, street and road construction, N.O.C.

Applies to contractors engaged in clearing right of ways for subsurface construction on a new or existing highway, street, or roadway project that is not covered by another classification (N.O.C.). The subsurface is the roadbed foundation consisting of dirt, sand, gravel and/or ballast which has been leveled and compressed. Unless the finished project is a compressed gravel road, the subsurface or sub base is constructed prior to any asphalt or concrete paving activities. Work contemplated by this classification involves the excavation of rocks and boulders, removal of tree stumps, clearing or scraping land of vegetation, grubbing, earth excavation, cut and fill work, and bringing the roadbed to grade. Equipment used by contractors subject to this classification includes a variety of earth moving equipment such as, but not limited to, shovels, scrapers, bulldozers, graders, rollers, and dump trucks.

This classification excludes asphalt surfacing or resurfacing on roadways which is to be reported separately in classification 0210; construction specialty services such as the installation of guardrails, lighting standards and striping which is to be reported separately in classification 0219; bridge or tunnel construction including the abutments and approaches which is to be reported separately in classification 0201; felling of trees which is to be reported separately in the applicable logging classification; and logging road construction which is to be reported separately in classification 6902.

0101-01 Land clearing: Airport landing strips, runways and taxi ways; alleys and parking lots

Applies to contractors primarily engaged in clearing right of ways for subsurface construction on a new or existing airport landing strip, runway, and taxi way. This classification also includes clearing of right of ways for alley and parking lot projects. The subsurface is the foundation consisting of dirt, sand, gravel and/or ballast which has been leveled and compressed. Unless the finished project is compressed gravel, the subsurface or sub base is constructed prior to any asphalt or concrete paving activities. Work contemplated by this classification involves the excavation of rocks and boulders, removal of tree stumps, clearing or scraping land of

vegetation, grubbing, earth excavation, cut and fill work, and bringing the roadbed or project site to grade. Equipment used by contractors subject to this classification includes a variety of earth moving equipment such as, but not limited to, shovels, scrapers, bulldozers, graders, rollers, and dump trucks.

This classification excludes asphalt surfacing or resurfacing on roadways which is to be reported separately in classification 0210; construction specialty services such as the installation of guardrails, lighting standards and striping which is to be reported separately in classification 0219; and felling of trees which is to be reported separately in the applicable logging classification.

0101-02 Excavation work, N.O.C.

Applies to contractors engaged in general excavation work for others that is not covered by another classification (N.O.C.). Work contemplated by this classification involves excavating or digging of earth to form the foundation hole such as for a wood-frame or nonwood-frame building and side sewer hookups (street to house) when performed as part of the excavation contract. Activities include, but are not limited to, excavation of rocks and boulders, removal of tree stumps, clearing or scraping land of vegetation, grubbing, piling or pushing of earth, earth excavation, cut and fill work, backfilling, etc. Equipment used by contractors subject to this classification includes a variety of earth moving equipment such as, but not limited to, shovels, scrapers, bulldozers, graders and dump trucks.

This classification excludes asphalt surfacing or resurfacing on roadways which is to be reported separately in classification 0210 and felling of trees which is to be reported separately in the applicable logging classification.

0101-03 Grading work, N.O.C.

Applies to contractors engaged in various forms of grading work for others that are not covered by another classification (N.O.C.). Typical equipment used is a grader, but other equipment such as a bulldozer and a front end loader may also be used. Work contemplated by this classification includes, but is not limited to, leveling and grading lands, spreading dirt, sand, gravel and/or ballast to desired contour on farm lands or other tracts of land.

0101-04 Land clearing, N.O.C.

Applies to contractors engaged in general land clearing work that is not covered by another classification (N.O.C.). This classification includes, but is not limited to, excavation of rocks and boulders, removal of tree stumps, clearing or scraping land of vegetation, grubbing, piling or pushing of earth to rearrange the terrain, earth excavation, cut and fill work, backfilling, and slope grooming. Equipment used by contractors subject to this classification includes a variety of earth moving equipment such as, but not limited to, shovels, scrapers, bulldozers, graders and dump trucks.

This classification excludes felling of trees which is to be reported separately in the applicable logging classification.

0101-16 Railroad line: Construction, maintenance and repair, N.O.C.

Applies to contractors engaged in the construction, maintenance and repair of railroad tracks not covered by another classification (N.O.C.), including the dismantling of track and the sale of salvaged track metal and ties. Work contemplated by this classification includes all operations on new or existing main lines, side tracks and spurs to industrial properties. This classification includes, but is not limited to, the laying of rock or ballast, laying of ties and track, installation of crossover frogs and switches, erection of switch stands and switch mechanism, erection of cattle guards, the placing of grade crossing planks, and similar activities related to the laying or relaying of railroad lines and also includes the dismantling of railroad main lines, side tracks and spurs to include track, ties, etc., and the subsequent storage and sale of salvaged material after the railroad line is dismantled.

This classification excludes asphalt surfacing/resurfacing and all concrete construction work which is to be reported separately in the applicable asphalt or concrete construction classification; logging railroad construction which is to be reported separately in classification 6902; and the construction, maintenance, or repair of an elevated railway which is to be reported separately in classification 0508.

0101-17 Retaining wall: Construction or repair when done in connection with road, street and highway construction, N.O.C.

Applies to contractors engaged in the construction or repair of retaining walls in connection with highway, street, or roadway projects that are not covered by another classification (N.O.C.). Retaining walls are often constructed to protect against potential problems such as earth slides or erosion of banks alongside a roadway or overpass. Work contemplated by this classification involves large scale excavation to contour a specific area of earth serving as a retaining wall. Activities include, but are not limited to, excavation, clearing, cut and fill work, backfilling, grading and slope grooming. Fill material used may include dirt, sand, stone or boulder. Equipment used by contractors subject to this classification includes, but is not limited to, scrapers, bulldozers, graders, backhoes and dump trucks.

This classification excludes asphalt surfacing or resurfacing on roadways which is to be reported separately in classification 0210; concrete construction which is to be reported separately in the applicable concrete construction classification; construction specialty services such as the installation of guardrails, lighting standards and striping which is to be reported separately in classification 0219; bridge or tunnel construction including the abutments and approaches which is to be reported separately in classification 0201; felling of trees by chain saw which is to be reported separately in classification 5001; logging road construction which is to be reported separately in classification 6902; and tunnels and approaches including lining, cofferdam work, shaft sinking and well digging with caissons which is to be reported separately in classification 0201.

0101-36 Tree care and pruning services, N.O.C.

Applies to specialist contractors engaged in providing a variety of tree care services such as tree topping and tree pruning that are not covered by another classification (N.O.C.). Work contemplated by this classification generally

takes place in residential areas, parking lots, business parks, shopping malls, or settings adjacent to nonforestry or timber- and roadways. A primary purpose of this work is to remove tree or branch hazards from power lines, structures, or buildings. This classification includes, but is not limited to, incidental ground operations such as picking up branches and limbs, operating mobile chip machines used in connection with a tree care service, spraying or fumigating of trees, debris removal and stump removal when conducted by employees of an employer subject to this classification.

This classification excludes tree care services done in connection with an orchard operation which is to be reported separately in classification 4803 when performed by orchard employees; tree care services done in connection with a nursery operation which is to be reported separately in classification 4805; tree care services done in connection with a public or private forest or timberland which is to be reported separately in classification 5004; or tree care services done in connection with a Christmas tree farm operation which is to be reported separately in classification 7307.

0101-37 Soil remediation

Applies to establishments engaged in various types of remediation of soil contaminated with hazardous or toxic materials. Soil remediation can take place at the site of the contamination, or the contaminated soil may be hauled to another area for remediation. This classification also includes oil spill cleanup on land. Equipment used will include backhoes and front end loaders, as well as other types of dirt moving equipment.

The methods used for soil remediation may include, but are not limited to, the following:

- Bio-remediation
- Encapsulation
- Excavation and hauling to an approved disposal site
- Hot air vapor extraction
- Soil vapor extraction
- In situ vitrification
- Land farming
- Mobile incineration
- Thermal disabsorption
- Stabilization

This classification excludes oil spill cleanup involving diking or ditching work which is to be reported separately in classification 0201.

0101-39 Pool or pond excavation

Placement of pool or pond liners

Applies to contractors engaged in the excavation of pools or ponds. Work contemplated by this classification involves excavating or digging of earth to form the hole such as for a swimming pool or pond. Work contemplated by this classification includes excavation of rocks and boulders, removal of tree stumps, clearing or scraping land of vegetation, grubbing, piling or pushing of earth, earth excavation, cutting, filling or backfilling, etc. Equipment used by contractors subject to this classification includes a variety of earth moving equipment such as, but not limited to, shovels, bulldozers, backhoes and dump trucks. This classification includes the placement of plastic pool and pond liners provided it is not in connection with concrete work.

This classification excludes concrete construction which is to be reported separately in the applicable concrete construction classification.

0101-40 Mowing or chemical spraying of roadway median strips, roadsides, and/or power line right of ways

Applies to contractors engaged in mowing, grooming, picking up litter, and chemical spraying of roadway median strips and edges, roadsides, and power line right of ways. Work contemplated by this classification includes spraying chemicals to control weeds and unwanted vegetation, tall grass, brush, brambles and tree seedlings as part of a roadway, roadside or right of way maintenance contract. Equipment used by contractors subject to this classification includes, but is not limited to, a variety of equipment such as backhoes, tractors, push mowers, brush mowers, weed eaters, as well as hand tools such as machetes, sickles, and pruners.

This classification excludes mowing and/or grooming of roadway median strips, roadsides, and power line right of ways when performed by employees of cities, counties, state agencies, or other municipalities which is to be reported in the classification applicable to the type of municipality performing the work; forest, timber or range land contract work which is to be reported separately in the classification applicable to the work being performed; and the felling and removal of trees by chain saw which is to be reported separately in classification 5001.

Special note: Classification 0301, "landscape construction," and classification 0308, "landscape maintenance," are not to be assigned to mowing and/or grooming of roadway median strips, roadsides, and power line right of ways.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-503 Classification 0103.

~~((Drilling, N.O.C. — excluding drilling work done in connection with a construction project which is to be reported separately in the classification applicable to the phase of work being supported~~

~~Geophysical exploration, seismic detection of the mechanical properties of the earth:))~~

0103-09 Drilling or blasting: N.O.C.

Applies to contractors engaged in drilling operations for others not covered by another classification (N.O.C.). Work contemplated by this classification includes, but is not limited to, well drilling for oil, gas or water; exploratory well drilling; and drilling of holes in rock for shot holes. Such drilling generally contemplates the digging of a hole using a rotating or pounding type tool. Equipment used by drilling contractors includes earth auger drills, jackhammers, drilling rigs, and bits which will vary in size depending upon the terrain or material to be drilled and the depth and size of holes to be drilled. This classification also includes blasting operations not covered by another classification (such as the blasting of rock in connection with highway, street or road construction).

This classification excludes drilling operations performed in connection with concrete or building construction which is to be reported separately in the construction classification.

ation applicable for the work being performed: drilling done in connection with all types of underground or surface mining and quarry operations which is to be reported separately in the applicable mining classification; and blasting performed as part of building demolition which is to be reported separately in classification 0506.

0103-10 Geophysical exploration: Seismic detection of the mechanical properties of the earth

Applies to establishments engaged in geophysical exploration, by seismic detection, of the earth's subsurface. Work contemplated by this classification involves a seismograph work crew consisting of a party chief, a permit person, a surveyor, drillers, shooters, observers and a computer analyst. The seismic method utilizes a dynamite blast that simulates a miniature earthquake. The recorder of the vibrations is the sensitive earthquake detector which records the intense vibrations on a rapidly moving tape. The data collected from the tapes and photographic records are interpreted and a contour map of the rocks and their foundation to depths of several thousand feet is developed.

This classification excludes geophysical exploration without seismic detection which is to be reported separately in classification 1007.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-504 Classification 0104.

~~((Dredging, N.O.C.))~~

0104-12 Dredging, N.O.C.

Applies to contractors engaged in providing dredging services to others that are not covered by another classification (N.O.C.). Work contemplated by this classification includes cleaning, deepening or widening a body of water such as a harbor or other waterway. Scooping or suction machinery is generally employed in the dredging process to remove sand, clay, mud or other material from the body of water that is being dredged.

This classification excludes diving operations which are to be reported separately in classification 0202; underground mining operations which are to be reported separately in classification 1702; and dredging for the production of sand, gravel, or shale which is to be reported separately in classification 0112.

Special note: Dredging projects could occur on or adjacent to navigable waters (a harbor, river, canal) which is defined as those which form a continuous highway for interstate or international commerce. Workers who perform the work activities from a vessel could be subject to the Admiralty Law which recognizes such work crews and workers as a master or member of a vessel, and subject to federal law known as the Jones Act. Every person on board a vessel is deemed a seaman if connected with the operation while on navigable water. The term vessel has been interpreted by the courts to include any type of man-made floating object such as a floating derrick or dredge, or type of pontoon which is a flat bottom boat or portable float. Workers who perform the work activities from the shoreline or from adjacent areas such as an existing dock or bridge may or may not be subject to

federal law covered under the U.S. Longshore and Harbor Workers Act. Usually, dredging projects involve a variety of types of work crews such as those working from a floating derrick or dredge, a pontoon, a shoreline dredge, workers who are on shore distributing the discharged material, as well as the maintenance and repair of the dredge and equipment. Care should be exercised prior to assignment of this classification as the workers could be subject to either or both of these acts. The criteria used in determining federal law and coverage is based on the most current federal court decisions and case law.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-505 Classification 0105.

~~((Fence erection or repair: All types, N.O.C.~~

~~Parking meter: Installation—excluding parking meter mechanism service or repair which is to be reported separately in classification 0606, "vending or coin-operated machine service"~~

~~Placement of wire mesh on slopes for slope protection:))~~

0105-13 Fence erection or repair: All types, N.O.C.; parking meter installation; and placement of wire mesh on slopes for slope protection

Applies to contractors engaged in the erection and repair of all types of metal or wood fences not covered by another classification (N.O.C.). Work contemplated by this classification includes the use of a tractor with a propelled auger, or a mechanical or manual post hole digger. The poles or posts are set in the ground with small quantities of sand, gravel or concrete. Occasionally, a fence contractor may pour a concrete footing around the perimeter of the fence to be constructed. Work of this nature, when done in connection with a fence construction project, is included within the scope of this classification. This classification also includes the installation or removal of entire parking meter units, and the placement of wire mesh on slopes for slope protection.

This classification excludes contractors engaged in the erection or repair of brick, masonry or stone fences or planters which are to be reported separately in classification 0302; erection or repair of concrete fences or planters which are to be reported separately in classification 0217; and service or repair of parking meters which is to be reported separately in classification 0606.

Special note: It is common for contractors subject to this classification to sell kennel kits, fence repair parts and fencing materials. Sales of fencing materials by a fence contractor are included in classification 0105. Classifications 2009, 6309 or similar store classifications are not to be assigned to a contracting business.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-50601 Classification 0107.

~~((Invisible fence installation
Pipelaying, N.O.C.~~

Utility line construction: Underground type, N.O.C. (including television cable, power, and telephone lines.)

107-00 Utility line construction: Underground, N.O.C.

Applies to contractors engaged in underground utility line or cable construction that is not covered by another classification (N.O.C.). Work contemplated by this classification includes the installation and maintenance of underground television cable, power, and telephone line including main, extension, and outside service connection lines. Installation of these types of utilities usually occurs at a depth of 3' or less. This classification includes digging narrow trenches, laying pipe or conduit, laying line or cable, and filling or backfilling trenches. In some instances automatic equipment is used which in one operation opens the trench, lays the line and backfills. Equipment used by contractors subject to this classification includes backhoes, mechanical or manual trench diggers, automatic equipment and dump trucks.

This classification excludes land or road clearing and excavation which is to be reported separately in classification 0101; overhead television, power, or telephone lines including poles or towers which are to be reported separately in classification 0509 or the applicable utility company classification; asphalt surfacing/resurfacing which is to be reported separately in classification 0210 or 0212; concrete construction which is to be reported separately in the applicable concrete construction classification(s); and construction specialty services including the installation of guardrails, lighting standards and striping which is to be reported separately in classification 0219.

107-01 Pipelaying, N.O.C.

Applies to contractors engaged in underground pipelaying or pipeline construction not covered by another classification (N.O.C.). Work contemplated by this classification includes the installation and maintenance of underground gas, oil or water main construction, and other pipelines such as those extending cross country. Installation of these types of pipes usually occurs at a depth of approximately 3'. This classification includes digging narrow trenches, laying pipe, making connections, and filling or backfilling trenches. This classification includes machinery and equipment such as backhoes, mechanical or manual trench diggers, and dump trucks.

This classification excludes land or road clearing and excavation which is to be reported separately in classification 0101; construction of sewer lines and drainage systems, canals, ditches, underground tanks generally occurring at a depth greater than 3' which are to be reported separately in classification 0108; asphalt surfacing/resurfacing which is to be reported separately in classification 0210 or 0212 as applicable; concrete construction which is to be reported separately in the applicable concrete construction classification(s); and construction specialty services such as the installation of guardrails, lighting standards and striping which is to be reported separately in classification 0219.

107-02 Invisible fence installation

Applies to specialist contractors engaged in the installation of invisible fences which are usually used to confine animals within a given area. Work contemplated by this classification includes identifying the land area to be fenced to

keep animals in, digging a trench 1" wide by 2" deep along the field perimeter (usually the trench is made with a relatively small trench digger or modified rototiller), placing wire in the trench and burying it. The wire is connected to a transmitter box which plugs into a 110 volt electrical outlet. The intensity of the voltage is set by the transmitter and the animal wears a receiver collar. This classification includes related maintenance and repair at the customer's location.

AMENDATORY SECTION (Amending WSR 94-12-063, filed 5/30/94, effective 6/30/94)

WAC 296-17-50602 Classification 0108.

((Ditches and canals, N.O.C.

Sewer construction

Septic tank installation, including drainfield construction

Tanks, N.O.C. - underground type: Installation, repair, or removal.))

0108-00 Ditches and canals, N.O.C.

Applies to contractors engaged in the construction of ditches and canals not covered by another classification (N.O.C.). A ditch or canal consists of a long trench dug in the ground that will remain uncovered to serve as an artificial waterway or artificially improved river such as for irrigation, drainage, or a boundary line. Work contemplated by this classification includes digging of main irrigation canals or drainage ditches and all laterals extending from the canal or ditch, installation of pipe, making connections as needed, and filling or backfilling as needed. Equipment used by contractors subject to this classification includes a variety of machinery and equipment such as power shovels, backhoes, bulldozers, dump trucks, and mechanical or hand tool trench diggers.

This classification excludes asphalt surfacing/resurfacing which is to be reported separately in classification 0210 or 0212, and concrete construction which is to be reported separately in the applicable concrete construction classification(s).

0108-01 Sewer construction: septic tank installation

Applies to contractors engaged in the construction or repair of new or existing sewer lines and systems. This includes, but is not limited to, sewers, cesspools, drainpools, storm drains, and septic tanks including the drainfield construction. Work contemplated by this classification includes the installation and maintenance of all types of storm, sanitary or sewage lines and systems. Installation of these types of pipelines and systems occur entirely, or in part, at a depth greater than 3'. This classification includes such activities as excavation, trench digging, leveling trench with fill material such as sand or gravel, filling or backfilling, installation of force main type sewage work, the installation of storm sewer lines including the outfall construction of drain concrete boxes, catch basins, manholes, handling and laying of pipe (regardless of the size of pipe or depth below the ground), making connections, etc. Equipment used by contractors subject to this classification includes a variety of machinery and equipment such as power shovels, backhoes, bulldozers, dump trucks, and mechanical or manual trench diggers.

This classification excludes side sewer hookups (street to house) when performed by a plumbing contractor as part of

a plumbing contract which is to be reported separately in classification 0306; and sewer pipe cleaning including services engaged in line cleaning and unplugging of waste lines which is to be reported separately in classification 0306.

0108-02 Tanks, N.O.C. - underground: Installation, repair, or removal

Applies to contractors engaged in the installation, repair or removal of underground tanks not covered by another classification (N.O.C.) such as those used to store gas or oil. Activities include excavating or digging of holes, placement or removal of tank, and filling or backfilling. This classification makes no distinction as to the size of tank being placed or removed. Usually, the actual lifting into or out of the ground occurs with the use of a power shovel, front end loader or backhoe. Equipment used by contractors subject to this classification includes a variety of earth moving equipment such as power shovels, front end loaders, backhoes, bulldozers, and dump trucks.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-50603 Classification 0112.

~~((Commercial production of sand, gravel and processing clay and stone products including rock crushing~~

~~Humus or peat digging~~

~~Pit, crusher and bunker operations in connection with road, street and highway construction~~

~~Sand, gravel, or shale: Digging, N.O.C.))~~

0112-00 Commercial production of sand, gravel, clay and stone products

Applies to establishments engaged in the production of sand, gravel, clay and stone products. Material may be excavated in an open or surface type pit at the production site, or from a mine or quarry operation. Sand, gravel and stone is washed, crushed, sorted, graded and screened. Sand or gravel in its natural state usually requires only screening with the larger stones being removed. The larger stones are crushed and rescreened. Clay is screened and graded. Refined products are stored in bins, hoppers, piles or yards prior to delivery by truck or rail to customers. This classification includes dealers who stockpile or store products in a yard type of environment prior to delivery to the customers when done in connection with the production of such products. Equipment includes, but is not limited to, scrapers, shovels, front end loaders, trucks, conveyors, jaw crushers, gyrators, roll crushers, and shaking tables.

This classification excludes establishments engaged in selling custom soil mixes, bark, decorative rock, sand, or gravel purchased from others which are to be reported separately in classification 1103.

Special note: Classifications 0112 and 1103 are not to be assigned to the same business unless all the conditions of the general reporting rule covering the operation of a secondary business have been met.

0112-01 Humus or peat digging

Applies to establishments engaged in the digging or stripping of humus or peat. Humus is a brown or black

organic substance consisting of decayed vegetable matter that provides nutrients for plants and increases the water retention of soil. Peat is a partially carbonized vegetable matter found in bogs and used as fertilizer and fuel. Work contemplated by this classification involves stripping material from the surface or bogs with mechanical equipment such as, but not limited to, power shovels, scrapers, drag lines, clamshell diggers or cranes, and hydraulic dredges. The material is conveyed from the pit or bog to hoppers by trucks or belt conveyors. At times it is necessary to grade, screen and dry the material prior to storage or delivery to customers. This classification includes dealers who stockpile or store material in a yard type of environment prior to delivery to customers when done in connection with the digging or stripping of such products.

Special note: Classifications 0112 and 1103 are not to be assigned to the same business unless all of the conditions of the general reporting rule covering the operation of a secondary business have been met.

0112-02 Pit, crusher and bunker operations in connection with road, street and highway construction

Applies to establishments engaged in pit, crusher and bunker operations in connection with highway, street or roadway construction projects. Generally, this type of operation is located in close proximity to the project site and is only set up for the duration of the project. Work contemplated by this classification includes excavating open or surface pits, scraping or stripping the surface, crushing, and bunker (storage) of material. Products extracted from the pit or surface include boulders, stone, rock, gravel, aggregate, sand, dirt or clay. These products can be used directly without any further refinements or could be washed, sorted, crushed and/or screened. Products are stored in bunkers or piles until needed. These products are used in a variety of ways as part of the roadway project such as, but not limited to, making preliminary roads into an area, filling in low or uneven areas, use as natural barriers, and bringing the roadbed and surrounding areas to grade. Equipment includes, but is not limited to, power shovels, scrapers, bulldozers, front end loaders and other earth moving equipment, trucks, conveyors, jaw crushers, gyrators, roll crushers, shaking tables, etc.

0112-03 Sand, gravel, or shale: Digging, N.O.C.

Applies to establishments engaged in the digging or dredging of sand, gravel or shale that is not covered by another classification (N.O.C.). The material is excavated from surface pits with mechanical equipment such as power shovels, drag lines, clamshell diggers or cranes, or obtained from nonnavigable waters by means of hydraulic dredges, clamshell dredges, etc. The material is conveyed from the bank, pit or dredge to hoppers by trucks, belt conveyors, narrow gauge railroads or pipelines. It is then washed, graded, screened and stored in bins, hoppers, or piles prior to delivery by truck or rail to customers. Sand or gravel in its natural state usually requires only screening with the larger stones being removed. In some instances, the larger stones may be crushed and rescreened which is included in this classification. This classification includes dealers who stockpile or store material in a yard type of environment prior to delivery to customers when done in connection with the digging or stripping of such products.

This classification excludes underground mining operations which are to be reported separately in classification 702.

Special note: Classifications 0112 and 1103 are not to be assigned to the same account unless all the conditions of the general reporting rule covering the operation of a secondary business have been met.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-508 Classification 0201.

~~((Bridge, trestle, overhead crossing, viaducts, construction, maintenance and repair including the foundations and approaches~~

~~Breakwater, jetty, levee, construction, maintenance and repair~~

~~Bulkhead retaining walls, construction, maintenance and repair, riprapping—all water hazard~~

~~Concrete culverts or other types over 12 feet~~

~~Diking, N.O.C.—including oil spill clean-up involving diking and/or ditching work~~

~~Tunnels and approaches—including lining, cofferdam work, shaft sinking, and well digging with caisson~~

~~Undercrossings and approaches—including lining.))~~

0201-01 Bridge, trestle, overhead crossing and viaduct: Construction, maintenance and repair

Applies to contractors engaged in the construction, maintenance or repair of bridges, trestles, overhead crossings and viaducts including the foundations and approaches. These types of structures provide a series of spans or arches, or a type of vertical and horizontal framework for a road or railroad passage over an obstacle such as a waterway, wide valley, other roads, or railroads. Work contemplated by this classification includes the construction of approaches, abutments, foundation supports, framework, and includes all concrete, iron or steel, timber, or carpentry work to completion of the project. The approach is the area of ground or roadway built up just before entering onto a structure such as a bridge or trestle. The abutments are the reinforced foundation supports at the end of the approach which will bear much of the weight for the structure. The erection of the structure usually begins at both ends of the approaches and abutments and gradually continues toward the center of the structure. This classification includes activities such as, but not limited to, the placement and securing of piles, beams and members by way of boom or crane, forming columns, piers and supports, tying reinforcing steel, set-up and tear down of forms, pouring and finishing of concrete, installing precast deck supports, decking slabs and nonstructural members, constructing the retaining walls, erecting iron railings, and the installation of suspension cables and cable clamps. This classification also includes shaft sinking, pile driving, caisson and cofferdam work as it is considered an integral part of the structure's foundation and support.

This classification excludes asphalt surfacing/resurfacing on roadways which is to be reported separately in classification 0210 and concrete paving which is to be reported separately in classification 0214.

Special note: Care should be exercised prior to assignment of this classification as the workers could be subject to federal laws covered by the Jones Act or by the U.S. Longshore and Harbor Workers Act. A detailed description of these acts can be found in classifications 0104 or 0202.

0201-04 Breakwater, jetty, levee: Construction, maintenance and repair

Applies to contractors engaged in the construction, maintenance or repair of a jetty, levee or breakwater. These types of barriers or embankments are very similar to a dike, but involve substantially more construction in that they usually begin away from the water and extend into a body of water and are sometimes used as protection for a harbor to prevent adverse currents from interfering with shipping. Work contemplated by this classification involves building, protecting and/or filling in an embankment or barrier of a river, harbor or other body of water. The predominant activity involves earth moving or placing of fill or other material. This classification includes, but is not limited to, clearing of land, excavation, filling, and grading and involves earth moving equipment such as, but not limited to, drag lines, graders, scrapers, bulldozers, and dump trucks. Materials include, but are not limited to, dirt, sand, stones or boulders, concrete piles, timber or heavy timber cribbing filled with stones or boulders. Often, the barrier or embankment being built is seeded or paved in part with asphalt, concrete, soil, or cement to assist in strengthening the structure.

This classification excludes pile driving operations in connection with jetty, levee and breakwater operations which are to be reported separately in classification 0202, and asphalt surfacing/resurfacing which is to be reported separately in the classification applicable to the work being performed.

Special note: Care should be exercised prior to assignment of this classification as the workers could be subject to federal laws covered by the Jones Act or by the U.S. Longshore and Harbor Workers Act. A detailed description of these acts can be found in classifications 0104 or 0202.

0201-05 Bulkhead retaining walls: Construction, maintenance and repair, riprapping - all water hazard

Applies to contractors engaged in the construction, maintenance or repair of a bulkhead. A bulkhead is a wall or embankment constructed to protect against potential problems such as earth slides, erosion of banks alongside water, or excessive increases in the water level. Work contemplated by this classification involves building, protecting and/or filling in a wall or embankment of a river, harbor or other body of water, or other areas of land. The predominant activity involves earth moving or placing of fill or other material. This classification includes, but is not limited to, clearing of land, excavation, filling, and grading. Equipment used by contractors subject to this classification includes, but is not limited to, drag lines, graders, scrapers, bulldozers, and dump trucks. Materials include, but are not limited to, dirt, sand, stones, boulders, concrete piles, timber or heavy timber cribbing filled with stones or boulders. Often, the wall or embankment being built, or if it already exists, is seeded or paved in part with asphalt, concrete, cement, or soil to assist in strengthening the structure. This classification includes

riprap work which is a loose assemblage of broken stones erected in water or on soft ground. Such stone serves as a fill-in material to assist with the building of a dike, levee, or bulkhead.

This classification excludes pile driving operations in connection with bulkhead construction operations which is to be reported separately in classification 0202, and asphalt surfacing/resurfacing which is to be reported separately in the classification applicable to the work being performed.

Special note: Care should be exercised prior to assignment of this classification as the workers could be subject to federal laws covered by the Jones Act or by the U.S. Longshore and Harbor Workers Act. A detailed description of these acts can be found in classifications 0104 or 0202.

0201-06 Concrete culverts: aluminum, steel, or other types of culverts over 12 feet

Applies to contractors engaged in the construction or placement of concrete culverts or other types of culverts greater than twelve feet in diameter. A culvert is a sewer or drain running under a road, embankment, or structure such as a bridge. Culverts can be made of material such as, but not limited to, concrete, aluminum, and galvanized steel. Their primary purpose is to channel excess water away from the road, embankment, or structure to assist in preventing water damage or flooding. Work contemplated by this classification includes excavation, laying of sand or gravel, placement of culverts, and filling in the site.

0201-08 Tunnels and approaches

Applies to contractors engaged in the construction of tunnels and approaches including the lining, cofferdam work, shaft sinking, and well digging with caissons. A tunnel is a passage through or under a barrier to be used as a roadway, railway or pedestrian walkway. The approach is the area of ground built up before the entrance of a tunnel or similar type of structure. Work contemplated by this classification includes, but is not limited to, the construction of approaches, shaft sinking, caisson and cofferdam work, boring, the frame-work or lining, and all concrete, iron or steel, timber, and carpentry work to completion of the project. In some instances, the initial phase of a tunnel project may require that the approaches and abutments be put in place. This may involve extensive excavation and fill work depending on how uneven the terrain is with the proposed tunnel entrances. The abutments are the reinforced foundation supports at the end of the approach and will bear much of the weight at the tunnel entrances. Most often, the abutments will consist of metal beams or concrete with reinforced steel, that are placed vertically, horizontally or at an angle into the ground. The boring of the tunnel may include the removal of earth, rock and water with mechanical equipment, drilling and boring machines, rock drills and chippers, explosives, well drilling with caissons, and the need for pumps and drains piped to the outside of the bore. Occasionally, a cofferdam is erected which is a temporary structure from which water can be pumped or sucked to provide a dry work area during construction of the structure. Once the structural support is complete, the cofferdam is taken apart and removed. As the bore progresses steel I-beams are placed and horizontal beams or

solid bar stock are bolted or welded for support. Shielding the bore between the I-beams requires bolting or welding steel plates to the beams. This is followed by filling the gaps between the face of the bore and the shielding with sand or concrete grout. Some tunnels will then be lined with concrete, steel or tile, and lighting, ventilation and drains may be installed.

This classification excludes underground mining operations which are to be reported separately in classification 1702, and asphalt surfacing/resurfacing or concrete paving which is to be reported separately in the classification applicable to the work being performed.

0201-09 Diking, N.O.C.

Applies to contractors engaged in the construction of dikes not covered by another classification (N.O.C.). A dike is a type of protective barrier or embankment which keeps a body of water such as a river in its proper channel and prevents the erosion of banks. Work contemplated by this classification involves building up and/or protecting the embankment. This classification includes, but is not limited to, earth moving work, assemblage of loose stone or rock, placement of sandbags or concrete piles, fill dirt or broken pieces of concrete, or building of crib work which may be filled in with stone or other types of fill. This classification also applies to diking or ditching work in connection with oil spill clean-up such as alongside a river bank or other shoreline.

This classification excludes pile driving operations which are to be reported separately in classification 0202.

Special note: Care should be exercised prior to assignment of this classification as the workers could be subject to federal laws covered by the Jones Act or by the U.S. Longshore and Harbor Workers Act. A detailed description of these acts can be found in classifications 0104 or 0202.

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-509 Classification 0202.

((Diving operations and subaqueous work, N.O.C.

Pile driving or concrete piling construction

Wharf, pier, dock and marine railway: Construction, maintenance, and repair.))

0202-02 Pile driving - wood or concrete piling construction

Applies to contractors engaged in pile driving and piling construction. Pile driving involves long sturdy posts or columns of timber, steel, or concrete being driven into the earth as a foundation or support for a structure such as a building, pier or wharf. This type of activity usually occurs when a portion of the structure is going to be under water, in mud, at a site where the ground is soft or unstable, or when the structure is expected to be of extraordinary weight. Work contemplated by this classification includes driving wood or steel beams, driving concrete columns, shaft sinking or caisson work, stacking of concrete piles, erection of a cofferdam, and includes all cross beaming, decking, and similar carpentry incidental to, and connected with, pile driving operations a part of the foundation construction project. Shaft sinking is removal of earth from a hole with a relatively small diameter

and usually at a considerable depth. The cofferdam is a temporary structure from which water can be pumped or sucked to provide a dry work area during construction of the foundation or substructure. Once the foundation support is complete, the cofferdam is taken apart and removed.

This classification excludes diving operations or activities which are to be reported separately in classification 0202-04.

Special note: Pile driving projects could occur on or adjacent to navigable waters (harbors, rivers, canals) which is defined as those which form a continuous highway for interstate or international commerce. Workers who perform the work activities from on board a vessel could be subject to the Admiralty Law which recognizes such work crews and workers as a master or member of a vessel, and subject to federal law known as the Jones Act. Every person on board a vessel is deemed a seaman if connected with the operation while on navigable water. The term vessel has been interpreted by the courts to include any type of man-made floating object such as a floating derrick, pile driver or dredge, a barge, or a pontoon (which is a flat bottom boat) or portable float. Workers who perform the work activities from the shoreline or from adjacent areas such as an existing dock, pier, or bridge may or may not be subject to federal law covered under the U.S. Longshore and Harbor Workers Act. Usually, pile driving projects involve a variety of types of work crews such as those working from a floating derrick or pile driver, a barge, a pontoon, a shoreline pile crew, workers inside the cofferdam, as well as the maintenance and repair of the construction material or equipment. Care should be exercised prior to assignment of this classification as the workers could be subject to either or both of these acts. The criteria used in determining federal law and coverage is based on the most current federal court decisions and case law.

0202-03 Wharf, pier, dock and marine railway: Construction, maintenance and repair

Applies to contractors engaged in the construction, maintenance or repair of piers, wharves, docks and marine railways. A pier or wharf is a platform extending from a shore over water and supported by piles or pillars. A dock is the area between two piers or alongside a pier or wharf. These types of platforms are for vessels to tie up and provide an area for loading, unloading, or repairing vessels. Most often, the construction of such platforms will include the foundation or substructure being under water or mud, and the remainder of the platform being exposed above the water or mud. Work contemplated by this classification includes, but is not limited to, construction of the foundation or substructure which consists of shaft sinking, pile driving, stacking of piles and/or erection of a cofferdam, and includes all concrete, steel or carpentry work after the foundation or substructure is built to completion of the project. Shaft sinking involves the removal of earth from a hole with a relatively small diameter and usually at a considerable depth. Pile driving involves long sturdy posts or columns of timber, steel, or concrete being driven into the earth as a foundation or support for the structure. The cofferdam is a temporary structure from which water can be pumped or sucked to provide a dry work area during construction of the foundation or substructure.

Once the foundation support is complete, the cofferdam is taken apart and removed. This classification also includes caisson work as part of the construction for the foundation or substructure support.

This classification excludes diving operations or activities which are to be reported separately in classification 0202-04.

Special note: The construction of piers, wharves, docks and marine railways could occur on or adjacent to navigable waters (harbors, rivers, canals) which is defined as those which form a continuous highway for interstate or international commerce. Workers who perform the work activities from on board a vessel could be subject to the Admiralty Law which recognizes such work crews and workers as a master or member of a vessel, and subject to federal law known as the Jones Act. Every person on board a vessel is deemed a seaman if connected with the operation while on navigable water. The term vessel has been interpreted by the courts to include any type of man-made floating object such as a floating derrick, floating barge, a pontoon (which is a flat bottom boat) or portable float. Workers who perform the work activities from the shoreline or from adjacent areas such as an existing dock, pier, or bridge may or may not be subject to federal law covered under the U.S. Longshore and Harbor Workers Act. Usually, these types of projects involve a variety of work crews such as those working from a floating derrick or barge, a pontoon, a shoreline pile crew, workers inside the cofferdam, as well as the maintenance and repair of the construction material or equipment. Care should be exercised prior to assignment of this classification as the workers could be subject to either or both of these acts. The criteria used in determining federal law and coverage is based on the most current federal court decisions and case law.

0202-04 Diving operations and subaqueous work, N.O.C.

Applies to establishments engaged in diving operations not covered by another classification (N.O.C.). Diving operations such as underwater diving, skin diving or scuba diving are performed in numerous types of uncontrolled environments such as the ocean, harbors, bays, dams, lakes, as well as controlled environments such as swimming pools or aquarium tanks. Work contemplated by this classification includes, but is not limited to, marine salvage and wreckage, underwater mining and sweeping, underwater construction or demolition, installation, repair and/or inspection of wharves, piers, and docks, inspection of ships, barges, and other vessels, subaqueous harvesting of geoduck, sea cucumbers, or similar marine life, underwater exploration, as well as diving instruction. Classification 0202 includes all diving activities with the following exception: Diving instructors who provide instructional lessons in a controlled environment such as a swimming pool may be reported separately in classification 6209 provided accurate time records are maintained for the instructional lesson hours. Failure to maintain accurate time records will result in the hours in question being assigned to classification 0202 without a division of hours between the two classifications.

Special note: Many diving operations and activities occur on or adjacent to navigable waters (a harbor, river, canal, dam, lake) which is defined as those which form a con-

tinuous highway for interstate or international commerce. Workers who perform diving activities (to include divers, deck hands, or "diving tenders" who are support personnel such as line handlers and pump persons) from on board a vessel could be subject to the Admiralty Law which recognizes such work crews and workers as a master or member of a vessel, and subject to federal law known as the Jones Act. Every person on board a vessel is deemed a seaman if connected with the operation while on navigable water. The term vessel has been interpreted by the courts to include any type of man-made floating object such as a floating derrick or dredge, a boat or ship, a barge, or type of pontoon (which is a flat bottom boat) or portable float. Workers who perform diving activities (to include divers, deck hands, or "diving tenders" who are support personnel such as line handlers and pump persons) from the shoreline or from adjacent areas such as an existing dock, pier or bridge may or may not be subject to federal law covered under the U.S. Longshore and Harbor Workers Act. Care should be exercised prior to assignment of this classification as the workers could be subject to either or both of these acts. The criteria used in determining federal law and coverage is based on the most current federal court decisions and case law.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-50908 Classification 0210.

~~((Construction: Asphalt paving or surfacing—streets or roadways~~

~~This classification covers all forms of asphalt paving, repaving, surfacing, resurfacing, and sawing or cutting operations performed in connection with highway, street or roadway projects:-))~~

0210-00 Asphalt paving or surfacing: Highway, street or roadway

Applies to contractors engaged in forms of asphalt paving or surfacing, resurfacing, scraping, sawing, cutting or patching operations performed on or in connection with new or existing highway, street, or roadway projects including approaches and bridges. The process begins after the roadbed or roadside grade has already been established and the subsurface or sub base has been prepared. Work contemplated by this classification is limited to laying crushed stone, placement of expansion joints, application of oil or other adhesive bonding materials, and the surface spreading and rolling of crushed aggregate. Equipment used by a contractor subject to this classification includes, but is not limited to, scrapers, graders, rollers, paving machinery, oil trucks and dump trucks.

This classification excludes preliminary roadbed or roadside construction such as clearing of right of ways, establishing grades, subsurfaces or sub bases which is to be reported separately in classification 0101; asphalt surfacing/resurfacing not in connection with highway, street or roadway projects which is to be reported separately in classification 0212; construction specialty services such as the installation of guardrails, lighting standards and striping which is to be reported separately in classification 0219; and

concrete construction which is to be reported separately in the classification applicable to the work being performed.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-50910 Classification 0212.

~~((Construction: Asphalt paving or surfacing, N.O.C.~~

~~This classification covers asphalt paving, repaving, surfacing, resurfacing, and sawing or cutting operations not in connection with highway, street or roadway projects such as but not limited to parking lots, alleys, runways, landing strips, driveways, walking paths, bicycle trails, tennis courts, playgrounds, and golf cart paths:-))~~

0212-00 Asphalt paving or surfacing, N.O.C.

Applies to contractors engaged in asphalt paving or surfacing not in connection with highway, street, or roadway projects not covered by another classification (N.O.C.). This classification covers all forms of asphalt paving or surfacing, resurfacing, scraping, sawing, cutting or patching operations not in connection with highway, street, or roadway projects such as, but not limited to, parking lots, airport runways and landing strips, driveways, walking paths, bicycle trails, tennis courts, playgrounds, and golf cart paths. The process begins after the land grade has already been established and the subsurface or sub base has been prepared. Work contemplated by this classification includes the laying of crushed stone, placement of expansion joints, application of oil or other adhesive bonding materials, and the surface spreading and rolling of crushed aggregate. Equipment used by a contractor subject to this classification includes, but is not limited to, scrapers, graders, rollers, paving machinery, oil trucks and dump trucks. This classification also applies to the application of various types of cushion surfaces for playgrounds.

This classification excludes the preliminary clearing of land, establishing grades, subsurfaces or sub bases which are to be reported separately in classification 0101; asphalt surfacing/resurfacing in connection with highway, street, or roadway projects which is to be reported separately in classification 0210; construction specialty services such as the installation of guardrails, lighting standards and striping which are to be reported separately in classification 0219; and concrete construction which is to be reported separately in the classification applicable to the work being performed.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-50912 Classification 0214.

~~((Construction: Concrete paving and repaving—streets or roadways~~

~~Construction: Concrete curbs, gutters, and sidewalks—streets or roadways~~

~~Construction: Concrete median walls and retaining walls—streets or roadways~~

~~Construction: Concrete sawing, drilling and cutting—streets or roadways~~

~~This classification includes the set-up and tear-down of forms, pouring, and finishing of concrete operations per-~~

formed on or in connection with highway, street or roadway projects:))

214-00 Concrete paving and repaving: Highways, streets or roadways

Applies to contractors engaged in concrete paving and repaving of highways, streets, or roadways including approaches and bridges. This classification covers all forms of concrete paving, repaving, scraping, sawing, drilling or cutting operations in connection with a highway, street or roadway project, including the construction of curbs, gutters, sidewalks, median walls and retaining walls when performed as part of the roadway paving or repaving project. The process begins after the roadbed or roadside grade has already been established and the subsurface or sub base has been prepared. Work contemplated by this classification includes the laying of crushed stone, placement of reinforcing steel or expansion joints, grading or rolling stone base, set-up and tear down of forms, pouring, and finishing of concrete. Equipment used by a contractor subject to this classification includes, but is not limited to, scrapers, graders, rollers, paving machinery, water trucks and dump trucks.

This classification excludes preliminary roadbed or roadside construction such as clearing right of ways, establishing grades, subsurfaces or sub bases which are to be reported separately in classification 0101; asphalt paving, surfacing/resurfacing which is to be reported separately in the classification applicable to the work being performed; concrete flatwork not in connection with highway, street, or roadway projects which is to be reported separately in classification 0217; and construction specialty services such as the installation of guardrails, lighting standards and striping which are to be reported separately in classification 0219.

0214-01 Concrete curbs, gutters, and sidewalks: Construction and repair in connection with highways, streets or roadways

Applies to contractors engaged in the construction or repair of concrete curbs, gutters, and sidewalks in connection with highways, streets, or roadways including approaches and bridges. The process begins after the roadbed or roadside grade has already been established and the subsurface or sub base has been prepared. Work contemplated by this classification includes the set-up and tear down of forms, placement of reinforcing steel or expansion joints, and the pouring and finishing of concrete.

This classification excludes preliminary roadbed or roadside construction such as clearing right of ways, establishing grades, subsurfaces or sub bases which are to be reported separately in classification 0101; asphalt paving, surfacing/resurfacing which is to be reported separately in the classification applicable to the work being performed; concrete flatwork not in connection with highway, street, or roadway projects which is to be reported separately in classification 0217; and construction specialty services such as the installation of guardrails, lighting standards and striping which are to be reported separately in classification 0219.

214-02 Concrete median walls and retaining walls: Construction and repair in connection with highways, streets or roadways

Applies to contractors engaged in the construction or repair of concrete median (divider) walls and retaining walls in connection with highway, street, or roadway projects including approaches and overpasses. The process begins after the roadbed or roadside grade has already been established and the subsurface or sub base has been prepared. Work contemplated by this classification includes the set-up and tear down of forms, placement of reinforcing steel or expansion joints, and the pouring and finishing of concrete to form median or divider walls, median strips, or retaining walls alongside the roadway.

This classification excludes the preliminary land excavation of a retaining wall area, as well as roadbed or roadside construction such as clearing right of ways, establishing grades, subsurfaces or sub bases which are to be reported separately in classification 0101; asphalt paving, surfacing/resurfacing which is to be reported separately in the classification applicable to the work being performed; concrete flatwork not in connection with highway, street, or roadway projects which is to be reported separately in classification 0217; and construction specialty services such as the installation of guardrails, lighting standards and striping which are to be reported separately in classification 0219.

0214-03 Concrete sawing, drilling, and cutting: In connection with highways, streets or roadways

Applies to contractors engaged in concrete sawing, drilling and cutting in connection with concrete highway, street, or roadway projects including concrete curbs, gutters, sidewalks, median walls and retaining walls. These activities occur on new or existing roadway and related projects such as, but not limited to, the sawing, cutting and drilling for manholes, drainage grates, poles or posts, exposing underground utility lines and systems, and repairing defective areas.

This classification excludes preliminary roadbed or roadside construction such as clearing right of ways, establishing grades, subsurfaces or sub bases which is to be reported separately in classification 0101; asphalt paving, or surfacing/resurfacing which is to be reported separately in the classification applicable to the work being performed; concrete flatwork not in connection with highway, street, or roadway projects which is to be reported separately in classification 0217; and construction specialty services such as the installation of guardrails, lighting standards and striping which are to be reported separately in classification 0219.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-50915 Classification 0217.

~~((Construction: Concrete flatwork, N.O.C.~~

~~Construction: Concrete foundation and flatwork of wood structural buildings~~

~~Construction: Concrete sawing, drilling and cutting, N.O.C.~~

~~This classification applies to concrete foundation and flatwork in connection with wood structural buildings not to exceed three stories in height and includes the set-up and tear-down of forms, pouring, and finishing of concrete footings, stem walls, floor pads, cellar or basement~~

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floors, garage floors, sidewalks, walkways, driveways, patios and swimming pools. This classification also includes other types of concrete flatwork such as sidewalks, walkways, pathways, swimming pools, and curbs and gutters including the set-up and tear-down of forms, placement of reinforcing steel or wire mesh, pouring and finishing. This classification includes concrete sawing, drilling, and cutting unless specified elsewhere.

This classification excludes all concrete work contained within a concrete, masonry, iron or steel frame building or structure such as the foundation, floor slabs, precast or poured in place bearing floors or wall panels, columns, pillars, metal erection or any other portion of the building or structure itself. This classification also excludes all concrete or asphalt work such as sidewalks, curbs, gutters, retaining walls, and sawing or cutting operations performed on or in connection with highway, street or roadway projects.)

0217-00 Concrete flatwork - construction and/or repair: N.O.C.

Applies to contractors engaged in the construction and/or repair of concrete flatwork not covered by another classification (N.O.C.) such as, but not limited to, walkways, pathways, fences, and curbing. Work in this classification includes the set-up and tear down of forms, placement of reinforcing steel and wire mesh, and the pouring and finishing of concrete.

This classification excludes land clearing and excavation which is to be reported separately in classification 0101; concrete work performed on or in connection with highway, street, or roadway projects including sidewalks, curbs, gutters, median or retaining walls, sawing, drilling, or cutting operations which is to be reported separately in classification 0214; and concrete work contained within a concrete, masonry, iron or steel frame building or structure such as the foundation, floor slabs, precast or poured in place bearing floors or wall panels, columns, pillars, metal erection or any other portion of the building or structure itself which is to be reported separately in classification 0518.

0217-01 Concrete foundation and flatwork construction and repair: Wood structural buildings

Applies to contractors engaged in the construction and/or repair of concrete foundation and flatwork for wood structural buildings not to exceed three stories in height. This classification includes the set-up and tear down of forms, placement of reinforcing steel and wire mesh, pouring, and finishing of concrete footings, stem walls, floor pads, cellar or basement floors, garage floors, swimming pools and ponds. This includes incidental concrete work such as walkways or driveways when performed by a foundation contractor.

This classification excludes land clearing and excavation which is to be reported separately in classification 0101; concrete work performed on or in connection with highway, street, or roadway projects including sidewalks, curbs, gutters, median or retaining walls, sawing, drilling, or cutting operations as part of the roadway which is to be reported separately in classification 0214; and concrete work contained within a concrete, masonry, iron or steel frame building or

structure such as the foundation, floor slabs, precast or poured in place bearing floors or wall panels, columns, pillars, metal erection or any other portion of the building or structure itself which is to be reported separately in classification 0518.

0217-02 Concrete sawing, drilling and cutting, N.O.C.

Applies to contractors engaged in concrete sawing, drilling and cutting not covered by another classification (N.O.C.), including repairs. Work contemplated by this classification includes concrete sawing, drilling and cutting operations in connection with wood frame and nonwood frame buildings or structures, including flatwork such as, but not limited to, foundations, walkways, driveways, patios and swimming pools which may or may not be part of the building or structure. Activities include, but are not limited to, the sawing, cutting and drilling for ventilation boxes in the footings or stem walls, cut outs for windows or door ways, preparation to mount brackets for stairways or interior bearing walls, cutting interior walls as part of a building renovation project, cut outs for electrical and switch boxes, and repairing defective areas.

This classification excludes concrete sawing, drilling, and cutting operations performed on or in connection with highway, street, or roadway projects including sidewalks, curbs, gutters, median or retaining walls as part of roadways which are to be reported separately in classification 0214; bridge construction which is to be reported separately in classification 0201; and new dam construction which is to be reported separately in classification 0701.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-50917 Classification 0219.

((Construction specialty services, N.O.C. — including the installation of guardrails, lighting standards and striping.))

0219-00 Construction specialty services, N.O.C.

Applies to contractors engaged in the installation or removal of highway, street, or roadway lighting, signs, guardrails, roadside reflectors, lane buttons or turtles, or lane markers not covered by another classification (N.O.C.). Usually, these activities occur as finishing touches after new or existing roadways are paved or surfaced. Roadway lighting includes traffic signal lights, and halogen or mercury vapor lights mounted to metal standards erected alongside the roadway. Signs (such as speed limit, road condition, city and town mile destination) are mounted on overpasses or on wood or metal poles erected alongside the roadway. Guardrails include metal barriers mounted on wood or metal poles driven into the roadside shoulder. Lane markers, lane buttons or turtles consist of small reflectors, or chips of plastic or concrete attached to the road with an adhesive bonding material. This classification includes the related hook-up of power to the light standard.

This classification excludes the installation of power lines that feed into power poles which is to be reported separately in the applicable construction classification for the work being performed.

Special note: This classification excludes exterior sign erection, repair, or removal not in connection with displaying highway, street, or roadway information or conditions even though such signs may be erected or placed alongside roadways (such as advertisement bill boards, business, or personal property signs) which is to be reported separately in classification 0403.

0219-01 Construction specialty services

Applies to contractors engaged in specialty services such as the painting or striping of highways, streets, roadways, or parking lots not covered by another classification (N.O.C.). This classification includes painting, striping, numbering, or lettering highways, streets, roadways, parking lots, parking garages, airport runways, taxi ways, curbs, roadway dividers or median strips, and special traffic areas such as fire, bus, handicap, and no parking zones. The paint or other material used for these markings is usually applied to the surface using a mechanical device, either self-propelled or towed by a truck or other motor vehicle. In some instances, the paint will be applied manually with brush or roller which is included in this classification. This classification includes the application of asphalt sealants to roadways or parking lots. This classification also includes concrete barrier installation, in connection with road construction, by a concrete barrier rental business or by a flagging contractor who also supplies the concrete barriers. This includes the flaggers who are necessary during the installation of the barriers as well as any flaggers the company supplies to the road construction project itself.

This classification excludes the interior painting of buildings which is to be reported separately in classification 0521, the exterior painting of buildings or structures which is to be reported separately in classification 0504; the rental of the concrete barriers and other flagging equipment which is to be reported separately in classification 6409; and flaggers who are not employed by a concrete barrier rental business or by a flagging contractor who also supplies the concrete barriers which are to be reported separately in classification 7116 or 7118 as appropriate.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-510 Classification 0301.

~~((Agricultural sprinkler/irrigation systems, N.O.C.: Above or below ground— installation, service or repair~~

~~Landscape operations: Lawn, tree, shrub and garden~~

~~Lawn type sprinkler systems installation, service or repair~~

~~Landscape work, N.O.C.~~

~~This classification applies to new landscape construction or renovation projects such as the laying out of the grounds, mixing or spreading of top soil, planting or replanting grass from seed or sod, planting of trees and shrubs, spreading bark or decorative rock, and the construction of incidental arbors, trellis, or concrete borders:))~~

0301-04 Lawn type sprinkler systems: Installation, service or repair

Applies to contractors engaged in the installation, service or repair of lawn type sprinkler systems. This type of

activity is performed by landscaping contractors, plumbing contractors, and irrigation specialist contractors. Generally, lawn type sprinkler systems are installed at private residences or commercial businesses. The process involves identifying the area of land to be covered to determine the size and amount of pipe and sprinkler heads needed for the job. The installation involves cutting a trench in the ground (12" to 18" deep and wide enough to accommodate the pipe) with a vibrating plow or pipe pulling machine. Next, pipe is laid in the trench, glued, or otherwise joined, heads and canisters are installed, and the timer is hooked up. The system is checked for leaks, needed adjustments are made, and the pipe and heads are buried.

This classification excludes open canal type irrigation systems which are to be reported separately in classification 0108; the installation, service or repair of above or below ground agricultural/irrigation systems which is to be reported separately in classification 0301-06; and maintenance and cleaning of lawn sprinkler system pipes and heads done in connection with a landscape maintenance contract which is to be reported separately in classification 0308.

0301-06 Agricultural sprinkler/irrigation systems, N.O.C.: Installation, service or repair

Applies to contractors engaged in the installation, service or repair of above or below ground agricultural sprinkler and irrigation systems not covered by another classification (N.O.C.). The more common types of systems include below ground, fixed or movable, and wheel or impulse. Generally, these types differ from lawn sprinkler systems in that the size of pipes and pumps installed are much larger to produce the water pressure needed to irrigate large areas of land. Installation of below ground systems involves the use of trenching equipment to dig trenches, which are usually more than two feet deep to lay pipe. The above ground systems are laid out and assembled based on the need of the land area.

This classification excludes open canal type irrigation systems which are to be reported separately in classification 0108, and the installation, service or repair of lawn type sprinkler systems which is to be reported separately in classification 0301-04.

0301-08 Landscape construction operations, N.O.C.

Applies to landscape contractors engaged in new landscape construction or renovation projects not covered by another classification (N.O.C.). This classification includes producing a preliminary drawing of the landscape or renovation project, preparing the ground (which may include tilling and spreading top soils or custom mix soils), installing sprinkler systems, planting trees, plants or shrubs, planting or replanting grass from seed or sod, installing ground cover material or plastic to retard weeds, placement of concrete borders, and the incidental construction of rockery, fences, ponds, paths, walkways, arbors, trellis and gazebos when performed by employees of a landscape contractor as part of a landscape contract. Such activities conducted separately from a landscape contract and not part of the landscape project are to be reported separately in the classification applicable to the work being performed. Equipment used by contractors subject to this classification includes, but is not limited to, tractors with till attachments, small front end load-

ers, trenchers, mowers, fertilizer spreaders, wheelbarrows, and electric power tools.

This classification excludes all grading, clearing, or contouring of land which is to be reported separately in classification 0101; bulkheads not adjacent to water, or similar structures built of rock, which are to be reported separately in classification 0302; and lawn care maintenance or chemical spraying or fumigating which is to be reported separately in classification 0308.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-511 Classification 0302.

~~((Brick, block, rock and slate work, N.O.C. Masonry, N.O.C., including chimney and fireplace construction-))~~

0302-01 Brick, block, rock and slate work, N.O.C.

Applies to contractors engaged in interior or exterior brick, block, rock and slate work not covered by another classification (N.O.C.). Included in this classification are projects related to sidewalks, walkways, driveways, patios, steps, pads for wood stoves, flower or planting boxes, fences, inlay for fireplaces, countertops, buffets, full or partial interior or exterior walls, and includes the construction of entire buildings or structures with brick, block or rock products. Work contemplated by this classification includes, but is not limited to, laying and cutting and/or polishing brick, block, rock, slate, marble, granite, and adhering with mortar or tuck pointing (filling and/or finishing brickwork or stonework joints with cement or mortar).

This classification excludes plastering, stuccoing or lathing work which is to be reported separately in classification 0303; tile setting which is to be reported separately in classification 0502; and concrete work which is to be reported separately in the classification applicable to the work being performed.

0302-02 Masonry, N.O.C.

Applies to contractors engaged in interior or exterior masonry work not covered by another classification (N.O.C.), including chimney and fireplace construction. This classification includes lining or relining fireplace walls or boxes, chimneys, blast furnaces, ovens, firepits, and setting tombstones. Work contemplated by this classification includes, but is not limited to, laying and cutting brick or stone, and tuck pointing (filling and/or finishing brickwork or stonework joints with cement or mortar).

This classification excludes plastering, stuccoing or lathing work which is to be reported separately in classification 0303; tile setting which is to be reported separately in classification 0502; and concrete work which is to be reported separately in the classification applicable to the work being performed.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-51101 Classification 0303.

~~((Plastering, stuccoing and lathing buildings—interior and exterior work, N.O.C.))~~

0303-00 Plastering, stuccoing and lathing buildings N.O.C.

Applies to contractors engaged in interior and exterior plastering, stuccoing and lathing work on buildings or structures not covered by another classification (N.O.C.). Work contemplated by this classification includes the lathing work which involves nailing thin wood or metal strips and wire mesh or Styrofoam panels to studs or joists to support the application of plaster or stucco, mixing of plaster or cement with water, and applying the mixture by hand trowel or low pressure spray apparatus to the lathing material.

This classification excludes masonry or brick work which is to be reported separately in classification 0302; interior painting which is to be reported separately in classification 0521; exterior painting which is to be reported separately in classification 0504; and concrete work which is to be reported separately in the classification applicable to the work being performed.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-512 Classification 0306.

~~((Boilers, N.O.C., installation, service or repair including boiler sealing and tank erection within buildings~~

~~Hot water heater—installation, service, or repair Plumbing, N.O.C.; including incidental side sewer hook ups (street to house) when performed by a plumbing contractor subject to this classification, and only when it is performed as a part of a plumbing contract which includes installation of water lines and waste carry systems within a building; and sewer pipe cleaning including services provided by Roto Rooter or similar service providers engaged in line cleaning or unplugging. Side sewer hookups done as a separate contract is to be reported separately in classification 0101 "excavation"~~

~~Pump installation, service or repair, N.O.C.~~

~~Sprinkler installation—automatic~~

~~Steam pipe, boiler, etc., covering insulation~~

~~Water softening or treatment systems—installation of new equipment systems:))~~

0306-00 Plumbing, N.O.C

Applies to contractors engaged in plumbing work not covered by another classification (N.O.C.). Work contemplated by this classification includes activities such as, but not limited to, rough-in plumbing work as part of new or remodel projects, placement of pipe (plastic, copper or galvanized), cutting and/or threading pipe, soldering, welding or gluing all types of pipe, fittings or valves, installation of fixtures (sinks, showers and tubs, faucets), installation of appliances (dishwashers, hot water tanks, refrigerators with ice and water dispensers), and other necessary plumbing activities in connection with water supplies, water carrying, dispensing, or drainage systems. This classification includes incidental side sewer hook ups (street to house) when performed by a plumbing contractor subject to this classification, and only when it is performed as a part of a plumbing

contract which includes installation of waste lines and waste carry systems within a building; and sewer pipe cleaning including services provided by service providers engaged in cleaning or unplugging waste lines.

This classification excludes side sewer hook ups performed as part of an excavation contract which are to be reported separately in classification 0101, and underground water line or water main construction which is to be reported separately in classification 0107.

Special note: This classification includes the installation of display areas or showrooms which provide prospective customers an opportunity to inspect the quality of workmanship and products carried by the contractor. Generally, displays or showrooms are installed where the contractor stores his materials. It is common for contractors subject to this classification to sell plumbing fixtures and supplies, but the intent of these areas is not to sell products to walk-in customers. Sale of these products by a plumbing contractor is included in classification 0306. Classifications 2009, 6309, or similar store classifications are not to be assigned to a contractor's business. Employees engaged exclusively in showing the display areas or showrooms to customers are to be assigned classification 6303 provided the conditions of the standard exception general reporting rule have been met.

0306-02 Automatic sprinkler systems or fire extinguishing systems: Installation, service or repair within buildings

Applies to contractors engaged in the installation, service or repair of automatic sprinkler or fire extinguishing systems within buildings. Work contemplated by this classification includes installation of pipe, fittings, couplings, valves, hangers, regulators, and alarms in ceilings, walls and floors, and cutting and/or threading pipe. These systems are usually equipped to release dry chemicals or water automatically when the surrounding temperature exceeds a predetermined limit.

This classification excludes contractors engaged in the installation, service or repair of outside lawn type and agricultural/irrigation sprinkler systems who are to be reported separately in classification 0301, and contractors engaged in all types of general plumbing installation or repair work who are to be reported separately in classification 0306-00.

0306-03 Boilers, steam pipes, water pipes, heating ducts: Installation of covering insulation

Applies to contractors engaged in the installation of insulated covering on boilers, steam pipes, water pipes and heating ducts to help them retain heat. A boiler is a type of enclosed storage tank erected within a building which heats and circulates extremely hot water or converts hot water into steam. Contractors subject to this classification may also install water jets inside the tanks.

This classification excludes contractors primarily engaged in the erection of boiler tanks who are to be reported separately in classification 0306-04, and the removal of asbestos from boilers which is to be reported separately in classification 0512.

0306-04 Boilers, N.O.C.: Installation, service or repair

Applies to contractors engaged in the installation, service or repair of boilers not covered by another classification (N.O.C.), including boiler scaling and tank erection within buildings. A boiler is a type of enclosed storage tank erected within a building which heats and circulates extremely hot water or converts hot water into steam. Work contemplated by this classification includes the erection and/or installation of the boiler or tank (which is above ground), pipes, tubing, ducts, heating units, valves, headers, jets and insulation coverings. Also included is the process of boiler scaling which is the removal of scales or residue from the tank or pipes using chemicals, steam or mechanical methods.

This classification excludes contractors primarily engaged in covering a boiler and pipes with insulation covering who are to be reported separately in classification 0306-03, and the erection of exterior tanks which is to be reported separately in classification 0508.

0306-05 Pump installation, service or repair, N.O.C.

Applies to contractors engaged in the installation, service or repair of pumps related to water or waste carrying systems, and which are not covered by another classification (N.O.C.). Work contemplated by this classification applies to all types of water or sump pumps in connection with residential or commercial settings, water wells, and irrigation and drainage systems. A pump is a device that siphons or transfers material from one source or container to another. Activities include pump installation or repair services related to a building's water lines and water carrying systems, plumbing fixtures, dispensers, swimming pools and hot tubs, water wells, and agricultural or irrigation systems.

This classification excludes the installation of water pumps in connection with drilling operations which is to be reported separately in classification 0103; the installation or repair of service station pumps which is to be reported separately in classification 0603; and contractors engaged in all types of general plumbing installation or repair work who are to be reported separately in classification 0306-00.

0306-06 Water softening or treatment systems - installation of new equipment systems

Applies to establishments engaged in the installation of plumbing lines for new water conditioning, purifying or softening systems. Establishments providing this type of service are not required to be a "licensed plumber" to do the installation; however, it does involve plumbing work. The installation involves cutting the water line between the water source and the building or home. The line is cut with a hacksaw, reciprocating saw, or copper tube cutter, depending on the type of pipe involved. After the line is cut, the water source is connected to the intake of the system and the building or home is connected to the outlet of the system with supply and return lines. The bypass unit will allow the water to remain hard for the outside faucet. A small rubber hose is installed under the house into the drain. Occasionally, a sump pump is needed. For plastic pipes, glue is used to seal the connections. On copper pipes, soldering equipment is used to secure the connections. Water softening is a process by which the water passes through a resin tank where calcium ions are exchanged for sodium ions, resulting in "soft" water. Periodically, the resin is recharged by "back flushing" with a satu-

rated salt solution from another tank. Installations of this type include the two tanks, pressure regulators, valves, and in new facilities an automatic timer.

Special note: This classification allows for the service or repair of water softening or treatment systems to be reported separately in classification 0607 provided accurate time records are maintained which distinguishes new installation contract work from service or repair contract work.

0306-07 Hot water heater: Installation, service or repair

Applies to contractors engaged exclusively in the installation, service or repair of hot water heater units. Work contemplated by this classification includes removal of old units and the installation of new or replacement units. This includes activities such as disconnecting hot heater units, removal of plastic, copper or galvanized water pipes, installing or setting up new or replacement units, installing new pipes, cutting and/or threading pipe, soldering, welding or gluing all types of pipe, fittings or valves, filling and testing the new or replacement units, and wrapping hot water heaters with insulation blankets.

This classification excludes contractors engaged in all types of general plumbing work, or when the installation, service or repair of a hot water heater unit is performed as part of a general plumbing contract which is to be reported separately in classification 0306-00.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-513 Classification 0307.

~~((Ventilating, air conditioning and refrigeration systems, installation, service and repair, N.O.C.~~

~~Furnaces, installation, service and repair including duct work cleaning~~

~~Heating systems, installation, service and repair including solar heating systems~~

~~Wood stove installation excluding masonry work which is to be reported separately in classification 0302-~~

~~See classification 3404 for sheet metal shop work-))~~

0307-01 Furnaces and heating systems: Installation, service or repair

Applies to contractors engaged in the installation, service, or repair of furnaces and heating systems, including duct work, in all types of residential and commercial settings. These services are generally performed by furnace contractors, heating and ventilation contractors, or sheet metal contractors. Work contemplated by this classification includes the fabrication, erection, installation and duct work performed at the job site. Materials include, but are not limited to, gas or electric furnace units, heater units, heat pumps, air purification systems, fireplace inserts or units, hot water tanks, thermostats, flat sheets of metal, vents, preformed or bent venting duct and pipe, vent collars and reels, fittings, galvanized pipe, insulation wrap, concrete pads and gas logs. Contractors who operate a sheet metal fabrication shop or who prefabricate the duct systems in a shop away from the construction site are to be assigned classification 3404 for the shop fabrication work. When a contractor's business is assigned classification 3404 for shop operations, then classi-

fication 5206, "Permanent yard or shop," is no longer applicable to the contractor's business for the storage of materials or repair to equipment.

This classification excludes sheet metal fabrication shops which are to be reported separately in classification 3404; duct cleaning work which is to be reported separately in classification 1105; installation or repair of ventilation, air conditioning and refrigeration systems which is to be reported separately in classification 0307-04; or the installation of wood stoves which is to be reported separately in classification 0307-05.

Special note: This classification includes the installation of display areas or showrooms which provide prospective customers an opportunity to inspect the quality of workmanship and products carried by the contractor. Generally, displays or showrooms are installed where the contractors store their materials. It is common for contractors subject to this classification to sell furnace and heating system materials and accessories, but the intent of these areas is not to sell products to walk-in customers. Sales of these products by a furnace and heating systems contractor are included in classification 0307. Classification 2009, 6309, or similar store classifications, are not to be assigned to a contracting business. Employees engaged exclusively in showing the display areas or showrooms to customers are to be assigned classification 6303 provided the conditions of the standard exception general reporting rule have been met.

0307-04 Ventilating, air conditioning and refrigeration systems: Installation, service or repair, N.O.C.

Applies to contractors engaged in the installation, service, or repair of ventilating, air conditioning and refrigeration systems not covered by another classification (N.O.C.), including duct work at the job site in all types of residential and commercial settings. These services are generally performed by heating and ventilation contractors, refrigeration contractors, or sheet metal contractors. Work contemplated by this classification includes the fabrication, erection, installation and duct work performed at the job site. Materials include, but are not limited to, air conditioning units, refrigeration systems, air purification systems, hoods and protective metal covers, hot water tanks, flat sheets of metal, vents, preformed or bent duct portions, vent collars and reels, thermostats, fittings, galvanized pipe, insulation wrap, and concrete pads. This classification includes the installation or repair of built-in vacuum systems and air (pneumatic) tube systems, such as those at drive-up teller windows. Contractors who operate a sheet metal fabrication shop or who prefabricate the duct systems in a shop away from the construction site are to be assigned classification 3404 for the shop fabrication work. When a contractor's business is assigned classification 3404 for shop operations, then classification 5206 "Permanent yard or shop" is no longer applicable to the contractor's business for the storage of materials or repair to equipment.

This classification excludes sheet metal fabrication shops which are to be reported separately in classification 3404; installation or repair of furnace or heating systems which is to be reported separately in classification 0307-01 and the installation of wood stoves which is to be reported separately in classification 0307-05.

Special note: This classification includes the installation of display areas or showrooms which provide prospective customers an opportunity to inspect the quality of workmanship and products carried by the contractor. Generally, displays or showrooms are installed where the contractors store their materials. It is common for contractors subject to this classification to sell ventilating and air conditioning equipment and materials, but the intent of these areas is not to sell products to walk-in customers. Sales of these products by a ventilating and air conditioning contractor are included in classification 0307. Classifications 2009, 6309, or similar store classifications, are not to be assigned to a contracting business. Employees engaged exclusively in showing the display areas or showrooms to customers are to be assigned classification 6303 provided the conditions of the standard exception general reporting rule have been met.

0307-05 Wood, pellet, or gas stove: Installation, service or repair

Applies to contractors engaged in the installation, service or repair of wood, pellet or gas stoves in all types of residential and commercial settings. Work contemplated by this classification includes the fabrication, installation and duct work performed at the job site. Materials include, but are not limited to, wood, gas or pellet stoves, inserts, heater units, protective metal covers or hoods, gas fireplace logs, preformed or bent venting duct and pipe, or vents and vent collars. Contractors who operate a sheet metal fabrication shop or who prefabricate the duct systems in a shop away from the installation site are to be assigned classification 3404 for the shop fabrication work. When a contractor's business is assigned classification 3404 for the shop operations, then classification 5206, "Permanent yard or shop," is no longer applicable to the contractor's business for the storage of materials or repair to equipment.

This classification excludes wood stove and accessory stores which are to be reported separately in classification 6309; stove manufacturing which is to be reported separately in classification 5209; sheet metal fabrication shops which are to be reported separately in classification 3404; brick or masonry work which is to be reported separately in classification 0302; and the installation or repair of furnace or heating systems which is to be reported separately in classification 0307-01.

Special note: This classification includes the installation of display areas or showrooms which provide prospective customers an opportunity to inspect the quality of workmanship and products carried by the contractor. Generally, displays or showrooms are installed where the contractors store their materials. It is common for contractors subject to this classification to sell wood stove installation materials and accessories, but the intent of these areas is not to sell products to walk-in customers. Sales of these products by a wood stove installation contractor are included in classification 0307. Classifications 2009, 6309, or similar store classifications, are not to be assigned to a contracting business. Employees engaged exclusively in showing the display areas or showrooms to customers are to be assigned classification 6303 provided the conditions of the standard exception general reporting rule have been met.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-51301 Classification 0308.

~~((Chemical spraying and fumigating~~

~~Lawn care: Maintenance~~

~~Lawn care is limited to maintenance or care of established lawns and gardens. Work activities include mowing and thatching lawns, edging, weeding flower beds, raking, rototilling gardens, application of fertilizers, and spraying and trimming of shrubs. This classification includes minor landscape renovation and/or restoration activities incidental to and performed as part of the landscape maintenance contract of an existing lawn or landscape such as the removal and replacement of plants, turf repair or reseeded of grass, and the addition of topsoil or bark~~

~~This classification also includes the maintenance and cleaning of lawn type sprinkler systems which is incidental to the lawn care maintenance contract but excludes installation or repair of lawn and/or irrigation sprinkler systems~~

~~This classification excludes new landscape construction and installation operations which are to be reported separately in classification 0301. Classifications 0308 and 0301 may be assigned to the same business as set forth in WAC 296-17-410 provided accurate records are maintained which distinguishes lawn care maintenance and restoration contracts from new landscape construction and installation contract projects.))~~

0308-00 Chemical spraying and fumigating

Applies to establishments engaged in providing chemical spraying and fumigating services only to established residential landscaping and commercial properties. Work contemplated by this classification includes, but is not limited to, the application of various liquid and granular chemicals (fertilizers, herbicides, pesticides, insecticides, iron, nitrogen, slow release food stakes) for use on grass, plants, shrubs, flowers, trees, moss, ivy or weeds. Employees of establishments subject to this classification arrive at the location site in a tank truck equipped with a premixed solution that is dispensed with a spray hose, or by fertilizer spreaders, injection guns, and back pack dispensers.

This classification excludes chemical spraying of roadway median strips by nonmunicipal employees adjacent to state, city or town roadways which is to be reported separately in classification 0101; chemical spraying done in connection with forest roads or reforestation projects which is to be reported in the applicable forestry classification; pest and termite control which is to be reported separately in classification 6602; chemical spraying and fumigating by employees of cities, counties, state agencies, or other municipalities which is to be reported in the classification applicable to the type of municipality performing the work; chemical spraying of agricultural farms or orchards which may be reported separately in classification 4808 or in the agricultural classification applicable to the employer's operation; and crop dusting by aircraft which is to be reported separately in classification 6903.

PROPOSED

0308-01 Lawn care maintenance

Applies to contractors engaged in maintenance of established lawns and gardens. Work contemplated by this classification includes, but is not limited to, mowing and thatching lawns, edging, weeding flower beds, raking, rototilling gardens, application of fertilizers, and spraying and trimming of shrubs. Also included is minor landscape renovation and/or restoration activities incidental to, and performed as part of, the lawn care maintenance contract for an existing lawn or landscape such as the removal and replacement of plants, turf repair or reseeded of grass, and the spreading of decorative rock, topsoil, or bark. This classification includes replacement of sprinkler heads and cleaning of lawn type sprinkler systems only when performed in connection with and incidental to the lawn care maintenance contract. Equipment used by contractors subject to this classification includes, but is not limited to, riding or power lawn mowers, power sweepers, edgers, thatchers, weed eaters, grass blowers, fertilizer spreaders, sprayers, gas or electric power tools, and hand tools.

This classification excludes new landscape construction which is to be reported separately in classification 0301; tree care and pruning services which are to be reported separately in classification 0101; grading, clearing, or contouring of land which is to be reported separately in classification 0101; installation, service or repair of lawn type sprinkler systems which is to be reported separately in classification 0301; and the installation, service or repair of above or below ground agricultural irrigation systems which is to be reported separately in classification 0301.

Special notes: Classifications 0308 and 0301 may be assigned to the same business provided that the conditions of the general reporting rule covering the operation of a secondary business have been met.

Care should be exercised in the assignment of this classification when tree services are included. Tree care service contracts generally call for the radical topping, pruning or cutting of tree limbs to remove or eliminate a hazard to buildings, property, or power lines. Tree trimming as part of this classification is only for the purpose of shaping and maintaining healthy trees and to control size for the visual relationship to other landscape material.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-516 Classification 0403.

((Sign erection, painting, repair and maintenance or removal, including shop operations

Sign painting or lettering outside buildings or structures, N.O.C., including shop operations

Street and building decorating, hanging flags or bunting.))

0403-00 Sign: Erection, repair, and/or removal, including related painting and maintenance

Applies to contractors engaged in the erection, repair, and/or removal of signs, including related painting and maintenance. Signs include, but are not limited to, commercial business or personal property signs, advertisement billboards, poster panels erected at commercial or residential

properties, private properties, buildings or structures, or open spaces. Signs may be made of wood, metal, plastic, glass, or neon tube. Free standing sign erection process begins with digging or drilling holes in which to stand or set poles or posts. The sign is attached to the pole or post prior to standing or is lifted with a boom or crane to be mounted and secured. Other signs are mounted and secured directly to buildings or structures. This classification includes the related electrical hook-up work to install neon and digital signs such as those located at banks and stores including the maintenance, repair, and painting of signs at the customer's location or at the contractor's shop.

This classification excludes the installation or removal of highway, street, or roadway signs that specify roadway information (such as speed limits, road conditions, city and town mile destinations) which are mounted on overpasses or erected alongside the roadway which are to be reported separately in classification 0219; the placement of temporary signs which is to be reported separately in classification 4910; or the manufacturing of signs which is to be reported separately in the applicable classification.

0403-10 Sign painting or lettering outside buildings or structures, N.O.C.

Applies to contractors engaged in sign painting or lettering outside buildings or structures not covered by another classification (N.O.C.), and includes all contractor's shop operations. Generally, this classification involves specialty lettering or painting such as, but not limited to, business logos, addresses, business hours or phone numbers, murals or other artwork.

This classification excludes contractors engaged in the installation or removal of highway, street, or roadway signs that specify roadway information (such as speed limits, road conditions, city and town mile destinations) which are mounted on overpasses or erected alongside the roadway which are to be reported separately in classification 0219; striping parking lots and painting curbs (and numbering on curbs) which is to be reported separately in classification 0219; sign painting or lettering inside of buildings, including inside murals or other artwork, which is to be reported separately in classification 4109; exterior painting of buildings or structures which are to be reported separately in classification 0504; painting or lettering in connection with an automotive body shop which is to be reported separately in classification 3412; and the erection, repair or removal of outdoor signs which is to be reported separately in classification 0403-00.

0403-11 Street and building decoration: Hanging or removing flags or bunting

Applies to establishments engaged in hanging or removing flags or bunting for conventions, celebrations, events, or similar decorations on the exterior or interior of buildings, structures, or streets. Buntings are strips of decorative cloth which may be used to span a roadway to promote events, as overhead streamers at an auto sales lot, or as a sign hung on a building to advertise grand openings.

This classification excludes the manufacture of flags or bunting which is to be reported separately in the applicable classification.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-517 Classification 0502.

~~((Rug, linoleum, tile and other types of floor or drainboard covering installation excluding hardwood floor installation which is to be reported separately in classification 0513:))~~

0502-04 Rug, linoleum, tile and other floor or drainboard covering: Installation or removal

Applies to contractors engaged in the installation or removal of floor or drainboard coverings such as, but not limited to, rugs, wall to wall carpet, linoleum, vinyl, laminate, tile, parquet or astroturf in residential or commercial settings. Work contemplated by this classification includes, but is not limited to, the installation and/or removal of foam or rubber padding, floor coverings such as rugs or carpet, tack strips, door strips, subflooring (particle board or plywood), linoleum, vinyl, base board or door strips, and hauling existing floor covering debris away. This classification also includes the installation of counter tops and the installation of clay or ceramic tiles on drainboards and backsplashes.

This classification excludes contractors engaged in the installation of counter tops as part of an interior finish carpentry or cabinetry contract which is to be reported separately in classification 0513; the installation of hardwood floors which is to be reported separately in classification 0513; the installation of decorative brick, slate, marble or granite which is to be reported separately in classification 0302; installation of roofing tiles which is to be reported separately in classification 0507; and floor covering stores which are to be reported separately in the applicable classification.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-519 Classification 0504.

~~((Painting: Building exteriors, N.O.C.
Painting: Structure exteriors, N.O.C.
Pressure washing services, N.O.C.—buildings or structures
Sandblasting, N.O.C.—buildings or structures
Waterproofing, N.O.C.—buildings or structures
This classification involves painting the exterior of buildings or structures and includes all preparation work such as the set-up of scaffolding or power lifts, pressure washing, sandblasting, taping or masking, clean-up work and shop operations related to such projects described by this classification. This classification also includes cleaning of gas or oil storage tanks and beer vats:))~~

0504-06 Waterproofing, N.O.C.: Buildings or structures

Applies to contractors engaged in waterproofing buildings or structures not covered by another classification (N.O.C.), including shop operations. This classification includes the application and repair services of waterproofing material to all types of buildings or structures, regardless of height, including, but not limited to, foundations and foundation walls, floors, decks, fences, walkways and driveways. Waterproof material is applied to a variety of surfaces such as wood, concrete, asphalt, steel, metal, plaster, or stone. There

are several types of waterproof processes: Membrane, which adheres long strips of rubber and pumice to exterior walls or foundations with the use of primer; pressure injection, which uses a long wand inserted into the ground to fill cracks; epoxy injection, which is performed on the interior or exterior with use of a caulk gun to inject a silicon material into cracks; or application with use of a brush, roller or spray directly onto the surface.

This classification excludes excavation work performed in conjunction with a waterproofing contract which is to be reported separately in classification 0101; waterproofing operations performed in connection with roofing or subaqueous work which is to be reported separately in the classification applicable to the work being performed; the application of waterproof materials performed as part of roadway or parking lot projects which is to be reported separately in the classification applicable to the work being performed; and the application of waterproof materials performed by a concrete contractor as part of the concrete construction project which is to be reported separately in the classification applicable to the work being performed.

Special note: Classification 0101 applies when excavation work is performed (to remove dirt away from a foundation wall or to push it against the wall after the waterproofing material is applied) regardless of the type of contractor performing the excavation work.

0504-18 Pressure washing services or sandblasting, N.O.C.: Buildings or structures

Applies to contractors engaged in pressure washing or sandblasting buildings or structures, not covered by another classification (N.O.C.), including shop operations. This classification includes cleaning, washing, pressure washing or sandblasting buildings or structures. These services are performed to remove dirt, moss, rust or old paint from buildings or structures. Pressure washing involves a forced spray of air and water to remove unwanted surface materials, whereas, sandblasting, or abrasive blasting, involves a forced spray of sand, steel, or glass. This classification includes the cleaning of roofs, gutters, and downspouts, the removal of moss or snow from multiple story buildings, and the cleaning of ceiling tiles. Pressure washing and sandblasting systems include portable blast and pressure cleaning machines, hand-operated, cabinet-type sandblasting or pressure washing machines, automatic blast or pressure cleaning machines and wet-blast cleaning machines.

This classification excludes contractors engaged in multimedia blasting in shop which is to be reported separately in classification 3402; pressure washing or sandblasting by a painting contractor as a part of the preparation for painting exterior buildings, structures, or the interior/exterior of tanks which is to be reported separately in the classification 0504-21; pressure washing as a part of interior building painting contracts which is to be reported separately in classification 0521; cleaning or washing roofs, or removing snow from, single story buildings (provided the cleaning or washing is not part of a painting or roofing contract) which is to be reported separately in classification 6602; waterproofing buildings or structures, N.O.C. which is to be reported separately in classification 0504-06; and pressure washing or

sandblasting operations performed in conjunction with and as a part of another type of business such as a foundry, metal goods manufacturer, auto body repair shop, etc., which is to be reported separately in the applicable classification.

0504-20 Lead abatement

Applies to contractors engaged in lead abatement which is performed on structures where there are significant amounts of lead-based paint and lead dust. Contractors must comply with various governmental regulations. The first step in all lead abatement projects is the preliminary testing of the site to determine the presence of lead and the extent of the contamination. If the ground surrounding the proposed worksite is contaminated, it will require remediation, which is done by a soil remediation contractor who is to be reported separately in the appropriate classification. The next step is deciding which abatement procedure is right for the project such as: Encapsulation which is used on interior surfaces to seal the lead-based paint with a bonding material; enclosure which is used on interior and exterior surfaces and involves constructing special airtight enclosures made out of gypsum wallboard, plywood paneling, aluminum, vinyl or wood exterior sidings; component replacement which involves removing building components such as paneling, moldings, windows and doors which are coated with lead-based paint and replacing them with new components; and chemical removal, abrasive removal or handscraping which are methods to physically remove the lead paint. This classification includes all preparation work and all cleanup work.

This classification excludes soil remediation work which is to be reported separately in classification 0101; asbestos abatement which is to be reported separately in classification 0512; and lead abatement as part of a painting contract for interior/exterior of buildings or structures, or the interior/exterior of tanks which is to be reported separately in the applicable classification.

0504-21 Painting: Exterior buildings or structures, N.O.C.; Cleaning: Interior/exterior of oil or gas storage tanks, beer vats, and sewage treatment tanks

Applies to contractors engaged in painting the exterior of all types of buildings or structures not covered by another classification (N.O.C.), regardless of height. Buildings and structures include, but are not limited to, bridges, towers, smokestacks, stadiums, factories, warehouses, stores, churches, and residential or commercial single or multiple story buildings. Paint is applied by brush, roller or spray to a variety of surfaces such as wood, concrete, steel, metal, plaster, stone, or other types of exterior surfaces. This classification includes all preparation work such as the set up of scaffolding or power lifts, pressure washing, removal of old paint or asbestos, sandblasting, taping or masking, cleanup work and shop operations related to projects described by this classification. This classification also applies to cleaning, coating, or painting the interior/exterior of oil or gas storage tanks, beer vats, or sewage treatment tanks.

This classification excludes contractors engaged in waterproofing buildings or structures, N.O.C. which are to be reported separately in classification 0504-06; pressure washing services or sandblasting of buildings or structures which are to be reported separately in classification 0504-18; inte-

rior painting of buildings which is to be reported separately in classification 0521; painting of murals or other artwork on the interior of buildings which is to be reported separately in classification 4109; and painting of murals or other artwork on the exterior of buildings which is to be reported separately in classification 0403.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-52001 Classification 0506.

((Building raising or moving and underpinning
Wrecking or demolition of buildings-))

0506-03 Building raising, moving and underpinning

Applies to contractors engaged in raising, moving and underpinning buildings. Work contemplated by this classification includes a variety of services involving the change of a building's elevation, location or support structure including incidental shoring and removal or rebuilding of walls, foundations, columns or piers. Employees of the contractor responsible for the overall completion of the project are to be reported in this classification. *Underpinning* is a process to correct wall cracks, foundation settling or collapse of a building or structure. Generally, underpinning involves one of two methods. In the first method, earth around a foundation is removed to permit construction of a new foundation to replace the old one or to allow for the installation of subfoundations to support the existing earth. This would include masonry or concrete work, blasting (when required) and shoring of surrounding ground and building or structure to prevent cave-ins while foundation work is being performed. The second method deals with steel or wooden beams being inserted through a lower point of the building or structure. The beams are raised and supported by jacks until the foundation is relieved of some or all of its ground pressure. *Building raising or moving* is a process to change a building's position, either raised to a new elevation in place or moved to a new site, or both. Workers, subcontractors or utility companies will first disconnect all utilities from the building or structure to be moved. Workers will remove all detachable items and open foundation walls to allow metal or wood beams to be placed under the floor structure. Once beams are placed, hydraulic jacks are used to lift the building or structure clear of the old foundation high enough for a new foundation to be constructed, or high enough to allow the carrying vehicle (trailer) to be placed under the beams if it is to be moved. The trailer is moved along a previously graded and cleared path to the new location. The building or structure is then set down on a new foundation which is usually constructed by a separate contractor. Miscellaneous repair work is performed and utilities are reconnected.

This classification excludes contractors engaged in clearing paths, grading and excavation work who are to be reported separately in classification 0101; contractors who disconnect or hook-up underground gas, water or power lines who are to be reported separately in classification 0107; contractors who construct concrete foundations for wood frame or nonwood frame buildings who are to be reported separately in classification 0217, or in classification 0518 as

applicable; and contractors engaged in the delivery and set up of factory built housing units who are to be reported separately in classification 0517.

0506-04 Building wrecking or demolition

Applies to contractors engaged in wrecking or demolishing buildings or structures. Work contemplated by this classification includes incidental sales of materials, burning or hauling away of debris, and incidental ground clearing activities at the site to permit other use of land. Wrecking and demolition involves barricading the site and walkways to keep nonconstruction workers out of the area to prevent possible injury to them. Guards, watchmen, and traffic controllers (flaggers) are on-site and in adjacent areas to keep work areas secure. Work hours are occasionally restricted to avoid interference with surrounding business activities. Salvage of materials is usually done by hand. Loading of trucks with debris is by chute or front end loaders. Actual demolition of a building or structure is performed in a variety of ways, including dismantling board by board, by crane (pulling sections to the ground), by crane equipped with a steel ball which is swung from the boom of the crane, or by explosives. Employees of the contractor responsible for the overall completion of the project are to be reported in this classification.

This classification excludes security guards employed by contractors to guard the job site before or after the construction work activity hours who are to be reported separately in classification 6601; establishments primarily engaged in selling salvaged building materials which are to be reported separately in classification 2009; and all types of wood frame and nonwood frame building construction, remodeling, or repair work which is to be reported separately in the applicable classification.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-52002 Classification 0507.

((Roofwork, all types, construction and repair
Roof cleaning and moss removal is to be reported separately under classification 6602 provided such service is not incidental to or part of a roofing contract. For purposes of this rule the term "roofwork" will include repairs to the subroof such as replacement of trusses, rafters, supports, sheathing, etc., but will not include the placement of trusses, rafters, or sheathing on new building construction-))

0507-05 Roofwork construction and repair

Applies to contractors engaged in the installation or repair of roofing material on all types of new or existing buildings or structures. Roofing materials include, but are not limited to, felt roofing paper, rolled composition, wood, fiberglass or composition shingles or shakes, aluminum or sheet metal, masonry or ceramic tile, tar, and polyurethane foam. Installation of roofing materials varies with the product. Wood, fiberglass and composition shingles are nailed; masonry, slate or ceramic tiles require drilling, nailing or cementing; polyurethane foam is applied by spray then coated with a protective layer of paint-like material; hot tar requires melting in tanks, usually at ground level, then it is

pumped or raised by bucket to the roof top and applied by spray or mop; cold tar is applied by brush, spray or mop; and metal roofing is seam welded or nailed. For purposes of this classification the term "roofwork" includes repairs to the subroof such as the replacement of trusses, rafters, supports, and sheathing, but excludes the placement of trusses, rafters, supports or sheathing on new building construction. Essentially, when removing the existing roof material from an existing building or structure it is not uncommon to find dry rot or deterioration to parts of the subroof. The repair of the subroof is part of the roof repair or replacement project and is included in this classification. By contrast, when a subroof is constructed on new buildings or structures, this activity is to be reported separately in the classification applicable to the work being performed such as 0510 for wood frame construction or 0518 for nonwood frame construction.

This classification excludes roof cleaning, moss or snow removal on single story buildings not incidental to, or part of, a roofing contract which is to be reported separately in classification 6602; roof cleaning or moss removal of multiple story buildings not incidental to, or part of, a roofing contract which is to be reported separately in classification 0504; the installation of gutters and downspouts which is to be reported separately in classification 0519; waterproofing parts of buildings other than roofs which is to be reported separately in classification 0504 and/or 0101; placing roof trusses, rafters, supports and sheathing on new wood frame buildings which is to be reported separately in classification 0510; the application of polystyrene strips used as insulation on mobile homes which is to be reported separately in classification 0512; and placing roof trusses, rafters, supports and sheathing on new buildings, N.O.C. which is to be reported separately in classification 0518.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-521 Classification 0508.

((Blast furnace and metal burners construction
Crane or derrick installation
Elevated railway, tram, lift, etc., construction, maintenance and repair
Exterior tanks—all types—erection, maintenance or repair, N.O.C.
Oil still or refinery construction. Excludes plant maintenance by contractor which is to be reported separately under risk classification 0603
Radio, television, water towers, poles and towers, N.O.C.—erection, maintenance and repair
Smokestacks—erection, maintenance and repair
Water cooling towers or structures—metal or wood: Erection, maintenance, and repair
Windmills—all types, erection, maintenance and repair, silo erection
This classification includes erection of skeletons for pillars, posts and like columns, all excavations, foundation work, and dismantling and repairing of above types of structures-))

PROPOSED

0508-00 Radio, television, water towers, poles and towers, N.O.C.: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of iron, steel or wood, radio, television, water towers, poles, towers and those towers which are not covered by another classification (N.O.C.). Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, raising structural members by crane and welding or bolting them into place. This classification also includes the delivery of material and supplies to the job site and the installation of antennae or other apparatus to a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow the separate reporting of excavation or foundation work irrespective of who performs the work.

0508-01 Smokestack: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of iron, steel or concrete smokestacks. These structures are part of an industrial complex and facilitate the discharge of combustion vapors, gases, or smoke. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, installation of scaffolding, raising segments into place with a crane and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and installation of any apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; preliminary clearing of land by a contractor who is not also excavating the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately

in the applicable classification; and the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow separate reporting of excavation or foundation work irrespective of who performs the work.

0508-02 Windmill and silo: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of iron, steel or wood windmills or silos. Windmills use the force of wind passing around the rotor blades to turn turbines and produce electric power. These may be built individually or in groups known as "wind farms." Additional apparatus and storage batteries are housed in separate buildings nearby. Silos are large cylindrical structures used to store grain or fodder (silage). They are filled through the top by means of a conveyor. Within the structure, augers and pumps can move the grain to blend, aerate, or feed it out the chute. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, raising structural members by crane and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and the installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow the separate reporting of excavation or foundation work irrespective of who performs the work.

0508-03 Oil still or refinery: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of oil stills or refineries. These facilities are basically composed of multi-story storage tanks, chimneys, pipelines, separating apparatus and steam generating systems. They receive unprocessed petroleum (crude oil) and convert it into usable products such as gasoline, kerosene, wax, grease and chemical feed stocks. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing

the foundation and other concrete, on-site fabrication and assembly of parts, erecting framework, installation of scaffolding, raising structural members by crane and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and the installation of apparatus in an oil still or refinery when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of control or pump houses and other buildings not part of the main processing plant which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow separate reporting of excavation or foundation work irrespective of who performs the work and plant maintenance contract work which is to be reported separately in classification 0603.

0508-04 Blast furnace and metal burners: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of blast furnaces and metal burners. These are tall, very heavy gauge, cylindrical steel structures in which heated air and combustible fuels are combined to produce the heat necessary to separate the usable material in metal ores from the waste products. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, installation of a brick lining, raising structural members by crane and welding or bolting into place. This classification includes the delivery of material and supplies to the job site and the installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of additional buildings as part of an ore reduction or metal producing facility which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow separate reporting of excavation or foundation contractors irrespective of who performs the work.

0508-08 Elevated railway, tram, lift or similar conveyances: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of elevated railways, trams, lifts or similar conveyances. An elevated railway can be a full scale railroad or a smaller scale system such as a recreational monorail. For the purposes of this classification, trams are overhead cable cars, and lifts are similar to the typical ski lift. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting frames and supports (metal or concrete), installation of scaffolding, raising structural members by crane and welding or bolting them into place, and installing and securing tracks, cables or pulley systems. This classification includes the delivery of material and supplies to the job site and the installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; or the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow separate reporting of excavation or foundation contractors irrespective of who performs the work.

0508-09 Exterior tanks, N.O.C.: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of all types of exterior tanks not covered by another classification (N.O.C.). These tanks may be part of water storage and distribution systems, chemical or petroleum processing and storage operations, or other industrial applications. This classification includes the erection or construction of tanks that are elevated on structural piers and those that rest on the ground. These tanks may be constructed singly or in groups known as "tank farms" which are common to the petroleum industry. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, and raising structural members by crane and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and installation of apparatus onto a structure covered by this classification when done by

employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow separate reporting of excavation or foundation contractors irrespective of who performs the work.

0508-11 Crane or derrick: Installation, construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the installation, construction or erection, dismantling, maintenance or repair of nonmobile cranes and derricks for commerce and industrial use. Cranes and derricks can be very similar in that they are both defined as machines for hoisting and moving heavy objects through the use of stationary or movable booms equipped with cables. An object, sometimes weighing many tons, can be secured to the cables and moved into position along the length of a stationary boom or to another location within the reach of a movable boom. A derrick, however, can also be a permanent framework over an opening, such as an oil-drilling operation, to support boring equipment. The cranes included in this classification are those that are permanently installed at a marine port, cargo handling facility or an industrial facility to move supplies, cargo containers, or heavy objects (vertically or horizontally) that are being assembled and must pass through the length of a building to complete the process. Work contemplated by this classification includes, but is not limited to, the placement of forms and reinforcing steel for a foundation (in the case of some structures described above, the additional reinforcing required to support the crane is usually contemplated in the plan for the building's foundation where the crane is being anchored), on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, raising structural members by hoist and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; and delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification.

Special note: This classification does not allow separate reporting of excavation or foundation contractors irrespective of who performs the work.

0508-12 Water cooling towers or structures - metal or wood: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of metal or wood water cooling towers or vertical structures. These structures are usually part of an industrial complex in which water is used as a cooling element in a manufacturing process. The water, which absorbs heat from the machinery being cooled, can be circulated and reused after it has been channeled through a cooling tower to be chilled sufficiently. A common design allows the hot water to tumble down numerous open louvers or steps to lower its temperature. These towers are often composed of prefabricated parts which are delivered to the site and then assembled by bolting or welding together, then the necessary motors, pipes, fans and pumps are installed. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, raising structural members by crane and welding, bolting or otherwise fastening them into place. This classification includes the delivery of material and supplies to the job site and installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of other related buildings at the project site which is to be reported separately in the applicable construction classification.

Special notes: This classification does not allow separate reporting of excavation or foundation irrespective of who performs the work. Construction of a water cooling structure that uses a horizontal rather than tower-like design is to be reported separately in classification 0518.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-52101 Classification 0509.

((Overhead transmission, telephone, telegraph, and cable television lines, new construction or extension of lines, including poles or towers, erection, maintenance, repair by contractor.))

0509-00 Overhead telephone or telegraph lines: New construction or extension of lines - including poles or towers; erection, maintenance or repair by contractor

Applies to contractors engaged in the construction, maintenance or repair of overhead telephone or telegraph lines, poles and towers. Work contemplated by this classification includes, but is not limited to, clearing a right of way (excluding logging-type operations), boring holes for poles to be set in, installing cross arms, insulators and brackets on poles (which may be wood or metal), setting poles or towers into position, installing guy wires if necessary, stringing the lines, incidental tree topping, tying into the low-voltage power source, and making service connections when done by employees of an employer having operations subject to this classification. Towers may be of a solid wall, cylindrical steel construction or of a fabricated steel cross member design reaching a height of about 50 feet, and are secured to a concrete pad or set into the ground. They may be used to elevate the lines to cross long distances or to support microwave antennae or receivers.

This classification excludes specialty contractors engaged in any single phase of the work described above: Land clearing and grading operations which are to be reported separately in classification 0101; erection of poles or towers which is to be reported separately in classification 0508; drilling holes which is to be reported separately in classification 0103; tree topping which is to be reported separately in classification 0101; service connections which are to be reported separately in classification 0608; underground telephone line installation which is to be reported separately in classification 0107; and the felling of timber which is to be reported separately in the applicable logging classification.

Special note: If done by a telephone or telegraph company the work described above is included in classification 1303. A contractor engaged in the installation of electric and/or cable television overhead lines in addition to telephone and telegraph lines is to be reported in classification 0509-03. If a specialty contractor is only stringing telephone or telegraph lines, and not erecting poles or towers, classification 0509-00 is still applicable.

0509-01 Overhead television lines: New construction or extension of lines - including poles or towers; erection, maintenance or repair by contractor

Applies to contractors engaged in the construction, maintenance or repair of overhead television lines, poles and towers. Work contemplated by this classification includes, but is not limited to, clearing a right of way (excluding logging-type operations), boring holes for poles to be set in, installing cross arms, insulators and brackets on poles (which may be wood or metal), setting poles or towers into position, installing guy wires if necessary, stringing the lines, incidental tree topping, tying into the low-voltage power source, and making service connections when done by employees of an employer having operations subject to this classification. Towers may be of a solid wall, cylindrical steel construction or of a fabricated steel cross member design reaching a height of about 50 feet, and are secured to a concrete pad or set into the ground. They may be used to elevate the lines over long distances or to support microwave antennae or receivers.

This classification excludes specialty contractors engaged in any single phase of the work described above: Land clearing and grading operations which are to be reported separately in classification 0101; erection of poles or towers which is to be reported separately in classification 0508; drilling holes which is to be reported separately in classification 0103; tree topping which is to be reported separately in classification 0101; service connections which are to be reported separately in classification 0601; underground television line installation which is to be reported separately in classification 0107; and the felling of timber which is to be reported separately in the applicable logging classification.

Special note: If done by a cable television company the work described above is included in classification 1305. A contractor engaged in the installation of overhead electric and/or telephone or telegraph lines in addition to overhead television lines is to be reported in classification 0509-03. If a specialty contractor is only stringing overhead television lines, and not erecting poles or towers, classification 0509-01 is still applicable.

0509-02 Overhead electric transmission lines: New construction or extension of lines - including poles, or towers; erection, maintenance or repair by contractor

Applies to contractors engaged in the construction, maintenance or repair of overhead electric transmission lines, poles and towers. Work contemplated by this classification includes, but is not limited to, clearing a right of way (excluding logging-type operations), boring holes for poles to be set in, installing cross arms, insulators and brackets on poles (which may be wood or metal), setting poles or towers into position, installing guy wires if necessary, stringing the lines, installing circuit breakers and transformers, incidental tree topping, tying into the high-voltage power source, and making service connections when done by employees of an employer having operations subject to this classification. Towers may be of a solid wall, cylindrical steel construction or of a fabricated steel cross member design reaching a height of about 50 feet, and are secured to a concrete pad or set into the ground. They may be used to elevate the lines over long distances or to support electric power distribution apparatus.

This classification excludes specialty contractors engaged in any single phase of the work described above: Land clearing and grading operations which are to be reported separately in classification 0101; erection of poles or towers which is to be reported separately in classification 0508; drilling holes which is to be reported separately in classification 0103; tree topping which is to be reported separately in classification 0101; underground electric line installation which is to be reported separately in classification 0107; and the felling of timber which is to be reported separately in the applicable logging classification.

Special note: If done by an electric power company the work described above is included in classification 1301. A contractor engaged in the installation of overhead telephone or telegraph lines and/or television lines in addition to overhead electric lines is to be reported in classification 0509-03. If a specialty contractor is only stringing overhead electric lines, and not erecting poles or towers, classification 0509-02 is still applicable.

0509-03 Overhead transmission lines, N.O.C.: New construction or extension of lines - including poles or towers; erection, maintenance or repair by contractor

Applies to contractors engaged in the construction, maintenance or repair of more than one type of overhead transmission line, including poles and towers which are not covered by another classification (N.O.C.). If the contractor specializes in either telephone, telegraph, television or electric lines, they can be specifically defined elsewhere within classification 0509. Work contemplated by this classification includes, but is not limited to, clearing a right of way (excluding logging-type operations), boring holes for poles to be set in, installing cross arms, insulators and brackets on poles (which may be wood or metal), setting poles or towers into position, installing guy wires if necessary, stringing the lines, incidental tree topping, installing circuit breakers and transformers, tying into the power source, and making service connections when done by employees of an employer having operations subject to this classification. Towers may be of a solid wall cylindrical steel construction or of a fabricated steel cross member design reaching a height of about 50 feet, and are secured to a concrete pad or set into the ground. They may be used to elevate the lines over long distances or to support microwave antennae, receivers or electric power distribution apparatus.

This classification excludes specialty contractors engaged in any single phase of the work described above: Land clearing and grading operations which are to be reported separately in classification 0101; erection of poles or towers which is to be reported separately in classification 0508; drilling holes which is to be reported separately in classification 0103; tree topping which is to be reported separately in classification 0101; service connections for cable television lines which is to be reported separately in classification 0601; underground line installation which is to be reported separately in classification 0107; and the felling of timber which is to be reported separately in the applicable logging classification.

Special note: If done by a telephone or telegraph company, the work described above is included in classification 1303; if done by a cable television company it is included in classification 1305; if done by an electric utility company it is included in classification 1301. If a specialty contractor is only stringing a combination of types of overhead lines, and not erecting poles or towers, classification 0509-03 is still applicable.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-52102 Classification 0510.

((Wood frame building construction or alteration, N.O.C.: For the purposes of this rule wood frame building construction means buildings erected exclusively of wood or wood products.

This classification includes all building framing activities done in connection with wood frame building construction including the placement of roof trusses, sheathing roofs, installation of exterior building siding, and instal-

lation of exterior doors and door frames whether performed by a general or specialty contractor.))

0510-00 Wood frame building: Construction or alterations, N.O.C.

Applies to contractors engaged in wood frame building construction or alterations not covered by another classification (N.O.C.). For the purposes of this classification, wood frame building construction means buildings erected exclusively of wood or wood products. This classification includes all building framing activities done in connection with wood frame building construction including the placement of roof trusses, sheathing roofs, installation of exterior building siding, and the installation of exterior doors and door frames.

This classification excludes all other phases of wood frame building construction not listed as part of the framing activities above such as, but not limited to, site preparation and excavation (0101); overhead or underground utilities, asphalt work, or concrete work which is to be reported separately in the applicable classification; new landscape work (0301); brick work (0302); stucco work (0303); plumbing work (0306); HVAC work (0307); carpet and tile work (0502); exterior painting (0504); roof work (0507); insulation work (0512); interior finish carpentry - interior doors, cabinets, fixtures or molding (0513); installation of garage doors (0514); installation of sheet metal siding, gutters, aluminum carports (0519); interior painting (0521); electrical work (0601) or wallboard installation, taping or texturing which are to be reported separately in the applicable classifications. For a more thorough description of the activities included and excluded from wood frame building construction, review the Construction Industry Guide.

Special note: Classification 0510 also includes wood frame building alterations or remodel work when the activity involves building new additions. The term "new additions" is defined as adding on to an existing wood frame building (upwards or outwards) in which the use of structural supports and main bearing beams is required. This is distinguishable from classification 0516 -building repair or carpentry work that typically does not require the placement of structural supports or main bearing beams. The purpose of classification 0516 is to build or rebuild with nonstructural or bearing beams, or to replace an existing portion (including existing structural and bearing beams) of a wood frame building for appearances or as a result of deterioration to make it appear new again. Care should be exercised as the terminology to build, rebuild, remodel, construct or reconstruct is irrelevant to assignment of classification which should recognize what the project actually involves.

Guidelines:

Constructing a new wood frame building that never existed -0510

Altering all or part of an existing wood frame building by adding on new additions - 0510

Remodeling all or part of an existing wood frame building without adding on new additions - 0516

Installation of wood or vinyl siding on a new or existing wood frame building - 0510

Constructing a new wood garage that never existed - 0510

Altering all or part of an existing wood garage by adding on new additions - 0510

Remodeling all or part of an existing wood garage with-
out adding on new additions - 0516

Constructing a new wood carport or wood shed that
never existed - 0510

Rebuilding an existing wood carport or wood shed (all or
part) with or without new additions - 0516

Construction of a new wood deck by the framing con-
tractor when a new wood house is being built - 0510

Constructing or replacing a wood deck on an existing
wood house - 0516

Constructing or replacing a wood deck for any type of
nonwood building - 0516

Altering the existing interior of a wood frame building
by adding exterior additions - 0510

Remodeling the existing interior of a wood frame build-
ing without adding exterior additions - 0516

Constructing, altering, or remodeling the interiors of
nonwood frame buildings - 0516

AMENDATORY SECTION (Amending WSR 96-12-039,
filed 5/31/96, effective 7/1/96)

WAC 296-17-52103 Classification 0511.

((Glass installation in buildings

This classification includes installation of window/door
glass, plastic, or similar materials; skylights, mirrors,
storm windows, and window sashes in buildings and resi-
dences. Installation of auto glass is to be reported sepa-
rately in classification 1108 "glass merchants."))

0511-00 Glass installation in buildings

Applies to contractors and glass merchants engaged in
the installation and/or removal of glass in buildings and resi-
dences. This type of work is generally performed by a "gla-
zier" who installs, removes, and/or boards up broken or dam-
aged window or door glass. This classification includes a
variety of glass, plastic and similar materials in buildings and
residences, including exterior glass curtain walls on multi-
story buildings, skylights, mirrors, storm windows, window
sashes and window/door glass. This classification also
includes glass tinting or the application of tinted plastic film
to glass windows and doors in buildings or residences.

This classification excludes glass merchants which are to
be reported separately in classification 1108; the installation
of auto glass which is to be reported separately in classifica-
tion 1108 when performed at or away from the glass mer-
chant's shop; glass frosting, etching or beveling which is to be
reported separately in classification 1108; tinting or the appli-
cation of tinted plastic film to auto glass by an auto detailer
which is to be reported separately in classification 3406;
glass manufacturing which is to be reported separately in
classification 3503; and the installation of windows, window
frames and skylights when performed as part of a framing
contract on a wood frame building by the framing workers
which is to be reported separately in classification 0510.

Special note: Care should be exercised when determin-
ing if the business is a glass installation contractor or a glass
merchant. A glass merchant in classifications 1108 and
0511, does not qualify for classification 5206 "Permanent
yard or shop." However, if the business is engaged exclu-
sively as a glass installation contractor, and not as a glass
merchant, the contractor's business may qualify for classifica-
tion 5206 for the storage of materials.

AMENDATORY SECTION (Amending WSR 96-12-039,
filed 5/31/96, effective 7/1/96)

WAC 296-17-52104 Classification 0512.

((Asbestos abatement—all operations

Insulation or soundproofing materials installation, N.O.C.

This classification includes installation of weather strip and
caulking, roof or soffit ventilators, energy efficient
doors and related carpentry work done in connection
with the weatherization or retrofitting of buildings and
residences. Installation of windows is to be reported sepa-
rately in classification 0511 "glass installation—build-
ings" and energy auditors with no installation or delivery
duties are to be reported separately in classification 6303
"outside sales—estimators.")

**0512-00 Insulation or sound proofing materials: Installa-
tion, N.O.C.**

Applies to contractors engaged in installing insulation or
sound proofing materials not covered by another classifica-
tion (N.O.C.). This classification includes the installation or
removal of insulation material for all types of residential or
commercial buildings or structures. Insulation materials
include, but are not limited to, flexible types in the form of
blankets, rolls or quilts, loose fills or mineral substances in
granulated, powder, cellulose or fibrous wood forms, pads
and bats of mineral wool, slabs of cork board or wood fiber,
rigid types such as wood and sugarcane fiberboard or panels,
and the reflective type often consisting of aluminum foil
encased in paper. The methods of installation include hand,
blower, nailing, or cementing with special adhesive. This
classification includes the installation of suspended or acous-
tical grid ceilings. This classification includes installation of
weather strip and caulking, roof or soffit ventilators, energy
efficient doors and related carpentry work done in connection
with the weatherization or retrofitting of buildings and resi-
dences. This classification also includes the application of
polystyrene strips placed as insulation on the tops of mobile
homes.

This classification excludes the installation of glass win-
dows in buildings which is to be reported separately in classi-
fication 0511; energy auditors with no installation or delivery
duties who may be reported separately in classification 6303
provided all the conditions of the general reporting rules cov-
ering standard exception employees have been met; asbestos
abatement which is to be reported separately in classification
0512-01; lead abatement which is to be reported separately in
classification 0504; and the installation of insulated covering
on boilers or steam pipes which is to be reported separately in
classification 0306.

PROPOSED

0512-01 Asbestos abatement

Applies to contractors engaged in the removal of asbestos. Work contemplated by this classification includes all operations such as, but not limited to, the removal of damaged, deteriorated or unwanted existing asbestos coverings and material from buildings and other structures such as, but not limited to, ceilings, walls, partitions, floors, and from around air conditioning and heating ducts. Also included in this classification is the removal of asbestos insulated covering around boilers and steam pipes, asbestos used as insulation, fireproofing, and in various building materials such as floor coverings, ceiling tiles, cement sheeting, granular and corrugated wrap, and acoustical and decorative treatment for walls and ceilings.

This classification excludes contractors engaged in the installation of boiler and steam pipe insulation coverings who are to be reported separately in classification 0306; lead abatement which is to be reported separately in classification 0504; asbestos abatement as a part of painting the interior or exterior of buildings or structures or the interior/exterior of tanks which is to be reported separately in the applicable classification.

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-52105 Classification 0513.

~~((Interior finish carpentry-))~~

0513-00 Interior finish carpentry

Applies to contractors engaged in interior finish carpentry work for all types of buildings. Generally, the interior finish carpentry work begins after the drywall, taping, texturing, and painting and/or wallpapering is complete. This classification includes a variety of interior finish or trim carpentry work to include, but not be limited to, the installation of wood paneling and wainscoting, wood fireplace mantels, stair railings, posts and banisters, interior doors and door frames, wood molding on windows, baseboards, interior fixtures such as towel bars and tissue holders, closet organizers, installation and/or finishing of hardwood flooring, and cabinets such as kitchen, medicine, laundry and storage. Contractors who operate a wood cabinet manufacturing or assembly shop away from the construction site, are to be assigned classification 2907 for the shop manufacturing work. When a contractor's business is assigned classification 2907 for the shop operation, then classification 5206, "Permanent yard or shop," is no longer applicable to the contractor's business for the storage of materials or repair of equipment. This classification includes the installation of counter tops as part of a contract which includes the installation of cabinets or other interior finish or carpentry work. Contractors engaged exclusively in the installation of counter tops or as part of a floor covering contract are to be reported separately in classification 0502.

This classification excludes all carpentry work on the exterior of a building, or interior work such as framing interior walls, installing wallboard, taping and texturing walls, plastering, painting, masonry, glazing, insulation, installing overhead garage or exterior doors, concrete, electrical and

plumbing work which is to be reported separately in the applicable classification.

Special note: This classification includes the installation of cabinet display areas or showrooms which provide prospective customers an opportunity to inspect the quality of workmanship and products carried by the contractor. Generally, displays or showrooms are installed where the contractors store their materials. It is common for contractors subject to this classification to sell some interior finish-related products, but the intent of these areas is not to sell products to walk-in customers. Sale of these products by an interior finish contractor is included in classification 0513. Classifications 2009, 6309, or similar store classifications, are not to be assigned to a contracting business. Employees engaged exclusively in showing the display areas or showrooms to customers are to be assigned classification 6303 provided all the conditions of the general reporting rule covering standard exception employees have been met.

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-52106 Classification 0514.

~~((Awnings and fire escapes: Installation, alteration, repair or removal~~

~~Garage or overhead door installation including automatic door openers when installed with a garage or overhead door~~

~~Shutter installation: Metal, plastic or wood - including repair or removal.))~~

0514-00 Garage or overhead door: Installation, service or repair

Applies to contractors engaged in the installation, service or repair of garage or overhead doors made of wood, metal, or aluminum. As part of a new construction project, the installation usually occurs before the building or structure is painted. Garage or overhead door installation can also occur as a replacement to an existing door or as an alteration or addition to a building or structure. The process involves installing door tracks on both sides of the doorway, inserting the door, which usually consists of panels or sections, into the tracks, and attaching panels or sections to one another. This classification also includes the installation of automatic door openers when performed as a part of the garage or overhead door installation contract, and by the same contractor installing the doors.

This classification excludes the installation of automatic door openers when it is not performed as a part of the garage or overhead door installation contract and by the same installation contractor which is to be reported separately in classification 0603, as is all service or repair for automatic door openers; the installation of exterior glass doors and door frames such as nonautomatic and automatic opening doors at retail establishments or commercial buildings which are to be reported separately in classification 0511; the installation of interior or exterior doors and door frames when performed by a framing contractor as part of framing a wood frame building which is to be reported separately in classification 0510; the installation of interior doors and door frames which is to

be reported separately in classification 0513; the installation of wood, fiberglass or metal exterior doors as part of a non-wood frame building when performed by employees of the general contractor which is to be reported separately in classification 0518; and the repair or replacement of wood, fiberglass or metal doors on an existing building which is to be reported separately in classification 0516.

0514-01 Nonstructural additions to buildings or structures: Installation, removal, alteration, and/or repair

Applies to contractors engaged in the installation, removal, alteration, and/or repair of nonstructural additions to buildings or structures. Nonstructural iron, steel, brass or bronze additions include, but are not limited to, fire escapes, staircases, balconies, railings, window or door lintels, protective window or door gratings, bank cages, decorative elevator entrances or doors, wall facades and facings. Shutters and similar decorative add-ons may be made of wood, vinyl or plastic. Generally, the process involves bolting, screwing, riveting, or welding these additions to the interior or exterior of buildings or structures. Contractors who operate a shop to prefabricate the additions are to be assigned the classification applicable for the shop manufacturing work being performed. When a contractor's business is assigned a manufacturing classification for shop operations, classification 5206, "Permanent yard or shop," is no longer applicable to the contractor's business for the storage of materials or repair of equipment. This classification also applies to the installation of permanent stadium seating.

This classification excludes sheet metal installation such as siding, gutters and downspouts, and aluminum patio covers/carpports which are to be reported separately in classification 0519; the installation, repair or dismantling of portable bleachers or stages which is to be reported separately in classification 0603; and the erection of commercial metal carpports, service station canopies, and structural iron or steel work as part of a building or structure which is to be reported separately in classification 0518.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-52108 Classification 0516.

((Building repair and carpentry, N.O.C.
Playground equipment: Installation—wood-))

0516-00 Building repair and carpentry, N.O.C.

Applies to contractors engaged in building repair and carpentry work, not covered by another classification (N.O.C.). This classification applies to carpentry-related framing work on concrete, brick and steel buildings, and to wood framed building renovation and remodeling projects where the structure is not being modified or altered. Typical projects include, but are not limited to: Converting a room from one use to another, such as a bedroom to a study, or a garage to a family room; enlarging or changing the configuration of a room by removing or adding an interior wall; upgrading a kitchen or bathroom; or adding structures such as a wooden deck to an existing building, screening a porch, installing a wood patio cover, or assembling lightweight garden sheds. Contractors subject to this classification use a

variety of dimensional lumber and wood products as well as metal fasteners (nails, screws and bolts), and metal reinforcing or support straps such as joist hangers and post brackets. Technological changes have produced new materials which are replacing wood and wood products. These materials include, but are not limited to, light weight metal studs and plastic and fiber reinforced boards. This classification includes the framing of private residences with light weight metal studs and the installation of earthquake tie downs on residential buildings. This classification also includes specialty service providers or contractors engaged in providing general repair services (handyman) on buildings and dwellings. Classification 0516-00 can be used for these businesses to simplify recordkeeping and reporting if they provide general carpentry work and at least two of the following types of repair work: electrical, plumbing, cabinet, interior alteration, painting, drywall, masonry, carpet/linoleum/laminate, glazing, or appliance repair.

This classification excludes roofing or roof work which is to be reported separately in classification 0507.

0516-01 Wood playground equipment: Installation and/or repair

Applies to contractors engaged in the installation and/or repair of wood playground equipment. Work contemplated by this classification begins after the area of land has been excavated and/or cleared and includes installing wood playground equipment at private residences and in public settings such as, but not limited to, schools, parks, daycare centers, churches, and hotels. This classification usually includes a variety of playground equipment comprised of treated wood beams, poles, posts, and a variety of dimensional lumber used in building swings, forts, stationary and swinging bridges, balance beams, climbing towers, slides, and rope and tire walks. Generally, the process involves setting poles or posts with use of a post hole digger, backhoe or tractor equipped with an auger. The poles or posts may be set in concrete. Depending on the piece of equipment being built, use of beams, planks, dimensional lumber, rope, chains, tires, and metal bars or rings, are securely attached with nails, screws, bolts or eye hooks. This classification includes the building of borders surrounding the playground equipment area with beams or railroad ties and the spreading of pea gravel, sand or wood chips underneath the equipment.

This classification excludes the installation of metal playground equipment which is to be reported separately in classification 0603, and the excavation or clearing of land which is to be reported separately in classification 0101.

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-52109 Classification 0517.

((Mobile home set up by contractor—including installation of skirting, awnings and decks-))

0517-00 Factory built housing units: Set up by contractor or by employees of the manufacturer

Applies to the set up of factory built housing units such as mobile/manufactured homes, modular homes, or prefab cedar homes by contractors who work independently from a

sales dealership or by employees of the manufacturer. This classification includes delivery of the factory built unit when performed by the set up contractor. The set up process includes placement of the unit or unit sections on blocks or foundations; joining the interior and exterior sections which may involve incidental placement of ridge cap, siding, trim boards, moldings, and interior seams; plumbing and electrical connections; and the installation of skirting, awnings or decks.

This classification excludes mobile home or factory built housing sales dealerships who set up and/or deliver the unit to a sales location or customer's site which are to be reported separately in classification 3415; the delivery of a mobile home or other factory built housing unit by a trucking service which is to be reported separately in classification 1102; the pouring of foundations; and/or the construction of carports, garages or storage sheds regardless if performed by employees of the set up contractor or by another contractor which is to be reported separately in the applicable classification.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-52110 Classification 0518.

~~(Building construction, N.O.C., including alterations
Carport construction — metal: Erection~~

~~Concrete construction, N.O.C. — including alterations
Service station canopy — metal: Erection~~

~~This classification applies to concrete, iron and steel work in connection with nonwood structural buildings and other construction projects such as but not limited to nonwood structural buildings of single or multiple stories, waste treatment and waste disposal plants, fish hatcheries and stadiums. This classification includes such activities as the set-up and tear-down of forms, pouring and finishing of concrete, standing or raising of precast concrete portions, and raising and securing of metal frames or members.)~~

0518-00 Building construction, N.O.C.: Alterations and concrete construction, N.O.C.

Applies to contractors engaged in building construction, not covered by another classification (N.O.C.), including alterations. Work contemplated by this classification includes nonwood frame buildings and structures such as, but not limited to, waste treatment and waste disposal plants, fish hatcheries and stadiums in which the superstructure, skeleton framework, or building shell consists of concrete, iron or steel, or a combination of concrete, iron, steel and/or wood. This classification makes no distinction to the size of the structure or number of stories within the building and includes all concrete tilt-up buildings. Activities include, but are not limited to, the set up and tear down of forms, placement of reinforcing steel, rebar, or wire mesh, pouring and finishing concrete within the building or structure such as foundations, monolithic slabs, ground supported floor pads, precast or poured in place bearing floors or wall panels, columns, pillars, balconies, stairways, including the raising and/or standing of concrete tilt-up walls or precast floors and wall portions, and raising and securing metal frames or mem-

bers into place using a crane or boom and securing by bolt, rivet or weld.

This classification excludes all other phases of construction which are not in connection with building the superstructure, skeleton framework, or building shell such as, but not limited to, site preparation and excavation which is to be reported separately in classification 0101; bridge or tunnel construction which is to be reported separately in classification 0201; pile driving which is to be reported separately in classification 0202; underground utilities and systems which is to be reported separately in the classification applicable to the work being performed; asphalt work which is to be reported separately in the classification applicable to the work being performed; concrete paving or flatwork not contained within the building which is to be reported separately in the classification applicable to the work being performed; new landscape construction which is to be reported separately in classification 0301; brick, block, granite, marble, slate or masonry work which is to be reported separately in classification 0302; plastering, stuccoing and lathing work which is to be reported separately in classification 0303; plumbing work which is to be reported separately in classification 0306; HVAC work which is to be reported separately in classification 0307; carpet and tile work which is to be reported separately in classification 0502; exterior painting which is to be reported separately in classification 0504; roof work which is to be reported separately in classification 0507; installation of glass panels, curtain walls or windows which is to be reported separately in classification 0511; installation of insulation, sound proofing or suspended acoustical ceilings which is to be reported separately in classification 0512; interior finish carpentry such as the installation of interior doors, cabinets, fixtures or molding which is to be reported separately in classification 0513; installation of overhead doors, garage doors which is to be reported separately in classification 0514; installation of exterior doors and door frames, interior framing and carpentry work which is to be reported separately in classification 0516; installation of sheet metal siding or gutter work which is to be reported separately in classification 0519; interior building painting which is to be reported separately in classification 0521; electrical work which is to be reported separately in classification 0601; the installation of elevators and elevator door bucks which is to be reported separately in classification 0602; new dam construction projects which are to be reported separately in classification 0701; wood frame buildings which are to be reported separately in classification 0510; light weight metal sheds which are to be reported separately in classification 0516; brick or block buildings which are to be reported separately in classification 0302 and wallboard installation, taping or texturing which are to be reported separately in the applicable classifications.

0518-01 Metal carport: Erection

Applies to contractors engaged in the erection of metal carports such as those used for commercial parking lots. This classification includes raising and securing metal frames, members, or I-beams into place with a boom or crane and securing by bolt, rivet or weld.

This classification excludes the erection of a nonstructural steel carport which is to be reported separately in classification 0519, and the erection of a wood carport which is to be reported separately in the applicable carpentry classification (see classification 0510 for additional information).

0518-02 Metal service station canopy: Erection

Applies to contractors engaged in the erection of metal service station canopies. Work contemplated by this classification includes, but is not limited to, raising and securing metal frames, members, or I-beams into place with a boom or crane and securing by bolt, rivet or weld.

This classification excludes the removal or installation of underground tanks which is to be reported separately in classification 0108, and the removal or installation of service station pumps which is to be reported separately in classification 0603.

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-52111 Classification 0519.

(~~Building construction—Sheet metal work, N.O.C., including installation of metal/aluminum siding and gutter/downspout work. This classification covers all types of interior and exterior sheet metal other than heating and ventilating systems which are to be reported separately in risk classification 0307 and roof work which is to be reported separately in risk classification 0507.~~)

0519-00 Building construction sheet metal work, N.O.C.

Applies to contractors engaged in the installation or repair of sheet metal work in building construction, not covered by another classification (N.O.C.). Work contemplated by this classification applies to interior and exterior sheet metal work for residential or commercial buildings and includes wood frame, pole buildings, and nonwood frame buildings. This classification includes the installation of metal or aluminum siding, gutters and downspouts, nonstructural steel carports, and aluminum or sheet metal patio covers. This classification includes the installation of metal industrial shelving and the installation of stainless steel counter tops, and interior walls (such as the back splash behind stoves or sinks) in restaurants. Contractors who operate a sheet metal fabrication shop or prefabricate the gutters, downspouts and posts in a shop away from the construction site are to be assigned classification 3404 for the shop operations. When a contractor's business is assigned classification 3404 for shop operations then classification 5206 "Permanent yard or shop" is no longer applicable to the contractor's business for the storage of materials or repair to equipment.

This classification excludes sheet metal work as part of heating ventilation and air conditioning systems installation which is to be reported separately in classification 0307; the installation of aluminum or sheet metal as part of roof work which is to be reported separately in classification 0507; the installation of light weight metal sheds which is to be reported separately in classification 0516; and the installation of commercial metal carports and service station canopies which is to be reported separately in classification 0518.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-52113 Classification 0521.

(~~Painting—Building interiors~~

This classification includes ~~decorating and hanging wallpaper, and all preparation work such as the set-up of scaffolding, taping or masking, clean up and shop operations.~~)

0521-00 Painting building interiors: wallpaper hanging/removal

Applies to contractors engaged in painting building interiors regardless of the height inside the building. This classification includes building interiors such as, but not limited to, single and multiple story residential houses and commercial buildings, warehouses, factories, coliseums, theaters, stores and churches. The following structures are examples which would *not meet* the definition of a building or qualify as interior painting: Bridges, refineries, grain silos, water towers, service station canopies, or tanks. Paint is applied by brush, roller or spray to a variety of surfaces such as wood, wall-board, plaster, stucco, metal, concrete, or other types of surfaces found within the interior of a building. This classification includes all preparation work such as the set up of scaffolding, sanding, removal of old paint or asbestos, taping or masking, clean up and shop operations. This classification also includes the hanging or removal of wallpaper. The process of hanging wallpaper includes cleaning or scraping walls to ensure the wallpaper will adhere to the surface. Depending on the type of wallpaper, adhesive is applied to the wall surface, the wallpaper, or both. Patterns are matched and the strip is applied to the surface and brushed smooth to remove the air pockets. This process is repeated until the entire job is complete. This classification also includes refinishing or resurfacing of tubs, sinks, appliances and countertops.

This classification excludes exterior painting of buildings or structures which is to be reported separately in classification 0504. Classifications 0521 and 0504 may be assigned to the same employer provided accurate records are maintained which distinguish interior building painting contracts from exterior building or structure painting contracts. This classification also excludes contractors engaged in waterproofing buildings or structures N.O.C., pressure washing services or sandblasting of buildings or structures, lead paint abatement, and the exterior painting of buildings or structures, including interior/exterior tanks which are all to be reported separately in classification 0504; painting of murals or other artwork on the interior of buildings which is to be reported separately in classification 4109; and painting of murals or other artwork on the exterior of buildings which is to be reported separately in classification 0403.

AMENDATORY SECTION (Amending WSR 97-06-007, filed 2/24/97, effective 4/1/97)

WAC 296-17-52116 Classification 0524.

(~~Wallboard installation—discounted rate~~

PROPOSED

~~This classification excludes wallboard taping and texturing work which is to be reported separately in classification 0525.~~

~~*Special note: The basis of premium for this classification is material installed (square feet):*~~

0524-00 Wallboard installation - discounted rate (to be assigned only by the drywall underwriter)

Applies to contractors engaged in the installation or repair of wallboard. This classification includes the installation of wallboard, drywall, or sheetrock in all types of residential or commercial buildings or structures. Material is generally delivered to the construction site by employees of the building material dealers. This classification includes delivery of materials to the construction site when performed by employees of the wallboard contractor. The process consists of cutting wallboard with a utility knife, hacksaw, or power saw to the desired size and then butting material into place and nailing or screw fastening to wood or aluminum wall studs. Electrical box, window, or door openings are cut out where needed. Installation may require the use of scaffolding, ladders, specialty lifts, or stilts when working at heights, including the use of T holders or hydraulic lifts to hold material being installed on ceilings.

This classification excludes wallboard taping which is to be reported separately in classification 0526 or 0531; wallboard priming and texturing which is to be reported separately in classification 0527 or 0532; wallboard stocking by nonmaterial dealer employees which is to be reported separately in classification 0528 or 0533; wallboard scrapping by nonmaterial dealer employees which is to be reported separately in classification 0529 or 0534; interior painting work which is to be reported separately in classification 0521; plastering, stuccoing or lathing work which is to be reported separately in classification 0303; and the framing of nonbearing walls when performed by the drywall contractor which is to be reported separately in classification 0516.

Special note: The basis of premium for this classification is material installed (square feet). For contractors to be assigned and continue to report in this classification, their account must remain in good standing and conform to the conditions specified in the special drywall industry rule.

AMENDATORY SECTION (Amending WSR 97-12-011, filed 5/27/97, effective 7/1/97)

WAC 296-17-52118 Classification 0526.

~~((Wallboard taping—discounted rate~~

~~This classification excludes wallboard installation, wallboard priming and texturing, wallboard stocking, and wallboard scrapping which is to be reported separately in classification applicable to the work being performed.~~

~~*Special note: The basis of premium for this classification is material finished (square feet):*~~

0526-00 Wallboard taping - discounted rate (to be assigned only by the drywall underwriter)

Applies to contractors engaged in taping wallboard in residential or commercial buildings or structures. This process occurs after wallboard, drywall, or sheetrock has been installed and involves taping the seams, and spreading joint

compound over the seams and nail or screw heads. When dry, the seams are sanded to remove any rough edges.

This classification excludes wallboard installation which is to be reported separately in classification 0524 or 0530; wallboard priming and texturing which is to be reported separately in classification 0527 or 0532; wallboard stocking by nonmaterial dealer employees which is to be reported separately in classification 0528 or 0533; and wallboard scrapping by nonmaterial dealer employees which is to be reported separately in classification 0529 or 0534.

Special note: The basis of premium for this classification is material finished (square feet). For contractors to be assigned, and continue to report in this classification, their account must remain in good standing and conform to the conditions specified in the special drywall industry rule.

AMENDATORY SECTION (Amending WSR 97-12-011, filed 5/27/97, effective 7/1/97)

WAC 296-17-52119 Classification 0527.

~~((Wallboard priming and texturing—discounted rate~~

~~This classification includes incidental painting when performed by employees of an employer subject to this classification, but excludes wallboard installation, wallboard taping, wallboard stocking, and wallboard scrapping which is to be reported separately in classification applicable to the work being performed.~~

~~*Special note: The basis of premium for this classification is material finished (square feet):*~~

0527-00 Wallboard priming and texturing - discounted rate (to be assigned only by the drywall underwriter)

Applies to contractors engaged in priming and texturing wallboard in residential or commercial buildings or structures. Priming is the application of an undercoating that may be applied either directly to the wallboard or after it has been textured. The priming application is necessary for any subsequent painting work. Texture is a putty-like material that is sprayed over the prepared wallboard in a clump-like application. The clumps are smoothed with a trowel or a wide putty knife. This classification includes incidental painting when performed by employees of the priming and texturing contractor.

This classification excludes wallboard installation which is to be reported separately in classification 0524 or 0530; wallboard taping which is to be reported separately in classification 0526 or 0531; wallboard stocking by nonmaterial dealer employees which is to be reported separately in classification 0528 or 0533; and wallboard scrapping by nonmaterial dealer employees which is to be reported separately in classification 0529 or 0534.

Special note: The basis of premium for this classification is material finished (square feet). For contractors to be assigned, and continue to report in this classification, their account must remain in good standing and conform to the conditions specified in the special drywall industry rule.

AMENDATORY SECTION (Amending WSR 97-12-011, filed 5/27/97, effective 7/1/97)

WAC 296-17-52120 Classification 0528.

~~((Wallboard stocking by nonmaterial dealer employees—discounted rate~~

~~This classification excludes wallboard stocking by building material dealer employees which is to be reported separately in classification 1101, wallboard installation, wallboard taping, wallboard priming and texturing and wallboard scrapping which is to be reported separately in classification applicable to the work being performed.~~

~~*Special note: The basis of premium for this classification is material stocked (square feet).)*~~

0528-00 Wallboard stocking by nonmaterial dealer employees - discounted rate (to be assigned only by the drywall underwriter)

Applies to contractors or employees of contractors engaged in the process of stocking drywall. This activity usually entails placing the needed amount of drywall within the various rooms of the residential or commercial building or structure being built.

This classification excludes wallboard installation which is to be reported separately in classification 0524 or 0530; wallboard taping which is to be reported separately in classification 0526 or 0531; wallboard priming and texturing which is to be reported separately in classification 0527 or 0532; and wallboard scrapping by nonmaterial dealer employees which is to be reported separately in classification 0529 or 0534.

Special note: The basis of premium for this classification is material finished (square feet). For contractors to be assigned, and continue to report in this classification, their account must remain in good standing and conform to the conditions specified in the special drywall industry rule.

AMENDATORY SECTION (Amending WSR 97-12-011, filed 5/27/97, effective 7/1/97)

WAC 296-17-52121 Classification 0529.

~~((Wallboard scrapping by nonmaterial dealer employees—discounted rate~~

~~This classification excludes wallboard scrapping by building material dealer employees which is to be reported separately in classification 1101, wallboard installation, wallboard taping, wallboard stocking, and wallboard priming and texturing which is to be reported separately in classification applicable to the work being performed.~~

~~*Special note: The basis of premium for this classification is material stocked (square feet).)*~~

0529-00 Wallboard scrapping by nonmaterial dealer employees - discounted rate (to be assigned only by the drywall underwriter)

Applies to contractors or employees of contractors engaged in the process of scrapping drywall. This activity entails the picking up and discarding of the wallboard remnants and scraps.

This classification excludes wallboard installation which is to be reported separately in classification 0524 or 0530;

wallboard taping which is to be reported separately in classification 0526 or 0531; wallboard priming and texturing which is to be reported separately in classification 0527 or 0532; and wallboard stocking by nonmaterial dealer employees which is to be reported separately in classification 0528 or 0533.

Special note: The basis of premium for this classification is material finished (square feet). For contractors to be assigned, and continue to report in this classification, their account must remain in good standing and conform to the conditions specified in the special drywall industry rule.

AMENDATORY SECTION (Amending WSR 97-12-011, filed 5/27/97, effective 7/1/97)

WAC 296-17-52122 Classification 0530.

~~((Wallboard installation—nondiscounted rate~~

~~This classification excludes wallboard taping, wallboard priming, wallboard texturing work, wallboard stocking and wallboard scrapping which is to be reported separately in the classification applicable to the work being performed. This classification does not apply to employees of a building material dealer engaged in stocking or scrapping which are to be reported separately in classification 1101.~~

~~*Special note: The basis of premium for this classification is material installed (square feet).)*~~

0530-00 Wallboard installation - nondiscounted rate (to be assigned only by the drywall underwriter)

Applies to contractors engaged in the installation or repair of wallboard. This classification includes the installation of wallboard, drywall, or sheetrock in all types of residential or commercial buildings or structures. Material is generally delivered to the construction site by employees of the building material dealers. This classification includes delivery of materials to the construction site when performed by employees of the wallboard contractor. The process consists of cutting wallboard with a utility knife, hacksaw, or power saw to the desired size and then butting material into place and nailing or screw fastening to wood or aluminum wall studs. Electrical box, window, or door openings are cut out where needed. Installation may require the use of scaffolding, ladders, specialty lifts, or stilts when working at heights, including the use of T holders or hydraulic lifts to hold material being installed on ceilings.

This classification excludes wallboard taping which is to be reported separately in classification 0526 or 0531; wallboard priming and texturing which is to be reported separately in classification 0527 or 0532; wallboard stocking by nonmaterial dealer employees which is to be reported separately in classification 0528 or 0533; wallboard scrapping by nonmaterial dealer employees which is to be reported separately in classification 0529 or 0534; interior painting work which is to be reported separately in classification 0521; plastering, stuccoing or lathing work which is to be reported separately in classification 0303; and the framing of nonbearing walls when performed by the drywall contractor which is to be reported separately in classification 0516.

PROPOSED

Special note: The basis of premium for this classification is material installed (square feet).

AMENDATORY SECTION (Amending WSR 97-12-011, filed 5/27/97, effective 7/1/97)

WAC 296-17-52123 Classification 0531.

((Wallboard taping—nondiscounted rate

This classification excludes wallboard installation, wallboard priming and texturing, wallboard stocking, and wallboard scrapping which is to be reported separately in classification applicable to the work being performed.

Special note: The basis of premium for this classification is material finished (square feet).)

0531-00 Wallboard taping - nondiscounted rate (to be assigned only by the drywall underwriter)

Applies to contractors engaged in taping wallboard in residential or commercial buildings or structures. This process occurs after wallboard, drywall, or sheetrock has been installed and involves taping the seams, and spreading joint compound over the seams and nail or screw heads. When dry, the seams are sanded to remove any rough edges.

This classification excludes wallboard installation which is to be reported separately in classification 0524 or 0530; wallboard priming and texturing which is to be reported separately in classification 0527 or 0532; wallboard stocking by nonmaterial dealer employees which is to be reported separately in classification 0528 or 0533; and wallboard scrapping by nonmaterial dealer employees which is to be reported separately in classification 0529 or 0534.

Special note: The basis of premium for this classification is material finished (square feet).

AMENDATORY SECTION (Amending WSR 97-12-011, filed 5/27/97, effective 7/1/97)

WAC 296-17-52124 Classification 0532.

((Wallboard priming and texturing—nondiscounted rate

This classification includes incidental painting when performed by employees of an employer subject to this classification, but excludes wallboard installation, wallboard taping, wallboard stocking, and wallboard scrapping which is to be reported separately in classification applicable to the work being performed.

Special note: The basis of premium for this classification is material finished (square feet).)

0532-00 Wallboard priming and texturing - nondiscounted rate (to be assigned only by the drywall underwriter)

Applies to contractors engaged in priming and texturing wallboard in residential or commercial buildings or structures. Priming is the application of an undercoating that may be applied either directly to the wallboard or after it has been textured. The priming application is necessary for any subsequent painting work. Texture is a putty-like material that is sprayed over the prepared wallboard in a clump-like application. The clumps are smoothed with a trowel or a wide putty knife. This classification includes incidental painting when

performed by employees of the priming and texturing contractor.

This classification excludes wallboard installation which is to be reported separately in classification 0524 or 0530; wallboard taping which is to be reported separately in classification 0526 or 0531; wallboard stocking by nonmaterial dealer employees which is to be reported separately in classification 0528 or 0533; and wallboard scrapping by nonmaterial dealer employees which is to be reported separately in classification 0529 or 0534.

Special note: The basis of premium for this classification is material finished (square feet).

AMENDATORY SECTION (Amending WSR 97-12-011, filed 5/27/97, effective 7/1/97)

WAC 296-17-52125 Classification 0533.

((Wallboard stocking by nonmaterial dealer employees—nondiscounted rate

This classification excludes wallboard stocking by building material dealer employees which is to be reported separately in classification 1101, wallboard installation, wallboard taping, wallboard priming and texturing and wallboard scrapping which is to be reported separately in classification applicable to the work being performed.

Special note: The basis of premium for this classification is material stocked (square feet).)

0533-00 Wallboard stocking by nonmaterial dealer employees - nondiscounted rate (to be assigned only by the drywall underwriter)

Applies to contractors or employees of contractors engaged in the process of stocking drywall. This activity usually entails placing the needed amount of drywall within the various rooms of the residential or commercial building or structure being built.

This classification excludes wallboard installation which is to be reported separately in classification 0524 or 0530; wallboard taping which is to be reported separately in classification 0526 or 0531; wallboard priming and texturing which is to be reported separately in classification 0527 or 0532; and wallboard scrapping by nonmaterial dealer employees which is to be reported separately in classification 0529 or 0534.

Special note: The basis of premium for this classification is material finished (square feet).

AMENDATORY SECTION (Amending WSR 97-12-011, filed 5/27/97, effective 7/1/97)

WAC 296-17-52126 Classification 0534.

((Wallboard scrapping by nonmaterial dealer employees—nondiscounted rate

This classification excludes wallboard scrapping by building material dealer employees which is to be reported separately in classification 1101, wallboard installation, wallboard taping, wallboard stocking, and wallboard priming and texturing which is to be reported separately in classification applicable to the work being performed.

Special note: The basis of premium for this classification is material stocked (square feet:-))

534-00 Wallboard scrapping by nonmaterial dealer employees - nondiscounted rate (to be assigned only by the drywall underwriter)

Applies to contractors or employees of contractors engaged in the process of scrapping drywall. This activity entails the picking up and discarding of the wallboard remnants and scraps.

This classification excludes wallboard installation which is to be reported separately in classification 0524 or 0530; wallboard taping which is to be reported separately in classification 0526 or 0531; wallboard priming and texturing which is to be reported separately in classification 0527 or 0532; and wallboard stocking by nonmaterial dealer employees which is to be reported separately in classification 0528 or 0533.

Special note: The basis of premium for this classification is material finished (square feet).

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-522 Classification 0601.

~~((Electrical machinery and auxiliary apparatus installation and repair including incidental wiring
Electrical wiring in buildings, and electrical wiring, N.O.C.
Erection of temporary floodlights—search light operation mounted on and generated by truck
Permanent flood lighting stadiums and parks
Television cable installation in buildings by contractor including drop line connection (pole to house hook-up:-))~~

0601-00 Electrical wiring in buildings; electrical wiring, N.O.C.:

Permanent flood lighting: Installation

Applies to contractors engaged in the electrical wiring of buildings, or in electrical wiring not covered by another classification (N.O.C.). Work contemplated by this classification is characterized as general electrical work, including installation, service or repair at residential and commercial settings. This classification includes electrical work which generally begins at the power meter and extends to the inside or outside of the building or its exterior setting, including, but not limited to, the installation of the breaker panel, fuses, plugs and snap switches, rough-in electrical work to include the stringing of insulated or encased wiring and mounting of plug-in or switch housing boxes, installation of plug-in, dimmer and switch units; installation of light fixtures, recessed canister and fluorescent lighting, track lighting, and other interior and exterior lighting fixtures, installation of ceiling fans, and the installation of residential and commercial appliances such as built-in microwaves, dishwashers, electric ovens and oven hoods. This classification also includes the installation of permanent flood lighting at stadiums and parks. Generally, flood lighting fixtures are mounted onto poles, buildings, or other structures; the erection or construction of those structures is not included in this classification.

This classification excludes the installation of overhead or underground power lines and poles by an electric utility company which is to be reported separately in classification 1301; the installation of overhead power lines by a nonelectric utility contractor which is to be reported separately in classification 0509; and the installation of underground power lines by a nonelectric utility contractor which is to be reported separately in classification 0107.

0601-07 Electrical machinery and auxiliary apparatus: Installation and repair

Applies to contractors engaged in the installation and repair of electrical machinery and auxiliary apparatus such as, but not limited to, heavy motors, generators, converters, transformers, compressors and power switchboard equipment. Generally, this type of work occurs at industrial or commercial plants, power plants, or sites where large machinery is to be installed. Work contemplated by this classification includes extending insulator or encased wiring or cable from the power meter, breaker or control panel to the physical location where the machinery is to be installed, and incidental wiring of the machinery or auxiliary apparatus.

0601-08 Temporary floodlights or search lights: Erection

Applies to contractors engaged in the erection or set up of temporary floodlights away from the contractor's premises. Usually, these lights are mounted on a truck or trailer, then transported to the customer site or location where they are operated with use of a generator. Uses of temporary floodlights and searchlights include, but are not limited to, advertising grand openings or special sales at shopping malls, auto dealers, grocery and outlet stores, marking the location of special events such as carnivals or concerts, or at construction project sites.

This classification excludes the erection of permanent floodlight fixtures to poles, buildings or structures which is to be reported separately in classification 0601-00.

0601-15 Television cable: Installation service or repair in buildings by contractor

Applies to contractors engaged in the installation, service or repair of television cable in buildings. This classification includes the installation of television cable lines in residential and commercial buildings and includes the dropping of lines from the pole to the house, mounting of cable control panel boxes to the exterior of buildings, extending cable, mounting multiple line adapter units and relay switches, and affixing the cable end for hook-up to televisions and other stereo components.

This classification excludes the installation of underground or overhead television cable lines when performed by a television cable company which is to be reported separately in classification 1305; installation of underground television cable lines when performed by a nontelevision cable company contractor which is to be reported separately in classification 0107; and installation of overhead television cable lines from pole to pole by a nontelevision cable company contractor which is to be reported separately in classification 0509.

PROPOSED

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-523 Classification 0602.

~~((Elevators: Installation, service and repair—freight or passenger-type~~

~~Elevator door bucks—installation:))~~

0602-03 Elevators or elevator door bucks: Installation, service and/or repair

Applies to contractors engaged in the installation, service and/or repair of freight or passenger elevators and elevator door bucks in private residences and commercial buildings or structures. Generally, the process begins after the elevator shaft has been erected, to include, but not be limited to, the installation of elevator units, doors, door bucks, cables and hoisting systems, motors, and electrical apparatus and wiring in connection with operation of the elevator.

This classification excludes the installation or repair of escalators and industrial machinery which is to be reported separately in classification 0603, and the erection of temporary construction elevators as part of a construction project which is to be reported separately in the classification applicable to the phase of construction being supported.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-524 Classification 0603.

~~((Commercial equipment installation, service and repair~~

~~Dynamos: Installation, service and repair including electrical generators and turbines~~

~~Engines and gas machines: Service and repair including installation, replacement of drive belts, erection of shafting~~

~~Industrial plant maintenance by contractor such as but not limited to paper mills, refineries, food processing plants and manufacturing plants~~

~~Machinery: Installation, service and repair—including installation and repair of escalator and conveyor systems, printing presses, and commercial laundry equipment N.O.C. and millwright work, N.O.C.~~

~~Playground equipment—metal: Installation and repair~~

~~This classification includes the dismantling of all the above types of machinery:))~~

0603-00 Machinery: Installation, service and/or repair, N.O.C.; Millwright work, N.O.C.

Applies to contractors engaged in the installation, service and/or repair of heavy machinery or equipment at a customer's location which is not covered by another classification (N.O.C.). Millwright work and the service or repair of engines and gas machines is also included. A millwright is a technician who specializes in installing and repairing industrial machinery. Typical customers include, but are not limited to, wood, metal and plastic manufacturing plants, fuel refineries, and mills. Types of machinery installed and repaired includes, but is not limited to, escalators, conveyor systems, printing presses, lathes, mill saws, dairy equipment and wind machines. (Store operations of dairy equipment/supply dealers or wind machine dealers are to be

reported separately in classification 6407.) Work contemplated by this classification includes, but is not limited to, the pouring of a concrete pad on which the machinery will be installed, cutting and welding of brackets and mountings, assembling component parts, any incidental electrical connections needed to complete the installation, and calibrating the controls and testing the machinery's operation when done by employees of an employer having operations subject to this classification. Placement of heavy machinery must often be done with cranes or by rigging hoists. This classification also includes the dismantling and removal of machinery and equipment covered by this classification.

0603-05 Dynamos, electrical generators and turbines: Installation, service and/or repair

Applies to contractors engaged in the installation, service and/or repair of dynamos, electrical generators and turbines at a customer's location. A dynamo is a generator of direct electrical current; a turbine is a mechanism that converts moving fluid into mechanical power. Customers include, but are not limited to, electrical utilities, manufacturing plants, mills, and telecommunications companies. Work contemplated by this classification includes, but is not limited to, preparation of a concrete pad on which the machinery will be installed, cutting and welding of brackets and mountings, assembly of component parts if necessary, any incidental electrical connections needed to complete the installation, and calibrating and testing the machinery's operation when done by employees of an employer having operations subject to this classification. Placement of heavy machinery must often be done with cranes or by rigging hoists. Also included is the dismantling and removal of dynamos, generators and turbines.

This classification excludes the installation of underground overhead power lines and poles by an electric utility company which is to be reported separately in classification 1301; the installation of overhead power lines by a nonelectric utility contractor which is to be reported separately in classification 0509; and the installation of underground power lines by a nonelectric utility contractor which is to be reported separately in classification 0107.

0603-07 Industrial plant maintenance by contractor

Applies to contractors engaged in maintaining, repairing and installing machinery on a long-term contract basis for customers at the customers' location. Customers include, but are not limited to, manufacturing or chemical plants, petroleum refineries, food processing plants and mills. Work contemplated by this classification includes all routine maintenance and repair of a customer's equipment such as, but not limited to, cleaning, oiling and regularly scheduled maintenance and replacement of machinery or machinery parts, equipment and other mechanical installations that are part of the customer's building when done by employees of an employer having operations subject to this classification.

0603-08 Metal playground equipment, portable bleachers or stages, above ground swimming pools: Installation, dismantling, and/or repair

Applies to contractors engaged in the installation, dismantling, and/or repair of metal playground equipment, por-

table bleachers or stages, and above ground swimming pools. Playground equipment includes, but is not limited to, swings, monkey bars, merry-go-rounds, and slides. Work contemplated by this classification for the erection of playground equipment and portable bleachers or stages includes boring holes in the ground (usually with an auger) into which the various pieces of equipment will be set in concrete, any incidental cutting, welding, drilling and bolting of the tubular steel components which are usually from one to four inches in diameter, and fastening on the chains, swings, handlebars, sliding surface, platforms, bench seats, or other components. Activities in the installation of above ground pools are similar. This classification also includes the application of any finish material or paint when done by employees of an employer having operations subject to this classification.

This classification excludes the installation of wood playground equipment which is to be reported separately in classification 0516.

0603-09 Commercial equipment: Installation, dismantling, service, and/or repair

Applies to contractors engaged in the installation, dismantling, service, and/or repair of commercial equipment such as, but not limited to, commercial dishwashing units, bakery and restaurant ovens, stoves, grills, sanitizers, steam tables, car washing equipment, commercial laundry equipment, electric entry doors, dry cleaning equipment, gas pumps, or parimutuel totalizer equipment at horse racing facilities. Work contemplated by this classification includes, but is not limited to, placing and leveling the equipment, any assembly of component parts if necessary, connecting or bolting to the wall or floor, making any necessary incidental plumbing or electrical connections, and calibrating and testing the equipment when done by employees of an employer having operations subject to this classification. Some pieces of equipment in this classification may be large enough that they must be moved and positioned with hoists or cranes. Also included is the dismantling and removal of commercial equipment.

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-525 Classification 0604.

((Scrap metal dealers or processors—collect, sort and reduction of scrap metal—))

0604-04 Scrap metal dealers or processors: Collecting, sorting and reduction of scrap metal

Applies to establishments engaged as dealers or processors of ferrous and nonferrous scrap metals for resale. Ferrous metals are primarily composed of iron or steel. Nonferrous metals include, but are not limited to, aluminum, brass, bronze, copper, lead, magnesium, pewter, tin, and zinc. If the dealer collects scrap metals from mills, foundries, refineries, or fabricators, they usually leave dumpster containers with the "customer" and pick up the full containers with their own trucks. If they buy scrap from independent collectors, the collectors bring the metals to the dealer's yard. In either case, the metal is weighed, graded, and sorted by type at the dealer's yard. It may be resold as is to customers who occa-

sionally come to the yard; however, it is usually further processed and prepared for shipping to industrial customers. Shipping is done by rail, ship, or common carrier. As an incidental service, scrap dealers may also buy back recyclable goods such as, but not limited to, aluminum cans, glass, and batteries; this activity is included within the scope of this classification when performed by employees of employers subject to this classification. Processing includes one or more of the following operations: Cutting off impure metals or plastic parts with acetylene cutting torches; cutting scraps into smaller pieces with alligator shears or cutting torches; slicing heavier scrap metals or flattened automobiles with hydraulic guillotine shears; crushing auto bodies with crushers; ripping apart large pieces of scrap with shredders; separating metal from rubber, plastic, wood, dirt, and other materials with magnetic separators; removing insulated coverings from copper wire with wire choppers, and compressing scraps into bales with balers. Additional machinery includes, but is not limited to, conveyors, scales, forklifts, tractor-trailer trucks, cranes, electromagnets or grapples, front end loaders, and grinders. Because of recent EPA regulations, instead of melting down metals in their own furnaces, scrap dealers usually ship it to foundries or steel mills that conform with the regulations. However, reduction of metals is included within the scope of this classification if performed by an establishment subject to this classification.

This classification excludes dealers that sell new iron, steel, wire or cable which are to be reported separately in classification 2004; automobile or truck wrecking or dismantling establishments which are to be reported separately in classification 1104; and recycle, collection, and receiving stations (known as buy-back stations) for rags, bottles, paper, and metal containers which are to be reported separately in classification 2102.

Special note: Scrap metal dealers vary widely in the type of metals or usable items they buy and sell. Often the term "junk yards" is used to describe dealers who carry a sizable inventory of used goods, such as, but not limited to, bottles, rags, paper, appliances, nails, rubber, in addition to scrap metal in varying amounts. It is the activity of the business that must be considered when determining the classification, rather than how the business refers to its activities. Receiving/Buy-back stations for recyclable items in classification 2102 are different from dealers in classification 0604. Receiving stations buy back only recyclable items which they do not process, other than condensing the materials into bales, and selling it to others.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-526 Classification 0606.

((Amusement devices, N.O.C.: Installation, service, repair, and removal—coin-operated in stores and shopping malls
Coin-operated machines—money collecting service
Fire extinguisher sales and service

Vending or coin-operated machines: Installation, service, repair and removal—includes product preparation by vending company employees but excludes honor snack

food services which are to be reported separately in classification 1101 "driver-delivery sales," provided that in the event that an honor-snack food service is conducted as a part of and in connection with an operation subject to this classification (0606), classification 0606 will be assigned to cover both operations.))

0606-01 Vending, coin-, or token-operated machines: Installation service and/or repair

Applies to establishments engaged in the installation, service and/or repair of vending, coin- or token-operated machines. Operations contemplated by this classification include, but are not limited to, delivering machines to desired location, unloading and setting up machines, servicing machines, collecting money, repairing machines, and restocking product into machines. Coin-operated machines include pay telephone booths, weight machines, juke boxes, change makers, pull tabs, slot machines, and similar gaming devices. Vending machine products include, but are not limited to, soft drinks, candies, sandwiches, stamps, cigarettes, frozen desserts, coffee, and personal hygiene products. This classification also includes the preparation of products such as, but not limited to, salads, sandwiches, cookies, and deserts, and honor snack food services when performed by employees of an employer subject to this classification.

This classification excludes honor snack services operated independently from, and not in connection with, coin-operated vending machine services which are to be reported separately in classification 1101; and the installation of parking meter units which is to be reported separately in classification 0105.

0606-02 Fire extinguisher and fire safety equipment: Sales and service

Applies to establishments engaged in the sales and servicing of fire extinguishers and related safety equipment. Operations contemplated by this classification include, but are not limited to, retail and wholesale store operations, field testing services, recharging services, and related safety training. Establishments subject to this classification routinely sell a variety of home and commercial type fire extinguishers, protective clothing, gloves, and hats, specialty shoes, smoke and fire alarms, and first aid kits. Fire extinguisher sales and service companies may also carry other safety items such as traffic cones, construction and speed signs.

0606-03 Money collecting service of coin-operated and vending machines

Applies to establishments engaged in the removal and/or replacement of money into coin-operated machines. Operations contemplated by this classification are limited to the collection and replenishing of coins in coin-operated or vending machines. This classification also applies to replenishing currency in automated teller machines (cash machines) and removal of coins from parking meters and pay telephones.

This classification excludes the servicing of machines, placement of products into machines for sale, installation of machines, or any product preparation, which is to be reported separately in the applicable classification; installation of free standing automated teller machines which is to be reported separately in classification 0607; establishments engaged in the construction of structures which house automated teller

machines, such as those found in parking lots of shopping centers, which are to be reported separately in the applicable construction classifications.

0606-12 Coin- or token-operated amusement devices in stores or shopping malls, N.O.C.: Installation, removal, service and/or repair

Applies to establishments engaged in the placement and servicing of coin- or token-operated amusement devices, not covered by another classification (N.O.C.), within stores and shopping malls for use by the general public. Operations contemplated by this classification include, but are not limited to, the installation, service, repair, or removal of the devices, such as, but not limited to, video games, pinball machines, carousels and small amusement rides for children. Establishments subject to this classification generally are not involved in the operations of arcades or amusement rides. If an establishment subject to this classification also operates a video or amusement arcade, such operations may be reported separately in classification 6406 provided all the conditions of the general reporting rules covering the operation of a secondary business have been met.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-527 Classification 0607.

((Advertising display set-up service within buildings by non-store employees
Car stereo, two-way radio, and cellular phone system—installation, service and repair within vehicles
Dead-bolt lock set: Installation—new construction by locksmith or contractor
Drapery or curtain rod: Installation—including the hanging of drapes and curtains
Household appliances: Used or second hand dealers—including installation, service and repair
Household appliances: Installation, service and repair by nonstore service and repair company
Meat slicer or grinder: Installation, service and repair
Rubber dock bumper: Installation, service and repair
Safes and vaults: Installation, service, repair and removal
Television and radio receiving sets: Installation, service and repair
Television antenna or satellite dish: Installation, service and repair
Window blinds and shades: Installation, service and repair.))

0607-11 Household appliances: Installation, service and/or repair by nonstore service or repair company; dealers of used household appliances

Applies to establishments engaged in the installation, service and/or repair of electrical or gas household appliances and to dealers of used electrical or gas household appliances. Many establishments covered by this classification have small retail store operations where they offer reconditioned or second hand appliances for sale, a parts department, and an area where appliances brought into the shop are repaired. Although this classification deals primarily with service away from the shop, the store, parts department and shop operations are included within the scope of this classification.

The term "household appliances" includes, but is not limited to, stoves, ovens, ranges, dishwashers, refrigerators, trash compactors, television sets, residential type garage door openers, washing machines, and clothes dryers. This classification also applies to the installation, service or repair of automated teller machines. Repair services provided by establishments subject to this classification may also include related smaller appliances such as video players, portable television sets, stereo systems, microwave and toaster ovens, blenders, coffee makers and mixers. The servicing of water softening systems, coffee and juice machines, and beer taps is also included in this classification.

This classification excludes dealers of new household appliances who are to be reported separately in classification 6306; installation, service, and/or repair of commercial appliances such as those used in laundries, bakeries, and restaurants which is to be reported separately in classification 0603; installation, service, and repair of commercial garage doors and openers which is to be reported separately in classification 0603; installation of water softening systems which is to be reported separately in classification 0306; and small table top or counter top appliance stores which are to be reported separately in classification 6406.

Special note: Classification 0607 is distinguishable from classification 6306-02 operations in that appliance stores covered in classification 6306-02 are engaged primarily in the sales of new appliances. Although classification 6306 includes repair of appliances, most repairs are related to warranty work and represent a minor part of the business. By contrast, the repair of appliances in classification 0607 is the primary activity of the business.

0607-16 Television antenna or satellite dish: Installation, removal, service and/or repair

Applies to establishments engaged in the installation, removal, service and/or repair of television antennas or satellite dish receiving units. Operations contemplated by this classification are limited to rooftop installation of television antennas or ground or rooftop-mounted satellite dish reception units. Establishments covered by this classification will generally employ technicians and installers to install systems and trouble shoot reception problems. Equipment is limited primarily to delivery trucks and vans, ladders, and small power and hand tools.

This classification excludes installation of larger commercial broadcasting or receiving antennas or dish units such as those found in television and radio broadcast stations which is to be reported separately in classification 0508; and establishments engaged in the sale of new console type and big screen televisions who also sell and install antennas which are to be reported separately in classification 6306.

0607-17A Safes or vaults, private mail boxes, or safe deposit boxes: Installation, removal, service and/or repair

Applies to contractors engaged in the installation, removal, service and/or repair of all types of safes or vaults regardless of size or application, private mail or postal boxes, or safe deposit box units within buildings. Safes and vaults are found in businesses such as, but not limited to, banks, jewelry stores, rare coin and stamp stores, grocery stores, and

gasoline service stations, as well as in private residences. Services contemplated by this classification include, but are not limited to, safe opening services.

0607-17B Lock sets and/or dead bolt locks: New installation

Applies to the new installation of lock sets and/or dead bolt locks on buildings or structures by contractor or by employees of a locksmith. The term new installation applies to installing a lock set (locking doorknob) or a dead bolt where none previously existed. The process consists of measuring and marking where the unit is to be placed on the door, boring holes into the door to accept the lock set or dead bolt lock, and installing the lock set unit using a power drill and basic hand tools.

This classification excludes the installation of a replacement lock set or dead bolt lock unit by employees of a locksmith, and locksmith store operations which are to be reported separately in classification 6309.

0607-18A Window/door blinds, shades, curtains and drapes: Installation

Applies to contractors and employees of store operations who are engaged in the installation of indoor or outdoor window coverings, such as, but not limited to, blinds, shades, screens, exterior roll shutters and draperies or curtains, but does not include awnings. The process consists of marking the location of covering on the frame or opening, securing brackets or hardware, rods and poles, and installing the covering.

This classification excludes the installation of window and door awnings which is to be reported separately in the applicable classification, and the manufacture of coverings which is to be reported in the applicable classification.

Special note: Care should be taken when considering the assignment of a store classification to an establishment engaged in the installation of coverings to verify that a store exists. It is common for establishments subject to this classification to have show rooms to help customers visualize covering products available for sale. These establishments have little or no product available for immediate sale, as most items are special order from the manufacturer. A bona fide window/door covering store will have a large assortment of coverings, as well as related home interior products such as, but not limited to, pillows, small rugs, and accent pieces, readily available for sale to customers.

0607-19 Advertising or merchandise display: Set up or removal within buildings by nonstore employees

Applies to contractors engaged in the set up or removal of advertising or merchandise displays within buildings for retail or wholesale store customers. Operations contemplated by this classification will vary from seasonal panoramas with extensive carpentry, painting, and art work to dressing mannequins to be displayed in store windows. Classification 0607 also includes employees of a manufacturer and manufacturer's representatives who are involved in the setting up of these displays.

This classification excludes employees of store operations engaged in setting up displays who are to be reported

separately in the applicable store classification as this is a common store activity.

0607-21 Meat slicer or grinder: Installation, service and/or repair

Applies to contractors and employees of equipment manufacturers engaged in the installation service and/or repair of meat cutting, slicing, or grinding equipment within stores, restaurants, or processing plants. Repair may be performed at the customer's location or in a shop operated by an employer subject to this classification. This classification includes repair shops, field technicians, installers, and warehouse or parts department employees.

Special note: Establishments subject to this classification generally do not have store operations. Equipment is generally ordered from the manufacturer or distributor and shipped to the customer's location where it will be installed. In the event that an establishment subject to this classification has a store operation it is included within classification 0607.

0607-22 Protective bumpers: Installation

Applies to contractors engaged in the installation of protective bumpers on structures such as, but not limited to, store loading docks for freight or cargo. Operations contemplated by this classification are limited to measuring the dock to be fitted with a rubber bumper, finish cutting or otherwise fabricating the rubber pieces to fit the required application, and fastening the dock bumper with the use of hand tools. Dock bumpers are made of rubber from recycled tires or similar pliable materials.

This classification excludes the manufacture of loading dock bumpers which is to be reported separately in the applicable manufacturing classification.

0607-23 Cellular phone systems or audio components: Installation in vehicles, service and repair

Applies to establishments engaged in the installation of cellular phone systems and/or audio components in vehicles. Audio components include, but are not limited to, radios and stereo systems, speakers and amplifiers, alarm systems, television units, antennas, two-way radio systems. This classification applies to installation employees of stores that sell products as well as to auto service centers that specialize in the installation of products covered by this classification.

This classification excludes retail and wholesale store operations which are to be reported separately in the applicable store classification.

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-52701 Classification 0608.

~~((Electrical alarm systems including smoke alarms
Intercom or audio call box~~

~~Telecommunication and PBX or similar equipment
Telephone service prewire by contractor~~

~~This classification includes installation, service or repair of
the above types of equipment and includes all shop or
yard operations.))~~

0608-01 Electrical alarm systems: Installation, service, and/or repair

Applies to contractors engaged in the installation, service, and/or repair of electrical alarm systems such as, but not limited to, burglar, smoke, security, and fire, within buildings. Operations contemplated by this classification include, but are not limited to, installing low voltage wiring for security units, connecting control panels, installing motion or magnetic sensors on doors, windows, and hallways, installing security cameras and recording equipment, and installing smoke and fire alarm units on walls or ceilings. This classification includes both field and shop operations.

0608-02 Intercom or audio call box: Installation, service, and/or repair

Applies to contractors engaged in the installation, service, and/or repair of all types of building or plant audio communication systems such as, but not limited to, intercoms, sound and paging systems in stores and shopping malls, and call box units in factories and refineries. Operations contemplated by this classification include, but are not limited to, installation of low voltage wiring, installation of audio and speaker units and connecting control units. This classification includes both field and shop operations.

0608-04 Telephone and/or telephonic equipment - prewire by contractor: Installation, service, and/or repair

Applies to contractors engaged in the installation, service, and/or repair of all types of telephone and/or telephonic equipment within residences, office buildings, stores and shopping malls, factories, refineries or other types of buildings. Operations contemplated by this classification include, but are not limited to, installation of low voltage wiring, installation of telephone units, and connecting control units. This classification includes both field and shop operations, as well as contractors engaged only in prewiring buildings for telephone and computer systems, but who do not install equipment.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-528 Classification 0701.

~~((Dam construction, all operations in dam site area
This classification only applies to new dam construction—
all other work is to be reported separately in the applicable
construction class or classes.))~~

0701-00 New dam construction: All operations in dam site area

Applies to contractors engaged in the construction of new dams only, and includes all operations in the dam site area. A dam is a barrier built across a waterway to control the flow or level of water. Work contemplated by this classification includes the construction of the foundation and substructure such as, but not limited to, earth and rock excavation; boring or tunneling; pile driving or shaft sinking; caisson work; erection of cofferdams; placement of reinforcing steel and rebar; setting and stripping of forms, false work (temporary forms and support structures), concrete distributing

apparatus; erection of scaffolds; pouring and finishing concrete; and the placement of gates, turbines, control towers and electrical wiring apparatus. This classification also includes the incidental construction of fish ladders as part of the new dam construction project.

This classification excludes all other construction, service, or repair work done as part of an existing dam which is to be reported separately in the classification applicable to the phase of construction work being performed. For example, the inspection of the foundation by divers is to be reported separately in classification 0202; the patching of cracks in the dam is to be reported separately in classification 0518.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-529 Classification 0803.

((Cities and towns, excluding municipal power and transit systems, law enforcement officers and fire fighters

This classification excludes clerical office and administrative office personnel which are to be reported separately in classification 5305-))

0803-00 Cities and towns - all other employees

Applies to employees of cities or towns who perform manual labor, or who supervise a work crew performing manual labor such as custodial or maintenance, and machinery or equipment operators. This classification includes administrative personnel such as engineers, safety inspectors, and biologists, who have field exposure, and also includes store and stock clerks. For purposes of this classification, field exposure is defined as any exposure other than the normal travel to a work assignment, such as an auditor or social worker would encounter.

This classification excludes municipal power districts which are to be reported separately in classification 1301; municipal transit systems which are to be reported separately in classification 1404; law enforcement officers who are to be reported separately in classifications 6905 and 6906, as appropriate; fire fighters who are to be reported separately in classification 6904; volunteers who are to be reported separately in classification 6901; and clerical office and administrative employees who are to be reported separately in classification 5305.

AMENDATORY SECTION (Amending WSR 90-13-018, filed 6/8/90, effective 7/9/90)

WAC 296-17-532 Classification 0901.

((Ship building or repair, N.O.C., all types including dismantling of ship hulls

This classification includes all shop and yard operations.))

0901-00 Ship building and/or repair, N.O.C.

Applies to establishments engaged in the building and/or repair of ships not covered by another classification (N.O.C.) and to the dismantling of hulls. Ships contemplated by this classification are commercial vessels such as, but not limited to, military vessels, tugs, scows, barges and recreational vessels over 65 feet. This classification includes shop operations.

This classification excludes wood boat building and repair which is to be reported separately in classification 2903; sheet aluminum boat building which is to be reported separately in classification 3404; fiberglass boat building which is to be reported separately in classification 3511; plate aluminum boat building which is to be reported separately in classification 5209; and boat dealers, marinas, and boat house operations including repair centers which are to be reported separately in classification 3414.

Special note: This classification is seldom assigned as most work would be covered by LHWCA.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-534 Classification 1002.

((Mills: Shake and shingle—automated processes

For purposes of this classification, automated processes refers to shake and shingle mills equipped with automatic feeders on all saws, adjustable packing and cutting stations, and fully automatic systems for conveying material to work stations. All equipment must be equipped with automatic shut off switches. Within a shingle mill the operation of a trim saw must be performed by an individual as a separate function from that of the shingle saw operator (shingle sawyer is not to perform both functions). Shake splitters must be equipped with a gauge control mechanism which permits the operator to automatically set the thickness of the cut. Conveyor systems must have dual controls to allow the deckman and sawyer the ability to control incoming material to the work station.

Block mills must be equipped with an automated pallet dump to eliminate the handling of material to the sawyer work station or an adjustable scissor lift adjacent to the shingle saw or shake splitter. Blocked wood purchased by mills must be contained in pallets prior to entering the mill yard or premises. Log mills must be equipped with a fully mechanized log slip (used to move logs into the deck area), log levelers, stabilizers, and lifters must be present in the deck area, automatic deck cut-off saw, live deck for moving material from the deck to the splitting area and overhead mounted splitters. Trim saws, also referred to as clipper saws, must be equipped with a laser guide or quartz light. This lighting reveals to the operator where its saw blade is in relationship to the material being processed.

For purposes of this classification, the following terms or words shall be given the meanings below:

Automatic deck or cut-off saw—A large saw, usually circular, used to trim logs to a specified length (rounds) before they enter a manufacturing plant.

Clipper saw—A machine used to make shingle edges parallel.

Shingle—Roofing or siding material having sawn faces and backs, are of a standard thickness at the butt end and tapered finish at the other end.

Shake—Roofing or siding material having at least one surface with a natural grain textured split surface.

Live deck—A chain driven platform located in the same proximity as the deck saw and is used to convey cut rounds from the cutting area to the splitting area.

Log stabilizer—A levered device adjacent to the deck saw used to hold the log steady while it is being cut.

Log slip—A chain driven conveyor used to move logs into the deck area.

Laser or quartz guide light—An overhead mounted light above a saw that illuminates that portion of a work surface where the saw blade will pass or make a cut.

Log leveler—A levered device adjacent to the deck saw used to level a log automatically.

Overhead splitter—A ceiling mounted hydraulic, air or electrically operated apparatus with wedge shaped end that is used to split log rounds into block wood when activated by the splitterman.

Shingle saw—A machine used to make shingles.

Shake splitter—A machine used to split blocks into shake blanks.

Shake saw—A machine used to saw shake blanks into a finished wedged shape product.

Shake and shingle mills not meeting all the conditions as set forth above shall be separately classified in classification 1005 "Shake and shingle mills, N.O.C."

Sawmills, operation and maintenance

This classification excludes operations conducted in the woods which is to be reported separately in classification 5001 "logging, N.O.C.")

1002-00 Sawmills: Operation and maintenance

Applies to establishments engaged in the operation and maintenance of a sawmill. Sawmills receive raw logs which they usually store temporarily in their yard before cutting them into rough and finished lumber. This classification includes operations such as, but not limited to, loading raw logs onto the conveyor or log slip; sawing logs with a variety of head, cut-off, circular or band saws; grading and sorting lumber; drying green (wet) lumber; and the stacking and storing of lumber. The raw logs are cut into rough lumber, such as cants and blocks, or into finished lumber, such as posts, planks or boards.

This classification excludes all operations conducted in the woods, such as logging or use of a portable sawmill, which is to be reported separately in classification 5001, and establishments engaged only in the manufacturing of wood, veneer, veneer products, or lumber remanufacturing which is to be reported separately in the classification applicable to the manufacturing being performed.

1002-08 Shake and shingle mills - automated process

Applies to establishments operating an automated shake and shingle mill which manufacture shakes, shingles and/or ridge caps using automated processes. For purposes of this classification, automated processes refers to shake and shingle mills equipped with automatic feeders on all saws, adjustable packing and cutting stations, and fully automatic systems for conveying material to work stations. All equipment must be equipped with automatic shut off switches. Within a shingle mill the operation of a trim saw must be performed by an individual as a separate function from that of the shingle saw operator (shingle sawyer is not to perform both func-

tions). Shake splitters must be equipped with a gauge control mechanism which permits the operator to automatically set the thickness of the cut. Conveyor systems must have dual controls to allow the deck man and sawyer the ability to control incoming material to the work station.

Block mills must be equipped with an automated pallet dump to eliminate the handling of material to the sawyer work station or an adjustable scissor lift adjacent to the shingle saw or shake splitter. Blocked wood purchased by mills must be contained in pallets prior to entering the mill yard or premises. Log mills must be equipped with a fully mechanized log slip (used to move logs into the deck area), log levelers, stabilizers, and lifters must be present in the deck area, automatic deck cut-off saw, live deck for moving material from the deck to the splitting area and overhead mounted splitters. Trim saws, also referred to as clipper saws, must be equipped with a laser guide or quartz light. This lighting reveals to the operator where its saw blade is in relationship to the material being processed.

For purposes of this classification, the following terms or words shall be given the meanings below:

Automatic deck or cut-off saw: A large saw, usually circular, used to trim logs to a specified length (rounds) before they enter a manufacturing plant.

Clipper saw: A machine used to make shingle edges parallel.

Shingle: Roofing or siding material having sawn faces and backs, are of a standard thickness at the butt end and tapered finish at the other end.

Shake: Roofing or siding material having at least one surface with a natural grain textured split surface.

Live deck: A chain driven platform located in the same proximity as the deck saw and is used to convey cut rounds from the cutting area to the splitting area.

Log stabilizer: A levered device adjacent to the deck saw used to hold the log steady while it is being cut.

Log slip: A chain driven conveyor used to move logs into the deck area.

Laser or quartz guide light: An overhead mounted light above a saw that illuminates that portion of a work surface where the saw blade will pass or make a cut.

Log leveler: A levered device adjacent to the deck saw used to level a log automatically.

Overhead splitter: A ceiling mounted hydraulic, air, or electrically operated apparatus with wedge shaped end that is used to split log rounds into block wood when activated by the splitterman.

Shingle saw: A machine used to make shingles.

Shake splitter: A machine used to split blocks into shake blanks.

Shake saw: A machine used to saw shake blanks into a finished wedged shaped product.

This classification excludes all operations conducted in the woods, such as logging or the cutting and splitting of shake or shingle bolts, which are to be reported separately in classification 5001.

Special notes: Shake and shingle mills not meeting all the conditions as set forth above shall be reported separately in classification 1005 "shake and shingle mills, N.O.C."

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-535 Classification 1003.

~~((Creosote works, pile and pole treating—yard operations only~~

~~Pole yard~~

~~Masts and spars yards.))~~

1003-02 Dry kiln operations

Applies to establishments engaged in kiln drying of wood as a service for customers in the wood products industry. They may also purchase and dry wood themselves for later sale to a wood product manufacturer. Operations contemplated by this classification include, but are not limited to, receiving green lumber or logs, peeling (mechanized or manual), any incidental machining or turning, layering on a trolley (with spacers in between to allow for air circulation), drying in the heated kiln, and the incidental application of preservative, fire retardant, or insecticide treatments, storing, and delivery. Preservatives may be oil or water based and may be applied through a heated, pressurized vacuum process in an autoclave, by surface application (spraying, brushing, dipping) or by soaking in tanks. Machinery and equipment includes, but is not limited to, log handling and trimming machinery, kilns, boilers that heat the kilns, autoclaves, storage tanks, trolley cars, fork lifts, hand tools and delivery trucks.

This classification excludes dry kiln operations that are part of a wood, veneer or lumber product manufacturing or remanufacturing operation which are to be reported separately in the classification applicable for the operation being performed; all operations conducted in the woods, such as the felling of timber, which are to be reported separately in the applicable logging classification, and work conducted away from the shop or yard, except delivery, which is to be reported separately in the classification applicable for the work being performed.

1003-03 Creosote works: pile and pole treating

Applies to establishments engaged in treating wood poles with creosote or other chemicals to inhibit deterioration. Poles produced by this type of business are intended for use as utility line poles, supports for bridges and trestles, or piles to be driven into the ground as part of the support for a pier or other structure. Operations contemplated by this classification include, but are not limited to, receiving logs, storing, seasoning (either by air or kiln drying), peeling (mechanized or manual), any incidental machining and turning (which may include cutting material into ties or cross arms), the application of creosote or other chemical preservative, and pick up and delivery. Preservative may be applied to seasoned wood through a heated, pressurized vacuum process in an autoclave, by surface application (spraying, brushing, dipping), or soaking in tanks. Machinery and equipment includes, but is not limited to, log handling/trimming/cutting machinery, kilns, boilers that heat the kiln, autoclaves, storage tanks, trolley cars for use in the kiln, fork lifts, hand tools, and trucks.

This classification excludes all operations conducted in the woods, such as the felling of timber, which are to be

reported separately in the applicable logging classification, and work conducted away from the shop or yard, except delivery, which is to be reported separately in the classification applicable for the work being performed.

1003-04 Pole yards

Applies to establishments engaged in producing wood poles to a customer's specifications or for their own resale. These poles are intended for a variety of uses and are finished to varying requirements. Work contemplated by this classification includes, but is not limited to, receiving logs, storing, seasoning (either by air or kiln drying), peeling (mechanized or manual), incidental machining or turning (which may include cutting some material into cross arms, cutting and boring), the application of creosote or other chemical preservative, and pick up and delivery. Preservative may be applied to seasoned wood through a heated, pressurized vacuum process in an autoclave, by surface application (spraying, brushing, dipping), or soaking in tanks. Machinery and equipment includes, but is not limited to, log handling/trimming/cutting machinery, kilns, boilers that heat the kiln, autoclaves, storage tanks, trolley cars for use in the kiln, fork lifts, hand tools, and trucks.

This classification excludes all operations conducted in the woods, such as the felling of timber, which are to be reported separately in the applicable logging classification, and work conducted away from the shop or yard, except delivery, which is to be reported separately in the classification applicable for the work being performed.

1003-05 Masts and spars yards

Applies to establishments engaged in producing wood masts and spars. Masts and spars are the main and secondary supports, respectively, for sails and running rigging on sailing vessels. These businesses may also produce poles for other uses which may need to be more precisely shaped and finished than those produced in 1003-04. Work contemplated by this classification includes, but is not limited to, receiving logs, storing, seasoning (either by air or kiln drying), peeling the logs (mechanized or manual), machining and turning to size (which may include cutting and boring holes), application of chemical preservative, sanding if necessary, and pick up and delivery. The application of wood finish is also included when performed by employees of an employer having operations subject to this classification. Preservative may be applied to seasoned wood through a heated, pressurized vacuum process in an autoclave, by surface application (spraying, brushing, dipping), or soaking in tanks. Machinery and equipment includes, but is not limited to, log handling/trimming/cutting machinery, kilns, boilers that heat the kiln, autoclaves, storage tanks, trolley cars for use in the kiln, fork lifts, wood finishing equipment, hand tools, and trucks. This classification includes the production of finished logs that will be used in the manufacture of log houses or cabins.

This classification excludes all operations conducted in the woods, such as the felling of timber, which are to be reported separately in the applicable logging classification, and work conducted away from the shop or yard, except delivery, which is to be reported separately in the classification applicable for the work being performed.

PROPOSED

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-53501 Classification 1004.

~~((Log storage and log sorting yards—excluding log storage or sorting yards operated in connection with all logging operations and by an employer whose operations are subject to either classification 5001 or 5005~~

~~This classification excludes all log trucking operations conducted outside of the log storage and log sorting yards.))~~

1004-00 Log storage and log sorting yards

Applies to establishments engaged in the operation of log storage or sorting yards. The logs may be owned by the yard, for later sale, or stored for others. Operations contemplated by this classification include, but are not limited to, loading/unloading log trucks, grading logs by type or size, stacking logs, recordkeeping, security and routine maintenance of grounds and equipment.

This classification excludes all trucking outside of the yard which is to be reported separately in classification 1102; log storage or sorting yards operated by a logging company at a side or a remote location, which are considered an inclusion and are to be reported separately in classifications 5001 or 5005 as applicable; and log storage yards operated in conjunction with a pole yard, log drying, or wood products manufacturing business which are to be reported separately in the classification applicable to the business.

AMENDATORY SECTION (Amending 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-53502 Classification 1005.

~~((Shingle mills, operations and maintenance
Shake mills, operations and maintenance~~

~~This classification excludes operations conducted in the woods which is to be reported separately in classification 5001—"logging, N.O.C.")~~

1005-02 Shake and/or shingle mills

Applies to establishments engaged in the operation and maintenance of a shake and/or shingle mill. Work contemplated by this classification includes receiving raw logs which they cut and split into shakes, shingles and ridge caps. A shake is a roofing or siding material having at least one surface with a natural grain textured split surface. A shingle is a roofing or siding material having sawn faces and backs and are of a standard thickness at the butt end and tapered finish at the other end. A ridge cap is produced from two pieces nailed together to form a "v" shape placed on the center line of a roof. Raw logs are temporarily stored in the yard. This classification may include operations such as, but not limited to, loading raw logs onto a conveyor or log slip, cutting the log into rounds, splitting the rounds into blocks, feeding the blocks through a shake or shingle saw, grading and sorting, bundling, stacking and storing of finished shakes, shingles and/or ridge caps. Machinery and equipment includes, but is not limited to, log loaders, conveyors, log slips, overhead splitters, cut-off saws, shake saws, shingle saws, taper saws, head saws, pallet presses, and forklifts.

This classification excludes establishments engaged exclusively in the manufacturing of ridge caps or shims which are to be reported separately in classification 2903; automated shake and shingle mills which are to be reported separately in classification 1002 provided the entire process to produce shakes and shingles uses automated processes at the mill site, meets the requirements defined in WAC 296-17-534; and all operations conducted in the woods, such as logging or the cutting and splitting of shake or shingle bolts, which are to be reported separately in the applicable logging classification.

AMENDATORY SECTION (Amending WSR 94-12-063, filed 5/30/94, effective 6/30/94)

WAC 296-17-53504 Classification 1007.

~~((Foresters, forest rangers and timber cruisers
Geophysical exploration, N.O.C., no core drilling
Inspection and grading bureaus, N.O.C.
Log sealing and grading bureaus
Lumber inspection services
Prospectors
Rainmaking— not by aircraft
Surveyor services, N.O.C.
Testing and inspecting of pipe lines—radiographers
Weather stations
Weigh scale attendants, N.O.C.
X-raying by contractor at industrial plants or construction sites
Classification 1007, classification 5001, and classification 5004 shall not be assigned to the same risk unless the operations described by these classifications are conducted as separate and distinct businesses and each business has separate and distinct employees.))~~

1007-08 Geophysical exploration, N.O.C.

Applies to contractors engaged in geophysical exploration, with no core drilling, and without seismic detection, who are not covered by another classification (N.O.C.). The more common methods of geophysical exploration are gravitational, electric and magnetic. In the gravitational method, delicate pendulums and torsion balances capable of detecting differences in the gravitational pull of the earth at various places enable the geologist to tell where oil is likely to be found. There are two electrical methods, resistivity and inductive. In the resistivity method, measurements are taken on an ohmmeter, which indicate the resistivity of the subsurface. The inductive method is somewhat comparable, but instead of determining the resistivity of the subsurface formations, the conductivity is measured enabling the geologist to determine the character of the subsurface being studied. The magnetic method is accomplished by means of a highly developed form of magnetic dipping needle with a telescope magnifier. The magnetic attraction exerted by magnetic rocks and formations causes the needle to deflect from its horizontal plane, thereby enabling a geologist to develop contour maps with lines of equal magnetic attraction. This classification includes prospectors who may specialize in particular instrumentation such as electrical, gravity, magnetic or seismic. The prospector studies structure of subsurface rock

formations to locate petroleum deposits; conducts research using geophysical instruments such as seismograph, gravimeter, torsion balance, and magnetometer, pendulum devices, and electrical resistivity apparatus to measure characteristics of the earth; computes variations in physical forces existing at different locations and interprets data to reveal subsurface structures likely to contain petroleum deposits; and determines desirable locations for drilling operations. This classification includes prospecting for mineral ores and the testing of soil for percolation when performed by employees of an employer subject to this classification.

This classification excludes core drilling and seismic geophysical exploration which are to be reported separately in classification 0103, and geophysical crews employed by oil companies who are to be reported in the classification applicable to the business.

Special note: When assigning classifications 1007-08, 4901-16 - Geologists, and 0103-10 - Seismic geophysical exploration, care must be taken to look beyond the word "geologist" to determine the actual nature of the activities being performed.

1007-09 Testing and inspecting of pipelines using radiographic or X-ray analysis process by contractor at industrial plants or construction sites

Applies to establishments engaged in the testing or inspecting of pipelines or conduits for others, provided the testing or inspecting is not performed in conjunction with the construction of the pipeline. This classification includes testing or inspecting involving radiographic or X-ray analysis processes such as the X-raying of containers, inspecting of utility lines, and the drawing of oil samples on-site when performed by employees of an employer subject to this classification. Classification 1007-09 is assigned primarily to field activities.

This classification excludes testing or inspecting done in conjunction with construction which is to be reported separately in the appropriate construction classification.

1007-15 Inspection and grading bureaus, N.O.C.; log scaling and grading bureaus; lumber inspection services; weigh scale attendants, N.O.C.; weather stations; rain-making - no aircraft

Applies to establishments operating as *inspection and grading bureaus*, not covered by another classification (N.O.C.), including, but not limited to, those involved in inspecting and grading commodities such as logs, lumber, shingles, shakes, poles, and railroad ties. The commodity is examined and stamped with a grademark which indicates the grade, species, producer's name or number and other pertinent data. A certificate of inspection may be issued in lieu of a grademark. The purpose of the inspection is to grade, tally, and stamp only those products which meet certain required specifications and to cull those products which do not meet the established standards. *Log scaling and grading bureaus* measure the logs, and by applying log rule formulas, determine the net yield, usually expressed in board feet. A scale ticket containing descriptive data is attached to the end of the log. This classification also applies to *weigh scale attendants* not covered by another classification (N.O.C.), when the service is available to the general public, otherwise the weigh

scale attendants are to be included in the basic classification of the business. This classification includes establishments engaged exclusively in such services as auto emission control testing, air flow balancing and testing, the balancing and testing of heating, ventilating and air conditioning systems, hydrostatic testing of such objects as boilers, tanks, pipes and fittings using compressed air or water pressure to detect leaks, the strength testing of building material such as, but not limited to, asphalt, concrete and steel; and the testing or inspecting of steel weldments. This classification also includes *weather stations* which observe and record weather conditions for use in forecasting, and which read weather instruments, including thermometers, barometers, and hygrometers to ascertain elements such as temperature, barometric pressure, humidity, wind velocity, and precipitation. Weather data is transmitted and received also from other stations. A fully automated (computerized) weather station can be reported under classification 4904. This classification also covers rainmaking without the use of aircraft.

Special note: Classification 1007, classification 5001, and classification 5004, shall not be assigned to the same business unless the operations described by these classifications are conducted as separate and distinct businesses and the conditions set forth in the general reporting rules covering the operation of a secondary business have been met.

1007-16 Foresters (to be assigned only by reforestation underwriter)

Applies to foresters engaged in forest management for others. Foresters may plan and direct forestation or reforestation projects, map forest areas, estimate standing timber and future growth, or manage timber sales. Foresters also may plan cutting programs to assure continuous production of timber, and determine methods of cutting and removing timber with a minimum of waste and environmental damage. They may plan and design forest fire suppression and fire-prevention programs, plan and design construction of fire towers, trails, roads and fire breaks and may also plan and design projects for control of floods, soil erosion, tree diseases, and insect pests in forests. Foresters may specialize in one aspect of forest management.

This classification excludes manual labor or direct supervision of manual labor.

Special note: Classification 1007, classification 5001, and classification 5004 shall not be assigned to the same business unless the operations described by these classifications are conducted as separate and distinct businesses and the conditions set forth in the general reporting rules covering the operation of a secondary business have been met.

1007-18 Foresters and timber cruisers - scientific tree, forestry, and watershed studies (to be assigned only by reforestation underwriter)

Applies to establishments engaged in scientific tree studies for others. Scientific tree studies are research oriented; random sample plots are measured and data such as the size of trees, species, disease and insect or animal damage, and seedling mortality, are recorded. Plots are maintained where each tree is tagged, its genealogy recorded, and growth statistics entered. A scion (a detached living shoot or twig) may be grafted onto a root stock and detailed records maintained of

its genealogy and growth. Other data, such as fertilizers used, also may be maintained. These test plots are sometimes referred to as progeny plots or progeny studies. This classification includes scientific studies of watersheds or watershed restoration which involves the evaluation of slopes, road systems, streams and the entire ecosystem (an ecological community with its physical environment, regarded as a unit). This classification also includes precommercial thinning layouts or pruning inspections to determine if an area is ready for thinning or pruning.

This classification excludes manual labor or direct supervision of manual labor.

Special note: Classification 1007, classification 5001, and classification 5004 shall not be assigned to the same business unless the operations described by these classifications are conducted as separate and distinct businesses and the conditions set forth in the general reporting rules covering the operation of a secondary business have been met.

1007-19 Timber cruisers (to be assigned only by reforestation underwriter)

Applies to timber cruisers engaged in cruising timber land to estimate the volume and quality of a timber stand through an on-site visual inspection for others. A timber cruiser collects data concerning forest conditions for appraisal, sales, administration, logging, land use, and forest management planning. A forest area is traversed on foot in an established pattern and sampling techniques applied. The height and diameter of each tree in a test site is recorded as are defects such as rot and bends, to estimate the useable wood in each tree. From the data collected a summary report is prepared giving the timber types, sizes, condition and outstanding features of an area, such as existing roads, streams, and communication facilities. Trees may be marked with spray paint to denote trail, boundary, or for cutting.

This classification excludes manual labor or direct supervision of manual labor.

Special note: Classification 1007, classification 5001, and classification 5004 shall not be assigned to the same business unless the operations described by these classifications are conducted as separate and distinct businesses and the conditions set forth in the general reporting rules covering the operation of a secondary business have been met.

1007-20 Foresters and timber cruisers - tree auditing (to be assigned only by reforestation underwriter)

Applies to establishments engaged in tree auditing for others. This service is generally associated with new plantations and is the process of evaluating the quality and the rate of planting of new trees, as well as surveying newly planted sites on a periodic schedule to determine the survival rate.

This classification excludes tree auditing services when planting is in process, which is to be reported separately in classification 5004, and manual labor or direct supervision of manual labor.

Special note: Classification 1007, classification 5001, and classification 5004 shall not be assigned to the same business unless the operations described by these classifications are conducted as separate and distinct businesses and the conditions set forth in the general reporting rules covering the operation of a secondary business have been met.

1007-21 Environmental and ecological surveyor services, N.O.C.

Applies to establishments engaged in providing environmental and ecological surveying services not covered by another classification (N.O.C.) for others. Environmental or ecological surveying firms typically serve as consultants to industrial or commercial enterprises, governmental agencies or private citizens. Environmental engineer is a term applied to engineering personnel who apply knowledge of chemical, civil, mechanical, or other engineering disciplines to preserve the quality of life by correcting and improving various areas of environmental concern, such as air, soil, or water pollution. Services include identifying and projecting potential environmental impact resulting from proposed projects, assessing the source, severity and extent of environmental damage resulting from human or natural causes, and recommending solutions to protect or regain the natural balance between organisms and their environment. Activities of environmental surveying/consulting establishments include, but are not limited to, locating archaeological sites for preservation, researching and collecting field data on birds and insects, preparing impact statement for landowners and developers, stream and fish monitoring, botanical surveys, wetland surveys, soil and groundwater testing for contamination, air monitoring including industrial hygiene services, monitoring and testing at hazardous waste sites, providing advice on pollution control at its source, and developing a plan for cleaning up already recognized problems such as waste disposal sites, radon or asbestos contamination. Other services provided may include helping clients develop a system for complying with various governmental regulations. This classification includes employees of the environmental surveying service who conduct field work as well as those who are assigned to act as project managers or project superintendents to oversee the work of remediation contractors.

This classification excludes all types of remediation work which is to be reported separately in the classification applicable to the type of remediation work being performed, and surveyors employed by construction companies or other types of businesses who are to be reported separately in the applicable classifications.

Special note: When assigning classifications 1007 or 4901, care must be taken to look beyond the words "consulting" or "engineering" to determine the actual nature of the activities being performed. Classifications 1007 and 4901 shall not be assigned to the same business unless the operations described by these classifications are conducted as separate and distinct businesses, each business has separate and distinct employees, and the conditions set forth in the general reporting rules covering the operation of a secondary business have been met.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-536 Classification 1101.

~~((Automobile-delivery drive away, automobile-repossessing, Computer-tape/accounting-records-delivery-service~~

Delivery by retail, wholesale, combined wholesale and retail stores and distributors, N.O.C.

Delivery companies, deliver parcels and packages, no bulk merchandise

Distribution of sample merchandise by vehicle

Driver delivery sales, N.O.C.

Drivers of sound trucks

News agents or distributors of magazines, periodicals and telephone books, no retail dealer

Route food services, excluding food preparation which is to be reported separately in classification 3905-

Street vending vehicles.))

1101-04 Automobile delivery or repossessing

Applies to establishments engaged in delivering or repossessing individual automobiles for others. Generally, a client will contact the service company and arrange for a car to be delivered to a specific destination or request that a car of which they (client) is the legal owner, be repossessed and delivered to a specific location. In either case, a driver, not a motorized transportation service, does the delivery. Duties of employees subject to this classification are generally limited to unlocking vehicles and driving. It is common on long distance deliveries for the service company to use more than one driver. This classification also applies to drivers of sound trucks.

This classification excludes operation of tractor/trailer combinations to transport vehicles which is to be reported separately in classification 1102 or classification 1109, depending on the method of transporting.

1101-06 Delivery by retail and wholesale stores and distributors, N.O.C.

Applies to employees of retail and wholesale stores engaged in inter-store delivery, customer merchandise delivery when excluded from the store classification, and delivery not covered by another classification (N.O.C.). Employees subject to this classification are generally involved in loading and unloading delivery vans or trucks and driving from store to store, or from a store to a customer's location. Drivers may or may not have designated routes or delivery areas. This classification is not applicable to establishments engaged in general trucking services which are to be reported separately in classification 1102. Classification 1101 is distinguishable from delivery operations reported in classification 1102 in that businesses covered by classification 1102 generally do not own the merchandise they are transporting.

1101-09 Parcel delivery companies for delivery of small parcels

Applies to establishments engaged in the delivery of small parcels for others. Establishments subject to this classification may offer overnight express services, but usually do not deliver packages that exceed 150 pounds. Work contemplated by this classification includes, but is not limited to, driving, loading and unloading delivery vehicles. This classification also applies to contract mail delivery route drivers and contract hauling of mail between post offices.

This classification excludes the delivery of bulk freight such as that delivered by trucking companies which are to be reported separately in classification 1102.

1101-14 News agents or distributors of magazines, periodicals and telephone books - no retail dealers

Applies to establishments engaged in the distribution of newspapers, periodicals, and telephone books. Work contemplated by this classification includes, but is not limited to, driving, loading and unloading the vehicles, stocking shelves, and removing old periodicals from shelves.

1101-17 Driver delivery sales, N.O.C.

Applies to establishments engaged in route sales of a wide variety of merchandise not covered by another classification (N.O.C.), including, but not limited to, hand tools, automotive supply, household items, used clothing, snack foods (such as potato chips), dairy products, greeting cards, over-the-counter medications, grooming products, and pamphlets. Sales personnel drive company vehicles to deliver products which have been previously ordered and, while at the customer's location, solicit further orders, remove outdated merchandise, and restock shelves or displays. They may also call on new customers along their route.

1101-19 Route food services

Applies to establishments engaged in route food services where prepackaged, prepared food is sold, or where food may be prepared in the mobile unit for immediate sale by employees of the route food service. Duties include, but are not limited to, driving, food preparation, loading and unloading the vehicle, and cashiering. Typical route food services include, but are not limited to, traveling coaches that sell beverages and prepared pastries or snack items at various locations during a given work day, ice cream wagons, refrigerated trucks that sell specialty prepackaged foods to route customers, or mobile "short-order" food services that sell fast foods at special events or at locations where hot food may not be available.

This classification excludes food preparation at a fixed location for the route food vehicles which may be reported separately in classification 3905 or as applicable.

1101-20 Computer tape or accounting records delivery service

Applies to establishments engaged in picking up and delivering computer tape, accounting records, or similar financial records to or from storage centers to customer locations. Delivery drivers in this classification often work in metropolitan areas and drive small cars or bicycles.

1101-21 Errand service

Applies to establishments engaged in providing errand services for others. Types of errands include, but are not limited to, shopping services, delivery of food, beverages or other commodities, and delivery of body fluid samples to laboratories. Vehicles used by these services are typically small cars or bicycles. This classification also applies to the distribution of sample merchandise by vehicle.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-537 Classification 1102.

((~~Interstate and intrastate trucking including transport companies, express companies, freight hauling and trucking, N.O.C.~~))

1102-02 Interstate trucking

Applies to establishments engaged in interstate trucking. Interstate trucking is the hauling of goods that either originate out of state or have an out-of-state destination. Duties include driving, mechanical repair, and in some cases loading/unloading vehicles. The loading and unloading may be done with forklifts, pallet jacks, hand trucks, or by hand. The drivers may have an assigned route, or they may be assigned a different destination each trip.

Special notes: Effective July 1, 1993, trucking establishments are allowed to have both the trucking classification 1102 and the freight handling classification 2002. However, hours cannot be split for a worker who works in both classes. If an employee has any driving duties, all their hours are to be reported in classification 1102. Establishments subject to this classification are to report actual hours worked for each driver. However, the hours are to be capped at 520 hours per driver per quarter. Detailed information can be found in the general audit rule covering the trucking industry and in RCW 51.12.095.

1102-03 Intrastate trucking

Applies to establishments engaged in intrastate trucking. Intrastate trucking is the hauling of goods *only* within the boundaries of a state. In other words, the goods must have both an origin and destination in the same state. Duties include driving and, in some cases, loading and unloading the vehicles. The loading and unloading may be done with forklifts, pallet jacks, hand trucks, or by hand. The drivers are usually assigned routes or a territory. Businesses in this classification usually have terminals or storage depots where merchandise is stored awaiting transfer.

Special notes: Effective July 1, 1993, trucking establishments are allowed to have both the trucking classification 1102 and the freight handling classification 2002. However, hours cannot be split for a worker who works in both classes. If an employee has any driving duties, all their hours are to be reported in classification 1102. Establishments subject to this classification are to report actual hours worked for each driver. However, the hours are to be capped at 520 hours per driver per quarter. Detailed information can be found in the general audit rule covering the trucking industry.

1102-04 Combined interstate/intrastate trucking

Applies to establishments engaged in a combination of interstate/intrastate trucking activities. Businesses assigned to this classification generally do not produce, manufacture, or legally own the goods they are hauling. Interstate trucking is the hauling of goods which either originate out of state or have an out-of-state destination. Intrastate trucking is the hauling of goods *only* within the boundaries of a state. In other words, the goods have both an origin and destination in the same state. Duties include driving and, in some cases, loading and unloading the vehicles. The loading and unloading

may be done with forklifts, pallet jacks, hand trucks, or by hand. The drivers are usually assigned routes or a territory. Establishments in this classification usually have terminals or storage depots where merchandise is stored awaiting transfer.

Special notes: Effective July 1, 1993, trucking establishments are allowed to have both the trucking classification 1102 and the freight handling classification 2002. However, hours cannot be split for a worker who works in both classes. If an employee has any driving duties, all their hours are to be reported in classification 1102. Establishments subject to this classification are to report actual hours worked for each driver. However, the hours are to be capped at 520 hours per driver per quarter. Detailed information can be found in the general audit rule covering the trucking industry and in RCW 51.12.095.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-538 Classification 1103.

((~~Beauty bark dealers: Yard operations—excludes bark grinding operations which are to be reported separately in classification 2903~~

~~Composting services: Yard operations including mulching and chipping vegetative matter~~

~~Coal and solid fuel dealers: Yard operations—excludes mining or digging operations which are to be reported separately in the applicable classification~~

~~Firewood dealers: Yard operations—excludes firewood cutting in the woods which is to be reported separately in classification 5001~~

~~Pallet recycle service: Yard operations—excludes pallet manufacturing, assembly or repair which is to be reported separately in classification 2903~~

~~Peat or humus dealers—excluding digging operations which are to be reported separately in classification 0112~~

~~Top soil dealers: Yard operations~~

~~This classification includes delivery when performed by employees of an employer subject to this classification.))~~

1103-00 Coal and solid fuel dealers - yard operations

Applies to establishments engaged in the sale and delivery of coal, pressed wood fiber logs (fire logs), wood stove pellets, wood chips, and sawdust. Operations contemplated by this classification include all related store, yard and delivery operations when conducted by employees of employers having operations subject to this classification.

This classification excludes all manufacturing operations which are to be reported separately in the classification applicable to the material and process used, and all mining operations which are to be reported separately in the applicable classification.

1103-02 Firewood dealers - yard operations

Applies to establishments engaged in the sale of firewood. This classification is limited to establishments operating a firewood sales lot where customers either pick up firewood or the dealer will make deliveries from. Operations contemplated by this classification are limited to yard and delivery operations.

This classification excludes firewood cutting operations conducted in timber or forest lands and firewood sales lots conducted from a logging landing which are both to be reported separately in the applicable logging classification.

Special note: Establishments subject to this classification may purchase pre-cut firewood from other nonrelated businesses or may have a cutting crew. The only cutting operations allowed in classification 1103 are those conducted in the sales lot.

1103-04 Composting

Applies to establishments engaged in composting yard waste or other materials. Depending on the type of yard waste accepted, grinders may be used to reduce the size of the material for faster composting. Once the material is an acceptable size for composting, it may be placed in static curing piles, turned periodically to aerate until it is adequately decomposed, then sometimes screened. Another method of curing is to place the waste material in long rows, called "windrows" which are turned periodically. Other establishments, either operated privately or by municipalities, may use processed and dewatered sludge which is mixed with other materials such as shredded yard waste, sawdust, or other wood waste. The mixture must be designed to have the right degree of moisture and air to maintain a temperature of between 130 and 160 degrees Fahrenheit. The end product, in either instance, is a "Class A" pathogen product, meaning it can be used in soil for raising vegetables and is referred to as "manufactured" soil. This classification includes delivery when performed by employees of an employer having operations subject to this classification.

1103-05 Pallet recycle service - yard operations

Applies to establishments engaged in the sale of used wood pallets to others. Operations contemplated by this classification are limited to the pick up of discarded used pallets from stores, warehouses, or other facilities, transporting of pallets to the establishment's sorting and storage yard where they are sorted by grade and size, reloading of pallets onto trucks, and delivery of pallets to customers.

This classification excludes all pallet repair activities which are to be reported separately in classification 2903.

1103-06 Top soil, humus, peat and beauty bark dealers - yard operations

Applies to establishments engaged in the sale of soils, humus, peat, and beauty bark to others. Operations contemplated by this classification are limited to the receipt of soils, peat, humus, bark and compost in bulk and the subsequent load out of bark, soil and related organic matter into customer vehicles. This classification includes custom mixing soils, incidental sales of landscaping rock, sand, gravel, and crushed rock, and delivery when performed by employees of an employer subject to this classification.

This classification excludes contract delivery by non-dealer employees who are to be reported separately in classification 1102, and digging of soils/humus/peat/gravel or grinding of bark which are to be reported separately in the applicable classification.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-53801 Classification 1104.

((Automobile or truck wrecking or dismantling
This classification includes over the counter sales of new or used parts and tow truck operations.))

1104-00 Auto or truck wrecking or dismantling

Applies to establishments engaged in salvaging, dismantling and parting out motorized vehicles, motorcycles, and aircraft. Parts may be removed and inventoried or removed when there is a special request for them. Afterwards, hulls are stripped and may be crushed. Operations contemplated by this classification includes removal of salable parts with the use of hand tools and discarding frames and bodies for future sale to scrap dealers and metal manufacturers. Any subsequent breaking up of stripped chassis and bodies with torches or shears to be sold as iron or steel scrap is also included within the scope of this classification as is the reconditioning of the yard's own autos and trucks for resale. In addition to the yard work, salvaged parts will be reconditioned or repaired and sold over the counter. New parts may also be sold. A dismantler may locate and obtain parts from another yard for a customer. Dismantlers may haul cars and trucks to the yard by tow truck, flatbed, or multi-car carrier or the owner may bring the vehicle to the yard. Tow truck operations related to the hauling of vehicles purchased by the wrecking yard for sale by the yard are included within the scope of this classification.

This classification excludes establishments engaged in tow truck services to the public which are to be reported separately in classification 1109, and establishments engaged in salvaging, collecting, sorting and reducing scrap metal which are to be reported separately in classification 0604.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-53802 Classification 1105.

((Portable chemical toilet service
Septic tank pumping services—installation and repair of septic systems are to be reported separately in classification 0108

Street or parking lot sweeping services

Vacuum truck services such as but not limited to recovery of waste oil, cleaning solvents and antifreeze

This classification includes the related disposal of waste products which are recovered by establishments subject to this classification; and maintenance of vehicles and equipment unless another classification treatment is provided for by the rules in this manual.))

1105-00 Septic tank pumping

Applies to establishments engaged in septic tank pumping services for others. In addition to driving duties, the drivers connect the pumping hose to the top of the septic tank and start the motor/pump to remove waste from the septic tank or cesspool. This classification includes the related disposal of waste products which are recovered by establishments subject to this classification.

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This classification excludes installation and repair of septic tanks or systems which are to be reported separately in classification 0108, and cleaning of septic systems which is to be reported separately in classification 0504.

1105-01 Street sweeping; parking lot sweeping; and portable chemical toilet servicing

Applies to establishments that perform street sweeping and parking lot sweeping services for others. Trucks used for sweeping are equipped with rotating or nonrotating brushes and vacuum/suction devices. In addition to driving duties, the drivers may adjust/unclog the brushes, and clean the holding tanks contained on the sweeping or pumping vehicle. This classification also includes snow removal by plowing, delivery of portable toilets and the related servicing and disposal of waste products which are recovered by establishments subject to this classification.

1105-02 Vacuum truck services

Applies to establishments engaged in vacuum truck services for others. Services include, but are not limited to, cleaning of duct work, picking up waste oils, lubricants, anti-freeze, bilge water, and similar waste products. Establishments subject to this classification may offer a regular service, one-time or occasional pick-up service. The driver has kits for testing the materials and, if there is a question, a sample is taken to a laboratory for further analysis. If the waste material is acceptable, it is pumped into the tanker truck. The waste material may be consolidated with similar products and "bulked" in storage tanks, then taken to appropriate treatment or disposal facilities, or it may be taken directly to appropriate facilities. If it is to be "bulked" with other products, it will be filtered as it is pumped into the storage tanks and allowed to sit for a few days for any water to settle to the bottom of the tank and be drained off. Bulked materials may be hauled away by the establishment's own trucks or by common carrier. Establishments subject to this classification may pick up containers of used oil filters and bring them into their plant where they are sorted into crushed and uncrushed filters, and gaskets removed. This activity is included within the scope of this classification if it is an incidental service. This classification includes the related disposal of waste products which are recovered by establishments subject to this classification.

This classification excludes septic tank pumping which is to be reported separately in classification 1105-00.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-53803 Classification 1106.

~~((Rental stores N.O.C.
This classification includes clerical office and sales personnel.))~~

1106-00 Rental stores, N.O.C.; Truck canopy sales

Applies to establishments engaged in the rental of items, not covered by another classification (N.O.C.), such as hand tools, air compressors, automotive tools, baby equipment, convalescent equipment, exercise equipment, floor care equipment, pressure washers, party and banquet equipment, light construction tools or equipment such as saws, drills, and

sanders, and lawn and garden equipment, as opposed to machinery or larger commercial or industrial equipment. The tools and equipment are generally rented to homeowners for use on their property. Rental stores within this classification rent a variety of tools and equipment unlike specialty rental stores that specialize in one type of product. This classification includes clerical office personnel, sales personnel, as well as the maintenance and repair of rented goods when performed by employees of the rental store. This classification also applies to establishments engaged exclusively in the sale and related installation of truck canopies.

This classification excludes establishments engaged in the rental of commercial or industrial equipment and/or machinery such as, but not limited to, bulldozers, tractors, and backhoes which are to be reported separately in classification 6409; establishments engaged in the rental of farm machinery equipment which are to be reported separately in classification 6408; establishments engaged in the rental of vehicles which are to be reported separately in the applicable classification; establishments engaged in the rental of sporting goods which are to be reported separately in classification 6309; establishments engaged in the rental of clothing or costumes which are to be reported separately in classification 6305; and establishments engaged in the rental of furniture which are to be reported separately in classification 6306.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-53805 Classification 1108.

~~((Auto glass merchants
Glass merchants including bending, grinding, beveling, sil-
vering or tempering of plate or sheet glass
Glass frosting, etching, beveling including cutting
This classification excludes the installation of glass, mirrors,
aluminum or wood window sashes or similar products
away from the shop which are to be reported separately
in classification 0511.))~~

1108-02 Glass tempering

Applies to establishments engaged in glass tempering services for others. Operations contemplated by this classification include glass cutting, bending, grinding, beveling, and silvering. Tools and equipment include metal and wood cutting tools and machinery, grinders, sanders, drills, saws, knives, suction cups, putty, caulking, cleaning solvents, forklifts, packing materials, delivery and service vehicles and tempering ovens. The process of glass tempering consists of taking auto or sheet glass which has been purchased from a glass manufacturer or distributor and placing it in a tempering oven. The oven heat realigns the molecular structure of the glass creating added strength, however, the appearance of the glass remains unchanged. This classification includes the sale of accessories for flat glass such as sealants, screening, aluminum frames for storm windows and doors, mirror backings, frames and glass cleaners.

This classification excludes establishments engaged in the installation of glass, mirrors, aluminum or wood window sashes or similar products away from the shop which are to be reported separately in classification 0511; establishments

engaged in the manufacture of glass which is to be reported separately in classification 3503; merchants who specialize in selling or installing auto glass which is to be reported separately in classification 1108-04; glass merchants engaged exclusively in flat glass sales which are to be reported separately in classification 1108-03; and combined auto/flat glass merchants with no tempering which are to be reported separately in classification 1108-05.

1108-03 Flat glass merchants - no tempering

Applies to establishments engaged in receiving, storing and selling all types of fabricated glass and plexiglas. Glass products include, but are not limited to, window glass, plate glass, safety glass for automobiles, and mirrors. Work contemplated by this classification includes cutting of glass to customers specified dimensions, beveling, buffing, grinding, polishing, silvering of plate glass, and the installation of glass into frames within the shop or adjacent yard. Some dealers may specialize in cutting, selling or installing fabricated flat glass or they may also sell and install plate, laminated, window, cathedral, stained, bullet proof, opalescent flat, picture, skylight and tempered glass. Most glass dealers will cut glass to order. Tools and equipment include metal and wood cutting tools and machinery, grinders, sanders, drills, saws, knives, suction cups, putty, caulking, cleaning solvents, forklifts, packing materials, delivery and service vehicles. This classification includes the sale of accessories for flat glass such as sealants, screening, aluminum frames for storm windows and doors, mirror backings, frames and glass cleaners.

This classification excludes establishments engaged in the installation of glass, mirrors, aluminum or wood window sashes or similar products away from the shop which are to be reported separately in classification 0511; manufacturing of glass which is to be reported separately in classification 3503; glass merchants who perform glass tempering which are to be reported separately in classification 1108-02; and merchants who specialize in selling or installing auto glass which are to be reported separately in classification 1108-04.

1108-04 Auto glass merchants

Applies to establishments engaged in selling and installing automobile glass in vehicles. In addition to selling and installing new or replacement auto glass, merchants typically repair auto windshield cracks, scratches, bullseyes and breaks. Tools and equipment include metal and wood cutting tools, grinders, sanders, drills, saws, knives, windshield sticks, suction cups, putty, caulking, cleaning solvents, delivery and service vehicles. Solar tinting of auto glass with film to reduce heat and glare may also be performed, as well as selling and installing sun roofs. Auto glass merchants may offer 24-hour emergency service or pickup and delivery. Installation of auto glass, truck glass or boat tops performed in or away from the shop is included within the scope of this classification.

This classification excludes establishments engaged in the manufacturing of glass which are to be reported separately in classification 3503; glass merchants who perform glass tempering which are to be reported separately in classification 1108-02; glass merchants exclusively dealing in flat glass which are to be reported in classification 1108-03; and

combined auto/flat glass merchants with no tempering which are to be reported in classification 1108-05.

1108-05 Combined auto and flat glass merchants - no tempering

Applies to establishments engaged in receiving, storing and selling all types of fabricated glass and plexiglas as window glass, plate glass, safety glass for automobiles, mirrors and other types of glass at a permanent shop location or adjacent yard. Work contemplated by this classification includes cutting of glass to customers' specified dimensions, beveling, buffing, grinding, polishing, silvering of plate glass and the installation of glass into frames. Tools and equipment include metal and wood cutting tools and machinery, grinders, sanders, drills, saws, knives, suction cups, windshield sticks, putty, caulking, cleaning solvents, forklifts, packing materials, and delivery and service vehicles. A glass merchant performing the installation of glass in automobiles is also included within the scope of this classification; as are related services such as, but not limited to, repair of auto windshield cracks, scratches, bullseyes and breaks; in vehicle tinting of auto glass to reduce heat and glare; and installing sun roofs. Other dealers may specialize in cutting, selling or installing fabricated flat glass or they may also sell and install plate, laminated, window, cathedral, stained, bullet proof, opalescent flat, picture, skylight and tempered glass. Included within the scope of this classification is the sale of accessories for flat glass such as sealants, screening, aluminum frames for storm windows and doors, mirror backings, frames and glass cleaners.

This classification excludes establishments engaged in the installation of glass, aluminum or wood window sashes or similar products away from the shop which are to be reported separately in classification 0511; manufacturing of glass which is to be reported separately in classification 3503; glass merchants who perform glass tempering which are to be reported separately in classification 1108-02; and flat glass merchants who do not sell or install auto glass which are to be reported separately in classification 1108-03.

1108-06 Glass frosting, etching, beveling or grinding

Applies to establishments engaged in shaping and finishing solid glass by cutting, frosting, etching, beveling, grinding, sandblasting, carving, glue chipping, decorating or grooving. Custom items manufactured in this classification include, but are not limited to, video game tops, glass signs, glass used in the assembly of electrical appliances such as microwave ovens, electronically controlled cabinets and display panels, and mirrors of all sizes. Machinery includes diamond or glass cutting saws, diamond or glass grinding wheels and discs, drills, polishing laps, etching tools and other hand tools. In the manufacture of mirrors, metallic solutions (usually silver), shellacs or varnishes, paints, and plate glass are received from outside sources. The glass is cut to size, ground, smoothed, and the edges may be beveled. Hole drilling, chemical etching, drying, buffing and polishing may be performed. Reflective surfaces are generally produced by pouring or spraying metallic solutions over prepared glass. Heavier coats are obtained by successive applications of the plating solution. After applying the plating solution, the mirrors are sprayed or hand brushed with shellac

or varnish, then with paint. Frames, handles or similar finishings may be attached. Production manufacturing of insulated glass by sealing together two or more sheets of glass with an air space between them is also included when performed by employees of an employer subject to this classification.

This classification excludes the mining, digging or quarrying of raw materials which is to be reported separately in the applicable classification; glass merchants who do incidental grinding, beveling, silvering and cutting of glass who are to be reported separately in the classification applicable to the type of glass they specialize in; establishments manufacturing optical goods or telescopes, or perform precision grinding of blank or rough lenses which are to be reported separately in classification 6604; and establishments engaged in manufacturing stained or leaded glassware, or in melting or blowing glass which are to be reported separately in classification 3503.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-53806 Classification 1109.

((Automobile or truck towing companies
Automobile or truck towing, N.O.C.))

1109-00 Automobile or truck towing services, N.O.C.

Applies to establishments engaged in providing towing services to others which are not covered by another classification (N.O.C.). Operations contemplated by this classification are limited to tow truck drivers and their assistants who are engaged in towing services for hire. For purposes of this classification "towing services for hire" means, but is not limited to, the towing of disabled vehicles to a shop (that is unrelated to the towing service) for repair; the recovery of repossessed vehicles for others by tow truck; roadside assistance during snow, ice or flooding to recover or free stuck vehicles; and the towing in of disabled vehicles to a secured yard for insurance or law enforcement agencies. It is common for towing companies to also operate a vehicle repair garage or service center in conjunction with the towing service. Auto service centers and repair garages, auto body shops and wrecking yard operations are to be reported separately in the applicable service or repair classification provided that the conditions of the general reporting rules covering the operation of a secondary business and the division of worker hours have been met. Tow truck dispatchers who have no other duties may be reported separately in classification 4904 provided that the conditions of the standard exception general reporting rules have been met.

Special note: Towing is common to many classifications. Employers offering towing services should be contacted to verify whether the towing service they provide is only in connection with their auto repair, auto body or wrecking yard (towing service not for hire), or provided as a general service unrelated to their repair garage (towing services for hire). Only towing services for hire are to be assigned to classification 1109. If a business provides both towing services for hire and not for hire, worker hours for drivers and their assistants maybe divided between this classification and the applicable repair garage classification provided that the

conditions of the general reporting rule covering the division of worker hours has been met. Otherwise, all driver and assistant hours are to be assigned to the highest rated classification applicable to the business.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-539 Classification 1301.

((Bridge tenders, electrically operated bridges, vehicular tunnels operation

Electric light and power cooperatives

Electric light and power plants, cities, towns and counties

Electric light and power public utility districts

Electric systems, N.O.C.

Steam heat and power plants

This classification includes extension of lines and meter readers when done by employees of employers having operations subject to this classification

This classification excludes contractors engaged in underground line construction, maintenance or repair which are to be reported separately in classification 0107; contractors engaged in overhead line construction, maintenance or repair which are to be reported separately in classification 0509; and contractors engaged in wiring within buildings which are to be reported separately in classification 0601.))

1301-00 Electric light and power plants operated by cities, towns, or counties

Applies to establishments, operated by a city, town, or county, engaged in generating and distributing electricity to their residents. These may be hydroelectric, fossil fuel steam or turbo-generator plants. This classification includes the regular installation, maintenance and repair of power plant machinery and equipment, the extension and maintenance of lines (including poles, towers and underground lines), the installation and maintenance of circuit breakers and transformers on poles, pole-to-house hook-ups (service connections), meter installation and meter readers when done by employees of an employer having operations subject to this classification. Machinery and equipment may include, but not be limited to, boilers, turbines, generators, cables, transformers, switchgears, circuit breakers, control panels, substations, poles, lines, relays, computers, cranes, forklifts, vehicles and garages, warehouse equipment, meters and hand tools.

This classification excludes contractors engaged in underground line construction maintenance or repair who are to be reported separately in classification 0107; contractors engaged in overhead line, pole and tower construction, maintenance or repair, who are to be reported separately in classification 0509; contractors engaged in wiring within buildings who are to be reported separately in classification 0601; contractors engaged in the installation of machinery or equipment who are to be reported separately in classification 0601 or 0603 as applicable; and the construction of any buildings which is to be reported separately in the applicable construction classification.

1301-01 Electric light and power cooperatives

Applies to establishments, in the form of cooperatives, engaged in generating and distributing electricity to their customers. A cooperative is formed by, and owned jointly by, those who make use of the service being provided. The power may be generated by a hydroelectric, fossil fuel steam or turbo-generator plant. This classification is appropriate whether a cooperative owns a power plant or is distributing power purchased from another utility company. Work contemplated by this classification includes the regular installation, maintenance and repair of power plant machinery and equipment, the extension and maintenance of lines (including poles, towers and underground lines), the installation and maintenance of circuit breakers and transformers on poles, pole-to-house hook-ups (service connections), meter installation and meter readers when done by employees of an employer having operations subject to this classification. Machinery and equipment may include, but not be limited to, boilers, turbines, generators, cables, transformers, switchgears, circuit breakers, control panels, substations, poles, lines, relays, computers, cranes, forklifts, vehicles and garages, warehouse equipment, meters and hand tools.

This classification excludes contractors engaged in underground line construction maintenance or repair who are to be reported separately in classification 0107; contractors engaged in overhead line, pole and tower construction, maintenance or repair, who are to be reported separately in classification 0509; contractors engaged in wiring within buildings who are to be reported separately in classification 0601; contractors engaged in the installation of machinery or equipment who are to be reported separately in classification 0601 or 0603 as applicable; and the construction of any buildings which is to be reported separately in the applicable construction classification.

1301-02 Electric light and power plants operated by public utility districts

Applies to establishments, in the form of a public utility district (P.U.D.), engaged in generating and distributing electric power to a part of a county. This classification applies whether a P.U.D. owns a power plant or is distributing power purchased from another utility. Work contemplated by this classification includes the regular installation, maintenance and repair of power plant machinery and equipment, the extension and maintenance of lines (including poles, towers and underground lines), the installation and maintenance of circuit breakers and transformers on poles, pole-to-house hook-ups (service connections), meter installation and meter readers when done by employees of an employer having operations subject to this classification. Machinery and equipment may include, but not be limited to, boilers, turbines, generators, cables, transformers, switchgears, circuit breakers, control panels, substations, poles, lines, relays, computers, cranes, forklifts, vehicles and garages, warehouse equipment, meters and hand tools.

This classification excludes contractors engaged in underground line construction maintenance or repair who are to be reported separately in classification 0107; contractors engaged in overhead line, pole and tower construction, maintenance or repair, who are to be reported separately in classification 0509; contractors engaged in wiring within buildings

who are to be reported separately in classification 0601; contractors engaged in the installation of machinery or equipment who are to be reported separately in classification 0601 or 0603 as applicable; and the construction of any buildings which is to be reported separately in the applicable construction classification.

1301-05 Steam heat power plants

Applies to establishments engaged in the operation of a steam heat power plant. These businesses use coal, oil, natural gases or electric power to produce steam which is distributed through a network of under or overground pipes to customers (the plant must be very near the purchaser). The initial process of producing the steam is the same as the process used in a steam powered electric generating plant, but the steam is channeled out to the purchaser instead of being used to turn turbines. The purchasers use the steam for heating buildings, operating saunas, as a heat source for cooking or processing in food processing plants, breweries or restaurants, producing the heat needed for wood drying kilns, or to convert back to hot water. Work contemplated by this classification includes, but is not limited to, the regular installation, maintenance or repair of plant machinery and equipment, the extension and maintenance of over or underground pipes, main-to-user hook-ups, meter installation and meter readers.

This classification excludes contractors engaged in over or underground pipeline construction, maintenance or repair, main-to-house line extensions and hook-ups, who are to be reported separately in classification 0107; contractors engaged in the installation or contract maintenance of machinery or equipment who are to be reported separately in classification 0603; and the construction of any buildings which is to be reported separately in the applicable construction classification.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-540 Classification 1303.

((Telegraph companies, all other employees, operation and maintenance, extension of lines

Telephone companies, all other employees, operation and maintenance, extension of lines

This classification includes new construction and extension of lines when done by employees of employers having operations subject to this classification

This classification excludes contractors engaged in underground line construction, maintenance or repair which are to be reported separately in classification 0107; contractors engaged in overhead line construction, maintenance or repair which are to be reported separately in classification 0509; and contractors engaged in wiring within buildings which are to be reported separately in classification 0608.))

1303-00 Telephone companies - all other employees

Applies to establishments engaged in providing telecommunications services which enable subscribers to converse or transmit coded data. Work contemplated by this classification includes, but is not limited to, the regular installation, maintenance and repair of machinery and equipment, the

extension and maintenance of lines (including poles, towers and underground lines), clearing right of ways, installing telephones and wiring in buildings, and making service connections when done by employees of an employer having operations subject to this classification. Machinery and equipment includes, but is not limited to, central control and switching center equipment, relays, computers, antennae, cranes, forklifts, vehicles and garages, warehouse equipment, and hand tools.

This classification excludes clerical office, exchange operators and administrative personnel who are to be reported separately in classification 1304; contractors engaged in underground line construction maintenance or repair who are to be reported separately in classification 0107; contractors engaged in overhead line, pole, and tower construction, maintenance or repair, who are to be reported separately in classification 0509; contractors engaged in wiring within buildings and making pole-to-house hook-ups who are to be reported separately in classification 0608; contractors engaged in the installation or contract maintenance of machinery or equipment who are to be reported separately in classification 0603; and establishments primarily engaged in selling telephone equipment retail which are to be reported separately in classification 6406.

1303-01 Telegraph companies - all other employees

Applies to establishments engaged in providing telecommunication services which enable printed messages (telegrams) to be transmitted from one agent to another for receipt by, or delivery to, a designated party. Telegraph companies also provide a "moneygram" service which allows an agent to receive a sum of money at one location and transmit a message to another agent to pay out the same amount of money to a designated party at another location. Work contemplated by this classification includes the regular installation, maintenance and repair of machinery and equipment, the extension and maintenance of lines (including poles, towers and underground lines), installing transmission and receiving equipment, the clearing of right of ways, and delivery work when done by employees of an employer having operations subject to this classification. Machinery and equipment includes, but is not limited to, cables, control panels, poles, lines, relays, computers, cranes, forklifts, vehicles and garages, warehouse equipment, and hand tools.

This classification excludes clerical office and administrative personnel who are to be reported separately in classification 1304; contractors engaged in underground line construction maintenance or repair who are to be reported separately in classification 0107; contractors engaged in overhead line, pole, and tower construction, maintenance or repair, who are to be reported separately in classification 0509; contractors engaged in wiring within buildings who are to be reported separately in classification 0608; and contractors engaged in the installation or contract maintenance of machinery or equipment who are to be reported separately in classification 0603.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-541 Classification 1304.

~~((Telephone companies, exchange operators, clerical office and sales personnel~~

~~Telegraph companies, clerical office and sales personnel-))~~

1304-00 Telephone companies - exchange operators, clerical office and sales personnel

Applies to the administrative and clerical office personnel of establishments engaged in providing telecommunication services which enable two or more parties to converse or transmit coded data. For purposes of this classification, administrative personnel includes clerical office, sales, data processing, exchange operators, customer service, marketing, and retail telephone store (when operated by the telephone company) sales personnel.

This classification excludes all other telephone company employees who are to be reported separately in classification 1303.

1304-01 Telegraph companies - clerical office and sales personnel

Applies to administrative and clerical office personnel of establishments engaged in providing telecommunication services which enable printed messages (telegrams) or moneygrams to be transmitted from one agent to another for receipt by a designated party. For purposes of this classification, administrative personnel includes clerical office, sales, data processing, customer service, marketing, cashiers and operators of telegraph, teletype or other transmitting and receiving equipment.

This classification excludes all other telegraph company employees who are to be reported separately in classification 1303.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-54101 Classification 1305.

~~((Television cable companies, operation and maintenance, extension of lines all outside employments~~

~~This classification includes new construction and extension of lines when done by employees of employers having operations subject to this classification~~

~~This classification excludes contractors engaged in underground line construction, maintenance or repair which are to be reported separately in classification 0107; contractors engaged in overhead line construction, maintenance or repair which are to be reported separately in classification 0509; and contractors engaged in wiring within buildings and telecable hookups within buildings which are to be reported separately in classification 0601-))~~

1305-00 Television cable companies - all other employees

Applies to establishments engaged in providing point-to-point subscription cable communications services. This classification is restricted to companies that provide the total spectrum of cable services for a fee or rental charge. These companies will normally operate and maintain antenna and

control centers where they receive signals from broadcasting stations and transmit them through a cable system to local customers. This classification also includes homeowner associations and co-ops that operate a central system for residential users. Work contemplated by this classification includes, but is not limited to, the regular installation, maintenance and repair of machinery and equipment, the extension and maintenance of lines (including poles, towers and underground lines), installation of antennae, the clearing of right of ways, erections of poles, crossarms and insulators, and subscriber service connections when done by employees of an employer having operations subject to this classification. Machinery and equipment includes, but is not limited to, cables, transformers, control panels, poles, lines, antennae, relays, computers, cranes, forklifts, vehicles and garages, warehouse equipment, and hand tools.

This classification excludes contractors engaged in underground line construction, maintenance or repair who are to be reported separately in classification 0107; contractors engaged in overhead line installation who are to be reported separately in classification 0509; contractors engaged in pole and tower construction, maintenance or repair who are to be reported separately in classification 0508; contractors engaged in wiring within buildings and making pole-to-house service connections who are to be reported separately in classification 0601; and clerical office employees of television cable companies who are to be reported separately in classification 4502.

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-542 Classification 1401.

~~((Taxicab companies.))~~

1401-01 Taxicab companies

Applies to establishments engaged in furnishing passenger transportation to others. Work contemplated by this classification includes, but is not limited to, operation of the vehicle, loading/unloading passengers' luggage, assisting passengers in and out of the vehicle, and maintenance/repair of the vehicle when performed by employees of an employer subject to this classification. Businesses that operate cabulance, pedicab, and horse-drawn carriage services are included in this classification.

This classification excludes establishments that operate ambulance services which are to be reported separately in classification 1405, and dispatchers with no other job duties who may be reported separately in classification 4904.

Special note: Establishments that furnish only a dispatch service for taxicab drivers who own or lease their own vehicles may be reported separately in classification 4904 provided all the conditions of the general reporting rules covering standard exception employees have been met. Employees of a taxicab dispatch service who perform maintenance/repair are to be reported separately in classification 3411. See RCW 51.08.180 for the definition of "worker" to aid in determining if drivers are employees.

AMENDATORY SECTION (Amending WSR 91-12-014, filed 5/31/91, effective 7/1/91)

WAC 296-17-544 Classification 1404.

~~((Bus companies, transit systems, contract bus driving
Equipment escort and pilot car service~~

~~Vessels, ferries, tugs and steamboats operation, N.O.C.
including dock employees—excluding maritime.))~~

1404-04 Bus companies and transit systems

Applies to bus companies, transit systems, contract bus driving, and other establishments engaged in public transportation services such as, but not limited to, scenic bus tour services, contract school bus services, shuttle van services, and public transit systems. Work contemplated by this classification includes driving and related loading/unloading duties, inspecting and maintaining vehicles, and all terminal employment except for office personnel. Ticket sellers may be reported separately in classification 4904 provided that they do not handle baggage and that all the conditions of the standard exception general reporting rules have been met.

This classification excludes limousine companies which are to be reported separately in classification 6301.

1404-06 Vessels, ferries, tugs, and steamboats, N.O.C.

Applies to employees not covered under federal jurisdiction, or another classification (N.O.C.), who provide services for seaworthy vessels such as ferries, tugs, or steamboats at the docking site or on adjacent land. Vessels may operate seasonal or year-round. Employments include, but are not limited to, dock workers, maintenance workers, traffic control personnel, and night security personnel.

Special note: Care should be exercised prior to assignment of this classification as the workers could be subject to federal laws covered by the Jones Act or by the U.S. Longshore and Harbor Workers Act. A detailed description of these acts can be found in classifications 0104 or 0202.

1404-07 Train rides

Applies to establishments engaged in the operation of passenger excursion train rides for scenic or amusement purposes on an intrastate basis only. Excursion train rides are typically operated from a mountain, lake or similar site. The trains may operate on a seasonal basis in direct relation to the volume of tourists, weather conditions, or dates of local celebration. Employments in this classification include, but are not limited to, drivers/engineers, guides, lecturers, hostesses, maintenance personnel and on-board food service. Ticket sellers can be reported separately in classification 4904 provided that they do not handle baggage and that the conditions of the standard exception general reporting rules have been met.

1404-11 Escort and pilot cars

Applies to establishments that provide escort or pilot car services for others. The duties include driving ahead of, or behind, various types of vehicles.

This classification excludes employees of an employer assigned to drive escort or pilot cars in connection with the delivery of equipment, buildings, goods, or similar items which the employer sells or contracts to deliver. Such employment is to be reported separately in the classification

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applicable to sales or delivery of such items. For example, an escort driver employed by a common carrier transporting a modular home to a customer's site is to be reported separately in classification 1102.

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-54401 Classification 1405.

((Ambulance services including mobile medic and patient transport services.))

1405-00 Ambulance services

Applies to establishments engaged in prehospital emergency care and transportation of ill or injured persons to or from medical facilities. The services provided by any one ambulance company will vary to some degree, however, normal operations for ambulance companies include, but are not limited to, the following: Prehospital care, responding to calls where the injury or accident does not require medical treatment other than that provided by Emergency Medical Technicians (para-medics) who work for the ambulance company, standby at events, assisting in providing prehospital care and patient transport services of injured players or spectators at games, concerts, and fairs, public education/training, teaching CPR, first aid, and related courses to the public, and ambulance service (transporting patients who do not require prehospital care to and from medical facilities).

Special notes: Special care must be taken in classifying ambulance services which are included in classification 1401. In order to qualify for classification 1405, a company must be primarily in business as an ambulance company. For premium reporting purposes, ambulance companies are to report all employees on an hourly basis, provided the maximum will not exceed eight hours during any twenty-four hour period. If verifiable records disclosing actual time worked are unavailable, employees are to be reported at eight hours per day for each day they had duties. If records do not disclose hours or days worked by individual employees, an assessment of forty hours per week is to be made for each week in which an employee had duties, or one hundred and sixty hours per month. For air ambulance services, flight time is to be reported separately in classification 6803, and ground operations are to be reported separately in classification 1405.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-545 Classification 1501.

((Counties and taxing districts, N.O.C., all other employees Housing authorities, local public, all other employees including meter readers

Indian tribal councils, all other employees

This classification excludes public utility districts subject to classification 1301 and 1507; bus or transit services subject to classification 1404; port districts subject to classification 4201; library districts, museum districts and school districts subject to classifications 6103 and 6104; hospital districts subject to classification 6105; fire fight-

ers subject to classification 6904; and law enforcement officers subject to classification 6905-

This classification also excludes clerical office and white collar employees.))

1501-00 Counties and taxing districts, N.O.C. - all other employees

Applies to employees of counties and taxing districts, not covered by another classification (N.O.C.), who perform manual labor, or who supervise a work crew performing manual labor such as custodial or maintenance, and machinery or equipment operators. This classification includes administrative personnel such as engineers, safety inspectors, and biologists, who have field exposure, and also includes store and stock clerks. For purposes of this classification, field exposure is defined as any exposure other than the normal travel to or from a work assignment.

This classification excludes electric light and power public utility districts which are to be reported separately in classification 1301; bus or transit systems which are to be reported separately in classification 1404; water distribution or purification system public utility districts which are to be reported separately in classification 1507; irrigation system public utility districts which are to be reported separately in classification 1507; port districts which are to be reported separately in classification 4201; school districts, library districts or museum districts which are to be reported separately in classifications 6103 or 6104; hospital districts which are to be reported separately in classification 6105; fire fighters who are to be reported separately in classification 6904; law enforcement officers who are to be reported separately in classification 6905; clerical office and administrative employees who are to be reported separately in classification 5306, and volunteers who are to be reported separately in classifications 6901 or 6906, as appropriate.

1501-01 Housing authorities, N.O.C. - all other employees

Applies to employees of housing authorities, not covered by another classification, who perform manual labor, or who supervise a work crew performing manual labor such as custodial or maintenance, and machinery or equipment operators. This classification includes all functional operations of a housing authority such as inspection, maintenance and repairs, including minor structural repairs, janitorial service, and building and grounds maintenance. Also included in this classification are meter readers, security personnel, other than those with law enforcement powers, administrative personnel such as engineers and safety inspectors who have field exposure, and store and stock clerks. For purposes of this classification, housing authorities are defined as nonprofit, public and political entities which serve the needs of a specific city, county or Indian tribe. The nature and objectives of some of the projects undertaken by housing authorities include providing decent, safe and sanitary living accommodations for low income persons, or providing group homes or halfway houses to serve developmentally or otherwise disabled persons or juveniles released from correctional facilities. A housing authority has the power to prepare, carry out, lease and operate housing facilities; to provide for the construction, reconstruction, improvement, alteration or repair of any housing project; to sell or rent dwellings forming part of

the project to or for persons of low income; to acquire, lease, rent or sell or otherwise dispose of any commercial space located in buildings or structures containing a housing project; to arrange or contract for the furnishing of the units; and to investigate into the means and methods of improving such conditions where there is a shortage of suitable, safe and sanitary dwelling accommodations for persons of low income.

This classification excludes new construction or major alteration activities which are to be reported separately in the appropriate construction classifications; clerical office and administrative employees who are to be reported separately in classification 5306; security personnel with law enforcement powers who are to be reported separately in classification 6905; and volunteers who are to be reported separately in classifications 6901 or 6906, as appropriate.

1501-08 Native American tribal councils - all other employees

Applies to employees of Native American tribal councils who perform manual labor, or who supervise a work crew performing manual labor such as custodial or maintenance, and machinery or equipment operators. This classification includes administrative personnel such as engineers, safety inspectors, and biologists, who have field exposure, and also includes store and stock clerks. For purposes of this classification, field exposure is defined as any exposure other than the normal travel to and from a work assignment.

This classification excludes electric light and power public utility districts which are to be reported separately in classification 1301; bus or transit systems which are to be reported separately in classification 1404; water distribution or purification system public utility districts which are to be reported separately in classification 1507; irrigation system public utility districts which are to be reported separately in classification 1507; school districts, library districts or museum districts which are to be reported separately in classifications 6103 or 6104; hospital districts which are to be reported separately in classification 6105; fire fighters who are to be reported separately in classification 6904; law enforcement officers who are to be reported separately in classifications 6905 and 6906; new construction or reconstruction activities which are to be reported separately in the appropriate construction classification; clerical office and administrative employees who are to be reported separately in classification 5306.

Special notes: Housing authorities operating under the name of, and for the benefit of, a particular tribe are not exempt from mandatory coverage. These housing authorities are federally funded and are not owned or controlled by a tribe.

Only those tribal operations which are also provided by county governments are subject to classification 1501. The following activities, such as but not limited to, visiting nurses and home health care, grounds keepers, building maintenance, park maintenance, road maintenance, and garbage and sewer works, are considered to be normal operations to be included in this classification. All other tribal council operations which are not normally performed by a county government shall be assigned the appropriate classification for the

activities being performed. The following operations, such as but not limited to, meals on wheels, bingo parlors, casinos, liquor stores, tobacco stores, grocery stores, food banks, gift shops, restaurants, motels/hotels, Head Start programs, fish/shellfish hatcheries, logging, and tree planting/reforestation are outside the scope of classification 1501 and are to be reported separately in the applicable classifications.

1501-09 Military base maintenance, N.O.C.

Applies to establishments, not covered by another classification (N.O.C.), engaged in providing all support operations and services on a military base on a contract basis. Such services include, but are not limited to, data processing, photography, mail delivery (on post and to other military facilities), hotel/motel services, mess halls, recreational facilities, grounds and building maintenance, vehicle maintenance, and may also include the maintenance of such facilities as water works, sewer treatment plants and roads.

This classification excludes new construction or construction repair projects which are to be reported separately in the applicable construction classification for the work being performed; contracts for specific activities on a military base such as, but not limited to, building maintenance, club or mess hall operations, or vehicle maintenance, which are to be reported separately in the applicable classification for the work being performed; firefighters who are to be reported separately in classification 6904; law enforcement officers who are to be reported separately in classification 6905; and clerical office and administrative employees who are to be reported separately in classification 5306.

Special note: Classification 1501-09 is to be assigned to an establishment only when *all* support services on a military base are being provided by the contractor.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-546 Classification 1507.

(~~Irrigation ditches, operation, repair and maintenance when done by employees of firms subject to this classification~~
~~Waterworks including extension of lines and meter readers when done by employees of employers having operations subject to this classification~~)

This classification excludes contractors engaged in waterline construction, maintenance or repair which are to be reported separately in classification 0107; and contractors engaged in ditch or canal construction, maintenance or repair which are to be reported separately in either classifications 0108 or 0201 as applicable.)

1507-01 Irrigation ditches operation, repair and maintenance

Applies to establishments engaged in providing water for agricultural irrigation through a network of ditches, canals and/or pipelines. Irrigation system operations may be owned by individuals, a private company, cooperatives or a municipality. Water for irrigation can come from a natural above or below ground source or a reservoir and is kept flowing by means of pumping plants. Irrigation water usage is monitored at the "turn-out" which must be manually opened by an employee of the irrigation company and is located between

the ditch/pipeline and the user's field. Work contemplated by this classification includes, but is not limited to, digging and maintaining ditches or canals, installing underground pipe, installation or maintenance of control gates and pumps, cleaning of ditches, spraying to control insects, and regular maintenance of vehicles and equipment when done by employees of an employer having operations subject to this classification. Machinery and equipment includes, but is not limited to, water pumps, ditch digging/pipe laying equipment, control gates, pumps, vehicles, spraying equipment and hand tools. This classification includes the operation of drainage systems by a private company or a municipal special purpose district.

This classification excludes contractors engaged in the digging of ditches or canals who are to be reported separately in classification 0108 or 0201 as applicable; underground pipe laying which is to be reported separately in classification 0107; the installation of agricultural sprinkler systems which is to be reported separately in classification 0301; the installation or repair of irrigation/drainage pumps which is to be reported separately in classification 0306; the routine irrigation of individual agricultural acreage with the owner's own system which is to be reported separately in the classification applicable to the establishment; the construction of any new buildings which is to be reported separately in the construction classification applicable to the work being performed; and clerical office and administrative personnel who are to be reported separately as appropriate, classification 5305 for cities and towns, classification 5306 for counties, or classifications 4904 and 6303 for nonmunicipal ownership.

Special note: Many water supply operations in Washington may have "irrigation district" as part of their name because of their original purpose, but they are actually functioning as a waterworks supplying residential users and are to be reported separately in classification 1507-02.

1507-02 Waterworks operations, repair and maintenance

Applies to establishments engaged in the operation of water purification and distribution systems known as waterworks. Water is obtained from natural sources of surface or ground water, piped to filtration plants, filtered, treated with chemicals, then pumped to holding facilities for eventual distribution to the user through underground pipes. Waterworks may be owned by cooperatives, such as homeowners' associations, a private company, or a municipality (as a P.U.D.). Work contemplated by this classification includes, but is not limited to, erection of towers and tanks, underground waterline construction, maintenance of purification and filtration facilities, installation of fire hydrants, operating a laboratory, main-to-house hook-ups and the installation and reading of meters when done by employees of an employer having operations subject to this classification. Machinery and equipment includes, but is not limited to, excavating, pipe laying, erecting and welding equipment, vehicles, machine shop equipment, pumps and gauges, meters and hand tools. This classification includes the operation of sewerage treatment plants by owner or contract.

This classification excludes contractors engaged in underground waterline construction, maintenance or repair, including main-to-house hook-ups, who are to be reported

separately in classification 0107; plumbing contractors engaged in waterline main-to-house hook-ups as part of an all-inclusive plumbing installation contract which is to be reported separately in classification 0306; the erection of water towers and tanks by a contractor which is to be reported separately in classification 0508; contractors engaged in industrial plant maintenance who are to be reported separately in classification 0603; the construction of dams which is to be reported separately in classification 0701; the construction of any new buildings which is to be reported separately in the construction classification applicable to the work being performed; and clerical office and administrative personnel who are to be reported separately as appropriate.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-548 Classification 1701.

((Ore reduction, by wet or dry process without application of heat at mine.))

1701-02 Ore reduction, by wet or dry process without application of heat at mine

Applies to establishments engaged in the reduction of coarse ores by a wet or dry process at a mine site. Work contemplated by this classification involves a variety of ore milling activities. The process begins by crushing, screening and washing the ores. Next, ores are placed in a rotating cylindrical mill which contains steel balls, flint pebbles, rods or rock for further grinding. Then with the use of amalgamation (introduction of a chemical such as mercury to break down the ores) or flotation (uses water to separate by buoyancy and densities), the ore material is broken down and dried to obtain concentrated ores of metals. The milling of ores to recover some nonmetallic minerals which do not require amalgamation or flotation are also included within this classification.

This classification excludes underground mining operations which are to be reported separately in classification 1702, and open cut mining operations which are to be reported separately in classification 1703.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-549 Classification 1702.

((Coal mines, underground
Coke ovens

Mines, N.O.C., underground.))

1702-01 Coal mines and mines N.O.C., underground; coke ovens

Applies to establishments engaged in underground mining, not covered by another classification (N.O.C.), involving the extraction of coal, ores, stone, clay or other minerals. Operations contemplated by this classification include excavation and tunneling below ground as well as the incidental activities occurring above ground. Underground mining may involve shaft sinking, slope sinking, rock tunneling, and the building of drifts and shafts with heavy timbers or steel beams. Material is broken loose within the tunnel or shaft with explosives, drilling machines, rock drills, chippers,

power hand drills and picks. After the material is broken loose it is removed from underground by way of hoist, conveyor, or some type of haulage car on steel track. On the surface, some of the extracted material is further refined such as coal which is crushed, screened, washed and graded before being hauled away. Additional equipment includes elevators, ventilation and communication systems, water pipes, lighting systems, as well as front end loaders, bulldozers and trucks. This classification also applies to establishments engaged in the manufacture of coke which is a solid carbonaceous residue obtained from bituminous coal after the removal of volatile materials by a distillation process. The method usually consists of a beehive or by-product oven process. Coal is fed into crushers which breaks oversized pieces into smaller pieces which are then conveyed to bunkers serving the ovens. This classification also applies to ore reduction involving heat processes.

This classification excludes ore reduction operations which do not require the use of heat which are to be reported separately in classification 1701, and open cut mining which is to be reported separately in classification 1703.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-550 Classification 1703.

((Open cut mining, all types
Placer or hydraulic mining.))

1703-01 Open cut mining - all types: placer or hydraulic mining

Applies to establishments engaged in open cut mining to extract all types of ore including certain minerals such as, but not limited to, phosphate rock, graphite, talc, chalk, mica, asphalt, asbestos and gypsum. The process of open cut mining is also commonly referred to as surface mining, open pit mining or strip mining whereby such ores and minerals are extracted from a large hole or pit on the surface. Operations contemplated by this classification involve excavating and stripping the surface material with use of drag lines, power shovels or earth moving equipment. The products are loaded onto dump trucks or belt conveyors for movement to railroad sidings and loading into ore cars for shipment to processing plants. The equipment generally involves compressors, pneumatic drilling rigs, conveyors, trucks, drag lines, shovels, scrapers and bulldozers. This classification also applies to establishments engaged in hydraulic mining in which material is excavated by moving a stream of high pressure water over the mining face, and placer mining which obtains minerals from placers by use of running water such as on a stream or the shoreline.

This classification excludes underground mining which is to be reported separately in classification 1702, and quarrying which is to be reported separately in classification 1704.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-551 Classification 1704.

((Quarries, N.O.C., includes stone crushing at quarry site

Stone cutting, quarry hazard.))

1704-02 Quarries, N.O.C.

Applies to establishments engaged in quarrying, not covered by another classification (N.O.C.), to extract large solid stone such as, but not limited to, limestone, sandstone, granite, marble, slate, hard shale rock, ballast rock, cement rock, coral rock, etc., from hillsides or open pits. Operations contemplated by this classification involve exposing stone with use of drag lines, power shovels, scrapers or other earth moving equipment. In some instances, blasting with explosives is performed on large stone masses to break portions loose. The stone is separated into large blocks, sometimes called loafs. There are several methods to cut a loaf - line drilling, wire sawing, diamond wire sawing or chiseling. The loafs are removed from the quarry pit and taken to the surface. This classification includes all other activities occurring on the surface of the quarry site which could involve the further cutting of the loafs or the crushing of stone into smaller pieces.

This classification excludes open pit mining operations which are to be reported separately in classification 1703, and underground mining which is to be reported separately in classification 1702.

AMENDATORY SECTION (Amending Order 88-06, filed 5/31/88, effective 7/1/88)

WAC 296-17-552 Classification 1801.

((Blast furnace operation

Lead manufacturing - red or white

Lead works - sheet, tinfoil manufacturing

Recovering, refining, or reprocessing metals

Rolling mills steel or iron, rolling mills, N.O.C.

Smelting, sintering or refining lead, manufacturing calcium carbide

Smelting, sintering or refining ores, N.O.C.))

1801-01 Lead smelting, sintering, or refining: calcium carbide manufacturing

Applies to establishments primarily engaged in the smelting, sintering, or refining of lead, including the manufacturing of calcium carbide. The lead ore most commonly mined is galena which is the sulfide of lead. The ore is mixed with other metalliferous minerals, such as sphalerite, copper pyrites and iron pyrites. The smelting process consists of fusing or separating the metallic elements. After ore has been received, the process begins by crushing, washing and screening the ore. There may be various steps of milling, concentration or amalgamation (floatation) to separate the galena from the sphalerite and other minerals. The roasting or sintering process takes place in rotary kilns or other types of furnaces. In this way the material is sintered or converted into lumps (called sinter) which are mixed with coke and placed into a shaft furnace. The material is then desilverized which is achieved by adding metallic zinc and raising the temperature sufficiently to dissolve it. The molten metal is then cast into ingots. The ingots may go through further refining processes or may be considered a finished product. This classification also includes the manufacturing of calcium carbide which is a crystalline material produced by heating pulverized limestone or quicklime with carbon and

used to generate acetylene gas, as a dehydrating agent, and in making graphite and hydrogen.

This classification excludes aluminum smelting operations which are to be reported separately in classification 1802; the smelting, sintering or refining of ores not covered by another classification, (N.O.C.) which is to be reported separately in classification 1801-08; the recovering, refining or reprocessing of metals which is to be reported separately in classification 1801-09; ore reduction which is to be reported separately in classification 1701; and open pit or underground mining operations which are to be reported separately in the classification applicable to the mining being performed.

1801-03 Steel or iron rolling mills; rolling mills, N.O.C.

Applies to establishments engaged in operating iron or steel rolling mills. In a rolling mill ingots and/or slabs of steel are rolled (i.e., they are passed between rollers whereby they undergo an increase in length and a corresponding reduction in depth). The rollers used by the rolling mills vary widely in size and shape, depending on the type of rolled section(s) to be produced. Depending upon the thickness of the metal to start and the desired thickness when finished, a single piece of metal may pass through the same or a different set of rollers several times.

Rolling mills for pipes may be divided into two categories - welded pipes and seamed pipes. Welded pipes are produced from a steel strip which is bent to a tubular shape and whose edges are then joined by welding. Seamed pipes are produced from cast or rolled billets at rolling temperature. There are different processes for both kinds of manufacturing. Whatever method is used the metals are somehow heated to temperatures up to 1400 degrees Fahrenheit. The equipment may include, but is not limited to, rakes, ladle, forklifts and front loaders.

This classification excludes aluminum smelting plant operations which are to be reported separately in classification 1802, and establishments engaged in the manufacture of pipe or tube from iron or steel by drawing or bending which are to be reported separately in classification 5101.

1801-08 Ore smelting, sintering or refining, N.O.C.

Applies to establishments engaged in the smelting, sintering, or refining of ores not covered by another classification (N.O.C.). Smelting and sintering are refining processes which use different properties of heat which may or may not reduce the ore to molten form. Temperatures are usually lower than 1400 degrees Fahrenheit. Ore is received direct from the mine or in a variety of forms such as, but not limited to, pellets, particles, molds and briquettes. After ore has been received, the process begins by crushing, washing and screening the ore. There may be various steps of milling, concentration or amalgamation (floatation) to separate the ore or already formed materials. The roasting or sintering process takes place in rotary kilns or other types of furnaces. In this way the material is sintered or converted into lumps (called sinter) which may be mixed with other materials and placed into a shaft furnace. The molten metal ore is then cast or recast into ingots. The ingots may go through further refining processes or may be considered a finished product.

This classification excludes aluminum smelting operations which are to be reported separately in classification 1802; the smelting, sintering or refining of lead which is to be reported separately in classification 1801-01; the recovering, refining or reprocessing of metals which is to be reported separately in classification 1801-09; ore reduction which is to be reported separately in classification 1701; and open pit or underground mining operations which are to be reported separately in the classification applicable to the mining being performed.

1801-09 Metal recovering, refining or reprocessing

Applies to establishments engaged in the recovering, refining, or reprocessing of metals. These establishments are considered secondary processors or reprocessors to primary metal producers. The primary producer uses ore to manufacture metal, whereas, the secondary processors or reprocessors will recover, refine, or reproduce refined metals from coarse metal. Types of metal include, but are not limited to, gold, aluminum, silver, lead, and zinc. Metal comes in various forms to include cast ingots, dross, and scrap material. The scrap material and dross are recycled to extract reusable metallic elements. Other metals are reprocessed and may include adding alloys and/or other elements, or recasting the metals into different shapes and sizes. An example may include adding magnesium to zinc as part of the recycling process in which zinc oxide is produced and sold to rubber companies for manufacturing tires and other rubber products. Metals are weighed, sorted and/or sifted through a variety of screens and includes crushing as needed. Next, the materials are placed in an oven or furnace and chemicals and/or alloys are added. At this point the metal may be placed in molds and cooled by air or water. Finished products are inspected, graded, weighed, packaged and shipped. To assist in the processing function, ladles, rakes, conveyers, scales, hoist, front end loaders and forklifts may be used. This classification also includes the incidental buying and selling of scrap metal.

This classification excludes aluminum smelting operations which are to be reported separately in classification 1802; the smelting, sintering or refining of lead which is to be reported separately in classification 1801-01; the smelting, sintering or refining ores not covered by another classification N.O.C., which is to be reported separately in classification 1801-08; ore reduction which is to be reported separately in classification 1701; scrap metal dealers which are to be reported separately in classification 0604; and establishments which compact or recycle metal containers such as aluminum or tin cans which are to be reported separately in classification 2102.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-55201 Classification 1802.

((Aluminum smelting: Primary smelting of aluminum from alumina using an electrolytic reduction process
This classification includes the alloying and casting of sheet ingots, T-ingots, rolling ingots, notched ingots, so-ws, pigs, extrusion logs, extrusion billets, and other primary

~~production shapes when performed by a primary producer subject to this classification~~

~~This classification excludes secondary processors who do not reduce aluminum from alumina, but whose principle business is casting, rolling, extruding, foiling, or recycling aluminum and aluminum alloys from molten aluminum, primary production shapes or used scrap and dross which are reported separately in classification 1801-.)~~

1802-00 Aluminum smelting

Applies to establishments engaged in the primary smelting of aluminum from alumina using an electrolytic reduction process. This classification includes the alloying and casting of sheet ingots, T-ingots, rolling ingots, notched ingots, sows, pigs, extrusion logs, extrusion billets and other primary production shapes when performed by a primary producer subject to this classification. Aluminum is produced from alumina. Alumina is extracted from bauxite which is an ore found in the earth's crust. Bauxite contains approximately 50% aluminum oxide (alumina) together with iron oxide, silica, and titanium oxide. The aluminum smelting process is two-fold: first, pure aluminum oxide is produced, then the aluminum is decomposed from the oxygen by an electrolytic treatment. The process is complex, labor intensive and power intensive. The use of an electric current causes pure aluminum to go to the cathode (part of the smelting structure) and accumulates as a layer floating on the molten salt in a large vat. This aluminum has a purity of 99.99% and is removed from time to time and cast into suitable shapes from molds.

This classification excludes secondary processors who do not reduce aluminum from alumina, but whose principle business is casting, rolling, extruding, foiling or recycling aluminum alloys from molten aluminum, primary production shapes or used scrap and dross which are to be reported separately in the applicable classification: ore reduction which is to be reported separately in classification 1701; and open pit or underground mining operations which are to be reported separately in the classification applicable to the mining being performed.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-555 Classification 2002.

~~((Freight handler services — packing, handling or shipping merchandise N.O.C.~~

~~Refrigeration car — loading, unloading or icing~~

~~This classification also includes employees engaged in repackaging of goods from damaged containers~~

~~This classification excludes drivers or other employees with driving duties which are to be reported separately in classification 1102 without a division of work hours-))~~

2002-13 Freight handler services, N.O.C.

Applies to establishments engaged in packing, handling, shipping, or repackaging merchandise or freight which is owned by others and is not covered by another classification, (N.O.C.). General cargo is usually in boxes, cartons, crates, bales, or bags. Other cargo includes, but is not limited to,

lumber, logs, steel, pipe, grains, produce, machinery, and vehicles. These establishments are generally located at railroad yards, airports, or warehouses not located on piers or areas adjoining piers. This classification includes the repackaging of goods from damaged containers. Employees of freight handler services perform duties such as, but not limited to, unloading, checking in and weighing goods, sorting and repackaging goods, tiering (placing in a series of rows one above the other), and reloading goods for shipment. Employments include, but are not limited to, superintendents, checkers, tally men, and lumpers. Machinery and equipment includes, but is not limited to, pallet jacks, hand trucks, forklifts, boom trucks, mobile cranes or overhead track cranes, and hand tools. This classification also includes moving or uncrating, and assembly of modular work stations or other types of office furniture.

This classification excludes drivers and freight handling employees with driving duties who are to be reported separately in classification 1102 without a division of work hours: establishments engaged in loading, unloading, or icing refrigerator cars which are to be reported separately in classification 2002-31; and establishments engaged in warehousing operations for general merchandise which are to be reported separately in classification 2102.

Special notes: Establishments engaged as freight handlers have the hazard of the continual movement of goods, in contrast to warehousing operations in classification 2102-00 that usually store goods for long periods of time. In addition, freight handling services providers do not operate warehouses and storage facilities as a general rule. Freight handling operations performed in connection with the loading or unloading of vessels or rail lines on piers or adjoining areas may be subject to coverage under the U.S. Longshore and Harbor Workers Act. Care should be exercised prior to the assignment of this classification to determine proper jurisdiction.

2002-31 Refrigeration car - loading, unloading or icing

Applies to establishments engaged in loading, unloading, or icing refrigeration cars at railroad yards, airports, or warehouses not located on piers or in areas adjoining piers. This classification includes the repackaging of goods from damaged containers. Establishments in this classification have no equity or ownership in the merchandise being handled. They may contract with customers such as, but not limited to, grocery distributors, meat packers, or pharmaceutical suppliers to pick up and deliver frozen goods. Goods are loaded into refrigerated containers and shipped by common carrier or into refrigerated railcars. Icing the refrigeration systems by adding water, ammonia, or other additives is done to maintain the cold temperatures. Machinery and equipment includes, but is not limited to, pallet jacks, hand trucks, forklifts, compressors, and hand tools.

This classification excludes drivers and freight handling employees with driving duties who are to be reported separately in classification 1102 without a division of work hours: establishments engaged in freight handler services not covered by another classification (N.O.C.) which are to be reported separately in classification 2002-13; and establishments engaged in warehousing operations for general mer-

chandise which are to be reported separately in classification 2102.

Special notes: Establishments engaged as freight handlers have the hazard of the continual movement of goods, in contrast to warehousing operations in classification 2102-00 that usually store goods for long periods of time. In addition, freight handling services providers do not operate warehouses and storage facilities as a general rule. Freight handling operations performed in connection with the loading or unloading of vessels or rail lines on piers or adjoining areas may be subject to coverage under the U.S. Longshore and Harbor Workers Act. Care should be exercised prior to the assignment of this classification to determine proper jurisdiction.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-557 Classification 2004.

~~((Iron or steel merchants, not junk or scrap dealers
This classification also includes wire rope and cable dealers-))~~

2004-21 Iron or steel merchants; wire rope and cable dealers

Applies to establishments engaged as iron or steel merchants or as dealers of wire rope, cable, or metal conduit. This classification includes the merchandising of nonferrous metals such as, but not limited to, copper, brass, or aluminum. This classification is distinguished from scrap metal dealers in classification 0604 who deal primarily in used metal as opposed to merchants in classification 2004 who sell new goods. Iron or steel merchants receive metal in the form of beams, sheets, plates, bars, rods, pipe, rounds, channels, angles, tubes, or coils from the mills which they unload with overhead cranes, and store them in their shop or yard. Using power equipment such as shearers, hacksaws, drills, benders, and cutting torches, they are cut, sheared, and formed to customer specifications. Wire rope and cable dealers use coilers to wind the wire rope or cable from large spools onto smaller spools, and use saws or other cutting tools to cut it to length and large hydraulic presses to attach sockets, pulleys and other hardware to wire rope to form rigging used by the fishing, logging, and construction industry.

This classification excludes scrap metal and junk dealers which are to be reported separately in classification 0604, and rebar fabricators which are to be reported separately in classification 5209.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-560 Classification 2007.

~~((Grain elevator or warehouse
Bean or pea elevator or warehouse-))~~

2007-02 Grain elevator or warehouse

Applies to establishments engaged in providing grain elevator or warehouse facilities. These facilities may range from hundred thousand bushel country elevators to multi-million bushel terminal elevators, the latter of which are

located near railroad lines or seaports. Grain may be stored in elevators for years, depending on market conditions. Grain elevators operate year round or seasonally and may offer a variety of services ranging from storage only to grain milling (see exclusions below). Typical operations in this classification include weighing, grading, cleaning and drying of the grain, and conveyance to the storage lofts. Most grain elevators also provide a brokerage service for their customers.

This classification excludes grain milling which is to be reported separately in classification 2101 and bean or pea elevators which are to be reported separately in classification 2007-03.

2007-03 Bean or pea elevator or warehouse

Applies to establishments engaged in providing bean or pea elevator or warehouse facilities. Bean or pea elevators run all year round or seasonally and may offer a variety of services ranging from storage only to brokerage services. Typical operations in this classification include weighing, grading, cleaning and drying of the bean or pea, and conveyance to the storage lofts.

This classification excludes seed merchants who are to be reported separately in classification 2101; grain elevators which are to be reported separately in classification 2007-02; and vegetable cannery or processing operations and pea vining by cannery employees which are to be reported separately in classification 3902.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-561 Classification 2008.

~~((Warehouses field bonded, including clerical office at such location~~

~~This classification excludes drivers which are to be reported separately in classification 1102-))~~

2008-01 Warehouses - field bonded

Applies to establishments engaged in providing bonded warehouse services at the customers location. Field bonding involves appropriating a warehouse (or portion of one), that is owned by the customer, for the purpose of segregating and securing a portion of that customer's merchandise to be used as collateral for a bank loan. The field bonding company will catalog the merchandise that is involved in the transaction, issue a receipt (the receipt is presented as collateral for the loan), and ensure its security and value for the length of the contract. The field bonding company is not responsible for the maintenance of the facility and doesn't become involved in handling, moving or shipping the goods. Work contemplated by this classification is limited to employees who catalog the goods being held, security guards, and clerical help employed at the secured location.

This classification excludes drivers who are to be reported separately in classification 1102.

Special note: Traditional warehousing establishments (such as those described in classification 2102) may be "bonded" in that they can assure their customers that goods regulated by the Bureau of Alcohol, Tobacco and Firearms, or goods awaiting inspection by U.S. Customs, will remain

secured. This type of bonding is similar in that it is an assurance of value and safekeeping, but differs from classification 2008 in that the goods are delivered to, and held at, the warehouse company's own facility.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-56101 Classification 2009.

~~((Building material dealers, warehouse centers, home improvement centers, and lumber yards~~

~~Electrical supply dealers~~

~~Farm supply stores~~

~~Hardware stores with lumber or building material supplies~~

~~Pump, plumbing, irrigation and pipe supply dealers: Includes pump repair if done in shop~~

~~For the purposes of this rule the term "building materials" includes but is not limited to such items as wallboard, roofing, insulation, sheet metal, bricks, blocks, windows, etc.~~

~~This classification includes all store and yard operations with inventory of building material, lumber and lumber products. Such stores may also carry a variety of hardware items, hand and power tools, paints, floor coverings, garden supplies, housewares, and similar types of products. Transfer of product or material inventory between related stores is included within this classification~~

~~This classification excludes delivery drivers who are to be reported separately in classification 1101 "delivery stores: Retail/wholesale." This classification further excludes all other activities conducted away from the store or yard.))~~

2009-00 Building material dealers and lumber yards

Applies to establishments engaged as building material dealers or lumber yards. For purposes of this classification the term "building materials" includes, but is not limited to, such items as wallboard, roofing, insulation, sheet metal, bricks, blocks, windows, fixtures, cabinets, doors, linoleum, tile, paneling, interior wood and plastic trim and molding, concrete mix, pipe, plumbing, and electrical supplies. In addition, such establishments often carry a variety of paints and accessories, garden tools and accessories, and hardware items such as nails, nuts and bolts, tools, hinges, doorknobs, locks, and more. It is not uncommon for a building material dealer to specialize and sell only one of the above types of items. Establishments engaged as lumber yards carry a diverse line of wood and lumber products and usually with sufficient quantity to build an entire wood structure. This line of wood and lumber products could include beams, planks, boards, plywood, an array of dimensional lumber (1x2, 2x4, 2x12, etc.), fence posts, railroad ties, shakes and shingles, siding, wood paneling, as well as interior wood trim and molding. Such establishments often carry a variety of other building materials such as electrical supplies, pipe and plumbing supplies, fixtures, cabinets, doors, windows, wallboard, insulation, linoleum, tile, paneling, bricks, blocks, concrete mix, roofing materials, sheet metal and more. These establishments often utilize one or more covered sheds to protect less durable materials from the outside climate, and

will also utilize an uncovered open yard type of environment for storage of more durable wood, lumber, and building materials. In addition, such establishments could also have an inside store operation to include a variety of items such as hand and power tools, table saws, paints and varnishes, caulking, and a variety of hardware type items such as nails, nuts and bolts, hinges, doorknobs, locks, and more. This classification also includes retail/wholesale fence material dealers. This classification includes all store and yard operations and the transfer of materials or inventory between related stores.

This classification excludes delivery drivers (other than those involved in intrastore or intrayard transfers mentioned above) who are to be reported separately in classification 1101; nondelivery activities conducted away from the store or yard; hardware stores with building materials or lumber which are to be reported separately in classification 2009-03; and warehouse centers which are to be reported separately in classification 2009-05.

2009-01 Electrical supply dealers

Applies to establishments engaged as electrical hardware and supply dealers who primarily sell electrical hardware and supplies in bulk to the contractor trades, such as electrical and construction, although sales also may be made to individuals for their own use. Supplies are typically received in bulk quantity and may include, but are not limited to, spools of electrical wiring and cable, wiring harnesses, plastic and flex hosing, panel boxes, brackets, electrical outlet boxes, fuses, switches, plates, and residential and commercial canisters and light fixtures. This classification includes all store and yard operations and the transfer of materials or inventory between related stores.

This classification excludes delivery drivers (other than those involved in intrastore or intrayard transfers mentioned above) who are to be reported separately in classification 1101; nondelivery activities conducted away from the store or yard; all service or repair work which is to be reported separately in the applicable classification whether it is conducted at the store or a customer's location; retail lighting fixture stores which demonstrate lights and fixtures to walk-in customers which are to be reported separately in classification 6406; and establishments engaged as wholesale lighting fixture and light bulb dealers who buy direct from manufacturers and who sell wholesale to retail lighting fixture stores or other such stores or institutions who are to be reported separately in classification 6407.

2009-02 Farm supply stores

Applies to establishments primarily engaged in operating farm supply or farm cooperative stores. These establishments carry a diverse line of farm feeds, products, and accessories. Typical items may include, but are not limited to, bulk quantities of mixed and unmixed feeds, seeds, oats and grains; bales of alfalfa or hay; bag feed for dogs, cats, chickens, birds, and other animals; bulk and bag fertilizers; pesticides and other garden items including peat moss and bark; animal grooming and care accessories; horse tack; specialty clothing; feed and water bins; metal fencing and grates for livestock; fence posts; barbed wire; pumps and piping; hardware and tools; automotive and tractor parts and accessories;

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and miscellaneous homeowner or yard equipment such as mowers, rototillers, and a variety of small tractors and accessories. This classification includes all store and yard operations and the transfer of materials or inventory between related stores.

This classification excludes delivery drivers (other than those involved in transferring materials or inventory between related stores) who are to be reported separately in classification 1101; all other nondelivery activities conducted away from the store or yard; all service or repair work which is to be reported separately in the applicable classification whether it is conducted at the store or a customer's location; and establishments primarily engaged in the sale, service and/or repair of farm machinery and implements which are to be reported separately in classification 6408.

Special note: Farm supply or farm cooperative stores may conduct additional operations which are to be reported separately. These activities may occur at a single location operated by the business or at separate locations and may include an oil or gas dealership which is to be reported separately in classification 3407; self-service gas or diesel stations which are to be reported separately in classification 3409; or agricultural fertilizer dealers (not including the manufacture of raw materials) which are to be reported separately in classification 2106.

2009-03 Hardware stores with lumber or building material supplies

Applies to establishments engaged in operating hardware stores that also sell building material supplies. For purposes of this classification the term "building materials" includes, but is not limited to, such items as wallboard, roofing, insulation, sheet metal, bricks, blocks, and windows, cabinets, doors, windows, sheet metal, roofing materials, concrete mix, boards, plywood, dimensional lumber (1x2, 2x4, 2x12, etc.), fence posts, railroad ties, siding, and wood paneling, as well as interior wood trim and molding. The merchandise carried will vary from store to store. For the purposes of this classification, hardware includes items such as, but not limited to, nails, nuts, bolts, screws, door fixtures, hinges, locks, power and hand tools, garden tools and accessories, electrical and plumbing supplies, and paint and automobile supplies. Depending on their location and customer base, hardware stores may also sell a limited selection of giftware, housewares, sporting goods, athletic equipment, games or similar items. Other services provided could include making keys, threading pipe, mixing paint, and the sale of fishing or hunting licenses. This classification includes all store and yard operations and the transfer of materials or inventory between related stores.

This classification excludes delivery drivers (other than those involved in transferring materials or inventory between related stores) who are to be reported separately in classification 1101; all other nondelivery activities conducted away from the store or yard operation; and all service or repair work which is to be reported separately in the applicable classification whether it is conducted at the store or a customer's location.

Special note: Hardware stores with lumber or building material supplies are smaller and offer a smaller product

selection than warehouse centers which are reported separately in classification 2009-05. Establishments primarily engaged as building material dealers and lumber yards are to be reported separately in classification 2009-00.

2009-04 Pump, plumbing, irrigation, and pipe supply dealers

Applies to establishments engaged as pump, plumbing, irrigation, and pipe supply dealers. Merchandise includes, but is not limited to, pumps, above and below ground irrigation systems and supplies, pipe, fittings, elbows, adapters, connectors, hoses, valves, water softeners, filters, disposals, hot water tanks, heaters, sinks, tubs, toilets, and shower units. Merchandise is typically received in bulk quantity by the pallet, sling, crate or box. Merchandise is sold primarily to plumbing and irrigation contractors. This classification includes all store and yard operations, including showrooms or display areas and in-shop services such as the rebuilding or repair of pumps, and cutting and threading pipe. Also included in this classification is the transfer of product or material inventory between related stores.

This classification excludes delivery drivers who are to be reported separately in classification 1101; all other nondelivery activities conducted away from the store or yard; and all service or repair work not described above which is to be reported separately in the applicable classification whether it is conducted at the store or a customer's location.

2009-05 Warehouse centers

Applies to establishments engaged in operating warehouse centers with lumber or building material supplies. For purposes of this classification a warehouse center is an enclosed building or structure which serves to protect the majority of the items or products contained within the warehouse environment. Warehouse centers are larger than traditional hardware stores and offer a wider product selection. A dominant characteristic of a warehouse center is that excess stock is stacked up to 25 feet high throughout the building. The term "building materials" as used in this classification includes, but is not limited to, such items as wallboard, roofing, insulation, sheet metal, bricks, blocks, and windows. Merchandise carried by warehouse centers may include hardware, variety items, building materials, as well as wood or lumber. Hardware items may include such items as nails, nuts, bolts, door fixtures, hinges, locks, hand or power tools, garden tools, garden supplies and accessories, lawn mowers, electrical supplies, plumbing supplies, paint, and auto supplies. Variety items may include giftware, housewares, sporting goods, athletic equipment, games, rugs, and lawn chairs. Wood and lumber products may include beams, planks, boards, plywood, dimensional lumber (1x2, 2x4, 2x12, etc.), fence posts, railroad ties, shakes and shingles, siding, and wood paneling. This classification includes all store and yard operations and the transfer of materials or inventory between related stores.

This classification excludes delivery drivers (other than those involved in transferring materials or inventory between related stores) who are to be reported separately in classification 1101; all other nondelivery activities conducted away from the store or yard; and all service or repair work which is

to be reported separately in the applicable classification whether it is conducted at the store or a customer's location.

Special note: Hardware stores with lumber or building material supplies are smaller and offer a smaller product selection than warehouse centers and are reported separately in classification 2009-03. Establishments primarily engaged as building material dealers and lumber yards are to be reported separately in classification 2009-00.

2009-06 HVAC supply dealers

Applies to establishments engaged as heating, ventilation, and air conditioning product and supply dealers. Merchandise includes, but is not limited to, furnace units, gas fireplaces, air conditioning and heater units, hot water tanks, thermostats, vents, venting duct and pipe, vent collars and reels, registers, fittings, adapters, galvanized pipe, insulation wrap, preformed or bent duct portions, flat sheets of metal, concrete pads and gas logs. Merchandise is typically received in bulk quantity by the pallet, sling, crate or box. Merchandise is primarily sold to heating and ventilation contractors, furnace contractors and sheet metal contractors. This classification includes all store and yard operations and the transfer of product or material inventory between related stores.

This classification excludes sheet metal fabrication shops which are to be reported separately in classification 3404; delivery drivers (other than those involved in intrastore or intrayard transfers) who are to be reported separately in classification 1101; all other nondelivery activities conducted away from the store or yard; and all service or repair work which is to be reported separately in the applicable classification whether it is conducted at the store or a customer's location.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-562 Classification 2101.

((Grain milling, feed mills, feed manufacture – including preparation of cereal or compound feeds for livestock

Flour mills

Hay, grain or feed dealers

Hop pellet manufacturing

Seed merchants including operation of seed sorting machinery:))

2101-00 Grain milling; flour mills; feed mills; feed manufacturing

Applies to establishments engaged in milling grain into flour or meal or in the manufacture of dry (powdered, granule or pellet) feed. Operations contemplated by this classification include the receipt of grain (wheat, barley, oats, corn) in bulk or bag which is purchased from others, grinding or milling the grain to either a coarse or a fine powder, adding binder (molasses), adding and mixing ingredients (depending on product being made), and packaging. This classification includes delivery of products in packaged or bulk form to customers.

This classification excludes establishments engaged in the further processing of flour or meal to manufacture food products which are to be reported separately in the applicable

food manufacturing classification, and establishments engaged in the manufacture of canned animal food which are to be reported separately in classification 3902.

2101-01 Hay, grain or feed dealers

Applies to establishments engaged in the sale of grain, feed, and hay to others. Operations contemplated by this classification are limited to the purchase of hay, grain, or feed in bulk from others and the subsequent resale of these items in bulk to others. Establishments subject to this classification may have a small store operation, a substantial storage facility, or they may haul product from location to location all of which are included within the scope of this classification when done by employees of employers subject to this classification.

This classification excludes the sale of hay by farm operations which is to be reported separately in classification 4808, and establishments engaged in the manufacture of animal feed which are to be reported separately in classification 2101-00.

2101-02 Seed processing

Applies to establishments engaged in the processing of agricultural seeds for wholesale or retail sales. These establishments receive produce such as wheat, barley, alfalfa, lentils, vegetables, fruit or flowers from farmers the seed company has contracted with, or in the case of larger seed companies, they may have their own fields for raising the seed crop. Work contemplated by this classification includes, but is not limited to, cleaning, grading, crushing, separating, and packaging of the product (either by hand or by machine). Machinery includes, but is not limited to, screening machines, air gravity separators, clippers, tumbling drums for polishing, and bagging machines. This classification also includes trial plots or lab research facilities used to develop new seed hybrids and improve existing varieties, consultation services provided to the farmers during planting and harvesting seasons, and custom milling work conducted at the farmer's premises. Also included in this classification are establishments engaged exclusively in providing grain or seed drying services.

This classification excludes growing of seeds, other than on a trial plot, which is to be reported separately in the appropriate agricultural classification; merchants engaged in hand packaging seeds that have been processed by others who are to be reported separately in classification 6309-06; grain milling which is to be reported separately in classification 2101-00; hay/grain/feed dealers which are to be reported separately in classification 2101-01; and grain or bean/pea elevators which are to be reported separately in classification 2007.

2101-05 Hop pellet manufacturing

Applies to establishments engaged in the manufacture of hop pellets. Hop pellets are one of several ingredients used by breweries in the manufacture of beer and ale. Operations contemplated by this classification include, but are not limited to, cold storage room operations where bales of hops are kept, bale breaking and grinding of hops into powder, blending of powders and additives, testing of hops, pelletizing, packaging, and shipping. Establishments subject to this clas-

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sification may own the hops or do custom blending for others.

This classification excludes establishments engaged in the manufacture of hop extract which are to be reported separately in classification 3701.

Special note: Hop pellets are often referred to as a flavoring so care should be taken, when another classification is being considered, to determine the process used.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-563 Classification 2102.

~~((Grocery, fruit or produce distributors, wholesale or combined wholesale and retail. Drivers are to be reported separately in classification 1101 "delivery by combined wholesale and retail stores"~~

~~Reecycle, collection and receiving stations, and dealers of rags, bottles, paper and metal containers, N.O.C. including cashiers and attendants but excludes, junk dealers. Drivers are to be reported separately in classification 1102 "trucking, N.O.C."~~

~~Warehouses—general merchandise—excluding wholesale dealers which are to be reported separately in the applicable classification; and drivers which are to be reported separately in classification 1102 "trucking, N.O.C."~~

~~Wool or cotton merchants. Drivers are to be reported separately in classification 1102 "trucking, N.O.C.")~~

2102-00 Warehouses - general merchandise

Applies to establishments operating as warehouses for general merchandise. This merchandise belongs to a customer and is usually stored for long periods of time. Products typically involved are bulk, nonperishable materials which might include, but not be limited to, rice, coffee, potatoes, or dry cement. Work contemplated by this classification includes, but is not limited to, unloading deliveries, moving merchandise within the facility, recordkeeping, security, and maintaining the facility. Equipment and machinery used includes pallet jacks, forklifts, routine maintenance, cleaning and recordkeeping supplies, and shop vehicles.

This classification excludes delivery drivers who are to be reported separately in classification 1102; wholesale dealers who operate a warehouse for storage of their own product which is to be reported separately in the classification applicable to the product being sold; warehousing of household furnishings by a moving and storage company which is to be reported separately in classification 6907; cold storage plants which are to be reported separately in classification 4401; mini-storage warehousing which is to be reported separately in classification 4910; field bonded warehouses which are to be reported separately in classification 2008; and the warehousing of a manufacturer's own product which is to be reported separately in the manufacturing classification applicable to the work being performed.

Special note: Even though this type of operation may handle some "grocery" products, it differs from 2102-11 in that the products being handled in 2102-00 are in bulk packaging (not cases of consumer-size packages), do not belong

to the business that is warehousing them, and are not intended for sale to a wholesaler/retailer.

2102-04 Recycle, collection and receiving stations: rags, bottles, paper and metal container dealers, N.O.C.

Applies to establishments engaged in the collection of used paper, aluminum, tin, glass, and plastic for the purpose of selling the material to another business that will recycle/remanufacture it into new products. These facilities normally acquire material by placing collection bins at various remote locations, operating a drop-off center (this phase of the business is known in the trade as a "buy back center"), and employing drivers to pick up from businesses. Work contemplated by this classification includes, but is not limited to, sorting material, operating various pieces of equipment used to crush, reduce, wash, and bale material, weighing containers, paying customers for receipt of items that have a redemption value by the pound or piece ("buying back"), and operating shop or yard vehicles. Machinery and equipment includes, but is not limited to, shredders, balers, can crushers, weigh scales, forklifts, collection bins, shop or yard vehicles, and rolloff trucks to handle the collection bins. This classification includes dealers of rags, bottles, paper and metal containers not covered by another classification (N.O.C.)

This classification excludes drivers who are to be reported separately in classification 1102 and establishments engaged in collecting, sorting and reducing scrap metal such as junk dealers, scrap metal dealers or processors, which also receives glass, paper, plastic, etc., which are to be reported separately in classification 0604.

Special note: Classification 2102-04 should not be assigned to an employer who also operates a business subject to classification 4305-18 (Garbage, refuse or ashes collecting) without careful review and an on-site survey. Most garbage collecting businesses have some type of "recycle" program as part of their normal operations in an effort to sort and reduce the amount of waste that goes to landfills and this is considered an inclusion.

2102-11 Grocery, fruit or produce distributors - wholesale or combined wholesale and retail

Applies to establishments engaged in the wholesale, or wholesale/retail, distribution of a variety of grocery items, fruit and produce. A business in this classification buys products from the manufacturer and sells to retail grocery stores, restaurants, and similar businesses. Grocery items may include, but not be limited to, packaged foods, frozen foods, household cleaning supplies, paper products, personal care items, beer, soda, and dairy products. Work contemplated by this classification includes, but is not limited to, unloading deliveries, moving merchandise within the facility, incidental repackaging, breakdown of merchandise into smaller lots, recordkeeping, security, and maintaining the facility. Equipment and machinery includes, but is not limited to, pallet jacks, forklifts, strapping and shrink wrapping equipment, and vehicles.

This classification excludes delivery drivers who are to be reported separately in classification 1101; any general merchandise warehouse operations in which the operator of the warehouse does not own the merchandise being handled

and it is in bulk quantities, which is to be reported separately in classification 2102-00; cold storage plants handling food products which are to be reported separately in classification 4401; operations specializing in vegetable/fruit packing for wholesale distribution which are to be reported separately in classification 2104; operations specializing in wholesale distribution of beer, wine, ale or soft drinks which is to be reported separately in classification 2105; field bonded warehouses which are to be reported separately in classification 2008; and the warehousing of a manufacturer's own product which is to be reported separately in the manufacturing classification applicable to the work being performed.

2102-28 Wool or cotton merchants

Applies to establishments operating as wool or cotton merchants. Merchants subject to this classification buy raw wool or cotton from others, do incidental sorting, grading and repackaging, and sell the product to another business for use as a raw material to make products such as yarn, thread or fabric. Work contemplated by this classification includes, but is not limited to, unloading deliveries, moving merchandise within the facility, hand sorting the product by grade (quality), repackaging, recordkeeping, security, and maintaining the facility. Equipment and machinery includes, but is not limited to, pallet jacks, forklifts, repackaging equipment and vehicles.

This classification excludes drivers who are to be reported separately in classification 1102; wholesale dealers of a finished wool or cotton product which are to be reported separately in the classification applicable to the product; and the warehousing of a manufacturer's own product which is to be reported separately in the manufacturing classification applicable to the work being performed.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-564 Classification 2104.

~~((Fruit packing—fresh
Vegetable packing—fresh~~

~~This classification includes cold storage operations when conducted in connection with a fruit or vegetable packing operation~~

~~This classification excludes all canning or freezing operations.))~~

2104-01 Vegetable packing - fresh

Applies to establishments engaged in the packing of fresh vegetables. These operations are usually located in produce growing areas and are generally seasonal. The vegetables are generally brought to the packing plant by the farmer or co-op drivers, but some packing plants may employ their own drivers to pick up the product from the local farms or co-op. Typical activities of the packing operation include, but are not limited to, sorting, grading, cleaning, trimming, packing and shipping of the vegetables. Various packing containers such as plastic bags, boxes, barrels, crates, and baskets may be used. The packing may be done by hand for fragile vegetables or by machine for the more sturdy produce. This classification includes cold storage operations if it is used solely for the storage of their own produce. Drivers

employed by these establishments who pick up the vegetables from the farmer or deliver the packaged product to the market are included in this classification. When an establishment is engaged in both fresh vegetable and fresh fruit packing a determination needs to be made as to which produce is the majority of their business in order to assign the appropriate classification. A farm operation that grows and packs their own fresh vegetables or packs other farms' fresh vegetables in addition to their own is to be assigned this classification (2104) for the packing operation. However, if the farmer only sorts and stores the fresh vegetables, the appropriate agricultural classification is applicable to both the growing and sorting/storage operations. This classification also includes establishments engaged in seed potato processing. These processors will pick the potatoes up from the farmer and take them to their processing plant where the potatoes are washed and chopped up by machine on a conveyor belt. The seeds are then removed by hand using a knife. After the processing is completed the seeds are returned to the farmer for future crops.

This classification excludes fresh fruit packing which is to be reported separately in classification 2104-02; cannery or freezing operations and/or any processing of the vegetables which are to be reported separately in classification 3902; and cold storage operations not exclusively part of a packing operation which are to be reported separately in either classification 4401 or 4404.

2104-02 Fruit packing - fresh

Applies to establishments engaged in the packing of fresh fruit. These operations are usually located in produce growing areas and generally are seasonal. The fruit may be brought to the packing plant by the farmer or co-op drivers, but some packing plants may employ their own drivers to pick up the product from the local farms or co-op. Typical activities of the packing operation include, but are not limited to, sorting, grading, cleaning, trimming, packing and shipping the fruit. Various packing containers such as plastic bags, boxes, barrels, crates and baskets may be used. The packing may be done by hand for fragile fruit or by machine for the more sturdy produce. This classification includes any cold storage operations if it is used solely for the storage of their own produce. Drivers employed by these establishments who pick up the fruit from the farmer or deliver the packaged product to the market are included in this classification. When an establishment is engaged in both fresh fruit and fresh vegetable packing a determination should be made of which produce is the majority of their business to assign the appropriate classification. A farm operation that grows and packs their own fresh fruit, or packs other farms' fresh fruit in addition to their own, is to be assigned this classification (2104) for the packing operation. However, if the farmer only sorts and stores the fresh fruit the appropriate agricultural classification is applicable to both the growing and sorting/storage operations.

This classification excludes fresh vegetable packing which is reported separately in classification 2104-01; cannery or freezing operations and/or any processing of the fruit which are to be reported separately in classification 3902; and cold storage operations not exclusively part of a packing

operation which is reported separately in either classification 4401 or 4404.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-56401 Classification 2105.

~~((Beer, ale, wine or soft drink importers, exporters and distributors, wholesale or combined wholesale and retail Classification 2105 and 3702 are not to be assigned to the same establishment unless each operation is conducted as a separate and distinct business and the conditions set forth in WAC 296-17-390 have been met~~

~~This classification excludes the installation, service and repair of vending machines which are to be reported separately in classification 0606.))~~

2105-00 Beer, ale, wine and soft drink importers, exporters and distributors - wholesale or combined wholesale and retail

Applies to establishments engaged in wholesale, or combined wholesale and retail, distribution of beer, ale, wine and soft drinks. These establishments carry a wide selection of soft drinks, domestic and import beers, ales, and wine, as well as beer pumps and ice. Product stock is received directly from the breweries, wineries, manufacturers or larger distributors, and stored in warehouses or refrigerated storerooms on pallets, in crates, boxes, cases, cartons, kegs or canisters. Stock is then distributed to customers such as, but not limited to, restaurants, lounges and bars, hotels, grocery stores, or other commercial businesses. This classification includes route drivers and driver's assistants.

This classification excludes establishments engaged in the installation, service and repair of vending machines which are to be reported separately in classification 0606, and breweries, wineries, and beverage bottlers, N.O.C. which are to be reported separately in classification 3702.

Special notes: Classifications 2105 and 3702 shall not be assigned to the same account unless each operation is conducted as a separate and distinct business and the conditions set forth in the general reporting rule covering the operation of a secondary business have been met.

2105-01 Beer, ale and wine importers, exporters and distributors - wholesale or combined wholesale and retail

Applies to establishments engaged in wholesale, or combined wholesale and retail, distribution of beer, ale and wine, but not in soft drink beverages. These establishments carry a wide selection of domestic and import beers, ales or wines, as well as beer pumps and ice. Product stock is received directly from the breweries, wineries, manufacturers, or larger distributors and stored in warehouses or refrigerated storerooms on pallets, in crates, boxes, cases, cartons, kegs or canisters. Stock is then distributed to customers such as, but not limited to, restaurants, lounges and bars, hotels, grocery stores, or other commercial businesses. This classification includes route drivers and driver's assistants.

This classification excludes establishments engaged in the installation, service and repair of vending machines which are to be reported separately in classification 0606, and

breweries, wineries and beverage bottlers, N.O.C. which are to be reported separately in classification 3702.

Special notes: Classifications 2105 and 3702 shall not be assigned to the same account unless each operation is conducted as a separate and distinct business and the conditions set forth in the general reporting rule covering the operation of a secondary business have been met.

2105-02 Soft drink importers, exporters and distributors - wholesale or combined wholesale and retail

Applies to establishments engaged in wholesale, or combined wholesale and retail, distribution of soft drink beverages but not alcoholic beverages. Product stock is received directly from the manufacturers or larger distributors and stored in warehouses or refrigerated storerooms on pallets, in crates, boxes, cases, cartons, or canisters. Stock is then distributed to customers such as, but not limited to, restaurants, lounges and bars, hotels, grocery stores, or other commercial beverages. This classification includes route drivers and driver's assistants.

This classification excludes establishments engaged in the installation, service and repair of vending machines which are to be reported separately in classification 0606, and establishments that bottle beverages which are to be reported separately in classification 3702.

Special note: Classifications 2105 and 3702 shall not be assigned to the same account unless each operation is conducted as a separate and distinct business and the conditions set forth in the general reporting rule covering the operation of a secondary business have been met.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-56402 Classification 2106.

~~((Anhydrous ammonia, fertilizer, and agricultural chemical dealers including incidental mixing of chemicals purchased from others~~

~~This classification does not apply to any establishment engaged in the production of raw materials or chemicals used in the manufacture of the above products.))~~

2106-00 Fertilizer, anhydrous ammonia and agricultural chemical dealers

Applies to establishments engaged in the sale of fertilizer, anhydrous ammonia, and agricultural chemicals. This classification includes the mixing of wet or dry chemical fertilizers all of which fall into one of three categories: Nitrogen, phosphate or potassium. Fertilizer dealers may use a chemical or mechanical process to mix one or more of the basic fertilizers or combine portions of each per customer specifications. Included in this classification is the manufacture, distribution, and application of anhydrous ammonia which is dry ammonia gas compressed into a liquid and used as a fertilizer. Also included in this classification are establishments that sell and distribute "natural" fertilizers (manure). Typical establishments in this classification include, but are not limited to, commercial fertilizer dealers, farmer co-ops, and grange supply dealers which may do some chemical mixing but are more predominately involved in the sales and delivery of the fertilizer.

This classification excludes the mining of raw ores (phosphate and potassium) used in manufacturing the fertilizer which is to be reported separately in classification 1701; the manufacture of ammonia and nitric acid which is to be reported separately in classification 3701; and the application of fertilizer by a custom farm services contractor which is to be reported separately in classification 4808.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-565 Classification 2201.

~~((Laundries and dry cleaning establishments all operations including alterations, repair, and drop off stations operated by such establishments~~

Cleaning and dyeing

~~This classification is limited to establishments providing services primarily to retail walk-in customers.))~~

2201-01 Laundry, dry cleaning and dyeing establishments

Applies to establishments engaged in laundry, dry cleaning, or dyeing services. This classification is limited to establishments providing services primarily to retail walk-in customers who leave the items to be laundered, dry cleaned, or dyed at the laundry facility. This classification covers all operations including, but not limited to, dry cleaning, dyeing, the washing, drying, and pressing of clothing or household furnishings such as, but not limited to, curtains, bedding, linens, and sleeping bags, repairing or altering the items left for cleaning, pick up and delivery services, and drop off stations.

These establishments generally employ counter staff to wait on customers as well as employees who engage in laundering and/or dry cleaning operations (although some employees may perform both activities). This classification also includes waterproofing or mothproofing garments, or providing cold storage for fur goods for retail customers. Materials and machinery include, but are not limited to, detergents, bleaches, cleaning solvents, deodorizers, dyes, clothes hangers, plastic bags, automatic or steam operated washing machines, dryers, dry cleaning chambers, dyeing vats, pressing and ironing boards, sewing machines, and delivery vans.

This classification excludes self-service, coin-operated laundry or dry cleaning establishments which are to be reported separately in classification 2204; commercial or industrial laundries not covered by another classification, including linen, uniform and diaper services which are to be reported separately in classification 2203; and carpet, rug and upholstery cleaning establishments which are to be reported separately in classification 2202.

Special note: It is common for establishments subject to this classification to have satellite locations where customers drop off and pick up cleaning, but where no actual laundering occurs. Drop off centers are included in this classification.

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-566 Classification 2202.

~~((Carpet, rug and upholstery cleaning, shop or outside.))~~

2202-03 Carpet, rug, and upholstery cleaning

Applies to establishments engaged in cleaning rugs, carpets, or upholstery for commercial, institutional or residential customers. This classification contemplates work done either at the customer's location or in their own shop or plant. In-shop cleaners usually clean area rugs, and may occasionally clean furniture upholstery. Items are picked up by employees or delivered to the shop, where they are measured and inspected for tears, worn areas, stains or other damage. Rugs may be cleaned with vibrating machines, vacuum cleaners, or shampooing machines. Cleaned rugs are suspended from poles and conveyed into the drying room where large fans propel heated air to dry them. Once dry, the rugs are inspected, rolled, wrapped, and returned to the customer or stored until the customer requests delivery. Services at customers' location may use truck-mounted or portable cleaning equipment. Carpet and upholstery cleaning services may offer incidental, related services such as, but not limited to, carpet dyeing and tinting, repairs, carpet maintenance consultations, rug decontamination, on-site dry cleaning of draperies, floor or wall cleaning, the rental of cleaning equipment, or the sale of cleaning solutions. These incidental activities are included in this classification when done by employees of employers subject to this classification.

This classification excludes janitorial establishments that provide general interior cleaning services to the public which are to be reported separately in classification 6602, and laundry and dry cleaning establishments providing services primarily to retail walk-in customers which are to be reported separately in classification 2201.

Special note: Restoration work (as a result of smoke or water damage) such as drying and/or cleaning carpets and upholstered furniture, washing and polishing furniture, washing walls, washing and waxing floors, and cleaning the personal contents of a home is included in classification 6602-03. Refer to classification 6602-03 for more detailed information on restorations.

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-56601 Classification 2203.

~~((Laundries — commercial or industrial, N.O.C., including linen, uniform and diaper service.))~~

2203-00 Laundries - commercial or industrial: N.O.C.

Applies to establishments engaged in laundering operations which are not covered by another classification (N.O.C.). In addition to linen, uniform or diaper services, these establishments may launder other goods such as, but not limited to, protective apparel (flame, heat, or chemical resistant), dust control items (treated mops, rugs, mats, dust cloths), and wiping towels. These items may belong to the commercial or industrial laundry and rented to users, or they may be the customers' own goods. Operations include, but are not limited to, soliciting new customers by route supervisors or drivers, collecting and delivering, marking, weighing and sorting laundry, washing, extracting, tumbling, starching, drying, machine or hand ironing, making repairs or alterations, folding and wrapping. This classification also contemplates employees such as counter personnel, receiving

clerks, sorters and markers at collection or distribution stores operated on the premises where laundering is performed.

This classification excludes laundry and dry cleaning establishments providing services primarily to retail walk-in customers which are to be reported separately in classification 2201; self-service, coin-operated laundry or dry cleaning establishments which are to be reported separately in classification 2204; and carpet, rug and upholstery cleaning establishments which are to be reported separately in classification 2202.

Special note: This classification also covers establishments specializing in stone washing jeans or "contract dyeing" for commercial or industrial businesses and the cleaning of nonfabric items, such as venetian blinds, plastic goods or computer parts when done at the laundry facility.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-56602 Classification 2204.

~~((Laundry or dry cleaning: Coin-operated self-service operations:))~~

2204-00 Laundry or dry cleaning - coin-operated, self-service operations

Applies to establishments engaged in the operation of coin (or card) operated self-service laundry and dry cleaning equipment for customers' use on the premises. Most facilities have an attendant(s) on duty at all times; others may have only periodic surveillance by the owner or employees. Attendants generally ensure there are no problems with the equipment or with vandalism; they may perform minor repair or adjustments on the machines, assist patrons by carrying laundry or explaining the operation of the machines. There is usually a small waiting area which may include benches and chairs, change-making machines, vending machines with food and laundry supplies. Materials include, but are not limited to, detergents, bleaches, fabric softeners, dry cleaning solvents, spot-removing fluids, plastic bags, and hangers. Machinery includes, but is not limited to, residential or commercial sized washers and dryers, dry cleaning machines, pressing machines, irons, coin changing machines, tables for folding clothing, chairs, hanger racks, water heating and storage system, solvent reclaiming units, and solvent storage tanks.

This classification excludes laundry and dry cleaning establishments providing services primarily to retail walk-in customers which are to be reported separately in classification 2201, and commercial or industrial laundries not covered by another classification, including linen, uniform and diaper service which are to be reported separately in classification 2203.

Special note: This classification includes self-service/coin-operated cleaning facilities that offer dry cleaning services where the customers leave their clothing with the attendant and it is sent elsewhere for professional dry cleaning. This classification does not apply to any self-service/coin-operated cleaning facilities where the attendant performs any washing, drying, dry cleaning, hanging, or fold-

ing services on the premises which are to be reported separately in classification 2201.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-567 Classification 2401.

~~((Corrugated and fiber board container: Manufacturing, including corrugating and laminating of paper
Paper: Coating, corrugating, laminating or oiling
Paper goods: Manufacturing, N.O.C., such as but not limited to counter tops, panels, spiral tubes, milk cartons, and paper-mache items~~

~~Paper or pulp: Manufacturing~~

~~Wood fiber: Manufacturing.))~~

2401-00 Paper, pulp, or wood fiber: Manufacturing

Applies to establishments engaged in making paper from raw materials such as, but not limited to, wood chips, cotton fiber, water, kraft paper, recycled paper, bleach and dye purchased from outside sources. This classification includes the mashing of wood chips into fiber. Paper manufacturers may make finished products from the paper they manufacture which is included in this classification when done by employees of employers subject to this classification. Equipment includes, but is not limited to, large vats and tanks, spraying systems, choppers, paper-making machines, conveyor systems, forklifts, scales, winders, rewinders, and cutting machinery. Modern automated paper mills are monitored from computerized control rooms; many of the employees are electricians and control technicians. Wood chips are heated, washed, drained, impregnated with chemicals to separate natural binder fibers from the cellulose fibers, then chopped into tiny particles and further cleansed. Bleach and water are added again and the fibrous mixture is held in tanks to relax and fluff it to a natural state before going to a filtering process where the water is removed, allowing it to coagulate. More ingredients are added to increase strength, then the mixture is sprayed onto the paper-making machinery where it winds through the various sections at high speed. During the first stage the pulp is mostly water; as it spins on the wire mesh, the water is suctioned out and the paper winds around felt-covered rollers. The machine moves the paper through an enclosed, heated room (oven) and dried. The dried paper is rolled from the oven, smoothed on rollers, then rewound into smaller rolls and cut into desired lengths and widths.

This classification excludes establishments engaged in the manufacture of wood chips which are to be reported separately in classification 2903 and establishments engaged in the manufacture of abrasive cloth or paper (emery cloth/sandpaper) which are to be reported separately in classification 3708.

2401-03 Corrugated and fiber board container: Manufacturing

Applies to establishments engaged in the manufacture of boxes and cartons made of corrugated cardboard. Manufacturers subject to this classification may either corrugate cardboard for use in their own products or purchase corrugated cardboard from others. Applying coatings or laminating their own products is included in this classification when done by

employees of employers subject to this classification. Raw materials include, but are not limited to, corrugated cardboard, glue, staples, tape, ink, and coating resins. Machinery includes, but is not limited to, sheeters, slitters, slotters, winders or rewinders, printing presses, box-making machinery, die cutters or other cutting machines, laminators, corrugators, balers and shredders, and forklifts. Cardboard is cut to size and shape, printed, scored or creased, corners cut or slotted, sides folded and bottom pieces taped together. Box manufacturers may cut Styrofoam into packing pieces if their customers want them as a packaging unit. This incidental activity is included within the scope of this classification when done by employees of an employer subject to this classification.

This classification excludes establishments engaged in corrugating, laminating, oiling or coating paper which are to be reported separately in classification 2401-04 and establishments engaged in the manufacture of abrasive cloth or paper (emery cloth/sandpaper) which are to be reported separately in classification 3708.

2401-04 Paper coating, corrugating, laminating, oiling, or embossing

Applies to establishments engaged in manufacturing corrugated cardboard, or in coating, laminating, oiling, embossing paper or cardboard (chipboard) for others. To make corrugated cardboard, three (or more) rolls of kraft paper are simultaneously fed into a corrugating machine. Steam is sprayed onto the middle sheet as it winds around grooved rollers, forming grooves. Glue is applied to the tips of the grooves and the middle sheet is run between the other two sheets to form corrugated cardboard. The rest of the process involves heating, drying and curing, scoring and cutting the cardboard. Coating involves mixing coating materials, pouring the mixture into troughs of coating machines; the paper passes over rollers through the coating mixtures. Oiling or waxing processes are similar, but the oils or waxes are heated prior to being applied to the paper. After saturation, paper is dried, then finished by calendaring (smoothed by being pressed through large rollers), slitting to desired widths, and rewinding or sheeting to size. Laminated paper is produced by feeding a paste or glue between layers of paper, pressing them together, drying and finishing by winding into rolls, or cutting, slitting or die cutting to size and shape. Paper is embossed by winding it on embossing rollers that perforate designs in it. Raw materials include, but are not limited to, kraft paper, chipboard, glues, waxes, resins and other coating liquids. Machinery for all these processes moves paper through glue baths, finishing applications, squeeze rollers, corrugating or embossing rollers, drying ovens, cutting devices, laminators, and/or stacking equipment. Other machinery includes, but is not limited to, forklifts, balers and shredders.

This classification excludes establishments engaged in the manufacture of paper, pulp or wood fiber which are to be reported separately in classification 2401-00; establishments engaged in the manufacture of corrugated and fiber board containers which are to be reported separately in classification 2401-03; and establishments engaged in the manufacture of abrasive cloth or paper (emery cloth/sandpaper) which are to be reported separately in classification 3708.

Special note: This classification differs from classification 2401-03 in that making corrugated cardboard or laminating, oiling, or coating cardboard products made by others is the main activity in classification 2401-04 while such supporting operations in classification 2401-03 are incidental to the manufacture of the product.

2401-08 Paper goods, N.O.C.: Manufacturing

Applies to establishments engaged in the manufacture of heavy-grade, paper-based products, which are not covered by another classification (N.O.C.). Products range widely and include, but are not limited to, panels, paper-mache items, milk cartons, display boards, commercial air filters, and spiral tubes. Spiral tubes range in size from small cores for paper towels to large tubes used by the construction industry to form concrete. Materials include, but are not limited to, paper, chipboard, glue, inks and dyes, chemicals; materials such as lightweight wire, or small parts made of plastic, Styrofoam, or textiles could be used as auxiliary pieces of the finished product. Machinery includes, but is not limited to, sheeters, slitters, slotters, winders, rewinders, printing presses, cutting, drilling or punching machines, ovens, heated presses, vats and beaters, grinders, laminators, embossers, gluers, vacuum machines, heat-sealing machines, wire-bending equipment, packaging equipment, conveyors, shredders, and balers. Depending on the product being made, processes are similar to one or more of those described in the other paper products manufacturing classifications.

This classification excludes establishments engaged in the manufacture of paper, pulp or wood fiber which are to be reported separately in classification 2401-00.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-568 Classification 2903.

((Boat—Manufacturing, repair, or refinish—wood
Box, shoo, pallet, bin—Manufacturing, assembly or repair—wood—including assembly work performed at the customer's place of business
Door, jamb, window, sash, stair, molding and miscellaneous millwork manufacturing including prehangng or assembly—wood
Furniture stock manufacturing—wood
Lumber remanufacturing
Sign manufacturing—wood
Truss manufacturing—wood
Veneer products manufacturing
Wood chip, hog fuel, bark, bark flour, presto log and lath manufacturing
Wood products manufacturing or assembly N.O.C.
Sawmill operations are to be reported separately in classification 1002. Veneer manufacturing is to be reported separately in classification 2904

Unless otherwise specified in the classification wording this is a shop or plant only classification. This classification includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification. This classification excludes all installation activities away from the shop or plant.))

2903-00 Wood chip, hog fuel, bark, bark flour, fire log and lath: Manufacturing

Applies to establishments engaged in the production of products such as, but not limited to, wood chips, hog fuel, bark, bark flour, fire logs, kindling, excelsior, particleboard, and similar wood by-products.

Wood chips are small pieces of wood, generally uniform in size and larger and coarser than sawdust, commonly used to make pulp, particleboard, stuffing for products such as animal bedding, and as smoker/barbecue fuel;

Hog fuel is made by grinding waste wood in a hog machine, is larger and coarser than wood chips, and is used to fire boilers or furnaces, often at the mill or plant at which the fuel was processed;

Bark is the outermost covering of a tree which is chopped into pieces of varying sizes, and is commonly used for landscaping;

Bark flour is finely ground bark used as a filler or extender in adhesives;

Fire logs are made by forming sawdust into a log about 15 inches long and are used for fuel;

Lath is a narrow strip of wood commonly used to support shingle, slate or tile roofing, and as a fencing material;

Excelsior is the curled shreds of wood used as a packing and stuffing material, or as a raw material in making various board products;

Particleboard is a panel made from discrete particles of wood which are mixed with resins and formed into a solid board under heat and pressure.

The degree of manual labor required to make these products varies depending upon the size of the operation and sophistication of the equipment. Raw materials include, but are not limited to, logs, mill waste, bark, sawdust, or chips. Machinery includes, but is not limited to, rip saws, cut-off saws, loaders, debarkers, hog chippers, hammer mills, conveyors, sorting screens, and storage bunkers. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification. The operation of portable chipping or debarking mills is included in this classification.

This classification excludes all activities away from the shop or plant which are to be reported separately in the classification applicable to the work being performed; veneer manufacturing which is to be reported separately in classification 2904; and sawmill operations which are to be reported separately in classification 1002.

2903-06 Wood furniture stock: Manufacturing

Applies to establishments engaged in the manufacture of wood furniture stock such as, but not limited to, tabletops, table or chair legs, chair backs or seats, panels for beds, turning squares (bolts of wood which are shaped on lathes into furniture legs) and furniture squares (standard sized - usually 2" x 2" - pieces of wood used in constructing frames of upholstered furniture). Stock may be mass produced or custom. Raw material includes dimensional lumber from hardwoods such as, but not limited to, ash or alder. If the lumber is not presurfaced, it is sanded and/or planed. It is cut to desired width and thickness with a rip saw; and cut to desired length

with a cut-off saw. Pieces may be beveled with a table saw, bored with a horizontal boring machine, molded or shaped, and joints formed using a mortise, tenon or jointer. Finished stock is banded and/or palletized and usually shipped unfinished and unassembled to furniture manufacturing plants. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant which are to be reported separately in the classification applicable to the work being performed; manufacture of wood furniture and caskets which is to be reported separately in classification 2905; lumber remanufacturing which is to be reported separately in classification 2903-26; veneer manufacturing which is to be reported separately in classification 2904; and sawmill operations which are to be reported separately in classification 1002.

2903-08 Wood door, jamb, window, sash, stair, molding and miscellaneous millwork: Manufacturing, prehang-ing or assembly

Applies to establishments engaged in the manufacture, prehanging or assembly of wooden doors, door components, jambs, windows, sashes, stairs, mantels, moldings, turnings, and miscellaneous millwork such as, but not limited to, shutters, door and window grilles, skylights, pillars, wainscot, and similar architectural ornaments. Doors manufactured in this classification may be for residential or commercial use, such as, but not limited to, garage, closet, warehouse, interior and exterior; they may be odd-size or standard, panel, solid, louver, hollow core, sliding, bi-fold and overhead. Component parts for stairs include, but are not limited to, risers, treads, balusters, hand rails, and newel posts. Fireplace mantels include both the shelf and the complete ornamental facing surrounding the firebox. Moldings include, but are not limited to, picture moldings, chair rails, quarter round, coves, and architectural molding and base. Raw materials include, but are not limited to, cut stock lumber, plywood, veneer, particleboard, cardboard, plastic laminates, glue, hardware, glass, and metal. Cutting and fitting of glass and metal components for doors and windows is an integral phase of the manufacturing process and is included within the scope of this classification. Machinery includes, but is not limited to, various types of saws (table, panel, rip, cut-off, radial arm, trim, circular, band, jig, and miter), molders, shapers, routers, planers, finger jointers, mortises, tenons, lathes, presses, various types of sanders, drill presses, hand drills, boring machines, pneumatic nail, screw and staple guns, spray guns, chisels, air compressors, glue spreaders, drying ovens, overhead vacuum lifts, conveyor systems, fork lifts, and pallet jacks. Some door manufacturers have "door machines" which route impressions in jambs and blanks for hinge placement, and bores holes in the blank for knobs and locks; some have computerized overhead vacuum lights, electronic gluers, hydraulic lift pits, or electronically controlled saws. Prehanging doors involves boring holes in door blanks for knobs and locks, routing impressions into the blanks and jambs for hinge replacement, mounting hinges, trimming door and jamb replacements to exact size. Finishing the products with stain, paint, oil, or lacquer is included in this classification

when done by employees of employers subject to this classification. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant which are to be reported separately in the classification applicable to the work being performed; the manufacture of wood furniture and caskets which is to be reported separately in classification 2905; the manufacture of wood cabinets, countertops, and fixtures which is to be reported separately in classification 2907; lumber remanufacturing which is to be reported separately in classification 2903-26; veneer manufacturing which is to be reported separately in classification 2904; the manufacture of metal doors, jambs, windows, and sashes which is to be reported separately in classification 3404; and sawmill operations which are to be reported separately in classification 1002.

Special note: Lumber yards and building materials centers subject to classification 2009 are to be assigned classification 2903-08 in addition to their basic classification if they prehang door blanks.

2903-10 Wood box, shook, pallet, bin: Manufacturing, assembly, or repair

Applies to establishments engaged in the manufacture, assembly, or repair of wood pallets, boxes, bins, shook, shipping crates, and storage containers. A shook is a set of unassembled sawn wood components for assembling a packing box or barrel. Shooks are usually sold to box assembly plants. Pallets may be constructed out of vertical and horizontal runners of dimensional lumber to form a slatted pallet or by attaching three evenly spaced rows of wooden blocks between two sheets of solid plywood to form a lid-block pallet. Usually, the manufacturer subject to this classification picks up pallets, boxes or shipping crates from the customer, brings them to the plant for repair, reconditioning, or rebuilding, then returns them to the customer. However, the *assembly or repair* of bins is often done at the customer's location, which is still to be reported in classification 2903-10 when performed by employees of the bin manufacturer. Raw materials include, but are not limited to, dimensional lumber, plywood, nails, staples, screws, glue, and paint. Machinery includes, but is not limited to, a variety of saws (table, rip, radial arms, cut-off, band or trim), planers, molders, drills, boring machines, notchers, nailing machines, pneumatic stapler, screw and nail guns, conveyors, roll cases, sorting tables, pallet jacks, and fork lifts. Incoming lumber is cut to specified lengths, widths, and thicknesses with saws, then planed, bored, tongued, and grooved. Pieces are nailed, stapled or glued together to form finished products. Cut ends of pallets, bins, and boxes may be painted for design or for color identification purposes. Customer's name may be imprinted on the product using stencils and paint or wood burning tools. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant (except bin assembly at a customer's location) which are to be reported separately in the classification applicable to the work being performed; pallet dealers which are to

be reported separately in classification 1103; lumber remanufacturing which is to be reported separately in classification 2903-26; and sawmill operations which are to be reported separately in classification 1002.

Special note: Classification 1103 for pallet dealers does not include the repair or assembly of pallets. Any assembly or repair of pallets is to be reported in classification 2903-10.

2903-12 Wood products, N.O.C.: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of miscellaneous wood products which are not covered by another classification (N.O.C.), including, but not limited to, ladders, utility pole crossarms, beams, barricades, cable spools, slugs or ends for paper rolls, attic vents, prefabricated wall panels, gazebos, saunas, solariums, lattice panels, mall and park furnishings, playground equipment, docks and floats, parade floats, boat trailer bunks, cattle feeders, tree spreaders, tack strip, exhibit booths, weaving looms, and pottery wheels. Finishing of the product with stains or other lacquers is included in this classification when done by employees of employers subject to this classification. Raw materials include, but are not limited to, dimensional lumber, plywood, particleboard, lath, logs, glue, staples, screws, nails, stains, paints, oils, and lacquers. Operations require substantial amounts of machine work, as well as hand assembly. Machinery includes, but is not limited to, saws (table, panel, cut-off, band, jig, miter, or chain), sanders, planers, routers, shapers, molders, jointers, drill presses, boring machines, hydraulic presses, pneumatic nail, screw and staple guns. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant which are to be reported separately in the classification applicable to the work being performed; the manufacture of wood household and sporting goods which is to be reported separately in classification 2909; the manufacture of wood furniture and caskets which is to be reported separately in classification 2905; the manufacture of wood cabinets, countertops and fixtures which is to be reported separately in classification 2907; lumber remanufacturing which is to be reported separately in classification 2903-26; veneer manufacturing which is to be reported separately in classification 2904; and sawmill operations which are to be reported separately in classification 1002.

2903-13 Veneer products: Manufacturing

Applies to establishments engaged in the manufacture of veneer products by laminating rough veneer to plywood or particleboard and applying plastic or polyester overlays. Laminated veneer sheets are generally sold to other manufacturers and used in the construction of items such as, but not limited to, cabinets, countertops, furniture, wall board, flooring, and shelving. Veneer products generally require no pre-finishing with paint, stain or lacquer. Raw materials include, but are not limited to, plywood, particleboard, polyester, paper, polyethylene, fiberglass, plastic laminates and glue. To make veneer products, sheets of rough veneer are individually fed through glue spreader machines which apply glue to

both sides. Veneer sheets may be laminated to other veneer or to plywood or particleboard, cut to size with saws, then plastic or polyester overlays applied. Laminated sheets are fed through either hydraulic cold or hot presses to be bonded and cured. More sophisticated presses automatically feed the sheets through, and shear the laminated panels to standard 4' x 8' or 4' x 10' dimensions, or to specified lengths and widths for custom orders. Forklifts are used to move materials. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes activities away from the shop or plant which are to be reported separately in the classification applicable to the work being performed; the manufacture of household and sporting goods wooden ware which is to be reported separately in classification 2909; the manufacture of wood products not covered by another classification (N.O.C.) which is to be reported separately in classification 2903-12; the manufacture of wood furniture and caskets which is to be reported separately in classification 2905; the manufacture of wood cabinets, countertops and fixtures which is to be reported separately in classification 2907; the manufacture of rough veneer which is to be reported separately in classification 2904-00; lumber remanufacturing which is to be reported separately in classification 2903-26; and sawmill operations which are to be reported separately in classification 1002.

2903-20 Wood sign: Manufacturing

Applies to establishments engaged in the manufacture of interior or exterior signs made of wood or wood products. Raw materials include, but are not limited to, dimensional lumber, plywood, molding, acrylic, paint, stain, lacquer and hardware. When additional sizing is required, saws, such as table, panel, cut-off, or radial arm, are used to cut material to desired dimensions. Pieces may be further sized, shaped, and smoothed with routers, saws, planers, or sanders. Stain, paint, or other finishes may be applied as background colors, borders or designs, with pneumatic spray guns, airbrushes, or by hand. Lettering or designs can be painted directly on the sign, cut from separate stock and glued or screwed on, or carved, routed or sandblasted. Computer-cut vinyl lettering may also be applied. Sign painting and lettering is included in this classification when done by employees of the sign manufacturer. Hand drills or drill presses are used to mount wood lettering or designs, bore holes and attach hardware used in the subsequent installation of the sign. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes the installation or removal of signs outside of buildings which is to be reported separately in classification 0403; the installation or removal of signs inside of buildings which is to be reported separately in classification 0513; sign painting or lettering on the inside of buildings which is to be reported separately in classification 4109; establishments that paint on or apply lettering to sign "backings" that are manufactured by others which is to be reported separately in classification 4109; the manufacture of metal or plastic signs which is to be reported separately in the

classification applicable to the manufacturing process; and sawmill operations which are to be reported separately in classification 1002.

Special note: The majority of sign manufacturers also install their signs. Installation and removal of signs is to be reported separately.

2903-21 Wood truss: Manufacturing

Applies to establishments engaged in the manufacture of structural roof trusses, and/or ceiling and floor joists from wood or wood products. These products usually do not require a high degree of finishing work. Raw materials include, but are not limited to, dimensional lumber (usually 2" x 4", 2" x 6", and 2" x 8", which is kiln dried, machine stressed, and presurfaced), plywood, metal gussets, and hardware. Dimensional lumber is cut with gang, table, resaw, or radial arm saws. Cut stock is placed in a hydraulic jig assembly which holds the unassembled components in the properly aligned configuration. Pneumatic nailers are used to embed the nail clips which connect each joint of the truss. A gantry, which is an overhead crane traveling along a bridge-like frame, is used to relocate the truss along the assembly line. The assembled truss is placed in a stationary or moveable press which attaches reinforcing triangular shaped metal plates called gussets at each joint or angle. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all installation activities away from the shop or plant which are to be reported separately in the classification applicable to the work being performed; the manufacture of door jambs, windows, sashes, stairs, molding and miscellaneous millwork which is to be reported separately in classification 2903-08; lumber remanufacturing which is to be reported separately in classification 2903-26; and sawmill operations which are to be reported separately in classification 1002.

Special note: Truss manufacturers, whose primary customers are building contractors and building supply dealers, usually deliver their product. Delivery to the construction site often entails placing trusses onto the roof top, using boom lifts mounted on the delivery truck, which is included in this classification when performed by employees of employers subject to this classification.

2903-26 Lumber: Remanufacturing

Applies to establishments engaged in lumber remanufacturing, which is the process of converting cants, plywood, or lumber into a more specialized or higher grade product. Cants are large slabs of wood, usually having one or more rounded edges, which have been cut from logs. The incoming stock is generally green, rough-cut, and may be owned by the customer or by the remanufacturer. Machinery includes, but is not limited to, a variety of saws, (chop, resaw, trim, rip, table, radial arm, and cut-off), planers, surfacers, sanders, molders, groovers, finger jointers, tenoners, gluers, kiln dryers, fork lifts, and trolley cars. Stock is kiln dried, re-sawed, planed, grooved, or otherwise treated, according to customer specification if the customer owns it, or to standard cuts if it is for resale. Remanufacturers sell lumber to construction contractors or manufacturers that use it in the construction of

products such as, but not limited to, paneling, countertops, framing studs, siding, decking, fencing, railroad ties, or molding. Remanufacturers generally do not finish the material with stain, paint, or lacquer. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant which are to be reported separately in the classification applicable to the work being performed; the manufacture of roof trusses and ceiling and floor joints which is to be reported separately in classification 2903-21; veneer manufacturing which is to be reported separately in classification 2904; establishments that exclusively kiln dry and/or treat lumber with preservatives, fire retardants, or insecticides, and that do not perform any remanufacturing operations which are to be reported separately in classification 1003; and sawmill operations which are to be reported separately in classification 1002.

2903-27 Ridge cap and/or shim: Manufacturing

Applies to establishments engaged in the production of shims and ridge caps. Shims are thin wedges of wood used for filling spaces or leveling. Ridge caps are shingles which are used as a covering for roof peaks. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant which are to be reported separately in the classification applicable to the work being performed; veneer manufacturing which is to be reported separately in classification 2904; and sawmill operations which are to be reported separately in classification 1002.

Special note: This classification must be assigned only by Classification Services after a field inspection of the business has been performed. If a classification must be assigned prior to the field inspection, assign classification 1005-02.

2903-28 Wood boat: Manufacturing, repair, or refinish

Applies to establishments engaged in manufacturing, repairing, or refinishing wooden boats. Raw materials include, but are not limited to, dimensional lumber, plywood, glue, staples, screws, nails, stains, paints, oils, and lacquers. Machinery includes, but is not limited to, band saws, lathes, drill presses, jointers, planers and sanders. Other than pleasure craft, very few wooden boats have been manufactured over the last 50 years. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes the manufacture of fiberglass boats which is to be reported separately in classification 2511, and the manufacture of metal boats which is to be reported separately in the classification applicable to the materials used and work being performed.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-569 Classification 2904.

**((Plywood manufacturing
Veneer, commercial production
This classification includes all types of veneer production:))**

2904-00 Veneer: Commercial production

Applies to establishments engaged in all types of commercial production of rough veneer. Veneer is a thin layer of material, usually made of wood or plastic, which is used to cover the surface of another material. In most instances, finished veneer will have a superior appearance or quality than the surface it covers. Rough veneer made of wood generally involves sawing logs, bolts (lengthwise strips), or blocks, softening them in vats of hot water or steam rooms to remove the bark and make the fiber pliable for cutting or turning. The pieces are further shaped by turning, slicing or sawing, cutting the single-ply veneer sheets to various sizes of length and thickness, then drying them in kilns. Rough veneer manufactured in this classification is generally sold to manufacturers of veneer products made by laminating rough veneer to plywood or particleboard. Machinery includes, but is not limited to, band saws, table saws, stationary knife machines, rotary lathes, conveyor systems, kilns, forklifts.

This classification excludes sawmill operations which are to be reported separately in classification 1002; the manufacture of plywood which is to be reported separately in classification 2904-01; the manufacture of veneer products which is to be reported separately in classification 2903; and the manufacture of other products made from wood or plastic which are to be reported separately in the classification applicable to the work being performed. The production of veneer by employees of employers engaged in the manufacture of other products is to be included in the classification covering the manufacture of those products.

2904-01 Plywood: Manufacturing

Applies to establishments engaged in the manufacture of plywood. Plywood is a structural material made of layers of wood (veneer) glued tightly together, usually with the grains of adjoining layers at right angles to each other. (In this application the word "ply" means one of the sheets of veneer.) The production of veneer is included in the scope of this classification when done by employees of employers engaged in the manufacture of plywood. To form plywood, it may be necessary to join less-than-full-size sheets of veneer into full-size sheets. In the joining process, veneer jointers, taping machines, tapeless splicers, or other methods of joining veneer, such as stringing and stitching are used. Next, a glue spreader coats the cross banding and core veneers (front and back) with liquid glue. Once glued, the veneer is conveyed to a hot press that bonds the veneers into plywood. The panels are removed from the presses, placed in a storage pile (referred to as a "hot stack") to cool and cure, then trimmed, sanded, and stacked for conditioning. Plywood may be impregnated with chemicals to develop wood-plastic combinations that are harder and denser than ordinary plywood. After they are inspected and graded according to thickness and quality, plywood panels are moved by forklift

to the warehouse portion of the plant where they are stacked in tiers which are separated by a piece of lumber to prevent sagging or distortion. Pieces are bundled with metal straps, either manually or with automatic strapping equipment.

This classification excludes sawmill operations which are to be reported separately in classification 1002; establishments that manufacture rough veneer as a product which are to be reported separately in classification 2904-00; and the manufacture of other products made from wood or plastic which are to be reported separately in the classification applicable to the work being performed.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-56901 Classification 2905.

~~((Furniture and casket manufacturing or assembly—wood
Furniture refinishing including repair—wood
Furniture refinishing with no repair work is to be reported separately in classification 3603~~

~~Physically separated upholstery departments of firms engaged in furniture or casket manufacturing, assembly or finishing may be reported separately in classification 3808, provided that the conditions set forth in WAC 296-17-410 have been met~~

~~Unless otherwise specified in the classification wording this is a shop or plant only classification. This classification includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification. This classification excludes all installation activities away from the shop or plant.))~~

2905-00 Wood furniture and casket; Manufacturing, assembling, or repairing; Furniture refinishing

Applies to establishments primarily engaged in manufacturing, assembling or repairing furniture or caskets made of wood. Products may be custom-made or stock, for residential or commercial use. This classification includes establishments that repair and refinish wood furniture that is new, used, antique, or furniture with factory defects or damages from shipping. Furniture includes, but is not limited to, sofas, love seats, chairs, tables, beds, dressers, chests, stools, hutches, pool tables, credenzas, desks, bookcases, pews, altars, pulpits, baptisteries, and benches. Materials include, but are not limited to, dimensional lumber, furniture stock, plywood, veneer, particleboard, plastic laminates, polyfoam, upholstery materials (fabric, stuffing, cardboard, metal springs), hardware, glue, paint, stain, oils or lacquer. Machinery includes, but is not limited to, various types of saws (table, panel, rip, cut-off, radial arm, trim, circular, band, jig and miter), molders, shapers, routers, jointers, mortises, tenons, lathes, planers, various types of sanders, drill presses, hand drills, boring machines, pneumatic nail, screw and staple guns, spray guns, air compressors, glue spreaders, dust collectors, drying ovens, sewing machines, steam irons, fork lifts, and pallet jacks. Operations range from processing rough or surfaced lumber, plywood or fiberboard, to the assembly of frame parts into finished products. For classification purposes, repair includes fabricating replacement

parts, reinforcing structural weak points, disassembling, regluing and reassembling, recaning chairs, and similar activities, and refinishing includes stripping, sanding, filling, priming, and finishing with stain, oil, paint, or lacquer. Manufacturers in this classification may upholster their furniture, sell it unfinished, or finish it with various lacquers by spraying, dipping, or applying by hand. To make caskets, wood is cut to size, planed, and sanded. Sections are joined to form the shell, finished with lacquer, oil, or stain, and hardware added. Interior upholstery is usually stapled in place; exterior upholstery is usually glued on. This classification also contemplates the assembly of caskets from purchased components. Manufacturers of wood caskets often purchase ready-made fiberglass or metal casket shells, refinish them if necessary, mount the hardware, and upholster them. This is considered incidental to the main operation and is included in this classification. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification. Physically separated upholstery departments of establishments engaged in furniture or casket manufacturing, assembly, or finishing may be reported separately in classification 3808 provided that the conditions of the general reporting rules covering the division of employee hours have been met.

This classification excludes all activities away from the shop or plant which are to be reported separately in the classification applicable to the work being performed; establishments engaged in stripping and refinishing furniture, but do not otherwise repair it, which are to be reported separately in classification 3603; establishments engaged in the manufacture of wood cabinets, countertops or fixtures which are to be reported separately in classification 2907; and establishments engaged in the manufacture of furniture or caskets from metal or plastic which are to be reported separately in the classification applicable to the work being performed.

Special note: Establishments primarily engaged in the manufacture of furniture or caskets may make other wood products such as cabinets, countertops and fixtures as an incidental activity. The incidental manufacture of these products can be included within the scope of this classification. Furniture is generally moveable and unsecured. Fixtures are usually secured, stationary, or permanently built-in objects. Even though some fixtures may not be secured to a wall or floor, they are not intended to be relocated, unlike furniture which is frequently and more easily arranged.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-570 Classification 2906.

~~((Pattern or model manufacturing, metal, plastic or wood
Piano or musical instrument manufacturing, not metal.))~~
2906-01 Pattern or model - metal, plastic or wood; Manufacturing

Applies to establishments engaged in making metal, plastic, or wood patterns or models. Patterns or models produced may include industrial, aircraft, foundry, architectural scale and mechanical models. Use of this classification is

limited to the fabrication of individual or prototype pieces. Work contemplated is limited to fabricating the pattern or model using woodworking and metal cutting tools, sanding and filling voids with fillers (wood or plastic); and extensive hand finishing of all these mediums when performed by employees of an employer subject to this classification.

This classification excludes pattern or model making by other manufacturers unless specifically allowed for in the manufacturing classification, and establishments engaged in the manufacture of plastic or wood model kits (assembly of a scale model of a car, boat, or plane) which is to be reported separately in the applicable classification.

2906-14 Wood piano or musical instrument: Manufacturing

Applies to establishments engaged in the manufacture of wood musical instruments including, but not limited to, pianos, organs, violins, harps, and guitars. Work contemplated by this classification includes various phases of woodworking techniques required to manufacture cases, sounding boards, pedals and action boards, metal working techniques required to produce components such as pipes, frames, switches, magnets, wind reservoirs and blower systems, and incidental tanning of skins for drums and banjos when done by employees of an employer having operations subject to this classification. This classification applies whether the company is producing all component parts or assembling a wooden musical instrument from purchased parts. This classification includes the reconditioning and subsequent sale of reconditioned pianos, organs, and wooden musical instruments.

This classification excludes the manufacture of metal musical instruments which is to be reported separately in classification 3404; tuning or repair of pianos which is to be reported separately in classification 4107; and the sale of new piano and organs or wooden musical instruments which is to be reported separately in classification 6306 or 6406 as applicable.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-57001 Classification 2907.

((Cabinet, countertop, and fixture: Manufacturing, modifying or assembly—wood

Unless otherwise specified in the classification wording this is a shop or plant only classification. This classification includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification. This classification excludes all installation activities away from the shop or plant.))

2907-00 Wood cabinet, countertop, and fixture: Manufacturing, modifying or assembly

Applies to establishments engaged in the manufacture, modification, or assembly of wood cabinets, countertops, and fixtures. Cabinetry work contemplated by this classification includes, but is not limited to, manufacturing custom or modular cabinets, assembling prefabricated modular cabinet components, refacing existing cabinets and replacing hardware, and modifying the dimension or design of modular cabinets.

Manufacturing countertops includes fabricating the core or sub top in addition to laying the plastic laminate, polyester overlay or tile when performed in the shop by employees of employers subject to this classification. Finishing may be subcontracted out to a prefinish contractor or performed by the general or specialty construction contractor at the job site; however, finish work is included in classification 2907-00 when performed by employees of an employer subject to this classification. Fixture manufacturing includes built-in store, office, restaurant, bank and residential fixtures such as, but not limited to, showcases, display cases, end aisles, display pedestals, shelving, partitions, racks, closet organizers, bookshelves, work stations, credenzas, podiums, wall units, china hutches, entertainment centers, cashier cubicles, check-out counters, and curio cabinets. The wiring of fixtures for electrical fittings, and the cutting and fitting of plastic laminates, glass, mirrors, or metal trim, when performed in the shop, is included as an integral function of the manufacturing process encompassed within this classification. Raw materials include, but are not limited to, dimensional lumber, plywood, veneer, particleboard, plastic laminates, polyester overlays, sheet rock, slot wall dowels, hardware, mirrors, metal trim, electrical hardware, carpet, upholstery fabric, stain, paint, lacquer or glue. Machinery includes, but is not limited to, table, panel, radial arm, cut-off, chop, rip, band, and miter saws, wide belt sanders, edge sanders, hand finish jointers, mortises, tenoners, drill presses, hand drills, boring machines, edge banders, dowel machines, glue spreaders, face framing machines, pneumatic nail, screw and staple guns, air compressors, spray guns, forklifts, pallet jackets, and dust collectors. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification. Lumber yards, building material dealers, or general construction contractors that maintain a separate woodworking shop for manufacturing, assembling cabinets, and fixtures are subject to this classification for the woodworking operations, in addition to any other basic classification applicable to their business.

This classification excludes the installation of cabinets, countertops, and fixtures which is to be reported separately in classification 0513; the manufacture of wood furniture and caskets which is to be reported separately in classification 2905; the manufacture of metal cabinets which is to be reported separately in classification 3404; lumber remanufacturing which is to be reported separately in classification 2903; veneer manufacturing which is to be reported separately in classification 2904; and sawmill operations which are to be reported separately in classification 1002.

Special note: Establishments primarily engaged in the manufacture of cabinets, countertops and fixtures, may make other wood products such as doors, windows, moldings, and/or furniture as an incidental activity to the main business. The manufacture of these incidental products is included within the scope of classification 2907-00. Furniture is generally moveable and unsecured. Fixtures are usually secured, stationary, permanently built-in objects. Even though some fixtures may be secured to a wall or floor, they are not intended to be relocated, unlike furniture which is frequently and more easily arranged.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-57002 Classification 2908.

~~((Truck canopy: Manufacturing metal or wood—shop only
Housing—residential type: Factory built—shop only
Mobile homes, campers and travel trailers: Manufacturing—shop only~~

~~This classification excludes fiberglass canopy manufacturing which is to be reported separately in classification 3511.))~~

2908-00 Factory built housing: Manufacturing or assembly

Applies to establishments engaged in the assembly line production of factory built (manufactured) housing such as wood prefab and modular homes, log home kits, mobile homes and prefab cedar homes when manufactured at a shop or adjacent yard. Sections vary in size up to 80 feet long and 28 or more feet wide. Manufactured homes are built on an assembly line with materials such as plywood, rolls of aluminum, steel I beams, insulation, electric wire, particleboard, lumber, pipes, plumbing fixtures, electrical fixtures, appliances, carpeting, paint and hardware. Assembly may be single line or on a side by side line. After the chassis is built, it is placed on a conveyor where workers lay joists and heating and plumbing lines. Floors are then installed, interior walls are raised and cabinets are installed. Preassembled exterior walls are fastened, the roof is placed, covered, and tie down straps are attached. These homes may be sided with aluminum, vinyl, hardwood fiberboard or natural wood. While the chassis and some other steel parts are welded, the majority of the work is performed with stamping and forming equipment, hand and air tools, joiners, jig clamps, planers, hoists, forklifts and rail conveyors. Other parts may be nailed, riveted, stapled or glued. Furniture and blinds or curtains may then be installed and specialty items such as fireplaces may be added. Units are inspected, then moved to the yard until sold or delivered. Individual work stations may include a mill room, cabinet mill room, sheet metal department or paint and finish departments. Some plants may also have sewing departments where they make curtains, blinds and drapes. This classification includes transporting of the factory built home to the customer's site or a dealer's sales lot when performed by employees of an employer subject to this classification, but excludes set up which is to be reported separately in classification 0517.

This classification excludes establishments engaged in the manufacture of campers and travel trailers which are to be reported separately in classification 2908-02; establishments engaged exclusively in the manufacture of truck canopies which are to be reported separately in classification 2908-03; establishments engaged in the manufacture of fiberglass canopies which are to be reported separately in classification 3511; and delivery and set up performed by an independent contractor which is to be reported separately in classification 0517.

2908-02 Campers and travel trailers: Manufacturing

Applies to establishments engaged in the manufacture of factory built campers or travel trailers which are generally not

more than 35 feet long and 8 feet wide. This process includes cutting steel I-beams, placing them on a jig and welding the pieces together. Hitches, running gear, and side frames are installed. Subflooring is assembled on a jig and fastened with lag bolts to the frame. Shears, stamping equipment, drill presses and jig clamps are used to perform the work as the pieces are moved by conveyor. Interior and exterior metal panels and trim are spray painted in spray booths or dipped in tanks, using enamel and then hardened by using drying ovens or heat lamps. All electrical wiring, flooring, carpets, heating units, and plumbing fixtures are installed with the use of electrical hand tools, pneumatic wrenches, staplers, and air compressors. Partition walls are then nailed in place with nail guns. Side walls are framed up on a jig and placed on the trailer. Afterwards, the ceiling is nailed in place and the insulation and cabinets are put in place. Sheet metal sides are stapled on and the top is installed. All systems are checked and the trailer or camper is delivered to the distributor's lot. The process of manufacturing a camper is similar except there are no frame rails, axles or hitch involved as a camper has no chassis. Campers are mounted on pickup trucks; travel trailers are fitted with a hitch for towing behind a motor vehicle.

This classification excludes establishments engaged in the manufacture of factory built housing which are to be reported separately in classification 2908-00; establishments engaged in the manufacture of truck canopies which are to be reported separately in classification 2908-03; establishments engaged in fiberglass canopy manufacturing which are to be reported separately in classification 3511; and camper and travel trailer rental/sales agencies which are to be reported separately in classification 3411.

2908-03 Wood or metal truck canopy: Manufacturing

Applies to establishments engaged in the manufacture of wood or metal truck canopies. After the framework is assembled, insulation is cut to size and inserted, electrical wiring is strung, exterior aluminum sheeting or "skin" is cut to size and attached, interior paneling and decorative trim is fitted, doors and windows are installed and electrical clearance lights are attached. Machinery includes, but is not limited to, saws, electrical hand tools, metal cutting and welding equipment, shears, stamping equipment, drill presses, jig clamps, spray booths, pneumatic wrenches, staple and nail guns, air compressors and miscellaneous hand tools. Direct sales to retail consumers or to wholesale dealers by a canopy manufacturer are included in this classification.

This classification excludes dealers who sell and/or install canopies who are reported separately in classification 1106; establishments engaged in the manufacture of campers and travel trailers which are to be reported separately in classification 2908-02; establishments engaged in the manufacture of factory built housing which are to be reported in classification 2908-00; and establishments engaged in the manufacture of fiberglass canopies which are to be reported separately in classification 3511.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-57003 Classification 2909.

~~((Woodenware: Household and sporting goods manufacturing or assembly, N.O.C.~~

~~This classification excludes wood products manufacturing or assembly which are to be reported separately as applicable in classifications 2903, 2905, and 2907.~~

~~Unless otherwise specified in the classification wording this is a shop or plant only classification. This classification includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification. This classification excludes all installation activities away from the shop or plant.))~~

2909-00 Woodenware - household and sporting goods N.O.C.: Manufacturing or assembly

Applies to establishments engaged in light woodworking, not covered by another classification (N.O.C.), for the manufacture of woodenware household goods, sporting goods and a wide range of decorative woodenware items that require a minimal amount of cutting, shaping, drilling, sanding, assembling and finishing. Items produced in this classification include, but are not limited to, towel bars, tissue holders, magazine racks, spice racks, knife holders, recipe boxes, cutting boards, rolling pins, salad forks, bowls, picture and mirror frames, candle holders, speaker shells, bases for turntables, trophy and plaque bases, house numbers, window blinds and shades, drapery woodenware (rods, brackets, supports, rings), broom and brush handles, bobbins and spools, patches, hat blocks, pegs, coat hangers, toothpicks, gift boxes, tobacco pipes, toys, games, basketball backboards, baseball bats, boomerangs, pool or shuffleboard cues, hockey sticks, oars, paddles, archery bows and arrow shafts. Establishments in this classification generally purchase ready-made components which they assemble with pneumatic or hand tools such as, but not limited to, nail or glue guns, spray or paint guns, staple guns, screw guns, drills, shaping tools, and brushes. Products may be left natural, or finished by applying paint, stain, lacquer or varnish, or hand dipping or rubbing. A limited assortment of basic wood shop machinery such as, but not limited to, table saws, circular saws, band saws, miter saws, jig saws, routers, shapers, belt sanders, edge sanders, drill presses, boring machines, and finger jointer may be used for the occasionally cutting of a piece of wood. Other materials include, but are not limited to, molding stock, dowels, plywood, glue, staples, screws, and small nails. In most cases, products are small and the manufacturers do not provide installation. This is a shop or plant only classification. It does, however, include work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant which are to be reported separately in the classification applicable to the work being performed; and the manufacture or assembly of wood products such as, but not limited to, molding stock, outdoor playground equipment, marine floats and docks, gazebos, solariums, saunas, ladders, or cable spools from dimension lumber which is to be reported separately in the applicable classifications.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-571 Classification 3101.

~~((Ready mix concrete dealers~~

~~This classification includes the sale of tools, equipment and incidental building materials such as bricks and concrete blocks.))~~

3101-05 Ready mix concrete dealers

Applies to establishments engaged in the mixing and delivery of ready mix concrete for all types of residential and commercial projects such as, but not limited to, foundations, walls, slabs, roadways, driveways, walkways, dams, bridges and swimming pools. Usually, these establishments operate a plant location with a supply of sand, gravel, pebbles, broken stones or slag, and various ingredients to produce bonding adhesives such as cement. The concrete is premixed at the plant location and loaded into a delivery truck, or the raw unmixed ingredients such as cement, sand, gravel, pebbles, broken stones and water are loaded into a concrete truck and mixed in a revolving or rotating drum in transit to the project site. The concrete is discharged from the drum with use of a metal shoot or is transferred into the bed of a concrete pump truck for pumping. This classification includes ready mix dealers who operate concrete ready mix trucks and/or concrete pump trucks as part of the delivery service. This classification also includes the related sale of tools, equipment, and building materials such as bricks or concrete blocks, and pit and crusher operations provided all sand and gravel produced is used by the dealer to manufacture concrete mix.

This classification excludes establishments engaged in the commercial production and/or digging of sand, gravel or stone not in connection with a ready mix dealer which is to be reported separately in classification 0112, and concrete pump truck services not in connection with a ready mix dealer which is to be reported separately in classification 3506.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-572 Classification 3102.

~~((Rock wool insulation: Manufacturing—digging or quarrying to be reported separately in the applicable classification.))~~

3102-04 Rock wool insulation: Manufacturing

Applies to establishments engaged in the manufacture of mineral wool insulation from siliceous materials such as, but not limited to, rock, slag, and glass, or combinations thereof. In a special furnace, hot air or steam is blown through molten rock or slag, shredding the material into a mass of fine intertwined fibers to form the wool. To produce fiberglass insulation material, molten glass is drawn at high speeds through orifices, then subjected to jets of high pressure steam which break the glass filaments into fine fibers. The final product, regardless of raw material, may be shipped in granules which are bagged, or formed into flat sheets, cut to size, enclosed in paper or foil, and packaged. Incidental rock, slag, and glass crushing operations are contemplated by this classification.

PROPOSED

This classification excludes the digging or quarrying of raw materials which is to be reported separately in the classification appropriate to the work being performed, and the manufacture of asbestos products which is to be reported separately in classification 3104.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-573 Classification 3103.

~~((Cement manufacturing, lime manufacturing
Lightweight aggregate building or insulation material manufacturing~~

~~Perlite, pozzolan, magnesite or expanded shale aggregate manufacturing~~

~~This classification excludes digging or quarrying which is to be reported separately in the applicable classification.))~~

3103-01 Cement or lime: Manufacturing

Applies to establishments engaged in the manufacture of cement or lime. Cement is a mixture of various granulated raw materials which may include limestone, shale, clay, slate, alumina, silica sand, iron ore and gypsum. The manufacturing process involves crushing and grinding the raw materials into a powder state. Materials are then blended with water to create a slurry, then kiln burned at high temperatures which chemically changes the mixture. This mixture is then combined with gypsum and ground into the final product. Cement may be sold as is or mixed with water and coarse aggregate to make concrete. Lime production involves a similar process using crushing and blending machinery and large kilns. Cement and lime manufacturers may own a limestone quarry as it is the major component of both products.

This classification excludes the quarrying of raw material which is to be reported separately in classification 1704; ready mix concrete dealers who are to be reported separately in classification 3101; and the manufacturing of concrete products which is to be reported separately in classification 3105.

3103-02 Lightweight aggregate building or insulation material: Manufacturing

Applies to establishments engaged in the manufacture of lightweight aggregate building material or insulation material. Types of products covered by this classification include, but are not be limited to, vermiculite, perlite, pozzolan, magnesite, expanded shale aggregate and fiberglass. The manufacturing process contemplates crushing of raw materials and blending and heating of materials in large furnaces.

This classification excludes the quarrying of raw material which is to be reported separately in classification 1704, and the manufacture of fiberglass products which is to be reported separately in the appropriate manufacturing classification.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-574 Classification 3104.

~~((Plaster mills and whiting manufacturing, quarrying to be separately rated~~

~~Flake mills and emery works~~

~~Asbestos products manufacturing, including spinning or weaving, mica goods manufacturing~~

~~Soapstone or soapstone products manufacturing, marble cutting and polishing, slate milling~~

~~Stone cutting or polishing, N.O.C., away from quarry~~

~~Plasterboard or plaster block manufacturing~~

~~Coating of building materials, N.O.C. -- shop operations~~

~~Monument dealers who do stonecutting, engraving or sandblasting.))~~

3104-08 Plaster, whiting, talc, emery powder: Manufacturing

Applies to establishments engaged in the manufacture of plaster, whiting, talc or emery powder. Plaster is a mixture of lime, sand, water, and may include hair or other fibers, that hardens to a smooth solid and is used for coating walls and ceilings. Plaster can also be manufactured in dry form and sold in bags. Whiting is a pure white grade of chalk that has been ground and washed for use in paints, ink, and as an extender in pigments, putty or whitewash. Talc is a fine-grained white, greenish, or gray mineral with a soft soapy texture, which is used in the manufacture of talcum and face powder, as a paper coating, and as a filler for paint and plastics. Emery is a fine-grained mineral used for grinding and polishing. This classification is for the production of the powders only. Machinery includes, but is not limited to, crushing, mixing, grinding, milling and washing and cooking machinery, conveyors and forklifts.

This classification excludes establishments engaged in the manufacture of plaster statuary or ornaments which are to be reported separately in classification 3509; establishments engaged in the manufacture of plasterboard or plaster block which are to be reported separately in classification 3104-55; interior and exterior plastering and stucco work which is to be reported separately in classification 0303; and quarrying operations which are to be reported separately in classification 1704.

3104-52 Asbestos products or mica goods: Manufacturing

Applies to establishments engaged in the manufacture of asbestos products and mica goods. Asbestos products include, but are not limited to, fireproofing, electrical insulation, building materials, brake linings, clutch facings, valve packings, dryer felt, and chemical filters. Asbestos is a fibrous mineral form combined with impure magnesium silicate. Flake asbestos can be mixed, spun and woven into cloth; or the flakes can be used as an ingredient in the processing or treatment of paper. To make molded asbestos products, asbestos is mixed with other ingredients, molded, baked, cut to size, and ground. Mica is also a mineral form; it is split to desired thickness using hand knives or knives mounted on tables. The split mica is sent to punch presses which stamp out the various products usually used by the electrical trades. Mica that is too small to be processed on punch presses may be placed in burling machines, mixed with liquids, then pressed into sheets. Removal of imperfections is usually done by hand; the sheets are dried, baked in ovens and run through sanders prior to crating and shipping.

This classification excludes establishments engaged in the manufacture of plasterboard or plaster block which are to be reported separately in classification 3104-55; contractors engaged in the installation or removal of asbestos or mica products at the customer's site which are to be reported separately in the classification applicable to the phase of construction being performed; and quarrying operations which are to be reported separately in classification 1704.

3104-53 Soapstone or soapstone products: Manufacturing; marble cutting and polishing; slate milling; stone cutting or polishing, N.O.C.

Applies to establishments engaged in the manufacture of soapstone products, and the cutting, milling, and polishing of marble, slate, or stone such as grindstone, limestone, millstone and lithographic stone (usually sheet zinc), not covered by another classification (N.O.C.). Soapstone (also called steatite) is a massive white-to-green talc found in extensive mine beds and is used in products such as, but not limited to, insulation, paints, ceramics, decorative accessories, and ornamental objects. The manufacturing process requires turning, shaping, carving and polishing of the soapstone with a variety of milling equipment. Finished products of marble, slate or stone include, but are not limited to, decorative accessories, tops for furniture, countertops, floor tiles and other building materials. Machinery and materials include, but are not limited to, saws, milling machines, grinders and abrasives.

This classification excludes installation of tile, marble or slate building materials which is to be reported separately in the classification applicable to the phase of construction being performed and quarry operations which are to be reported separately in classification 1704.

3104-55 Plasterboard or plaster block: Manufacturing

Applies to establishments engaged in the manufacture of plasterboard (wallboard) or plaster block which are used as building materials. Raw materials include, but are not limited to, plaster, fiberboard, and rolls of paper. Plasterboard is made by bonding plaster to a thin rigid board or to layers of fiberboard or paper to form a flat board or a block. Product is dried in ovens, cut to size with slitters or other cutting machinery, and packed for shipment. This classification includes the mixing of the plaster when done by employees of employers subject to this classification.

This classification excludes establishments operating as plaster mills which are to be reported separately in classification 3104-08; interior and exterior plastering and stucco work which is to be reported separately in classification 0303; and quarrying operations which are to be reported separately in classification 1704.

3104-57 Coating of building materials, N.O.C.

Applies to establishments engaged in the coating of building materials, not covered by another classification (N.O.C.), with preservatives to keep them from decaying when placed into the ground. These materials include, but are not limited to, dimensional lumber, deck materials, fence posts, landscaping beams, and lattice work. The coating process may include immersing the lumber in vats of preservative, or cutting or drilling small holes into the lumber and applying preservatives that soak in. Machinery and materials

include, but are not limited to, immersion vats, drills, brushes, or machines to drill holes and apply preservatives.

This classification excludes installation of these products which is to be reported separately in the classification applicable to the work being performed.

3104-58 Monument dealers

Applies to establishments engaged in selling monuments, statues, cornerstones, and grave markers to others. This classification includes the finish cutting, grinding, polishing, engraving, and sandblasting of the stone when done by employees of employers subject to this classification. Wholesale monument dealers generally receive split, rough cut stone from the mine or quarry. Materials such as granite and marble are cut to block size, and precast bronze markers may be attached to the stone. Some blocks are sold without further processing while others are finished with stone polishers and abrasives, then cut into monuments prior to shipment to retail monument dealers. Retail monument dealers may provide engraving, artwork, lettering, and dates, according to customer specifications, that is usually done with a sandblasting technique. This classification includes installation of monuments when performed by employees of the monument dealer.

This classification excludes installation of monuments by employees of cemeteries which is to be reported separately in classification 6202; contractors engaged in the installation of monuments which are to be reported separately in the classification applicable to the work being performed; and establishments engaged in providing specialized services, such as, but not limited to, sandblasting which are to be reported separately in the classification applicable to the work being performed.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-575 Classification 3105.

((Concrete blocks, bricks, poles, piles, tile and beam manufacturing

Concrete sewer and irrigation pipes, concrete septic tanks and concrete products, N.O.C. manufacturing.))

3105-06 Concrete blocks, bricks, poles, piles, tiles and beams manufacturing

Applies to establishments engaged in the manufacture of concrete blocks, bricks, poles, tiles, and beams. Sand, gravel, cement, cinders, aggregates, mesh wire, rods, and, in some cases, plastics are received from others. Raw materials are mixed with water and fed into molds or forming machines. Heavy mesh wire or rods may be inserted into the molds for strength. The formed products are usually steam dried and placed in the yard for curing prior to shipping. This classification does not apply to the manufacture of these products when done by construction contractors at a construction site for use in the construction project.

This classification excludes the production of raw materials which is to be reported separately in the applicable mining, quarrying, or excavation classification; the installation or erection of products manufactured under this classification which is to be reported separately in the classification appli-

cable to the work being performed; the manufacture of concrete sewer and irrigation pipes, septic tanks and concrete products not classified elsewhere which is to be reported separately in classification 3105-07; the manufacture of statuary and ornamental items from plaster or concrete which is to be reported separately in classification 3509; and the manufacture of brick or clay products which is to be reported separately in classification 3501.

Special note: This classification differs from classification 3509 "statuary or ornament manufacturing" in that products manufactured in classification 3105 are rough, do not require perfect finishes, and are generally for construction use; products manufactured in classification 3509 are for decorative purposes, are usually lighter weight, and have smoother or more perfect finishes than the concrete products manufactured in classification 3105.

3105-07 Concrete sewer and irrigation pipes, concrete septic tanks and concrete products, N.O.C. manufacturing

Applies to establishments engaged in the manufacture of concrete sewer and irrigation pipes, septic tanks and other concrete products not covered by another classification (N.O.C.), such as, but not limited to, panels, tubs, catch basin covers, chimney caps, columns, incinerators, manhole covers, pier footings, monuments, coffins, caskets, and burial vaults. Sand, gravel, cement, cinders, aggregates, mesh wire, rods, and, in some cases, plastics are received from others. Raw materials are mixed with water and fed into molds or forming machines. Heavy mesh wire or rods may be inserted into the molds for strength. The formed products are usually steam dried and placed in the yard for curing prior to shipping. The manufacture of concrete panels generally involves the cutting and welding of metal to form a frame to which concrete fiberboard is attached. Additional steps may involve the application of an adhesive to the frame and the attachment of decorative material such as crushed rock, gravel, ceramic tile or brick. The fabrication of the metal framing is included within the scope of this classification when performed by employees of an employer engaged in manufacturing concrete panels. This classification does not apply to the manufacture of these products when done by construction contractors at a construction site for use in the construction project.

This classification excludes the production of raw materials which is to be reported separately in the applicable mining, quarrying, or excavation classification; the installation or erection of products manufactured under this classification which is to be reported separately in the applicable classification; the manufacture of concrete blocks, bricks, poles, piles, tiles and beams which is to be reported separately in classification 3105-06; the manufacture of statuary and ornamental items from plaster or concrete which is to be reported separately in classification 3509; and the manufacture of brick or clay products which is to be reported separately in classification 3501.

Special note: This classification differs from classification 3509 "statuary and ornament manufacturing" in that products manufactured in classification 3105 are rough, do not require perfect finishes, and are generally for construction

use; products manufactured in classification 3509 are for decorative purposes, are usually lighter weight, and have smoother or more perfect finishes than the concrete products manufactured in classification 3105.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-57602 Classification 3303.

(Meat, fish and poultry dealers, retail

This classification is limited to employers engaged in selling fresh meats, fish and poultry over the counter, by the pound to a retail consumer and who maintain show cases displaying fresh cuts of meat, fish and poultry available for sale by the pound to such consumers

This classification excludes "custom meat cutting facilities" which are to be reported separately in classification 4302; and "wholesale meat dealers" which are to be reported separately in classification 3304.)

3303-07 Fish dealers - retail

Applies to establishments engaged in the retail sale of fresh fish and shellfish over the counter. Refrigerated show cases display the fresh fish available for sale by the pound. Retail fish dealers typically purchase a supply of fish and shellfish, such as finfish, bottomfish, shrimp, crabs, oysters and clams, from wholesale seafood processing, packing or repackaging dealers, and clean, cut, trim, portion, shuck, package, and weigh the products for consumer use. This classification includes the packaging of whole herring, minnow and anchovy which are used primarily as bait fish. The packaging operation involves placing whole fresh fish side by side on a tray which is then sealed in clear plastic, weighed and placed in cold storage until delivery. Bait may be sold retail or wholesale. The incidental sale of items such as seasonings, spices, snack foods, and condiments is also included in this classification.

This classification excludes establishments engaged in fish processing, packing and repackaging operations on a wholesale or combined wholesale/retail basis which are to be reported separately in classification 3304; establishments engaged in the raising, harvesting and subsequent processing and packing of shellfish which are to be reported separately in the appropriate classifications; and establishments engaged in the cold storage or locker operations of products owned by others which are to be reported separately in classifications 4401 or 4404 as applicable.

3303-08 Meat and poultry dealers - retail

Applies to establishments engaged in the retail sale of fresh, frozen or cured meat and poultry over the counter. Refrigerated show cases display fresh meat and poultry for sale by the pound. Retail meat and poultry dealers typically purchase their supply of meat or poultry from wholesale dealers, and cut, trim, portion, package, weigh and label the products for consumer use. The incidental sale of items such as seasonings, spices, condiments, milk, and bread is also included in this classification. The retail meat and poultry market may be located in a single building, a grocery store, or other multi-purpose building, but independently owned and operated by the meat and poultry dealer.

This classification excludes custom meat cutting operations, including farm kill, which are to be reported separately in classification 4302; cold storage or locker operations which are to be reported separately in classifications 4401 or 4404 as applicable when conducted as a separate and distinct business; and wholesale or combined wholesale/retail meat, fish and poultry dealers who are to be reported separately in classification 3304.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-57603 Classification 3304.

~~((Fish processors, packers and repackagers: Wholesale or combined wholesale/retail—excluding cold storage or locker operations when conducted as a separate and distinct business operation~~

~~Meat and/or poultry dealers: Wholesale or combined wholesale/retail—excluding slaughter or packing house operations which are to be reported separately in classification 4301; and cold storage or locker operations which are to be reported separately when conducted as a separate and distinct business operation:))~~

3304-00 Fish processors, packers and repackagers - wholesale or combined wholesale/retail

Applies to establishments engaged in processing, packing, and repackaging fish such as salmon, cod, whitefish, halibut, tuna, and/or shellfish when conducted by a wholesale or combined wholesale/retail operation. Typically, fish will arrive at a port via a commercial fishing vessel. Before the load of fish is accepted the wholesaler will inspect the commercial fishing vessel's records to ensure that the fish were caught, handled and stored in accordance with all applicable laws. The fish is then unloaded, identified, inspected for quality, weighed and stored in a refrigerated area or a freezer to await further disposition. Fish are processed, packed and repackaged as requested by the customers. Processing may include, but is not limited to, cutting, filleting, cooking, and/or canning. The fish may be sold to fish and meat markets, supermarkets, grocery stores, restaurants, or other wholesale dealers. This classification includes fishing activities that are not covered by another classification (N.O.C.) and the harvesting, planting or packaging of aquatic plants obtained from natural areas where the husbandry of the resource is not an integral part of the operation.

This classification excludes establishments engaged in the cold storage or locker operations of products owned by others which are to be reported separately in classifications 4401 or 4404 as applicable; establishments engaged in the raising, harvesting and subsequent processing and packing of shellfish which are to be reported separately in the appropriate classifications; and establishments engaged exclusively in retail fish activities, or the packaging of whole minnow, herring, or anchovy (not processed), which are to be reported separately in classification 3303.

3304-01 Meat and/or poultry dealers - wholesale or combined wholesale/retail

Applies to establishments engaged in the wholesale or combined wholesale/retail distribution of fresh, frozen,

cured, or smoked meat or poultry. Wholesale dealers generally purchase meat (whole, half, or quarter carcasses) from slaughterhouses, and poultry from poultry processing plants. The meat or poultry is cut into steaks, chops, roasts, fillets or poultry parts, for sale to commercial or institutional customers such as restaurants, hotels, grocery stores, meat and poultry markets, hospitals, and prisons. Wholesale dealers typically do not have display cases for the meat or poultry and receive orders by telephone or by mail. This classification includes the processing and butchering of poultry.

This classification excludes meat products manufacturing, canning or dehydrating, and packing house or slaughterhouse operations, which are to be reported separately in classification 4301; custom meat cutting operations, including farm kill, which are to be reported separately in classification 4302; cold storage or locker operations which are to be reported separately in classifications 4401 or 4404 as applicable, when conducted as a separate and distinct business; establishments engaged in processing, packaging, and repackaging fish which are to be reported separately in classification 3304-00; and retail meat, fish and poultry dealers who are to be reported separately in classification 3303.

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-578 Classification 3309.

~~((Motorcycle, moped, motor scooter, snowmobile, jet ski, go-carts, golf cars, all-terrain vehicles, or other similar motorized vehicles sales and rental agencies including parts and service departments:))~~

3309-02 Golf cart sales/rental agencies

Applies to establishments engaged in the sale and/or rental of new, used golf carts and go carts, and related items such as, but not limited to, golf cart trailers, canopies, protective outerwear, helmets, and replacement parts for the above products. The sale of boats and canoes can be included in this classification if they are incidental to the sale of golf carts and go carts. This classification includes outside lots, and full product line parts and service departments. Regional service representatives who provide factory training to local dealer shop mechanics are included in this classification.

This classification excludes establishments primarily engaged in the sale of boats, boat trailers and motors, which are to be reported separately in classification 3414, and the repair of lawn and garden equipment and small engines which is to be reported separately in classification 3402.

3309-03 Motorcycle, moped, motor scooter, snowmobile, jet ski, all-terrain vehicles sales/rental agencies

Applies to establishments engaged in the sale of new and used motorcycles, mopeds, motor scooters, snowmobiles, jet skis, three wheel and four wheel all-terrain vehicles. These establishments may also sell related items such as, but not limited to, portable generators, lawn and garden equipment, chain saws, water pumps, snow blowers, small gasoline engines, boat motors, protective outerwear, helmets, and replacement parts for the above products. The sale of boats and canoes can be included in this classification if they are

incidental to the sale of motorcycles, mopeds, or other primary merchandise. This classification includes outside lots, and full product line parts and service departments. Also included are motorcycle service and repair shops, motorcycle dismantlers (wrecking yards), regional service representatives who provide factory training to local dealer shop mechanics, and establishments engaged in the sale/rental and service (repair) of motorized mobility aids, such as motorized wheelchairs and 3-wheel scooters.

This classification excludes establishments primarily engaged in the sale of boats, boat trailers and motors, which are to be reported separately in classification 3414; establishments primarily engaged in the sale of lawn and garden equipment which is reported separately in classification 6309; and the repair of lawn and garden equipment and small engines which is to be reported separately in classification 3402.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-580 Classification 3402.

((Abrasive wheel manufacturing
 Air compressor manufacturing or assembly, elevator manufacturing, gear grinding or manufacturing
 Automobile or truck, radiator and heater core manufacturing and repair shops
 Auto body manufacturing—truck, trailer, bus body manufacturing, travel trailer body repair
 Auto or motorcycle manufacturing or assembly
 Auto or truck engine manufacturing, aircraft engine manufacturing or rebuild, N.O.C.
 Auto or truck parts: Machining or rebuild not in vehicle
 Battery manufacturing: Assembly and repair—storage type
 Bed spring or wire mattress: Manufacturing
 Confectioners machinery: Manufacturing or assembly; food processing machinery: Manufacturing or assembly; precision machined parts, N.O.C.: Manufacturing
 Copper smelting, shop
 Die castings manufacturing
 Furnace, heater or radiator: Manufacturing
 Heat treating metal
 Lead burning; metal spraying—copper
 Machinery manufacturing or assembly, N.O.C.
 Machine shops, N.O.C.—including mobile shops; provided that mobile machine shop operations subject to this classification are limited to the repair of equipment and machinery; tool sharpening; and marine engine repair
 Nut, bolt, screw, nail, tack, rivet, eyelet, spike and needle manufacturing, N.O.C.
 Office machinery: Manufacturing or assembly, N.O.C.; cash register and sewing machine: Manufacturing or assembly
 Photo processing machinery: Manufacturing or assembly
 Power saw, lawn and garden equipment, and small motor: Repair, N.O.C.
 Printing or bookbinding machinery: Manufacturing or assembly

~~Pump manufacturing or assembly; safe: Manufacturing or assembly; scale: Manufacturing or assembly—including repair; auto jack: Manufacturing or assembly; water meter: Manufacturing or assembly—including repair
 Sand blasting shop including all mediums such as but not limited to glass, plastic or sand
 Saw: Manufacturing or assembly
 Sewing machine: Commercial—repair and rebuild
 Shoe machinery: Manufacturing or assembly; sprinkler head: Manufacturing or assembly; textile machinery: Manufacturing or assembly
 Small arms, speedometer and carburetor: Manufacturing or assembly—including rebuild
 Tool manufacturing: Machine finishing
 Tool manufacturing: Not hot forming or stamping; die manufacturing—ferrous
 Valve manufacturing
 Welding or cutting, N.O.C. including mobile operations—provided that mobile welding operations subject to this classification are limited to repair of equipment and machinery~~

~~Unless otherwise specified in the classification wording this is a shop or plant only classification. This classification includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification; and includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This classification excludes all activities away from the shop or plant.))~~

3402-00 Air compressor: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of air compressors. This includes air or gas compressors used for paint sprayers, air tools, tire inflation, and general industrial purposes. Operations contemplated include, but are not limited to, welding, machining, general mechanical and electrical work. Machinery and equipment includes, but is not limited to, hand and air tools, welders, punches, shears, and compression equipment. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-01 Printing or bookbinding machinery: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of printing or bookbinding machinery. The outside casings of the machines may be made of plate metal that varies between 1" to 2 1/2" in thickness. The machines used to make the presses and binding machinery may include both Computer Numeric Controlled (CNC) and manual mills and

lathes. Other machinery used in the manufacturing process includes, but is not limited to, welders or cutters, grinders, and drill presses. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; and the set up, installation and repair of printing or bookbinding machinery which is to be reported separately in classification 0603.

3402-02 Pump, safe, scale, auto jack, and water meter: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of pumps, safes, scales, auto jacks, and water meters. Materials range from brass screws and rubber washers used to rebuild water meters to plate metal and steel castings used for safe and pump manufacturing. Machinery includes, but is not limited to, hand tools used for repairs, lathes, welders, and pressure testers. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; the installation and repair of safes which is to be reported separately in classification 0607; and the installation of pumps which is to be reported separately in the applicable classification.

3402-03 Shoe or textile machinery: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of shoe machinery or textile machinery. Metal materials used vary in size, shape and dimension. Machinery includes, but is not limited to, drills, mills, lathes, saws, and welders. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and the installation and repair of shoe or textile machinery which is to be reported separately in classification 0603.

3402-04 Confectioners or food processing machinery: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of food processing or confectioners machinery.

Metal materials used vary in size, shape and weight. These establishments often have an assembly line operation and a separate electronic assembly area. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and the installation and repair of confectioners and food processing machinery which is to be reported separately in classification 0603.

3402-05 Machine shops, N.O.C.

Applies to establishments engaged in general machine shop operations not covered by another classification (N.O.C.), tool sharpening, and mobile welding shops. Many of the establishments in this classification are "job shops." Size and shape of materials vary with steel and aluminum being the most common. Plastics, light weight aluminum, and alloyed metals are becoming increasingly popular in the manufacture of equipment for some industries. These establishments often have welding shops along with machine shops. Machinery and equipment includes, but is not limited to, mills, lathes, grinders, saws, welding equipment, inspection equipment, and material handling equipment. Machinery is both manual and Computer Numeric Controlled (CNC). This classification also includes "mobile shops" which are used *exclusively* to repair machinery or equipment. A "mobile shop" in this classification usually means a van or pick up pulling a utility trailer equipped with hand tools, specialty tools, air tools, a compressor, and a portable welding unit. The machinery or equipment is usually repaired at the customer's location, however, sometimes the broken part is removed and taken back to the shop for repair.

This classification excludes repairs to buildings and structures which are to be reported separately in the appropriate construction classification, and mechanical repairs which are to be reported separately in the classification applicable to the work being performed.

Special note: The term "job shop" is an industry term that means the shop will produce products to customer specifications.

3402-06 Power saw, lawn and garden equipment, small motor, N.O.C.: Repair

Applies to establishments engaged in repairing small power tools, small motors powered by gas or diesel, outboard marine engines, and lawn and garden equipment not covered by another classification (N.O.C.). The largest piece of equipment repaired in this classification is generally a riding lawn mower. Classification 3402-06 is assigned in conjunction with a store classification for establishments that have a store operation and also repair the type of items they sell. Classification 3402-06 may also be assigned to a manufacturer's representative who performs warranty repairs. Tools used in this type of repair are mainly hand and air tools. This is a shop or plant only classification; it includes work being per-

formed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and the repair of electrical motors which is to be reported separately in classification 5201.

3402-07 Gear: Manufacturing or grinding

Applies to establishments engaged in the manufacture or grinding of gears. Establishments in this classification may also cut key slots and broaches. Establishments that cut stock to manufacture the gear are often not the same ones that perform the final grinding process. Gears may go through two, three, or four different grinding, slotting, and/or keying establishments and then go to another establishment for electroplating or galvanizing before they are ready for sale or use. Precision machine shops may grind gears to the ten thousandths of an inch. Materials used are usually stainless steel, aluminum, or plastic. Machinery includes, but is not limited to, gear shapers, drill presses, mill, hobbers, grinders, some of which might be Computer Numeric Controlled (CNC). This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-08 Elevator: Manufacturing

Applies to establishments engaged in the manufacture of elevators and associated electronic components. Machinery includes, but is not limited to, mills, drills, lathes, saws, and grinders. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and the installation, service, and repair of elevators which is to be reported separately in classification 0602.

3402-11 Metal goods: Manufacturing and shop services (temporary classification)

Applies temporarily to all establishments assigned any classification within WAC 296-17-580. When the metal goods study is complete, the establishments within this classification will be assigned to the appropriate classifications. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-12 Multimedia blasting

Applies to establishments engaged in multimedia (such as, but not limited to, glass, plastic and sand) blasting operations which strip paint or other coatings from metal or fiberglass. Most of the blasting operations in this classification are done on automobiles, but it also applies to establishments that perform blasting on items such as, but not limited to, barbecue grills, and cast iron pieces. Multimedia blasting processes in this classification are performed in a shop, use less air pressure and media with softer finishes than other blasting operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and sandblasting of buildings or structures which is to be reported separately in classification 0504.

3402-14 Furnace, heater or radiator: Manufacturing

Applies to establishments engaged in the manufacture of furnaces, radiators, or similar heating fixtures. Materials include, but are not limited to, metal cast parts, sheet metal, aluminum, or stainless steel. Machinery includes, but is not limited to, hand tools, solder guns, punches, lathes, and saws. Establishments in this classification may have separate areas for electronic assembly and/or painting. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; establishments engaged in the manufacture of radiators for automobiles or trucks which are to be reported separately in classification 3402-48; and establishments engaged in the manufacture of baseboard heaters which are to be reported separately in classification 3404.

3402-16 Die casting

Applies to establishments engaged in the manufacture of products by die casting. Die casting is a manufacturing process for producing accurately-dimensioned, sharply-defined metal products which are referred to as "die castings." "Dies" are the steel molds used to mass produce the product. The process begins when ingots of various metal alloys are melted in die casting machines. The machine forces the metal into the die under hydraulic or pneumatic pressure. The casting quickly solidifies in the die, and is automatically ejected by the machine, and the cycle starts again. The castings are cleaned by grinding or sanding, which also removes any excess metal "flash." Many die casting manufacturers maintain their own machine shop for making the dies. Die making, when done as a part of die casting operations, is included within the scope of this classification. This classification includes the repair of items being manufactured or

assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; and establishments engaged in making dies for others which are to be reported separately in classification 3402-74.

3402-26 Saw blade: Manufacturing, assembly, or sharpening

Applies to establishments engaged in the manufacture, assembly, or sharpening of saw blades such as, but not limited to, those used in circular saws, band saws, rip saws, key-hole saws, and handsaws such as hacksaws or meat saws. This classification also includes sharpening services for items such as, but not limited to, tools, scissors, and knives. Materials include, but are not limited to, high tensile steel and carbide tipped blades. Machinery includes, but is not limited to, saws, mills, drills, and hand tools. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; establishments engaged in the repair or sharpening of chain saws which are to be reported separately in classification 3402-06; and establishments engaged in the manufacture or repair of electrical saws which are to be reported separately in classification 5201.

3402-28 Heat treating metal

Applies to establishments engaged in heat treating metal. The heat treating process may use computer numeric controlled ovens or furnaces. The oven may heat up to 1200 degrees Fahrenheit and a furnace may heat up to 2000 degrees Fahrenheit. The metal(s) is placed on a platform; the platform is hydraulically moved into the first chamber and the door is automatically closed. At this time, the oxygen is burned from the chamber. Then the second chamber door is opened and the metal enters the oven/furnace. Depending upon the specifications, the heat treating process usually takes six to sixteen hours. When the metal is finished in the heating chamber it returns automatically to the first chamber. Then the platform lowers and the metals are dipped into a cooling agent. Once the metals are cooled to room temperature the platform rises, the door opens, and the materials are removed. The process is essentially the same using noncomputer numeric controlled heat treating equipment except that, rather than being hydraulically operated, the machine operators move the metals through the system. Many establishments do not produce a product, but heat treat a variety of products to customer specifications. This is a shop or plant only classification; it includes work being performed in an

adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-29 Nut, bolt, screw, nail, tack, rivet, eyelet spike, needle, N.O.C.: Manufacturing Sprinkler head, speedometer, carburetor: Manufacturing or assembly

Applies to establishments engaged in the manufacture of nuts, bolts, screws, nails, tacks, rivets, eyelets, spikes, and needles not covered by another classification (N.O.C.). This classification also applies to establishments engaged in the manufacture or assembly of sprinkler heads, speedometers, or carburetors. Materials include, but are not limited to, steel or iron rods which may be pressed or formed, and small component parts. Machinery includes, but is not limited to, saws, shears, presses, chuckers, threading and tapping machines, some of which may be Computer Numeric Controlled (CNC). Establishments may have separate areas for deburring, inspecting, packing and shipping. The carburetor rebuilding may be performed on vehicles that are driven or towed into the shop, or on carburetors that have been already removed from the vehicles. In either case the repairs are made exclusively with hand and air tools and sometimes a diagnostic scope and a drill press. A speedometer is usually embodied with a mileage recording mechanism. The central feature of the device is a permanent magnet. There are gears, spindles, and a drive shaft present in most speedometers. There is also a unit counting disc and a spiral spring calibrator. Hand tools are used almost exclusively in the repair of this kind of speedometer. Today many speedometers are computer controlled. Basically, if this kind of speedometer is in need of repair, a computer chip(s) is replaced, using hand tools. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and establishments engaged in the manufacture of hardware that is not covered under another classification, such as handles, latches, and hinges which are to be reported separately in classification 3404, and the repair of speedometers or carburetors in a vehicle which is to be reported separately in the appropriate vehicle repair classification.

3402-32 Abrasive wheel: Manufacturing

Applies to establishments engaged in the manufacture of abrasive wheels. Manufacturing operations often include a laboratory where carbon and other materials are mixed together to form the abrasive edge of the mainly high tensile steel wheels. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed

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in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-40 Welding or cutting, N.O.C. (mobile operations limited to repair of equipment and machinery)

Applies to establishments engaged in welding or cutting operations not covered by another classification (N.O.C.) either in the shop or at the customer's site. Steel is the predominant material along with some aluminum alloys. Machinery is predominantly welding equipment, but may include tools such as, but not limited to, grinders, saws, drills, and material handling equipment. This classification also includes "mobile shops" which are used exclusively to repair machinery or equipment. A "mobile shop" in this classification usually means a van or pick up pulling a utility trailer equipped with hand tools, specialty tools, air tools, a compressor, and a portable welding unit. The machinery or equipment is usually repaired at the customer's location, sometimes with the use of the customer's equipment; however, broken parts may be removed and taken back to the shop for repair.

This classification excludes repairs to buildings or structures which are to be reported separately in the appropriate construction classification and mechanical repairs which are to be reported separately in the classification applicable to the work being performed.

3402-48 Automobile or truck, radiator and heater core: Manufacturing and repair shops

Applies to establishments engaged in the manufacture and/or repair of automobile or truck radiator and heater cores. Manufacturers in this classification may have a die casting area and a separate electronic assembly area. Tools and equipment include, but are not limited to, hand tools, solder guns, and punches. Shops that repair radiators may work on the radiators in the vehicles, but usually the radiators have been removed from the vehicle. The radiator is examined and the core may be removed. Next the radiator is cleaned, air pressurized, and dipped in a water tank to check it for leaks. Once the leaks are found they can generally be repaired by welding the holes shut. The radiator is dipped again to ensure the repair has been made properly. Cleaning the radiator may be done by sandblasting, ultra sound baths or by "rodding" the radiator to remove corrosion. Repair equipment includes, but is not limited to, welders, air and hand tools, dipping tanks, hoists, and forklifts. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-60 Office machinery, N.O.C.: Manufacturing or assembly;

Cash register or sewing machines: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of cash registers, sewing machines and office machinery not covered by another classification (N.O.C.) such as, but not limited to, copiers, collators, mail/postage machines, calculators and automatic letter openers. Component parts may be metal, plastic, or wood. Operations include, but are not limited to, cutting, shaping, forming, drilling, riveting, clamping, and bolting; there may be a separate electronic assembly area. Machinery and tools vary within this classification; some establishments use hand and air tools only, others use additional equipment such as, but not limited to, saws, lathes, mills, drills, or water jets, some of which may be Computer Numeric Controlled (CNC). This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-61 Small arms: Manufacturing, assembly, or rebuild

Applies to establishments engaged in the manufacture, assembly, or rebuild of small arms. For the purpose of this classification, small arms means .50 caliber or less, such as pistols, rifles, shotguns, and light machine guns. Operations include, but are not limited to, metal stamping of casings, machining, assembling, and a high proportion of inspecting. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; establishments engaged in the manufacture of ammunition which is to be reported separately in classification 4601; the manufacture or repair of heavy arms which is to be reported separately in classification 5109; and gun stores which are to be reported separately in classification 6309.

3402-74 Tool: Manufacturing, not hot forming or stamping; Die: Manufacturing - ferrous

Applies to establishments engaged in tool manufacturing or die manufacturing, for others, from ferrous materials. Tools manufactured in this classification are usually cutting tools used in lathes, mills, rotors, and saws. Machinery includes, but is not limited to, sharpeners, grinders, lathes and mills, which are both manual or Computer Numeric Con-

controlled (CNC). The die manufacturing included in this classification includes those made exclusively of ferrous materials including, but not limited to, jigs, fixtures, and dies for metal work in general. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and establishments engaged in the manufacture of machine-finished tools which are to be reported separately in classification 3402-83.

3402-77 Auto, truck, semi-trailer and bus body; Manufacturing; Travel trailer body; Manufacturing or repair

Applies to establishments engaged in the manufacture of auto, truck, and bus bodies, and travel trailer bodies manufacturing or repair. Repairs are usually made with the use of welders or cutting torches and air or hand tools. These establishments will also repair or replace hydraulic units. Material used in the manufacture of goods in this classification is usually steel and aluminum, varying in thickness from 16 gauge to plate metal up to one inch thick. Shapes include, but are not limited to, sheet metal, tubes, solid rod or I-beams. Equipment includes, but is not limited to, shears, breaks, hydraulic presses, iron workers, drill presses, grinders, welders, hoist, cranes, and forklifts. Shops may have a finish sanding area as well as a paint area where the vehicle bodies are sprayed with primer, a body bonding material, or a finish coat of paint. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-83 Tool; Manufacturing and machine finishing

Applies to establishments engaged in manufacturing and machine finishing tools. Tools manufactured in this classification are usually hand held instruments such as, but not limited to, wrenches, screw drivers, hammers, torque wrenches, pliers, and sockets. Machinery includes, but is not limited to, air and hand tools, polishers, grinders, inspection equipment, mills, lathes, shapers, and drill presses, some of which may be Computer Numeric Control (CNC). Establishments may have a galvanizing and/or electroplating area for the finish work which is included when performed by employees of employers subject to this classification. Other establishments in this classification send the finish work out. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or

assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; establishments engaged in the manufacture of tools from ferrous materials which are to be reported separately in classification 3402-74; and establishments engaged in tool forging which are to be reported separately in classification 5106.

3402-85 Auto or truck parts; Machining or rebuild not in vehicle

Applies to establishments engaged in machining or rebuilding auto or truck parts such as, but not limited to, water pumps, fuel pumps, transmissions, heads, brake drums, ball joints, and rear ends, which are not in the vehicle. Work contemplated in this classification may also include manufacturing sockets, pulleys, shafts, fittings, flywheels, and/or bearings. Machinery includes, but is not limited to, mills, lathes, grinders, sanders, presses, welders, and balancing equipment. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and establishments engaged in manufacturing or rebuilding auto, truck, or aircraft engines which are to be reported separately in classification 3402-86.

3402-86 Auto, truck or aircraft engine, N.O.C.; Manufacturing or rebuilding

Applies to establishments engaged in manufacturing or rebuilding auto, truck, or aircraft engines not covered by another classification (N.O.C.), including manufacturing the component parts. Establishments in this classification often specialize in the type of engines they make or rebuild. The basic difference between automobile, truck, and aircraft engines is the size and weight of the parts being worked on. Engine rebuild shops use many specialized machines and air tools to tear the core down to an engine block; then rebuild the engine. After the engine is stripped down to the engine block, it is placed in a machine called a baker which heats to approximately 600 degrees and bakes away the grease. After baking, the engine block is placed in a sand blaster where the surface is cleaned with very fine steel shot. The engine block is then placed in a large pressure washer which removes the steel shot. Next, the crank and cam shafts are ground and turned on machinery similar to lathes. There is usually a separate room or area which is called the "head shop" where the heads and valves are machined on valve grinders, valve facers, and head grinders. Engine rebuild shops that do not have the equipment to grind the crank and cam shafts will contract work out to other shops, or buy new crank shafts and cam shafts. Other machinery includes, but is not limited to, boring bars and hones to polish cylinder walls, small pressure washers for oil pans and other smaller parts, solvent tanks, and hoists or forklifts for lifting the engines or engine parts. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification

when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and establishments engaged in machining or rebuilding auto or truck parts, other than engines, which are to be reported separately in classification 3402-85.

3402-91 Bed spring or wire mattress: Manufacturing

Applies to establishments engaged in the manufacture of bed springs or wire mattresses. The wire stock is coiled and cut to length on a coiling machine, then tempered in an oven to produce the spring. The coils are fastened to the frame either by hand or by machine. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and establishments engaged in the manufacture of stuffed mattresses which are to be reported separately in classification 3708.

3402-93 Valve: Manufacturing

Applies to establishments engaged in the manufacture of valves. Valves regulate the flow of air, gases, liquids, or loose material through structures by opening, closing, or obstructing passageways. They are operated manually, electrically, with compressed air, or hydraulic pressure. Valves are usually cut from aluminum, steel, or stainless steel either by a Computer Numeric Controlled machine (CNC) or water jet machine. Depending upon the complexity of the valve, they are assembled in one or several stages. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and establishments engaged in the manufacture of valves made in a die mold which are to be reported separately in classification 3402-74.

3402-94 Precision machined parts, N.O.C.: Manufacturing

Applies to establishments engaged in manufacturing precision machined parts not covered by another classification (N.O.C.). Most of these establishments are "job shops." Job shops make component parts for other businesses according to customer specifications, rather than manufacturing a specific product. Many establishments in this classification manufacture precision parts for the aerospace industry. Machining usually begins with solid blocks of material such

as, but not limited to, steel, aluminum, titanium, inconel, or plastic, although some hollow tube, flat bar, and angle stock may also be used. The "rough cuts" are often made on manual machines, and the finish cuts on Computer Numeric Controlled (CNC) machines. Depending on the establishment and the job specifications, a specific part may be sent to one or more additional shops to be tempered, milled, or inspected before the original establishment is through with the manufacturing process. Some parts are so sensitive that climate controlled conditions are necessary. Both manual and CNC mills and lathes are the most common types of machines used. Others include, but are not limited to, saws, drills, and grinding machines. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-95 Storage battery: Manufacturing, assembly or repair

Applies to establishments engaged in the manufacture, assembly, or repair of storage batteries. Lead ingots, weighing 20-25 pounds, are melted and poured into a mold or casting machine. After the grids are cooled lead oxide is then pumped onto each side of a grid and cured by baking in an oven of about 300-400 degrees F. The plates are then assembled by placing a negative separator (zinc) between a positive separator (copper), and so forth until there are enough of these cells to form the battery. Next, they are sent to a burning machine that cures the paste and plates. After the burning process, the plates are placed into a plastic or hard rubber box-like container and cured for two or three days. The plates are welded together and the top is attached to the body of the battery case with an epoxy glue. Diluted sulfuric acid is added to the battery and then it is put on a charger. The battery is then cleaned and packed for shipping. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; establishments engaged in the manufacture of dry cell (flashlight type) batteries which are to be reported separately in classification 3602; and establishments engaged in battery sales and installation which are to be reported separately in the applicable automotive services classification.

3402-96 Automobile or motorcycle: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of automobiles or motorcycles. Most of the manufacturing operations, such as cutting, milling, and turning, are

performed with Computer Numerically Controlled (CNC) machinery. Most of the assembly operations are performed with air and hand tools. Other machinery includes but is not limited to saws, grinders, and drill presses. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and establishments engaged only in the manufacture of auto bodies which are to be reported separately in classification 3402-77.

3402-98 Machinery, N.O.C.: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of machinery not covered by another classification (N.O.C.). For purposes of this classification, machinery means any combination of mechanical parts constructed primarily with metal. Finished products vary widely and range from hand held machines to those weighing thousands of pounds; products include, but are not limited to, grinding machines, boring machines, conveyer systems, and wood chippers. Machinery used to manufacture these items includes, but is not limited to, lathes, mills, press, breaks, shears, and welders, some of which may be Computer Numerically Controlled (CNC). This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3402-99 Photo processing machinery: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of photo processing machinery such as, but not limited to, photo processors or film enlargers. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-581 Classification 3403.

((Aircraft manufacturing

For the purposes of this rule aircraft manufacturing means the original manufacture of such aircraft as distinguished from rebuilding, modifying, or converting existing aircraft and only applies to the production of units when completed that are capable of in-air flight as distinguished from aircraft kits to be assembled by the purchaser and are not capable of air flight when sold

This classification includes clerical office and sales personnel and aircraft operations incidental to the manufacture such as test flights:))

3403-00 Aircraft: Manufacturing

Applies to establishments engaged in the manufacture of aircraft. For the purposes of this classification "aircraft manufacturing" means the original manufacture of such aircraft as distinguished from rebuilding, modifying, or converting existing aircraft and applies only to the production of units that, when completed, are capable of in-air flight as distinguished from aircraft kits to be assembled by the purchaser that are not capable of air flight when sold. This classification includes clerical office and sales personnel and aircraft operations incidental to the manufacture such as test flights.

This classification excludes establishments engaged in the original manufacture of aircraft parts which are to be reported separately in classification 3405 or as otherwise provided for in WAC 296-17-58201; the manufacture of aircraft kits which is to be reported separately in the classification applicable to the work being performed; modification, repair or conversions made to an existing aircraft which are to be reported separately in classification 6804; and the assembly of aircraft kits into an airplane which is to be reported separately in classification 6804.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-582 Classification 3404.

((Aluminum ware manufacturing— from sheet aluminum
Auto or truck parts manufacturing or assembly N.O.C.— miscellaneous stamped parts
Awning manufacturing or assembly— metal
Brass or copper goods manufacturing
Cans manufacturing— aluminum or galvanized
Coffin—casket manufacturing or assembly, other than wood
Electric or gas lighting fixtures, lampshades or lantern manufacturing or assembly— metal
Furniture, shower door, showcases— not wood— manufacturing or assembly
Galvanized iron works, manufacturing— not structural
Hardware manufacturing, N.O.C.
Metal goods manufacturing, N.O.C., from material lighter than 9 gauge
Metal stamping, including plating and polishing
Sign manufacturing— metal
Ski manufacturing and toboggan manufacturing— metal
Stove manufacturing, excluding wood stove manufacturing and other stoves made from material 9 gauge or heavier which are to be reported separately in classification 5209
Water heater manufacturing or assembly

~~Window, sash or door manufacturing or assembly—aluminum~~

~~Physically separate upholstery departments of firms engaged in furniture, coffin or casket manufacturing, assembly, or finishing may be reported separately in classification 3808 provided that conditions set forth in WAC 296-17-410 have been met~~

~~Unless otherwise specified in the classification wording this is a shop or plant only classification. This classification includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification; and the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification when the repair is done as a part of and in connection with the manufacturing or assembly operation. This classification excludes all activities away from the shop or plant.))~~

3404-01 Can: Manufacturing - aluminum or galvanized

Applies to establishments engaged in the manufacture of cans from aluminum or galvanized metals lighter than 9 gauge. Products include, but are not limited to, soda cans, food cans, and garbage cans. The galvanizing process includes dipping the tin/metal into liquid zinc. The manufacturing process involves cutting, forming, stamping, and soldering/welding. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3404-02 Galvanized iron works: Manufacturing - non-structural

Applies to establishments engaged in the manufacture of nonstructural galvanized iron from sheet metal lighter than 9 gauge. Processes include cutting, forming, welding, riveting, punching, and drilling. The equipment used includes, but is not limited to, drills, presses, punches, shears, and press breaks. Establishments in this classification may paint, powder coat, or silk screen their products; which is included when performed by employees of employers subject to this classification. This classification includes the repair of items being manufactured or assembled when done by employees of employers subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3404-03 Hardware, N.O.C.: Manufacturing

Applies to establishments engaged in the manufacture of hardware that is not covered by another classification (N.O.C.), such as, but not limited to, handles, latches, hinges,

and buckles. Operations include, but are not limited to, stamping and assembly, electroplating and/or other types of finishing. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant and establishments engaged in the manufacture of nuts, bolts, screws, nails, tacks, rivets, eyelets, spikes, and needles which are to be reported separately in classification 3402.

3404-04 Metal stamping

Applies to establishments engaged in the mass production of products by metal stamping techniques which impress, cut out, or shape something to a desired size. Products produced by this technique include, but are not limited to, license plates, pie plates, pots, and waste baskets. This classification includes any finish work when performed by employees of employers subject to this classification. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3404-06 Metal sign: Manufacturing

Applies to establishments engaged in the manufacture of signs from metals lighter than 9 gauge. Materials may be cut, punched, drilled, riveted, and welded. Machinery includes, but is not limited to, punches, presses, drills, shears, brake presses, water jets and welders. All operations necessary to make a sign operative, such as, but not limited to, adding electrical wiring or circuitry, painting, powder coating, or silk screening are included within the scope of this classification. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; the installation or removal of signs outside of buildings which is to be reported separately in classification 0403; the installation or removal of signs inside of buildings which is to be reported separately in classification 0513; sign painting or lettering on the inside of buildings, or establishments that paint on or apply lettering to sign "backings" that are manufactured by others, which is to be reported sepa-

ately in classification 4109; and establishments engaged in the manufacture of wood or plastic signs which are to be reported separately in the classification applicable to the manufacturing process and materials.

3404-07 Metal goods, N.O.C.: Manufacturing or assembly from materials lighter than 9 gauge

Applies to establishments engaged in the manufacture or assembly of metal goods from materials lighter than 9 gauge which are not covered by another classification (N.O.C.) including water heaters, electric baseboard heaters, electric furnaces and bicycles. Materials may be cut, punched, drilled, riveted, and welded. Machinery includes, but is not limited to, punches, presses, drills, shears, brake presses, and welders. This classification includes the repair of items being manufactured or assembled when done by employees of an employer subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3404-12 Aluminum ware: Manufacturing from sheet aluminum

Applies to establishments engaged in the manufacture of aluminum ware such as, but not limited to, mail boxes, buckets, gutters, and down spouts, from sheet aluminum. Materials may be cut, bent, punched, drilled, riveted, and welded. Machinery includes, but is not limited to, punches, presses, drills, shears, brake presses, and welders. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3404-18 Metal coffin/casket: Manufacturing or assembly

Applies to establishments engaged in the manufacture of coffins or caskets out of metal. Materials may be cut, bent, punched, drilled, riveted, and welded. Machinery includes, but is not limited to, punches, presses, drills, shears, brake presses, and welders. This classification includes the repair of items being manufactured or assembled when done by employees of an employer subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification. Physically separated upholstery departments of establishments engaged in furniture, coffin, casket manufacturing, assembly, or finishing may be reported separately in classification 3808 provided all the conditions in the general reporting rule covering the division of an employee's hours have been met.

vided all the conditions in the general reporting rule covering the division of an employees hours have been met.

This classification excludes all activities away from the shop or plant, and establishments engaged in the manufacture of caskets from wood or plastic which are to be reported separately in the classification applicable to the manufacturing process and materials.

3404-19 Metal awnings: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of awnings from metals lighter than 9 gauge. Materials may be cut, punched, drilled, riveted, and bent. Machinery includes, but is not limited to, punches, presses, drills, shears, brake presses, and welders. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant, and establishments engaged in the manufacture of awnings from canvas or other textiles which is to be reported separately in classification 3802.

3404-20 Metal furniture, shower door, showcases: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of furniture, shower doors, or showcases made with metals lighter than 9 gauge. Other items manufactured in this classification include, but are not limited to, file cabinets, desks, and stands. Material may be cut, punched, drilled, riveted, and bent. Machinery includes, but is not limited to, punches, presses, drills, shears, brake presses, and welders. This classification includes the repair of items being manufactured or assembled when done by employees of an employer subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification. Physically separated upholstery departments of establishments engaged in furniture, coffin, casket manufacturing, assembly, or finishing may be reported separately in classification 3808, provided all the conditions of the general reporting rule covering the division of an employee's hours have been met.

This classification excludes all activities away from the shop or plant and establishments engaged in the manufacture of wood furniture which are to be reported separately in classification 2905.

3404-21 Stove: Manufacturing from metals lighter than 9 gauge

Applies to establishments engaged in the manufacture of stoves from metals lighter than 9 gauge. Types of stoves include, but are not limited to, electric or gas cook stoves. Accessory materials such as, but not limited to, electrical assembly units, glass, plastic, or wood may be used in the

manufacture of stoves. Materials may be cut, punched, drilled, riveted, and bent. Establishments in this classification may paint or powder coat their products which is included when performed by employees of employers subject to this classification. Machinery includes, but is not limited to, punches, presses, drills, shears, brake presses, grinders and welders. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant, and establishments engaged in the manufacture of wood stoves or other stoves made of metals 9 gauge or heavier which are to be reported separately in classification 5209.

3404-24 Metal electric or gas lighting fixtures, lampshades or lantern: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of electric or gas lighting fixtures, lampshades, or lanterns from materials lighter than 9 gauge. Material may be cut, punched, drilled, riveted, and bent. Machinery includes, but is not limited to, punches, presses, drills, shears, break presses, grinders, welders, and solders. Establishments in this classification may make a finished product or only component pieces. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3404-25 Brass or copper goods: Manufacturing

Applies to establishments engaged in the manufacture of brass or copper goods such as, but not limited to, belt buckles, lamp stands, cooking utensils, and flower pots. Materials may be cut, punched, drilled, riveted, and bent. Machinery includes, but is not limited to, punches, presses, drills, shears, break presses, water jets, grinders, welders/solders and brazing guns. Establishments in this classification may make a finished product or a component part. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3404-26 Aluminum window, sash or door: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of windows, sashes or doors from aluminum. Accessory materials such as, but not limited to, glass, wood or plastic may also be used in the assembly process. Materials may be cut, punched, drilled, riveted, and bent. Machinery includes, but is not limited to, punches, presses, drills, shears, break presses, grinders, and welders/solders. Establishments in this classification may make a finished product or only component parts. Manufacturers may paint, enamel, or bake a finish onto products, which is included when performed by employees of employers subject to this classification. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant; establishments engaged in manufacturing vinyl window sashes which are to be reported separately in classification 3512; and establishments engaged in manufacturing wooden window sashes and doors which are to be reported separately in classification 2903.

3404-27 Auto or truck parts, N.O.C.: Manufacturing or assembly; miscellaneous stamped parts

Applies to establishments engaged in the manufacture or assembly of auto or truck parts not covered by another classification (N.O.C.), and of miscellaneous stamped parts, such as, but not limited to, hub caps, fenders, and trim. Galvanizing or electroplating is included in this classification when performed by employees of employers subject to this classification. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

3404-29 Metal ski and toboggan: Manufacturing

Applies to establishments engaged in the manufacture of skies or toboggans primarily from metal although wood or plastic component parts may also be used. Materials may be cut, punched, drilled, riveted, and bent. Machinery includes, but is not limited to, punches, presses, drills, water jets, shears, break presses, grinders, and welders/solders. Establishments in this classification may make a finished product or only a component part. This classification includes the repair of items being manufactured or assembled when done by employees of an employer having operations subject to this classification and when the repair work is done as a part of, and in connection with, the manufacturing or assembly operations. This is a shop or plant only classification; it

includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes all activities away from the shop or plant.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-58201 Classification 3405.

~~((Aircraft parts manufacturing, N.O.C.~~

~~For the purpose of this rule, aircraft parts means the component parts making the aircraft operative and becoming part of the aircraft when being manufactured by the aircraft manufacturing company~~

~~This classification is not applicable to an employer who has operations reported in classification 3402; classification 3404; classification 3510; 3511; 3512; or classification 5201 unless such operations are conducted as a distinct and separate business undertaking and the conditions set forth in WAC 296-17-390 have been met~~

~~This is a shop or plant only classification but does contemplate work being performed in an adjacent yard when operated by an employer having operations subject to this classification-))~~

3405-01 Aircraft parts, N.O.C.: Manufacturing

Applies to establishments engaged in the manufacture of aircraft parts not covered by another classification (N.O.C.), usually from steel and aluminum mixes and exotic metals. For the purpose of this rule, aircraft parts means the component parts making the aircraft operative and becoming part of the aircraft when being manufactured by the aircraft manufacturing company. The component parts manufactured in this classification are usually small, light weight, and can easily be held in the hand. Machinery includes, but is not limited to, mills, lathes, grinders, and forklifts. Computer Numeric Controlled (CNC) equipment is used most of the time for many of the parts being mass produced. Once pieces are cut and milled, they are usually deburred, then inspected and prepared for shipping in separate areas. Businesses in this classification routinely employ engineers and draftsmen who perform office work only who may be reported in classification 4904 provided all the conditions in the general reporting rule covering standard exception employees have been met. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

Special note: This classification is not to be assigned to an employer who has operations reported separately in classifications 3402, 3404, 3510, 3511, 3512, or 5201 unless all the conditions in the general reporting rule covering the operation of a secondary business have been met.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-583 Classification 3406.

~~((Automobile or truck car washes
Automobile or truck gas service stations, N.O.C.~~

~~Automobile or truck storage garages—no repair~~

~~This classification includes cashiers who receive payments from customers but excludes portable automobile or truck car washes subject to classification 6602.))~~

3406-00 Automotive or truck gas service stations, N.O.C.

Applies to establishments operating full service gasoline or diesel service stations not covered by another classification (N.O.C.) and includes lube and oil change specialists and mobile lube and oil services. Full service includes, but is not limited to, pumping gas for customers, replacing wiper blades, checking and/or filling the fluid levels (oil, transmission, wiper wash and antifreeze), and adding air to the tires. The repairs included in this classification are oil and filter changes, tune-ups, replacement of brakes, front end alignments and the repair or replacement of tires. This classification includes cashiers.

This classification excludes portable automobile or truck car washes which are to be reported separately in classification 6602; establishments engaged in automobile or truck repair services and tune up specialists which are to be reported separately in classification 3411; semi truck, tractor, or bus repair services which are to be reported separately in classification 3413; self-service gas stations which are to be reported separately in classification 3409; and convenience grocery stores or mini-markets with self-service gasoline operations which are to be reported separately in classification 3410.

3406-01 Automobile or truck storage garages

Applies to establishments operating automobile or truck storage garages. Generally, these types of storage garages consist of an enclosed structure and usually with more than one level of parking. Storage garages may provide additional incidental services such as, but not limited to, gasoline, tune-ups, washing and waxing services, as well as cashiers and full time attendants or security personnel. This classification excludes portable automobile or truck car washes which are to be reported separately in classification 6602; establishments providing parking lot services which are to be reported separately in classification 6704; automobile or truck repair services which are to be reported separately in classification 3411; semi truck, tractor, or bus repair services which are to be reported separately in classification 3413; self-service gas stations which are to be reported separately in classification 3409; and full service gas station services which are to be reported separately in classification 3406-00.

Special note: Storage garages applicable to this classification are distinguishable from parking lots in classification 6704 in that parking lots usually are not an enclosed structure, and they do not provide service to automobiles.

3406-04 Automobile or truck - detailing by contractor

Applies to establishments engaged in providing automobile or truck detailing services. Detailing involves complete, in-depth cleaning of exteriors and interiors such as, but not limited to, washing, waxing, polishing, buffing, vacuuming or otherwise cleaning the auto bodies, chrome work, tires, hub caps, windows, mirrors, carpets and seats. This classification includes the tinting of automobile or truck window glass when performed by employees of the detailing operation, as well as cashiers.

PROPOSED

This classification excludes portable automobile or truck car washes which are to be reported separately in classification 6602; tinting of automobile or truck window glass performed by a glass dealer which is to be reported separately in classification 1108; detailing performed in connection with automobile or truck dealers, service centers or repair garages which are to be reported separately in classification 3411; detailing performed in connection with automobile or truck body and fender repair shops which are to be reported separately in classification 3412; detailing performed in connection with semi truck, tractor or bus dealers, service centers or repair garages which are to be reported separately in classification 3413; and detailing performed in connection with full service gas stations which are to be reported separately in classification 3406.

3406-05 Automobile or truck car washes

Applies to establishments providing automobile or truck washing services. This classification includes the exterior washing, waxing, polishing or buffing, cleaning of chrome and tires, and the interior cleaning of windows, carpets, dash and seats. These services may be performed at a coin operated self-service unit, or at a full service automatic unit where the vehicle is conveyed through the line assisted by attendants. This classification includes cashiers and the sale of accessory items such as, but not limited to, bottled car care products, air fresheners, floor mats, beverages and snack foods.

This classification excludes portable automobile or truck car washes which are to be reported separately in classification 6602; washing services performed in connection with automobile or truck dealers, services centers or repair garages which are to be reported separately in classification 3411; washing services performed in connection with automobile or truck body and fender repair shops which are to be reported separately in classification 3412; washing services performed in connection with semi truck, tractor or bus dealers, services centers or repair garages which are to be reported separately in classification 3413; washing services performed in connection with full service gas stations which are to be reported separately in classification 3406; washing services performed in connection with self-service gasoline operations which are to be reported separately in classification 3409; and washing services performed in connection with convenience stores that have self-service gasoline operations which are to be reported separately in classification 3410.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-584 Classification 3407.

((Asphalt, bitumen dealers

Asphalt or tar, distilling or refining

Asphalt paving material—manufacturing

Asphalt roofing material—manufacturing

Gas dealers, liquified petroleum gas, gas works, all operations

Gas or oil dealers, wholesale or retail, including fuel oil, propane or butane

~~Gasohol distilling or refining~~

~~Gasoline recovery from casing head or natural gas~~

~~Oil or gas lease work, N.O.C. by contractors not lease operation~~

~~Oil or gas pipe line operation~~

~~Oil or gas wells—cementing~~

~~Oil or gas wells—installation or recovery of casing~~

~~Oil or gas wells—specialty tool operation, N.O.C., by contractor~~

~~Oil refining—petroleum, including manufacturing of products obtained therefrom~~

~~Oil wells operation—oil or gas lease operators~~

~~Synthetic rubber manufacturing.))~~

3407-00 Gas or oil dealers, wholesale or retail, including fuel oil, propane or butane

Applies to establishments engaged in the distribution of fuel oil, liquefied petroleum gases (propane and butane) and gasoline on a retail or wholesale basis. Dealers may maintain their own storage tanks on their premises and receive gas or oil through a pipeline from a refinery, by rail or tanker truck, or they may receive their supplies from a separate distribution facility. Gas dealers will deliver gasoline and lubricating oils directly to retail gas stations in large tank trucks. Fuel oil is delivered to customers by pump trucks and pumped into the customer's tank. Liquefied petroleum gases (LPG) is delivered to customers by pump truck or in prefilled cylinders. Some dealers may also provide, through sale or lease, the installation and maintenance of gas appliances which is included in this classification when done by employees of an employer subject to this classification. This classification includes the incidental mixing or blending of oil or gas with additives, the draining, repair, installation or removal of customer's oil tanks, maintenance contracts and emergency repairs.

This classification excludes the repair, installation or removal of underground oil storage tanks by a contractor which is to be reported separately in classification 0108; the installation or repair of furnaces by a contractor which is to be reported separately in classification 0307; and the construction or repair of exterior commercial storage tanks by a contractor which is to be reported separately in classification 0508.

3407-01 Asphalt, bitumen dealers

Applies to establishments engaged as dealers of asphalt and bitumen which can be either a by-product of petroleum refining or found in naturally occurring deposits. Dealers may grind and mix the raw asphalt and bitumen with sand, gravel or limestone to produce a mixture which can be suitable for some paving applications or sold to an asphalt paving material manufacturer for further processing. The product is usually not packaged, but sold by the truckload. When this mixing process is conducted in connection with an oil/petroleum refining operation, it is to be reported in classification 3407-03.

This classification excludes the mining or quarrying of raw materials which is to be reported separately as applicable; establishments engaged in the manufacture of asphalt mixtures for road paving which is to be reported separately in classification 3407-18; and the paving of roads or other sur-

faces which is to be reported separately in classification 0210 or 0212.

3407-02 Processing waste oils, solvents, antifreeze, paints, and similar materials

Applies to establishments engaged in processing waste oils, used solvents, antifreeze, paints, and similar hazardous materials. Mobile recycling units engaged in similar activities are included in this classification. The processes used by establishments in this classification are similar in that a sample of the waste material usually has been laboratory tested so the composition of the substance is known prior to either being picked up by the establishment's own trucks, or delivered by the customer. Depending on the material and quantity, it may arrive in drums or by tanker trucks. Incoming oil is pumped into waste oil storage tanks where water settles out. After the settling process, the oil goes to treatment tanks where it is heated to boil off remaining water and vaporize gases. There are other methods of recycling the oil, using chemicals, which are also included in this classification. The end product can be used in industrial burners or for cutter fuel. Solvents and antifreeze can be recycled through a distilling process, and used again.

This classification excludes establishments engaged in hazardous/toxic material processing or handling, not described above, such as processing of medical or septic tank waste, drug lab or hazardous spill cleanup (excluding oil spill cleanup on land -classification 0101), and reprocessing or handling of low-level radioactive materials which are to be reported separately in classification 4305.

3407-03 Oil refining - petroleum, including manufacture of products from oil; gasohol - distilling or refining

Applies to establishments engaged in the operation of oil refineries. Oil refineries receive crude oil by pipeline, truck or tanker ship, process it into products such as, but not limited to, gasoline, natural gas, kerosene, fuel oil, lubricating oils and asphalt, and distribute it to their customers. Current refining processes involve four basic steps: separation, conversion, treating and blending. These processes are highly automated and involve the use of receiving tanks, processing units, distillation towers, intermediate storage and pipelines. Included within the scope of this classification are any additional processing methods used to produce the finished secondary products. This classification includes the production of gasohol and the preliminary separation of crude oil (called "topping") at a well site by a contractor.

This classification excludes oil refinery maintenance by a contractor which is to be reported separately in classification 0603; construction of an oil refinery or storage tanks which is to be reported separately in classification 0508; cleaning of storage tanks by a contractor which is to be reported separately in classification 0504; operation of an oil well and incidental preliminary separation of crude oil ("topping") at the well site which is to be reported separately in classification 3407-05; and operation of an oil pipeline only which is to be reported separately in classification 3407-12.

3407-04 Asphalt or tar - distilling or refining

Applies to establishments engaged in the production of commercial asphalt or tar. Products produced in this classification

differ from those in 3407-01 in that products in 3407-04 are refined to, and sold as, a liquid or semi-liquid. Low grade crude oil, petroleum distillate (by-product of oil refining operations) and coal-tar oil must be treated in a heat exchange system and still before undergoing a final processing in a fractioning tower (a process also used in oil refining) to separate the asphalt or tar. Finished products and by-products include, but are not limited to, asphalt roofing compound, asphalt for use in manufacturing felt roofing paper, trinidad asphalt used in road paving, tar to be used in various paving and waterproofing applications and coal tar which is used in drugs and waterproofing products. When this process is conducted in connection with an oil/petroleum refining operation, it is to be reported in classification 3407-03.

This classification excludes contractors engaged in distillery/refinery maintenance which is to be reported separately in classification 0603; contractors engaged in cleaning of storage tanks which is to be reported separately in classification 0504; and construction of refineries and storage tanks which is to be reported separately in classification 0508.

3407-05 Gas or oil well operation

Applies to establishments or contractors engaged in the routine operation of producing oil or gas wells. Work contemplated by this classification includes, but is not limited to, all routine operation and maintenance required such as, but not limited to, land clearing and excavation to create slush pits, fire walls, pipe laying, machinery and equipment (such as oil, gas or water pumps) installation and operation, preliminary separation of crude oil, and monitoring of oil or gas production when performed by employees of an employer having operations subject to this classification.

This classification excludes derrick or storage tank erection which is to be reported separately in classification 0508; oil well drilling which is to be reported separately in classification 0103; excavation by a contractor which is to be reported separately in classification 0101; pipe laying by a contractor which is to be reported separately in classification 0107; cleaning of storage tanks by a contractor which is to be reported separately in classification 0504; machinery or equipment maintenance by a contractor which is to be reported separately in classification 0603; and the operation of an oil or gas pipeline only which is to be reported separately in classification 3407-12.

3407-07 Oil or gas wells - cementing

Applies to establishments engaged in providing cementing services to oil and gas well drilling operations. Cementing is required to fill the space between the outer edge of the hole being drilled and the metal casing which is being installed in segments to line the hole. The mixed cement is pumped, under pressure, down into the casing. When it reaches the bottom of the existing hole, the continuing pressure forces it upward around the outside of the casing to the top of the hole or to where it will meet the last segment to have been cemented. This will serve to keep the casing stable and also to prevent any leakage of oil or gas from the casing into the surrounding soil when the well is operational. Cementing contractors can use the drilling derrick already in place to support their machinery. This classification also includes filling the entire well hole with cement, after the cas-

ing is disassembled and removed, when the well is no longer operational.

This classification excludes oil or gas well cementing done by employees of an oil well drilling contractor which is to be reported separately in classification 0103.

3407-12 Oil or gas pipeline operation

Applies to establishments engaged in operating an oil or gas pipeline. The pipeline may be used to transport crude oil from a well to a refinery or processed oil from a refinery to a remote storage facility or customer. Work contemplated by this classification includes, but is not limited to, operating and maintaining above or below-ground pipelines, feeder and distribution lines, pumping stations to maintain flow, storage facilities, and meters and monitoring equipment. This classification is appropriate whether the pipeline is being operated by the owner or a contractor.

This classification excludes oil or gas pipeline operations done in connection with an oil refinery which are to be reported in classification 3407-03; oil or gas pipeline operations done in connection with the operation of an oil or gas well which are to be reported in classification 3407-05; contractors engaged in above or below ground pipe installation which is to be reported separately in classification 0107; construction of oil refineries and/or storage tanks which is to be reported separately in classification 0508; and the installation of pumps or monitoring equipment which is to be reported separately in classification 0603.

3407-17 Asphalt roofing material - manufacturing

Applies to establishments engaged in the manufacture of asphalt mixtures used in the preparation of building or roofing papers and shingles from raw materials purchased from others. The operations may include the incidental distillation of the asphalt flux.

Asphalt Roofing Materials - Some plants are fully automated, with controls, gauges, and valves housed in a separate room. Liquid asphalt flux, purchased from refineries, is hauled in by tanker trucks owned either by the refineries or the manufacturer, and is pumped directly into "air stills" or into holding tanks. An oxidation process takes place in the air stills. The asphalt flux is heated, then pumped into cooling tanks before it is pumped through pipes to a bulk loading/delivery station or to another area for further use. The processed hot asphalt may also be pumped into a blending tank where it can be blended with mineral spirits or naphtha to produce "cut-back" asphalt which is used in "cold asphalt" applications, or mixed with water to obtain an emulsified asphalt which "sets up" when it cools.

Asphalt Impregnated Felt Roofing Paper - Large rolls of felt paper are unrolled and automatically fed into a saturation tank where the paper is impregnated with the hot asphalt mixture. The paper then goes through several large rollers for cooling and smoothing, and is finally cut to size and rolled to produce rolls of asphalt coated felt roofing paper ready for use.

Asphalt Fiberglass Shingles - Limestone is delivered in bulk by suppliers' trucks and blown pneumatically into storage tanks. In the production processes it goes through a heater and is then mixed with the liquid asphalt. The production line starts with huge rolls of fiberglass which are fed con-

tinuously (roll ends spliced together automatically) into the process. The asphalt mixture is crushed into both sides of the fiberglass by large rollers and the excess asphalt scraped off. Granules are applied to the top side and sand is applied to the back side of the asphalt coated fiberglass. The coated fiberglass is then run through coolers. Granules are pressed into the coating and the material is fed/hung into "loopers" for additional cooling. After cooling, the coated material is automatically cut into strips, cut to specified width and length, "dragon teeth" (notches) cut, asphalt applied to the back of the "dragon teeth", then the "teeth" applied to the shims, and the asphalt shingle is complete.

This classification excludes asphalt or bitumen dealers who are to be reported separately in classification 3407-01, asphalt or tar distilling or refining operations which are to be reported separately in classification 3407-04, and asphalt paving material manufacturers who are to be reported separately in classification 3407-18.

3407-18 Asphalt paving material - manufacturing

Applies to establishments engaged in the manufacture of asphalt mixtures used for road paving operations from raw materials purchased from others. This classification applies only to the operation of the asphalt plant which usually consists of a loader, a control operator, and a maintenance worker. (To qualify for classification 3407-18 the maintenance worker's duties must relate only to the asphalt plant.) This classification does not apply to workers involved in pit crusher and bunker operations. The operations may include the incidental distillation of the asphalt flux which is included in this classification. Asphalt paving mixture plants are usually fully automated and controlled from a central control room overlooking the production area. Sand and gravel may be obtained from the producer's own gravel pit or purchased from independent suppliers. Liquid asphalt is obtained directly from either the refineries or from an asphalt dealer. Suppliers usually deliver raw materials to the manufacturing plant.

In a *batch plant*, each batch is made separately. The stored aggregate is loaded into hoppers, then carried by conveyor through a dust collecting system prior to entering the dryer drum. In the dryer drum the aggregate is dried and heated to specified temperatures before being conveyed to the "batcher" where it is screened, then stored in bins. Heated liquid asphalt is weighed to precise specifications required for that batch. Measured amounts of aggregate and liquid asphalt are in a pug mill to desired state, then discharge into trucks to be delivered to customers or stored in a silo.

In a *drum plant* the mix is continuous with several of the processing steps being combined in the drum. The measured cold aggregate is fed directly into the burner end of the drum for drying and heating. A measured amount of hot oil asphalt is dumped into the drum and mixed with the heated aggregate. The mixed product is conveyed into storage silos where it is held until pumped into delivery trucks.

This classification excludes workers involved in pit crusher and bunker operations who are to be reported separately in classification 0112; paving contractors who manufacture asphalt paving material for their own use who are to be reported separately in the appropriate construction classi-

fications: asphalt or bitumen dealers who are to be reported separately in classification 3407-01; asphalt or tar distilling or refining operations which are to be reported separately in classification 3407-04; and establishments engaged in the manufacture of asphalt roofing material which are to be reported separately in classification 3407-17.

Special note: If the product is manufactured by paving contractors for sale to the general public, as well as for their own use, and if the employees operating the asphalt plant have no other duties, classification 3407-18 would apply to the asphalt plant employees.

3407-19 Dewatering sludge; advanced recycling of plastics and tires;

On-site oil filtering

Applies to establishments engaged in providing mobile dewatering services to waste sludge producers through the use of mobile decanter centrifuges. The centrifuges and control instrumentation is highly specialized equipment designed specifically for the dewatering of sludge to concise quality specifications as determined by the client. Mobile decanter centrifuge installations include dredging and pumping equipment, flocculation systems, and portable electrical supply, as well as trucks for transferring the dewatered sludge. The ultimate disposal of the dewatered sludge is provided by either a subcontractor or by the client. The dewatered sludge can be used in a wide variety of applications such as composting and land reclamation. This classification also applies to establishments engaged in advanced recycling of plastics and tires. The process is similar to a small refinery. Either pelletized or shredded plastic material made from used consumer materials, or shredded used tire material may be used. The plastic or tire material is fed into a retort which decomposes the material using heat without oxygen, so the material is not burned. As the hot vapor gas cools, it is condensed into oil. Oil from the plastic processing is shipped to refineries where it will be refined further into plastic base material. Oil from the chipped tires is usually sold to oil blending companies. This classification also applies to on-site oil filtering. The usual process is filtering the oil through a filtering mechanism and then back into its original tank. This service may be performed on ships, in industrial plants, or at gas or oil storage facilities.

This classification excludes the "rig up/down" process (unloading and setting up the equipment at a new job site, and tearing it down and loading it on trucks to haul it to the next job site) which is to be reported separately in classification 0603.

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 WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-585 Classification 3408.

~~((Gas companies — natural gas including clerical office and sales personnel~~

~~This classification includes new construction and extension of lines when done by employees of employers having operations subject to this classification~~

~~This classification excludes contractors engaged in gas line construction, maintenance or repair subject to classification 0107.))~~

3408-00 Natural gas companies

Applies to establishments engaged in the operation of natural gas companies which distribute gas through gas mains or pipes to local consumers. Employments covered in this classification include clerical office and sales personnel, store employees, meter readers, and drivers. This classification also includes local gas main connection, new construction and extension of lines, maintenance and operation of plant equipment, installation and repair of plant pressure regulators, and installation and repair of meters, appliances, furnaces and gas regulators on piping within a customers' premises when performed by employees of an employer subject to this classification.

This classification excludes contractors engaged in gas line construction, maintenance or repair who are to be reported separately in classification 0107; contractors engaged in the installation of heating systems who are to be reported separately in classification 0307; contractors engaged in the installation of gas appliances who are to be reported separately in classification 0607; and contractors engaged in the installation of hot water tanks who are to be reported separately in classification 0306.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-58501 Classification 3409.

~~((Self-service gas stations~~

~~This classification applies to service stations that are completely self-service with no employees performing a direct service of any kind to customer's vehicle. Service stations providing direct services of any kind to a customer's vehicle will be reported separately in classification 3406 even though such establishments may also have self-service gas facilities.))~~

3409-00 Self-service gas stations

Applies to establishments engaged in self-service gas operations. A self-service station is a facility where the customers pump gas into their own vehicles with no assistance from any of the establishment's employees. Typically, the only employee involved in the operation is a cashier who monitors the pumps from inside a booth and collects the payment from the customer. Sales of cigarettes and limited snack items are allowed in this classification.

This classification excludes full service stations, establishments with both self-serve and full or limited service operations at the same location, or any type of service stations with gasoline operations that offer any repair or direct services to the customer's vehicle, regardless of the percentage of the activities, at the same location, which are to be reported separately in classification 3406; and establishments who operate a self-service gas station with a convenience

store or mini-mart operations which are to be reported separately in classification 3410.

Special note: The extent and type of the groceries available for sale at a self-service only establishment must be determined to assign the appropriate classifications. Generally, if only convenience items such as oil, gas additives, cigarettes and snack foods such as candy, gum, chips, and soft drinks are available, classification 3409 would be allowed. However, if more than the items listed above are available such as milk, bread, canned food, or fast food service, classification 3410 would apply. Establishments with multiple locations are to be classified in accordance with the general reporting rule covering the operation of a secondary business.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-58502 Classification 3410.

((Convenient grocery stores or mini-markets with self-service gasoline operations:))

3410-00 Convenience grocery stores or mini-markets with self-service gasoline operations

Applies to establishments engaged in operating convenience grocery stores or mini-markets with self-service gasoline operations. These establishments provide retail sale of convenience grocery items, not just snack items, in addition to self-service gasoline. Gasoline operations are limited to self-service only where the store employee is a cashier who monitors the pumps and collects the payments inside the store. Self-service/convenience store operations in classification 3410 differ from self-service gas stations in classification 3409 in that establishments in classification 3410 provide a more extensive line of grocery items. In addition to snack foods, staples such as bread, milk, and canned foods are available for sale. They may also prepare food such as sandwiches, chicken, jo jos, or hot dogs, and occasionally fill a customer's propane tank, all of which is included within the scope of this classification.

This classification excludes establishments which provide any full service or limited services in addition to self-service operations at the same location which are to be reported separately in classification 3406; establishments which provide only self-service gasoline operations and whose grocery items are limited to prepared snack foods such as chips and candy, and cigarettes which are to be reported separately in classification 3409; and convenience stores with no gasoline services which are to be reported separately in classification 6403.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-58503 Classification 3411.

((Automobile: Dealers—service centers, repair garages and lot personnel

Automobile: Rental agencies—service centers, repair garages and lot personnel

Automobile: Service centers, repair garages and lot personnel

Automobile: Specialty service shops such as but not limited to air conditioning systems, radiator repair, electrical systems, cruise controls, mufflers, brakes, sun roofs

Camper, travel trailer and canopy: Dealers—service centers, repair garages and lot personnel

Motor home or recreational vehicle: Dealers—service centers, repair garages and lot personnel

Motor home or recreational vehicle: Service centers, repair garages and lot personnel

This classification includes the incidental sales of auto replacement parts including related parts counter personnel; and passenger shuttle services done in connection with automobile dealer, rental or repair services

This classification excludes tow truck operations which are to be reported separately in classification 1109 "automobile or truck towing, N.O.C.;" tire sales, installation and repair which are to be reported separately in classification 6405; and sales, service and repair of diesel or gas tractor/semi-trucks which are to be reported separately in classification 3413. Establishments assigned to this classification whose operations include a full line auto replacement parts store or full line auto replacement parts department may qualify to have the parts store/department classified separately provided that the parts department employees are not exposed to any operative hazards of the service center or repair garage and all of the conditions set forth in WAC 296-17-390 have been met

For the purpose of this rule a "full line auto parts store or department" is an operation that sells a variety of auto replacement parts as opposed to single product line over-the-counter to nonrepair shop customers. To qualify for this classification "a full line auto parts store or department" must stock and sell all of the following items: Starters, carburetors; fuel injection components; gasket and seals; water pumps; generators; alternators; batteries; head lamps; mufflers and exhaust systems; brake components; oil and fuel filters; lubricants; steering and suspension components; and auto accessories:))

3411-00 Automobile: Dealers, service centers, repair garages;

Automobile or recreational vehicle rental agencies

Applies to establishments engaged in the sales, servicing and repairing automobiles and trucks which they have sold, leased, or rented. Work contemplated by this classification includes, but is not limited to, all phases of automotive mechanical service and repair work, washing, vacuuming, and waxing vehicles, and automobile and truck detailing such as striping, window tinting, vinyl repair, installing molding and electronic accessories when performed by employees of an employer subject to this classification. This classification includes service managers, parts department employees who have shop exposure, towing service for in-shop repairs, lot personnel, and customer courtesy van or car drivers. Car rental or leasing employees who perform similar duties are also assigned to this classification. Recreational vehicle (motor home) dealers are assigned to this classification provided the dealer is not engaged in the sales of modular or mobile homes at the same location. For purposes of this classification the term "recreational vehicles" will also include

travel trailers, campers, and canopies when sold by a dealer that also sells motorized recreational vehicles.

This classification excludes recreational vehicle dealers who also sell factory built housing units such as modular and mobile homes who are to be reported separately in classification 3415; parts department employees who are not exposed to any hazards of the repair shop who are to be reported separately in classification 6309; auto body shop employees who are to be reported separately in classification 3412; and automobile or truck sales employees who may be reported separately in classification 6301 provided all the conditions of the general reporting rule covering standard exception employees have been met.

Special note: Used car dealers will normally not have repair garages or parts departments. They will however, have lot personnel and detailers. Car rental and lease agencies will normally have all the operations described above with the exception of parts department employees. New car dealers will routinely have all of the operations described above. Establishments engaged exclusively in truck canopy sales are to be reported separately in classification 1106. Establishments engaged in providing towing service for hire are to be reported separately in classification 1109. For purposes of this classification "towing for hire" means a towing service not performed in connection with repairs to be done by the repair shop.

3411-01 Automobile: Service centers, repair shops or garages

Applies to establishments engaged in servicing and repairing automobiles for others. Work contemplated by this classification includes, but is not limited to, all phases of automotive mechanical service such as engine overhauls and rebuilding, resurfacing heads, valve grinding, transmission overhauls or rebuilding, electrical repairs, brake service, engine tune ups, fuel injection service, carburetor repair, and engine diagnostic service when performed by employees of an employer subject to this classification. This classification includes service managers, parts department employees who have shop exposure, incidental sales of reconditioned cars, towing service for in-shop repairs, and customer courtesy van or car drivers. Parts department employees who are not exposed to any hazards of the repair shop may be reported separately in classification 6309.

This classification excludes auto body shop employees who are to be reported separately in classification 3412.

Special note: While most businesses assigned to this classification have an inventory of parts which they use in the service and repair of customer vehicles, some employers have full line auto parts stores. Care needs to be taken when considering assignment of classification 6309 for auto part sales. Only those businesses that have a full line auto parts store which is physically separated from the repair shop and whose sales of auto parts are primarily for off-premises repair (do it yourself repair) should be considered for classification 6309. This classification does not apply to auto repair shops that also sell and install tires on customer vehicles. See classification 6405 for auto repair shops that also sell and install tires. Establishment engaged in providing towing service for hire are to be reported separately in classification 1109. For

purposes of this classification "towing for hire" means a towing service not performed in connection with repairs to be done by the repair shop.

3411-02 Automobile: Service specialty shops

Applies to establishments engaged in providing specialized automotive repair services such as air conditioning systems, muffler repair, cruise controls and electrical systems. Work contemplated by this classification includes, but is not limited to, inspection of vehicle components for wear, diagnostic analysis, and repair of various components such as brakes and cooling systems, after-market installation of components such as cruise control, air conditioning systems, and sun roofs; and specialized repair services such as mufflers and transmissions. This classification includes service managers, part sales, towing service for in-shop repairs, and customer courtesy van or car drivers.

Special note: Businesses assigned to this classification will generally have an inventory of supplies and parts which they use in the service and repair of customer vehicles although some sales of parts and components may occur. This classification does not apply to any shop that sells and installs tires on customer vehicles. See classification 6405 for auto repair shops that also sell and install tires. Establishment engaged in providing towing service for hire are to be reported separately in classification 1109. For purposes of this classification "towing for hire" means a towing service not performed in connection with repairs to be done by the repair shop.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-58504 Classification 3412.

~~((Automobile or truck: Body and fender/collision repair shops including painting, incidental upholstery work and glass replacement and repair~~

~~This classification includes parts department personnel, parts runners and passenger shuttle service when performed by employees of an employer subject to this classification but excludes tow truck operations which are to be reported separately in classification 1109 "automobile or truck towing N.O.C."))~~

3412-00 Automobile and truck: Body and fender repair shops

Applies to establishments engaged in repairing and refinishing automobile and truck body panel components for others. Work contemplated by this classification includes, but is not limited to, all phases of auto body repair work and panel replacement, finish removal, sandblasting or plastic medium blasting, painting, washing, vacuuming, and waxing vehicles, glass repair, upholstery work, and automobile and truck detailing such as striping, vinyl repair, window tinting (applying film to windows), installation of body and wheel molding and sunroofs, incidental glass repair or mechanical repair associated with a collision repair or car restoration, and installation of electronic accessories when performed by employees of an employer subject to this classification. The repair of fiberglass or sheet metal boat bodies and spray-on pickup truck bedliners is also included in this classification.

This classification includes shop managers, parts and paint mixing department employees, towing service for in-shop repairs, incidental sales of rebuilt cars and trucks, and customer courtesy van or car drivers. Estimators may be reported separately in classification 6303 provided all the conditions of the general reporting rule covering standard exception employees have been met.

This classification excludes the routine servicing or repair of automobiles or trucks not done in conjunction with collision repair or car restoration which is to be reported separately in classification 3411; the servicing or repair of mechanical or electrical systems in boats which is to be reported separately in classification 3414; and the repair of wooden boats which is to be reported separately in classification 2903.

Special notes: Auto body shops will routinely have a physically separate area where they store and mix paints. The separate paint storage and mixing area is generally a requirement of local fire codes and insurance policies. This separate area does not constitute a separate operation subject to a different classification. Some shops may also carry an inventory of repair panels, trim pieces and molding. Regardless of the volume of parts and supplies it is included within the basic scope of classification 3412. Establishment engaged in providing towing service for hire are to be reported separately in classification 1109. For purposes of this classification "towing for hire" means a towing service not performed in connection with repairs to be done by the repair shop.

Care must be taken in assigning classification 3411-01 to an establishment engaged in body and fender repair. An establishment could have both classifications 3411 and 3412 if they also provide routine mechanical or electrical repair services not in conjunction with collision repair or car restoration.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-58505 Classification 3413.

~~((Semi-truck: Service centers or repair garages and lot personnel~~

~~Bus—passenger type: Service centers or repair garages and lot personnel~~

~~Semi-tractor: Service centers or repair garages and lot personnel~~

~~Farm tractor and equipment: Service centers or repair garages and lot personnel~~

~~Construction equipment: Service centers or repair garages and lot personnel~~

~~This classification only applies to businesses that provide vehicle and equipment repair services to the general public but is not applicable to an employer who operates or maintains a shop for the repair or maintenance of their own equipment or vehicles or to vehicle and equipment dealers who are to be reported separately in the classification applicable to the employers business or as otherwise provided for in the general reporting rules contained in this chapter. This classification includes parts~~

~~department personnel and parts runners when performed by employees of an employer subject to this classification but excludes tow truck operations which are to be reported separately in classification 1109 "automobile or truck towing N.O.C.")~~

3413-00 Bus, semi tractor, farm tractor, construction equipment; Service centers or repair garages

Applies to establishments engaged in servicing and repairing transportation, freight hauling, farm or construction equipment for others. Work contemplated by this classification includes, but is not limited to, all phases of mechanical service such as, but not limited to, engine overhauls and rebuilding, resurfacing heads, valve grinding, transmission overhauls or rebuilding, electrical repairs, brake service, engine tune ups, fuel injection service, carburetor repair, and engine diagnostic service when performed by employees of an employer subject to this classification. This classification includes service managers, parts department employees, lot personnel, towing service for in shop repairs, incidental sales of reconditioned equipment, and customer courtesy van or car drivers.

Special note: Establishments engaged in providing towing service for hire are to be reported separately in classification 1109. For purposes of this classification "towing for hire" means a towing service not performed in connection with repairs to be done by the repair shop.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-58506 Classification 3414.

~~((Boat dealers—including service centers or repair garages, lot personnel and parts departments~~

~~Marinas and boat house operations—including service centers or repair garages, lot personnel and parts departments.))~~

3414-00 Boat dealers

Applies to establishments engaged in the sales, service, and/or repair of boats. Work contemplated by this classification includes, but is not limited to, mechanical and electrical system repairs, vinyl and glass repairs, engine rebuilding and reconditioning, detailing boats, reconditioning seat pads and other accessories, sales and installation of boat accessories, and sales of boat trailers, specialty apparel and fishing gear when performed by employees of an employer subject to this classification. This classification also includes parts department employees, sales employees who also assist in duties described in this classification, and lot personnel.

This classification excludes boat sales personnel who may be reported separately in classification 6301 provided all the conditions of the general reporting rule covering standard exception employees have been met; repairs done in connection with manufacturing operations which are to be reported separately as applicable; and establishments engaged in the repair of fiberglass or sheet metal boat bodies which are to be reported separately in classification 3412.

3414-01 Marinas and boat house operations; Boat storage facilities

Applies to establishments engaged in providing a variety of boat-related services and facilities, and to service or repair

centers. Boat storage facilities may be located in waterways adjacent to the marina or on dry land and may be operated by a marina or by a separate business. Both types of storage facilities are included within the scope of this classification. Work contemplated by this classification includes, but is not limited to, fuel service, mechanical and electrical repair service, parts departments, boat storage, moorage, sales of fishing gear, wearing apparel, groceries and bait, boat rentals and sales, and boat launching facilities when performed by employees of an employer assigned to this classification. This classification also includes other incidental services and facilities such as, but not limited to, self-service laundry facilities, public showers, holding tank pump out stations, passenger car or truck parking, and dockside electricity.

This classification excludes repairs done in connection with manufacturing operations which are to be reported separately as applicable; establishments engaged in the repair of fiberglass or sheet metal boat bodies which are to be reported separately in classification 3412; seafood or fish processing facilities operated in connection with a marina operation which are to be reported separately in classification 3304; and boat sales personnel who may be reported separately in classification 6301 provided all the conditions of the general reporting rule covering standard exception employees have been met. Overnight lodging facilities and restaurant services provided to customers by a marina operator may be reported separately provided all the conditions of the general reporting rule covering a secondary business have been met.

Special note: Some marina operators will offer boating instructions and charter boat services. Care should be taken in this area as certain boating and charter fishing excursions are not covered by state workers' compensation coverage.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-58507 Classification 3415.

((Modular and mobile home dealers

This classification includes parts department and service center employees; and the sales of campers, travel trailers and truck canopies when conducted in connection with a mobile or modular home dealership or sales agency. Also included within the scope of this classification is the installation of canopies when performed by employees of an employer subject to this classification and mobile or modular home delivery when done by employees of the modular or mobile home dealer. This classification excludes the delivery and set up of mobile or modular homes by nondealer employees; and all on-site construction activities such as but not limited to pouring foundations, constructing decks, carports or garages, and landscaping which are to be reported separately in the classification applicable to the work being performed.))

3415-00 Factory built housing dealers

Applies to establishments engaged in the sales and service of factory built housing units such as mobile/manufactured homes or modular homes. Work contemplated by this classification includes pick up of units from housing factory, set up of units at sales lot or customer locations, installation

of skirting, aligning cabinets and doors, and touch up painting when performed by employees of an employer subject to this classification. This classification also includes parts department employees, sales employees who assist in duties described in this classification, and lot employees engaged in the maintenance of grounds or in the maintenance of factory built home units on display at the lot.

This classification excludes delivery of factory built home units and set up by contractor which is to be reported separately in classification 0517; employees involved in work such as, but not limited to, concrete work, electrical, plumbing, landscaping, and fence construction who are to be reported separately in the construction classification applicable to the work they are performing; and modular or mobile home sales personnel who may be reported separately in classification 6301 provided all the conditions of the general reporting rule covering standard exception employees have been met.

Special note: Construction of separate out-buildings such as garages, carports, well houses and storage sheds which may be constructed in connection with a modular or mobile set up are excluded from this classification and are to be reported separately in the applicable construction classifications. Establishments engaged exclusively in the delivery of modular or mobile homes, but who are not involved in any aspect of the set-up of the structure, are to be reported separately in classification 1102.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-586 Classification 3501.

((Brick or clay products manufacturing, N.O.C.
Refractory products, fireproofing tile, flue lining and roofing tile manufacturing

This classification does not apply to the production of raw materials for use in the manufacture of the above articles.))

3501-00 Brick or clay products, N.O.C.: Manufacturing

Applies to establishments engaged in the manufacture of brick or clay products not covered by another classification (N.O.C.), such as, but not limited to, drainage or roofing tiles, building or paving bricks, wall copings, glazed or unglazed sewer or drain pipes or conduits, or similar products which are generally for industrial or construction use. Clay, which is any earth that forms a paste when added to water and hardens when heated, is widely used in making bricks and other products as described above. Brick is a molded rectangular block of clay, baked by the sun or in a kiln until hard. Similar products made of earthenware, which is a variety of coarse, porous baked clay, are included in this classification. To make bricks, clay is broken up by dry-pan grinders. After grinding, the particles pass through any one of several types of screens used for separating and grading. The mixture is fed through a pug mill to be cut and mixed then mixed with water to the desired consistency. After tempering, the pug mill extrudes a column of clay through a die, which shapes and determines the dimensions of the brick. A rotating wire cutter slices the column into proper thicknesses. Bricks are

either machine molded or hand molded. The "green" bricks must be dried by sun and air, or in natural gas or electric-fired regulated kilns prior to firing. Firing dehydrates, oxidizes, and vitrifies the bricks. To make other products, clay is mixed with sand or shale, ground in a mixing machine and water is added. The liquid substance is mechanically poured into standard or specially shaped molds. All products are dried by natural warm air or steam heat. After removal from the molds, products are baked in kilns. If glazing is desired, salt is added to the kiln; the salt vaporizes and coats the products. To produce a greater degree of concentration, pressing or repressing operations may be performed, usually with hydraulic presses, subsequent to the actual formation of the products.

This classification excludes the production of raw materials which is to be reported separately in the applicable mining, quarrying or excavation classification; installation or erection of any products manufactured by establishments in this classification which is to be reported separately in the classification applicable to the type of construction or installation work being performed; the manufacture of household or decorative pottery items, including tile, which is to be reported separately in classification 3503; and the manufacture of statuary and ornamental items from concrete or plaster which is to be reported separately in classification 3509.

Special note: Clays are generally mined by the open-pit method. After clay has been extracted, it may be stockpiled inside for use during inclement weather. In most cases, the manufacturing of brick takes place alongside the extraction site. Clay is delivered to the manufacturing site only when clay of a different characteristic is needed to blend with the "home" clay.

3501-01 Refractory products: Manufacturing

Applies to establishments engaged in the manufacture of refractory products such as, but not limited to, fireproofing tile or bricks, roofing tile, flue lining, boiler or stoker tiles, enameled bricks, retorts, kiln parts, or crucibles from refractory clays with or without other refractory materials. Refractory clays are resistant to heat. Refractory materials, such as alumina, silica, and magnesite, dolomite, bauxite, do not significantly deform or change chemically in high temperatures. Usually all types of refractory products are produced in the same plant. Clay and other materials are ground, screened and mixed with water in a mixing machine. The partly fluid substance is poured into molds to form the product. After removal of the forms, items are kiln dried. The enamels are vitreous coatings produced from solutions of chemicals, salt, lead oxide or tin, into which the brick is dipped. Enameled brick requires two or three kiln burns.

This classification excludes the production of raw materials which is to be reported separately in the applicable mining, quarrying or excavation classification; installation or erection of any products manufactured by establishments in this classification which is to be reported separately in the classification applicable to the type of construction or installation work being performed; the manufacture of household or decorative pottery items, including tile, which is to be reported separately in classification 3503; and manufacture

of statuary and ornamental items from plaster or concrete which is to be reported separately in classification 3509.

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-587 Classification 3503.

((Potteries, glazed or porcelain, earthenware manufacturing
Chinaware, tableware, decorative or architectural terra cotta
manufacturing

Decorative tile, clay tobacco pipes, manufacturing
Glassware manufacturing, N.O.C. including stained or
leaded glassware manufacturing

Glass manufacturing, N.O.C.

Agate or enamel ware manufacturing

This classification does not apply to the production of raw
materials for use in the manufacturing of the above arti-
cles-))

3503-17 Pottery, earthenware, ceramics, porcelain or china: Manufacturing

Applies to establishments engaged in the manufacture of a wide variety of household or decorative items such as earthenware, pottery, ceramics, porcelain or china. Casting and throwing are the most common techniques. Other techniques include pressing, extrusion and sculpturing. Finished products include, but are not limited to, pots, bowls, dishes, plates, cups, cookie jars, vases, dolls, tobacco pipes, and novelty items. Materials include clay, sand, fluxing agents, paints, and glazing compounds. Machinery includes, but is not limited to, hand tools, potter's wheels, kilns, and plaster molds. In the casting method, clay is mixed with water and other additives until it is about the consistency of thick cream (called slip). The molds are closed shut and secured; then the slip is poured into them through a small hole at the top, and left in the mold to dry for a short time then poured out, leaving a hollow product to fire. In the throwing method, the clay mixture is placed on a potter's wheel and molded by hand as the wheel slowly turns. The pressing technique forces relatively dry clay into molds under substantial hydraulic pressure, which makes it hold its shape until fired. Extrusion forces a ribbon of clay through specially shaped dies, then it is cut with wire to create the final form. Sculpturing is hand carving wet clay to the desired dimensions. The resulting greenware from any method may be sanded, then further dried and fired in a small kiln. Most of the items will be glazed and refired several more times, depending on the desired end result. Prior to glazing, products may be decorated by hand painting designs on them. Most of the establishments in this classification are small shops that make the products they sell, either at their shop or occasionally at craft fairs. The teaching of classes and the incidental sale of ceramic and pottery making supplies or tools to home crafters is included within the scope of classification 3503-17. This classification includes establishments that only make molds by casting shapes in plaster, most of which they sell to ceramic shops for use in casting greenware.

This classification excludes the mining, digging or quarrying of raw materials which is to be reported separately in the applicable classification; manufacture of decorative tile

which is to be reported separately in classification 3503-19; manufacture of brick or concrete products such as, but not limited to, brick or clay pipe and concrete tile which is to be reported separately in the classification applicable to the work being performed; and establishments whose primary business is the sale of supplies used for crafts or hobbies which are to be reported separately in classification 6309.

Special note: Care must be taken when considering classifications 6309 or 3503. Classification 6309 is to be assigned to establishments whose primary business is the sale of supplies such as, but not limited to, ceramic and pottery making materials or tools. Classification 6309 does not cover the manufacture, fabrication or assembly of craft or hobby items for sale, but includes the teaching of classes and the assembly of an individual piece or two for display.

3503-19 Decorative tile: Manufacturing

Applies to establishments engaged in the manufacture of decorative tile from cement or various clay mixtures. Raw materials include clay, sawdust, straw, coal dust, sand, and glazing compounds. Machinery includes, but is not limited to, hand tools, hydraulic presses, automatic grinding and polishing machines, hand grinding and polishing stones and laps, batch mixers, molds, hand trucks, kiln evens and steam curing rooms. Cement tiles are usually pressed on hydraulic presses, kept wet until cured, then ground to size with a diamond wheel and polished. To make cast clay tiles, clay is mixed with water and other ingredients, ground to desired fineness, screened, then poured into molds to dry. After drying, tiles are removed from molds and fired in a kiln oven, then glazed. Tile glaziers apply designs to bisque tile by hand or with a silk screen process, then glaze and fire it in a kiln one or more times. This classification includes the manufacture of decorative artificial rock or brick used as trimming around fireplaces, stoves, or on walls. To make artificial rock or brick, coloring is added to a mixture of cement and aggregate; the mixture is poured into molds. After the mixture has set, the piece is removed from the mold and cured.

This classification excludes the mining, digging or quarrying of the raw materials which is to be reported separately in the applicable classification; the manufacture of pottery, earthenware, ceramics, porcelain or china which is to be reported separately in classification 3503-17; and the manufacture of brick or concrete products such as brick or clay pipe and concrete blocks or stepping stones, drain tile, beams which is to be reported separately in the classification applicable to the work being performed.

3503-20 Stained or leaded glassware, N.O.C.: Manufacturing

Applies to establishments engaged in the manufacture of stained or leaded glassware not covered by another classification (N.O.C.) including, but not limited to, windows, tiffany style or plain glass lamp shades, terrariums, or decorative items such as aquariums, shadow boxes, mirror picture frames or figurines. Much artistic hand labor is involved in making stained glass items. Pattern paper, masking tape, kerosene, wire solder, putty, and H-lead comes (slender, grooved bars) are received from others. Individual pieces of a design are cut to pattern out of stained glass; pieces may be ground for a precision fit on an emery or diamond wheel. Individual

segments are pressed into the channels of the lead came; joints are fluxed, soldered and putty is pushed into any open spaces between the glass and the comes. The finished piece is smoothed and cleaned with kerosene. While lead comes are more widely used, copper foil may be used instead of lead. Manufacturers may also paint on glass and fire it in a kiln; this is most often done for stained glass window insets. Employers subject to this classification may repair items such as stained glass windows. If the repair requires bent or shaped glass, they make a mold and heat the replacement glass in a kiln oven until it "slumps" or bends to the shape of the mold. Most manufacturers in this state purchase their stained glass from others; however, the manufacture of stained glass is contemplated within the scope of this classification. Raw materials such as, but not limited to, sand, soda ash, and metal oxides are melted in a furnace and the molten glass is either rolled into sheets by machine or blown into long balloon shapes that are slit open and flattened by reheating. Color may be added to the surface while it is still molten. Some incidental manufacturing of insulated glass, such as sandwiching leaded glass between two sheets of clear glass, is included within the scope of this classification, but production line manufacturing of insulated glass is to be reported separately in classification 1108. Most of the establishments in this classification are small shops that make the products they sell, either at their shop or occasionally at craft fairs. The teaching of classes and the incidental sale of supplies or tools used to make glassware items to home crafters is included within the scope of this classification.

This classification excludes the mining, digging or quarrying of raw materials which is to be reported separately in the applicable classification; establishments that manufacture optical goods or telescopes, or perform precision grinding of blank or rough lenses, which are to be reported separately in classification 6604; establishments engaged in etching, frosting, sandblasting, carving, grinding, and beveling glass which are to be reported separately in classification 1108; establishments engaged in melting or blowing glass which are to be reported separately in classification 3503-21; and establishments whose primary business is the sale of supplies used for crafts or hobbies which are to be reported separately in classification 6309.

Special note: Care must be taken when considering classifications 6309 or 3503. Classification 6309 is to be assigned to establishments whose primary business is the sale of supplies such as, but not limited to, materials or tools used to make glassware items. Classification 6309 does not cover the manufacture, fabrication or assembly of craft or hobby items for sale, but includes teaching of classes and the assembly of an individual piece or two for display.

3503-21 Glassware, N.O.C.: Manufacturing: Melting, blowing, and forming hot glass

Applies to establishments engaged in manufacturing housewares, decorative and specialty items not covered by another classification (N.O.C.) from hot glass using methods that include melting, blowing, or forming. Items include, but are not limited to, tableware, bakeware, perfume bottles, candlestick holders, kerosene lamp chimneys, auto headlight lenses, radio insulators, doorknobs, paperweights, and ash-

trays. Machinery includes, but is not limited to, hand tools, glass melting furnaces, annealing ovens, mixing machines, ball mills, glass cutting diamond saws, glass grinding wheels and discs, glass polishing laps, drill presses, steel cutting saws, arc and gas welders, forklifts, overhead cranes or hoists. Some shops make their glass from raw materials including oxides, volcanic ash, soda ash, silica sand, lime, phosphate, or borax which are received from outside sources. Others will heat glass chips (frit) in a furnace, and work the molten glass into decorative or functional shapes by molding or blowing. The molten glass is poured into molds to make products such as, but not limited to, heavy glass for special purpose windows up to about eight inches thick. Molten glass may also be poured into cold water to make "frit" which is either sold or used for further processing. The molten glass can also be formed in a mouth-blowing process or by semiautomatic blowing machines. A glass blowing process will usually have a helper working with each glass blower. The helper's duties include preliminary glass gathering and blowing, adding colored glass "ribbons" to the item being blown as the glassblower turns it, shaping items being blown with wooden or metal tools, and placing the blown object in an annealing oven to be reheated and cooled slowly to relieve internal stress in the glass. When glass reaches room temperature, it is often cut on diamond wheels or ground down and polished on a series of wheels, stones, and laps. This work is normally done under a continuous water bath which may include grinding or polishing compounds.

This classification excludes the mining, digging or quarrying of raw materials which is to be reported separately in the applicable classification; establishments engaged in manufacturing stained or leaded glassware which are to be reported separately in classification 3503-20; establishments that manufacture optical goods or telescopes, or perform precision grinding of blank or rough lenses, which are to be reported separately in classification 6604; and establishments engaged in etching, frosting, sandblasting, carving, grinding, and beveling glass which are to be reported separately in classification 1108.

3503-23 Agate or enamel ware: Manufacturing

Applies to establishments engaged in enameling or porcelainizing products they have made or products made by others. Enamel is defined as a vitreous, usually opaque, protective or decorative coating baked on metal. Enameled products vary widely, including but not limited to, signs, cookware, items made from ceramics or clay, stove parts, or small parts for automobiles, to sewer pipe, automobile manifolds, or irrigation water gauges. Machinery includes, but is not limited to, ball mills, silk screen equipment, blenders or mixers, scales, kilns, degreasing and acid etching tanks, spray guns, heaters, conveyors, and fork lifts. The enameling process is essentially the same regardless of the product. Ceramic balls and frit (small glass chips) are placed in the ball mill. (A ball mill is a metal drum lined with rubber.) As the drum rotates, the balls roll over the frit, gradually grinding it into powder. Some enameling shops purchase the powder ready-made. To obtain desired colors, various mixes of glaze powders are prepared and placed on 1" to 2" square metal chips and baked in a small kiln. When the formulas are

ready for all colors required, the job goes to the production line. The object to be glazed is cleaned, degreased, and given an acid bath if necessary, then rinsed and dried. The enamel (or porcelain) glaze may be applied by hand, silk screened on, or sprayed on with a spray gun. After the coating has air-dried, the piece heated in a kiln to melt the ceramic powder and fuse it to the surface; then cooled. Items may require repeated coatings and firings.

This classification excludes the manufacture of enameled brick which is to be reported separately in classification 3501.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-590 Classification 3506.

((Concrete pump truck service - including pump truck control box operator. This classification does not apply to a redi mix concrete dealer that may also provide a concrete pump truck service in connection with concrete delivery which is to be reported separately in classification 3101

Mobile crane and hoisting services; and rigging contractors, N.O.C. This classification does not apply to the construction or erection of nonmobile cranes which are to be reported separately in classification 0508 or to construction or erection contractors that use cranes, hoisting devices or rigging in connection with work covered under a construction classification which are to be reported separately in the applicable construction classification.))

3506-02 Mobile crane and hoisting services; Rigging contractors, N.O.C.

Applies to establishments engaged in mobile crane and hoisting services and rigging contractors not covered by another classification (N.O.C.). There are many types of cranes and derricks, both stationary and nonstationary. A mobile crane is a tire-mounted machine for hoisting and moving heavy objects by cables attached to a moveable boom. Rigging consists of a system of ropes, chains, cables, or tackle used for support. Generally, these types of establishments respond to and service customer requests such as righting an overturned tractor trailer, hoisting a large bell, or placement of a satellite dish on top of a building. In addition, mobile crane businesses often maintain a variety of nonmobile cranes and derricks such as those used for construction of tall buildings or structures. This classification includes transporting of a nonmobile crane or derrick to and from a customer site, but excludes the set up or erection, operating, and disassembling of the unit.

This classification excludes the construction or erection of permanent nonmobile cranes (such as those permanently mounted at a manufacturing plant or seaport to load cargo) which are to be reported separately in classification 0508; and the set up, erection, operating, and disassembling of cranes, hoisting devices or rigging in connection with work covered under a construction classification which are to be reported separately in the construction classification applicable for the work being performed.

Special note: This classification includes mobile crane and hoisting businesses when providing a service at a construction site such as lifting an air conditioning unit to a building top, and provided the crane operator is an employee of the crane and hoisting business.

3506-03 Concrete pump truck service

Applies to establishments engaged in concrete pump truck services, including the pump truck control box operator. A concrete pump truck is a large vehicle equipped with an adjustable boom spanning approximately 65' in length equipped with a flexible 4" hose running alongside the boom. This type of vehicle is different from a concrete ready mix truck which mixes the concrete in a rotating or revolving drum prior to arriving at the project site and discharges the mix with use of a metal shoot. A concrete pump truck is designed to pump concrete into areas which are difficult for a concrete ready mix truck to reach such as a tall retaining wall, the foundation of a building or structure many feet below ground level, or into an area with limited access. Concrete is fed into the bed of the pump truck (usually by a ready mix concrete truck). The driver of the pump truck also operates the control box which adjusts the boom and amount of concrete mix to discharge. The control box operator receives instructions from a construction worker overseeing the concrete pour.

This classification excludes ready mix concrete dealers who deliver concrete who are to be reported separately in classification 3101 and all other concrete construction activities occurring at the project site which are to be reported separately in the classification applicable to the construction work being performed.

Special note: This classification is limited to the concrete pump truck driver and operation of the control box. Construction workers at the project site, such as workers who are positioning and repositioning the end of the boom which discharges concrete, or workers who provide instructions with use of a headset to the control box operator, or workers who are spreading the concrete as it is poured, are to be reported separately in the classification applicable to the construction work being performed.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-59201 Classification 3509.

((Plaster/concrete statuary or ornament manufacturing-))

3509-01 Statuary and ornament: Manufacturing

Applies to establishments engaged in the manufacture of decorative statuary, and other ornamental items including, but not limited to, planters and fountains, lawn and garden furniture, patio blocks and stepping stones, grills, and cornices. Materials such as, but not limited to, plaster, concrete, hair, wood fiber, powdered lime, sand, gravel, cinders, aggregates, mesh wire and reinforcing rods, and certain plastics are received from outside sources. Depending on the item being made, various ingredients are mixed together and cast in metal or rubber molds or in forming machines. After being removed from the molds or forms, they are dried and stored until cured. After curing, items may be sanded and smoothed

with grinders, or carved by hand; some may be painted or coated with a clear finish, or designs hand painted on. Such finishing work is included within the scope of the classification when performed by employees of employers subject to this classification.

This classification excludes the mining, digging, quarrying, or manufacturing of raw materials which are to be reported separately in the applicable classification; the manufacture of decorative tile which is to be reported separately in classification 3503; and the manufacture of concrete blocks, bricks, poles, piles, tile, beams, sewer and irrigation pipe, and septic tanks which is to be reported separately in classification 3105.

Special note: This classification differs from classification 3105 "concrete blocks, sewer pipes" in that products manufactured in classification 3509 are for decorative purposes, are usually lighter weight, and have smoother or more perfect finishes than the concrete products manufactured in classification 3105 which are rough, do not require perfect finishes, and are generally for construction use.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-59202 Classification 3510.

((Artificial marble: Manufacturing

Graphite composite goods: Manufacturing such as but not limited to garden carts, hose reels, auto parts, basketball back boards and fishing poles or rods

Plastic goods: Manufacturing—using processes such as but not limited to blow molding, extrusion vacuum forming, foam molding, rotary molding, liquid molding, and injection molding

Plastic goods, N.O.C.: Manufacturing-))

3510-02 Plastics: Artificial marble manufacturing

Applies to establishments engaged in the manufacture of plastic articles by molding a calcium carbonate material mixed with feed stock, a catalyst and dyes which are purchased from outside sources. When this material solidifies it resembles marble, and is used to make counter tops, sinks, novelty items such as, but not limited to, soap dishes, clock cases, and statues. Raw materials are mixed in large mixers until it has the consistency of bread dough. A release agent is sprayed onto empty molds so the finished items can be easily removed after they are set; then the mixture is poured directly into molds, placed into molds by hand, or forced into molds under pressure. The materials are cured at room temperature or with moderate heat (up to 140 degrees F). When the material has hardened, items are removed from the molds and trimmed, sanded or otherwise finished. Sanding may be done with power rotary sanders which create clouds of dust and require the use of respirators.

This classification excludes establishments engaged in the manufacture of a plastic product by any other method which are to be reported separately in the appropriate classification; establishments engaged in the manufacture of graphite composite goods which are to be reported separately in classification 3510-08; and the manufacture of fiberglass

goods which are to be reported separately in classification 3511.

3510-03 Plastics: Extrusion, blow molding

Applies to establishments engaged in the manufacture of plastic articles by blow molding or extruding. Processes vary, but all usually require the heating and melting of feed stock and mixing of other additives purchased from outside sources. Extrusion involves forcing material through dies; blow molding blows a bubble of plastic into the air and processes it through machinery, or forms an object in a mold by blowing air and material into it. Plastic items such as containers for milk, motor oil, bleach, or other liquids are typically made with a blow molding process, which is a fast, high volume operation. A bubble of molten plastic is blown into a mold and expanded to the shape of the mold with compressed air. The mold is kept cool with a liquid coolant that circulates through its cavities; when hot plastic is pressed against the mold, it cools and hardens in seconds. Sheets of plastic film are usually made by extruding a tube of hot plastic, expanding it with air pressure, then passing it through a series of rollers and cutters which roll it flat and cut it into two separate sheets. Plastic film is used for making plastic bags and other products. This classification includes the manufacture of plastic bags when the extrusion of plastic sheets is performed by employees of the plastic bag manufacturer. Other extrusion processes are used in the manufacture of window frame molding, gutters, pipe, and similar items.

This classification excludes establishments engaged in the manufacture of a plastic product by any other method which are to be reported separately in the appropriate classification; establishments engaged in the manufacture of graphite composite goods which are to be reported separately in classification 3510-08; and the manufacture fiberglass goods which are to be reported separately in classification 3511.

3510-04 Plastics: Vacuum forming

Applies to establishments engaged in the manufacture of plastic goods through a vacuum forming process. Articles manufactured by this method include, but are not limited to, signs, display stands, windshields for boats and motorcycles, boat paddles, skylight windows, trays for packaging food or other items. Sheet goods are heated in an oven or in the molding area, and a vacuum is pulled on the mold, sucking the plastic in to conform to the shape of the mold. Items produced by this method harden and cool in a few minutes. In other techniques, liquid plastic is poured into a mold, a seal of mylar plastic is placed over it, then a vacuum is pulled on the mold forming the liquid to the mold. This method produces a smooth, glossy surface similar to those produced by injection molding, but without the high-cost machinery. For either method, once the plastic material hardens, the "flashing" (excess plastic) is trimmed from the formed article. This is called "deflashing" and may be done with a hand-held knife, a router, or a lathe. There is some assembly in certain manufacturing operations such as attaching components with screws, rivets, bolts, or glue, which is incidental to the manufacturing process and is included in the classification.

This classification excludes establishments engaged in the manufacture of a plastic product by any other method

which are to be reported separately in the appropriate classification; establishments engaged in the manufacture of graphite composite goods which are to be reported separately in classification 3510-08; and establishments engaged in the manufacture of fiberglass goods which are to be reported separately in classification 3511.

Special Note: The painting or lettering of signs is included in the plastic goods manufacturing classification when done by employees of an employer making signs. Establishments that purchase premanufactured plastic "mediums" from others, then paint lettering or designs or attach vinyl lettering to them in their own shops are to be reported separately in classification 4109.

3510-05 Plastics: Foam molding, rotary molding, liquid molding

Applies to establishments engaged in the manufacture of plastic goods through foam molding, rotary molding or liquid molding processes. Raw materials, which may be received in barrels, drums, or rail cars, include, but are not limited to, small plastic beads, powder, pellets or liquids, and foaming agents. Establishments in this classification will frequently employ laboratory employees such as chemists or chemical engineers to formulate their own plastic compounds to meet specifications as to rigidity, flexibility, or fire retardation. Liquid polymer is mixed with one or more ingredients, in some cases including a foaming agent, then heated to control the foaming action. It may be forced through pipes or hoses from a dispensing machine into the mold, or workers may carry it in buckets from the mixing pot and pour it into the molds. The top of the mold is put in place and secured. Heat and air pressure is applied inside the mold, which causes the foam to rise and form the shape of the object being made. Workers may wear respirator masks during this phase. The mold may be lined with vinyl or other fabric, or wire frames may be placed inside the molds when making items such as armrests, cushions, dashboards for vehicles, boats, or aircraft. Goods usually set overnight, then the flashing (excess plastic) is trimmed off. Liquid plastic, such as urethane, without a foaming agent, is also used to make products that are extremely tough. Products made from this type of liquid mixture include, but are not limited to, parts for aircraft or industrial machinery. Liquid mixtures are poured into molds and cured in ovens. Styrofoam products such as, but not limited to cups or plates, packaging materials are made from small styrofoam beads that are expanded by heating, then forced or blown into a mold and heat-expanded to form the product. Logos or brand names may be printed onto the products with a special offset press. Rotary molding is used for large hollow items like garbage cans or buckets. Plastic powder, mixed with color, is poured into molds; molds are closed and moved on a rotating arm through a large oven in a tumbling action while the mold heats. The plastic powder sticks to the inside of the mold and melts. The mold is removed from the oven while still tumbling, and air and/or water cooled. Finished products are then removed from the molds.

This classification excludes establishments engaged in the manufacture of a plastic product by any other method which is to be reported separately in the appropriate classification; establishments engaged in the manufacture of graph-

ite composite goods which are to be reported separately in classification 3510-08; and the manufacture of fiberglass goods which are to be reported separately in classification 3511.

3510-06 Plastics: Injection molding

Applies to establishments engaged in the manufacture of plastic goods through an injection molding process. Articles made by injection molding range widely; they include, but are not limited to, key chain holders, writing pens, combs, medicine bottles, novelty items, sporting goods, and cargo baskets for industrial use. The size of injection molding machines ranges widely, depending on the products being made. Raw materials, which are usually in the form of tiny plastic beads, are received from outside sources in barrels, drums or rail cars. The pellets are placed in a dryer to remove any moisture, then fed through a hopper on the injection molding machine into an air-free chamber where they are melted at high temperatures, then forced with an auger-type screw, ram piston or similar device, into the mold. The mold is cooled by a coolant to allow the plastic to solidify rapidly. When solidified, the item is ejected from the mold by air pressure, hydraulics, or a mechanical ram. Items may be trimmed, polished, assembled, plated, or otherwise finished. Establishments in this classification may make molds for their own use, or the customer brings molds for specific items they order. The manufacture or repair of their own or their customer's molds is included within the scope of this classification when done by employees of an employer subject to this classification.

This classification excludes establishments engaged in the manufacture of a plastic product by any other method which are to be reported separately in the appropriate classification; establishments engaged in the manufacture of graphite composite goods which are to be reported separately in classification 3510-08; and the manufacture of fiberglass goods which are to be reported separately in classification 3511.

3510-07 Plastics: Manufacture, N.O.C.

Applies to establishments engaged in the manufacture of plastic goods not covered by another classification (N.O.C.) using several of the operations described in the other plastics manufacturing classifications, but not having one predominate process. This classification *could* include the application of fiberglass resins with a brushing or spreading technique (sometimes referred to as "lay-up"). In the lay-up method, fabric is fitted over molds, then layers of fiberglass resins, hardeners, and fillers are applied over the fabric with a brush or trowel. In some applications, a thin foam material is fitted into a mold, then covered with fiberglass resins and hardeners; when the product is removed from the mold, the other side is coated, producing an exceptionally strong, lightweight product. Once removed from the molds, items are heated in ovens to harden and set. This classification also includes establishments that make pellets (feed stock) from recyclable plastic goods. Scraps or recyclable goods are ground or pulverized, then formed into pellets which can be used again in manufacturing processes, or further processed into oil by other manufacturers.

This classification excludes establishments engaged in the manufacture of a plastic product by any other method which are to be reported separately in the appropriate classification; establishments engaged in the manufacture of graphite composite goods which are to be reported separately in classification 3510-08; and establishments engaged in the manufacture of fiberglass goods which are to be reported separately in classification 3511.

Special notes: When the manufacture of plastic goods includes *any* fiberglass work using the spraying technique with a chopper gun, the entire operation is to be reported separately in classification 3511. Incidental hand brushing or troweling of fiberglass resins or epoxy over a fabric or foam material, is sometimes an integral part of manufacturing processes covered under other manufacturing classifications. A review of the manufacturing process must be made to determine the proper classification applicable to that manufacturing process.

3510-08 Graphite composite goods: Manufacturing

Applies to establishments engaged in the manufacture of fiber reinforced plastic goods. Products manufactured by establishments subject to this classification include, but are not limited to, golf club shafts, fishing poles and rod blanks, garden carts, hose reels, wind board sail masts, bicycle frames, tennis racquets, snow skis and auto parts. While the classification specifies graphite composite goods, other fiber reinforced plastics are used to make similar products and are covered by this classification. Graphite composites are also known as carbon reinforced composites. Irrespective of the product made, the processes used to produce the end products are similar. For example, the making of tube-like products such as, but not limited to, golf shafts, wind board sail masts, and fishing poles, consists of cutting a fabric-like material which is purchased from others to the specified dimension needed to make the product; rolling the material onto a mandrel (rod) or wrapping the material around a mold; securing the fabric material with a plastic (cellophane) tape; curing the product in an oven; removing the cellophane wrap; removing the mandrel or mold; sanding the product to remove the lines left by the cello wrap; and applying the finish.

This classification excludes the manufacture of nonfiber reinforced plastic goods or products which are to be reported separately in classification 3510 as applicable; fiberglass reinforced goods or products which are to be reported separately in classification 3511; and plastic goods manufacturing from premanufactured components including the cutting, bending and milling of plastic which are to be reported separately in classification 3512.

Special note: Care should be taken when encountering the term "graphite composite." Graphite is a material common to many products such as, but not limited to, lead pencils, paints, lubricants and protective coatings, none of which are covered by classification 3510.

AMENDATORY SECTION (Amending WSR 91-12-014, filed 5/31/91, effective 7/1/91)

WAC 296-17-59203 Classification 3511.

((Fiberglass goods: Manufacturing, N.O.C.))

3511-02 Fiberglass goods: Manufacturing, N.O.C.

Applies to establishments engaged in the manufacture of a wide variety of fiberglass goods not covered by another classification (N.O.C.) including, but not limited to, hot tubs, swimming or wading pools, boat hulls, chair frames, doors, fish tanks, satellite dishes, tanks, display carts, signs, industrial equipment, pick up canopies, and auto body parts such as fenders, hoods, or visors. "Fiberglass" is a composite material consisting of glass fibers in resin; it is applied over or into molds by spraying, brushing, or spreading. Materials include, but are not limited to, resin (usually received in barrels), liquid hardeners, fiberglass ribbon, and molds. Before a mold is used it is sprayed with a release agent so the item is more easily removed. In the spraying technique, resin is sprayed with compressed air gun through a "chopper gun" into the mold, while a "ribbon" of fiberglass is simultaneously fed through a razor cutter which chops it into short lengths and blows it into the mold. Because the hardeners cause the material to "set" in a short period of time, the spraying is done rapidly. Once the desired thickness is attained, the material is left in the mold until completely set and cured, then removed. Spraying and chopping the fiberglass in this method causes a substantial amount of debris in the air, so workers usually wear respirator masks. There are many finishing techniques, such as smoothing the sprayed fiberglass with a hand-held rubber roller, applying various materials such as "gel" or "vinyl" to produce a glossy surface, joining parts to make very large items, attaching hardware, all of which are included within the scope of this classification when done by employees of an employer having operations subject to this classification.

This classification excludes establishments engaged in the manufacture of plastic items by blow molding or extrusion, vacuum forming, foam, rotary, or liquid molding, or injection molding, and establishments engaged in the manufacture of artificial marble items or graphite composite goods, which are to be reported separately in classification 3510; establishments engaged in the cutting, milling, bending, heating and shaping of hard plastic goods which are to be reported separately in classification 3512; and establishments engaged in the manufacture of auto body parts from materials other than fiberglass which are to be reported separately in the classification applicable to the materials and the processes being used.

Special note: Mold making for their own production is included within the scope of this classification when done by employees of an employer subject to this classification. Molds are usually made of wood; they are smoothed and shaped with a filler, like auto body putty, then coated with fiberglass.

AMENDATORY SECTION (Amending WSR 91-12-014, filed 5/31/91, effective 7/1/91)

WAC 296-17-59204 Classification 3512.

((Plastic goods: Manufacturing—cutting, milling or bending-))

3512-02 Plastic goods: Manufacturing - cutting, milling or bending

Applies to establishments engaged in the manufacture of a variety of plastic goods from premanufactured components such as sheets, rods, or tubes by cutting, milling, or bending. Products include, but are not limited to, display stands, racks, dispensers for snack food items, vinyl window sashes, fiberglass panels used for aircraft or recreational vehicle interiors, and signs. Essentially anything that can be done with wood can be done with plastic, so shops in this classification usually resemble a cabinet or woodworking shop. They use the same type of tools such as, but not limited to, saws, routers, planers, and grinders, to cut or mill the plastic goods. To bend plastic material, it is first heated in an oven or with a torch, then bent to shape. Buffers are used for polishing, or the pieces may be flame polished (heated with a gas torch). Products may be formed by joining pieces with glue, hardware or other fasteners.

This classification excludes establishments engaged in the manufacture of plastic items by blow molding, extrusion, vacuum forming, foam, rotary, or liquid molding, or injection molding, and establishments engaged in the manufacture of artificial marble items or graphite composite goods, which are to be reported separately in classification 3510; establishments engaged in the manufacture of fiberglass goods which are to be reported separately in classification 3511; and sign manufacturers that purchase precut plastic backings from others, then paint lettering or designs or attach vinyl lettering to them in their own shops which are to be reported separately in classification 4109.

Special note: The cutting, milling, or bending of plastic goods incidental to the manufacturing process for products made from wood, metal or other materials is included in the classification applicable to those manufacturing processes.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-59205 Classification 3513.

((Rubber goods, N.O.C.: Manufacturing

This classification includes rubber shredding or pulverizing. This classification excludes the manufacture of synthetic rubber which is to be reported separately in classification 3407, and tire dump operations which are to be reported separately in classification 4305-))

3513-00 Rubber goods, N.O.C.: Manufacturing

Applies to establishments engaged in manufacturing rubber goods not covered by another classification (N.O.C.) from natural or synthetic rubber which may be hard, soft, or liquid. Products manufactured in this classification include a wide variety of items such as, but not limited to, gaskets, seals, floor tiles, O-rings, hoses, belts, rubber bands, foam rubber cushions or pads, sponge rubber novelties, shoe parts, floor mats, interior pieces for computer circuit boards, and latex rubber goods such as gloves. Establishments in this classification also mix and compound rubber for sale to tire dealers that recap or retread tires. This classification includes establishments that manufacture rubber tires, or that shred used tires or other rubber products. Used rubber is run through granulators or rotary shearers that shred it to small pieces. Shredded material can be used as filler for asphalt for

running tracks, or mixed with coal for fuel in industrial plants or further processed into oil. This classification also includes establishments that use heavy machinery to cut used tires into large pieces which are then formed into bumpers for boats, loading docks or similar items. Manufacturing processes include washing, mixing, rolling, extruding, calendaring, molding, and curing, all of which cause chemical reactions to the rubber until it reaches the desired "property or state". Vulcanization, which improves the strength, resiliency and odor of rubber by combining it with sulfur or other additives in the presence of heat and pressure, occurs in various stages of manufacturing processes. Machinery includes but is not limited to: *Shearer*: Cuts bulk rubber into strips or chunks. *Extruder*: Mixes and heats pieces of rubber to high temperature, then forces the mixture out through dies, forming it into "ropes." (O-rings are made with extruded ropes.) *Rubber mill*: Has two heavy rollers (each about 1 foot diameter) that spin towards each other; the friction of the spinning rollers causes heat. Strips of raw rubber and dry chemicals are fed into the rollers where they are mashed and pressed, forming it into different grades or densities. The rubber emerges from the mill in flat, pliable strips, ready for further treatments. *Calendar*: Passes rubber through more rollers which work it to a smooth, even, glossy finish. *Hydraulic steam press*: There are several types of molding which involve placing strips of the rubber after it has been milled and rolled into cast iron molds. The molds are inserted into a press where heat and pressure are applied until the rubber is molded to desired shape, then removed and cooled. *Injection mold press*: Rubber is shot into the cavity of the molds, and the press heats it to an almost liquid form, then it becomes stable. A vacuum pump sucks air from the molds to form the product. *Deflasher machine*: Resembles a clothes dryer with a basket inside; used to remove flashing (the excess rubber that has squeezed out of the mold during forming). Molded items are placed in the basket; nylon pellets are added to the machine. As the machine spins, the pellets beat the flashing from the molded pieces. Flashing is sometimes trimmed by hand with exacto knives or smoothed on grinders. *Curing oven*: The final step for most processes which dries and sets the rubber. Establishments subject to this classification may also make some products by cutting and gluing premanufactured materials. If any rubber molding is performed, the entire operation is to be covered under this classification.

This classification excludes establishments engaged in the manufacture of rubber goods by cutting and gluing premanufactured rubber or composite sheets (no molding) which are to be reported separately in classification 3802; tire dump operations which are to be reported separately in classification 4305; and the manufacture of synthetic rubber and the "advanced recycling" of shredded tires or rubber which is to be reported separately in classification 3407.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-594 Classification 3602.

(Bottle cap manufacturing
Camera or video camcorder manufacturing or assembly—
including repair in shop

Compact disc and video tape player manufacturing or assembly—including repair in shop
Dental laboratories
Electronic circuit board assembly, N.O.C.
Electronic ignition assembly
Electronic products manufacturing such as but not limited to resistors; transistors; capacitors; and computer chips
Fishing tackle manufacturing or assembly. For purposes of this rule the term "fishing tackle" is limited to lures; spinners; spoons; flies; plugs; sinkers; artificial bait or similar items but does not include fishing pole or reel manufacturing or assembly which are to be reported separately in the applicable manufacturing classification(s)
Incandescent lamp manufacturing; electric tube manufacturing
Instrument manufacturing—scientific; medical; or professional
Jewelry manufacturing or engraving
Magnetic tape manufacturing
Motion picture projector manufacturing or assembly—including repair in shop
Musical instrument: Metal type—assembly—including repair in shop
Silverware manufacturing; watch case manufacturing
Sound recording equipment manufacturing
Stereo components manufacturing or assembly
Tag, button, zipper or fastener manufacturing
Thermometer and steam gauge manufacturing
Telegraph or radio component manufacturing or assembly—including repair in shop
Telephone set manufacturing or assembly—including repair
Trophy assembly or engraving
Watch case manufacturing or assembly—including repair in shop
This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.
This classification does not include the production of raw materials used in manufacturing the above articles.))

3602-01 Telegraph or radio component, telephone set: Manufacture, assembly, or repair

Applies to establishments engaged in the manufacture, assembly, or repair of components related to the telegraph, radio or telephone industry. Component parts may be for items such as, but not limited to, radio or television sets, hearing aids, transformers, coils, condensers, switches, antennae, phones, speaker units, dials, rheostats, plugs, arrestors, resistors, and electrical control relays, or other parts necessary to accomplish radio, telegraph or telephone communication. Materials include, but are not limited to, metal, plastic, and wood used for the outside casings, and component parts. Some establishments in this classification manufacture the casings and the internal components. Other establishments in this classification assemble the ready-made parts with air and hand tools such as, but not limited to, drill presses, solder guns, or saws. Internal parts are usually assembled simply by clamping circuit boards in place, then soldering small pieces together. This classification includes engineers, research and laboratory personnel employed by establishments having operations subject to this classification. This is a shop or

plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification; and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-02 Instrument - scientific, medical, or professional; Manufacturing; magnetic tape; Manufacturing

Applies to establishments engaged in the manufacture of instruments used in medical, scientific, or professional applications. This classification also applies to establishments engaged in the manufacture of magnetic tapes. Instruments in this classification range widely in shape and size; they include, but are not limited to, dental or surgical instruments, microscopes or other scientific testing or research instruments, surveyors' instruments, and electrical testing instruments. Materials include, but are not limited to, metal, glass, plastic, or wood for casings, and component parts. Processes vary depending upon the product being produced, and could involve some stamping, machining, and heat-treating. However, component parts are usually manufactured by others, and establishments in this classification perform a substantial amount of hand assembling, inspecting, testing, and packaging operations. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-03 Sound recording equipment; Manufacturing

Applies to establishments engaged in the manufacture of sound recording equipment. Establishments in this classification may manufacture all or some equipment such as instruments for measuring sounds, and generators (for producing sounds), filters or modulators (for processing sounds), magnetic or tape recorders (for storing sounds), and speakers (for reproducing sounds). Materials include, but are not limited to, metal, glass, plastic, or wood for casings, clamps, glue or epoxy, and component parts. Components may be produced by the manufacturer or purchased from others and assembled. The assembly may be partially or wholly automated. Machinery includes, but is not limited to, shears, drill presses, grinders, soldering guns, welding equipment, and air or hand tools. There may be inspection areas and sound testing rooms. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-04 Thermometer and steam gauge; Manufacturing

Applies to establishments engaged in the manufacture of thermometers and/or steam gauges. The most common type of thermometer is a mercury thermometer which consists of a capillary tube that is sealed at its upper end and is enlarged into a spherical or cylindrical bulb at its lower end. This bulb is filled with mercury and mounted on a thin metal or plastic sheet. The manufacturers of steam gauges may simply assemble component parts with hand tools, test, and package them. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-05 Dental laboratories

Applies to establishments engaged in the manufacture of dentures, artificial teeth, braces, and retainers. These types of establishments are generally referred to as dental laboratories. The manufacture of these items involves precision work with castings, plastic or vinyl molding, and light wire forming. In the state of Washington dental laboratories can fit patients for dentures, in addition to making the denture which is included when performed by employees of employers subject to this classification. This is a shop only classification. Repair work when specified is limited to work performed at the shop.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-06 Jewelry; Manufacturing or engraving; trophy assembly or engraving

Applies to establishments engaged in the manufacture or engraving of jewelry, such as, but not limited to, rings, bracelets, necklaces, earrings, watchbands, pins, broaches, and cigarette lighters. Jewelry manufacturing or engraving involves working with precious metal and/or stones. Operations usually include polishing, buffing, drilling, and assembly, mixing and melting alloys and metals, then pouring the mixture into small casts. This classification also applies to establishments engaged in assembling or engraving trophies on a production basis. For purposes of this classification, assembly means making trophies from premanufactured components purchased from others. The engraving may be done by "etching" or by computer. In the etching method, patterns or lettering is cut into a metal strip that is coated with a solution resistant to etching acids. The metal strip is treated with etching acids that "melt away" the uncoated portion of metal, leaving an impression of the design. Computerized engraving is done by keying the designs or letters into the computer, the designs are transmitted to an "arm" on the computer which "draws" (engraves) them onto the metal plate. This is

a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification; the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used; and establishments engaged in the manufacture of watches which are to be reported separately in classification 3602-09.

Special note: This classification is for manufacturers engaged in the mass production of jewelry items and is distinguishable from jewelry stores reported in classification 6308 who produce custom, one-of-a-kind pieces on a special order basis. Trophy stores in classification 6308 may assemble components to make custom trophies, or engrave plaques for the trophies they sell. Assembly and engraving that is incidental to their retail sales operation is included in their store classification.

3602-07 Electronic parts: Assembly

Applies to establishments engaged in the assembly of electronic parts which are usually sold to other manufacturers. They may have automated/robotics assembly lines for all or part of the processes. In manual operations, small parts are soldered, chipped, riveted, or screwed into place with hand tools such as, but not limited to, soldering guns, riveters, drills, screw drivers, or water jets. This classification also applies to establishments engaged in the manufacture or assembly of computers and the manufacture of dry cell (flashlight type) batteries. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-08 Electrical/electronic ignition assembly, cord set, or radio set: Assembly

Applies to establishments engaged in the assembly of electrical/electronic ignition assemblies, cord sets, and radio set components. An ignition assembly is a switching component that allows an electrical circuit to be completed in order to start a piece of machinery or equipment. Electrical cord sets are the portion of wiring found on appliances and tools that plug into electrical power sources. A radio set is comprised of an input circuit for tuning in to the frequencies of the various transmitters to be received, the demodulation circuit for separating the audio-frequency from the high-frequency carrier, a low-frequency amplifier stage, and the loudspeaker. The amplifier elements are transistors supplied with the necessary operating voltages. Establishments in this classification usually assemble radio component parts and circuit boards that are manufactured by others. The assembly is accomplished by soldering, clipping, riveting, and welding the parts into place. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-09 Watch: Manufacturing

Applies to establishments engaged in the manufacture of watches. The component parts are usually mass produced on an assembly line. Watch cases are usually made from sheet metal or plastic; watch faces are made from plastic or glass. The internal works are very small gears or springs and/or computer chips. The face may have hands and a dial, or may consist of a light emitting diode (LED). This classification includes the manufacture of internal works of clocks. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes establishments engaged in the manufacture of jewelry which are to be reported separately in classification 3602-06; establishments engaged in the manufacture of wooden housings or casings for clocks such as grandfather and mantle types which are to be reported separately in classification 2905; all outside repair work which is to be reported separately in the applicable services classification; and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-10 Camera, video camcorder, motion picture projectors: Manufacturing, assembly, or repair

Applies to establishments engaged in the manufacture, assembly, or repair of cameras, video camcorders, and motion picture projectors. Materials include, but are not limited to, metals, plastics, glass and internal components. Machinery includes, but is not limited to, punch presses, drill presses, and soldering guns. Establishments in this classification often assemble products from internal components manufactured by others. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

Special note: When an establishment subject to this classification has a retail store, then both classifications 6406 and 3602-10 may be assigned, provided all the conditions of the general reporting covering the operation of a secondary business have been met. Otherwise, all operations are to be reported in the highest rated classification of the two.

3602-11 Fishing tackle: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of fishing tackle. For purposes of this classification, the term fishing tackle is limited to lures, spinners, spoons, flies, plugs, sinkers, artificial bait and similar items. Work contemplated by this classification includes the receipt

of supplies such as wire, hooks, spoons, swivels, beads and feathers, and other components from unrelated manufacturers and distributors, hand assembly of components into finished fishing tackle, painting spoons and plug bodies, packaging and shipping. This classification also contemplates testing of products and research and development of new products. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes the manufacture of items such as, but not limited to, reels, poles, nets, tackle boxes, knives, melting pots, plastic beads, wooden or plastic plug bodies, hand tools (pliers, bench vise) molds, specialty clothing or protective gear which are to be reported separately in the classification applicable to the material and process used to produce the product; and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

Special note: Care should be taken when assigning this classification to verify that the product being manufactured is compatible with the manufacturing and assembly processes contemplated within this classification. Most fishing tackle subject to this classification is hand assembled from small component parts.

3602-12 Incandescent lamp or electric tube: Manufacturing

Applies to establishments engaged in the manufacture of incandescent lamps, electric tubes, photoflash lamps, flood lamps, fluorescent tubes, X-ray tubes, and cathode-ray tubes. An incandescent lamp is comprised of an electrical conductor through which a current is passed which causes it to glow or emit white heat. The conductor is usually a wire or filament, which is carried on a glass mount and whose ends are soldered to thicker support wires through which the current is supplied to the filament. In order to prevent oxidation (burning away) of the filament by exposure to air, it is enclosed in a glass bulb, which is sealed with a mount. Metal bases are milled and coated with shellac sealing cement. Mounts are assembled and inserted into the flange of the stem. The assemblies are then seared together. The bulb is either evacuated or it is filled with a neutral gas or gas mixture (i.e., nitrogen and argon). Tungsten is the filament material most often used. The globes and stems are inserted into metal bases and cemented. The bulbs are then inspected, packed and shipped. The process is basically the same for electric tubes. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-14 Musical instrument - metal: Repair

Applies to establishments engaged in the repair of metal musical instruments which include, but are not limited to, trumpets, trombones, French horns, and tubas. The operations involve primarily hand work such as, but not limited to,

brazing and soldering, as well as fitting, testing, and polishing the instruments. Tools include, but are not limited to, solder or brazing guns, lathes, drill presses, and various types of saws. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification; the repair of wood musical instruments which is to be reported separately in classification 2906; and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-23 Electronics products - resistors, capacitors, chips and relays, transistors: Manufacturing

Applies to establishments engaged in the manufacture of resistors, capacitors, chips, relays, and transistors which are usually tiny and delicate. Products manufactured in this classification are usually mass produced with little human intervention during the production process, which is often done in a vacuum or a nitrogen filled room. Materials include, but are not limited to, silicon, wires, and plastics. In addition to the automated equipment, hand-held tools include, but are limited to, pliers, wrenches, and soldering guns. Finished products are inspected, usually through powerful microscopes, then packaged and shipped. This is a shop or plant only classification. Repair work, when specified, is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-24 Stamped metal goods: Manufacturing

Applies to establishments engaged in the manufacture of small, stamped, metal goods such as, but not limited to, metal tags, buttons, zippers, bottle caps, fasteners, snaps, clasps, buckles, and curtain fasteners. Materials, which come in coils or strips, are run through presses. Most of the stamping is done on automatic stamping presses. Products are cut, stamped, formed, trimmed, and cleaned, then usually finished by plating or lacquering. This is a shop or plant only classification. Repair work, when specified, is limited to work performed at the shop or plant.

This classification excludes the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-27 Electronic circuit board, N.O.C: Assembly

Applies to establishments engaged in the assembly of electronic circuit boards not covered by another classification (N.O.C.) which are used in a wide variety of electronic and automotive products. The process usually begins by cutting boards to size with power saws, then drilling or punching holes in them with automated drills or punches. Depending upon the original materials used, the boards used for the base may be coated or dipped. Then the chips, transistors, resis-

tors, and/or condensers are installed, usually as part of an assembly line process. Next, the circuit boards are dipped and coated with a thin metal. Finished products are inspected, tested, packaged and shipped. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-28 Stereo components: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of stereo components such as, but not limited to, record changers, disc or video players, receivers and amplifiers. Materials include, but are not limited to, circuit boards, resistors, drivers, baffle plates, chambers, trim/rings, and grills. Equipment includes, but is not limited to, hot glue guns, electric drills, electric screw drivers, and automated assembly or manufacturing equipment. Finished products are inspected, tested, packaged and shipped. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-595 Classification 3603.

((Furniture stripping and refinishing
Metal plating or polishing, rustproofing—acid bath, N.O.C.
Painting in shop, N.O.C.
Electroplating and detinning, N.O.C.))

3603-10 Furniture stripping and refinishing; metal plating or polishing, rustproofing, N.O.C.

Applies to establishments engaged in stripping and refinishing wood or metal furniture, or metal plating (a coating of metal on an object), polishing, and rustproofing that is not covered by another classification (N.O.C.). Furniture refinishing contemplated by this classification includes, but is not limited to, preparing articles for finishing or refinishing by dipping in chemical solutions/acid baths to remove the old finish or dirt, sanding and wire brushing as needed, thoroughly removing all residues, applying new finish by brushing, rolling, spraying or dipping, air or oven drying, and any appropriate finish work such as waxing, polishing and buffing when done by employees of an employer having operations subject to this classification. *Metal plating* contemplated by this classification may be done by dipping in hot solution or spraying with a very high pressure, heated gun. *Electroless plating* is another type of dipping process which can be used to plate metals, plastics, and other materials by first preparing the surface with a chemical to ensure adhesion

of the metal plating material. *Rustproofing*, as contemplated by this classification, is usually applied by dipping or spraying. Plated items may be finished by lacquering and polishing. *Polishing* may also be conducted as a separate contract on metal and nonmetal items.

This classification excludes furniture finishing/refinishing done in conjunction with manufacturing or repair which is to be reported separately in classification 2905; metal plating, polishing, rustproofing and finishing done in conjunction with manufacturing of metal or a metal product which is to be reported separately as applicable to the product; undercoating of automobiles or other vehicles which is to be reported separately in classification 3411; metal plating done by an *electrolytic method* and rustproofing by *anodizing method* which are to be reported separately in classification 3603-11.

3603-11 Electroplating and detinning, N.O.C.

Applies to establishments engaged in providing electroplating or detinning services that are not covered by another classification (N.O.C.). Work contemplated by this classification includes, but is not limited to, preparing items by dipping in chemical solution/acid baths to remove old finish or dirt, sanding and wire brushing as needed, removing all residues thoroughly, electroplating to create the new finish, air or oven drying, any appropriate finish work such as polishing and buffing, and electrolytic or chemical baths for detinning processes, when done by employees of an employer having operations subject to this classification. *Electroplating* (including galvanizing and tinning) to achieve a protective or decorative coating is done by immersing the metal object in a solution which contains the desired metallic particles (metals commonly used are gold, silver, nickel, zinc and chromium) and passing an electric charge through the solution which causes the metal particles to adhere to the object being plated. Typical items plated include, but are not limited to, jewelry, plumbing hardware and components, silverware, eyeglass frames, medical instruments, and various specialized industrial components of any size. Plated items may be polished and lacquered as part of the finishing process. This classification includes *anodizing* to rustproof aluminum and some aluminum alloys by immersion in an acid bath and applying an electric charge to the metal which causes the finish to form on it. *Detinning* is the process of recovering tin from tin plated scrap. The "chemical process" involves using caustics and an oxidizing agent which causes the tin to separate from the metal it was plated to. A variation of this method introduces electrolysis to achieve a purer reclamation. The "chlorine process" uses chlorine applied under pressure to dissolve the tin and separate it from the tin plated scrap.

This classification excludes any electroplating or rustproofing by electrolytic methods done in conjunction with the manufacturing of metal or a metal product which is to be reported separately as applicable to the product; metal plating, polishing or rustproofing not using electrolytic methods which is to be reported separately in classification 3603-10; galvanizing or tinning done by hot dip process which is to be reported separately in classification 3604; and any detinning not done by a specialty shop as described above.

3603-12 Painting in shop, N.O.C.

Applies to establishments engaged in providing painting services at their shop, that are not covered by another classification (N.O.C.). This includes painting wood, metal, plastic, glass or other items. Customers include manufacturers, cabinetmakers or millwork manufacturers who do not do their own finish painting/staining/varnishing, or individuals who need only one item painted. Work contemplated by this classification includes, but is not limited to, preparing items for finishing by cleaning, sanding and wire brushing as needed, applying new finish by brushing, rolling, spraying or dipping, air or oven drying, and any appropriate finish work such as waxing, polishing and buffing when done by employees of an employer having operations subject to this classification. This classification includes application of nonmetallic coatings by dipping (such as nonstick surfaces) and painting with an electrostatic paint gun.

This classification excludes sign painting when done by establishments who do not manufacture the sign, which is to be reported separately in classification 4109; any painting done in conjunction with the manufacture of a sign which is to be reported separately in classification 2903, 3404, 3503 or 3510 as applicable; painting done in conjunction with the repair of an exterior sign which is to be reported separately in classification 0403; furniture stripping and refinishing services which are to be reported in classification 3603-10; furniture finishing done in conjunction with manufacturing or repair which is to be reported separately in classification 2905; automobile painting which is to be reported separately in classification 3412; the permanent yard or shop of a painting contractor which is to be reported separately in classification 5206 provided the conditions set forth in WAC 296-17-675 have been met; and the painting/staining/varnishing of any item done in conjunction with the manufacturing of that item which is to be reported separately as applicable to the product.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-596 Classification 3604.

((Galvanizing or tinning — not electrolytic, N.O.C. Retinning, rustproofing — galvanizing or hot bath, N.O.C.))
3604-16 Galvanizing or tinning - not electrolytic, N.O.C.

Applies to establishments engaged in providing galvanizing or tinning services, not using an electrolytic method, that are not covered by another classification (N.O.C.). This process uses molten zinc or tin dip to coat metals to deter corrosion (galvanizing) and tarnish (tinning). The process is used on all types of metal products from hand tools to automobile body parts and pieces of machinery. Work contemplated by this classification includes, but is not limited to, preparing metal by cleaning and washing in an acid solution, flushing with clean water, dipping in a metallic solution, immersion in the molten zinc or tin, and draining and/or blowing away the excess to achieve a smooth finish before cooling.

This classification excludes galvanizing or tinning using an electrolytic process which is to be reported separately in

classification 3603-11 and any galvanizing or tinning operations conducted in conjunction with a metal or metal product manufacturing operation which is to be reported separately as appropriate to the product.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-597 Classification 3605.

((Truck manufacturing or assembling-))

3605-28 Truck: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of complete trucks. Truck manufacturers subject to this classification are the nonpassenger type vehicles such as semi-trucks. These establishments may manufacture the chassis, body and other truck components or they may purchase any of these items from other manufacturers and simply assemble the trucks. Usually they will purchase the axle assemblies, transmissions, electrical and cooling systems, and steering gears from others. The determining factor to assign this classification is that they do the final assembly of the various components to make the truck operational.

This classification excludes auto or passenger vehicle manufacturing including pick-up trucks which is to be reported separately in classification 3402; truck component manufacturing which is to be reported separately in the appropriate manufacturing classification; and semi-truck repair and service centers which are to be reported separately in classification 3413.

AMENDATORY SECTION (Amending 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-599 Classification 3701.

((Ammonia, nitrogen and ammonium nitrate manufacturing Nitrate recovery from x-ray and photo films Manufacturing dye and chemicals for tinting candles Chemical manufacturing, N.O.C., by nitration, alkylation, oxidation, etc. process. This classification includes the manufacturing of chemicals involving, but not limited to, the following chemical processes: Nitration, alkylation, distillation, reduction, oxidation, sulphonation, compression of gasses, halogenation and amidation Chemical mixing, blending and repackaging only — no manufacturing of ingredients Cosmetics manufacturing, no manufacturing of ingredients Drug, medicine or pharmaceutical preparation manufacturing, no manufacturing of ingredients Oxygen or hydrogen manufacturing, acetylene gas or carbonic acid gas manufacturing Alcohol manufacturing, distilling, N.O.C. Polish, dressing, ink or mucilage manufacturing Extract manufacturing — including distillation of essential oils Perfumery manufacturing — including distillation of essential oils Mint distilling Salt, borax or potash producing or refining Serum, anti-toxin or virus manufacturing Paint, varnish or lacquer manufacturing

Putty manufacturing, synthetic resin manufacturing

Acid manufacturing

Candle, crayon and paste manufacturing

This classification excludes hop pellet manufacturing which is to be reported separately in classification 2101-))

3701-03 Ammonia, nitrogen and ammonium nitrate: Manufacturing

Applies to establishments engaged in the manufacture of ammonia, nitrogen and ammonium nitrate. Ammonia is a colorless gas used as a component in fertilizer, medicines and cleaning compounds manufacturing. The manufacturing process involves combining hydrogen and nitrogen gases with a catalyst which causes a reaction between the two gases when heated in a generator. Ammonium nitrate is a crystalline compound used mainly in fertilizers, explosives and propellants. The manufacturing process involves combining ammonia and nitric acid in a reactor. Nitrogen is a colorless gas that is obtained from the air and processed by compressing air in a pressurized tank, removing impurities, and separating nitrogen and oxygen through heating.

3701-04 Nitrate recovery from X-ray and photo films

Applies to establishments engaged in recovering nitrate or silver from X-ray and photo films. The recovery process involves placing the films in developing solutions, ionizing the solution and separating the elements.

3701-05 Dye and chemicals: Manufacturing

Applies to establishments engaged in the manufacture of all types of dyes and in the manufacture of dyes and chemicals that are used exclusively for tinting candles. Organic and inorganic compounds such as, but not limited to, phenols, alcohols, caustics, acids, salts and gases are used in the manufacturing process. Manufacturing methods include, but are not limited to, weighing raw materials to specifications and pumping them into vats where they are heated, agitated and cooled. They are then filtered through presses, dried in ovens, ground into a powder, and then packaged. Liquid or paste forms of dye go through the same process with the exception of the drying and grinding operations.

3701-06 Chemicals, N.O.C.: Manufacturing by nitration, alkylation and oxidation processes

Applies to establishments engaged in the manufacture of chemicals not covered by another classification (N.O.C.) using a nitration, alkylation or oxidation process. Nitration involves the combining of nitrate with an organic compound to produce nitrobenzenes used in solvents, fertilizers and acids. Alkylation involves combining alkyls with other substances to form products used in the production of paper pulp, hard soap and petroleum products. Oxidation involves the combining of oxygen with other substances to produce products such as, but not limited to, hydrogen peroxide, protective metal coatings, and pharmaceutical preparations.

This classification excludes the manufacture of ammonia or nitrogen which is to be reported separately in classification 3701-03 and the manufacture of oxygen, hydrogen, acetylene gas, carbonic acid gas, or acids which is to be reported separately in classification 3701-10.

3701-07 Chemical mixing, blending and repackaging only

Applies to establishments engaged exclusively in mixing, blending or repackaging chemicals; it does *not* apply to the manufacture of ingredients for the mixing operation. The product may be mixed by hand or through a mechanical process. The equipment used by establishments covered by this classification is limited to storage tanks, mixing or blending vats, filling and packaging machines and miscellaneous equipment such as fork lifts and trucks.

This classification excludes establishments involved in more than a mixing, blending or repackaging operation which are to be reported separately in the appropriate chemical manufacturing classification.

3701-08 Cosmetics: Manufacturing

Applies to establishments engaged in the manufacture of cosmetics such as, but not limited to, soap, shampoo, hair conditioners, skin moisturizers, baby powder, lipstick, nail polish, bath oil, bath salts, and various personal care creams, gels or lotions. The process involves the mixing of premanufactured ingredients, using equipment such as storage tanks, mixers, heating devices, bottling/packaging/labeling equipment, and laboratory equipment for product development and quality control.

This classification excludes the manufacturing of the ingredients used in the mixing of the cosmetics.

3701-09 Drug, medicine, or pharmaceutical preparation: Manufacturing

Applies to establishments engaged in the manufacture of pharmaceuticals including drugs, medicines, and preparations such as, but not limited to, tablets, pills, ointments, liquids, and powders. Processes contemplated by this classification include mixing or blending of the base medicinal ingredients and additives such as, but not limited to, sugars, starches, flavorings, and waxes used for coating tablets. Compounds are then pulverized, distilled, heated and/or dried.

This classification excludes the manufacture or harvest of the ingredients used in the manufacture of the pharmaceuticals.

3701-10 Oxygen, hydrogen, acetylene gas, carbonic acid gas: Manufacturing

Applies to establishments engaged in the manufacture of oxygen, hydrogen, acetylene gas, carbonic acid gas, dry ice, or acid. The manufacture of oxygen and hydrogen involves the recovery of these gaseous elements from the air by compression, expansion and cooling operations until it liquefies. The liquid air then goes to a fractionator where the oxygen is separated from the hydrogen along with other gases such as neon and helium. Acetylene is a highly flammable but non-toxic gas that is manufactured by reacting calcium carbide with water in a pressure generator which combines carbon and lime to form the end product. Carbonic acid gas, also known as phenol, is a caustic poisonous gas used in manufacturing resins, plastics, and disinfectants. The manufacture of phenol involves a compression and refrigeration process.

3701-11 Alcohol: Manufacturing, distilling, N.O.C.

Applies to establishments engaged in manufacturing or distilling nonspirituous alcohol not covered by another clas-

sification (N.O.C.). Types of alcohol include, but are not limited to, methanol (wood alcohol), ethanol (grain alcohol) or denatured alcohol (combination of methanol and ethanol). Products produced include, but are not limited to, solvents, processing materials, germicides, antiseptics, or materials intended to be used as an ingredient in other products such as varnish and shellac. The processes for the production are varied depending on the type of alcohol and end product but all use a distillation process which involves the heating of liquids and subsequent condensation of vapors to purify or separate a substance contained in the original wood or grain product.

This classification excludes the manufacture of spirituous liquor which is to be reported separately in classification 3702 and gasohol distilling or refining which is to be reported separately in classification 3407.

3701-13 Polish, dressing, or ink: Manufacturing

Applies to establishments engaged in the manufacture of polish, dressings, or ink. Polish and dressing products include, but are not limited to, polish or dressings for shoes, leather, furniture, automobiles or metal. The ingredients and processes for polish and dressing manufacturing vary, depending on the end product. Typical ingredients include but are not limited to oils, waxes, resins, detergents, methanol, solvents, water and coloring. The process may involve a simple mixing operation or a more involved process involving heating or cooking and molding into a cake or stick form. Typical equipment includes, but is not limited to, weighing and measuring scales, mixers, stoves, molding apparatus, automatic filling, labeling, wrapping and packaging machines. Ink manufacturing covers all types of ink including, but not limited to, newspaper, book, magazine, and writing ink. The process involves the cooking of oils and resins which produces a resin. Pigments and dryers are blended into the resin mixture and diluted to proper consistency.

This classification excludes the manufacture of candles, crayons, and adhesives which is to be reported separately in classification 3701-25.

3701-14 Extract: Manufacturing, including distillation of essential oils

Applies to establishments engaged in the manufacture of extract including the distillation of essential oils. Extracts are concentrated forms of an essential component of a food or a plant. Extracts include, but are not limited to, flavorings, perfume oils, sachet powders, ingredients for skin conditioners and hop extracts used in the brewing of beer. The process involves extracting flavorings or oils from various plants, herbs or fruit peelings by pressing, cooking, steaming or distillation. The extracts may be mixed or blended with other extracts for strength, consistency or color and are then bottled or canned. Typical equipment includes, but is not limited to, steam cookers, presses, distillation apparatus, filters, grinders, tanks, vats and filling, packaging and labeling machines.

This classification excludes perfume manufacturing which is to be reported separately in classification 3701-15; mint distilling which is to be reported separately in classification 3701-17; and hop pellet manufacturing which is to be reported separately in classification 2101.

3701-15 Perfume: Manufacturing, including distillation of essential oils

Applies to establishments engaged in the manufacture of perfumes including the distillation of essential oils. Perfumes may be used as a personal fragrance or by other manufacturers such as in the making of scented candles. The process typically involves the distillation, cooking, grinding, compounding, drying, blending, or liquidizing of ingredients. These ingredients may include, but not be limited to, extracts, oils, colors and binders.

This classification excludes the manufacture of candles which is to be reported separately in classification 3701-25.

3701-17 Mint distilling

Applies to establishments engaged in the distillation of mint. The process may begin with mint oil that is purchased from others or with the distillation of the mint leaves into mint oil. The mint leaves are chopped and blown into a mint steamer which lifts the moisture and oils from the mint. The resultant steam then goes through a series of condensation lines. Water is added to force the oil to the top of the liquid. The mint oil is heated for purification and to lessen the fragrance. Various mint oils may then be blended together to produce different types such as spearmint and peppermint. The product is then packaged in stainless steel or epoxy lined barrels.

This classification excludes the raising and harvesting of mint which is to be reported separately in classification 4811.

3701-20 Salt, borax or potash producing or refining

Applies to establishments engaged in the production of or refining of salt, borax or potash. This classification includes the manufacture of common salt used in chemical and food processing, borax which is used in the manufacture of glass, glazes, soap, and boric acid, and potash which is used in fertilizer. Salt ores received from others are dissolved in water to produce a brine of the desired concentration. It is refined into common salt by adding caustic soda and soda ash. Potash is refined by adding an amine to the brine which causes the salts to float to the surface where they are skimmed off. Borax is made by separating it from the potash by a rapid cooling process. All three of these products are then fully evaporated by heating in a partial vacuum to produce crystals or granules which are then dried.

This classification excludes the production of raw materials used in the manufacture of these products.

3701-21 Serum, antitoxin or virus: Manufacturing

Applies to establishments engaged in the manufacture of serums, antitoxins, or viruses. The process involves considerable microscopic laboratory work as well as working with animals. The animals are injected with bacteria and viruses, periodically bled and eventually killed. The killing of the animals is included in this classification as it is incidental and necessary to perform the operation to extract the serum from the glands and to separate the red blood cells from the blood.

This classification excludes the manufacture of other drugs or medicines which are to be reported separately in classification 3701-09.

3701-22 Paint, varnish or lacquer: Manufacturing

Applies to establishments engaged in the manufacture of paint, varnish, lacquer, enamel, shellac, paint removers and thinners. The paint manufacturing process involves a series of mixing and grinding operations. The pigments (solids) are then blended with oils or resins (liquids). A paint extender may also be added at this point. The paint is then pumped into filling machines where various sized containers are filled and then labeled. Lacquer, varnish, enamel, shellac and paint removers and thinners vary in the ingredients used but the process is similar to that of paint manufacturing in that it is mainly a mixing operation. Varnishes involve a cooking process which is generally not used in the manufacture of the other products included in this classification.

This classification excludes the production of raw materials used in the manufacture of these products.

3701-23 Putty or synthetic resin: Manufacturing

Applies to establishments engaged in the manufacture of putty or synthetic resin. Putty is a finely powdered chalk mixed with linseed oil. The main ingredients for both putty and synthetic resins are ground chalk, limestone and/or calcite. The process for both products involves grinding and mixing operations.

This classification excludes the production of the raw materials used in the manufacture of these products.

3701-25 Candle, crayon, and paste or glue: Manufacturing

Applies to establishments engaged in the manufacture of candles, crayons, and synthetic adhesives such as paste or glue. Raw materials used for making candles include, but are not limited to, beeswax, paraffin, stearin, wicks and colors which are received from others. The wax is heated in kettles or similar devices into which the wicks are dipped either by hand or by dipping equipment which can be either manual or automated. A fragrance may be added to the melted wax for scented candles. When the wax has attained the desired shape and size it is hung on lines to dry. The wicks are then cut and the candles are placed in molds to shape the base of the candle. Color is then added by dipping either by hand for specialized designs or by machine for solid colors. The candles are then inspected, wrapped, packaged and labeled. Crayons use the same ingredients that are used in making candles with the exception of the wicks. The type of wax used in making crayons determines the hardness. The wax is melted in a kettle or similar device and poured into molds for shaping and cooling. The crayons are then inspected, packaged and labeled. Synthetic paste or glue is made from powder or granule arabic gum or modified starch which is received from others along with preservatives and the containers and caps. The process involves mixing and cooking the ingredients in steel tanks and pumping the product to a filling area where it is packaged, labeled and capped.

This classification excludes the manufacture of polish, dressing, or ink which is to be reported separately in classification 3701-13; the manufacture of glue from animal substances which is to be reported separately in classification 4301; and the production of raw materials used in the manufacture of these products.

3701-27 Hazardous/toxic material: Repackaging for disposal

Applies to establishments engaged in identifying and repackaging hazardous/toxic materials for disposal. This classification is distinguished from classification 4305-20, in that classification 3701-27 applies to the identifying and repackaging for disposal of such materials as drugs, pesticides, chemicals, and toners that contain toxic or hazardous materials, while classification 4305-20 includes the processing or handling of such materials as medical or septic tank waste, drug lab or hazardous spill cleanup, and reprocessing or handling of low-level radioactive materials. For handling hazardous or toxic materials, the workers are equipped with protective clothing such as long sleeved shirts, depending on the material to which they will be exposed. They may also be equipped with steel toed boots, protective gloves, safety glasses and various types of respirator equipment. On a typical project, the first step is to visually inspect the materials to see if they appear to be the materials described on a job order. If there is a question of identity, a sample of the material is sent to a lab for analysis. The establishment may have its own lab facilities or the sample may be sent to an outside lab, or the customer may have it analyzed. Every component of the sample must be identified. Once the material has been identified, and all containers labeled, the containers are separated into appropriate groupings. Smaller containers of similar types of materials are packed into 55 gallon drums with plastic or other cushioning protective material to prevent breakage. All necessary paper work and forms required by various government agencies must be completed before the material can be transported to a disposal site. This classification excludes hazardous/toxic material processing or handling, including processing of medical or septic tank waste, drug lab or hazardous spill cleanup; reprocessing or handling of low-level radioactive materials which is to be reported separately in classification 4305-20; and the replacement of nontoxic toner in cartridges used in business machines which is to be reported separately in classification 4107.

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-600 Classification 3702.

((Breweries or malt houses
Bottling—beverages, N.O.C.
Spiritous liquor manufacturing
Wine-making
Yeast manufacturing
This classification includes tour guides and tasting room employees.))

3702-01 Breweries or malt houses**Yeast: Manufacturing**

Applies to establishments engaged in operating breweries, micro breweries, or malt houses, and includes all operations involved in the making of malt, beer, or ale as well as packaging into kegs, bottles or cans. Beer is produced from water, hops, barley malt and corn or rice; this mixture is cooked, filtered, cooled and then fermented. After the fermentation is complete, the beer is usually pasteurized and fil-

tered, then sealed in kegs or packaged in individual bottles or cans. The exact process varies from brewery to brewery. Some breweries produce their own malt while others obtain the barley malt from an independent malting company. This classification includes warehouses and distributing stations maintained by the breweries at the brewery or at separate locations. This classification also includes tour guides, tasting room and gift shop employees. This classification also applies to establishments engaged in the manufacture of yeast.

This classification excludes establishments engaged exclusively as wholesale or combined wholesale/retail distributors of beverages which are to be reported separately in classification 2105.

3702-03 Bottling: Beverages, N.O.C.

Applies to establishments engaged in the production, bottling, and distribution of beverages not covered by another classification (N.O.C.) such as, but not limited to, carbonated and noncarbonated soft drinks, seltzers, fruit juices, lemonades, iced teas, and bottled waters. These bottling establishments purchase syrup or concentrate from the franchiser or concentrate manufacturer to produce a variety of products. Containers such as, but not limited to, aluminum or steel cans, plastic or glass bottles, are sanitized, filled with beverages, and sealed. Typically, bottlers will operate a single production facility and have multiple distribution warehouses.

This classification excludes establishments engaged exclusively as wholesale or combined wholesale/retail distributors of beverages which are to be reported separately in classification 2105 and manufacturers of syrup/concentrate for soft drinks which are to be rated separately in classification 3902.

3702-05 Wine making or wineries

Spirituos liquor: Manufacturing

Applies to establishment engaged in making wine from fruits or flavoring products such as, but not limited to, grapes, berries, peaches, or dandelions. The ingredients are crushed and the juice extracted; yeast is added to the juice; then the mixture is stored in a cool, temperature-controlled environment (such as a cellar) for fermentation to begin. During the natural fermentation, the sugar from the fruit is converted into alcohol. Additional processing includes clarification, filtration, pasteurization, centrifugation, and blending. The wine is bottled under vacuum and corked, labeled, and cased. This classification also applies to establishments engaged in the manufacture of spirituous liquor such as whiskey, gin, rum, and vodka. Operations involve preparing the mash from various grains, potatoes or molasses received from others, and fermenting, distilling and barreling of the products. This classification includes tour guides, tasting room and gift shop employees.

This classification excludes establishments engaged exclusively as a wholesale or combined wholesale/retail distributor of beverages which are to be reported separately in classification 2105; wine/liquor stores which are to be reported separately in classification 6403; and vineyard operations which are to be reported separately in classification 4813.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-604 Classification 3708.

~~((Abrasive cloth preparation~~

~~Bag or sack—industrial size: Manufacturing, N.O.C.~~

~~Batting, wadding or waste: Manufacturing~~

~~Broom and brush: Manufacturing or assembly, N.O.C.~~

~~Carpet or rug: Manufacturing—tufting operations~~

~~Cordage, rope or twine: Manufacturing~~

~~Hide dealers~~

~~Linoleum, oil cloth or imitation leather: Manufacturing~~

~~Mattress or box springs: Manufacturing—excluding the manufacture of wire springs which is to be reported separately in classification 3402, or excelsior which is to be reported separately in classification 2903~~

~~Net, thread, webbing, yarn: Manufacturing~~

~~Plush, velvet, felt: Manufacturing~~

~~Spinning or weaving—natural or synthetic fiber, N.O.C.~~

~~Styrofoam or foam rubber: Cutting, bonding, laminating, N.O.C.—excluding molding and mixing of rubber or plastic which is to be reported separately in the appropriate manufacturing classification~~

~~Taxidermists and hide pelting~~

~~Textile bleaching, dyeing, coating, impregnating, laminating, waterproofing, N.O.C.~~

~~Textile goods: Manufacturing, N.O.C.~~

~~Textile: Manufacturing, N.O.C.~~

~~Wool combing or scouring.))~~

3708-14 Hide or leather dealers

Applies to establishments engaged in the sale of dressed animal hides, reptile skins and tanned leather. Dealers in this classification receive raw hides from others, sort and grade them, "salt" them (by soaking in a salt solution) to help their preservation, and ship them to tanneries for processing. After the tanneries have processed them, the dressed and finished hides, skins and leather are returned to the hide dealers where they are again graded, measured, trimmed by hand as necessary, then stored until they are shipped to their customers. Customers are primarily manufacturers of garments or other items.

This classification excludes establishments who process raw hides, skins, and fur into tanned leather, or dressed fur, which are to be reported separately in classification 4301.

3708-15 Linoleum, oil cloth or imitation leather: Manufacturing: Coating, impregnating, laminating or waterproofing textiles, N.O.C.

Applies to establishments engaged in the coating, impregnating, laminating, or waterproofing of crude fabric whose operations are not covered by another classification (N.O.C.). Textiles or fabrics may be treated with coatings or finishes such as, but not limited to, oils, varnishes, lacquers, or plastic and rubber finishes. Woven or felt cloth (loose, in rolls or mounted on forms) can be coated with spreading devices, rollers, or by dipping in solvents, drained to allow solvents to evaporate, then cured in drying ovens. Impregnating involves placing fabrics in vacuum tanks with solutions of rubber or lacquer and solvents and subjecting them to various pressures. Solutions are drained, contents removed,

dried, baked in curing ovens and rough spots removed by grinding. Laminating is a process of cementing fabric and coating materials together and running them through heated pressure rollers, then curing them in drying ovens. Fabric embossing, which is raising designs in a surface, is included in this classification. These processes are also used in the manufacture of linoleum, oil cloth, imitation leather, and similar waterproofed or laminated fabrics.

This classification excludes establishments engaged in the bleaching, dyeing, or finishing textiles which are to be reported separately in classification 3708-16 and coating or other finishing operations performed by employees of manufacturers of textiles or textile goods which are included in the manufacturing classification as applicable.

3708-16 Bleaching, dyeing or finishing textiles: N.O.C.

Applies to establishments engaged in the bleaching, dyeing, or mercerizing of crude fabric whose operations are not covered by another classification (N.O.C.). The fabric is first treated with bleaches, dyes, and other solutions, then singed and calendered prior to shipping to other manufacturers to be made into textile goods. Mercerizing is the treatment of fabric with sodium hydroxide to shrink the fiber and increase its color absorption and luster. Singeing is the burning of the fiber ends to seal them; calendering is pressing the cloth through heavy rollers to smooth and gloss it. The above operations require the use of large manufacturing machinery such as, but not limited to, calenders and large vats.

This classification excludes establishments engaged in coating, impregnating, laminating or waterproofing textiles which are to be reported separately in classification 3708-15; establishments engaged in the washing and drying, or dyeing of individual garments for others which are to be reported separately in classification 2201; and coating or other finishing operations performed by employees of manufacturers of textiles or textile goods which are included in the manufacturing classification as applicable.

3708-18 Broom or brush: Manufacturing or assembly, N.O.C.

Applies to establishments engaged in the manufacture or assembly of all types of household and industrial brooms, brushes, and mops not covered by another classification (N.O.C.), including, but not limited to, paint brushes and rollers, whisk brooms, scrub mops, dust mops, brushes for vacuum cleaners, street sweeping or other rotary machines. Animal hair, synthetic fibers, handles and backings made of wood, plastic or metal, screws, rivets or other hardware, metal springs and wire, yarn, and dust-attracting additives are purchased from outside sources. Tools and equipment include, but are not limited to, manually operated or computerized brush making machinery. Brush making machinery drills holes in the brush base, fills holes with hair or other fibers, and staples them in place. Other types of brush making machines make metal-back strip brushes which are mounted in straight or spiraled rows around cores (tubing or shafts), and used in rotary machines. These machines loop bristles around an anchor wire, then crimp a metal channel around the anchor wire, forming the base. The bristles are trimmed to precise lengths on trimming machines.

This classification excludes establishments engaged in the manufacture of metal, wood or plastic handles or backings which are to be reported separately in the classification applicable to the manufacturing process, and establishments that make only mop heads by sewing yarn or other strands to a cloth base which are to be reported separately in classification 3802.

3708-19 Cordage, rope, or twine: Manufacturing

Applies to establishments engaged in the manufacture of cord or cordage, rope, twine, or string from both natural and synthetic fibers such as cotton, manila, sisal, flax, jute, hemp, and rayon. Finished products, which range widely, include, but are not limited to, fish lines, shade or awning cords, mountain climbing ropes or riggings on boats. This classification includes the extrusion of polyethylene or similar pellets to form fibers when done by manufacturers for use in their own products only. This classification also includes establishments that pick, card, and comb fibers prior to twisting the resulting strands into twine or lightweight cord which they may further twist or braid together to produce heavier cordage or rope. "Picking" removes debris from the raw fibers; "carding" untangles and straightens the fibers; "combing" separates long fibers from shorter ones and forms them into thick strands (which are referred to as "slivers"). Other manufacturers in this classification start with spools of cording, then twist or braid a number of strands into heavier cordage or rope. Manufacturers may dye their products, coat them with latex to prevent deterioration, or steam and dry them. The above operations are included in the classification when performed by employees of employers engaged in manufacturing rope or cordage. Machinery includes bale breaking, picking, carding, spinning, twisting, braiding, winding machines, dipping vats, and dryer ovens.

This classification excludes establishments engaged in the manufacture of net, thread, webbing, or yarn which are to be reported separately in classification 3708-26 and establishments engaged in the manufacture of plush, velvet, felt, or other fabric produced by spinning or weaving which are to be reported separately in classification 3708-27.

3708-22 Pelting

Applies to establishments engaged in animal hide pelting operations. A pelt is an untanned animal hide or skin with the hair or fur still on it. For classification purposes, pelting is defined as the initial cleaning and drying of animal skins or hides, but does not involve the removal of hair or fur, or tanning operations. Frozen pelts are thawed by flushing them in water. Fat and tissues are removed from the skin on fleshing machines. Fleshing machines resemble a band saw with a small blade over which the skin is moved to remove fat and tissue. Then skins are placed in tumblers or drums with cornmeal or sawdust to clean the excess moisture, dirt, and oils from them. They are usually transferred to another drum or shaker to remove the cornmeal or sawdust. The cleaned pelts are stretched on drying boards or metal frames, stapled to the frames with hand staplers, and placed in drying rooms until dry. Pelts are sold to tanneries or furriers where they are further processed into tanned hides or dressed furs.

This classification excludes establishments engaged in the tanning of leather and the dressing of fur which are to be

reported separately in classification 4301; establishments engaged as taxidermists which are to be reported separately in classification 3708-23; and establishments engaged in raising fur bearing animals which are to be reported separately in classification 4804.

Special note: Pelting of fur bearing animals, when performed by the animal raiser, is considered incidental to the raising and is included within the scope of classification 4804. Raisers of fur bearing animals are entitled to classification 3708-22 only if their hide pelting operation involves the pelting of animals which have been raised by others.

3708-23 Taxidermists

Applies to establishments engaged in taxidermy which is the preparation, stuffing, and mounting of skins of dead animals for exhibition in a lifelike state. This classification includes all operations, including tanning of hides and making animal forms, when performed by employees of the taxidermist. Hunters and fishermen are the primary customers of taxidermists; pet owners may have a pet preserved, all of whom provide the skins or animals. Other customers include museums who use animal likenesses for decorating or exhibit. For these customers, the taxidermist usually purchases tanned hides from other sources. Small animals, such as birds, cats, or fish are usually mounted whole. Large animals may be mounted whole, although generally only the head and neck are mounted. Whole animals are posed and sometimes placed in natural-looking settings. The taxidermist may receive the skin, or the whole animal, in which case the skin is carefully removed in one piece. To remove fat and tissue, the fleshy side of the hide is pulled back and forth across the spinning blade of a fleshing machine. Fleshing machines resemble a band saw with a blade about a foot in diameter which is mounted on a worktable. Hides usually require "finer fleshing" which is done by scraping with a hand knife. Holes or tears in the skin are hand sewn. The taxidermist may finish preparing the skins, or they may send them to a tannery. Other preparations involve tumbling the skins in drums (which resemble clothes dryers) with sawdust or cornmeal to remove excess moisture, dirt, oils, then washing them in solutions of sodas, borax or alum to further clean, soften, and preserve them. Antlers are soaked in brine to remove blood and other waste. Prepared skins of smaller animals are usually stuffed; skins of larger animals are usually stretched over an animal form, sewn together, then glued onto the form. Taxidermists may make their own animal forms from fiberglass or other plastic materials, or they may purchase them elsewhere. Antlers, artificial eyeballs, teeth, tongues, toe nails, and hooves are attached. Finishing work requires touches of paint to eyelashes or mouths (applied with artist's brushes), sprays, or whatever make-up or sculpturing techniques are needed to make the animal look lifelike. Additional materials and equipment includes plaster, cotton or other stuffings, styrofoam, cleaning agents or waxes, hand tools for cutting, scraping, and sculpturing, rasps, sewing needles, hammers, saws, freezers, dryers and tumblers, and sewing machines.

This classification excludes establishments engaged in hide pelting which are to be reported separately in classification 3708-22 and establishments engaged in tanning opera-

tions and fur dressing which are to be reported separately in classification 4301.

3708-26 Net, thread, webbing, yarn: Manufacturing

Applies to establishments engaged in the manufacture of webbing, thread, or yarn by spinning, weaving or knitting processes from natural or synthetic fibers such as, but not limited to, cotton, rayon, silk, wool. This classification also includes the manufacture of nets which are woven from cording or twine. Initial operations include the removal of debris from fibers by picking; and untangling, straightening, and stretching of fibers by carding. A combing operation separates long fibers from shorter ones and forms them into thick strands (referred to as slivers). Slivers are placed on creels and fed into spinning machines to be further stretched, spun and twisted onto bobbins (also called packages). The thread or yarn go through further winding, rewinding, doubling, or reeling, depending on the ply being produced. At some point prior to the final winding onto a cone, the threads are rinsed in vats of hot water for several hours to set the ply; dyes may be added to the rinse. Threads are then spun dry and placed in dehydrators until all moisture is removed. Yarn/thread is packaged and sold to fabric weavers. Elastic or nonelastic webbing is woven from yarns or threads on narrow-shuttle looms or knitting machines. The finished lengths are coated, laminated, or dyed prior to winding onto skeins or spools for sale to others. Nets manufactured in this classification range from batting nets or hoop nets for sports, to nets used for commercial purposes. Styles are also widely varied; mesh nets woven on net looms, other types knitted on net-knitting machines; some are hand knotted. Manufacturers may sell "net systems" which include traps, hooks, hinges, lines and other fishing paraphernalia, to the marine industry. Those companies usually sell several styles of nets, some of which are made from ready-made netting they purchase elsewhere and sew bindings and hardware onto them. Hand-knotted netting is often used to catch salmon or herring. Lengths of rope are unwound with winches and winders, and stretched across a waist-high loom that usually extends the length of the factory and includes overhead bars from which rope hangs. Workers stand at the loom and knot the lengths of rope to form nets. Hand knotting is considered an art and takes some time and skill to learn. There are different ways of finishing the nets. Some are pulled and stretched with winches through a heating-drying system (these can be up to 100 feet or so in length). The top of the unit is lowered over the stretched net and steam heat is applied. The stretching tightens the knots, which strengthens them; drying shrinks and cures the net, also adding strength. Another method is to soak nets in vats of hot water to which dyes may be added. Nets may also be dipped in latex coatings and dried in dryer-ovens.

This classification excludes establishments engaged in the manufacture of cordage, rope, or twine which are to be reported separately in classification 3708-19.

3708-27 Spinning or weaving, N.O.C. Plush, velvet, felt: Manufacturing

Applies to establishments engaged in spinning or weaving operations to manufacture woven or nonwoven fabric and which are not covered by another classification (N.O.C.).

Raw materials include natural or synthetic filaments (also called thread) such as, but not limited to, cotton, wool, rayon, acetate, or spun fiberglass. Some manufacturers spin their own yarn prior to weaving it into cloth; others purchase the yarn from outside sources. To make woven cloth, creels hold spools (or beams) of yarn; the yarn feeds into the weaving machinery and is woven into cloth. The resultant cloth may be washed, dried, bleached, dyed or otherwise finished by the same manufacturer, or sent elsewhere for finishing. The dyeing, bleaching, or coating of fabric is included within the scope of this classification when performed by employees of an employer engaged in the manufacture of fabric. Nonwoven fabric (also called spunbonded) is lightweight and can be either absorbent or repellent. Uses for this type fabric include, but are not limited to, inner-lining of diapers, surgical/medical masks, handiwipes, mattress pads, pillow coverings. Process for making spunbonded fabric starts with the extrusion of polyethylene pellets into taffy-like substance which is eventually spun into continuous threads with the use of suction, electricity, cold air, and blowing. Once the substance is formed into threads, the threads move through the machinery at high speeds where air guns or nozzles suction several threads into one "visual strand." These transparent strands move along and are blown onto a fast-moving wire conveyor of a sheet-making machine where they are crisscrossed to form a nonwoven mass; the mass passes through the machine's large rollers as heat is applied to it. The heat and the pressure of the rollers bonds the webbed mass into the nonwoven fabric. The fabric passes through more rollers and winders, is wound onto paper cores, cut, and packaged for shipment.

This classification includes the manufacture of plush, velvet or felt. Plush and velvet manufacturing contemplates similar operations and machinery as those for other woven fabrics. With velvet, the pile is almost always silk while the pile for plush may be of silk, wool, or mohair. Backings for both may be one or more of silk, artificial silk, wool, or cotton. After leaving the looms, the material goes through coloring, embossing, printing, brushing, shearing and inspecting processes. Felt is a mat-like material which is made by pressing raw materials, such as raw wool, cotton, nylon, textile scraps, into desired dimensions. The materials are first mixed in required proportions and, after picking and dusting, passed through breakers, carders, then laid in layers to form the felt. The felt is pressed and hardened by a hardening machine and, after fulling, is washed, dyed, then dried. (Fulling increases the weight and bulk by shrinking, beating, or pressing.) Once dry, the felt is pressed and trimmed in shearing machines and folded or rolled for shipping.

3708-29 Mattress or box springs: Manufacturing

Applies to establishments engaged in the manufacture of stuffed mattresses, spring mattresses, or box springs. The manufacture of batting, wadding, waste is included in this classification when performed by employees of employers engaged in manufacturing mattresses. Materials include, but are not limited to, wool or cotton stuffing materials, foam for padding, decorative fabric for mattress covers, upholsterer's tape and sewing notions, glue, wire coils or springs, wire grid racks, and wood frames. Machinery includes, but is not lim-

ited to, hand tools, staple guns, glue spray guns, nail guns, band saws, sewing machines, eyelet punches, quilting machines, and tape edgers. **Mattresses:** Mattress pieces are cut to desired size, edging sewn on, eyelets and cord handles attached to the side pieces. Quilting of the covering fabric is done on large quilting machines. To assemble mattresses, batting and foam padding, or other cushioning material, is laid out over the springs, then glued and stapled onto the springs, then ticking (covering) placed on both sides. Borders are sewn to the top and bottom pieces with a hand-held "tape edger" machine. **Box Springs:** Springs, grid racks, wood frames are received from outside sources. Wood frames are laid out on work surfaces, wire grids set on them, then the springs are stapled to the grids and frames at both ends, forming the box. Layers of batting and covering materials are secured in place; then lightweight cloth is stapled to the bottom of the boxed spring, and plastic reinforcement corner pieces tacked on.

This classification excludes establishments engaged in the manufacture of wire springs which are to be reported separately in classification 3402 and establishments engaged in the manufacture of batting, wadding, or waste which are to be reported separately in classification 3708-34.

3708-32 Carpet or rug: Manufacturing

Applies to establishments engaged in tufting carpets from textile fiber, or weaving carpets and rugs from textile yarn on weaving machinery. Tufted products are sold as wall-to-wall carpets, area rugs, art squares, bath mats or scatter rugs. Woven products are sold as aircraft or automobile floor coverings, mats or matting. Materials include, but are not limited to, pile yarn, jute backing, liquid latex, binding, and sewing notions. Machinery and equipment includes, but is not limited to, tufting machines, looms, vats, electric infrared dryers, electric cutting knives, and sewing machines. For tufted carpets or rugs, pile yarn is sewn to a prewoven jute backing by a high speed machine using hundreds of needles. Rollers move the carpet over vats of rubberized liquid latex while the liquid is applied to the backing to secure the tufting. The carpet then passes through a dryer to dry the latex. Bindings are sewn on with a sewing machine.

This classification excludes establishments engaged in making hand carved or inlaid carpets or rugs from premanufactured carpeting which are to be reported separately in classification 3802.

3708-34 Batting, wadding or waste: Manufacturing; Wool combing or scouring

Applies to establishments engaged in the manufacture of batting, wadding or waste which is sold to distributors or other manufacturers for use in their products. The terms batting and wadding are interchangeable and refer to cotton or wool fibers wadded together to form a soft layer used for padding or stuffing. Batting/wadding is used to stuff mattresses, automobile tops, bed pillows and comforters, sleeping bags, futons, crating pads, stuffed animals, and similar items, or to upholster furniture. Raw materials such as raw or waste cotton, wool, and synthetic fibers are received from others and treated by processes that include shredding, willowing, picking, dusting, carding, blending, rolling, drying and curing. These processes require the use of considerable manufactur-

ing machinery which includes, but is not limited to, choppers, shredders, blowers, conveyor systems, rollers, ovens, winders, and cutters. The terms willowing, picking, and dusting refer to opening and cleaning unprocessed wool or cotton; carding or combing untangles and separates fibers. Fibers are fed into garnetting machines where they are picked, pressure-blown and blended, then blown out onto a long, flat, surface that rotates as the fibers build up to a specified thickness. Once the desired thickness is reached, the mass moves through the machine's rollers, winders, and conveyors; it may be treated lightly with resins or linseed oil. The conveyors move the continuous rolled mass through enclosed ovens where it is cured and dried. The roll of batting may pass through a quilting machine to be bound together in a web structure of strong thread. Finally, it is wound onto cores, cut and prepared for shipping. Shoddy or waste manufacturing is the processing of rags or textile mill waste until the materials are reduced to fibers. Processes may include, but not be limited to, sorting, classifying, carbonizing (exposing rags to hydrochloric acid fumes), baking, dusting, washing, drying, batching, picking, garnetting, and baling. Wool separating operations may include soaking rags in diluted sulfuric acid or carbonizing to remove cotton and other foreign matter. The rags are then dried and processed to remove dust, washed in alkali to neutralize the remaining acid, then dried. This classification also applies to establishments engaged in wool combing or scouring operations. Wool is processed in dust-ers which remove dirt. The wool then passes to scouring tanks. Several washers may be combined in a unit, the wool passing from one to the other by automatic conveyors. The last tank of clear water rinses the wool and it is then dried. Sometimes it is picked and carded again prior to being dried, then bagged or baled for sale. This classification also includes the treating and twisting of animal hair for upholsterers' use.

3708-39 Textile goods: Manufacturing N.O.C.

Applies to establishments engaged in the manufacture of a wide variety of textile goods not covered by another classification (N.O.C.), and those which incorporate textiles with other types of raw materials. In addition to those described below, raw materials include, but are not limited to, metal or plastic rods and edging strips, glue, epoxy, cork, adhesive tape, nuts, bolts and other small hardware. In addition to that described below, machinery includes, but is not limited to, die cutters, rotary press cutters, band saws, hot wire cutters, reciprocating blade cutters, slitters, balers, thermoweld presses, laminators, rivetors, punch presses, shredding machinery such as hammer mills, and hand tools such as glue sprayers, staple guns, and rivet guns. Sewing machines are often used in the manufacture of products contemplated in this classification; however, sewing is an auxiliary function performed in addition to other fabrication processes. Products contemplated in this classification include, but are not limited to:

Abrasive cloth made by running the backing material (cloth, paper, or combinations of these) through a making machine which is usually a grouping of three units. The printer unit imprints the backside of the backing material with a trademark or grade number; in the next unit an adhe-

sive bond is applied in varying concentrations and quantities; a grain dispenser applies grains or minerals such as flint, emery, crocus, garnet, aluminum oxide or silicone carbide, either by a mechanical or an electrostatic method.

Absorbent booms or sheets designed to lift oil from water, made by shredding paper with an absorbent finish, then blowing it into a sock of netting or a sheet sewn from nonwoven fabric.

Bug screens for automobiles made by cutting wire screen mesh to size with either scissors or a small shearer, sewing vinyl bindings around them.

Conveyor belts made by joining the ends of premanufactured belting made of natural or synthetic rubber to form a continuous belt. Ends may be joined by a mechanical splice or a vulcanized splice. A mechanical splice joins the ends with lacings (metal strips into which wire rods are threaded); a vulcanized splice joins the ends by applying heat under pressure. This type of bonding is also called thermo-welding.

Fishing rod wrappings added to blank poles made by others. Cork handles are glued onto the poles individually in a hand operation. Poles are positioned on a lathe-like device powered by small motor. Next, guides are placed onto the pole and secured by winding thread around the pole as the lathe slowly turns it. Epoxy is brushed on by hand, or the pole is dipped in epoxy, then placed on a revolving wheel or hung to air dry. If the company that makes the poles also applies the wrappings (finishings), the entire operation is to be reported separately in the classification applicable to the manufacture of the poles.

Hard side luggage or carrying cases for items such as, but not limited to, video cameras, computers, telescopes, made by cutting plywood or premanufactured plastic sheets to pattern, lining the inside and outside of the pattern pieces with materials such as embossed paper or imitation leather, forming the case by riveting metal or plastic edging and corner pieces onto the pattern pieces, and attaching hardware such as handles, hinges, and locks. Polyester foam padding is glued to the inside of the specialized carrying cases to protect the contents.

Hot tub covers made by cutting styrofoam to pattern, joining the two pieces with metal hinges and enclosing the unit in a vinyl covering.

Insulating products made by cutting materials such as premanufactured fiberglass cloth to specified shapes, then stapling together, or by laminating vinyl or other covering fabrics to premanufactured fiberglass cloth.

Office divider panels made by cutting premanufactured materials similar to polyfoam, laminating fabric onto foam, and attaching light weight metal or wood edging pieces.

Rigging for boats such as rope ladders made from heavy-duty rope, slings made by sewing bindings onto premanufactured netting.

This classification also includes the *cutting and laminating* of styrofoam, polyethylene foam and other flexible "foam rubber" materials to make products such as, but not limited to, mattress pads, cushions, contour pillows, automobile seats, packaging materials, padding and pads for sports equipment. Other products *could be* contemplated in this classification as long as the materials, machinery and pro-

cesses used in the manufacture of those products are similar to those of employers subject to this classification.

This classification excludes establishments engaged in the manufacture of miscellaneous textile soft goods which are to be reported separately in classification 3802 and establishments engaged in the molding and mixing of rubber, plastic or graphite goods, which are to be reported separately in the classification applicable to the work being performed.

3708-40 Bag or sack-industrial size, N.O.C.: Manufacturing

Applies to establishments engaged in the manufacture of industrial size bags or sacks which are not covered by another classification (N.O.C.). These types of bags are used for packaging items in bulk, such as, but not limited to, flour, sugar, salt, meat products, fruits and vegetables, fertilizer, building materials, or coal. Raw materials include ink, strong thread, rope drawstrings, and fabric such as, but not limited to, cotton, nylon, woven polypropylene, burlap, or gunny which is generally received in bales. Baled fabric is opened on baler machinery, sewn into continuous lengths, then wound onto cores on a roll-up machine. The fabric is fed through a winder which pulls it straight, then may be run through print presses where logos, brand names, or designs are applied. The lengths are stacked on long cutting tables and cut with hand or power cutters to desired bag size. The sides and bottoms are sewn together inside out, then hem the open end. The bags are turned right side out on turning machines and drawstrings may be inserted in the hemmed edge. Finished bags are bundled into bales with strapping machines and prepared for shipping.

This classification excludes establishments engaged in the manufacture of small bags, packs, picnic bags or others generally carried on the person, which are to be reported separately in classification 3802; establishments engaged in the manufacture of plastic bags which are to be reported separately in classification 3510; and establishments engaged in the manufacture of paper bags which are to be reported separately in classification 6908.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-606 Classification 3802.

~~((Artificial feather or flower: Manufacturing, N.O.C.
Awning or shade: Manufacturing—excluding the welding of frames which is to be reported separately in classification 3402
Embroidery services
Garment: Manufacturing
Glove: Manufacturing, N.O.C.
Handbag or pack: Manufacturing
Hand-carved or inlaid rug: Manufacturing
Hosiery: Manufacturing
Household furnishings, such as draperies, shades, pillows, quilts, sleeping bags: Manufacturing—excluding the manufacture of batting, wadding, or waste which is to be reported separately in classification 3708
Knitted fabric or garments: Manufacturing
Lace: Manufacturing~~

~~Leather goods such as tack, holsters, accessories, sports balls:~~

~~Manufacturing~~

~~Millinery: Manufacturing~~

~~Rubber or pliable goods: Manufacturing by cutting or gluing—excluding rubber molding, shredding, pulverizing, which is to be reported separately in classification 3513~~

~~Sails or boat covers or tops: Manufacturing~~

~~Screen-printing~~

~~Shoe or boot: Manufacturing or repair—excluding molding of shoe parts which is to be reported separately in classification 3513~~

~~Tents, tamps: Manufacturing—excluding the welding of frames which is to be reported separately in classification 3402~~

~~Textile soft goods such as medical supports, tie-downs, craft items, award ribbons: Manufacturing~~

~~Wig making~~

~~This classification excludes the tanning of leather and the dressing of fur which is to be reported separately in classification 4301; and the installation of goods manufactured subject to this classification which is to be reported separately in the classification applicable to the installation work being performed.))~~

3802-13 Handbag or pack: Manufacturing

Applies to establishments engaged in the manufacture of a variety of bags on a mass production or quantity basis. Types of bags include, but are not limited to, handbags, backpacks, fanny packs, picnic bags, softside luggage, and other bags normally carried on the person, and such items as literature or document pockets used in airplanes or automobiles. The screen printing or embroidering of the manufacturers' own products is included in this classification when performed by employees of an employer having operations subject to this classification. Materials include, but are not limited to, natural or synthetic fabric, leather, webbing or strapping for handles, buttons, hooks, buckles, Velcro, and other sewing notions purchased from outside sources. Operations include cutting to size or pattern, hand or machine sewing, finishing, labeling, pressing. Tools and equipment include hand or power cutting tools, clicker die cutters, sewing machines that perform a variety of functions, eyelet punchers, and household irons.

This classification excludes establishments engaged in the manufacture of industrial bags from natural or synthetic cloth used to package commodities such as bulk flour, sugar, produce, fertilizer, building materials, which are to be reported separately in classification 3708; establishments engaged in the manufacture of paper bags which are to be reported separately in classification 6908; establishments engaged in the manufacture of plastic bags which are to be reported separately in classification 3510; and establishments engaged in the manufacture of hard sided luggage or carrying cases which are to be reported separately in classification 3708.

3802-28 Millinery: Manufacturing: Artificial feather or flower, N.O.C.: Manufacturing

Applies to establishments engaged in the manufacture of hats made of felt, wool, or other textiles, fur, or leather received from outside sources. Other materials received from

outside sources include woven hat bodies, braided straw, sweatbands, linings, rims or brims, ribbons, artificial flowers, feathers, or other trimmings. For fabric hats, fabric is cut to standard hat sizes, sewn, steamed on molds or blocked in hydraulic presses, and trimmings attached. For straw hats, straw stripping is roughly sewn into crowns and brims and stitched to the woven straw body. Finishing operations involve sizing, hand blocking, iron and machine blocking in hydraulic presses, then hand sewing bands and trimming onto them. For felt hats, bodies are steamed, sized, shaped, ironed or press blocked under hydraulic presses; trims are usually sewn on by hand. This classification also applies to establishments engaged in the manufacture of artificial feathers or flowers whose operations are not covered by another classification. Crepe paper, fabric, covered paper stakes, glue, and wire are received from outside sources. Paper or fabric is cut, hand rolled and assembled with wire to form the product. This classification excludes establishments engaged in the manufacture of hats knitted to form on knitting machines which are to be reported separately in classification 3802-42 and establishments engaged in the dressing of fur or the tanning of leather which are to be reported separately in classification 4301.

3802-29 Wig: Manufacturing

Applies to establishments engaged in the manufacture of wigs and hair pieces made from real hair or synthetic hair. Human hair is usually purchased from beauty shops. After being washed in hot disinfectant, hair is dried in ovens. The strands are bleached in peroxide or ammonia, then colored with dyes to desired shades. Strands are secured to webbed caps with sewing machines or woven into the cap and cemented by hand. The final steps include clipping, curling, and styling. Materials include human hair, synthetic hair, disinfectants, adhesives and webbing fabrics. Tools and equipment include, but are not limited to, scissors, combs, brushes, curling irons, washing, bleaching and dyeing vats, drying ovens, and sewing machines.

3802-34 Screen printing of cloth or garments

Applies to establishments that provide screen printing services to others on cloth items such as, but not limited to, shirts, jackets, caps, and aprons. Most screen printing establishments display a limited quantity of garments as samples from which customers can order to outfit a team, club, or other group. The screen print shop may order the garments from their suppliers, perform the screen printing, and sell the garments to their customers, or the customers may provide their own garments. However, the principal business operation is the service of screen printing. Screen printing of individual garments may be done by hand or with a machine. Screen printing businesses will create designs in their art department, or customers can furnish their own design. The process begins with the transfer of a design onto a framed silk screen. A light-sensitive material is coated over the silk screen, then exposed to light. The screens are placed on a multiport machine with a number of press boards onto which garments, such as shirts, jackets, hats, aprons are loaded at one time. One color of ink is squeezed over the screen and as the machine revolves, the color for that portion of the design is applied to each garment. When the first color of the design

is applied, garments move on a conveyor through a dryer oven to set the ink. This process is repeated with other colors until the complete design is reproduced on each garment. Screens are washed and cleaned so they can be reused. To screen print designs on lengths of cloth, the process is similar, but machinery for this type of application resembles commercial printing presses used in print shops. Materials include art supplies, colored ink, paint thinners, cleaning solvents. Tools and equipment include, but are not limited to, ink dispensers and squeegees, hand cutting tools, frames and screens, manual and automatic presses, dryer ovens with conveyors, drying racks, pressure spray washer units or sinks, and work tables.

Special notes: The screen printing of a manufacturer's product, when done as part of the manufacturing process by employees of the manufacturer, is included in the classification applicable to the product being produced.

Establishments in classification 6305 that are primarily engaged in the retail sale of clothing such as tee shirts, athletic sweat suits, or hats, may custom screen print or apply iron-on transfers on individual garments sold. Individualized printing or application of transfers is an incidental part of the sales operation and is included in the store classification.

Wholesale distributors of clothing or cloth goods who perform incidental screen printing on a small portion of their own product are to be reported separately in classification 6407. Care must be taken when considering classification 6407 to ensure that the nature of the business is the wholesale operation, not a screen print service, and that screen printing is only incidental to the sales operation.

3802-37 Hand carved or inlaid rug: Manufacturing

Applies to establishments engaged in the manufacture of custom-designed inlaid or hand carved rugs or carpets from carpeting purchased from outside sources. These are usually small businesses whose primary customers are interior designers or architects who want one-of-a-kind rugs to complement the design of a room. The designer pieces can be installed as wall-to-wall carpets or used as area rugs or wall hangings. Materials include, but are not limited to, pattern paper, netting, monk cloth, binding or fusing tape, fringed edging, carpet rolls, latex glue, and thread. Tools and equipment include small cutting tools such as hot knives, tracing wheels, rulers, glue guns, air spray guns, seamers for attaching the metallic tape, carpet carvers, and sewing machines. Carpet carvers resemble a household canister vacuum cleaner. A suction hose joins the carving blades to the canister so the fibers are vacuumed as they are cut.

Inlaid: First, a design is drawn onto pattern paper, then traced onto a piece of carpet with a tracing wheel. Powder rubbed across the paper goes through the perforations to form the design on the carpet. This step is repeated for each different colored piece in the design. The complete design is also cut out of the main carpet piece. The pattern pieces are cut out with a hot knife and placed into the main carpet backing piece which will become the finished rug. The pieces are glued to the backing with fusing tape or joined with metallic seaming tape. (Carpet designers refer to this as quilting.) Hand carving (clipping around the edges of the design with the carpet carver) adds dimension. Netting is attached with

latex to the back side of the design to secure it. Monk cloth or similar fabric is applied as a backing.

Hand Carved: The pattern is transferred directly onto the main carpet piece and carved along the edges of the design to give it dimension.

This classification excludes establishments engaged in the manufacture of carpets or rugs by tufting or weaving which are to be reported separately in classification 3708 and establishments engaged in the installation of carpets which are to be reported separately in classification 0502.

3802-38 Embroidery services; lace: Manufacturing

Applies to establishments that provide embroidery services to others on cloth items such as, but not limited to, shirts, jackets, caps, aprons, and patches. Most embroidery establishments display a limited quantity of garments as samples from which customers can order to outfit a team, club, or other group. The embroidery shop may order the garments from their suppliers, perform the embroidery, and sell the garments to their customers, or the customers may provide their own garments. Their principal business operation, however, is the embroidery service. Paper templates, computer tapes, natural or synthetic thread, backing materials, fabrics for patches, are received from outside sources. Designs or logos are punched onto paper strips. The strips are fed through the embroidery machines which simultaneously stitch the design onto numerous garments or cloth items which have been positioned on the machine. In computerized machines, the design is programmed onto paper computer tapes which are placed in the embroidery machine instead of the paper strips. The rest of the operations are the same. To make patches, the design is embroidered numerous times on a length of fabric. Individual patches are cut out and the edges finished on a serger sewing machine. This classification also applies to establishments engaged in the manufacture of lace. Natural or synthetic threads are received in skeins from outside sources. The thread is wound upon spools and bobbins which are placed onto the shuttles of the looms. The designs in the lace are created by various harness and shuttle movements of the loom, controlled electronically or by perforated pattern cards. After removal from the loom, the lace is inspected, mended by hand or sewing machine if needed, washed, bleached, dried, trimmed, starched, and ironed.

Special notes: The embroidery of a manufacturer's own product, when done as part of the manufacturing process by employees of the manufacturer, is to be included in the classification applicable to the garment or product being made.

Establishments in classification 6305 who are primarily engaged in the retail sale of clothing such as tee shirts, athletic sweat suits, hats, may embroider designs or lettering on individual garments sold. Individualized embroidery is an incidental part of the sales operation and is included in the store classification.

Wholesale distributors of clothing or cloth goods who perform incidental embroidery on a small portion of their own product are to be reported separately in classification 6407. Care must be taken when considering classification 6407 to ensure that the nature of the business is the wholesale

operation, not an embroidery service, and that embroidery is only incidental to the sales operation.

3802-39 Household furnishings; Manufacturing

Applies to establishments engaged in the manufacture of household furnishings such as, but not limited to, draperies, pillows and cushions, futons, sleeping bags or comforters. Businesses that make draperies may make other window treatments such as swags, valances, cornice boards, pull-down roller shades (window blinds) and other accessory items such as, but not limited to, throw pillows, and slip covers. If the window coverings are custom made, the shop usually includes a showroom displaying samples of drapery fabric, drapery rods, window coverings, accessories, floor coverings, wall paper or other household furnishings. These accessory items are not usually stocked, but are obtained from suppliers or manufacturers as customers order them. The sale of these items by establishments engaged in the manufacture of household furnishings is included in this classification. A separate store classification is not applicable in these situations. Draperies and curtains are cut to size, pleated, sewn, and finished by steaming or ironing. Vinyl pull-down shades or blinds are cut to size; one end is stapled to a wooden roller, then the shade is wound around the roller. The other end is creased and stitched to form a hem into which a wood slat is placed to give the blind a solid edge. Pulls, tassels, fringes, or other trims are attached. Sleeping bags, comforters, futons, and pillows are cut, sewn, and stuffed with padding materials purchased elsewhere. This classification also includes the manufacture of lamp shades. Plain or pleated fabric or laminated parchment and metal frames are purchased from outside sources. Material is cut to pattern, then attached to frames by gluing or sewing bindings around the frame and fabric. Materials include, but are not limited to, various fabrics, vinyl-coated cloth, transparent vinyl, parchment, linings, stuffings, trims, drapery hooks, rods, wooden rollers and slats, pulls or handles, hinges, wire frames for lamp shades, and sewing notions which are purchased from outside sources. Tools and machinery include scissors or other hand or power cutting tools, irons, sewing machines that perform a variety of functions such as straight stitching, hemming, serging, pleating, or tacking, drapery-folding devices, lighted surface to inspect cloth for flaws prior to cutting draperies, work tables for cutting or with a padded surface for ironing, pressing machines or irons. Drapery manufacturers may have a jig saw, saber saw or miter saw for the incidental cutting of cornice boards which is included in this classification.

This classification excludes establishments engaged in the manufacture of batting, wadding, or waste which are to be reported separately in classification 3708 and establishments engaged in the installation of draperies which are to be reported separately in classification 0607.

3802-40 Garments, slippers, accessories, miscellaneous soft goods, N.O.C.: Manufacturing

Applies to establishments engaged in the manufacture of garments, wet suits, accessories, slippers, and miscellaneous soft goods not covered by another classification (N.O.C.), including, but not limited to, tie downs or animal restraints made from fabric strapping, art and craft or novelty items,

stuffed toys, award ribbons, medical supports, umbrellas, and parachutes on a mass production or quantity basis. The production involves cutting to size or pattern, sewing, gluing, fabric welding, inserting stuffing materials, labeling, pressing, inspecting and packaging. Screen printing or embroidering of the manufacturer's own products, and finishing processes such as dyeing or bleaching is included in this classification when performed by employees of an employer having operations subject to this classification. Manufacture of these items often includes primarily hand work or hand work incidental to machine operations. Items are produced from all types of natural or synthetic cloth or fibers; some of the trims or patches may be leather or other pliable materials. Materials include, but are not limited to, natural fabrics, synthetic fabrics such as neoprene, fur, leather, strapping or webbing, yarn, sewing notions, glue, decorative trims, ribbons or patches, imitation eyes for toys, stuffing materials, buttons, buckles, hooks, or handles which are purchased from outside sources. Tools include household irons, scissors or cutting wheels, measuring tapes, tracing wheels, brushes, power cutting tools (some types have hot blades or wires to seal frayed edges of cut pieces), glue guns, staplers, and clamps. Machinery includes, but is not limited to, cutting tables, sewing machines that perform a variety of functions such as straight or zigzag stitching, pleating, tacking or serging, clicker die cutters, iron presses, packaging equipment and various table-top or foot operated devices such as eyelet punchers, button covering machines, and hot-stamping foil presses.

This classification excludes establishments engaged in the manufacture of batting, wadding, or waste which are to be reported separately in classification 3708; establishments engaged in manufacturing operations using large factory machinery that performs functions such as, but not limited to, winding/rewinding, blowing, spinning, twisting, braiding, weaving, picking, tufting, quilting, shredding, or grinding, which are to be reported separately in classification 3708; and establishments engaged in the tanning of leather or dressing of fur which are to be reported separately in classification 4301.

3802-41 Gloves, N.O.C.: Manufacturing

Applies to establishments engaged in the manufacture of gloves not covered by another classification (N.O.C.) made of fabric or leather on a mass production or quantity basis. Fabric, leather, and sewing notions are purchased from outside sources. Manufacturers may quilt lining materials to the glove fabric on quilting machines. Glove pieces are cut from numerous layers of fabric or leather with a die cutter; printing of a logo or brand name may be applied to pieces prior to stitching. Seamstresses sew the pieces together inside out, adding cuffs or trims. After stitching, each finger is individually turned right-side out on a turner which is a table-mounted device with a vertically moving rod. Gloves are then placed onto heated, hand-shaped molds for steaming and shaping.

This classification excludes establishments engaged in the manufacture of gloves knitted to form on knitting machines which are to be reported separately in classification 3802-42; establishments engaged in the manufacture of rub-

ber gloves made by molding or mixing rubber which are to be reported separately in classification 3513; and establishments engaged in the tanning of leather which are to be reported separately in classification 4301.

3802-42 Knitted fabric or garments or hosiery: Manufacturing

Applies to establishments engaged in the fabrication of knitted cloth, the subsequent manufacture of garments from the knitted cloth, and the manufacture of gloves, mittens, and hats knitted to form on knitting machines on a mass production or quantity basis. Natural or synthetic yarn (also referred to as thread), buttons or other fasteners are received from outside sources. The knit cloth is produced on looms either mechanically or electronically controlled. Circular or flat knitting machines (some of which resemble sewing machines) are also used. The manufacturer of the knitted cloth may make wearing apparel from it, or may sell the knitted cloth to other manufacturers. Garments, such as sweaters, may be knitted to form, or pieces may be cut from the cloth and sewn together. Gloves or mittens are knitted to basic shapes on special machines. Tips of fingers are sewn closed, the glove is turned right side out, then shaped and steamed on electrically heated forms. This classification also applies to the manufacture of hosiery on a mass production or quantity basis. Skeins of natural or synthetic yarn, generally dyed, are received from outside sources. The yarn is unwound onto bobbins or cones, then placed in small circular automatic knitting machines which form the leg and heel. The leg/heel pieces are sewn into a continuous piece, then toes and tops added with looper machines. Hosiery is then washed, dried, shaped. This classification also applies to establishments that perform finishing operations on hosiery that is manufactured by others.

Special note: The looms and knitting machines used to make knitted cloth are generally smaller than the weaving and spinning machines used for the manufacture of woven textile fabrics which are formed into long, continuous lengths and sold in large bolts to cloth goods manufacturers.

3802-43 Leather goods, N.O.C.: Manufacture or repair

Applies to establishments engaged in the manufacture or repair of leather goods not covered by another classification (N.O.C.) including, but not limited to, belts, tack, holsters and other gun carrying accessories, knife sheaths, sports balls, or belts. Products manufactured in this classification can usually be worn or carried on the person and are often made individually. Tanned leather or imitation leather, glue, buckles, hooks, snaps and other fasteners, are purchased from outside sources. Leather may be skived (split) to desired thickness. Items are cut out on small die cutters or by hand, and the edges sanded and smoothed. Depending on the item being made, the leather is bent into shape, glued or sewn either by machine or hand. Imitation leather or vinyl products are sometimes joined by heat sealing instead of gluing or sewing. Items may be dyed, which involves dipping in vats of dye for about 15 or 20 minutes, hanging until dry, then rubbing with rags. Guns are placed inside custom-made holsters and laid in a forming press to form the leather around the gun for a precise fit. Next, items are placed in dryers to dry and cure; then snaps, grommets or other finishing pieces are

attached with hand tools. Tools and equipment include cutting blades, edge beveling tools, mallets, snap setters, and other hand tools, die cutters, sanders, sewing machines, forming presses, and small dryers. This classification also applies to establishments engaged in the manufacture and repair of sports balls such as footballs, soccer balls, and basketballs. Leather or vinyl, lining material, bladders (deflated balloon shapes made of synthetic rubber material with valves inserted), twine, thread, foil ribbon, paint, spray cleaners are received from outside sources. Pieces are cut from leather or vinyl on die cutters, sewn together inside out forming a shell, then eyelets are inserted with eyelet punches. Logos or names may be stamped on with a hot foil stamping machine. The seams are pounded out with mallets to smooth them, then the shell is turned right side out on table-mounted turners. The shells are placed onto table-mounted, ball-shaped molds, the bladders inserted, and air blown into the bladders with air compressors, forming the balls. The balls are placed onto holders, laced and closed with twine. Further designs may be applied with paint; balls are cleaned with a spray cleaner before packaging.

This classification excludes the tanning of leather which is to be reported separately in classification 4301 and the manufacture of bladders by rubber mixing or molding which is to be reported separately in classification 3513.

3802-44 Shoe or boot; Manufacturing or repair

Applies to establishments engaged in the manufacture of boots or shoes from raw materials such as leather, imitation leather, lining materials, rubber heels and soles, padding, thread and string, eyelets, tacks, buckles, rubber cement, dyes, waxes and polishes purchased from outside sources. Shoe or boot manufacturers may purchase shoe parts already cut to pattern, or may cut out their own patterns either by hand or on small dies. There are only a few shoemakers in Washington, most of whom make custom, hand-crafted boots or shoes. Operations include measuring feet to make molds or patterns, sewing by hand or machine, gluing, attaching eyelets or studs, tacking the upper pieces to the soles and heels, smoothing edges with grinders, dyeing, waxing, buffing, brushing and cleaning. Tools and equipment include tack hammers, awls, lasts (foot forms), hand cutting and punching tools, sewing machines, shoe jacks, foot-operated eyelet punching presses, sole stitchers (to stitch soles onto upper pieces), belt sanders and brush finishers. This classification also applies to shoe repair shops which use the same type of materials, tools and equipment used to make shoes and boots. Most shoe repair shops sell shoe accessories such as laces, insoles, polishes, which are usually displayed at the front of the shop; the sale of those items is included within the scope of this classification. The shops usually employ only one or two persons and are often located in malls or strip malls. This classification excludes the manufacture of molded rubber shoe parts such as heels, soles, which is to be reported separately in classification 3513; establishments engaged in tanning leather which are to be reported separately in classification 4301; and the manufacture of any other materials used in making shoes or boots which is to be reported separately as applicable.

3802-45 Rubber or pliable goods; Manufacturing by cutting or gluing

Applies to establishments engaged in the manufacture of rubber or pliable goods from premanufactured materials by hand cutting, die cutting, gluing, or heat bonding. Items manufactured in this classification include, but are not limited to, gaskets, seals, bindings for skis, grips for pens or handle bars on bicycles or motorcycles. Raw materials which are lightweight, flexible and generally do not exceed about 3/8" thickness or 1" in diameter, include, but are not limited to, neoprene (a man-made rubber), cork, or other compressed sheets made of materials such as felt, paper, foam, plastic, graphite, Teflon, strips of extruded rubber. Many of the products are made simply by die cutting flat materials into the desired shapes. Other products, such as O-rings, are made by cutting lengths of extruded rubber and joining the ends by gluing or heat-bonding them together to form a circle. Grips for pens or handle bars can be made by cutting rubber tubing to length and grinding the ends for a smooth finish.

This classification excludes establishments engaged in the manufacture of rubber products by molding processes which are to be reported separately in classification 3513.

3802-46 Tent, tarp, awning or shade, boat cover or sail; Manufacturing

Applies to establishments engaged in the manufacture or repair of tents, awnings or outside window shades, boat or automobile tops and covers, sails, fruit picking bags, or similar items made from canvas, duck and synthetic water resistant fabrics. Other materials purchased from outside sources include grommets, hooks, tie rope, netting, binding, trimmings, strapping, pipe or tubing, and metal tops for fruit picking bags. Operations include cutting, sewing or fabric welding which joins pieces by heat-sealing the edges, attaching grommets, and bending pipe or rods for frames. Tools and equipment include hand cutting or punching tools, powered material cutters, sewing machines, grommet punchers, pipe cutters and benders, and staplers.

This classification excludes establishments engaged in the welding of metal awning frames or supports and establishments engaged in the manufacture of metal awnings which are to be reported separately in the applicable metal goods classification; and the installation of any product manufactured in this classification which is to be reported separately in the classification applicable to the work being performed.

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-612 Classification 3808.

((Upholstery work, N.O.C.-))

3808-00 Upholstery work, N.O.C.

Applies to establishments engaged in upholstery work not covered by another classification (N.O.C.). Upholstery work is the custom finishing of furniture and vehicle interiors with stuffing, cushioning, springs, and covering material. Some sewing is usually necessary. Items upholstered include, but are not limited to, chairs, sofas, foot stools, caskets, and seats for aircraft, automobiles, boats or other recre-

ational vehicles (RVs). Upholstery work becomes part of the furniture or vehicle as opposed to removable pillows or cushions which are not permanently attached to the structure. Upholstery shops also perform refurbishing or renovation work which involves removing the old materials, replacing springs, stuffing or cushioning as necessary, and covering with new material. They might replace a vinyl top, trim molding, striping tape, or door edge guards on a car or boat which is included in this classification when done by employees of an employer subject to this classification. Customers usually bring the furniture or vehicle to the shop for upholstery work. Upholstery shops in this classification may sell some fabric as an incidental part of their operation; however, if any upholstery work is done at the shop, the entire operation is to be reported separately in classification 3808. This classification includes businesses which produce furniture entirely from foam rubber or other cushioning or stuffing, springs, and a covering material. This classification excludes establishments engaged in the manufacture of mattresses which are to be reported separately in classification 3708; establishments engaged in making "throw pillows or cushions" which are to be reported separately in classification 3802; and establishments engaged in selling upholstery materials (but do no upholstery work) which are to be reported separately in classification 6406.

Special note: Classification 3808-00 may be assigned to physically separated upholstery departments of furniture or casket manufacturers, and automobile, aircraft, or RV manufacturers provided the conditions set forth in the general reporting rule covering the division of worker hours have been met.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-614 Classification 3901.

((Bakeries - retail

This classification applies only to those bakeries that sell products at retail primarily on the premises of the bakery and contemplates minimal delivery of products off premise such as delivery of wedding cakes.))

3901-00 Bakeries - retail

Applies to establishments engaged in the baking of assorted goods such as, but not limited to, breads, cakes, pies, and pastries for retail sales to walk-in customers. This classification includes "deli" sections in retail bakeries where bakery products, and items such as soups, salads, sandwiches and beverages, are available for on-premises consumption. This classification also contemplates the occasional delivery of bakery items such as wedding cakes.

This classification excludes commercial wholesale bakeries that bake products for sale to trade customers such as supermarkets, restaurants, and distributors which are to be reported separately in classification 3906, and specialty bake shops that produce single product lines such as cookies and donuts, which are to be reported separately in classification 3901-01.

3901-01 Bakeries - retail - specialty shops

Applies to establishments engaged in operating specialty bake shops where products are sold exclusively to walk-in retail customers. A specialty bake shop is an establishment that makes and sells a single product line such as cookies, donuts, pies, or bagels to customers for consumption on or away from the premises. This classification includes related sales of beverages, as well as the occasional delivery of baked goods.

This classification excludes commercial wholesale bakeries that bake products for sale to trade customers such as supermarkets, restaurants, and distributors which are to be reported separately in classification 3906, and retail bakeries engaged in the baking of assorted goods such as breads, cakes, pies, and pastries, for retail sales to walk-in customers which are to be reported separately in classification 3901-00.

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-615 Classification 3902.

((Fruit and vegetable cannery and freezer operations
Fruit and vegetable evaporating, preserving or dehydrating
Fruit syrup manufacturing, fruit juice manufacturing, jam or jelly manufacturing, cider manufacturing
Pea vining
Corn products, chocolate and cocoa manufacturing
Baking powder, dextrin, glucose, and starch manufacturing
Nut shelling, egg breaking, coconut shredding and peanut handling
Food sundries manufacturing and food processing, N.O.C.
Peanut butter, honey, mayonnaise and instant potato manufacturing
Pickle manufacturing, sauerkraut manufacturing
Pet food manufacturing
Butter substitutes manufacturing
Breakfast food manufacturing
Poultry canning and canneries, N.O.C.
Vegetable oil manufacturing.))

3902-00 Fruit and vegetable: Cannery and freezer operations

Applies to establishments engaged in fruit and vegetable canning or freezing operations for wholesale customers. Operations contemplated by this classification include the receipt of fruit and vegetables directly from growers or dealers, preparing produce for canning by removing foreign materials such as leaves or weeds, washing, sterilizing, grading, peeling, slicing, coring, blanching, scalding and pre-cooking, premeasuring, mixing them in a hopper with sugar or other ingredients, and further processing into canned or frozen products. Pea vining, when performed by employees of a cannery, is also included in this classification.

This classification excludes establishments engaged in evaporating, preserving or dehydrating fruits and vegetables which are to be reported separately in classification 3902-01; establishments engaged in manufacturing fruit juice, cider, jam or jelly which are to be reported separately in classification 3902-02; establishments engaged in packing fresh vegetables and fruits which are to be reported separately in classi-

fication 2104; and pea vining when done by employees of farm operations or farm labor contractors which is to be reported separately in the applicable farm classification.

3902-01 Fruit and vegetable: Evaporating, preserving or dehydrating

Applies to establishments engaged in evaporating, preserving, or dehydrating fruits and vegetables for wholesale customers. Operations contemplated by this classification include the receipt of fruit and vegetables directly from growers or dealers, washing, peeling, cooking, pressing fruits and vegetables by machine, adding preservatives and congealants, pasteurizing, then dehydrating, drying, or evaporating to remove the moisture which preserves the fruits and vegetables and leaves only the dry, solid portion. Finished products are packaged in cans, plastic bags, or boxes for shipping.

This classification excludes establishments engaged in canning or freezing of fruits and vegetables which are to be reported separately in classification 3902-00; establishments engaged in manufacturing fruit juice, cider, jam or jelly which are to be reported separately in classification 3902-02; establishments engaged in packing fresh vegetables and fruits which are to be reported separately in classification 2104; and farm operations which are to be reported separately in the applicable farm classification.

3902-02 Fruit syrup or juice, cider, jam or jelly: Manufacturing

Applies to establishments engaged in the manufacture of fruit syrup, juice, cider, jam, or jelly. Operations contemplated by this classification include the receipt of fruit directly from growers or dealers, washing, peeling, and cooking the fruit, extracting juice and separating seeds from pulp with fruit presses or separators, adding sugars, congealants and preservatives, pasteurizing, blending juices to produce a variety of flavors, and further processing to produce bottled, canned, or concentrate products.

This classification excludes establishments engaged in canning or freezing of fruits and vegetables which are to be reported separately in classification 3902-00; establishments engaged in evaporating, preserving or dehydrating fruits and vegetables which are to be reported separately in classification 3902-01; and farm operations which are to be reported separately in the applicable farm classification.

3902-11 Chocolate, cocoa, corn products: Manufacturing

Applies to establishments engaged in the manufacture of cocoa or chocolate such as Dutch or sweet chocolate or of corn products such as, but not limited to, tortillas. Operations contemplated by this classification include receipt of corn and cocoa beans from growers or dealers, processing operations, testing, packaging and shipping. Foreign matter is removed from the cocoa beans and they are sorted, divided, cleaned, and roasted in ovens. Shells are cracked, usually by machines, and the beans examined to ensure quality. Depending on the products being manufactured, beans may be pasteurized, ground, further dried, mixed with chocolate liquor, sugar, powdered milk, cocoa butter, or potassium solutions to make into finished products. Depending on the corn product being made, ingredients are pressed, kneaded, cut, shaped or flattened, and baked or cooked.

This classification excludes establishments engaged in the manufacture of crackers, potato chips, ravioli, tamale, and pasta, or chocolate candy and confections which are to be reported separately in classification 3906, and farm operations which are to be reported separately in the applicable farm classification.

3902-12 Baking powder, dextrine, glucose and starch: Manufacturing

Applies to establishments engaged in the manufacture of baking powder, dextrine, glucose and starch. Operations contemplated by this classification include the receipt of vegetables and grains, such as, but not limited to, potatoes, corn, and wheat from growers or dealers, processing operations, testing, storing finished products in storage tanks, packaging into drums or cans, and shipping. Vegetables or grains are cleaned, sorted, and foreign matter removed. They are dumped onto conveyors and transported to grinding machines where they are ground into a starch paste. Water may be added to make liquid starch or starch milk or dryers may remove excess moisture. Starch blends may be made from raw starch suspensions using chemical solutions. Shakers remove bran, gluten or other particles from the starch suspension. Dextrine is made by further mixing the starch with dextrine paste, adding chemicals, cooking and stirring until the starch is converted to dextrine. Baking powder is made by mixing baking soda, starch, and an acid compound such as cream of tartar.

This classification excludes establishments engaged in the manufacture of food sundries not covered by another classification which are to be reported separately in classification 3902-14 and farm operations which are to be reported separately in the applicable farm classification.

3902-13 Nut shelling, egg breaking, coconut shredding and peanut handling

Applies to establishments engaged in nut shelling, egg breaking, coconut shredding, and peanut handling. Nuts are received from suppliers in bulk and placed into machinery which cracks shells and separates broken shells from the nut meat. Another machine sorts whole nut meats from those that are chipped, broken, or contaminated. At each machine, nuts are examined for rejects, and foreign matter is removed with a vacuum hose or by hand. They may be chopped, sliced, or left whole, then poured from the machines into sacks or containers. The meats of certain nuts, such as almonds, may be ground into meal, then canned for shipment. This classification also includes the grading and polishing of nuts, and shredding of coconuts. Egg breaking machines break eggs and separate the yolk from the white. They are observed for color, quantity, and clarity; inferior yolks or whites are discarded prior to being automatically dropped onto separator trays with individual cups. Eggs may then be mixed with water, pasteurized or dried prior to packaging. This classification excludes establishments engaged in the manufacture of oils which are to be reported separately in classification 3902-27 and establishments engaged in the manufacture of food sundries which are to be reported separately in classification 3902-14.

3902-14 Food sundries, N.O.C.: Manufacturing or processing

Applies to establishments engaged in the manufacture of a variety of miscellaneous food products not covered by another classification (N.O.C.). Products include, but are not limited to, imitation crab, spices, peanut butter, condiments, salsa, salad dressings, mayonnaise, soups, tofu, instant potatoes and other product blends. This classification also applies to the grinding and roasting of coffee beans. Operations contemplated by this classification include the receipt of raw ingredients from growers or dealers, processing operations, testing, quality control, laboratory operations, packaging and shipping. Individual processes, which vary depending on the product being manufactured, include, but are not limited to, cleaning, dividing, grinding, mixing, blending with other ingredients, cooking, cooling, dividing again into desired portions, and packaging. The products are packaged in plastic bags, bottles, or cans, usually by machine. Some products require vacuum sealing, pasteurizing, or freezing. This classification also includes the preparation of ready-to-eat salads, sandwiches, and similar food items for convenience stores and vending machines.

This classification excludes establishments engaged in the manufacture of crackers, potato chips, ravioli, tamale, pasta, cough drops, confectionery, and chewing gum which are to be reported separately in classification 3906 and farm operations which are to be reported separately in the applicable farm classification.

3902-15 Pickles and sauerkraut: Manufacturing

Applies to establishments engaged in the manufacture of pickles and sauerkraut. Operations contemplated by this classification include the receipt of produce from growers or dealers, processing operations, testing, laboratory operations, packaging and shipping. Produce, such as cucumbers and cabbage, is cleaned, cut, chopped and placed in barrels, vats, or tanks of brine (a mixture of salt, sugar, spices, vinegar) until cured. At the end of curing period, product may be packed into glass jars, plastic bags, or cans. This classification also applies to the pickling of fruits or vegetables such as, but not limited to, tomatoes, peppers, and asparagus.

This classification excludes establishments engaged in canning or freezing of fruits and vegetables which are to be reported separately in classification 3902-00; establishments engaged in evaporating, preserving or dehydrating fruits and vegetables which are to be reported separately in classification 3902-01; establishments engaged in packing fresh vegetables and fruits which are to be reported separately in classification 2104; and farm operations which are to be reported separately in the applicable farm classification.

3902-17 Pet food: Manufacturing

Applies to establishments engaged in the manufacture of canned pet foods. Operations contemplated by this classification include the receipt of raw ingredients, processing operations, packaging and shipping. After bones and foreign matter are removed, raw ingredients are cleaned and ground. Depending on the product, various ingredients such as, but not limited to, animal meat and fat, fish by-products, corn-meal, soybean meal, ground wheat, rice, poultry, yeast, whey, salt, acids, chemicals, minerals, vitamins, water, or oil are

mixed in large vats either by machine or by hand. Mixture is baked, dried, and shaped or packed into cans.

This classification excludes establishments engaged in the manufacture of dry pet food which is to be reported separately in classification 2101 and farm operations which are to be reported separately in the applicable farm classification.

3902-24 Breakfast food: Manufacturing

Applies to establishments engaged in the manufacture of breakfast foods such as cereals or breakfast bars. Operations contemplated by this classification include the receipt of ingredients, processing operations, quality control, laboratory operations, packaging, and shipping. Flour, meal, or milled grains such as, but not limited to, corn, oats, barley, wheat, and nuts are mixed with other ingredients, formed into a dough, rolled out and extruded into flakes or other shapes. Pressure cylinders may be used to expand or puff whole grains. Cereals may be sifted through screens to check for size, color, and uniformity or otherwise tested for quality, then baked or dried in bulk prior to packaging.

This classification excludes establishments engaged in the manufacture of wholesale bakery goods which are to be reported separately in classification 3906; establishments engaged in milling or grinding operations which are to be reported separately in classification 2101; and farm operations which are to be reported separately in the applicable farm classification.

3902-26 Poultry canning and canneries, N.O.C.

Applies to establishments engaged in canning poultry or canning operations not covered by another classification (N.O.C.). Operations contemplated by this classification include the receipt of poultry or other products, processing operations, quality control, laboratory operations, packaging, and shipping. The process includes, but is not limited to, washing, cutting or chopping, and cooking poultry or other foods items. Preservatives or flavorings may be added before product is sealed in cans or jars.

This classification excludes establishments engaged in canning or freezing fruits or vegetables which are to be reported separately in classification 3902-00 and establishments engaged in canning or dehydrating meat products which are to be reported separately in classification 4301.

3902-27 Vegetable oil or butter substitutes: Manufacturing

Applies to establishments engaged in the manufacture of salad or vegetable oils, shortening, margarine or other butter substitutes. Operations contemplated by this classification include the receipt of seeds or beans from growers or through dealers, processing operations, quality control, laboratory operations, packaging and shipping. To make oils, soybeans, cottonseeds, safflower seeds, or shelled corn is cracked, ground, milled, steam cooked, and pressed to extract the oil. Depending on the product being made, other ingredients such as water, milk, powdered milk or salt may be blended with the oil, then heated, filtered, and filled into cans or bottles. To make shortening or butter substitutes, flavoring, catalytic agents, and chemicals are added to harden the oils; some products are kneaded to spread the coloring uniformly; then they are packaged in cans, plastic containers, or wrapped in

plastic or foil. Machinery includes, but is not limited to, grinders, screens, presses, extractors, dryers, and conveyors. This classification excludes establishments engaged in the manufacture of "real" butter which are to be reported separately in classification 4002 and farm operations which are to be reported separately in the applicable farm classification.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-616 Classification 3903.

((Sugar refining
Molasses manufacturing, syrup manufacturing, N.O.C.))
**3903-08 Sugar refining; molasses and syrup, N.O.C.;
Manufacturing**

Applies to establishments engaged in processing (milling) sugar cane and sugar beets into various forms of powdered and granulated sugar, and the manufacture of molasses and sugar syrups not covered by another classification (N.O.C.). Operations contemplated by this classification include the receipt of sugar cane or sugar beets directly from growers or dealers, crushing or rolling cane to obtain the juice or washing, slicing, and cooking the beets to obtain the juice, evaporating the juice to produce a crystallized substance, and further processing to produce the final product such as granular sugar, white powdered sugar, and brown sugar. Common by-products of a sugar refining operation are molasses and sugar syrups. In some cases an establishment may produce only the sugar syrup and/or molasses, not the crystallized forms of sugar. This classification applies to all of the above operations as the processes to produce sugar syrup and molasses products are similar to those used to produce crystallized sugar.

This classification excludes establishments engaged in the manufacture of fruit syrup, juice, cider, jam or jelly which are to be reported separately in classification 3902.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-618 Classification 3905.

((Cocktail and soft drink lounges
Commissaries and restaurants with construction, erection,
logging or mine operations
Eating establishments, N.O.C., such as public lunch counters
in stores, ice cream parlors, popcorn stores or stands, and
retail candy stores with on premise manufacturing
Espresso/coffee stands and carts
Food, drink, candy, etc. concessionaires at parks, tracks and
exhibitions including vending concessionaires dispensing
food, drink, candy, etc. at ball parks, race tracks, theatres
and exhibitions
Restaurants and taverns
This classification is not applicable to street vendors or route
food services who shall be rated under class 1101 (WAC
296-17-536).))

3905-00 Restaurants, N.O.C.

Applies to establishments engaged in restaurant operations not covered by another classification (N.O.C.). These

establishments are "traditional, family or full service" restaurants that provide sit-down services, or cafeteria or buffet style meals. This classification includes the preparation and service of food and beverages. Establishments in this classification may serve beer and wine; however, they are prohibited from selling hard liquor, cocktails, and mixed drinks that Class H restaurants sell. Typical occupations include, but are not limited to, hostesses, waiters, waitresses, cooks, busboys, dishwashers, cashiers, and managerial staff. This classification also includes the preparation of "take-out food" that customers pick up directly from the restaurant for consumption away from the premises and the operation of a card room in conjunction with the restaurant.

This classification excludes establishments engaged in operating Class H restaurants or lounges that sell hard liquor, cocktails, and mixed drinks which are to be reported separately in classification 3905-07 and catering services that are not part of the restaurant operation which are to be reported separately in classification 3909.

Special note: Traditional, family or full service restaurants are establishments where wait persons bring customers a menu, take orders, and deliver prepared meals to the customer's table or where customers choose from a variety of food items from a buffet or cafeteria style service. Such establishments will generally use nondisposable eating utensils and plates to serve food as opposed to throw away paper plates and plastic eating utensils. Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musicians or entertainers who are considered to be employees of a restaurant are to be reported separately in classification 6605.

3905-01 Food, drink, and candy vending concessionaires at theatres, parks, tracks, and exhibitions

Applies to establishments engaged in operating food, drink or candy concessions at ball parks, race tracks, theaters and exhibitions. This classification is applicable only to concession operations which are operated independent from the facility or event at which the concession service is being provided. These independent vendors selling food items are not employees of the facility or site where the event or exhibition is taking place. Vendors subject to this classification sell a variety of food, snack and beverage items from booths, mobile push carts, mobile stands, carrying boxes, or trays.

This classification excludes food and beverage operations (concession stands) operated in connection with an event or facility by employees of the event sponsor or facility operator which are to be reported separately in the classification applicable to the event or exhibition; street vendors or route food services which are to be reported separately in classification 1101; vendors of nonfood items which are to be reported separately in the applicable classification; and vending machine service companies that replenish food, snack and beverage products which are to be reported separately in classification 0606.

PROPOSED

3905-03 Commissaries and restaurants with construction, erection, logging or mine operations

Applies to commissary or restaurant operations conducted exclusively in connection with a construction, erection, logging or mining camp operation. This classification is limited to food preparation services provided at a camp site or at a mess hall used to feed employees of the construction, logging, erection, or mining company. The foods prepared and served are not intended for, or offered to, the general public.

Special note: The purpose of this classification is to provide employees engaged in the food preparation activity with a classification representative of the work being performed, even though such activities may be occurring at or adjacent to the construction, logging, erection or mining site as provided for in the general reporting rule covering general inclusions.

3905-04 Eating establishments, N.O.C. such as public lunch counters in stores

Applies to establishments not covered by another classification (N.O.C.) engaged in operating lunch counters and restaurants within a retail store location. Use of this classification is limited to employees of an employer who also operates the retail store where the food service is located.

3905-06 Taverns

Applies to establishments engaged in the operation of a tavern. A tavern is primarily engaged in the sale of beer and wine for on-premises consumption, and may also provide a variety of foods ranging from peanuts and pretzels to hot food dishes. Typical occupations include, but are not limited to, bartenders, waiters, waitresses, cooks, busboys, dishwashers, and managerial staff. Beer may also be sold by the keg with the rental of necessary taps and pumps. This classification includes the operation of a "beer garden" at special events such as, but not limited to, fairs or race meets, and the operation of a card room in connection with the tavern.

This classification excludes restaurants with a Class H license that sell hard liquor which are to be reported separately in classification 3905-07.

Special note: Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musicians or entertainers who are considered to be employees of a tavern are to be reported separately in classification 6605.

3905-07 Class H restaurants

Applies to establishments engaged in the operation of a Class H restaurant. A Class H restaurant is defined as having a legal permit to offer the sales of hard liquor, mixed drinks, and cocktails in connection with their food preparation and service. This classification includes the preparation and service of food and beverages at sit down restaurants and lounges. Such establishments have extensive cooking facilities and equipment to prepare full meals. Typical occupations covered by this classification include, but are not limited to, bartenders, hostesses, waiters, waitresses, valet parking attendants, cooks, busboys, dishwashers, cashiers, and managerial staff. This classification also includes the preparation of "take-out food" that customers pick up directly from the restaurant for consumption away from the premises and

the operation of a card room in connection with the restaurant.

This classification excludes establishments engaged as a restaurant without a Class H license which are to be reported separately in classification 3905-00; taverns which are to be reported separately in classification 3905-06; catering services which are not part of a restaurant operation which are to be reported separately in classification 3909; musicians who are to be reported separately in classification 6605; and entertainers such as dancers who are to be reported separately in classification 6620.

Special note: Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musicians or entertainers who are considered to be employees of a restaurant are to be reported separately in classification 6605.

3905-08 Pizza parlors

Applies to establishments engaged in operating a pizza parlor or restaurant. Establishments subject to this classification specialize in the preparation and sales of pizza (but may also provide other foods) and beverages such as wine, beer, or soft drinks for on-premises consumption. Typical occupations include, but are not limited to, hostesses, waiters, waitresses, cooks, busboys, dishwasher, cashiers, and managerial staff. This classification also includes establishments that deliver pizza to customers, or where customers can pick up already prepared pizza at the shop, but where no customer seating is provided.

This classification excludes pizza parlors with a Class H license which are to be reported separately in classification 3905-07 and U-bake pizza operations which are to be reported separately in classification 6403.

Special note: Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musicians or entertainers who are considered to be employees of a pizza parlor are to be reported separately in classification 6605.

3905-09 Fast food drive-ins, N.O.C.

Applies to establishments engaged in the operation of fast food drive-ins or restaurants. These establishments serve easily prepared foods quickly and nonalcoholic beverages which can be eaten on the premises or picked up by customers at a counter or a drive through window. Fast food establishments offer a variety of menu items such as, but not limited to, hamburgers, french fries, tacos, sandwiches, fried chicken, hot dogs, fish and chips.

This classification excludes street vendors and/or route food services which are to be reported separately in classification 1101 and full service restaurants which are to be reported separately in classification 3905-00.

3905-11 Soft drink lounges

Applies to establishments engaged in operating soft drink lounges. These types of establishments may provide entertainment such as dancing for an adult audience or a place where youths under the age of 21 can dance or listen to

music. These lounges do not sell alcoholic beverages. This classification includes the preparation and service of light snacks and hors d'oeuvres, such as chips, peanuts, pretzels or finger sandwiches.

This classification excludes entertainers such as exotic dancers who are to be reported separately in classification 6620 and musicians who are to be reported separately in classification 6605.

Special note: Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musicians or entertainers who are considered to be employees of a lounge are to be reported separately in classification 6605 or 6620 as applicable.

3905-12 Ice cream parlors

Applies to establishments engaged in the operation of an ice cream parlor or frozen yogurt shop. These specialty shops offer a limited menu, usually confined to ice cream and frozen yogurt offered in individual servings, various size containers, and specialty items. Special occasion ice cream cakes may be ordered and picked up at a later date by the customer. These establishments usually provide customer seating.

This classification excludes street vendors and/or route food services which are to be reported separately in classification 1101.

3905-13 Candy, nut, and popcorn retail stores with on-premises manufacturing

Applies to establishments engaged in operating candy, nut or popcorn stores where some or all the products sold are manufactured on the premises. Establishments in this classification may sell a variety of candies, nuts, or popcorn, or may specialize in one or two products. They may also sell their products in gift wrapped packages.

This classification excludes establishments engaged in selling candy, nuts, or popcorn, *that do not manufacture* any product on the premises, which are to be reported separately in classification 6406, and establishments primarily engaged in the wholesale manufacturing of candy which is to be reported separately in classification 3906.

3905-14 Espresso/coffee stands and carts

Applies to vendors operating espresso or coffee stands or carts. Products sold include, but are not limited to, coffee, espresso, lattes, Italian sodas, soft drinks, pastries and pre-packaged items. These types of vendors *do not prepare food*. This classification is distinguishable from retail coffee, tea or spice stores in that coffee stands or carts in classification 3905 sell only ready-to-serve products; they do not sell packaged coffee, tea or spice items.

This classification excludes street vendors and/or route food services which are to be reported separately in classification 1101.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-61801 Classification 3906.

((Bakeries, cracker or potato chip manufacturing, N.O.C. Confectionery and chewing gum manufacturing Cough drop manufacturing Macaroni manufacturing Pizza manufacturing, N.O.C. Ravioli or tamale manufacturing-))

3906-00 Bakeries, N.O.C.

Applies to establishments engaged in the manufacture of baked goods not covered by another classification (N.O.C.) such as, but not limited to, bread, rolls, tarts, pies, cakes, cookies, bread stuffing and bread crumbs, for sale to supermarkets, restaurants, distributors, and other wholesale customers. Processes for making baked goods vary somewhat, but most are similar to that of baking bread. To make bread, ingredients such as, but not limited to, flour, water, salt, leavening, eggs, milk, sugar, shortening, and preservatives are mixed by machine or by hand and formed into dough. The dough is fed into a hopper which further kneads it and shapes it into a ball. Molders shape the dough balls into cylinders that are ready to be placed in pans. Automatic loaders move the pans through tunnel ovens. After baking, products are mechanically sliced and wrapped, then shipped to customers as quickly as possible due to the relatively short shelf life of baked goods. Machinery includes, but is not limited to, dough troughs, cake depositors, filler and icing machines, conveyors, deep fryers, bun machines, molders, ovens, mixers, flour dust collectors, and racks.

This classification excludes retail bakeries which are to be reported separately in classification 3901; route delivery drivers who are not employees of the bakery who are to be reported separately in classification 1101; and establishments engaged in the manufacture of other foods which are to be reported separately as applicable.

3906-01 Cracker: Manufacturing N.O.C.

Applies to establishments engaged in the manufacture of crackers, and other "dry" bakery products not covered by another classification (N.O.C.) such as, but not limited to, biscuits, wafers, and pretzels for sale to supermarkets, restaurants, distributors and other wholesale customers. Depending on the specific product being made, ingredients such as, but not limited to, flour, sugar, water, salt, soda, yeast, flavorings, and additives are mixed together and formed into dough. The dough is fed through a hopper into a roller, then shaped into product and baked in ovens. Machinery includes, but is not limited to, mixers, ovens, conveyors, packaging and package-handling equipment.

This classification excludes retail bakeries which are to be reported separately in classification 3901 and route delivery drivers who are not employees of the dry bakery goods manufacturer who are to be reported separately in classification 1101.

3906-02 Potato chip: Manufacturing N.O.C.

Applies to establishments engaged in the manufacture of potato chips and similar snack foods not covered by another classification (N.O.C.) such as, but not limited to, fried corn

or cheese chips for sale to wholesale customers. To make potato chips, potatoes are washed, sliced, salted, and fried in cooking vats. Automatic rakes stir the potato slices to ensure uniform cooking. As chips emerge from the vats onto conveyors, they are inspected for color and quality. Burned, discolored, or broken chips are discarded; the rest are packaged for sale. Other types of fried chips are made by mixing dry ingredients which are then deep fried, inspected and packaged. Machinery includes, but is not limited to, slicing equipment, mixers, deep fryers or cooking vats, pan greasers, ovens, conveyors, packaging and package-handling equipment. This classification includes delivery of the product when done by employees of an employer subject to this classification.

This classification excludes route drivers who are not employees of the chip manufacturer who are to be reported separately in classification 1101.

3906-03 Ravioli and tamale: Manufacturing

Applies to establishments engaged in the manufacture of ravioli, tamales, tortellini or similar frozen or ready-to-cook foods, for sale to wholesale customers. Ingredients include, but are not limited to, cornmeal, flour, ground meats, cheeses, seasonings, tomatoes or tomato paste, sauces, and corn husks. Depending on the specific product being made, ingredients are mixed together, placed in shells, pasta or corn husks, or otherwise prepared, cooked, inspected, wrapped, packaged and, in some cases, frozen. Machinery includes, but is not limited to, mixing or blending machines, deep fryers or cooking vats, ovens, conveyors, packaging and package-handling equipment, and freezers.

This classification excludes route drivers who are not employees of the food product manufacturer who are to be reported separately in classification 1101.

3906-04 Pasta: Manufacturing

Applies to establishments engaged in the manufacture of pasta products such as, but not limited to, macaroni, spaghetti, or noodles for sale to supermarkets, restaurants, distributors and other wholesale customers. Ingredients such as, but not limited to, flour, sugar, salt, seasonings, preservatives, oils, and water are mixed in mixing machines to form the dough. The dough is further mixed and kneaded, pressed through rollers to regulate thickness, cut with machinery or by hand to desired size and shape, then wrapped in cellophane or packaged in cartons. Machinery includes, but is not limited to, dough mixers, dough kneaders, rollers, cutting and slitting machines, hydraulic presses, ovens, conveyors, and packaging and package-handling equipment.

This classification excludes route drivers who are not employees of the manufacturer who are to be reported separately in classification 1101.

3906-05 Confectionery, chewing gum or cough drop: Manufacturing

Applies to establishments engaged in the manufacture of confectionery products, chewing gum or cough drops for sale to wholesale customers. Confections include, but are not limited to, candies such as creams, caramels, mints, hard candies, gum drops, glazed fruits, nut brittle, a wide variety of chocolate candy, and molded sugar cake decorations, such as,

but not limited to, rosettes, candle holders, and colorful edible images used to decorate cakes or cookies. This classification includes both cooked and uncooked confection products. Because of the variety of candies and confections included in this classification, preparation and finishing processes which individualize the product may vary widely. Ingredients include, but are not limited to, sugar, flour, starch, nuts, milk, water, flavorings, cocoa, and coloring. Depending on specific product being made, ingredients are weighed, mixed or beat. Further processing may include heating, pressure cooking, baking, or forming uncooked mixtures (referred to as "paste" or frosting) into products by twirling, pressing, molding, or otherwise shaping. Confection products may be individually wrapped or packed in boxes, cans, trays, or other containers. Machinery includes, but is not limited to, ranges, burners, various sized kettles, pots, pressure cookers, trays, mixing, cutting, or filling machines, hoppers, conveyors, die cutters, presses, coolers, and packaging and package-handling equipment. The manufacture of chewing gum and cough drops is similar although ingredients vary somewhat.

This classification excludes route drivers who are not employees of the confection manufacturer who are to be reported separately in classification 1101; candy store operations with on-premise manufacturing which are to be reported separately in classification 3905-13; and candy store operations with no manufacturing which are to be reported separately in classification 6406.

3906-07 Pizza: Manufacturing, N.O.C.

Applies to establishments engaged in the manufacture of frozen or ready-to-bake pizza not covered by another classification (N.O.C.) for sale to wholesale customers. Dough is mixed and rolled out to form the crust; sauce and a variety of toppings such as meats, cheese, vegetables are arranged on top of the crust. Pizzas are wrapped in plastic wrap, packaged, and stored in freezers prior to delivery. Machinery includes, but is not limited to, mixers, rolling devices, ovens, conveyors, packaging and package-handling equipment, and freezers.

This classification excludes route drivers who are not employees of the pizza manufacturer who are to be reported separately in classification 1101; pizza parlors which are to be reported separately in classification 3905; and U-bake pizza stores which are to be reported separately in classification 6403.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-61804 Classification 3909.

((Caterers

Meals on wheels

This classification excludes route food services reported separately, in risk classification 1101-))

3909-00 Caterers

Applies to establishments engaged in catering operations. This classification includes the preparation and serving of food and beverages for customers who have arranged for their services for social and business events such as weddings, parties, bar mitzvahs, meetings or banquets. Foods

prepared and served range from deli trays, sandwiches, box lunches, and buffets, to full meals. The food may be prepared at the caterer's own facility and delivered to the customer's location or may be prepared at the customer's location. Catering services include, but are not limited to, event planning, arranging tables, decorations, supplying utensils and dishes, bartending, waiting and bussing tables, and taking care of left-over food and related clean-up after the event. This classification also includes catering to airlines which involves preparing various foods and direct delivery to the airline with special trucks that maintain hot or cold foods. This classification also applies to food services provided by communities or civic/social organizations to local residents who, because of physical disability or age, are unable to prepare their own food. The food is prepared and delivered to the client's home.

This classification excludes street vendors or route food services which are to be reported separately in classification 1101.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-619 Classification 4002.

((Creameries or milk and milk products processing including butter, cheese, ice cream, ice cream mix, and condensed milk

This classification does not include dairy or farming operations which are to be reported separately in classification 7301-))

4002-00 Dairy products, N.O.C.: Manufacturing

Applies to establishments engaged in the manufacture of dairy products not covered by another classification (N.O.C.) such as, but not limited to, whole, low fat, skim, powdered, flavored and condensed milk, buttermilk, cream, half-and-half, and eggnog. Raw milk may be purchased from others or furnished by the manufacturer's own dairy operation. Other ingredients usually purchased elsewhere include, but are not limited to, flavorings, sweeteners, nutrients, bacteria and yogurt cultures, and paper, glass or plastic containers for packaging finished products. Raw milk is delivered by insulated tanker trucks after it is tested for antibiotics, bacteria and microorganism counts, temperature, and fat content. The raw milk is pumped from the trucks into refrigerated silos or tanks; the cream is skimmed from the top and pumped into separate storage tanks for further blending to ensure the correct fat and nutrient content. The remaining milk may be evaporated, homogenized, pasteurized, cooled, tested for quality, and further processed into various milk products which are filled into gallons, half gallons, quarts, pints and half-pint containers and packaged for shipping. This classification includes the incidental manufacture of butter, ice cream, or cheese products when done by employees of an employer subject to this classification.

This classification excludes establishments primarily engaged in the manufacture of butter, cheese, ice cream and ice cream mixes which are to be reported separately in classification 4002-01 and dairy farming operations which are to be reported separately in classification 7301.

4002-01 Butter, cheese, ice cream and ice cream mix: Manufacturing

Applies to establishments engaged in the manufacture of dairy products such as, but not limited to, butter, natural or processed cheeses, cottage cheese, cheese dips or spreads, custards, whipped topping, ice cream, milkshake or ice cream mixes, ice milk, sherbet. Raw milk may be purchased from others or furnished by the manufacturer's own dairy operation. Other raw materials usually purchased elsewhere include, but are not limited to, flavoring, coloring agents, salts, additives and preservatives, plastic or oiled wrappings, and paper, glass or plastic containers for packaging finished product. Raw milk is delivered by insulated tanker trucks and pumped from the trucks into refrigerated silos or tanks. Initial processes are similar for products manufactured in this classification, but end processes vary, depending on the product being made. To make cheese, raw milk is heat treated and pasteurized, cooled, moved through separators which adjust fat composition by skimming the milk or adding cream, then pumped into vessels or cheese vats. Lactic acid and enzymes are added to purify and clot the milk and form a gel which is cut into tiny cubes. Other additives, preservatives, or flavorings may be added at this point. The mixture of curds and whey (the liquid by-product lost from curds after cutting) is heated by allowing steam to enter the outer jacket of the vat. The mixture is stirred, whey is drained from curds and transported to evaporators and spray dryers which condense the whey into a powder form. Aside from salting, little more is done to curds to make unripened cheeses such as cream cheese or cottage cheese. When making firmer cheeses, the next step involves knitting or stretching the drained curds for texture. This process will vary according to the type of cheese being produced, but activities commonly involve preliminary packing, pressing or pulling of the curds in hot water, or turning curd blocks (called "cheddaring"). The curd blocks are milled (cut into finger-sized pieces) and moved through a trough or air block through tubing to other vats for further processing. In other processes, curds are collected in hoops (metal containers lined with cloth or plastic) and pressed into blocks or molds, or barrels. Hydraulic presses are used to press cheese, and vacuum chambers may be used to remove air. Cured cheese blocks may be packaged in corrugated cartons, or cut into smaller blocks, vacuum sealed in plastic, then packaged in boxes, or cut or shredded prior to packaging.

This classification excludes establishments primarily engaged in the manufacture of milk and other related dairy products not covered by another classification which are to be reported separately in classification 4002-00; establishments engaged in the manufacture of cheese-based salad dressings which are to be reported separately in classification 3902; and dairy farming operations which are to be reported separately in classification 7301.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-620 Classification 4101.

((Printing, lithography, engraving, map printing, and silk screening, N.O.C.

Rubber stamp manufacturing and assembling

Bookbinding

This classification excludes photographic composition or prepress work such as photographic or computerized typesetting, layout, paste up, editing and proofreading, camera work and plate making which is to be reported separately in classification 4904

Any employee involved in printing operations subject to this classification will be reported in classification 4101 without division of hours.))

4101-00 Printing, lithography, engraving, map printing and silk screening, N.O.C.

Applies to establishments engaged in providing a variety of printing services not covered by another classification (N.O.C.) to others. Operations contemplated include, but are not limited to, the press room, assembly and staging areas, shipping departments, and delivery. *Printing:* This category covers many types of printing including offset cold press and letterpress printing. *Lithography:* This category of printing is similar to letterpress printing with the process used to transfer images to paper (stock) being the distinction. In letterpress printing the image is transferred directly from plate to stock. In lithography an additional cylinder containing a rubber blanket is used. The process is plate to blanket to stock. *Engraving:* This applies to a process wherein designs or images are incised into the surface of a material from which printing impressions can be made. *Map printing:* This applies to an end product produced by a printer rather than a specialty form of printing. *Silk screening (or screen printing):* This applies to a specialty type of printing wherein a silk, nylon or metal screen contains the desired image and ink is forced through the screen to form the design on paper or other medium. Products produced by establishments subject to this classification include, but are not limited to, catalogs, booklets, pamphlets, brochures, books, letterhead, paper signs, and specialty invitation and business cards.

This classification excludes photographic composition or prepress work such as, but not limited to, photographic or computerized typesetting, layout, paste up, editing, proofreading, camera work and automated plate making which are to be reported separately in classification 4904. *Employees of an employer subject to this classification who have both photographic composition/prepress work duties and duties which are subject to this classification (4101) are to be reported separately in classification 4101 without a division of work hours.* This classification also excludes newspaper publishers who are to be reported separately in classification 4103 and establishments engaged in cloth printing operations which are to be reported separately in classification 3802.

4101-02 Rubber stamp: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of all types of rubber or synthetic rubber stamps or marking devices for others. Products produced by establish-

ments subject to this classification include, but are not limited to, date, character, name and address stamps. Stamps may be produced by hand or machine and can be made from a variety of natural or synthetic materials. Finished stamps are attached to handles or coverings purchased from others.

4101-03 Bookbinding

Applies to establishments engaged in bookbinding and/or the restoration of old or damaged books using methods similar to those employed by bookbinders described by this classification. One definition of bookbinding is all further treatment of stock after printing which may include cutting, folding, trimming, gathering, stitching, gluing and casing. There are two general types of binding: Pamphlet binding and bookbinding. Pamphlet binding is used for such material as folders, booklets, catalogs and magazines. An automatic feeder carries the sheets to a folding machine. After folding, the sheets can be collated either by hand or by machine and either saddle-wire or side-wire stitched, depending on the thickness of the material being bound. There are a number of ways to bind a book, the most common being "edition" binding, also known as hard cover or cases binding, where the papers are sewn together by specialized sewing machines. This process is used when permanence is desired. "Perfect" binding is a less expensive type of binding as it requires no sewing or stitching and uses a pliable adhesive for binding.

This classification excludes photographic composition or prepress work such as photographic or computerized typesetting, layout, paste up, editing and proofreading, camera work and automated plate making which is to be reported separately in classification 4904. *Employees of an employer subject to this classification who have both photographic composition and/or prepress duties and duties which are subject to this classification (4101) are to be reported in classification 4101 without a division of work hours.*

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-622 Classification 4103.

((Newspaper publishing

This classification excludes photographic composition or prepress work such as photographic or computerized typesetting, layout, paste up, editing and proofreading, camera work and plate making which is to be reported separately in classification 4904

Any employee involved in printing operations subject to this classification will be reported in classification 4103 without division of hours

Outside reporters, advertising or circulation solicitors and photographers with no other duties are to be reported separately in classification 6303-

Newspaper publishers with no printing operations will be governed by WAC 296-17-44001, "business described by a standard exception classification.")

4103-01 Newspaper publishing

Applies to establishments engaged in publishing daily or periodic newspapers. This classification includes the printing, distribution and general maintenance activities of the

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newspaper. The printing operation usually consists of one of three processes: Offset lithography, letterpress, or flexography. After the papers are printed, they are cut, folded and stacked either manually or by computer-operated machinery. Route managers then distribute the papers to door-to-door carriers or independent route delivery drivers. Typical occupations covered by this classification include bindery workers, press operators, freight handlers, machine feeders, production helpers, maintenance workers and drivers.

This classification excludes photo composition or prepress work such as photographic or computerized typesetting, layout, paste up, editing, proofreading, camera work and automated platemaking which is to be reported separately in classification 4904; outside reporters, photographers, sales personnel, advertising staff and circulation solicitors who are to be reported separately in classification 6303; and establishments engaged in printing operations for newspapers published by other firms which are to be reported separately in classification 4101.

Special note: Newspapers without any printing operations are governed by the general reporting rule covering businesses described by a standard exception classification. Employees of an employer subject to this classification who have both photographic composition/prepress work duties and duties which are subject to this classification (4101) are to be reported separately in classification 4101 without a division of work hours.

AMENDATORY SECTION (Amending Order 89-22, filed 2/1/89, effective 1/1/90)

WAC 296-17-626 Classification 4107. (Business machine service, adjustment, or repair, N.O.C. This classification includes the installation of typewriters, adding machines and reproduction machines (either electric or manual), main frame and micro/mini computer systems and x-ray equipment

Piano tuning.))

4107-04 Business machine: Service, adjustment, repair, and installation, N.O.C.

Applies to establishments engaged in the adjustment, service, or repair of business machines not covered by another classification (N.O.C.). Types of business machines include, but are not limited to, typewriters, copy, postage meters, keypunch, fax machines, computer components, X-ray and other medical-related electronic equipment. Work contemplated by this classification includes low voltage rewiring to the point of connecting to the live circuit. This classification includes all work performed on the customer's premises as well as in the employer's shop. This classification also includes service or repair of depth finders, radar, computerized or noncomputerized embroidery machines and the replacement or refilling of nontoxic toner in printer cartridges which is sometimes referred to as remanufacturing. The plate is removed from used cartridges, residuals of old toner is removed with hand-held vacuums, and the cartridge is wiped clean. After pouring new toner into the cartridge, the plate is replaced and the cartridge is considered new. Used toner is wrapped in plastic and discarded.

This classification excludes electrical work with a live power source which is to be reported separately in classification 0601.

4107-20 Piano tuning

Applies to establishments engaged in tuning services for pianos, organs, and other keyboard musical instruments. Establishments in this classification will tune, clean, replace the felt, and provide minor repair service such as, but not limited to, the removal and replacement of bad cords, regluing broken keys, or replacing faulty foot pedals. This classification includes all work performed on the customer's premises as well as in the shop.

This classification excludes establishments engaged in the sale of pianos and organs which are to be reported separately in classification 6306; establishments engaged in the sale of other types of musical instruments such as string, wind and percussion instruments, which are to be reported separately in classification 6406; and establishments engaged in the reconditioning of pianos and organs (and the related sales of reconditioned pianos and organs) which are to be reported separately in classification 2906.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-627 Classification 4108.

((Letter service shops and mailing or addressing companies This classification includes clerical office employees and sales personnel.))

4108-15 Letter service shops and mailing or addressing companies

Applies to establishments engaged in providing large volume mailing and addressing services. This could be the routine mailing of periodicals or advertising brochures or a one-time letter to a particular list of recipients. Work contemplated by this classification includes, but is not limited to, folding, sorting, labeling and stuffing envelopes (either by hand or machine), clerical support, outside sales work, pick up of preprinted material from a client's location and delivery of completed work to the client or post office when done by employees of an employer having operations subject to this classification. Companies in this classification may also research and compile mailing lists as an additional service for their clients who are involved in direct mail advertising. This classification includes contracting of complete mail room services at a client's location.

This classification excludes printing of advertising material which is to be reported separately in classification 4101 and photocopying or duplicating of printed material, private mail box services (receipt and mailing of routine ready-to-mail letters and packages) for box renters, and package wrapping/ mailing services, all of which are to be reported separately in classification 6406.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-628 Classification 4109.

((Sign painting in shop

Sign painting or lettering inside buildings

~~This classification does not include painting done in connection with sign manufacturing which is to be reported separately in classification 2903, classification 3404, classification 3503, or classification 3510 as applicable; or painting done in connection with sign repair which is to be reported separately in classification 0403. Sign erection outside is to be reported separately in classification 0403.)~~

4109-10 Sign painting or lettering inside buildings

Applies to establishments engaged in sign painting or lettering inside a customer's building. This type of painting includes, but is not limited to, names, addresses and office hours on a door or window, and signs in the form of lettering/illustrations on an interior wall. Work contemplated by this classification includes preparing the surface by cleaning, sanding, etc., applying the lettering/illustrations by appropriate method (brushing, rolling, spraying, etc.), and applying a protective finish. This classification includes the painting of scenery, by a contractor, in a shop or theater (if done by the employees of a theater or television broadcasting station it would be an inclusion in classification 4504 or 4502 as applicable), and the painting of an interior mural.

This classification excludes sign painting shops that paint on, or apply vinyl lettering to, precut backings which are to be reported separately in classification 4109-18; painting in a shop that is not covered by another classification which is to be reported separately in classification 3603-12; and the painting, repair or erection of signs or murals on any part of the exterior of a building which is to be reported separately in classification 0403.

4109-18 Sign painting in shop

Applies to establishments engaged in providing sign painting services in their shop. The use of this classification is limited to painting on, or applying vinyl lettering to, precut mediums (sign backings) provided by the customer or purchased elsewhere; it does not contemplate the manufacture of the sign backing. (Vinyl lettering or designs are usually computerized. Lettering or designs are entered into a computer; a plotter/cutter attached to the computer cuts the programmed design or lettering from rolls of vinyl.) Work contemplated by this classification includes preparing the surface by cleaning, sanding, etc., applying the lettering/illustrations by appropriate method (such as brushing, rolling, spraying, applying vinyl designs), and applying a protective finish. This classification includes making and applying vinyl lettering in place of painted lettering and lettering/illustrating on vehicles not in connection with auto body repair or painting.

This classification excludes the painting or lettering of signs in buildings which is to be reported separately in classification 4109-10; painting in a shop which is to be reported separately in classification 3603 (unless the painting is included in another classification); the painting, repair or erection of signs on any part of the exterior of a building which is to be reported separately in classification 0403; and sign painting in connection with sign manufacturing operations which is to be reported separately in the applicable manufacturing classification.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-629 Classification 4201.

~~((Coal dock operation—by means of mechanical apparatus, including stevedoring~~

~~Longshoring and stevedoring~~

~~Port districts, including sales personnel~~

~~Stevedoring, by hand or hand truck exclusively, no hoisting of cargo~~

~~Stevedoring, loading and unloading ships designed for freight carrying containers~~

~~Stevedoring, N.O.C., supercargo checkers~~

~~Tallymen, checking clerks in connection with stevedoring work~~

~~Wharf and pier, operation~~

~~This classification includes employees engaged in mending and repacking of damaged containers in connection with stevedoring work.)~~

4201-00 Longshoring and stevedoring

Applies to establishments engaged in longshoring (stevedoring) operations which involve the transfer, loading, and unloading of ships' cargo and storage of such on docks or in nearby warehouses. This classification includes stevedoring by hand or hand truck and containerized stevedoring which involves the use of a cross deck crane for lifting the trailer body container onto or off of the ships deck or hold. This classification also includes wharf and pier operations, coal dock operations, cargo checkers, tallymen and the repackaging or mending of damaged containers in connection with stevedoring activities.

This classification excludes stevedores employed directly by a port district who are reported separately in classification 4201-02.

Special note: Stevedoring activities are almost always covered by the Longshore Harbor Workers Compensation Act (LHWCA) except when conducted by a port district or other political subdivision.

4201-02 Port districts

Applies to the operation of port districts by a municipality. Port districts have separate taxing authority and although they may receive tax dollars from levies most of their operating costs are funded through rental and use fees on the property and facilities they operate. Port districts are authorized by state law for the purpose of acquiring, developing, maintaining and operating various transportation-related properties and facilities. In addition to marine and airports, the district may also develop and maintain facilities used for the transfer, handling, storage and terminal operations of commercial enterprises. This classification includes sales personnel and any stevedoring operations conducted by port district employees.

This classification excludes clerical office employees of a county who are to be reported separately in classification 5306 and stevedoring operations not conducted by port district employees which are to be reported separately in classification 4201-00.

AMENDATORY SECTION (Amending Order 88-06, filed 5/31/88, effective 7/1/88)

WAC 296-17-630 Classification 4301.

((Glue manufacturing
Lard making or refining
Meat products manufacturing, including canning or dehydrating
Packing house— including butchering and handling livestock
Peat moss shredding and baling
Rendering works, N.O.C.
Sausage casings, wholesale dealer
Sausage manufacturing
Slaughter houses
Tallow making
Tanneries, fur manufacturing-))

4301-05 Glue, lard, or tallow: Manufacturing

Applies to establishments engaged in the manufacturing of products from animal substances such as glue, lard and tallow. Glue manufacturing begins by boiling animal substances, including skins and hoofs, in water until the materials are diluted and melted. The material dries as a residue and forms as a hard pure protein gelatin. Incidental operations include bone crushing, grinding and bagging of bone meal, the filling of solidified grease into drums from the oil settling tanks and the pressing, drying, pulverizing and bagging of tankage for fertilizer manufacturers. The traditional "hot" animal glue which is produced in flake form, requires a heated glue pot to keep it at a usable consistency. More modern forms are ready to use liquids. Glues come in three general forms: Ready-to-use, water mixed form, and waterproof types that are often two-part and must be sold in two separate container units. These come with directions to mix to specified proportions just before use. Ready-to-use types retail in bottles, cans and tubes. Tools and equipment used include, but are not limited to, boiling pots, scrapers and razors. This classification includes making or refining lard, which is the white solid or semisolid rendered fat from a hog, and tallow making. This process includes taking the hard fat from parts of the bodies of cattle, sheep or horses, separating it by melting from the fibrous and membranous matter and mixing the whitish solids for use in making candles, leather dressing, soap and lubricants.

This classification excludes establishments that manufacture synthetic glues such as acrylic base, contact cement, polyester, latex combination, epoxy sticks, polyethylene, polyvinyl, or cellulose nitrate or rubber base which are to be reported separately in classification 3701.

4301-10 Sausage: Manufacturing

Applies to establishments engaged in manufacturing sausage. This process includes grinding, mixing, and blending cuts of meat with seasonings, spices, and fillers using grinders, mixers, pots, cooking tanks and meat cutting instruments. The mixture is stuffed into synthetic or natural casings or packed into forms. The product is often cooked in pressurized cooking tanks. The sausage is then cured by either pumping or injecting a curing solution into the meat or dry rubbing a curing substance into the meat and immersing the meat in a brine solution. Curing solutions usually contain

one or more chemicals, such as sodium or potassium nitrate, ascorbate, or erythorbate, and water. The meats are then allowed to cure for up to 40 days. Curing may be followed by a period of several hours to several days in a temperature controlled smokehouse. The final product may be packaged, canned, placed in jars, or frozen.

This classification excludes dealers of natural sausage casings which are to be reported separately in classification 4301-19; meat products manufacturing which is to be reported separately in classification 4301-12; retail meat and poultry dealers which are to be reported separately in classification 3303; and the handling of livestock which is to be reported separately in the applicable classification.

4301-11 Packing house

Applies to establishments engaged in packing house operations which include the handling and slaughtering of livestock and the preparation of fresh meat and meat products. Animals are moved through a system of chutes to a conveyor system which takes them through a stunning machine and then into the slaughtering area. Work is performed with the use of hoists, knives, scissors, razors, scrapers, meat chippers, cleavers and hydraulic dropper/spreaders. After slaughtering, the blood is drained, collected and stored. The carcasses are then dipped into a scald tank and conveyed to dehairer machines and the hides are removed. After carcasses have been inspected and weighed, they are placed in blast freezers for several hours and then moved to a cooler. Carcasses are sawed or cut into portions and specific cuts of meat including those that will be used in other products such as cold cuts, sausages, and hot dogs. The products are then placed in cardboard boxes and loaded onto pallets. This classification includes incidental rendering, lard refining, butter substitutes manufacturing, washing of casings, sausage manufacturing, salting of hides, cooking of offal (waste), processing of the viscera manually or by machine, and fertilizer manufacturing when done by employees of an employer subject to this classification. Some of the prepared meats are packed in cans, bottles, or jars, sealed and cooked in vats. Meat packing and processing operations may be consolidated or may be in different locations.

This classification excludes establishments primarily engaged in sausage manufacturing which are to be reported separately in classification 4301-10; dealers of natural sausage casings which are to be reported separately in classification 4301-19; meat products manufacturing which is to be reported separately in classification 4301-12; slaughterhouse only operations which are to be reported separately in classification 4301-22; custom meat cutting which is to be reported separately in classification 4302; retail meat and poultry dealers which are to be reported separately in classification 3303; and wholesale meat and poultry processors/dealers which are to be reported separately in classification 3304.

4301-12 Meat products: Manufacturing

Applies to establishments engaged in meat products manufacturing, including canning or dehydrating. Products include, but are not limited to, frankfurters, bologna, head cheese and meat loaf. No handling or slaughtering of livestock is performed by employers subject to this classification. Meats are received in halves, quarters or individual fresh

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Cuts. Cuts of meat are washed, soaked in brine, smoked, pickled, corned, and/or otherwise cooked. Meat products are bottled in jars, bottles, or cans and sealed. Meat trimmings may be chopped, ground, mixed, smoked, boiled, or stuffed in sausage casings. Machinery and equipment includes, but is not limited to, mixing, cutting, and bottling equipment or tools.

This classification excludes establishments primarily engaged in sausage manufacturing which are to be reported separately in classification 4301-10; dealers of natural sausage casings which are to be reported separately in classification 4301-19; glue, tallow or lard manufacturing which is to be reported separately in classification 4301-05; packing house operations which are to be reported separately in classification 4301-11; slaughterhouse operations which are to be reported separately in classification 4301-22; custom meat cutting which is to be reported separately in classification 4302; the retail sale of meat and poultry which is to be reported separately in classification 3303; and wholesale meat dealers and wholesale poultry processors/dealers which are to be reported separately in classification 3304.

4301-13 Peat moss: Shredding and baling

Applies to establishments engaged in the shredding and baling of peat moss. This includes the cleaning, sorting and packaging of peat moss to be used as mulch, plant food (fertilizer), soil amendment, fuel or decorative uses such as in floral arrangements.

This classification excludes establishments engaged in the digging or stripping of peat from the surface of bogs with use of mechanical equipment which are to be reported separately in classification 0112 and the picking of moss by hand in a forest which is to be reported separately in classification 4802.

4301-17 Tanneries, fur manufacturing

Applies to establishments engaged in tannery operations which involve tanning and dressing raw hides for sale to dealers or manufacturers of leather or fur products. (Taxidermists often send hides to a tannery rather than treating them at their own shops.) Hides are received from outside sources, washed in caustic soda, borax and soda to clean, soften and preserve them. Excess flesh and tissue is removed from hides by fleshing machines which resemble a band saw mounted on a table. Any additional fleshing is done by scraping with a hand knife. Hides are then softened by agitating in a lime solution to remove all or part of the hair or fur, softened by agitating paddles using a variety of chemicals mixed with cornmeal and treated with a solution of sulfuric acid. Tanning is then done in revolving drums containing a mixture of water, salt, sodium bicarbonate and chromium sulfate. Drying may be done using a gas fired oven depending on the type of hide. Shredded hide may be baled and sold to glue makers. Tanned hides are split, dyed and finished. Tears in the hide are hand sewn.

This classification excludes hide or leather dealers, establishments engaged in hide pelting, and taxidermists which are all to be reported separately in classification 3708.

4301-19 Sausage casing dealers

Applies to establishments engaged in the sales and distribution of natural sausage casings to others. Casings are ani-

mal intestines received from packing houses or rendering plants. Wholesale dealers wash, dry, sort and package casings for distribution.

This classification excludes establishments engaged in the manufacture of sausage which are to be reported separately in classification 4301-10.

4301-21 Rendering works, N.O.C.

Applies to establishments engaged in rendering operations not covered by another classification (N.O.C.). Rendering is the act of reducing or melting down fat by heating. The raw animal materials such as, but not limited to, discarded fat, bone trimmings, meat scraps, blood, grease and feathers are collected from farms, stockyards, slaughterhouses, butcher shops, supermarkets, restaurants, meat and poultry stores, ranches, feed lots or animal shelters and brought to the rendering plant. The hides are removed and stored for shipment to hide dealers and tanneries. Carcasses are cut into workable sizes and placed into tanks. Steam passes directly into the materials being cooked. The grease is drawn off and meat and bones drop into a slush box. The slush is then pressed to remove more water and grease before going to steam pressure dryers. In some plants this is all performed with one piece of equipment. Tools and equipment may also include crushers, hashers, grinders, hoppers, prebreakers, blow tanks, conveyors, bucket elevators, pumps, steam-heater batch cokers, dryers, screw presses and waste water treatment equipment. In addition, other products such as cod liver oil may be produced, depending on the basic material being rendered. Regardless of the type of rendering system being used, all fish oils and animal grease or tallow are pumped into receiving or settling tanks. Barrels, drums or tank cars are filled for shipment to manufacturers of assorted products such as soap, and fatty acid products such as cosmetics, lubricants, paints and plastics. Edible tallow is used in margarine and other foods as regulated by the USDA. This classification includes the crushing, grinding, pressing, drying, pulverizing, and bagging of dried slush or tankage to produce fish or bonemeal, and feed concentrates for livestock and poultry and fertilizer.

This classification excludes establishments engaged as packing houses which are to be reported separately in classification 4301-11 and establishments engaged as slaughterhouses which are to be reported separately in classification 4301-22.

4301-22 Slaughterhouses

Applies to establishments engaged in the slaughter of animals and the initial processing of meat. This includes purchasing livestock from individuals or feedlots, handling the livestock, maintaining pens, and butchering. The process requires the preparation of the animal carcass, washing of casings and the salting of hides or cooking of offal (waste). Tools and equipment used include hydraulic dropper/spreaders, stunning machines, hoists, knives, scissors, razors, scrapers, meat chippers and cleavers. The meat is then sold by hanging weight and distributed to buyers using box freezer or container trucks. This classification excludes establishments engaged in packing house operations which are to be reported separately in classification 4301-11; establishments engaged in manufacturing meat products which are to be reported sep-

arately in classification 4301-12; custom meat cutting which is to be reported separately in classification 4302; retail meat and poultry dealers which are to be reported separately in classification 3303; wholesale meat dealers and wholesale poultry processors/dealers which are to be reported separately in classification 3304.

AMENDATORY SECTION (Amending WSR 90-13-018, filed 6/8/90, effective 7/9/90)

WAC 296-17-631 Classification 4302.

((Custom meat cutting facilities engaged in cutting uninspected or combined uninspected and inspected meats including farm kill operations. For purposes of this rule the terms "uninspected and inspected meats" shall be given the meanings as contained in chapter 16.49 RCW.))

4302-14 Custom meat cutting

Applies to establishments engaged in operating custom meat cutting shops. This classification primarily caters to customers who bring in an animal carcass (usually from a farm or hunt) for processing. Customers generally fill out a cut and wrap list which indicates how they want the meat cut such as steaks, flank, roasts, ribs, fillets, or hamburger, and how they want the product wrapped such as 3 steaks to a package, 5 pound roasts, 2 pound packages of hamburger, etc. Once the order has been filled to a customer's specifications, meat is stored in a freezer locker until the customer picks up the product. Custom meat cutting shops may also smoke meats and offer custom cut inspected meats (meaning inspected by USDA officials) for sale as locker packages or by the pound. It is also common for these establishments to sell related grocery items such as butter, eggs or milk. Tools and equipment include, but are not limited to, knives, razors, meat chippers, cleavers and hand carts.

This classification excludes establishments primarily engaged in custom meat cutting *including farm kill operations* which are to be reported separately in classification 4302-15; establishments engaged in farm kill operations *only* which are to be reported separately in classification 4302-16; packing house operations and slaughterhouse operations which are to be reported separately in classification 4301; establishments engaged in the retail sale of meat and poultry dealers which are to be reported separately in classification 3303; and wholesale meat dealers which are to be reported separately in classification 3304.

4302-15 Custom meat cutting and farm kill

Applies to establishments engaged in operating custom meat cutting shops *which also provide farm kill operations away from the custom meat shop*. This classification primarily caters to customers who bring in an animal carcass (usually from a farm or hunted) for processing. Customers generally fill out a cut and wrap list which indicates how they want the meat cut such as steaks, flank, roasts, ribs, fillets, hamburger, etc., and how they want the product wrapped such as 3 steaks to a package, 5 pound roasts, and 2 pound packages of hamburger. Once the order has been filled to a customer's specifications, meat is stored in a refrigerated locker until the customer picks up the product. Custom meat cutting shops

may also smoke meats and offer custom cut inspected meats (meaning inspected by USDA officials) for sale as locker packages or by the pound. It is also common for these establishments to sell related grocery items such as butter, eggs or milk. Tools and equipment include, but are not limited to, knives, razors, meat chippers, cleavers and hand carts. *Farm kill operations* are usually performed with the use of a mobile kill truck. The animal is killed, placed on a hook hoist attached to the mobile unit, skinned, and dressed. The meat is then processed, according to the customer's order, usually at the shop.

This classification excludes establishments engaged in custom meat cutting-in shop *only (no farm kill)* which are to be reported separately in classification 4302-14 and farm kill *only* operations (mobile butchering) which are to be reported separately in classification 4302-16.

4302-16 Farm kill

Applies to establishments engaged *exclusively* in mobile butchering or farm kill operations which are usually performed with the use of a mobile kill truck. The animal is killed, placed on a hook hoist attached to the mobile unit, skinned, and dressed. Establishments in this classification are engaged in farm kill operations *only*; they are not engaged in the further processing of meat or meat cutting.

This classification excludes establishments engaged in operating custom meat cutting shops *only (no farm kill)* which are to be reported separately in classification 4302-14 and custom meat cutting shop *including farm kill* which are to be reported separately in classification 4302-15.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-633 Classification 4304.

((Feed-lots
Stock-yards, no slaughtering
Livestock auction and sales yards
Livestock-buyers.))

4304-00 Feedlots or stockyards

Applies to establishments engaged in operating feedlots or stockyards. Feedlots are large, enclosed yards usually with pens or stables where livestock, such as cattle, horses, sheep or pigs, are temporarily held for the sole purpose of supplying with feed and nourishment. Feed (such as corn or hay) is brought in bulk. Feed may be mixed in choppers and blown into feeder troughs. The livestock are raised until they reach certain weights, then sold to packing houses or slaughterhouses. Stockyards are holding areas (large, enclosed yards) where livestock are kept until they are sent for slaughter, sold or dispersed elsewhere.

This classification excludes packing houses or slaughterhouses which are to be reported separately in classification 4301 and livestock auction and sales yards or livestock buyers houses which are to be reported separately in classification 4304-02.

4304-02 Livestock auction and sales yards; livestock buyers

Applies to establishments engaged in operating livestock auction and sales yards and to livestock buyers. Operation of

an auction and sales yard involves the exhibition and sale of cattle, horses, mules, sheep, hogs and goats. The premises usually consists of an arena, a grandstand for customers (both buyers and sellers), and outside pens or stalls for livestock. The livestock are usually dropped off by customers (farmers, ranchers, etc.), are tagged, recorded, checked by brand inspectors and veterinarians, and inspected by employees of the yard. If the animals are left prior to the day of the sale, the employees will feed the livestock and maintain the pens. When the auction begins, yard employees bring the livestock to the arena, parade them around for show, then take them back to the pens to be weighed. A recordkeeper usually assists the auctioneer during this activity. Recordkeepers engaged directly in the business of auctioning are subject to the auction classification. Livestock buyers view the livestock from an overhead viewing area or by walking through the pen area.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-634 Classification 4305.

~~((Garbage works, landfill, reduction or incineration operations—including cashiers collecting fees from customers and incidental recycle operation conducted in connection with a landfill or garbage works operation~~

~~Hazardous waste and toxic material processing or handling, N.O.C.~~

~~Solid waste, refuse or ashes collecting—including curbside recycle services~~

~~Tire dumps or collection centers.))~~

4305-06 Garbage works or landfill: Reduction or incineration

Applies to establishments engaged in the disposal of refuse by processing or destruction, or in the operation of incinerators, landfills or other sites for disposal of such materials. Sanitary landfilling involves spreading typical household waste, in thin layers, compacting them to the smallest practical volume, and covering them with soil each working day in a manner that minimizes environmental impact. Sanitary landfills must have permits issued by a state regulatory program. Also included in this classification are solid waste landfills which are designed to accept construction debris such as plasterboard, cement, dirt, wood, and brush. Compactors may be used to compact the trash before it is discarded in the landfill. Incinerator operations reduce the volume of refuse with the remaining material and ashes being discarded in a landfill. Front end loaders are frequently used to feed the refuse into the incinerator. This classification includes cashiers collecting fees from customers, incidental recycling or sorting operations conducted in connection with a landfill or garbage works operation by employees of an employer subject to this classification, and establishments that only sort refuse. (Refuse sorting centers are distinguished from "buy back centers" in that "buy back centers" collect recyclable materials which they sell to others while refuse sorting centers collect and dispose of materials.)

This classification excludes establishments engaged in solid waste, refuse or ashes collecting, including curbside

recycle services which are to be reported separately in classification 4305-18; cities or towns engaged in solid waste, refuse or ashes collecting, including curbside recycle services which are to be reported separately in classification 0803; counties and taxing districts engaged in operating garbage works, landfill, reduction or incineration operations which are to be reported separately in classification 1501; establishments engaged in hazardous waste and toxic material processing or handling, including processing of medical or septic tank waste, drug lab or hazardous spill cleanup (excluding oil spill cleanup on land), and reprocessing or handling of low-level radioactive materials, which are to be reported separately in classification 4305-20; establishments engaged in tire dumps or collection centers which are to be reported separately in classification 4305-21; and buy back (recycle) center operations that include the collecting, buying from customers, sorting and the baling and sales of materials which are to be reported separately in classification 2102.

4305-18 Solid waste, refuse or ashes collecting

Applies to establishments engaged in collecting and removing waste from private homes, commercial establishments, industrial facilities, and other sites. Refuse may be picked up on a daily, weekly, or other regular basis. Drivers are usually assigned designated routes to collect curbside garbage or transport metal dumpsters for commercial businesses. This classification also includes the curbside collection of recyclable material when performed by employees of an employer subject to this classification. Garbage collection companies have contracts to dump refuse at landfills or local transfer stations where refuse is compacted and later transferred to a landfill. Independent owners may also contract to run the services for a county or city. This classification also includes establishments engaged in mobile paper shredding services. A truck, similar to a small moving van, is outfitted with a paper shredder. Empty bins or cans are left at establishments such as banks and law offices which need to have documents shredded, the filled containers are picked up either on a regular basis or on call, and the paper shredded on-site. The shredded paper is delivered to recyclers or other businesses who use shredded paper.

This classification excludes establishments engaged in garbage works, landfill, reduction or incineration operations which are to be reported separately in classification 4305-06; counties or taxing districts engaged in garbage works, landfill, reduction or incineration operations which are to be reported separately in classification 1501; cities or towns engaged in solid waste, refuse or ashes collecting, including curbside recycling services which are to be reported separately in classification 0803; establishments engaged in hazardous waste and toxic material processing or handling, including processing of medical or septic tank waste, drug lab or hazardous spill cleanup (excluding oil spill cleanup on land), and reprocessing or handling of low-level radioactive materials, which are to be reported separately in classification 4305-20; establishments engaged in tire dumps or collection centers which are to be reported separately in classification 4305-21; and recycle ("buy-back") center operations that include the collecting, buying from customers, sorting, and

the baling of materials which are to be reported separately in classification 2102.

4305-20 Hazardous waste and toxic material processing or handling, N.O.C.

Applies to establishments engaged in the processing or handling of hazardous/toxic materials not covered by another classification (N.O.C.), including the processing of medical or septic tank waste, drug lab or hazardous spill cleanup (excluding oil spill cleanup on land), and reprocessing or handling of low-level radioactive materials. This classification is distinguished from classification 3701-27, in that 4305-20 applies to the processing or cleanup of hazardous/toxic materials while 3701-27 includes the identifying and repackaging for disposal of such materials as drugs, pesticides, chemicals, and toners. Hazardous waste can be defined as any material that contains hazardous elements in amounts high enough to pose a significant threat to human health and the environment and therefore should be isolated. Hazardous characteristics include the ability to bioconcentrate, ignite, corrode, react with water or other materials, or show toxicity such as toxic metals including lead, cadmium and mercury; organic solvents such as benzene and trichloroethylene; and toxic materials such as asbestos.

This classification excludes establishments engaged in garbage works, landfill, reduction or incineration operations which are to be reported separately in classification 4305-06; establishments engaged in solid waste and refuse or ashes collecting, including curbside recycle services and mobile paper shredding operations, which are to be reported separately in classification 4305-18; establishments engaged in tire dumps or collection centers which are to be reported separately in classification 4305-21; soil remediation, including oil spill cleanup on land, which is to be reported separately in classification 0101; asbestos abatement, all operations, which is to be reported separately in classification 0512; processing of waste oils, solvents, antifreeze, paints, and other hazardous materials, which is to be reported separately in classification 3407; and hazardous/toxic material repackaging for disposal, including drugs, pesticides, chemicals, and toners, which is to be reported separately in classification 3701.

4305-21 Tire dumps or collection centers

Applies to establishments engaged in operating tire dumps or collection centers. The primary source of used vehicle tires are tire retailers who remove the tires from their customers' vehicles when replacement tires are sold. Occasionally community or charitable groups will hold a fund raising event where the public can drop off their used tires for a fee. Operations include, but are not limited to, picking up and hauling the used tires to a location where the tires can be stored or manually sorted into those with enough tread to be used on the highways; those casings suitable for retreading (either of which have a resale value); and those with no resale value which are hauled to an appropriate disposal site. This classification includes drivers as well as workers involved in the sorting operations.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-635 Classification 4401.

~~((Cold storage plants, lockers operation.))~~

4401-00 Cold storage lockers

Applies to establishments that rent cold storage lockers to the public. These establishments do not own equity in the merchandise that is stored. Other than being cold storage facilities they are similar to mini-warehouse storage operations. Typically these operations will be a part of a retail or wholesale food or beverage establishment such as meat markets or wine stores. Typical activities contemplated by this classification include maintenance and security of the facility.

This classification excludes establishments engaged in fruit/vegetable freezer operations which are to be reported separately in classification 3902; establishments engaged in cold storage warehouse operations which are to be reported separately in classification 4404; general merchandise warehouses (not cold storage) which are to be reported separately in classification 2102; mini-storage warehouses which are to be reported separately in classification 4910; and field bonded warehouses which are to be reported in classification 2008.

Special note: The distinction between this classification (4401) and cold storage warehouse operations (4404) is that classification 4404 contemplates a warehouse type facility which stores general merchandise of commercial enterprises such as manufacturers and wholesalers as opposed to classification 4401 which rents lockers out to individuals for storage of personal items.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-63501 Classification 4402.

~~((Ice manufacturing, artificial
Ice harvesting
Ice dealers.))~~

4402-00 Ice: Manufacturing or harvesting

Applies to establishments engaged in the manufacture of ice or the harvesting of naturally occurring ice from frozen bodies of water such as lakes or ponds. Ice is made by treating, forming, and freezing water in refrigeration compressor systems. The ice blocks may be scored, cut or sawed, then left in blocks or crushed and bagged. Refrigeration systems are generally freezer coils or pipes running through or around tanks, or refrigerated vaults. Other equipment includes, but is not limited to, tanks, tin molds of various pound sizes or shapes, filtering systems, ice cube making systems which consist of water tanks, tubing and cutting blades, conveyors, incline screws, holding bins, bagging machines, winches, and forklifts. Ice harvesting is the cutting of natural ice from lakes, ponds, or other bodies of water that have frozen over to a suitable thickness and storing it in refrigerated warehouses. Ice manufacturers and harvesters either deliver their ice directly to their customers or sell it to ice dealers.

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This classification excludes ice dealers who are to be reported separately in classification 4402-02 and manufacturers of "dry ice" who are to be reported separately in classification 3701.

4402-02 Ice dealers

Applies to establishments engaged as dealers of ice manufactured or harvested by others. Ice dealers either pick up ice directly from manufacturers and deliver it, or store it in their own refrigerated warehouses or ice stations prior to delivery to their customers. Refrigerated, insulated trucks and trailers are used to deliver ice. Customers may include, but not be limited to, restaurants, lounges, service stations, grocery and convenience stores. Ice dealers may also own coin-operated dispensing machines, at various locations, which they refill.

This classification excludes establishments engaged in the manufacture of ice in refrigerated systems and the harvesting of natural ice which are to be reported separately in classification 4402-00 and establishments engaged in the manufacture of "dry ice" which are to be reported separately in classification 3701.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-636 Classification 4404.

((Storage warehouse, cold:))

4404-05 Cold storage warehouse

Applies to establishments engaged in providing a cold storage facility for general merchandise. These establishments do not own equity in the merchandise they store. The cold storage facility, which is maintained through a mechanical refrigeration process, typically stores items such as, but not limited to, food products, furs, and pharmaceuticals. Work contemplated by this classification includes maintenance and security of the facility, incidental repackaging, and loading and unloading of the warehoused items when performed by employees of an employer having operations subject to this classification.

This classification excludes establishments engaged in fruit/vegetable freezer operations which are to be reported separately in classification 3902; establishments engaged in cold storage locker operations which are to be reported separately in classification 4401; general merchandise warehouses (not cold storage) which are to be reported separately in classification 2102; mini-storage warehouses which are to be reported separately in classification 4910; and field bonded warehouses which are to be reported separately in classification 2008.

Special note: The distinction between this classification (4404) and cold storage locker operations (4401) is that classification 4404 contemplates a warehouse type facility which stores general merchandise of commercial enterprises such as manufacturers and wholesalers as opposed to classification 4401 which rents lockers out to individuals for storing of their personal items.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-637 Classification 4501.

((Radio or television broadcasting companies—transmitter or field employees outside, N.O.C.))

4501-00 Radio or television broadcasting companies: Transmitter or field employees outside, N.O.C.

Applies to the field employees, not covered by another classification (N.O.C.), of establishments engaged in the operation of radio or television broadcasting companies. This classification is limited to outside employees engaged in technical and engineering work such as the installation/testing/repair of lines, antennas (including tower mounted), satellite dishes, and field transmitting equipment.

This classification excludes radio or television broadcasting station employees confined to the studio or office such as, but not limited to, control operators/engineers, announcers, camera operators, players, entertainers, musicians, clerical office and sales personnel, who are to be reported separately in classification 4502; establishments engaged in providing television cable service to subscribers which are to be reported separately in classification 1305; contractors engaged in underground line construction, maintenance, or repair who are to be reported separately in classification 0107; contractors engaged in overhead line construction, maintenance or repair who are to be reported separately in classification 0509; and contractors engaged in wiring within buildings and antenna hookups within buildings who are to be reported separately in classification 0601.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-638 Classification 4502.

((Radio broadcasting stations, all other employment including clerical office and sales personnel

Recording companies, studio including clerical office and sales personnel

Television broadcasting stations, all other employment including clerical office and sales personnel

Television cable companies, all other employment including clerical office and sales personnel

"All other employees" is limited to employees confined to the studio or office and includes control operators, announcers, players, entertainers or musicians.))

4502-00 Radio broadcasting stations: All other employment

Applies to establishments engaged in the operation of radio broadcasting stations. This classification is limited to those employees who are confined to the studio or office such as, but not limited to, control operators, producers, engineers, announcers, reporters, disc jockeys, players, entertainers, musicians, clerical office and sales personnel. This classification includes occasional outside exposure when broadcasting from a remote location.

This classification excludes radio broadcasting station field employees engaged in technical and engineering work such as, but not limited to, the installation/testing/repair of

lines, antennas, and satellite dishes who are to be reported separately in classification 4501.

4502-01 Television broadcasting stations and video production: All other employment

Applies to establishments engaged in the operation of television broadcasting stations and the production of videos. This classification is limited to those employees who are confined to the studio or office such as, but not limited to, control operators, producers, directors, announcers, camera operators, reporters, players, entertainers, musicians, clerical office and sales personnel. This classification includes occasional outside exposure when broadcasting from a remote location. This classification excludes television broadcasting station field employees engaged in technical and engineering work such as, but not limited to, installation/testing/repair of lines, antennas, and satellite dishes who are to be reported separately in classification 4501; studio or office employees of television cable companies who are to be reported separately in classification 4502-03; and large-scale theatrical/movie production which is to be reported separately in classification 6608.

4502-02 Recording companies, studio

Applies to establishments engaged in the operation of studio recording companies. This classification is limited to those employees who are confined to the studio or office such as, but not limited to, control operators, engineers, announcers, players, entertainers, musicians, clerical office and sales personnel. This classification includes occasional outside exposure when recording at a remote location.

4502-03 Television cable companies: Control room and clerical personnel

Applies to control room and office employees of establishments engaged in providing point-to-point cable television service to subscribers. Television cable companies receive commercially produced programming from others through satellite and antennae, which they distribute to their subscribers through the local cable lines they install and maintain. They may also become involved in producing original programming and making channels available for public access broadcasts. Work contemplated by this classification is limited to those employees who are confined to a control center, studio or office such as, but not limited to, control operators, players, announcers, entertainers, musicians, clerical office and sales personnel. This classification includes occasional outside exposure for broadcasting from a remote location. Also included are homeowners' associations and co-ops who operate a central system for residential users.

This classification excludes television cable company field employees engaged in operation, maintenance and extension of lines and subscriber hook-ups who are to be reported separately in classification 1305 and studio or office employees of noncable television broadcasting companies who are to be reported separately in classification 4502-01.

AMENDATORY SECTION (Amending WSR 94-24-007, filed 11/28/94, effective 1/1/95)

WAC 296-17-640 Classification 4504.

((Theatres all types

This classification includes managers, stage hands, box office employees, parking lot attendants, ushers, motion picture operators, snack bar employees, clerical office and sales personnel but excludes actors, performers, players, musicians and/or entertainers which are to be reported separately under risk classifications 6605 (WAC 296-17-727) and 6620 (WAC 296-17-73111:))

4504-00 Theatres

Applies to establishments engaged in the operation of indoor motion picture theatres, drive-in theatres, and live production theatres. This classification includes, but is not limited to, managers, stage hands, box office employees, projectionists, ushers, snack bar employees, parking lot attendants, security guards, sound system and lighting engineers, set builders, clerical office employees, and sales personnel. This classification includes the organization and management of nontheatrical events on theatre-owned property, such as a "swap meet" on the grounds of an outdoor theatre, when done by employees of an employer having operations subject to this classification.

This classification excludes performers in live theatre such as, but not limited to, actors, entertainers, and musicians who are to be reported separately in 6605 or 6620 as applicable; nontheater employees engaged in setting up stage lighting and sound systems who are to be reported separately in classification 0601 or 0608 as applicable; and nontheater employees engaged in building and setting up props and sets who are to be reported separately in classification 0516.

Special note: Theatrical productions often involve independent contractors. The independent contractor tests found in RCW 51.08.180 and 51.08.195 should be applied when reviewing the status of individuals such as, but not limited to, the playwright, composer, set designer, costume designer, lighting and sound designers, and videographer.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-641 Classification 4601.

((Fireworks manufacturing

Powder works manufacturing

Combined chemicals and explosives manufacturing:))

4601-01 Fireworks: Manufacturing

Applies to establishments engaged in the manufacture of fireworks such as, but not limited to, flares, star shells, rockets, firecrackers, and signals used to generate colored lights, smoke, and noise. Incendiary powders, metal salts, components such as metal and cardboard tubes, aluminum cylinders, parachutes, umbrellas, sheet steel carrying shells, glue and wax are received from others. The process involves mixing, repeated screening, drying, blending and aging. The chemicals mixed include an oxidizer which produces the oxygen needed to make it burn fast and hot, a fuel which combines with the oxygen and causes the burning, coloring

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agents which produce the color, and a binding material which binds all the ingredients together. The composition is weighed and pressed into containers such as, but not limited to, aluminum caps or cardboard shells. The pyrotechnic (or shell) pellet then passes to be assembled with the remainder of the device being manufactured where the fuses are also added. Most processes are done with hand tools such as knives, mallets, and scissors due to the dangers of operating machinery around explosives. Fireworks are classified as either Class B or Class C according to their complexity and amount of explosives; however, they all contain an oxidizer, a fuel and a binder and are extensively regulated by federal agencies. This classification excludes establishments engaged in the manufacture of explosive powder which are to be reported separately in classification 4601-02; establishments engaged in the manufacture of combined chemicals and explosives which are to be reported separately in classification 4601-03; and the exhibition of fireworks which is to be reported separately in classification 6207.

4601-02 Explosive powder: Manufacturing

Applies to establishments engaged in the manufacture of pyrotechnic, explosive, and incendiary powders from ingredients such as, but not limited to, nitrates, electrolytic copper dust, potassium perchlorate, powdered magnesium, sulfur, charcoal and linseed oil which are received from other sources. According to product being made, specific ingredients are mixed, then ground, screened and blended into powder of varying grains. Powder is filled into kegs, tin cans, or special fiber containers.

This classification excludes establishments involved in the manufacture of fireworks which are to be reported separately in classification 4601-01; establishments involved in the manufacture of combined chemicals and explosives which are to be reported separately in classification 4601-03; establishments engaged in chemical manufacturing which are to be reported separately in classification 3701; and establishments involved in blasting operations which are to be reported separately in the applicable classification.

4601-03 Combined chemicals and explosives: Manufacturing

Applies to establishments engaged in the manufacture of combined chemical and explosive products such as, but not limited to, bullets, shotgun shells, caps, fuses, pellets, dynamite, grenades, or other munitions. Raw materials include, but are not limited to, ammonia, nitrates and other chemicals, fertilizer, powders, shell casings, projectiles, and boosters. The process includes screening, grinding, mixing, blending, loading into casings, and packaging for shipment according to product being made. The manufacturing of the casings and loading of the explosives are included in this classification when performed by employees of an employer subject to this classification.

This classification excludes establishments engaged in the manufacture of fireworks which are to be reported separately in classification 4601-01; establishments engaged in the manufacture of explosive powder which are to be reported separately in classification 4601-02; and establishments engaged exclusively in chemical manufacturing which are to be reported separately in classification 3701.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-643 Classification 4802.

((Bulb-raising

Farms: Berries—all types

Field vegetable crops, such as bush beans, peas, sweet corn, potatoes, sugar beets, and field carrots which are mechanically harvested

Flower or vegetable seed growing including harvesting of seeds

Flowers: Field growing

Picking of forest products, N.O.C.

This classification excludes fresh fruit or vegetable packing operations which are to be reported separately in classification 2104; and fruit or vegetable cannery or freezer operations which are to be reported separately in classification 3902 unless another classification treatment is provided for by other rules.))

4802-02 Farms: Berry

Applies to establishments engaged in raising berries of all types. Work contemplated by this classification includes, but is not limited to, preparing soil for new plants, planting, fertilizing, weeding, pruning canes, cutting runners, installing posts and wire supports, tying vines, machine harvesting of berries, and installing or maintaining sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification includes roadside fruit stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately in classification 6403 provided all the conditions of the general reporting rules covering the operation of a secondary business are met.

This classification excludes fresh fruit packing operations which are to be reported separately in classification 2104; fruit cannery or freezer operations which are to be reported separately in classification 3902; winery operations which are to be reported separately in classification 3702; hand harvesting of berries which is to be reported separately in classification 4806; and any contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as, but not limited to, weeding, planting, irrigating, or fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4802-03 Farms: Bulb raising

Applies to establishments engaged in raising flowers and plants for bulbs. Work contemplated by this classification may take place in an open field or a greenhouse. Farming activities include, but are not limited to, preparing soil for new plants; planting, fertilizing, weeding, dead heading or cutting flowers, maintaining or installing sprinkler or irrigation systems, and machine digging and harvesting bulbs when performed by employees of an employer subject to this classification. Any subsequent grading, sorting, packing and shipping of bulbs is included within the scope of this classification as are roadside stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately provided all the conditions of the general reporting rules covering the operation of a secondary business are met.

This classification excludes establishments engaged exclusively in the sale of fresh cut flowers and potted plants who are not involved in the cultivation of plants or flowers which are to be reported separately in classification 6404; hand picking of bulbs which is to be reported separately in classification 4806; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as, but not limited to, weeding, planting, irrigating, or fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4802-06 Picking of forest products, N.O.C.

Applies to establishments engaged exclusively in picking forest products that are not covered by another classification (N.O.C.) such as, but not limited to, holly, ferns, cones, cedar boughs, mushrooms, wild flowers, wild berries, moss, and tree bark. Work contemplated by this classification is limited to hand picking operations and is often accomplished through the aid of hand held cutting devices such as pruning shears or saws. Properties from which products are harvested from may be owned or leased. Operations not described above are to be reported separately in the classification applicable to the work being performed.

Special note: The farm labor contractor provision, as described in the general reporting rules, is not applicable to this classification as such establishments are not engaged in a farming operation.

4802-11 Farms: Flower or vegetable seeds

Applies to establishments engaged in raising flowers, flowering plants or vegetable plants for seed. Work contemplated by this classification may take place in an open field or a greenhouse. Farming activities include, but are not limited to, preparing soil for new plants, planting, fertilizing, weeding, machine harvesting seeds, cutting fresh flowers, harvesting incidental fresh vegetables, maintaining or installing sprinkler or irrigation systems, and drying of the seed. Any subsequent grading, sorting, packing and shipping of seeds is included within the scope of this classification as is the incidental sale of fresh cut flowers or vegetables from roadside stands located at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately provided all the conditions of the general reporting rules covering the operation of a secondary business are met.

This classification excludes fresh vegetable packing operations which are to be reported separately in classification 2104; cannery or freezer operations which are to be reported separately in classification 3902; establishments engaged exclusively in the sale of fresh cut flowers and potted plants who are not involved in the cultivation of plants or flowers which are to be reported separately in classification 6404; hand gathering of seeds where no hand held cutting device is used which is to be reported separately in classification 4806; establishments engaged exclusively in the sale of fresh vegetables but are not involved in the cultivation of plants which are to be reported separately in classification 6403; and any contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4802-12 Farms: Field vegetable crops - mechanically harvested

Applies to establishments engaged in raising field vegetable crops which are mechanically harvested. Work contemplated by this classification includes, but is not limited to, preparing soil for new plants, planting, fertilizing, weeding, pruning, machine harvest of vegetables, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification includes roadside stands operated at or near the farm and farm store operations where a small stock of prod-

ucts not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those

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|---------------------|------------------|------------------|
| <u>Beans, Green</u> | <u>Cucumbers</u> | <u>Rutabagas</u> |
| <u>Beets, Table</u> | <u>Parsnips</u> | <u>Squash</u> |
| <u>Carrots</u> | <u>Radishes</u> | <u>Tomatoes</u> |
| <u>Corn, Sweet</u> | <u>Rhubarb</u> | <u>Turnips</u> |

This classification excludes fresh vegetable packing operations which are to be reported separately in classification 2104; cannery or freezer operations which are to be reported separately in classification 3902; and any contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported in the classification applicable to the work being performed.

Special note: This classification differs from classification 4808 "diversified field crops" in that vegetable crops grown subject to classification 4808 generally have a long growing season and are harvested upon reaching maturity at the end of the season. Vegetable crops grown in classification 4802 are generally planted so that harvesting will occur continuously over the season and in smaller quantities. Although corn is technically a grain crop, it is widely accepted as a vegetable crop when harvested for fresh market as opposed to being left in the field to dry and used as feed, flour, or cereal grain. Corn grown subject to classification 4802 is for a fresh market, cannery or frozen food while the corn grown in classification 4808 is for grain, flour and feed.

The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4802-13 Farms: Flowers - field growing Farms: Florists - cultivating or gardening

Applies to establishments engaged in raising flowers and flowering plants for sale. Work contemplated by this classification may take place in an open field or a greenhouse. Farming activities include, but are not limited to, preparing soil for new plants, planting, fertilizing, weeding, cutting fresh flowers, and maintaining or installing sprinkler or irrigation systems. Any subsequent grading, sorting, packing and shipping of flowers is included within the scope of this classification as is the incidental collection of flower seed for use in future crops. This classification includes roadside stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately pro-

vided all the conditions of the general reporting rules covering the operation of a secondary business are met. Typical crops include the following:

vided all the conditions of the general reporting rules covering the operation of a secondary business are met.

This classification excludes establishments engaged exclusively in the sale of fresh cut flowers and potted plants who are not involved in the cultivation of plants or flowers which are to be reported separately in classification 6404 and any contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808-11 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-644 Classification 4803.

((Farms, N.O.C.

Orchards—applies to all deciduous fruit and nut tree crops including all acreage devoted to the raising of such crops. This classification includes operations incidental to the enterprises described above including harvesting of all crops. However, ground hand picking of prunes and nuts will be reported separately in classification 4806 if the conditions stipulated in that classification are met.

This classification excludes fresh fruit packing operations which are to be reported separately in classification 2104; and fruit cannery or freezer operations or nut processing which is to be reported separately in classification 3902.))

4803-02 Farms: Orchards - fruit tree crops

Applies to establishments engaged in operating fruit orchards of all types. Work contemplated by this classification includes, but is not limited to, preparing soil for new trees, planting trees, fertilizing, spraying, fumigating, weeding, pruning, harvesting tree fruit, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification includes roadside stands operated at or near the farm and farm store operations where a small stock of prod-

ucts not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately provided all the conditions of the general reporting rules covering the operation of a secondary business are met.

This classification excludes fresh fruit packing operations which are to be reported separately in classification 2104; fruit cannery or freezer operations which are to be reported separately in classification 3902; winery operations which are to be reported separately in classification 3702; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: Prune harvesting is often accomplished by a person laying a canvas cover around the base and surrounding area of the tree. The tree is then shaken by hand causing the fruit to dislodge and fall to the canvas cover where it is picked by hand. Harvesting done by this method is subject to classification 4806 provided that the conditions set forth in classification 4806 have been met.

The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4803-04 Farms: Orchards - nut tree crops

Applies to establishments engaged in operating nut producing orchards of all types. Work contemplated by this classification includes, but is not limited to, preparing soil for new trees, planting trees, fertilizing, spraying, fumigating, weeding, pruning, machine harvesting of nuts, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification includes the incidental sale of bulk or packaged nuts at roadside stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately provided all the conditions of the general reporting rules covering the operation of a secondary business are met.

This classification excludes nut shelling and packaging operations which are to be reported separately in classification 3902; ground hand picking of nuts which is to be reported separately in classification 4806; and contractors hired by a farm operator to install, repair or build any farm

equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: Nut harvesting is often accomplished by a person laying a canvas cover around the base and surrounding area of the tree. The tree is then shaken by hand causing the nuts to dislodge and fall to the canvas cover where they are picked by hand. Harvesting done by this method is subject to classification 4806 provided that the conditions set forth in classification 4806 have been met. The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4803-16 Farms, N.O.C.

Applies to establishments engaged in operating farms not covered by another classification (N.O.C.). Establishments in this classification include holly farms and the raising of sheep, goats, alpacas and llamas. Work contemplated by this classification is of a custodial nature that includes, but is not limited to, pruning and otherwise maintaining trees, tending and feeding animals, raising crops for feed, erecting or mending fences, breeding animals, transporting animals to market, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification also covers artificial insemination and veterinary care when performed by employees of an employer subject to this classification.

This classification excludes businesses primarily engaged in holly packing or wreath making who are to be reported separately in classification 6404 (florists), and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-645 Classification 4804.

((Egg grading, candling and packing

Farms: ~~Apiaries~~

Farms: ~~Aviaries~~

Farms: ~~Egg production~~

Farms: ~~Fur bearing animals such as but not limited to rabbit, mink, fox, etc.~~

Farms: ~~Poultry~~

Farms: ~~Worms~~

This classification applies to acreage devoted to the raising of poultry, rabbits and fur bearing animals:-))

4804-00 Farms: Poultry

Applies to establishments engaged in operating poultry farms of all types. Poultry farms covered by this classification may be engaged in breeding and raising birds for human consumption or for sale to research laboratories or egg production farms. Work contemplated by this classification is of a custodial nature that includes, but is not limited to, sheltering, tending, feeding and watering birds, raising crops for feed, erecting or mending fences, cages and pens, breeding birds, cleaning pens and cages, transporting animals to market, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification.

This classification excludes feed milling operations which are to be reported separately in classification 2101; the butchering and processing of poultry which is to be reported separately in classification 3304; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4804-03 Farms: Egg production

Applies to establishments engaged in operating egg production farms. Farms covered by this classification may also be engaged in raising brood stock for future egg production or sale to other farms. Work contemplated by this classification is of a custodial nature that includes, but is not limited to, sheltering, tending, feeding and watering birds, raising crops for feed, erecting or mending fences, cages and pens, breeding birds, cleaning pens and cages, transporting eggs to market, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification also includes any related packing or grading of eggs by farm employees, farm stand operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations may qualify to have

those activities reported separately if the conditions as a multiple business is met.

This classification excludes feed milling operations which are to be reported separately in classification 2101; the butchering and processing of poultry which is to be reported separately in classification 3304; and contractors hired to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4804-05 Farms: Fur bearing animals

Applies to establishments engaged in raising fur bearing animals such as mink, fox and chinchilla for pelts (skins) or for sale. Work contemplated by this classification is of a custodial nature that includes, but is not limited to, sheltering, tending and breeding, feeding and killing animals, fleshing and drying skins, erecting or mending fences, erecting or maintaining kennels or cages, cleaning cages and kennels, and veterinary care when performed by employees of an employer subject to this classification. This classification excludes contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as feeding animals, grooming, and cleaning kennels. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to.

4804-06 Farms: Worm

Applies to establishments engaged in raising worms. Work contemplated by this classification includes, but is not limited to, the preparation of soils and soil mixes, maintaining proper soil moisture to encourage worm growth and reproduction, digging worms, sorting and packaging.

This classification excludes contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, preparing soils, irrigating and fertilizing. Generally the work involves manual

labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to.

4804-07 Farms: Apiaries (bees)

Applies to establishments engaged in raising honey bees for making honey or for sale to growers or farmers who use them as pollinators or to laboratories or research centers. Work contemplated by this classification is of a custodial nature that includes, but is not limited to, sheltering, building structures to accommodate bee hives, collecting honey from hives, and growing vegetation and plants to support the production of honey or population of bees. This classification also includes the incidental processing and packaging of honey, honey comb and bees wax and the sale of honey at roadside stands located at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations may qualify to have those activities reported separately if the conditions in the multiple enterprise section of the general reporting rules are met. The raising of insects such as crickets has also been assigned to this classification as is the collection of bees and bee hives from unrelated properties.

This classification excludes contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as collecting hives or bees, preparing soils for crops, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to.

4804-08 Farms: Aviaries (birds)

Applies to establishments engaged in raising all varieties of birds including game birds and exotics such as, but not limited to, emu and ostrich for sale to pet dealers, other aviaries, retail customers, and laboratories or research centers. Work contemplated by this classification is of a custodial nature that includes, but is not limited to, sheltering, tending, feeding and watering, raising crops for feed or protective covering, erecting or mending fences, cages, coops and pens, breeding birds, cleaning pens, cages and coops, transporting birds to market, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification also includes any store operations.

This classification excludes feed milling operations which are to be reported separately in classification 2101 and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as collecting hives or bees, preparing soils for crops, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to.

4804-09 Egg grading, candling and packing

Applies to establishments engaged in grading, candling, and packing eggs for either retail or wholesale markets. Work contemplated by this classification includes, but is not limited to, sorting, grading, washing, candling, packing eggs into cartons or crates, and transporting eggs to market. Establishments assigned to this classification are not engaged in raising poultry or operating egg production farms. This classification includes store operations located at or near the packaging facility.

This classification excludes establishments engaged in egg breaking which are to be reported separately in classification 3902.

Special note: The farm labor contractor provision is not applicable to this classification as such establishments are not engaged in a farming operation.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-646 Classification 4805.

((Christmas tree sales from u-cut farms or retail sales lots
Farms: Aquatic plants
Farms: Shellfish—excluding mechanical harvesting which is to be reported separately in classification 4808
Farms: Sod-growing
Nurseries—including incidental greenhouse operations
This classification applies to all acreage devoted to nursery operations including tree nurseries and sod-growing
Classification 4805 and classification 5004 shall not be assigned to the same risk unless the operations described by these classifications are conducted as separate and distinct businesses and each business has separate and distinct employees.))

4805-00 Nurseries, N.O.C.

Applies to establishments not covered by another classification (N.O.C.) that are engaged in the propagation and/or care of trees, shrubs, plants, and flowers pending sales to others. Nurseries can be categorized into two general groups in that some nurseries are actively engaged in the propagation of trees, plants, and shrubs from seed, grafting or cuttings.

while others simply buy stock from growers and resell to the public or to commercial customers. Work contemplated by this classification includes, but is not limited to, preparing soil for new trees, shrubs or plants, propagating trees, shrubs or plants, fertilizing, spraying, fumigating, watering and weeding plants, trees and shrubs, pruning trees and shrubs, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification includes incidental greenhouses which are typically maintained for the purpose of starting new plants, shrubs or trees and protecting plants from weather conditions. Greenhouses may also serve as holding areas for garden supplies, fertilizer, planting containers, and tools which are available for sale to the public. This classification also includes the incidental sale of bark, soils, decorative or crushed rock, and store operations. This classification does not apply to establishments engaged in propagating trees in connection with an orchard operation or Christmas tree farm which are to be reported separately in classification 4803 or classification 7307 as applicable, or to landscaping contractors who may raise plants, trees or shrubs to be used in connection with their own landscaping jobs who are to be reported separately in classification 0301 or 0308 as applicable.

This classification excludes establishments engaged in growing and harvesting flowers for sale to others which are to be reported separately in classification 4802 and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4805-05 Nurseries: Tree

Applies to establishments engaged in the propagation and/or care of trees for sale. Nurseries can be categorized into two general groups in that some nurseries are actively engaged in the propagation of trees from seed and grafting while others simply buy stock from growers and resell to the public or commercial customers. Work contemplated by this classification includes, but is not limited to, preparing soil for new trees, propagating trees, fertilizing, spraying, fumigating, watering, weeding, and pruning trees, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification includes incidental greenhouses which are typically maintained for the purpose of starting new trees and protecting them from weather conditions. Greenhouses may also serve as holding areas for garden supplies, fertilizer, planting containers, and tools which are available for sale to

the public. This classification also includes the incidental sale of beauty bark, soils, decorative or crushed rock, and store operations.

This classification excludes establishments engaged in propagating trees in connection with an orchard operation or Christmas tree farm which are to be reported separately in classification 4803 or classification 7307 as applicable; landscaping contractors who may raise trees to be used in connection with their landscaping jobs who are to be reported separately in 0301 or 0308 as applicable; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4805-06 Farms: Sod growing

Applies to establishments engaged in raising lawn sod for sale. Work contemplated by this classification includes, but is not limited to, preparing soil for new grass, planting grass seed, fertilizing, spraying, fumigating, watering, weeding, mowing grass, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. Sod farms may sell directly to the public from the farm or through landscape dealers and contractors. This classification excludes the installation of sod at a customer's location; landscaping contractors who may raise sod to be used in connection with their landscaping jobs; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported in separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4805-07 Farms: Aquatic plants

Applies to establishments engaged in the propagation of aquatic plants for sale. Work contemplated by this classification includes, but is not limited to, preparing aquatic tanks, fresh water ponds or salt water growing areas for new plants,

care of aquatic growing beds including chemical treatments of beds to eliminate undesirable vegetation, and harvesting and packaging plants when performed by employees of an employer subject to this classification. Aquatic farms may sell plants directly to the public from the farm or through dealers and unrelated stores. This classification includes farm store operations.

This classification excludes establishments engaged in the harvesting, processing, or packaging of aquatic plants obtained from natural areas, where the husbandry of the resource is not an integral part of the operation, which are to be reported separately in classification 3304 and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4805-08 Farms: Shellfish - hand harvesting

Applies to establishments engaged in the propagation and hand harvesting, of shellfish for sale. Work contemplated by this classification includes, but is not limited to, preparing aquatic tanks or salt water growing areas for shellfish; care of aquatic growing beds including chemical treatments of beds to eliminate undesirable vegetation; and harvesting, shucking and packaging shellfish when performed by employees of an employer subject to this classification. Shellfish farms may sell directly to the public from a farm stand or store, located at or near the farm, or to dealers and unrelated stores.

This classification excludes establishments engaged in the harvesting, processing or packaging of shellfish obtained from natural areas where the husbandry of the resource is not an integral part of the operation which are to be reported separately in classification 3304 and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special notes: The distinction between risks assigned to this classification (4805-08) and those which are to be reported separately in classification 4808 is in the harvesting process. Risks subject to classification 4805 are engaged in hand harvesting activities which includes the use of hand held tools while those assigned to classification 4808 are engaged in mechanical harvesting activities by way of dredging operations. The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as seeding of larvae to mother shells and planting shells to natural waters. Generally the work involves manual labor tasks as opposed to machine opera-

tions. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to.

4805-09 Christmas tree sales from U-cut or retail sales lots

Applies to establishments engaged in retail sales of Christmas trees. Work contemplated by this classification is limited to placing trees in stands or on racks for display purposes, showing trees to retail customers, cashiering, monitoring and directing traffic in the sales lot area, and loading trees into customer vehicles. Tree sales may be conducted at a farm location as in the case of a U-cut tree operation or at a seasonal sales lot.

This classification excludes all farming operations such as, but not limited to, preparation of soil for new trees, propagating and planting trees, fertilizing, spraying, fumigating, watering, weeding, pruning, and harvesting of trees, maintaining or installing sprinkler or irrigation systems which are to be reported separately in classification 7307; Christmas tree wholesalers and Christmas tree baling and packing operations which are to be reported separately in classification 7307; and contractors hired to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special notes: Establishments assigned to this classification (4805-09) should report hours in this classification *only during the fourth quarter of each year* since these sales are confined to the Christmas season. The farm labor contractor provision is not applicable to this classification as such establishments are not engaged in a farming operation.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-647 Classification 4806.

((Ground hand harvesting of berries, N.O.C. For the purposes of this rule ground hand harvesting of berries means those crops which are harvested from the ground by hand by a worker either sitting, kneeling, bending, stooping or in a similar position or in the upright position when standing on the ground with no aid of ladders, stools or other climbing devices. This classification excludes all harvesting operations that employ or require the use of hand held cutting devices or tools or any mechanical picking or harvesting machinery including incidental pickers which may or may not follow behind such machinery and collect the harvested crops by hand-))

4806-01 Farms: Nuts, berries, prunes, or field flowers and bulbs - hand harvesting

Applies to those employees of an employer who are engaged *exclusively* in hand harvesting nuts, berries, prunes, or field flowers or bulbs. This classification is limited to the harvest of crops which are picked from trees or from the ground, by hand and by a worker either sitting, kneeling,

bending, stooping, or standing on the ground. This classification excludes any operation where ladders, stools, or other climbing devices are used; all operations where harvesting is accomplished or aided with hand held cutting devices or tools, and any mechanical picking or harvesting equipment including incidental workers who may or may not follow behind such machinery and collect the harvested crops by hand; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: Refer to classification 4802 for berry or flower and bulb raising operations and to classification 4803 for orchard operations.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-649 Classification 4808.

((Alfalfa and clover seed growing
Custom farm services by contractor
Farms: Shellfish—mechanical harvesting
Field crops, N.O.C., including raising of all hay, and cereal grains

Potato sorting and storage, N.O.C.

This classification applies to all operations incidental to the enterprises described above

This classification excludes grain milling operations which are to be reported separately in classification 2101; fresh vegetable packing operations which are to be reported separately in classification 2104; and vegetable cannery or freezer operations which are to be reported separately in classification 3902.))

4808-01 Farms: Diversified field crops

Applies to establishments engaged in growing a variety of grain, vegetable, or grass crops during a single season. Work contemplated by this classification includes, but is not limited to, preparing the soil for new crops, planting, fertilizing, weeding, harvesting, and maintaining or installing sprinkler or irrigation systems. Any subsequent grading, sorting, packing and shipping of farm products grown subject to this classification is included within the scope of this classification. This classification includes roadside stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately provided all the conditions of the general reporting rules covering the operation of a secondary business are met. Typical crops include the following:

| | | |
|-------------------|-------------------|--------------------|
| <u>Alfalfa</u> | <u>Garlic</u> | <u>Potatoes</u> |
| <u>Barley</u> | <u>Grain</u> | <u>Rye</u> |
| <u>Beans, Dry</u> | <u>Grass Seed</u> | <u>Sugar Beets</u> |
| <u>Clover</u> | <u>Hay</u> | <u>Timothy</u> |
| <u>Corn</u> | <u>Peas, Dry</u> | <u>Wheat</u> |

This classification excludes fresh vegetable packing operations which are to be reported separately in classification 2104; cannery or freezer operations which are to be reported separately in classification 3902; establishments engaged exclusively in the sale of fresh vegetables who are not involved in the cultivation of plants which are to be reported separately in classification 6403; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: This classification differs from classification 4802 "vegetable farm operations" in that vegetable crops grown subject to classification 4808 generally have a long growing season and are harvested upon reaching maturity at the end of the season. Vegetable crops grown in classification 4802 are generally planted so that harvesting will occur continuously over the season and in smaller quantities. See classification 4802-12 for additional information. The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4808-02 Farms: Alfalfa, clover and grass seed

Applies to establishments engaged exclusively in raising alfalfa, clover, and grass crops for seed. Work contemplated by this classification includes, but is not limited to, preparing soil for crops, planting, fertilizing, machine harvesting, maintaining or installing sprinkler or irrigation systems, and drying of seed. Any subsequent grading, sorting, packing and shipping of seeds is included within the scope of this classification. Also included is the incidental sale of farm products from roadside stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately provided all the conditions of the general reporting rules covering the operation of a secondary business are met.

This classification excludes establishments engaged in grading, sorting, and packaging seeds; or selling baled alfalfa or clover who are not engaged in growing operations which are to be reported separately in classification 2101; establishments engaged exclusively in grain or seed storage who are not engaged in growing operations which are to be reported separately in classification 2007; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4808-04 Farms: Hay

Applies to establishments engaged exclusively in raising hay or straw grass for sale, and includes the raising of such crops for seed. Work contemplated by this classification includes, but is not limited to, preparing soil for crops, planting, fertilizing, machine harvesting, maintaining or installing sprinkler or irrigation systems, and drying of seed. Any subsequent grading, sorting, packing and shipping of seeds is included within the scope of this classification. Also included is the incidental sale of farm products from roadside stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately provided all the conditions of the general reporting rules covering the operation of a secondary business are met.

This classification excludes establishments engaged in grading, sorting, and packaging seeds, or selling baled hay who are not engaged in growing operations which are to be reported separately in classification 2101 and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4808-06 Farms: Cereal grain

Applies to establishments engaged in growing cereal grain crops. Work contemplated by this classification includes, but is not limited to, preparing the soil for new crops, planting, fertilizing, weeding, harvesting, and maintaining or installing sprinkler or irrigation systems. Any subsequent grading, sorting, packing and shipping of farm products grown subject to this classification is included within the scope of this classification. Also included is the incidental sale of farm products from roadside stands or operated at or

near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately provided all the conditions of the general reporting rules covering the operation of a secondary business are met. Typical cereal grain crops include the following:

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|---------------|--------------|
| <u>Barley</u> | <u>Rye</u> |
| <u>Corn</u> | <u>Wheat</u> |

This classification excludes contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special notes: See classification 4802-12 for additional information relative to corn. The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4808-07 Potato sorting and storage

Applies exclusively to establishments engaged in sorting and storing potatoes. Work contemplated by this classification is limited to sorting potatoes either in the field or at a storage warehouse; and packaging and storage of potatoes. For purposes of this classification, packaging is limited to putting potatoes into bags, bins, boxes, or sacks. This classification also includes potato digging and piling when performed by employees of an employer engaged in sorting and storing potatoes but who is not engaged in growing potatoes.

This classification excludes fresh vegetable packing operations which are to be reported separately in classification 2104; cannery or freezer operations which are to be reported separately in classification 3902; potato chip manufacturing which is to be reported separately in classification 3906; establishments engaged exclusively in the sale of fresh vegetables who are not involved in the cultivation of plants which are to be reported separately in classification 6403; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The farm labor contractor provision is not applicable to this classification as such establishments are not engaged in a farming operation.

4808-08 Custom hay baling

Applies exclusively to a specialist farm labor contractor engaged in mowing, turning, and baling hay owned by others. This classification also includes the incidental loading of hay.

onto trucks and stacking of hay in a barn or warehouse when performed by employees of a specialist farm labor contractor engaged in mowing, turning, and baling hay for others.

Special note: The farm labor contractor provision is not applicable to this classification as such establishments are not engaged in a farming operation.

4808-10 Farms: Shellfish - mechanical harvesting

Applies to establishments engaged in the propagation of shellfish for sale and includes the subsequent harvest of shellfish by means of mechanical dredging operations. Work contemplated by this classification includes spawning of shellfish, seeding in controlled tanks, placement of shellfish into deep water growing beds, harvesting, and processing. Harvesting, processing, and packing of shellfish by a farm labor contractor is included in this classification provided that the shellfish being harvested were grown by an establishment subject to this classification. This classification includes the sale of shellfish at roadside stands operated at or near the business location and store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Businesses operating multiple retail locations may qualify to have those activities reported separately if all the conditions of the general reporting rule covering the operation of a secondary business have been met.

This classification excludes establishments engaged in the harvesting, processing or packaging of shellfish obtained from natural areas where the husbandry of the resource is not an integral part of the operation which are to be reported separately in classification 3304 and contractors hired by a shellfish grower to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The distinction between establishments assigned to classification 4808 and those which are to be reported separately in classification 4805 is in the harvesting process. Establishments subject to classification 4805 are engaged in hand harvesting activities which includes the use of hand held tools while those assigned to classification 4808 are engaged in mechanical harvesting activities by way of dredging operations. The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as seeding of larvae to mother shells and planting shells to natural waters. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to.

4808-11 Custom farm services by contractor

Applies exclusively to contractors engaged in supplying and operating agricultural machinery and equipment at their customer's locations. Work contemplated by this classification involves preparing fields for crops, planting and cultivating crops, fertilizing, and harvesting operations using machinery and equipment such as, but not limited to, tractors,

plows, fertilizer spreaders, combines, reapers, potato diggers, boom loaders and pickers. Contractors subject to this classification are generally not responsible for the overall care of the crops, but are merely hired to provide specified services, which involve the use of machinery and employee equipment operators. This classification also includes seasonal agricultural produce hauling from the field to a processing or storage plant when performed by employees of an employer not engaged in the related farming operations associated with the crop being hauled.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-64901 Classification 4809.

((Greenhouses, N.O.C.

Mushroom raising and harvesting

Sprouts raising and harvesting

This classification excludes fresh vegetable packing operations which are to be reported separately in classification 2104; and vegetable cannery or freezer operations which are to be reported separately in classification 3902.))

4809-01 Greenhouses, N.O.C.

Applies to establishments engaged in raising plants exclusively within greenhouses not covered by another classification (N.O.C.). Such establishments may specialize in growing only indoor, outdoor, or vegetable plants, while others will grow all types. The primary distinction between classification 4809 and other classifications where similar plants are grown is the exclusive use of greenhouses for the growing operations. Establishments subject to this classification will not have outdoor growing fields. All growing areas are confined to greenhouse operations. Work contemplated by this classification includes, but is not limited to, preparation of soils, planting seeds or cuttings into pots and trays, and watering and fertilizing plants. This classification includes related sales of plants and store operations.

This classification excludes contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4809-04 Farms: Mushrooms

Applies to establishments engaged in the raising and harvesting of mushrooms for sale. Work contemplated by this classification includes, but is not limited to, preparation and sterilization of compost material, seeding composted trays, monitoring humidity and temperature controlled growing

rooms, moving trays from growing rooms, harvesting mushroom rooms, and grading and sorting mushrooms. This classification also includes fresh packing of mushrooms for sale to others.

This classification excludes all cannery or freezer operations which are to be reported separately in classification 3902 and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported separately in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4809-05 Farms: Sprouts

Applies to establishments engaged in the raising and harvesting of bean and alfalfa sprouts using hydroponic growing methods. Hydroponics growing is a method whereby vegetable crops are raised in trays and tanks within a temperature controlled building in a water solution containing inorganic nutrients. Work contemplated by this classification includes, but is not limited to, preparation and cleaning of tanks and trays, preparation of water solutions, planting of seed into water solution, harvesting, and packaging of crops.

This classification excludes contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors that supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators

| | |
|-------------------------|--------------------|
| <u>Asparagus</u> | <u>Carrots</u> |
| <u>Beans, Green</u> | <u>Cauliflower</u> |
| <u>Beets, Table</u> | <u>Celery</u> |
| <u>Broccoli</u> | <u>Corn, Sweet</u> |
| <u>Brussels Sprouts</u> | <u>Cucumbers</u> |
| <u>Cabbage</u> | <u>Kale</u> |

This classification excludes fresh vegetable packing operations which are to be reported separately in classification 2104; cannery or freezer operations which are to be reported separately in classification 3902; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

are to be reported in classification "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-64902 Classification 4810.

((Farms—field vegetables and herbs, N.O.C.—including truck gardening for fresh market. This classification includes all ground preparation, growing husbandry and hand harvesting with the aid of a hand held cutting device such as a paring or cutting knife used in the harvest of broccoli or cauliflower and by hand alone as in the case of cucumbers but excludes ground preparation, growing and harvesting of vegetable crops such as bush beans, peas, sweet corn, potatoes and field carrots which are mechanically harvested which are to be reported separately in classification 4802 "Farms: Vegetables—mechanically harvested"; fresh vegetable packing operations which are to be reported separately in classification 2104; and vegetable cannery or freezer operations which are to be reported separately in classification 3902.))

4810-00 Farms: Field vegetables and herbs, N.O.C.—hand harvesting

Applies to establishments engaged in raising vegetables and herbs which are harvested by hand for sale and which are not covered by another classification (N.O.C.). Work contemplated by this classification includes, but is not limited to, preparing soil for new plants, planting, fertilizing, weeding, pruning, hand harvest of vegetables, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification includes the incidental sale of fresh vegetables from roadside stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported provided all the conditions of the general reporting rules covering the operation of a secondary business are met. Typical crops include the following:

| | |
|----------------------|------------------|
| <u>Lettuce</u> | <u>Rutabagas</u> |
| <u>Onions, Green</u> | <u>Spinach</u> |
| <u>Parsnips</u> | <u>Squash</u> |
| <u>Peppers</u> | <u>Tomatoes</u> |
| <u>Radishes</u> | <u>Turnips</u> |
| <u>Rhubarb</u> | |

Special notes: This classification differs from classification 4802 "field vegetable crops" in that vegetable crops grown subject to classification 4802 are machine harvested or harvested using a combination of machine and hand labor while vegetable crops covered in classification 4810 are harvested exclusively by hand. See classification 4802-12 for additional information. The term "farm labor contractor"

applies to specialty contractors that supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-64903 Classification 4811.

~~((Farms: Hops including cultivating, picking, drying and baling hops at the farm and all other incidental farm operations, but excludes hop pellet manufacturing which is to be reported separately in classification 2101 and hop extract manufacturing which is to be reported separately in classification 3701~~

~~Farms: Mint including distillery operations when conducted in connection with a mint farm operation and when performed by employees of an employer subject to this classification-))~~

4811-00 Farms: Hops

Applies to establishments engaged in raising hops for sale. Work contemplated by this classification includes, but is not limited to, preparing soil for new plants, planting, fertilizing, weeding, installing poles and wires, maintaining or installing sprinkler or irrigation systems, harvesting hops, the initial drying and baling, and all other operations incidental to the activity described above when done by employees of an employer subject to this classification. Any further processing of hops after the initial drying and baling is excluded.

This classification excludes establishments engaged in the production of hop pellets which are to be reported separately in classification 2101; establishments engaged in the manufacture of a liquid hop extract which are to be reported separately in classification 3701; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special notes: Hops is one of several ingredients used to flavor beer. Extra care should be taken when dealing with hop farms and processing plants to verify the operation and applicable classification. The term "and all other operations incidental to the activity described above" refers only to maintenance type work like mending fences, fixing or servicing kiln dryers, and working on tractors and equipment. The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in

classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

4811-01 Farms: Mint

Applies to establishments engaged in raising mint for sale. Work contemplated by this classification includes, but is not limited to, preparing soil for new plants, planting, fertilizing, weeding, maintaining or installing sprinkler or irrigation systems, harvesting mint, and mint distillation when performed by employees of an employer subject to this classification.

This classification excludes establishments engaged exclusively in the distillation of mint leaves to obtain a mint extract or mint oil who are not engaged in the raising of mint crops, which are to be reported separately in classification 3701, and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-64904 Classification 4812.

~~((Fish and shellfish hatcheries including raising, egg production, grading, harvesting and shipping
This classification excludes fish and shellfish processing which is to be reported separately in classification 3304-))~~

4812-00 Farms: Fin fish and shell fish hatcheries

Applies to establishments engaged in hatchery operations for the raising of fin or shellfish, or their eggs. Work contemplated by this classification includes, but is not limited to, spawning of larvae, growing and testing algae (food for shellfish in larvae stage), seeding of shells in tanks, loading of seeded shells for shipment or transportation to natural waters, spawning fin fish, harvesting, and management of water flow temperature and exchange rate, and laboratory work when performed by employees of an employer subject to this classification. The term "harvest" includes the sale of seeded shells, larvae, fish eggs, and whole fish.

This classification excludes the placement of seeded shells or larvae into natural waters, harvesting of mature shellfish or the related processing and packaging of shellfish which are to be reported separately in classification 3304, 4805, or 4808 as applicable, and contractors hired by a farm

operator to install, repair or build any hatchery equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: See classifications 4805 and 4808 for related information. The farm labor contractor provision is not applicable to this classification.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-64905 Classification 4813.

((Vineyards—all operations including harvesting of fruit

This classification excludes fresh fruit packing operations which are to be reported separately in classification 2104; wine making which is to be reported separately in classification 3702; and fruit cannery, processing, or freezing operations which are to be reported separately in classification 3902.))

4813-00 Vineyards

Applies to establishments engaged in the planting, cultivating, pruning, and harvesting of grapes. Work contemplated by this classification includes, but is not limited to, preparing soil for new plants, planting, fertilizing, weeding, pruning vines, installing posts and wire supports, tying vines, machine or hand harvest of grapes, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification includes roadside fruit stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately in classification 6403 provided all the conditions of the general reporting rules covering the operation of a secondary business are met.

This classification excludes fresh fruit packing operations which are to be reported separately in classification 2104; fruit cannery or freezer operations and jam or syrup manufacturing which are to be reported separately in classification 3902; winery operations which are to be reported separately in classification 3702; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors that supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors that provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-64999 Classification 4900.

((Construction—Superintendent or project manager

This classification applies to construction superintendents or project managers applicable to both general and specialty contractors for construction or erection projects. Construction superintendents spend some time in an office and spend the remainder of time visiting various job sites to confer with construction foreman to keep track of the progress occurring at each construction site or project location. Project managers are generally temporarily stationed at the construction site or project location and confined to a modular type of clerical office to schedule activities and arrival of supplies applicable to the job or project. Construction superintendents and project managers applicable to this classification shall have no direct control over work crews and shall not be performing construction labor at the job site or project location. An employee performing duties of this classification and some type of construction labor or control over a work crew shall not be permitted a division of work hours between this classification and a construction classification, all work hours are to be reported in the applicable construction classification.))

4900-00 Construction: Superintendent or project manager

Applies to those employees, of general or specialty construction contractors, whose job duties are exclusively that of construction superintendents or project managers. Construction superintendents spend some time in an office and spend the remainder of time visiting various job sites to confer with construction foreman to keep track of the progress occurring at each construction site or project location. Project managers are generally stationed at the construction site or project location and confined to a temporary type of office to schedule activities and arrival of supplies such as the delivery of iron, steel, rebar, lumber, concrete ready mix, concrete pump truck services, and cranes.

This classification excludes construction superintendents or project managers who are employed by a business that specializes in offering construction management and consulting services. These businesses do not do any of the actual construction or erection activities and are to be reported separately in classification 4901.

Special notes: This classification is applicable *only* to construction superintendents or project managers who have no direct control over work crews and do not perform construction labor at the construction site or project location. A superintendent or project manager performing duties subject to this classification who also is engaged in operating equipment, performing manual labor, or who directly supervises a work crew at the construction site or project location is excluded from this classification. They are to be reported separately in the applicable construction or erection classification assigned to their employer without any division of hours. A division of hours is not permitted between classification 4900 and any other classification.

PROPOSED

AMENDATORY SECTION (Amending WSR 94-12-063, filed 5/30/94, effective 6/30/94)

WAC 296-17-650 Classification 4901.

((Consulting engineering, architectural, and land surveying services, N.O.C.

Geologists, N.O.C.

Lease buyers performing work similar to oil geologists

Oil or gas geologists or scouts.))

4901-00 Consulting engineering

Architectural services, N.O.C.

Applies to establishments engaged in providing consulting engineering services, construction management or consulting services, or architectural services not covered by another classification (N.O.C.). Engineers consult with and give technical advice to clients through the use of plans, maps, charts, specifications or other media. They may specialize in particular fields of endeavor such as aeronautical, chemical, civil, electrical, industrial, marine, mechanical or structural engineering. Engineers may research, design and develop a plan, a part, a piece of equipment, or a structure and may also build prototypes and models. Architects research, plan and design building projects for clients, applying knowledge of design, construction procedures, zoning and building codes, and building materials. They may enlist the services of engineers to provide specialized technical services or to solve specific problems. Architects may specialize in certain types of facilities such as hotels, hospitals, or industrial plants, or in the restoration of older structures, or may confine their practice to residential work. They also may be involved in the design of transportation facilities, public assembly complexes, marine or public utility projects. This classification includes employees of engineering or architectural services who perform surveys or who act as project managers or project superintendents for their employer's engineering or architectural projects. Businesses which specialize in offering construction management and/or consulting services, which are not involved in designing, engineering, or any of the actual construction activities, are also included in this classification.

This classification excludes draftsmen whose duties are limited to office work, who may be reported separately in classification 4904 provided the conditions set forth in the standard exception rule have been met, and the engineering and architectural staff of construction companies or other types of businesses who are to be reported in the classifications applicable for those businesses.

Special note: When assigning classifications 4901 or 1007, care must be taken to look beyond the words "consulting" or "engineering" to determine the actual nature of the activities being performed. Classifications 4901 and 1007 shall not be assigned to the same business unless all the conditions of the general reporting rules covering the operation of a secondary business have been met.

4901-16 Geologists, N.O.C.

Applies to establishments engaged in providing geological services, including oil or gas geologists or scouts and lease buyers performing work similar to oil geologists, not covered by another classification. Geologists study the com-

position, structure, and history of the earth's crust to identify and determine the sequence of processes affecting the development of the earth. By applying knowledge of chemistry, physics, biology and mathematics to explain these phenomena, they help locate mineral, geothermal, petroleum, and underground water resources. They will consult with and give technical advice to clients based on their findings. Projects may include, but are not limited to, landslide analysis and correction, rock slope design, rock fall mitigation and control, and soil cut and embankment design. They also prepare geologic reports and maps, interpret research data, recommend further study or action, and may participate in environmental studies. Duties of oil or gas geologists or scouts and lease buyers include, but are not limited to, reviewing court records, interviewing lease holders, securing data for prospective oil or gas producing land, as well as procuring core or shale samples at drilling locations for analyzing. The oil or gas geologist also may explore and chart stratigraphic arrangement and structure of the earth to locate gas and oil deposits, evaluate results of geophysical prospecting, prepare maps and diagrams indicating probable deposits of gas and oil, as well as estimate oil reserves in proven or prospective fields and visit drilling sites. Scouts keep the client company informed of events in their region, attend local meetings, and report the findings on work.

This classification excludes geophysical exploration which is to be reported separately in classification 1007; seismic geophysical exploration which is to be reported separately in classification 0103; and geologists or scouts of a drilling or construction contractor who are to be reported separately in the classification applicable to the employer's business.

Special note: When assigning classifications 4901-16, geologists, 1007-08, geophysical exploration, and 0103, seismic geophysical exploration, care must be taken to look beyond the word "geologist" to determine the actual nature of the activities being performed.

4901-17 Land surveying services, N.O.C.

Applies to establishments engaged in providing professional land surveying services not covered by another classification (N.O.C.). Land surveyors measure the size and physical characteristics of earth surfaces to determine precise location and measurements of points, elevations, lines, areas, contours and boundaries for private, public, and commercial applications. Some firms also perform marine, mine, forestry, geological and photogrammetric surveys which utilize sophisticated instruments and techniques, including aerial photography. The field data collected by surveyors may be used to produce maps and architectural and civil engineering plans and drawings. Maps and drawings may be produced by drafters who plot out the field data by hand or by using computer-aided drafting programs.

This classification excludes draftsmen whose duties are limited to office work, who may be reported separately in classification 4904 provided all the conditions of the general reporting rules covering standard exception employees have been met, and surveyors employed by construction companies or other types of businesses who are to be reported separately in the applicable classifications for those businesses.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-651 Classification 4902.

~~((State government—this classification is limited to clerical office, sales personnel and administrative employees that have no field exposure, law enforcement powers, or provide patient health care. For the purposes of this rule field exposure is defined as anything other than the normal travel to a work assignment such as a field auditor or social worker would encounter~~

~~This classification includes all departments, agencies, boards, commissions, committees and elected officials of either the executive, legislative or judicial branches of state government. See classifications 4906, 5307, 7103 and 7201 for other state government operations.))~~

4902-00 State government - administrative, clerical, and sales personnel

Applies to those state employees who are assigned to work in an administrative capacity, a clerical office, or in public relations or sales work. For the purposes of this classification, field exposure is to the normal travel to a work assignment such as a field auditor or social worker would encounter. This classification includes all departments, agencies, boards, commissions, committees and elected officials of all branches of state government.

This classification excludes employees with field exposure other than that described above, employees with law enforcement powers, and employees who provide patient health care.

See classifications 4906, 5307, 7103, and 7201 for other state government activities.

Special note: For purposes of this classification the terms "clerical office" and "sales personnel" shall have the same meaning as defined in the standard exception provision of the general reporting rule.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-652 Classification 4903.

~~((Marine appraising
Boiler inspecting, N.O.C.
Elevator inspecting, no service
Inspection for insurance or valuation.))~~

4903-06 Marine appraising

Applies to establishments engaged in providing marine appraisal services. Type of property appraised includes, but is not limited to, boats, yachts, marinas, wharves, and dry-docks. This service may be provided to a prospective buyer or to insurance companies for determining the value of a piece of property or for evaluating damage.

This classification excludes maritime appraisers who provide their service exclusively to insurance companies who are to be reported separately in classification 4903-09, and nonmaritime building appraisers who are to be reported separately in the classification applicable to the employer's business.

4903-07 Boiler inspecting, N.O.C.

Applies to establishments engaged in providing boiler inspection services not covered by another classification (N.O.C.). These establishments inspect pressurized vessels, including air tanks and liquefied gas tanks, in addition to boilers. The inspections involve determining if a vessel conforms to safety standards in regard to their design, fabrication, installation, repair and operation. The inspections may take place at a manufacturer's plant or where the vessel has been installed. These inspections will generally be conducted at the request of a manufacturer or an insurance company. Activities of the inspectors include, but are not limited to, inspecting the safety devices and welding, performing tests to verify the condition, calculating allowable limits of pressure, recommending changes to correct unsafe conditions, and investigating accidents involving pressurized vessels.

This classification excludes boiler inspectors employed by a state agency or municipality who are to be reported separately in the appropriate state agency or municipality classification; boiler manufacturing, repair or installation which is to be reported separately in the appropriate manufacturing, repair or installation classification; inspectors of the manufacturing company who are to be reported separately in the classification applicable to the employer's business; and establishments who provide inspections exclusively for insurance companies who are to be reported separately in classification 4903-09.

4903-08 Elevator inspecting

Applies to establishments engaged in providing elevator inspection services. Types of devices inspected include, but are not limited to, elevators, escalators, ski lifts, amusement rides and moving sidewalks. The inspections involve determining if the device conforms to safety standards in connection with their design, fabrication, installation, repair and operation. The inspections may take place at the manufacturing plant or where the conveyance device has been installed. These inspections are usually conducted at the request of a manufacturer or an insurance company. Activities of the inspectors include, but are not limited to, reviewing the design, inspecting the mechanical and electrical features, inspecting the cables and guide rails, conducting time tests for speed, computing allowable load, observing running and drop tests to determine if brakes and safety devices are working properly, recommending changes to correct unsafe conditions, and investigating accidents involving conveyance devices.

This classification excludes elevator inspectors employed by a state agency or municipality who are to be reported separately in the appropriate state agency or municipality classification; repair or service to the elevator or conveyance device which is to be reported separately in the appropriate repair classification assigned to the type of conveyance device; inspectors employed by the manufacturer who are to be reported in the appropriate manufacturing classification; and establishments who provide inspection exclusively for insurance companies who are to be reported separately in classification 4903-09.

PROPOSED

4903-09 Inspection for insurance or valuation

Applies to establishments engaged in providing inspection and valuation services exclusively for insurance companies. These establishments inspect damaged goods or property for loss valuation or to determine the value of an article or property the insurance company is underwriting. The property inspected includes, but is not limited to, personal property, real estate, and manufactured goods.

This classification excludes inspectors employed by a state agency or municipality who are to be reported separately in the appropriate state agency or municipality classification and boiler, elevator, or building inspectors or maritime appraisers who do not provide the service to insurance companies exclusively who are to be reported separately in classifications 4903-07, 4903-08, 4903-10 or 4903-06 as applicable and employees of insurance companies who are to be reported separately in the applicable classifications.

4903-10 Inspection of buildings

Applies to establishments engaged in providing building inspection services. These establishments inspect all types of buildings including new or existing residential, commercial, industrial, multifamily, and temporary structures. The inspections may be provided for prospective buyers to determine the condition of the building, for contractors to assist in interpreting legal requirements and recommending procedures for compliance, or for insurance companies in assessing damages. Activities of the inspectors include, but are not limited to, inspecting all components of a building for structural soundness, dry rot, pest problems, energy efficiency, and compliance with grading, zoning and safety laws.

This classification excludes building inspectors employed by a state agency or municipality who are to be reported separately in the appropriate state agency or municipality classification and establishments who provide inspections exclusively for insurance companies who are to be reported separately in classification 4903-09.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-653 Classification 4904.

((Clerical office, N.O.C.))

4904-00 Clerical office, N.O.C.

Applies to those employees whose job duties and work environment meet all the conditions of the general reporting rules covering clerical office standard exception employees who are not covered by another classification (N.O.C.) assigned to their employer's account. Duties of clerical office personnel contemplated by this classification are limited to answering telephones, handling correspondence, creating or maintaining financial, employment, personnel or payroll records, composing informational material on a computer, creating or maintaining computer software, and technical drafting.

Special note: When considering this classification, care must be taken to look beyond titles of employees. Employees with occupational titles such as, but not limited to, cashiers, clerks, or ticket sellers, may or may not qualify for this classification. This is a restrictive classification; the qualifying

factor is that all the conditions of the general reporting rules covering standard exception employees have been met.

4904-13 Clerical office: Insurance companies, agents or brokers

Applies to clerical office employees of insurance companies, including insurance agents or brokers who perform duties exclusively of clerical nature and without an interchange of labor between clerical and nonclerical duties, and that these duties be performed in an area or areas separated from the operative hazards of the business. This classification is limited to duties defined as responding to telephone inquiries, assisting walk-in customers, handling correspondence such as the preparation of insurance policies and billing, receiving and processing payments and invoices, maintaining personnel and payroll records, and performing the necessary computer work.

Special note: This is a standard exception classification and is not to be assigned unless all the conditions of the general reporting rule covering clerical office standard exception employees have been met. Care should be exercised as insurance agents, insurance brokers, or insurance solicitors defined in RCW 48.17.010, 48.17.020, and 48.17.030, may be exempt employment as defined in RCW 51.12.020 (11). In some instances, an insurance company may qualify for this standard exception classification for their entire operation.

4904-17 Clerical office: Employee leasing companies

Applies to clerical office employees of employee leasing companies. This classification requires that clerical office employees perform duties exclusively of a clerical nature, without an interchange of labor between clerical and nonclerical duties, and that these duties be performed in an area or areas separated from the operative hazards of the business. This classification is limited to duties defined as responding to telephone inquiries, receptionist and administrative duties, handling correspondence such as preparing and processing billing statements and forms, maintaining personnel and payroll records, and performing the necessary computer entry work.

Special note: This is a standard exception classification and is not to be assigned unless all the conditions of the general reporting rule covering clerical office standard exception employees have been met.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-654 Classification 4905.

((Hotels

Motels

This classification excludes restaurant and lounge employees which are to be reported separately in classification 3905 "restaurants, N.O.C.". Hotel and motel desk clerks with no other duties will be reported separately in classification 4904 "clerical office N.O.C.")

4905-04 Hotels or motels

Applies to establishments engaged in providing lodging and associated services to others. Accommodations included in this classification vary from a single room in a "bed & breakfast," to individual cabins, to luxury suites in a multi-

story hotel. Hotel and motel operations may include a wide range of activities which are within the scope of this classification such as, but not limited to, housekeeping, laundry, bellhops, valets, shuttle service, maintenance personnel, and continental breakfast (if not in connection with a separate restaurant operation). Hotel and motel desk clerks with no other duties can be reported separately in classification 4904. Multiple classifications may be allowed for operations such as, but not limited to, shops, beauty salons, grocery stores, drug stores, newsstands, and service stations, provided no interchange of labor exists between operations. When an interchange of labor exists, the operations are to be assigned to classification 4905-04 without a division of hours.

This classification excludes restaurant and lounge employees which are to be reported separately in classification 3905 and other operations conducted by independent concessionaires which are to be reported separately in the applicable services or store classification.

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-655 Classification 4906.

((Institutions of higher education including clerical office and sales personnel-))

4906-01 Institutions of higher education - public

Applies to public institutions of higher education such as universities, colleges, and junior colleges that have obtained state accreditation and are supported at least in part by public funds. Work contemplated by this classification includes, but is not limited to, administrative staff, professors/teachers, advisors, librarians, athletic coaches, medical staff at a hospital or research center run as part of the institution, restaurant/snack shop staff, campus security, janitorial/maintenance staff, clerical office and sales personnel.

This classification excludes private institutions of higher education which are to be reported separately in classification 4906-02 and secondary technical or vocational schools which are to be reported separately in classifications 6103 and 6104.

4906-02 Institutions of higher education - private

Applies to private institutions of higher education such as universities and colleges that have obtained state accreditation. These private institutions include any institution of higher education that is not supported by public funds. Work contemplated by this classification includes, but is not limited to, administrative staff, professors/teachers, advisors, librarians, athletic coaches, medical staff at a hospital or research center run as part of the institution, restaurant/snack shop staff, campus security, janitorial/maintenance staff, and clerical office.

This classification excludes public institutions of higher education which are to be reported separately in classification 4906-01 and secondary technical or vocational schools which are to be reported separately in classifications 6103 and 6104.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-656 Classification 4907.

((Inmates employed in prison industries-))

4907-00 Inmate work opportunity - state

Applies to state prisoners who are employed by the state prison in a tax reduction industry to provide goods or services only (regardless of the type) to tax-supported entities or non-profit organizations. Tax reduction industries provide basic work training and experience which qualify the inmates for better work within the prison or in the public community. Work is performed at the prison or at a separate location and the goods produced are property of the state.

This classification excludes work done by state prisoners under a free venture enterprise contract with a private business (profit or nonprofit) which is to be reported separately in the classification applicable to the work being performed.

4907-01 Inmate work opportunity - city

Applies to inmates of city jails who are employed by the city jail in a tax reduction industry to provide goods or services only (regardless of the type) to tax-supported entities or nonprofit organizations. Tax reduction industries provide basic work training and experience which qualify the inmates for better work within the jail or in the public community. Work is performed at the jail or at a separate location.

This classification excludes work done by city prisoners under a free venture enterprise contract with a private business (profit or nonprofit) which is to be reported separately in the classification applicable to the work being performed.

4907-02 Inmate work opportunity - county

Applies to inmates of county jails who are employed by the county jail in a tax reduction industry to provide goods or services only (regardless of the type) to tax-supported entities or nonprofit organizations. Tax reduction industries provide basic work training and experience which qualify the inmates for better work within the jail or in the public community. Work is performed at the jail or at a separate location.

This classification excludes work done by county prisoners under a free venture enterprise contract with a private business (profit or nonprofit) which is to be reported separately in the classification applicable to the work being performed.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-657 Classification 4908.

((Inmates of adult honor camps-))

4908-00 Inmates of adult honor camps

Applies to inmates of adult honor camps who are employed by a city, town, county, or state agency. Their employment, which takes place away from the honor camp, provides basic work training and experience to qualify inmates for better work in the correctional institute or in the public community. Typical work includes, but is not limited to, constructing and maintaining forest trails, cutting fallen

trees into firewood, picking up and burning fallen limbs, fighting forest fires, and planting new trees.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-658 Classification 4909.

((Inmates of juvenile forest camps-))

4909-00 Inmates of juvenile forest camps

Applies to inmates of juvenile forest camps who are employed by a city, town, county, or state agency. Their employment, which takes place away from the forest camp, provides basic work training and experience to qualify inmates for better work in the correctional institute or in the public community. Typical work includes, but is not limited to, constructing and maintaining forest trails, cutting fallen trees into firewood, picking up and burning fallen limbs, fighting forest fires, and planting new trees.

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-65801 Classification 4910.

((Building or property management operations by owner or lessee—including malls, apartment/condominium complexes and mobile home parks

Chimney cleaning—residential buildings-))

4910-00 Property management services

Applies to establishments engaged in managing their own rental property or properties owned by others. Properties include, but are not limited to, privately owned or commercial buildings, malls, apartment or condominium complexes, mobile home parks, halls, and conference rooms. Typical operations contemplated by this classification include, but are not limited to, management or clerical duties, advertising, showing vacant units to prospective tenants, collecting rent, providing security, and normal maintenance and repair when conducted by employees of employers subject to this classification. Normal maintenance and repair contemplated by this classification includes replacing parts on existing fixtures or equipment, repairing existing structures, normal cleaning or janitorial activities, maintaining existing landscaping, and shoveling snow from driveways or walkways. Construction, alteration, or improvements to the properties are *not* considered normal maintenance and are *not* contemplated by this classification. Major repair work is usually performed by contractors who are not employees of the property management business. *Apartment or condominium complexes and mobile home parks may have common areas such as, but not limited to, laundry facilities, community rooms, tennis courts, exercise rooms, swimming pools, saunas or hot tubs, and playgrounds or small park areas. Common areas are maintained by employees of the complex or park owner or by the property management service. Residents of mobile home parks are usually responsible for maintaining their own mobile homes and their immediate space.*

This classification includes homeowners' associations where residents in a housing development pay annual fees which cover the maintenance of lawns, paths, sprinkler sys-

tems, and common areas such as pools, activity centers, and tennis courts by employees of the homeowners' association.

This classification excludes employees engaged exclusively in clerical duties who are to be reported separately in classification 4904; employees engaged exclusively in sales duties such as collecting rents, showing and advertising the facility, conducting auctions, or in a combination of clerical and sales duties who are to be reported separately in classification 6303; establishments providing janitorial services exclusively which are to be reported separately in classification 6602; contractors engaged in mobile home set up or removal who are to be reported separately in classification 0517; any new construction or alteration work performed by employees of employers subject to this classification which is to be reported separately in the applicable construction classification; establishments that contract to perform maintenance or repair, but have no responsibilities in the management of the property, which are to be reported separately in the applicable classification; and lodging or food serving operations which are to be reported separately in the applicable classification.

4910-01 Chimney cleaning - residential buildings

Applies to establishments engaged in providing chimney cleaning services to residential customers. Workers who perform chimney cleaning services are commonly referred to as "chimney sweeps" and usually work alone or as a two-person team. When working as a team, one "sweep" works inside the house and the other works on the roof. The methods of cleaning vary. To protect the floors and furniture, drop cloths are placed in front of the fireplace and taped over the opening. The vertical drop cloth may have a "boot" or slit in it which allows rods to be pushed through. Various brushes, usually wire, are attached to extension rods and worked up and down the flue to dislodge the soot and creosote. Creosote deposits may be removed also with a chimney bar, which is a pipe-like instrument with a chisel end, or by using metal scrapers. Where the chimney top is protected from the rain by a hood or cap, it may not be possible to insert the brushes into the opening; a chain or weight may be lowered and swung back and forth inside the chimney. Some sweeps have custom-made vacuum trucks with large collection chambers to collect the soot. In addition to cleaning the chimney flue and fireplace, some sweeps clean oil, gas and coal burning furnaces, repair chimney and flue linings, remove animals from chimneys, and offer other related services. Repairs included in this classification are limited to such activities as caulking around the flashing and sealing brickwork.

This classification excludes establishments engaged in industrial or commercial chimney or smokestack cleaning services which are to be reported separately in classification 0508; contractors engaged in chimney reconstruction or new construction made of masonry or brick who are to be reported separately in classification 0302; contractors engaged in the installation of sheet metal stove pipe who are to be reported separately in classification 0307; and the installation of a new lining in the chimney which is to be reported separately in the applicable classification.

4910-02 Mini-storage warehouse

Applies to establishments engaged in operating mini-storage facilities. Mini-storage facilities are usually fenced and entry is through a locking gate through which owners and renters of units are provided access. The units range from lockers to rooms of various sizes; once the unit is rented, the tenant or owner has sole access to it. Typical operations include, but are not limited to, management or clerical duties, renting or selling storage units to others, providing security, and normal maintenance and repair when performed by employees of employers subject to this classification. Normal maintenance and repair contemplated by this classification includes replacing parts on existing fixtures or equipment, repairing existing structures, normal cleaning of public areas, controlling rodents and other pests, maintaining existing landscaping, and shoveling snow from driveways or walkways. Construction, alteration, or improvements to the properties are *not* considered normal maintenance and are *not* contemplated by this classification. Major repair work is usually performed by contractors who are not employees of the storage facilities.

This classification excludes employees engaged exclusively in clerical duties who are to be reported separately in classification 4904; employees engaged exclusively in sales duties or in a combination of clerical and sales duties who are to be reported separately in classification 6303; and new construction or alteration work which is to be reported separately in the applicable construction classification.

4910-03 Temporary signs - placement or removal

Applies to establishments engaged in placing or removing temporary yard signs such as, but not limited to, real estate signs for real estate offices or property management firms and campaign signs. The smaller signs are usually mounted on a metal rod which is pounded into the ground to a depth of about 18". A post hole digger may be used to dig holes for larger signs that require a more sturdy post.

This classification excludes all other types of sign installation, painting or repair which are to be reported separately in the applicable classification.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-659 Classification 5001.

~~((Firewood cutting—all woods operations
Logging, N.O.C.~~

~~Sawmill operations conducted in the woods in connection with logging operations~~

~~Shake, shingle bolt and post cutting—all woods operations~~

~~For the purposes of this rule, logging N.O.C. shall be considered the complete operation of felling, skidding, yarding, delimiting, and bucking of trees into logs or block wood and the loading of logs and block wood onto trucks or rail cars. This classification also includes the operation of aircraft and helicopters used in connection with the removal of felled trees or block wood, and equipment maintenance not performed subject to the provisions of classification 5206.))~~

5001-03 Logging, N.O.C.

Applies to establishments engaged in various logging operations not covered by another classification (N.O.C). Typical work contemplated by this classification includes, but is not limited to, high lead or tower logging, ground logging, and team logging with horses. For purposes of this rule, logging is the complete operation of felling, skidding, yarding, delimiting, and bucking of trees into logs or block wood and loading them onto trucks or rail cars.

Definitions:

High Lead or Tower Logging - usually occurs in steep terrain where a metal tower is set-up on a hilltop with a system of heavy cables running down the hillside and fastened to a stump or tree and has other smaller cables with chokers hanging from it. A choker is wrapped around each fallen tree and pulled back to the landing site.

Helicopter logging - includes ground crews that work with the use of helicopters to hoist fallen trees or bucked log lengths to the landing sight.

Chokers - chains or cables which are attached to the fallen trees for skidding to the landing site.

Ground logging - usually occurs on relatively flat land; fallen trees are moved to a landing by a skidder, cat or shovel.

Bucking - stripping or delimiting tree of branches and cutting the tree to desired log lengths.

Skidding - process of dragging the fallen logs to the landing site.

Landing - place where the fallen logs are brought for sorting and loading onto log trucks.

Yarding - usually performed at the landing site with use of a log loader to sort the logs by species, length and diameter, prior to loading onto log trucks.

This classification excludes flight crews of helicopters used in helicopter logging which are to be reported separately in classification 6803; log hauling which is to be reported separately in classification 5003; logging road construction which is to be reported separately in classification 6902; and mechanical or mechanized logging operations which are to be reported separately in classification 5005 provided the classification has been approved by the classification services section.

5001-04 Shake, shingle bolt, and post cutting

Applies to establishments engaged in the cutting of shakes, shingle bolts (blocks), and fence posts in the woods. For the purposes of this rule, this classification includes all operations performed in the woods such as, but not limited to, the felling of trees, stripping or delimiting of branches, and all further cutting or splitting of trees/logs to produce shakes, shingle bolts or fence posts. This classification includes all transporting of shakes, shingle bolts or fence posts from the cutting site when conducted by employees of employers subject to this classification.

5001-05 Firewood cutting

Applies to establishments engaged in the cutting of firewood in the woods. For the purposes of this rule, this classification includes all operations performed in the woods such as, but not limited to, the felling of trees, stripping or delimiting of branches, and all further cutting or splitting of trees/logs to produce firewood. This classification includes

all transporting of log lengths, rounds or split wood from the cutting site when conducted by employees of employers subject to this classification.

5001-06 Sawmill operations conducted in the woods in connection with logging operations

Applies to establishments operating a temporary or portable sawmill operation in the woods. This type of work is usually performed on privately owned land. A portable sawmill and saw tables, similar to those at a permanent sawmill location, are transported directly to the logging site. Log lengths are fed through a circular saw that is capable of producing various sized rough cut timber, blocks, boards and planks. This classification includes all transporting of rough cut timber, blocks, boards and planks from the cutting and/or sawing site when conducted by employees of employers subject to this classification.

This classification excludes sawmill operations which are not conducted in the woods in connection with a logging operation which is to be reported separately in the applicable sawmill classification.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-660 Classification 5002.

((Booming and rafting logs.))

5002-00 Booming and rafting logs

Applies to establishments engaged in booming and rafting logs on water. Booming involves making a barrier in the water usually with existing floating logs tied together with rope or chain to enclose other free floating logs. This type of barrier is referred to as a bundle. Rafting involves the use of a boom boat or tugboat to push the bundles together and tow the bundles to a particular destination. The destination may be a port where logs are loaded directly onto vessels, or to a sawmill, lumber mill or log sorting yard. This classification includes the loading of logs into or out of the water when performed by employees of the booming and rafting business.

Special note: Care should be exercised prior to assignment of this classification as the workers may be subject to federal laws covered by the Jones Act or by the U.S. Longshore and Harbor Workers Act.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-66001 Classification 5003.

((Log hauling by contractor
Log truck drivers, N.O.C.

See risk classification 5206 (WAC 296-17-675) for permanent yard operations.))

5003-01 Log hauling by contractor

Applies to contractors engaged in hauling logs for others from a logging side to a mill or storage yard. The loading and unloading of the truck is included in this classification when performed by the truck driver.

This classification excludes the hauling of logs from a log storage yard to a shipping destination which is to be

reported separately in classification 1102 and log hauling by employees of a logging company which is to be reported separately in classification 5003-02.

5003-02 Log truck drivers, N.O.C.

Applies to employees of a logging company who are hauling the company's own logs from the logging side to a mill or storage yard.

This classification excludes the hauling of logs from a log storage yard to a shipping destination which is to be reported separately in classification 1102 and log hauling by a log hauling contractor which is to be reported separately in classification 5003-01.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-66002 Classification 5004.

((Forest, range, or timber land labor services by landowner or contractor. This classification covers all forms of forest, range, or timber land manual labor. Such labor activities include but are not limited to tree planting, tree netting, tree shading, bud capping, chemical spraying, fertilizing, animal trapping (such as mountain beaver and gopher baiting), bear feeding, precommercial tree thinning, conifer release (chemical or manual), tree pruning, cone picking, scion collection, hydro seeding and erosion control, and wildlife habitat development. This classification includes all field crew supervisors and foremen assigned to oversee work covered by this classification including internal quality control audits irrespective of whether or not their assigned duties include manual labor.

~~This classification excludes forestry related machine work used in connection with trail construction, slash burning, fire watch/patrol and forest fire fighting, slashing, pile burning, roadside brushing, roadway dust/mud control which is to be reported separately in classification 5006 "forestry related machine work"; logging operations which are to be reported separately in classification 5001; logging road construction which is to be reported separately in classification 6902; and technical survey work which is to be reported separately in classification 1007.))~~

This classification applies to establishments engaged in forestry and timberland management services. It applies to employees of contractors or of land owners. This classification includes all field crew supervisors and foremen assigned to oversee work covered by this classification including internal quality control audits regardless of whether their assigned duties include manual labor. Classification 5004, and related classification 1007 and 5006, cover various activities associated with the management of forests, range or timberland. These classifications have also been assigned to establishments engaged in erosion control projects and fish and wildlife habitat enhancement projects. *The industry covered by this series of classifications has special reporting requirements.* Reforestation establishments assigned to classifications 1007, 5004, and 5006 report work on a contract basis. These contracts may last a quarter or several quarters. Refer

to WAC 296-17-35203(4) for specific reporting requirements. Classification 1007 applies to technical services such as identifying volume and species of trees in a section of timberland or a forest, auditing parcels planted by a tree planting contractor for quality control purposes, conducting environmental studies, testing growing techniques and similar activities. Classification 5004 covers various forms of work conducted in the forest or timberland generally associated with the overall care of these lands. Classification 5004 is used to report manual crew labor. Classification 5006 covers machinery operations on these lands such as clearing, slashing, hydro seeding, chemical spraying and forest fire fighting. It will be common in the case of a forest fire to have employees reporting in both classification 5004 and 5006 for forest fire fighting since some employees will operate bulldozers, loaders and tanker trucks while others will use chain saws and shovels. In some cases establishments subject to classification 5004 will use multiple subclassification codes on a single contract and premium report.

This classification excludes forestry related machine work used in connection with trail construction, slash burning, fire watch/patrol and forest fire fighting, slashing, pile burning, roadside brushing, roadway dust/mud control which is to be reported separately in classification 5006 "forestry related machine work"; logging operations which are to be reported separately in classification 5001; logging road construction which is to be reported separately in classification 6902; and technical survey work which is to be reported separately in classification 1007.

5004-04 Animal damage control

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry and timberland services. Use of this classification is limited to services related to animal damage control such as placing salt blocks and hay for wildlife. This is done to provide food and nutritional supplements to forest wildlife as an alternative and preventative measure to reduce destruction to newly planted seedlings (trees) caused by feeding animals.

5004-05 Beaver trapping

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to services related to trapping mountain beaver. This is done to prevent damage to trees caused by mountain beaver when feeding and building nests for rearing their young.

5004-06 Chemical spraying

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to services related to chemical spraying. This is done to kill competing vegetation growing around young seedlings (chemical conifer release) and keep the brush on roadsides down.

This classification excludes manual conifer release which is to be reported separately in classification 5004-14.

5004-07 Cone picking

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to services related to cone picking which is done to obtain seed for new trees. Cone picking may occur on the ground or in the trees. All forms of cone picking are included within the scope of this classification.

5004-08 Fertilizing services

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to services related to applying liquid and dry fertilizers on trees and vegetation within forested or timbered lands. This is done to stimulate and encourage the growth of desired trees and vegetation.

5004-09 Hydro seeding services

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to hydro seeding abandoned roads and roadsides which is done primarily for erosion control and habitat development. This classification also includes manual labor associated with erosion control or habitat development projects.

5004-11 Pruning services

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to pruning lower tree branches. This is being done on an experimental basis on certain plots to aid in the production of clear wood (knot free) for future plywood and furniture demands.

5004-12 Tree netting services

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to placing netting or paper sleeves over new tree growth to discourage animals from eating the growth. This is also referred to as bud capping.

5004-13 Tree planting services

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to planting trees in a forest (reforestation) or in privately owned timbered land. This is done to re-establish a tree population after logging or a fire.

5004-14 Tree thinning services including forest trail construction and brush clearing, N.O.C.

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to employees of an employer subject to this classification engaged in the removal of unmarketable trees with a chain saw, machete, or pruning loppers, brush clearing, manual tree slashing and constructing walking paths or trails. This is done to reduce competition of the remaining

trees for water and nutrients, eliminate fire hazard and provide trails for management and recreational use. This classification includes manual conifer release.

This classification excludes chemical conifer release which is to be reported separately in classification 5004-06.

5004-18 Miscellaneous forestry services, N.O.C.

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry and timberland services not covered by another classification (N.O.C.). This classification is for miscellaneous manual labor on forest or timberland such as, but not limited to, manual forest fire fighting.

AMENDATORY SECTION (Amending WSR 94-12-051, filed 5/27/94, effective 7/1/94)

WAC 296-17-66003 Classification 5005.

~~((Logging and/or tree thinning—mechanized operations: Use of this classification is limited to employers who are engaged in the "entire operation" of mechanical logging and/or tree thinning. For purposes of this rule the "entire operation" refers to the felling of trees, removal (skidding) of trees, processing (delimiting and bucking) of trees, and loading of trees on to log trucks by machines. Employers who are only involved in a portion of the work, and not involved in the "entire operation" of mechanical logging or tree thinning as described above are not covered by this classification and are to be reported separately in classification 5001 "logging, N.O.C." For example, an employer that subcontracts to fell trees with a feller/buncher or processor but is not involved in the removal (skidding) of the trees, the processing (delimiting and bucking) of trees and the loading of trees is excluded from this classification (5005) and is to be reported under classification 5001 "logging, N.O.C." Any employer whose operation includes any manual felling, removal, processing or loading of trees is excluded from this classification (5005) and is to be reported under classification 5001 "logging, N.O.C."~~

~~Equipment used by employers subject to this classification will consist of the following:~~

~~Feller/buncher—this machine is used to fell trees and place felled trees into stacks (bunches) for removal to the log landing for further processing. The operator of this machine does not leave the cab of the machine in the performance of duties in the logging operation~~

~~Processor—this machine is used to fell trees, delimit them, buck the tree to the desired log length and stack them (bunches) for removal to the landing where they will be segregated by general grade and loaded onto log trucks. In some cases a processor is used at the landing to delimit trees and buck them to log length. This is especially true when the trees are felled by a feller/buncher. The operator of this machine does not leave the cab of the machine in the performance of duties in the logging operation~~

~~Grapple skidder—this machine is used to remove (ground skid) stacks (bunches) of felled trees from the woods to the landing. The industry refers to the skidder as a tractor. A bulldozer is also referred to by the industry as a~~

~~tractor. The two are distinguished from one another in that the skidder is a tire driven tractor and the bulldozer is a track driven tractor. A bulldozer equipped with a grapple is an acceptable piece of equipment to be used in the removal of trees. The operator of either the grapple skidder or bulldozer equipped with grapple does not leave the cab of the machine in the performance of duties in the logging operation~~

~~Forwarder—this machine is used to remove logs as cut by a processor from the woods to an awaiting log truck or to be stacked in piles for a future pickup by a log truck. This is a small specialized tractor equipped with a self loader and a log bunk. The operator of this machine does not leave the machine in the performance of duties in the logging operation~~

~~Harvester—this machine is used at the landing of the logging site to delimit trees and buck trees to desired log length. This machine can also be used to load logs on to log trucks. The operator of this machine does not leave the cab of the machine in the performance of duties in the logging operation~~

~~Loader—this machine is used at the landing to load logs on to log trucks. The operator of this machine does not leave the cab of the machine in the performance of duties in the logging operation~~

~~All equipment used by employers subject to this classification must meet WISHA guidelines for Roll Over Protection Standards (ROPS) and Falling Object Protection Standards (FOPS)~~

~~See risk classification 5206 (WAC 296-17-675) for permanent shop/yard operations.))~~

5005-00 Logging and/or tree thinning - mechanized operations

(to be assigned only by classification services staff)

Applies to establishments engaged in mechanized logging or tree thinning operations. For purposes of this classification, mechanized logging is defined as the entire process of felling, removal (skidding), yarding, processing, delimiting, bucking and loading of trees/logs by machine. This classification can only be used by a logging contractor if the entire side is being logged using methods and equipment described in this rule. If any portion of the side is being logged by conventional methods the entire operation must be reported in classification 5001 -Logging, N.O.C. For example, an employer that subcontracts to fell trees with a feller/buncher or processor but is not involved in the removal (skidding) of the trees, the processing (delimiting and bucking) of the trees and the loading of trees is excluded from classification 5005 and is to be reported in classification 5001 - Logging, N.O.C. Any employer whose operation includes any manual felling, removal, processing, or loading of trees is excluded from classification 5005 and is to be reported in classification 5001 - Logging, N.O.C. Work contemplated by this classification includes the falling of trees with a machine such as a feller buncher or processor; skidding logs to the landing with use of a grapple skidder or forwarder; delimiting logs with a mechanized delimit such as a stroke delimit, processor, CTR or harvester; and loading logs onto log trucks with a mechanical loader or shovel. Equipment

used by employers subject to this classification will consist of the following:

Feller/buncher - used to fell trees and place felled trees into stacks (bunches) for removal to the log landing for further processing. The operator of this machine does not leave the cab of the machine in the performance of duties in the logging operation.

Processor - used to fell trees, delimb them, buck tree to desired log length and stack the bunches for removal to the landing where they will be segregated by general grade and loaded onto log trucks. A processor is sometimes used at the landing to delimb trees and buck them to log length, especially when the trees are felled by a feller/buncher. The operator of this machine does not leave the cab of the machine in the performance of duties in the logging operation.

Grapple skidder - is used to remove (ground skid) stacks (bunches) of felled trees from the woods to the landing. The industry refers to both the skidder and the bulldozers as a tractor. The two are distinguished from one another in that the skidder is a tire-driven tractor and the bulldozer is a track-driven tractor. A bulldozer equipped with a grapple is an acceptable piece of equipment to be used in the removal of trees. The operator of either the grapple skidder or bulldozer equipped with grapple does not leave the cab of the machine in the performance of duties in the logging operation.

Forwarder - is used to remove logs as cut by a processor from the woods to an awaiting log truck or to be stacked in piles for a future pick up by a log truck. This is a small specialized tractor equipped with a self-loader and a log bunk. The operator of this machine does not leave the machine in the performance of duties in the logging operation.

Harvester - is used at the landing of the logging side to delimb trees and buck trees to desired log length. This machine can also be used to load logs onto log trucks. The operator of this machine does not leave the cab of the machine in the performance of duties in the logging operation.

Loader - is used at the landing to load logs onto log trucks. The operator of this machine does not leave the cab of the machine in the performance of duties in the logging operation.

This classification excludes log hauling which is to be reported separately in classification 5003 and logging road construction which is to be reported separately in classification 6902.

Special notes: If any portion of the logging contract is performed manually or by hand, the establishment does not qualify for this classification. If any portion of the logging contract is subcontracted out to another business and is performed manually or by hand, then all businesses involved in the logging contract will not qualify for this classification and are to be reported separately in classification 5001.

All equipment used by employers subject to this classification must meet WISHA guidelines for Roll Over Protection Standards (ROPS) and Falling Object Protection Standards (FOPS).

See classification 5206 (WAC 296-17-675) for permanent shop/yard operations.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-66004 Classification 5006.

((Forestry related machine work — to include but not limited to brush clearing, dust control, forest fire fighting, searing, slash piling or burning, and slope grooming.))

This classification applies to establishments engaged in forestry and timberland management services. It applies to employees of contractors and of landowners. Classification 5006 and related classifications 1007 and 5004 cover various activities associated with the management of forests, range and timberland. These classifications have also been assigned to establishments engaged in erosion control projects and fish and wildlife habitat enhancement projects. The industry covered by this series of classifications has special reporting requirements. Establishments assigned to classifications 1007, 5004 and 5006 report work on a contract basis. These contracts may span a quarter or several quarters. Refer to WAC 296-17-35203(4) for specific reporting requirements. Classification 1007 applies to technical services such as identifying volume and species of trees in a section of timberland or a forest, auditing parcels planted by a tree planting contractor for quality control purposes, conducting environmental studies, testing growing techniques and similar activities. Classification 5004 covers various forms of work conducted in the forest or timberland generally associated with the overall care of these lands. Classification 5004 is used to report manual crew labor. Classification 5006 covers machinery operations on these lands such as, but not limited to, clearing, slashing, hydro seeding, chemical spraying and forest fire fighting. It will be common in the case of a forest fire to have employees reporting in both classification 5004 and 5006 for forest fire fighting since some employees will operate bulldozers, loaders and tanker trucks while others will use chain saws and shovels. In some cases establishments subject to classification 5006 will use multiple subclassification codes on a single contract and premium report.

5006-00 Forestry machine work - brush clearing and chemical spraying

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to employees of an employer subject to this classification engaged in brush clearing using specialized tractors and chemical spraying.

5006-01 Forestry machine work - dust control

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to employees of an employer subject to this classification engaged in spraying water on logging roads to reduce dust caused by log hauling trucks, logging equipment and other passenger traffic. Equipment consists of a water tanker truck equipped with a spray apparatus controlled from within the cab of the vehicle.

PROPOSED

5006-02 Forestry machine work - forest fire fighting

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to employees of an employer subject to this classification engaged in forest fire fighting using equipment such as, but not limited to, water tanker trucks, bulldozers and loaders.

5006-03 Forestry machine work - forest trail construction

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to employees of an employer subject to this classification engaged in forest trail construction using equipment such as, but not limited to, bulldozers and loaders.

5006-04 Forestry machine work - scarifying

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to employees of an employer subject to this classification engaged in scarifying work using equipment such as, but not limited to, bulldozers and loaders.

5006-05 Forestry machine work - slash burning

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to employees of an employer subject to this classification engaged in slash burning leftover vegetation and tree debris using equipment such as, but not limited to, bulldozers, loaders and water tanker trucks.

5006-06 Forestry machine work - slash piling

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to employees of an employer subject to this classification engaged in piling leftover vegetation and tree debris (slash) using equipment such as, but not limited to, bulldozers and loaders.

5006-07 Forestry machine work - slope grooming

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to employees of an employer subject to this classification engaged in removing vegetation and grading (leveling and smoothing) land using equipment such as, but not limited to, bulldozers and loaders.

5006-08 Miscellaneous forestry services, N.O.C.

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry and timberland services not covered by another classification (N.O.C.). This classification is for miscellaneous machine work on forest or timberland such as, but not limited to, hydro seeding and erosion control.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-661 Classification 5101.

((Metal ejection molding
Pipe or tube manufacturing, iron or steel.))

**5101-31 Pipe or tube; Manufacturing - iron or steel;
Metal ejection molding**

Applies to establishments engaged in the manufacture of pipe or tubes from iron or steel. This classification contemplates both seamed and seamless pipe and tubing involving either a hot or cold drawing process or roll forming and machine welding processes, as well as flexible steel tubing used for products such as, but not limited to, automotive exhaust systems, water lines, and oil lines. In the drawing process, metals are melted to a molten state in furnaces, then rolled or spun in rolling machines and a pipe or tube is drawn. Tubing may be annealed (fed through a furnace then slowly cooled to strengthen and reduce brittleness). In the roll forming method flat sheets of iron or steel are bent in brake presses or other rolling or bending machinery, then the edges are welded together to form the pipe or tube. This classification also includes metal ejection molding in which raw scrap and pig iron is melted, forced into casting machines, and cast in high speed revolving flasks of various shapes depending on the product being produced. When finished, products are ejected from the molds. They may be further processed by annealing, tumbling, deburring and grinding, and cleaned in acid baths.

This classification excludes pipe dealers which are to be reported separately in classification 2009; the installation of any product manufactured in this classification which is to be reported separately in the classification applicable to the work being performed; and foundry operations which are to be reported separately in classification 5103.

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-663 Classification 5103.

((Foundries, N.O.C.))

5103-00 Foundries, N.O.C.

Applies to establishments engaged in operating foundries that manufacture castings from ferrous and/or nonferrous metals. To form castings, metal is melted in furnaces, then poured or ladled into molds. After they are cooled and solidified, castings are removed from molds with shake out machines, or tools such as torches, electric arcs, abrasive saws, or sledgehammers. Depending on the product and the carbon or alloy content of the metal, further repair or refining such as welding, annealing, tempering, flame hardening or other heat treatments may be needed. Cleaning and finishing processes include, but are not limited to, machining, chipping, grinding, shot or sandblasting, tumbling, and acid pickling to remove surface defects, inspection (sometimes by radiation or chemical analysis) and painting or powder coating. Foundries may make their own patterns and mold, and/or perform their own finishing processes, or they may contract

these activities out to pattern-making shops or to machine shops.

This classification excludes establishments that perform only pattern making functions which are to be reported separately in classification 2906 and establishments engaged exclusively in machine shop services which are to be reported separately in classification 3402.

Special note: Foundries that make their own patterns and/or perform their own machine finishing may report those operations separately in the classifications applicable to the work being performed provided all of the conditions of the general reporting rule covering the operation of a secondary business activity have been met.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-666 Classification 5106.

((Blacksmithing, spring manufacturing, not wire spring, auto bumper manufacturing

Tool forging, hot forming or stamping

Forging works, drop or machine

Chain manufacturing, forged.))

5106-08 Blacksmithing; vehicle spring or auto bumper: Manufacturing

Applies to establishments engaged in blacksmithing, or in manufacturing leaf springs or bumpers for vehicles. Blacksmithing is the hammering of metal heated in a forge to shape either with hand tools or with a steam or air hammer. The force of the blow is controlled by the operator and the desired size or shape is produced between flat dies like a hammer and anvil. Incidental welding, grinding, tempering and sharpening may also be involved. Spring manufacturing contemplated by this classification are known as leaf springs and are used in vehicles. To make leaf springs or bumpers, steel is rolled, sheared or stamped to size, bent to shape and then tempered to produce the required degree of elasticity.

This classification excludes the manufacture of wire springs, such as for wire mattresses or bed springs, which is to be reported separately in classification 3402.

5106-09 Tool forging: Hot forming or stamping

Applies to establishments engaged in the manufacture of products such as, but not limited to, forging tools, hand tools such as wrenches or levels, and small machine tools such as twist drills, chisel bits, dies, or jigs, by hot forming or stamping. Tool forging by hot forming or stamping involves heating metal in a furnace or hearth, then beating or hammering the heated metal into desired shapes with large drop hammers or rams. After forging is completed, goods are finished with typical machine shop equipment. Finishing processes may involve cutting, turning, shaping, heat-treating, drilling, milling, grinding, tapping and finishing by assembling, polishing, buffing, painting or plating.

This classification excludes establishments engaged in the manufacture of tools by machining operations which are to be reported separately in the applicable machining classification.

5106-10 Forging works; drop or machine

Applies to establishments engaged in the manufacture of products such as, but not limited to, engine parts, hooks, and chains by drop or machine forging. Forgings are produced by drop or trip hammers or forming presses. Drop or machine forging differs from blacksmithing or hammer forging in that closed impression dies are used. The forgings are produced by impact or pressure which forces the metal to conform to the shape or the die, one half of which is carried by the ram while the other half is held stationary on the anvil block. Trimming is done by the trimmer dies in a separate press which removes the surplus metal that squeezes out between the two sections of the forging die.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-668 Classification 5108.

((Cable or wire rope drawing and manufacturing
Cable or wire rope manufacturing, no drawing
Cable or wire insulation or covering.))

5108-55 Cable or wire rope: Drawing and manufacturing

Applies to establishments engaged in wire drawing including wire rope or cable manufacturing from iron or steel. Establishments may be engaged in the further manufacturing of products made from wire such as, but not limited to, baling wire, barbed wire, spikes, galvanized wire and nails. The process involves the forming of metal on a swage block into a shape that will eventually be drawn through a series of dies to reduce it in size. Some wire may be heat-treated to allow for continual drawing. Secondary and final drawing machines with progressively smaller dies are used to reduce the wire to the desired fineness. Incidental galvanizing is considered normal to iron or steel wire when performed as a subsequent treatment of drawn wire. The finished wire is automatically wound onto reels for shipment or may be further processed into wire rope or cables. Stranding and braiding is done on automatic machines and the wire or cable stored on shipping reels.

5108-56 Cable or wire rope: Manufacturing with no drawing

Applies to establishments engaged exclusively in stranding iron or steel wire rope or cable. Reeled iron or steel coils of drawn wire and core material are received from others. The wires are mechanically wound together to form a multi-wire strand which are then wound helically around a metal or fiber core to form wire rope. The finished rope or cable is pulled through a compression die, measured by power driven drums and stored on shipping reels.

5108-57 Cable or wire insulation or covering: Manufacturing

Applies to establishments engaged in manufacturing insulated or covered electrical cable. These establishments receive the drawn wire and the insulation material from outside sources. Commonly used insulation materials are enamel or lacquer, rubber, plastic, paper, cambric and cotton thread. Enamel or nylon insulation is applied by running the wire through heated tanks of either mix. The wire is then

dried in ovens and the cycle is repeated several times. This classification applies also to the placing of various protective coverings on insulated wire. These protective coverings are generally cotton braid, metallic armor or lead sheathing. This classification includes incidental wire stranding when performed by employees of employers subject to this classification.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-669 Classification 5109.

~~((Heavy arms: Manufacturing or repair
Heavy machinery and equipment: Manufacturing or repair
Press rollers: Recoating or resurfacing
Locomotive engine: Manufacturing or repair.))~~

**5109-46 Heavy machinery & equipment including locomotive engines: Manufacture or repair;
Press roller recoating/resurfacing**

Applies to establishments engaged in the manufacture, assembly, and repair of heavy equipment. Machinery and equipment subject to this classification are usually made of steel and steel/iron castings and include, but are not limited to, bulldozers, dump trucks, graders, skidders, forklifts and logging towers. The component parts may weigh several hundred to thousands of pounds. Overhead cranes are commonly used in the assembly process. Machinery used in the manufacturing, assembly, and repair includes, but is not limited to, boring mills, lathes, iron workers, welders/cutters, cut saws, and drills. Some establishments use CNC (computer numeric controlled) machinery; however, most establishments in this classification primarily use manual machinery and conventional welders/cutters. Other common operations covered by this classification include paint, welding, and electronic assembly areas. This classification also includes establishments that repair, recoat or resurface press rollers such as, but not limited to, the type rollers used by printing and paper making mills. Operations include repairing the interior shafts of the rollers, then grinding fiberglass or ceramic finishes until they are smooth. For rubber-coated surfaces, they remove the old rubber from the metal surface, sandblast the roller, then recoat it with new rubber. Most establishments that recoat the surface with rubber will mix and extrude their own rubber which is included in this classification when performed by employees of employers subject to this classification.

Special note: Field work as well as shop work is contemplated as an integral part of this classification. A vehicle may be equipped with welding equipment and other tools used for field repair. The broken part may be replaced in the field or returned to the shop, repaired if feasible, or a new part is ordered. The part is then loaded onto the field vehicle taken to the job site and reconnected. Some establishments perform this type of field work almost exclusively.

5109-47 Heavy arms: Manufacturing or repair

Applies to establishments engaged in the manufacture or repair of heavy arms including large munitions. This classification applies to all types of guns 20 MM and larger includ-

ing, but not limited to, aircraft guns, tank guns, naval guns, torpedoes and aircraft gun turrets.

Special note: Field work as well as shop work is contemplated as an integral part of this classification. A vehicle may be equipped with welding equipment and other tools used for field repair. The broken part may be replaced in the field or returned to the shop, repaired if feasible, or a new part is ordered. The part is then loaded onto the field vehicle taken to the job site and reconnected. Some establishments perform this type of field work almost exclusively.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-670 Classification 5201.

~~((Electric motors, generators, alternators, starters, convertors, solenoids and servomotors manufacturing or assembly including repair~~

~~Electric power or transmission equipment manufacturing or assembly~~

~~Electrical toasters, frying pans, and wire harnesses manufacturing or assembly~~

~~Vacuum cleaners and electrical appliances manufacturing or assembly, N.O.C.~~

~~This classification contemplates the manufacturing or repair of transformers, switchboards, circuit breakers, switches or switchboard apparatus, power switching devices or systems, power invertors or similar equipment but excludes installation or service~~

~~This is a shop or plant only classification, all outside activities are to be separately rated.))~~

5201-75 Electric power or transmission equipment: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of electrical power or transmission equipment, most of which is industrial and is used by public utilities for the transmission of electrical power. Equipment manufactured includes, but is not limited to, transformers, switchboards, circuit breakers, switches or switchboard apparatus, power switching devices or systems, and power invertors. Transformers step down voltage from very high to a lower voltage. Switching equipment is normally used to switch the electricity from an incoming line to outgoing lines. Transformers are usually made from sheet metal which is approximately 14 gauge. Machinery used to manufacture transformers is similar to that used in a sheet metal shop. Winding machines are also used to wind wire to form a coil which is placed inside the transformer. This is a shop or plant only classification.

This classification excludes the installation, service or repair away from shop of products manufactured which are to be reported separately in the applicable classification: the installation, removal, and repair of electric power or transmission equipment or machinery by a contractor which is to be reported separately in the classification applicable to the work being performed.

Special note: Switchboards, current breakers and switches subject to this classification are distinguishable from switchboards, current breakers and switches covered in

classification 3602. Classification 3602 switches are those found on personal computers, household light switches, and small electrical appliances compared to switches manufactured in classification 5201 which are large metal bars used in power plants and substations. Circuit breakers covered in classification 3602 are of the size found in household breaker panels compared to circuit breakers covered in classification 5201 which appear more like large round cylinders with flat metal bars extruding from the cylinders. Switchboards covered in classification 3602 are computerized systems such as telephone systems compared to industrial switchboards such as those used in rail systems for switching trains on tracks.

5201-76 Electric toasters, frying pans, wire harnesses, vacuum cleaners, electrical appliances, N.O.C: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of electric toasters, frying pans, wire harnesses, vacuum cleaners (including central vacuum systems), table top or counter top electrical appliances which are not covered by another classification (N.O.C.) including, but not limited to, electric shavers, steam and dry irons, waffle irons, can openers, mixers and blenders. Wire harnesses are the configuration of wires making up the electrical circuit inside an appliance or vehicle that does not include the cord set which will connect the appliance to the power source. The manufacturing process contemplated by this classification is the assembly of component parts and casings, purchased from other manufacturers, with small hand tools such as, but not limited to, drills, screwdrivers, rivet guns, and soldering or brazing tools. This is a shop or plant only classification; all activities away from the shop or plant are to be reported separately.

This classification excludes establishments engaged in the repair of household appliances for others which are to be reported separately in classification 0607; establishments engaged in the manufacture of larger household appliances such as electric ranges, washing machines and refrigerators which are to be reported separately in classification 3404; establishments engaged in the assembly of electric cordset radio and ignitions which are to be reported separately in classification 3602; and the service or repair away from shop of products manufactured in this classification which are to be reported separately in the applicable classification.

5201-78 Electric motors, generators, alternators, starters, convertors, solenoids and servomotors: Manufacturing or assembly including repair

Applies to establishments engaged in the manufacture or assembly of electric motors, generators, alternators, starters, convertors, solenoids and servomotors of all sizes and horsepower. Convertors convert electricity from one voltage to another; solenoids are switches used to control the flow of electrical current; servomotors are electrical motors used to help control a mechanical device. This is a shop or plant only classification; all activities away from the shop or plant are to be reported separately.

This classification excludes the installation, service, or repair away from shop of products manufactured in this classification which are to be reported separately in the applicable classification and the installation, removal, and repair of

electric power or transmission equipment in machinery by contractor which is to be reported separately in classification 0601.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-673 Classification 5204.

~~((Railroad car manufacturing or repair
Railroad car wheel manufacturing or repair.))~~

**5204-58 Railroad car: Manufacturing or repair
Railroad car wheel: Manufacturing or repair**

Applies to establishments engaged in the manufacture or repair of railroad cars and/or railroad car wheels. This classification includes the repair or rebuilding of freight cars, repair of railroad rolling stock tank cars or passenger cars. Inspections of railroad cars are usually conducted prior to making the repairs. Types of repair include, but are not limited to, electrical, mechanical (such as for brakes), or welding (such as on handrails and steps).

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-675 Classification 5206.

~~((Construction or erection contractors permanent yard or shop for maintenance or storage of firm's equipment or material~~

~~This classification is applicable only to a permanent yard or shop maintained by the employer for the storage of material, or the storage and maintenance of equipment. This classification is applicable only to those employees regularly assigned to the shop or yard, and whose duties are solely incidental to the storage, repair or maintenance of the employer's equipment or material. No employee having any other duties during their shift or work day will be rated in this classification.))~~

**5206-78 Permanent yard or shop operations:
logging or log hauling contractor**

Applies to permanent yard or shop employees of logging or log hauling contractors. This classification is limited to contractor yards and shops which are maintained exclusively for the storage of materials and maintenance of equipment used in their logging and/or log hauling business. This classification does not contemplate any manufacturing operations. Only employees of a logging or log hauling contractor who are assigned to the shop or yard are to be reported in this classification. This classification is further restricted in that employees reported in classification 5206-78 cannot have any other duties other than those related to the storage of materials and/or the maintenance of equipment during their work shift or work day. Any employee having any other duties during their assigned work shift or day are to be reported separately in the applicable logging or log hauling classification.

Special note: Under no circumstances can this be the only classification assigned to an employer.

5206-79 Permanent yard or shop operations; Construction or erection contractor

Applies to permanent yard or shop employees of construction or erection contractors. This classification is limited to contractor yards and shops which are maintained exclusively for the storage of materials and maintenance of equipment used in their construction business. This classification does not contemplate any manufacturing operations. For example, a contractor engaged in cabinet manufacturing and installation is to report the shop and yard operation in classification 2907 and is not entitled to classification 5206. Only employees of a construction or erection contractor who are assigned to the shop or yard are to be reported in this classification. This classification is further restricted in that employees reported in classification 5206-79 cannot have any duties other than those related to the storage of materials and/or the maintenance of equipment during their work shift or work day. Any employee having any other duties during their assigned work shift or day are to be reported separately in the applicable construction classification.

Special note: Under no circumstances can this be the only classification assigned to an employer.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-676 Classification 5207.

((Bowling centers
Skating rinks—ice or roller
This classification includes food and beverage operations:))
5207-00 Bowling centers

Applies to establishments engaged in operating bowling centers. Duties include, but are not limited to, renting bowling shoes, collecting fees, distributing score sheets, designating and activating lanes, organizing league competitions, repairing and maintaining scoring equipment, automatic pin setting equipment, ball return machinery or automatic ball cleaning units, refinishing pins and cleaning, waxing, polishing, or buffing the lanes. This classification includes food and beverage operations, pro shop and billiard room operations when conducted as part of the bowling center by employees of the bowling center.

This classification excludes contractors who refinish or replace the hardwood flooring of the lanes which are to be reported separately in classification 0513; food services operated by concessionaires independent of the bowling center which are to be reported separately in classification 3905; and amusement parks that include bowling lanes as part of their operation which are to be reported separately in classification 6208.

**5207-01 Skating rinks;
Skateboard facilities**

Applies to establishments engaged in the general operation of roller or ice skating rinks. Duties include, but are not limited to, renting roller or ice skates or rollerblades, collecting fees, assigning lockers, renting the rinks, playing music, organizing groups or competitions, performing as rink guards, repairing and maintaining sound, communication or lighting equipment, cleaning, polishing, or dusting roller

skating rink floors, and maintaining the ice on the ice rinks. This classification includes food and beverage services and skate shop operations when conducted as part of the rinks by employees of the rinks. Skate shops may sell skates, clothing and related accessories, and perform minor adjustments on skates with hand tools, sharpeners, grinders, or wheel lathes. This classification also includes the operation of skateboard facilities.

This classification excludes contractors who refinish or replace the hardwood flooring of the rink which are to be reported separately in classification 0513 and food services operated by concessionaires independent of the skating rink which are to be reported separately in classification 3905.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-67601 Classification 5208.

((Brass, bronze, iron—ornamental—shop fabricating, assembly and manufacturing

Iron or steel works, shop, fabricate or assemble structural iron or steel

Iron works—shop—fabricate, assemble or manufacture non-structural iron or steel

Iron works—shop—manufacturing railings, staircases, fire escapes, etc.

Unless otherwise specified in the classification wording this is a shop or plant only classification. This classification includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification. This classification excludes all activities away from the shop or plant.))

5208-00 Iron or steel works; Fabrication or assembly - structural iron or steel

Applies to establishments engaged in the fabrication or assembly of structural iron or steel. Structural in this classification will mean when fabricated for and used in the frame or grid work of a building, tower, bridge, or similar construction. Fabrication means the laying out of the pieces, the marking, cutting, sawing, drilling, punching, bolting, welding, assembling and finishing of the structural steel products. Raw materials include, but are not no limited to, steel I-beams, tube steel, angle steel, and flat steel. Machinery includes overhead cranes, horizontal and vertical band saws, shears, punches, drill press, brake presses, and welding equipment. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes the erection of structural iron or steel in connection with towers, refineries, elevated railways, and buildings which is to be reported separately in the applicable iron or steel construction classification; contractors engaged in building construction who are to be reported separately in the applicable iron or steel construction class; bridge construction, including structural iron or steel erection, which is to be reported separately in the classification applicable to the work being performed; and manufactur-

ing of rebar for construction which is to be reported separately in classification 5209.

5208-01 Brass, bronze, iron - ornamental: Shop fabrication, assembly or manufacture

Applies to establishments engaged in the manufacture, fabrication, or assembly of ornamental items from brass, bronze and/or iron. Products include, but are not limited to, railings, guards, staircases, fire escapes, and art items. Products are often light and do not require cranes or hoists to move them. The processes vary depending on the product being produced. The equipment includes, but is not limited to, iron workers, shears, drill presses, band saws, forklifts, welders, and grinders. The painting of products manufactured is included in this classification when performed by employees of employers subject to this classification. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes installation which is to be reported separately in the classification applicable to the work being performed.

5208-02 Iron works: Fabrication, assembly, or manufacture: nonstructural iron or steel

Applies to establishments engaged in the manufacture, fabrication or assembly of nonstructural iron or steel. Fabrication means the laying out of the pieces, the marking, cutting, sawing, drilling, punching, bolting, welding, assembling and finishing operations including painting. Products include, but are not limited to, cattle crossing grates, window gratings, grill pieces, and storage racks used by warehouses. Equipment includes, but is not limited to, cut saws, welders, drill presses, grinders, band saws, and hoists. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes installation which is to be reported separately in the classification applicable to the work being performed.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-67602 Classification 5209.

~~((Boiler making, tank building (shop)~~

~~Metal goods manufacturing, N.O.C., from material 9-gauge or heavier~~

~~Wood stove manufacturing~~

~~Unless otherwise specified in the classification wording this is a shop or plant only classification. This classification includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification~~

~~This classification excludes all activities away from the shop or plant.))~~

5209-00 Boiler or tank construction

Applies to establishments engaged in the construction of boilers or steel tanks. Boilers are tanks used to either store hot water or make steam. Tanks may be used to hold prod-

ucts such as, but not limited to, sand and gravel, water, solid waste or fuels. The product is constructed from steel plate and may use I-beams for structural support. The materials may be purchased in bulk, if the business has the brake presses and rollers to cut and shape the metals to the appropriate dimensions, or as fabricated components. These establishments may also use cutting torches and other welding equipment in the manufacture of their products. They usually have a large shop area in one or more buildings that is equipped with overhead cranes. There is usually a yard to store raw materials, work-in-process, and finished goods. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes installation of boilers or tanks which is to be reported separately in the classification applicable to the work being performed.

5209-01 Metal goods, N.O.C. from 9 gauge or heavier metals

Applies to establishments engaged in the manufacture of goods using ferrous and nonferrous metal of 9 gauge or heavier. 9 gauge metals are approximately 1/8" thick. Items manufactured include, but are not limited to, crab pots, gaff hooks, firewood boxes, rims for basketball hoops, and rebar. Raw material is cut to desired size with saws, shears, brake presses, punches, and flame cutters. Parts may be joined by welding, riveting, screwing, or bolting. The parts may be handled by overhead cranes, hoists, and forklifts. The products may be finished in a variety of ways including, but not limited to, sanding, grinding, cleaning with solvents and applying paint or lacquer. Finish work is included in this classification when performed by employees of employers subject to this classification. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes establishments primarily engaged in structural iron or steel manufacturing which are to be reported separately in classification 5208; establishments primarily engaged in welding and machine shop activities which are to be reported separately in classification 3402; and establishments primarily engaged in manufacturing products from metal lighter than 9 gauge which are to be reported separately in classification 3404.

5209-02 Wood or pellet burning stove: Manufacturing

Applies to establishments engaged in the manufacture of wood or pellet burning stoves. Sheet steel or plate metal is sheared, formed, punched, baked and decreased. Parts are assembled by spot welding, then enameled or painted. Grey iron parts are foundry cast, chipped, and ground. Heating elements, insulation, wiring and control assemblies, glass panels and grey iron parts are assembled into stove shells on the production assembly line. The stoves are then packed for shipment. Materials include, but are not limited to, sheet steel, grey iron or ferrous castings, insulation materials, glass, aluminum and brass tubing control assemblies, chrome trim and hardware, and paints and enamels. Equipment includes, but is not limited to, power presses, shears, brake presses, welding equipment, spray painting equipment, baking oven,

pneumatic and electric grinders and chippers, and pneumatic tools. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-677 Classification 5301.

- ~~((Accounting or bookkeeping services~~
- ~~Court reporting services~~
- ~~Credit bureaus~~
- ~~Employment agencies~~
- ~~Law firms~~
- ~~Management consultant services, N.O.C.~~
- ~~Secretarial or telephone answering services~~
- ~~Travel agencies~~
- ~~Word processing services~~

~~This classification includes clerical office and sales personnel. This classification is limited to employers engaged in such services being provided to the general public. This is a services only classification and does not include retailing or store operations, nor is this classification to be assigned to employers setting up separate business operation to manage other commonly owned or operated business undertakings unless coincidentally the other operations are also subject to this classification.))~~

5301-10 Accounting or bookkeeping services

Applies to establishments engaged in providing general accounting or bookkeeping services to others. Types of services contemplated by establishments subject to this classification include, but are not limited to, auditing, tax preparation, medical or dental claims processing and billing, and/or advisory services. This classification includes all employments such as, but not limited to, clerical office, outside sales, and personnel who travel from one office to another.

This classification excludes establishments engaged primarily in management consultant services that are not otherwise classified, which are to be reported separately in classification 5301-12.

Special note: This classification is limited to employers engaged in such services being provided to the general public. This is a services only classification and does not include retailing or store operations, nor is this classification to be assigned to employers setting up separate business operations to manage other commonly owned or operated business undertakings unless coincidentally the other operations are also subject to this classification.

5301-11 Law firms

Applies to establishments engaged in providing legal services to others. Law firms may specialize in one or more areas of law. This classification includes clerical office and outside sales personnel who travel from one office environment to another.

Special note: This is a services only classification and does not include retailing or store operations, nor is this classification to be assigned to employers setting up separate business operations to manage other commonly owned or

operated business undertakings unless coincidentally the other operations are also subject to this classification.

5301-12 Management consultant services, N.O.C.

Applies to establishments engaged in providing management consulting services not covered by another classification (N.O.C.). Management consultants typically will observe and analyze organizational structures, work processes or work flows, mail distribution, computer or communication systems, and planning or development of related business needs. After a thorough analysis, consultants usually prepare a written report for the customer which identifies problem areas and/or recommends improvements to processes or equipment. Consultants may remain to oversee the implementation of the recommended improvements. Consultants subject to this classification do not sell any product they have recommended although they may act as an agent for their client in purchasing the product. Consulting projects vary from client to client depending upon the contract. This classification includes clerical office staff, outside sales personnel and other staff who travel from one office to another.

Special note: This classification is limited to employers engaged in such services being provided to the general public. This is a services only classification and does not include retailing or store operations, nor is this classification to be assigned to employers setting up separate business operations to manage other commonly owned or operated business undertakings unless coincidentally the other operations are also subject to this classification.

5301-13 Credit bureaus; collection agencies

Applies to establishments that are licensed to provide collection and/or credit investigation services to others. Services include, but are not limited to, the collection of NSF checks or delinquent debts owed to clients of the collection agency and checking the credit backgrounds of their client's potential customers. If debts are not collected, the service agency may initiate legal proceedings against the debtor. This classification includes clerical office and outside sales personnel, other staff who travel from one office to another, and process servers, although collection agencies subject to this classification generally employ process servers of other businesses to deliver legal documents.

This classification excludes establishments engaged in providing process serving services which may be reported separately in classification 6303 provided all the conditions of the general reporting rules covering standard exception employees have been met.

5301-14 Employment agencies

Applies to establishments that are licensed to provide employment services for others. Clients of employment agencies may be persons seeking employment or companies looking for employees. Employment agencies usually conduct preliminary interviews with candidates for positions prior to referring them to their client companies for interviews. Generally, establishments subject to this classification place people in permanent positions. This classification includes clerical office and outside sales personnel, and staff who travel from one office to another.

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This classification excludes employees of a temporary help agency who are assigned to work in the administrative or branch offices of the agency who are to be reported separately in classification 7104 and employees of a temporary help agency who are assigned on a temporary basis to its customers who are to be reported separately in the appropriate temporary help classification.

5301-15 Court reporting services

Applies to establishments engaged in providing court reporting services to others. Court reporters record verbatim testimony presented in court proceedings, depositions, public hearings or meetings. The most frequently used method to record testimony is by steno type machine, although it may be recorded by voice recording on audio tape, or by manual shorthand. Transcription of the recorded material may be performed by the court reporter or by "note readers" or typists. The majority of court reporters today use computer-aided transcription systems. Court reporters may also offer notary public services for their clients. This classification includes clerical office and staff who travel from one office to another.

5301-16 Service and professional organizations

Applies to establishments engaged in protecting or furthering the interest of their members and/or the general public. Many of these operate as nonprofit organizations. Service and professional organizations may perform one or many of the following activities: Maintain a membership directory; collect membership dues; publish a newsletter; sponsor educational training programs; administer certification tests; provide job placement assistance; award scholarships; offer insurance programs; research and interpret local, state, and federal regulations and apprise members of the results; manage promotional marketing programs; organize fund raising campaigns; perform charitable community services; sponsor athletic leagues and tournaments; host conventions; disburse funds; perform collective bargaining; arbitrate disputes; provide counseling, adoption, and advocacy services; lobby the legislature; compile, review, and disseminate informational data; operate a tourist information center; issue vehicle license registrations, plates, decals, and certificates of title. Also included in this classification are Economic Development Councils, Boards, or Associations. These nonprofit organizations provide economic consulting services and related statistics to government and industry in the promotion of economic stability, and recruit businesses who will create jobs and provide loans from the grant funds they manage. This classification includes clerical office and outside sales personnel who travel from one office environment to another.

This classification excludes labor unions and employee representative associations which are to be reported separately in classification 6503.

5301-18 Telephone answering services

Applies to establishments engaged in providing telephone answering services for others. Customers include, but are not limited to, medical professionals, attorneys, private businesses, and individuals. Most answering services today use computerized communications systems to identify com-

pany names when answering calls for various companies, obtain correct information about the company to respond to questions, record and relay accurate messages in a timely manner. Related services often offered by telephone answering service companies include, but are not limited to, voice mail or paging, rental of office space, telemarketing, dispatching, monitoring alarm systems, placing reminder calls, and scheduling appointments for customers. This classification includes clerical office personnel and staff who travel from one office to another.

5301-19 Travel agencies

Applies to establishments engaged in providing travel arrangement services for others. Travel agencies coordinate all types of travel arrangements for their clients through air, cruise, train, or bus lines, hotels, motels, or resorts, car rental agencies, travel insurance companies, and related travel providers. Services vary and could include delivery of tickets and itineraries to clients, booking reservations and selling tickets for tours, excursions, or other entertainment events, or arrangement of special needs for disabled or elderly travelers. This classification includes clerical office and sales staff who travel from one office to another.

5301-21 Word processing or secretarial services

Applies to establishments engaged in providing word processing or secretarial services to others. Services include, but are not limited to, desktop publishing, dictation and transcription services, typing/compiling reports, proposals, resumes, or correspondence, sending faxes, and making copies of documents. A pickup and delivery service may be offered. This classification includes clerical office and outside sales personnel who travel from one office environment to another.

Special note: This classification is limited to employers engaged in such services being provided to the general public. This is a services only classification and does not include retailing or store operations, nor is this classification to be assigned to employers setting up separate business operations to manage other commonly owned or operated business undertakings unless coincidentally the other operations are also subject to this classification.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-678 Classification 5305.

((Clerical office, sales personnel and white collar employees of cities and towns:))

5305-06 Clerical office and administrative employees of cities and towns

Applies to clerical office and administrative employees of cities and towns. Clerical duties include, but are not limited to, answering telephones, handling correspondence, computer work, and maintaining financial, personnel and payroll records. A clerical office is a work area which is physically separated from all other work areas by walls, partitions or other physical barriers and must be free from all operative hazards of the work environment. Administrative duties may be conducted in or out of the city or town facili-

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ties, but are conducted in an atmosphere free from the operative hazards of the work environment associated with operations such as, but not limited to, jails, law enforcement and road works. In addition to management activities, this classification also includes field auditors, social workers or similar activities professionals would perform.

See classifications 0803, 1301, 1404, 6901, 6904, 6905 and 6906 for other city or town operations.

AMENDATORY SECTION (Amending WSR 90-13-018, filed 6/8/90, effective 7/9/90)

WAC 296-17-679 Classification 5306.

((Clerical office, sales personnel and white collar employees of county, public utility districts and taxing districts, N.O.C.

Clerical office, sales personnel and white collar employees of Indian tribal councils.))

5306-07 Clerical office and administrative employees of counties, public utility districts and taxing districts, N.O.C.

Applies to clerical office and administrative employees of counties, public utility districts and taxing districts, not otherwise classified (N.O.C.). Clerical duties include, but are not limited to, answering telephones, handling correspondence, computer work, and maintaining financial, personnel and payroll records. A clerical office is a work area which is physically separated from all other work areas by walls, partitions or other physical barriers and must be free from all operative hazards of the work environment associated with operations such as, but not limited to, jails, law enforcement and road works. Administrative duties may be conducted in or out of the county, public utility district or taxing district facilities, but are conducted in an atmosphere free from the operative hazards of the work environment. In addition to management activities, this classification also includes field auditors, social workers, alcohol and drug abuse programs, senior health and nutrition programs, medical and dental clinics or similar activities professionals would perform.

See classifications 1301, 1404, 1501, 1507, 4201, 6103, 6104, 6901, 6904, 6905, and 6906 for other county, public utility districts and taxing districts operations.

5306-25 Clerical office and administrative employees of Native American tribal councils

Applies to clerical office and administrative employees of Native American tribal councils. Clerical duties include, but are not limited to, answering telephones, handling correspondence, computer work, and maintaining financial, personnel and payroll records. A clerical office is a work area which is physically separated from all other work areas by walls, partitions or other physical barriers and must be free from all operative hazards of the work environment. Administrative duties may be conducted in or out of the tribal council facilities, but are conducted in an atmosphere free from the operative hazards of the work environment associated with operations such as, but not limited to, jails, law enforcement and road works. In addition to management activities, this classification also includes field auditors, social workers, alcohol and drug abuse programs, senior health and nutrition

programs, youth services, counselors, courts, medical and dental clinics or similar activities professionals would perform.

See classifications 1501 and 6905 for other Native American tribal council operations.

Special note: Tribal operations unrelated to the business of governing such as liquor and tobacco stores, casinos, logging, fisheries and bingo parlors are to be reported separately in the classification applicable to the operation.

5306-26 Clerical office and administrative employees of local public housing authorities

Applies to clerical office and administrative employees of local public housing authorities. Clerical duties include, but are not limited to, answering telephones, handling correspondence, computer work, and maintaining financial, personnel and payroll records. A clerical office is a work area which is physically separated from all other work areas by walls, partitions or other physical barriers and must be free from all operative hazards of the work environment. Administrative duties may be conducted in or out of the housing authority facilities, but are conducted in an atmosphere free from the operative hazards of the work environment associated with operations such as, but not limited to, jails, law enforcement and road works. In addition to management activities, this classification also includes field auditors, social workers or similar activities professionals would perform.

This classification excludes all other employees including meter readers who are to be reported separately in classification 1501 and volunteers who are to be reported separately in classifications 6901 or 6906 as appropriate.

5306-27 Clerical office and administrative employees of military base maintenance contractors

Applies to clerical office and administrative employees of military base maintenance contractors. Clerical duties include, but are not limited to, answering telephones, handling correspondence, computer work, and maintaining financial, personnel and payroll records. A clerical office is a work area which is physically separated from all other work areas by walls, partitions or other physical barriers, and must be free from all operative hazards of the work environment. Administrative duties may be conducted in or out of the military base facilities, but are conducted in an atmosphere free from the operative hazards of the work environment associated with operations such as, but not limited to, jails, law enforcement and road works. In addition to management activities, this classification also includes field auditors, social workers or similar activities professionals would perform.

See classification 1501 for other military base maintenance contractors' operations.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-67901 Classification 5307.

((State government, N.O.C.

This classification includes any state employee performing manual labor, supervising a work crew performing manual labor such as custodial or maintenance, construction, and machinery or equipment operators or administrative personnel such as engineers, safety inspectors, biologists who have field exposures

This classification includes all departments, agencies, boards, commissions and committees of either the executive, legislative or judicial branches of state government

See classifications 4902, 4906, 7201, and 7103 for other state employees.))

5307-00 State government employees - N.O.C.

Applies to state government employees not covered by another classification (N.O.C.) who perform manual labor, or who supervise a work crew performing manual labor such as custodial or maintenance, construction, or the operation of machinery or equipment. This classification includes administrative personnel such as engineers, safety inspectors, and biologists, who have field exposure, and store and stock clerks. For the purposes of this classification field exposure is defined as any exposure other than the normal travel to a work assignment, such as a field auditor or social worker would encounter. This classification includes all departments, agencies, boards, commissions and committees of either the executive, legislative or judicial branches of state government.

See classifications 4902, 4906, 7103, and 7201 for other state government operations.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-680 Classification 6103.

((Athletic officials for amateur sports, N.O.C., such as umpires and referees

Churches

Day nurseries or child care centers

Libraries, N.O.C.

Museums, N.O.C.

Schools, N.O.C. including dance, modeling, music and flight instructions classroom only

Schools: Academic K-12

Schools, trade or vocational

This classification is limited to clerical office, sales personnel, teachers N.O.C. and administrative employees

See classification 6104 for other operations.))

6103-01 Schools: Academic, K-12 - clerical office, sales personnel, teachers, N.O.C. and administrative employees

Applies to clerical office, sales personnel and administrative employees such as principals, assistant principals, receptionists, secretaries, counselors, school nurses, payroll and bookkeeping personnel, and teachers or teachers' aides of establishments engaged in operating public or private academic school facilities, K-12 (kindergarten level through grade 12).

This classification excludes all other types of employees in connection with the school facilities such as, but not limited to, cooks, bus drivers, custodians, maintenance personnel

and grounds keepers, and teachers or teachers' aides who are exposed to machinery hazards such as a wood shop, metal shop, print shop, auto shop, and driver training instructors who are to be reported separately in classification 6104.

6103-02 Schools: Trade or vocational - clerical office, sales personnel, teachers, N.O.C. and administrative employees

Applies to clerical office, sales personnel and administrative employees such as deans, directors, assistant directors, receptionists, secretaries, counselors, payroll and bookkeeping personnel, and professors or instructors of establishments engaged in operating trade or vocational school facilities. These types of schools provide specialized training and instruction to prepare students for occupations in the chosen fields. Often these facilities will coordinate on-the-job training with employers as well as assist students in finding employment.

This classification excludes all other types of employees in connection with the school facilities such as, but not limited to, cooks, drivers, custodians, maintenance personnel and grounds keepers, and professors or instructors who are exposed to machinery hazards such as a wood shop, metal shop, print shop and auto shop who are to be reported separately in classification 6104.

6103-03 Libraries, N.O.C. - clerical office, sales personnel, teachers, N.O.C. and administrative employees

Applies to clerical office, sales personnel and administrative employees such as librarians, assistant librarians, receptionists, secretaries, and payroll and bookkeeping personnel of establishments engaged in operating library facilities not covered by another classification (N.O.C.). These types of facilities maintain a wide selection of reading materials such as books, journals, articles, magazines, publications, newspapers, and audio-visual or micrographic materials.

This classification excludes all other types of employees such as, but not limited to, custodians, maintenance personnel and grounds keepers, drivers, and storage room workers who are to be reported separately in classification 6104.

6103-04 Churches - clerical office, sales personnel, teachers, N.O.C. and administrative employees **Bell ringers**

Applies to clerical office, sales personnel and administrative employees such as pastors, priests, reverends, clergymen, ushers, receptionists, secretaries, counselors, payroll and bookkeeping personnel, and instructors of establishments engaged in operating church facilities for members of a religious congregation to meet and worship on a daily or weekly basis. Other services provided include, but are not limited to, sermons, rites, counseling, baptisms, weddings, funerals, bible school, and day care during church services and events. When a church is also operating a school facility, the church classifications are to be assigned for both operations. This classification also applies to bell ringers for charitable organizations.

This classification excludes all other types of employees in connection with the church facilities such as, but not limited to, custodians, maintenance personnel and grounds keep-

ers, and drivers who are to be reported separately in classification 6104.

6103-05 Museums, N.O.C. - clerical office, sales personnel, teachers, N.O.C. and administrative employees

Applies to clerical office, sales personnel and administrative employees such as directors, assistant directors, buyers, coordinators, tour guides, receptionists, secretaries, and payroll and bookkeeping personnel of establishments engaged in operating museum facilities not covered by another classification (N.O.C.). Museums maintain a wide variety of artifacts, art, statues, sculptures, and other exhibit works.

This classification excludes all other types of employees such as, but not limited to, custodians, maintenance personnel and grounds keepers (including exhibit set-up), drivers, packers, and warehousemen who are to be reported separately in classification 6104.

6103-06 Day nurseries or child day care centers - clerical office, sales personnel, teachers, N.O.C. and administrative employees

Applies to clerical office, sales personnel, and administrative employees such as teachers, teachers' aides and nurses of establishments engaged in operating day nurseries or day care centers for infants, toddlers, and children, or in providing baby-sitting services. Employees will instruct children in activities designed to promote social, physical, and intellectual growth in preparation for primary school. Most day care centers provide breakfast and lunch.

This classification excludes all other types of employees such as, but not limited to, custodians, cooks, maintenance personnel and grounds keepers, and drivers who are to be reported separately in classification 6104.

6103-10 Flight instructors - clerical office, sales personnel, classroom teachers, N.O.C. and administrative employees

Applies to clerical office, sales personnel, classroom instructors, and administrative employees of establishments engaged in providing classroom instruction to student pilots in flight procedures and techniques. Flight instructors explain various aircraft components and instruments for controlling aircraft during maneuvers, and, using flight simulators, demonstrate procedures such as, but not limited to, take-offs and landings.

This classification excludes all other types of employees such as, but not limited to, custodians, maintenance personnel and grounds keepers and drivers who are to be reported separately in classification 6104 and in-air flight instructors outside the classroom who are to be reported separately in the classification 6803.

Special note: Reporting rules are outlined in the division of worker hours provision in the general rules.

6103-11 Schools: N.O.C. - clerical office, sales personnel, classroom teachers, N.O.C. and administrative employees

Applies to classroom instructors, clerical office, sales personnel and administrative employees such as directors and assistant directors, coordinators, instructors, receptionists, secretaries, counselors, payroll and bookkeeping personnel

of establishments engaged in providing specialized classroom instruction to students in schools which are not covered by another classification (N.O.C.). Schools include, but are not limited to, dance, modeling, music, driving, cooking, first aid, and schools for coaches. Modeling and dance schools emphasize poise, balance, facial gestures, self-confidence, and counseling in wardrobe and make-up. Music schools emphasize the disciplines of playing various instruments. Driving schools concentrate on the rules, principles, and coordination needed to drive safely, using textbooks, audio-visuals, and driving simulators.

This classification excludes all other types of employees in connection with the specialized school facilities such as, but not limited to, custodians, maintenance personnel and grounds keepers, and instructors who perform activities not as part of a classroom environment who are to be reported separately in classification 6104 and driving instructors outside of the classroom who are to be reported separately in classification 6301.

6103-12 Officials for amateur athletic or cultural events, N.O.C. - clerical office, teachers, N.O.C. and administrative employees

Applies to clerical office employees, administrative employees, and event officials of establishments engaged in providing officials such as, but not limited to, umpires or referees for amateur athletic or cultural events sponsored by schools or communities. Events include, but are not limited to, sports, spelling bees, debates, and musical competitions.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-681 Classification 6104.

((Churches

Day nurseries or child care centers

Libraries, N.O.C.

Museums, N.O.C.

Schools, N.O.C. including dance, modeling, music

Schools: Academic K-12

Schools, trade or vocational

All other employments, N.O.C. including teachers exposed to machinery hazards such as metal and wood shop and driving instructors.))

6104-01 Schools: Academic, K-12 - all other employments, N.O.C.

Applies to all other employees of public or private academic schools K-12 (kindergarten level through grade 12). All other in this classification is defined as employees such as, but not limited to, cooks, bus drivers, custodians, maintenance personnel and grounds keepers, and teachers or teachers aides who are exposed to machinery hazards such as wood shop, metal shop, print shop, auto shop, and driver instructors.

This classification excludes clerical office, sales personnel and administrative employees such as principals, assistant principals, receptionists, secretaries, counselors, payroll and bookkeeping personnel, and teachers or teachers' aides who have no exposure to machinery hazards who are to be reported separately in classification 6103.

6104-02 Schools: Trade or vocational - all other employments, N.O.C.

Applies to all other employees of trade or vocational schools. All other in this classification is defined as employees such as, but not limited to, cooks, drivers, driving instructors, custodians, maintenance personnel and grounds keepers, and teachers and teachers aides who are exposed to machinery hazards such as, but not limited to, those in wood shop, metal shop, automotive shops, and plumbing or electrical work. Vocational or trade schools provide specialized training and instruction to prepare students for occupations in their chosen field. Often these facilities will coordinate on-the-job training and assist students in finding employment.

This classification excludes clerical office, sales personnel and administrative employees such as deans, directors, assistant directors, receptionists, secretaries, counselors, payroll and bookkeeping personnel and teachers or teachers' aides who have no exposure to machinery hazards who are to be reported separately in classification 6103.

6104-03 Libraries, N.O.C. - all other employments, N.O.C.

Applies to all other employees of library facilities which are not covered by another classification (N.O.C.). All other in this classification is defined as employees such as, but not limited to, custodians, maintenance personnel and grounds keepers, drivers, and storage room workers. Libraries maintain a wide selection of reading materials such as books, journals, articles, magazines, publications, newspapers, and audio-visual or micrographic materials.

This classification excludes clerical office, sales personnel and administrative employees such as librarians, assistant librarians, receptionists, secretaries, and payroll and bookkeeping personnel who are to be reported separately in classification 6103.

6104-04 Churches - all other employments, N.O.C.

Applies to all other employees of churches. All other in this classification is defined as employees such as, but not limited to, custodians, maintenance personnel, grounds keepers, and drivers. Services offered by a church include, but are not limited to, providing a place for members of a religious congregation to meet and worship on a daily or weekly basis, sermons, rites, counseling, baptisms, weddings, funerals, bible school, day care during church services and events.

This classification excludes clerical office, sales personnel and administrative employees such as pastors, priests, reverends, clergymen, ushers, receptionists, secretaries, counselors, payroll and bookkeeping personnel, and instructors who are to be reported separately in classification 6103.

6104-05 Museums, N.O.C - all other employments, N.O.C.

Applies to all other employees of establishments engaged in operating museum facilities not covered by another classification (N.O.C.). All other in this classification is defined as employees such as, but not limited to, custodians, maintenance personnel and grounds keepers (including exhibit set-up), drivers, packagers, and warehousemen. Museums maintain a wide selection of artifacts, art, statues, sculptures, and other exhibit works.

This classification excludes clerical office, sales personnel and administrative employees such as museum directors, assistant museum directors, buyers, coordinators, tour guides, receptionists, secretaries, and payroll and bookkeeping personnel who are to be reported separately in classification 6103.

6104-06 Day nurseries or child day care centers - all other employments, N.O.C.

Applies to all other employees of establishments engaged in operating day nurseries or day care centers for infants, toddlers, and children, which provide activities to promote social, physical, and intellectual growth in preparation for primary school. All other in this classification is defined as employees such as, but not limited to, custodians, cooks, maintenance personnel and grounds keepers, and drivers.

This classification excludes clerical office, sales personnel and administrative employees such as principals, receptionists, secretaries, counselors, payroll and bookkeeping personnel, and teachers or teachers' aides who are to be reported separately in classification 6103.

6104-11 Schools: N.O.C - all other employments, N.O.C.

Applies to all other employees of establishments engaged in providing specialized classroom instruction to students in schools which are not covered by another classification (N.O.C.) such as, but not limited to, dance, modeling, music, cooking, first aid, and schools for coaches. All other in this classification is defined as employees such as, but not limited to, custodians, maintenance personnel and grounds keepers, and instructors or teachers who perform activities not as part of a classroom environment or who are exposed to machinery hazards.

This classification excludes administrative employees such as directors and assistant directors, coordinators, receptionists, secretaries, counselors, payroll and bookkeeping personnel, and classroom instructors, who are to be reported separately in classification 6103 and driving instructors outside of the classroom who are to be reported separately in classification 6301.

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-682 Classification 6105.

~~((Hospitals—N.O.C. including hospital districts~~

~~Hospitals—private proprietary~~

~~Hospitals—religious, charitable or nonprofit~~

~~This classification includes clerical office and sales personnel.))~~

6105-00 Hospitals: Religious, charitable or nonprofit

Applies to establishments engaged in operating religious, charitable, or nonprofit hospitals. These hospitals are usually corporations who are governed by a board and have an additional uncompensated care program to assess medically necessary situations and seek out any available resources to provide coverage. If no resources are available, the hospital usually provides care anyway because their mission includes addressing need and supplying care. Hospitals

provide medical or surgical care and treatment for the sick and the injured. A hospital is an organization with six or more beds providing round-the-clock nursing care and access to physician's care, and operating at least a pharmacy, a diagnostic X-ray and laboratory facility, and a surgical service. Most hospitals offer a variety of medical services. General care or community hospitals offer a wide range of short-term treatments for a variety of medical conditions, whereas specialized institutions (such as children's hospitals, maternity hospitals and psychiatric hospitals) usually provide a more limited range of services to a specific class of patients. This classification contemplates all types of hospital employment including, but not limited to, admissions staff, medical staff, pharmacy staff, dietary staff, and laundry, housekeeping, custodial and grounds keeping staff. This classification also includes clerical office and sales personnel.

6105-01 Hospitals: Private proprietary

Applies to establishments engaged in operating private proprietary hospitals. These are for-profit corporations that have a board and investors. All hospitals are required to provide initial emergency care. A proprietary hospital may recommend that an indigent or uninsured person find follow-up care elsewhere. Hospitals provide medical or surgical care and treatment for the sick and the injured. A hospital is an organization with six or more beds providing round-the-clock nursing care and access to physician's care, and operating at least a pharmacy, a diagnostic X-ray and laboratory facility, and a surgical service. Most hospitals offer a variety of medical services. General care or community hospitals offer a wide range of short-term treatments for a variety of medical conditions, whereas specialized institution (such as children's hospitals, maternity hospitals and psychiatric hospitals) usually provide a more limited range of services to a specific class of patients. This classification contemplates all types of hospital employment including, but not limited to, admissions staff, medical staff, pharmacy staff, dietary staff, and laundry, housekeeping, custodial and grounds keeping staff. This classification also includes clerical office and sales personnel.

6105-05 Hospitals: N.O.C. - including hospital districts

Applies to establishments engaged in operating hospitals which are not covered by another classification (N.O.C.) including hospital districts. They are governed by a board of community members. A municipal hospital district operates similar to a charitable hospital; they will not turn away anyone in need of care, but must exercise discretion in allowing write-offs for charity cases. They will also make every effort to obtain available resources for a person before recognizing them as indigent. Hospitals provide medical or surgical care and treatment for the sick and the injured. A hospital is an organization with six or more beds providing round-the-clock nursing care and access to physician's care, and operating at least a pharmacy, a diagnostic X-ray and laboratory facility, and a surgical service. Most hospitals offer a variety of medical services. General care or community hospitals offer a wide range of short-term treatments for a variety of medical conditions, whereas specialized institutions (such as children's hospitals, maternity hospitals, and psychiatric hospitals) usually provide a more limited range of services to a

specific class of patients. This classification contemplates all types of hospital employment including but not limited to admissions staff, medical staff, pharmacy staff, dietary staff, and laundry, housekeeping, custodial and grounds keeping staff. This classification also includes clerical office and sales personnel.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-684 Classification 6107.

~~((Veterinary hospitals or clinics~~

~~This classification includes clerical office and sales personnel.))~~

6107-01 Veterinary hospitals or clinics

Applies to establishments of state licensed practitioners engaged in the practice of veterinary medicine, dentistry, or surgery. Veterinarians provide routine checkups, vaccinations, administer drugs and medicines, euthanasia and autopsies; some specialize in areas such as animal dermatology or animal behaviors. Usually veterinary services are performed on an outpatient basis, although animals may be kept on the premises for one or more days for observation or treatment. Veterinarians who specialize in the treatment of larger animals such as cows or horses frequently provide their services off premises rather than in their own facilities. This classification includes clerical office and sales personnel.

This classification excludes animal boarding kennels, animal shelters and/or pet grooming parlors which are to be reported separately in classification 7308.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-685 Classification 6108.

~~((Convalescent or nursing homes~~

~~Homes for the aged~~

~~Rest homes~~

~~This classification includes nursing care for the residents.))~~

6108-00 Convalescent or nursing homes, rest homes, and homes for the aged

Applies to establishments engaged in providing various levels of health care, depending on a patient's needs. Convalescent or nursing homes are state-licensed institutions. The extent of professional or medical services provided ranges from complete medical care for postoperative patients and patients requiring extensive nursing care due to illnesses such as terminal cancer, kidney disorders, and heart disease, to only minimal medical or professional care for other patients. Rest homes provide daily living assistance care to the aged or those with some limits on ability for self-care, but where medical care is not yet a major element. Homes for the aged provide care for people who, due to illness, physical infirmity, or advanced age, are unable to care for themselves and who need nursing and/or health-related care, but do not require the degree of care and treatment that a skilled or intermediate care facility is designed to provide. Patients in homes for the aged, because of their mental or physical condition, require some nursing care, including the administering

of medications and treatments, or the supervision of self-administered medications in accordance with a physician's orders. Generally these homes will employ therapists, registered nurses, practical nurses, nurses aides and orderlies to provide the necessary medical care to their patients. The homes also may employ cooks, waitresses, maids, maintenance personnel, social workers and recreational directors, but usually do not employ a resident physician, although they may have arrangements with physicians who are on call for emergencies.

This classification excludes boarding houses which are to be reported separately in classification 6509.

AMENDATORY SECTION (Amending WSR 94-12-063, filed 5/30/94, effective 6/30/94)

WAC 296-17-686 Classification 6109.

~~((Childbirth classes~~

~~Chiropractors, N.O.C.~~

~~Dental clinics, N.O.C.~~

~~Dentists, N.O.C.~~

~~Massage therapy services—This subclassification excludes massage practitioners employed by a health club, gymnasium, saunas or bath house which are to be reported separately in classification 6204~~

~~Medical clinics, N.O.C.~~

~~Midwife services~~

~~Naturopaths, N.O.C.~~

~~Optometrists, N.O.C.~~

~~Physical therapists, N.O.C.~~

~~Physicians and surgeons, N.O.C.~~

~~Psychologists and psychiatrists, N.O.C.~~

~~Radiology and MRI referral clinics~~

~~This classification includes clerical office and sales personnel.))~~

6109-00 Physicians and surgeons, N.O.C.

Applies to establishments of licensed practitioners not covered by another classification (N.O.C) who are engaged in the practice of general or specialized medicine and surgery. Physicians diagnose and treat a variety of diseases and injuries, order or execute various tests, analyses, and diagnostic images to provide information on a patient's condition, analyze reports and findings of tests and of examination, diagnose conditions, and administer or prescribe treatments and drugs. Physicians may also inoculate and vaccinate patients to immunize them from communicable diseases, or refer patients to a medical specialist or other practitioners for specialized treatment. They may also make house and emergency calls to attend to patients unable to visit the office. Surgeons examine patients to verify necessity of surgery, review reports of patient's general physical condition and medical history, reactions to medications, estimate possible risk to patient, and determine best operational procedure. Surgeons may specialize in a particular type of surgery. This classification includes licensed ophthalmologists who specialize in the diagnosis and treatment of diseases and injuries of the eyes, and examine patients for symptoms indicative of organic or congenital ocular disorders. This classification includes clerical office and sales personnel, as well as other

employees engaged in service in the physician's or surgeon's office, such as laboratory or X-ray technicians, and nurses.

This classification excludes medical clinics, N.O.C., which are to be reported separately in classification 6109-06; psychologists and psychiatrists who are to be reported separately in classification 6109-10; and optometrists who are to be reported separately in classification 6109-09.

6109-01 Dentists, N.O.C.

Applies to establishments of licensed practitioners who are engaged in the practice of general or specialized dentistry and who are not covered by another classification (N.O.C.). Services provided by dental offices include, but are not limited to, examination of teeth and gums to determine condition, diagnosis of disease, injuries, or malformation, extractions, fillings, root canals, oral surgery, tooth replacement, cleaning, instruction on oral and dental hygiene and preventative care. This classification includes clerical office and sales personnel, as well as other employees engaged in service in the dentist's office such as hygienists, and dental assistants or technicians.

This classification excludes dental clinics, N.O.C., which are to be reported separately in classification 6109-07.

6109-02 Chiropractors, N.O.C.

Applies to establishments of licensed practitioners not covered by another classification (N.O.C.) who are engaged in the practice of chiropractic medicine. Chiropractors diagnose and treat musculoskeletal conditions of the spinal column and extremities to prevent disease and correct abnormalities of the body believed to be caused by interference with the nervous system. They manipulate the spinal column and other extremities to adjust, align, or correct abnormalities caused by neurologic and kinetic articular dysfunction. This classification includes clerical office and sales personnel, as well as other employees engaged in service in the chiropractor's office.

6109-04 Naturopaths, N.O.C.

Applies to establishments of health practitioners not covered by another classification (N.O.C.) who diagnose, treat, and care for patients, using a system of practice that bases treatment of physiological functions and abnormal conditions on natural laws governing the human body, relying on natural remedies such as, but not limited to, acupuncture, sunlight supplemented with diet, and naturopathic corrections and manipulations to treat the sick. This classification includes clerical office and sales personnel, as well as other employees engaged in service in the naturopath's office.

6109-06 Medical clinics, N.O.C.

Applies to establishments operating as clinics of medical providers not covered by another classification (N.O.C.) who provide services in a typical doctor's office environment. This classification includes clerical office and sales personnel, as well as other employees engaged in service in the medical clinic.

This classification excludes radiology and MRI referral clinics which are to be reported separately in classification 6109-17; orthotic referral clinics which are to be reported separately in classification 6109-14; and nutrition, diet or

weight loss clinics which are to be reported separately in classification 6109-12.

6109-07 Dental clinics, N.O.C.

Applies to establishments engaged in the operation of dental clinics not covered by another classification (N.O.C.) who provide the full range of dental services. Services provided by dental clinics include, but are not limited to, examination of teeth and gums to determine condition, diagnosis of disease, injuries, or malformation, extractions, fillings, root canals, oral surgery, tooth replacement, cleaning, instruction on oral and dental hygiene and preventative care. This classification includes clerical office and sales personnel, and all employees engaged in dental services.

This classification excludes dentists who do not operate as part of a dental clinic who are to be reported separately in classification 6109-01.

6109-08 Physical therapists, N.O.C.

Applies to establishments of health practitioners not covered by another classification (N.O.C.) who are engaged in the practice of physical therapy, occupational therapy, respiratory therapy, or speech therapy. Therapists treat and rehabilitate people with physical or mental disabilities or disorders, to develop or restore functions, prevent loss of physical capacities, and maintain optimum performance. Includes occupations utilizing means such as exercise, massage, heat, light, water, electricity, and specific therapeutic apparatus, usually as prescribed by a physician; or participation in medically oriented rehabilitative programs, including educational, occupational, and recreational activities. *Physical therapists* plan and administer medically prescribed physical therapy treatment for patients suffering from injuries, or muscle, nerve, joint and bone diseases, to restore function, relieve pain, and prevent disability. *Occupational therapists* plan, organize, and conduct occupational therapy programs to facilitate development and rehabilitation of the mentally, physically, or emotionally handicapped. *Respiratory therapists* administer respiratory therapy care and life support to patients with deficiencies and abnormalities of the cardiopulmonary system, under the supervision of physicians and by prescription. *Speech therapists* specialize in diagnosis and treatment of speech and language problems, and engage in scientific study of human communication. This classification includes clerical office and sales personnel, as well as other employees engaged in therapy services and also includes travel to health facilities or other locations to administer therapy services.

6109-09 Optometrists, N.O.C.

Applies to establishments of optometrists not covered by another classification (N.O.C.). Optometrists are licensed practitioners, but do not hold a medical degree. An optometrist in general practice examines patients' eyes to determine the nature and degree of vision problems or eye diseases and prescribes corrective lenses or procedures, performs various tests to determine visual acuity and perception and to diagnose diseases and other abnormalities, such as glaucoma and color blindness. An optometrist may specialize in the type of services provided, such as contact lenses, low vision aids, or vision therapy, or in the treatment of specific groups such as

children or elderly patients. This classification includes clerical office and sales personnel, as well as other employees engaged in service in the optometrist's office.

This classification excludes optometrists employed by optical goods stores who are to be reported separately in classification 6308, and ophthalmologists who are to be reported separately in classification 6109-00.

6109-10 Psychologists and psychiatrists, N.O.C.

Applies to establishments of licensed practitioners not covered by another classification (N.O.C.) who are engaged in the diagnoses and treatment of patients with mental, emotional, or behavioral disorders. *Psychologists* are licensed practitioners who diagnose or evaluate mental and emotional disorders of individuals and administer programs of treatment. They interview patients in clinics, hospitals, prisons, and other institutions, and study medical and social case histories. *Psychiatrists* are licensed practitioners who diagnose and treat patients with mental, emotional, and behavioral disorders. They organize data obtained from the patient, relatives, and other sources, concerning the patient's family, medical history, and the onset of symptoms, and determine the nature and extent of mental disorder and formulate a treatment program utilizing a variety of psychotherapeutic methods and medications. This classification includes clerical office and sales personnel, as well as other employees engaged in service in the doctor's office.

6109-12 Nutrition, diet, or weight loss clinics, N.O.C.

Applies to establishments engaged as nutrition, diet, or weight loss clinics not covered by another classification (N.O.C.) which provide programs whereby clients may achieve a healthy and permanent weight loss. The programs vary in approaches but most are based on the behavior modification theory, utilizing private counseling or group support meetings and seminars to educate individuals about their eating habits and proper eating patterns. Some programs may sell vitamin supplements or a line of food products to be used by their clients and may publish newsletters or other forms of literature for the benefit of their clients. This classification includes clerical office and sales personnel.

This classification excludes exercise programs which are to be reported separately in the appropriate classification.

6109-13 Childbirth classes

Applies to establishments providing childbirth education for expectant parents. Topics include, but are not limited to, expectations during pregnancy, breathing and relaxing techniques, and massage therapy. Literature and/or movies may be provided in addition to oral instruction. This classification includes clerical office and sales personnel.

6109-14 Orthotic referral clinics

Applies to establishments operating as clinics to provide care to patients with disabling conditions of the limbs and spine by fitting and preparing orthopedic braces under the direction of and in consultation with physicians. Orthotists examine and evaluate the patient's needs in relation to disease and functional loss, and assist in the design of an orthopedic brace. Orthotist select materials, makes cast measurements, model modifications and layouts. When the brace is finished, they evaluate it on the patient, make adjustments to ensure

correct fit, and instruct the patient in the use of the orthopedic brace. This classification also includes clinics of prosthetists who provides care to patients with partial or total absence of a limb by planning fabrication of, writing specifications for, and fitting the prosthesis under the guidance of and in consultation with a physician. This classification includes clerical office and sales personnel, as well as other employees engaged in service in the referral clinics.

This classification excludes the manufacture of orthopedic braces, splints or prostheses which is to be reported separately in the applicable classification.

6109-15 Midwife services

Applies to establishments engaged in the practice of midwifery. Midwives provide care for women undergoing medically uncomplicated pregnancy and low risk labor and delivery. The delivery may take place in a clinic setting or in the expectant mother's home. This classification includes clerical office and sales personnel.

6109-16 Licensed massage therapy services

Applies to establishments of licensed practitioners who are engaged in the practice of massage therapy. Some massage therapists work in conjunction with physicians or sports teams, or at hospitals, rehabilitation facilities or convalescent homes. If a client is referred by a physician, the therapist will review the medical report and in conjunction with the client, will determine the nature of the massage (whether it is for relaxation or to correct or relieve a medical problem) and the modality to be used, such as deep-muscle work, trigger-point therapy, or joint rotation. This classification includes clerical office and sales personnel as well as other employees engaged in licensed massage therapy services.

This classification excludes massage therapists employed by a health club, gymnasium, and unlicensed massage therapists employed by a sauna, or bath house who are to be reported separately in classification 6204.

6109-17 Radiology and MRI referral clinics

Applies to establishments of licensed practitioners who are engaged in the practice of radiology and/or magnetic resonance imaging. Radiologists diagnose and treat diseases of the human body using X-ray and radioactive substances. They examine the internal structures and functions of the organ systems and make diagnoses after correlating the X-ray findings with other examinations and tests. They administer radiopaque substances by injection, orally, or as enemas, to render internal structures and organs visible on X-ray films or fluoroscopic screens. Radiologists may employ magnetic resonance imaging technologists to operate magnetic resonance imaging equipment which produces cross-sectional images (photographs) of a patient's body for diagnostic purposes. This classification includes clerical office and sales personnel, as well as other employees engaged in service in the clinics, such as nurses or technologists.

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 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-68601 Classification 6110.

~~((Home health services and nursing care, N.O.C.))~~

6110-00 Home health services and nursing care, N.O.C.

Applies to establishments engaged in providing skilled and semi-skilled nursing and home health care services to individuals who do not need the continuous care and supervision that hospitals and nursing facilities can provide. Patients frequently are referred to home health agencies by physicians, hospital discharge planners or other medical professionals. Typically, a home health care provider will come to the patient's home to assess the individual's situation, recommend a plan of treatment and coordinate the plan. A nurse may function as the "case manager" for the patient and will coordinate the case plan. Usually a physician must authorize the plan of treatment for home care services. The services offered will vary according to each client's needs and can range from personal care for the patients such as bathing and grooming, cooking, housecleaning; to laboratory services; to skilled nursing services. Home health services may offer therapy services such as physical, occupational, speech, and respiratory. Care may be intermittent or long-term. This classification includes home health nursing visits or care made on a private-duty basis.

This classification excludes home health care social workers and dietitians with no cooking duties who may be reported separately in classification 6303 provided all the conditions of the general reporting rules covering standard exception employees have been met; private households which employ workers who serve on or about the premises in occupations usually considered as domestic service which are to be reported separately in classification 6510; and establishments engaged in providing chore workers/home care assistants to private individuals who are to be reported separately in classification 6511.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-687 Classification 6201.

~~((Crematoriums~~

~~Funeral directors—mortuaries~~

~~This classification excludes cemetery operations which are to be reported separately in classification 6202.))~~

6201-00 Mortuaries, funeral homes, crematoriums

Applies to establishments engaged in all operations of a mortuary, funeral home or crematorium. Funeral homes generally provide a complete burial service which includes, but is not limited to, preparing the deceased for cremation or burial (this could include beautician services), providing the casket and burial plot, conducting the funeral service, providing transportation for family of the deceased, and providing flowers. Employments in this classification include drivers, organists, singers and other musicians, embalmers, and crematory employees if they are employed by the funeral home.

This classification excludes cemetery operations which are to be reported separately in classification 6202.

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AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-688 Classification 6202.

((Cemeteries:))

6202-00 Cemeteries

Applies to establishments engaged in providing cemetery and funeral services at one location. Cemeteries are communal burial places and range in size from small churchyards to private facilities with hundreds of acres of land. Cemeteries sell burial plots, excavate graves, prepare grave sites for interment, carry out interment services and maintain the cemetery grounds. Grounds work includes, but is not limited to, maintaining markers, and the usual maintenance work on lawns, roadways, trees, hedges and flowers. Maintenance personnel also set up tents, chairs and other burial service equipment. A grave burial involves placing caskets in the ground within a burial vault; a lawn crypt burial involves placing the casket in a pre-fabricated, pre-placed crypt. A burial vault is a cement structure used to line graves and prevent settling. Crypts can be placed in the ground, above the ground or within private and public mausoleums. A niche houses urns which contain the cremated remains of decedents. Cemeteries may provide funeral services at the cemetery, operate a chapel, and/or offer cremation services, all of which are included in this classification when conducted in connection with a cemetery operation. This classification includes pet cemeteries.

This classification excludes establishments engaged as mortuaries, funeral homes, or crematoriums which are to be reported separately in classification 6201.

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-689 Classification 6203.

((Boys or girls clubs

YMCA/YWCA institutions

This classification includes clerical office and sales personnel and excludes camp operations:))

6203-00 YMCA/YWCA institutions

Applies to establishments engaged in the operation of a Young Men or Young Women's Christian or Hebrew Associations. These are international community service organizations which generally respond to the needs of their communities. Typical operations include, but are not limited to, providing temporary residential facilities, swimming and exercise facilities, basketball courts, aerobic and fitness classes, child care, youth sports programs, social and educational programs, and day camp operations. Some facilities will provide a food and beverage service. This classification includes clerical office and sales personnel.

This classification excludes camp operations which are to be reported separately in classification 6209.

6203-01 Boys or girls clubs

Applies to establishments engaged in operating boys or girls clubs. These clubs are nonprofit organizations which provide recreation, cultural enrichment, health and physical education, and personal adjustment services for boys and

girls from 6 to 18 years of age. These facilities differ from location to location, but many offer gymnasiums, organized sports programs, day camp operations, game rooms, library or computer rooms, classes and various other supervised activities where young people can spend time. Some facilities also have swimming pools and offer meal programs. This classification includes Girl & Boy Scout councils that provide counseling to local scout troops, and clerical office and sales personnel.

This classification excludes camp operations which are to be reported separately in classification 6209.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-690 Classification 6204.

((Baths or saunas, N.O.C.

Exercise or health institutes

Gymnasiums

Health clubs:))

6204-00 Baths or saunas, N.O.C.

Applies to establishments engaged in operating baths or saunas not covered by another classification (N.O.C.). These facilities offer a variety of services such as, but not limited to, hot tubs, saunas, steam rooms, Jacuzzis, sun tan beds and body shampoos. Massage therapy services are included in this classification when performed by employees of employers subject to this classification. This classification excludes licensed massage therapists that qualify for classification 6109.

Special note: The distinction between massage therapists covered in this classification and massage therapists covered in classification 6109 is professional licensing.

6204-04 Exercise or health institutes, gymnasiums, health clubs

Applies to establishments engaged in operating exercise or health institutes, gymnasiums, or health clubs. These establishments accommodate a variety of exercise areas including, but not limited to, gymnasiums, swimming pools, racquetball, tennis, squash, and handball courts, jogging tracks, and weight rooms with nautilus equipment. Operations vary from location to location, but most offer facilities and services such as, but not limited to, locker rooms, showers, whirlpools, saunas, sun tanning booths, body toning equipment, aerobic, gymnastic, and martial arts classes, instruction or training in achieving physical fitness goals, nutrition counseling, towel service, child care, massages, pro shops and food and beverage services all of which are included when performed or conducted by employees of employers subject to this classification.

This classification excludes licensed massage therapists that qualify for classification 6109.

Special note: The distinction between massage therapists covered in this classification and massage therapists covered in classification 6109 is professional licensing.

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-691 Classification 6205.

~~((Clubs, N.O.C., such as but not limited to fraternal, home owners or social organizations
This classification includes food and beverage operations.))~~

6205-00 Clubs, N.O.C.

~~Applies to establishments engaged in operating clubs not covered by another classification (N.O.C.). Types of clubs contemplated by this classification include, but are not limited to, fraternal, special interest, or social clubs and clubs whose interests revolve around sports activities such as golf, tennis, boating, skiing, fishing, and swimming. The facilities and services offered vary depending on the type and size of the club. Even in an organization that has several locations, the facilities may vary greatly from a simple bar and snack food operation to a large restaurant with dancing areas, gymnasiums, and saunas. These types of clubs charge membership fees and dues as opposed to clubs or halls in classification 6607 which are open to the public. This classification includes all food and beverage operations.~~

~~This classification excludes YMCAs and boys/girls clubs which are to be reported separately in classification 6203; health clubs and gymnasiums which are to be reported separately in classification 6204; golf courses which are to be reported separately in classification 6206; and community and social centers which are to be reported separately in classification 6607.~~

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-692 Classification 6206.

~~((Golf courses, N.O.C., excluding miniature golf and driving ranges which are to be reported separately in classification 6208 unless they are conducted in connection with operations subject to this classification.))~~

6206-06 Golf courses, N.O.C.

~~Applies to establishments engaged in operating public or private golf courses. Pro shops, miniature golf courses, and driving ranges operated in connection with the golf course are included in this classification. Typical operations of a pro shop include, but are not limited to, selling golf clubs, golf balls, specialty clothing, and related golfing items, renting carts, arranging tee times, and collecting green fees. Also included in this classification are snack bars operated at the golf course when limited to the same hours as the golf course is open. Typical employees include golf pros, greens keepers, caddies, and snack bar employees.~~

~~This classification excludes establishments operating miniature golf courses and driving ranges which are to be reported separately in classification 6208 and "bona fide" restaurant operations which may be reported separately in classification 3905. For purposes of this classification a "bona fide" restaurant at a golf course is operated independent of the course and is open to the public even when the golf course is closed.~~

Special note: A pro shop operated by an independent concessionaire may qualify for classification 6309, provided the pro shop does not operate the course, collect green fees, or perform other functions of managing a golf course.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-693 Classification 6207.

~~((Carnivals: Amusement rides and concessions, traveling. This classification includes drivers and all employees engaged in the set up and tear down of all mechanical and nonmechanical rides, concession booths, or stands (i.e., game, food, souvenir, etc.), mobile offices, aid rooms, ticket booths, and all other temporary structures associated with a traveling carnival. Report carnival operations (such as ride operators, ticket takers, etc.) separately in classification 6208 "carnival operations." Report winter quartering and permanent yard or shop operations separately in classification 5206 "contractors permanent yard."))~~

6207-00 Carnivals - traveling

Applies to those employees of an employer engaged in operating traveling carnivals, who are drivers and/or engaged in the set up and/or tear down of mechanical and nonmechanical amusement rides, and any temporary structure associated with a traveling carnival such as, but not limited to, game, food, or souvenir concession booths, mobile offices, aid rooms or ticket booths.

This classification excludes clerical office employees who are assigned to a permanent office location with no outside duties who may be reported separately in classification 4904 provided all the conditions of the general reporting rules covering standard exception employees have been met; clerical employees who travel with the carnival or with ride operators and who work out of a mobile office, ride operators, game attendants, ticket sellers/takers and personnel involved in the care, custody, and maintenance of carnival facilities who are to be reported separately in classification 6208; establishments engaged in operating mechanical or nonmechanical rides at a permanent location which are to be reported separately in classification 6208; and establishments engaged in operating video or amusement game arcades at a permanent location, not within or operated in connection with an amusement park, which are to be reported separately in classification 6406.

Special note: Permanent shop employees, and those employees assigned to the shop during the winter quartering period may be reported separately in classification 5206 provided the conditions set forth in WAC 296-17-675 have been met.

6207-01 Circuses - traveling

Applies to establishments engaged in operating a traveling circus. Work contemplated by this classification includes all preparations, operations and maintenance normally performed by employees of an employer having operations subject to this classification. Employments include, but are not limited to, drivers, trainers, performers, ticket sellers/takers, clerical staff who travel with the circus, set up/tear down of

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mechanical and nonmechanical rides, concession booths or stands, mobile offices, aid rooms, ticket booths and all other temporary structures associated with a traveling circus.

This classification excludes clerical office employees who are assigned to a permanent office location with no outside duties, who may be reported separately in classification 4904 provided all the conditions of the general reporting rules covering standard exception employees have been met.

Special note: Classifications 6208 and 5206 do not apply to circus operations.

6207-02 Amusement rides - traveling

Applies to establishments engaged in operating mechanical or nonmechanical amusement rides. Employments contemplated by this classification include, but are not limited to, drivers and all employees engaged in the set up and tear down, operation, and maintenance of mechanical and nonmechanical rides and all other temporary structures associated with the amusement rides.

This classification excludes clerical office employees who are assigned to a permanent office location with no outside duties, who may be reported separately in classification 4904 provided all the conditions of the general reporting rule covering standard exception employees have been met; clerical employees who travel with the amusement operations and work out of a mobile office, ride operators, attendants, ticket sellers/takers, and personnel involved in the care, custody, and maintenance of amusement facilities who may be reported separately in classification 6208; employers engaged in operating mechanical or nonmechanical rides at a permanent location which are to be reported separately in classification 6208; and establishments engaged in operating video or amusement game arcades at a permanent location, not within or operated in connection with an amusement park, which are to be reported separately in classification 6406.

Special note: Permanent shop employees, and those employees assigned to the shop during the winter quartering period, may be reported separately in classification 5206 provided the conditions set forth in WAC 296-17-675 have been met.

6207-03 Rodeos

Applies to establishments engaged in the production of rodeos. Employments contemplated by this classification include all operations normally performed by employees of an employer having operations subject to this classification such as, but not limited to, drivers and all arena employees, setting up/tearing down temporary enclosures/structures/bleachers, clowns, gate openers, animal handlers, ticket sellers/takers, first aid staff, and clerical staff who travel with the rodeo.

This classification excludes clerical office employees who are assigned to a permanent office location with no outside duties, who may be reported separately in classification 4904 provided all the conditions of the general reporting rule covering standard exception employees have been met; and stock handlers who contract with a rodeo producer to supply horses, bulls, or other rodeo animals, who are to be reported separately in classification 7302.

Special note: Classifications 6208 and 5206 do not apply to rodeos.

6207-04 Fireworks exhibition

Applies to establishments engaged in producing pyrotechnic exhibitions. This classification includes purchasing ready made fireworks, setting up displays, timing fuses, lighting the fireworks, and cleaning up.

This classification excludes establishments engaged in the manufacture of fireworks which are to be reported separately in classification 4601.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-694 Classification 6208.

((Amusement parks

Carnival operations, N.O.C.

Caves or caverns operation for exhibition purposes—including rides, ticket sellers, gate attendants

Concessions—boats in parks

Fairs

Family indoor sports and entertainment centers

Kiddie rides—permanent locations

Miniature golf courses

Race tracks, excluding pari-mutuel clerks and cashiers with no other duties which are to be reported separately in classification 4904 "clerical office, N.O.C."

Ranges—archery, ball, dart, golf

Shooting galleries, air rifle—no firearms

Shooting ranges—firearms

Shows—animal

Shows—flower, art

This classification includes food and beverage operations and care, custody and maintenance of the above facilities.))

6208-00 Amusement parks; exhibition caves or caverns

Applies to establishments engaged in providing amusement parks to the public or in the operation of cave or caverns for exhibition purposes. Establishments subject to this classification are located on a permanent site and usually offer a variety of activities such as, but not limited to, amusement rides, water slides, miniature golf, and games such as tossing rings, throwing balls, and shooting air rifles. There may be one or more separate arcade areas located within the park. This classification includes rides, ticket sellers, gate attendants, food and beverage operations, care, custody and maintenance of the above facilities and operations similar to a traveling carnival.

This classification excludes set up, tear down and delivery of amusement park rides, games and food booths which are to be reported separately in classification 6207.

6208-01 Ranges: Archery, ball, dart, golf, firearms shooting

Applies to establishments engaged in operating indoor or outdoor archery, ball, dart, golf, and firearms shooting ranges. Golf driving ranges subject to this classification are operated separately from a golf course. If the driving range is operated in conjunction with a golf course, then the entire establishment is to be reported separately in classification

6206. Ball ranges (batting cages) are establishments set up to provide batting practice. Archery ranges are permanent establishments that provide targets for practice. If these operations are conducted in conjunction with an amusement park, then the entire operation is to be reported separately in classification 6208-00. This classification includes food and beverage operations and care, custody and maintenance of the above facilities.

This classification excludes miniature golf courses which are to be reported separately in classification 6208-07, and ranges that use air rifles which are to be reported separately in classification 6208-10.

6208-03 Boat rental facilities

Applies to establishments engaged in renting row boats, paddle boats, rubber rafts or similar water craft for recreational purposes when the water is part of a park. This classification includes the operation of bumper boat amusement rides if that is the sole function of the establishment. If the bumper boats are operated as part of an amusement park, the entire establishment is to be reported separately in classification 6208-00. This classification includes food and beverage operations and care, custody and maintenance of the above facilities.

6208-04 Fairs

Applies to establishments or community organizations engaged in managing, sponsoring and conducting fairs. These are usually annual events sponsored by a town or community. Many of the exhibitors and concessionaires are independent businesses that rent space at the fair site. This classification includes food and beverage operations and care, custody and maintenance of the above facilities.

6208-05 Shows - animal

Applies to establishments engaged in managing, sponsoring and conducting animal shows such as pet or livestock exhibitions. Employments contemplated by this classification include, but are not limited to, ticket sellers, judges, security personnel, and the showing of the animals in the arena when performed by employees of employers subject to this classification. This classification includes food and beverage operations and care, custody and maintenance of the above facilities.

This classification excludes all raising or care of animals which are to be reported separately in the applicable classification.

6208-06 Shows - flower, art

Applies to establishments engaged in managing and conducting art or flower shows. The sponsors are usually responsible for the set up and tear down of the exhibition. The exhibitors and concessionaires are usually independent booth renters. Work contemplated by this classification includes, but is not limited to, coordinating exhibitors, arranging for a facility and utilities, permits or related needs, helping set up/tear down booths, judging, and security personnel. This classification includes food and beverage operations and care, custody and maintenance of the above facilities.

6208-07 Miniature golf courses

Applies to establishments engaged in the operation of miniature golf courses. This classification includes food and beverage operations and care, custody and maintenance of the above facilities.

This classification excludes miniature golf courses operated in conjunction with an amusement park which are to be reported separately in classification 6208-00.

6208-08 Kiddie rides at permanent locations

Applies to establishments engaged in operating kiddie rides at a permanent location. Ride attendants duties include, but are not limited to, selling tickets, directing patrons getting on and off the rides, keeping order among the patrons waiting to ride, and making sure all belts and safety devices are in the proper place and functioning. This classification includes food and beverage operations and care, custody and maintenance of the above facilities.

6208-09 Race tracks

Applies to establishments engaged in the operation of race tracks such as, but not limited to, stock car, go cart, motorcycle, horse, and drag racing tracks. Employments contemplated by this classification include, but are not limited to, selling tickets, booking events, coordinating participants, and security. This classification includes food and beverage operations and care, custody and maintenance of the above facilities.

This classification excludes parimutuel clerks at a horse racing track and cashiers with no other duties who may be reported separately in classification 4904 provided all the conditions of the general reporting rules covering standard exception employees have been met; and the handling of horses or vehicles which is to be reported separately in the classification applicable to the work being performed.

6208-10 Shooting galleries for air rifles only;

Laser tag, war games, paint ball facilities

Applies to establishments engaged in operating shooting galleries for air rifles only. If the air rifle shooting gallery is operated in conjunction with an amusement park, the entire operation is to be reported separately in classification 6208-00. This classification also applies to laser tag, war games, and paint ball facilities. This classification includes food and beverage operations and care, custody and maintenance of the above facilities.

This classification excludes operations involving any firearms such as, but not limited to, pistol or rifle ranges, which are to be reported separately in classification 6208-01.

6208-11 Carnival operations, N.O.C.

Applies to those employees of an employer engaged in operating carnivals who are not covered by another classification (N.O.C.). These employees are generally employed as ride operators, game attendants, ticket sellers/takers, and traveling clerical workers. This classification includes operations care, custody and maintenance of the above facilities.

This classification excludes clerical office employees who are assigned to a permanent office location with no outside duties, who may be reported separately in classification 4904 provided all the conditions of the general reporting rules covering standard exception employees have been met;

employees engaged in driving and/or set up and tear down of all mechanical and nonmechanical rides, concession booths or stands, mobile offices, aid rooms, ticket booths, and all other temporary structures associated with a traveling carnival who are to be reported separately in classification 6207; employees of carnival operations assigned to work in food booths who are to be reported separately in classification 3905; and employees of carnival operations assigned to work in souvenir or gift shops who may be reported separately in classification 6406 provided they have no other duties.

Special note: Permanent shop employees, and those employees assigned to the shop during the winter quartering period, may be reported separately in classification 5206 provided the conditions set forth in WAC 296-17-675 have been met.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-695 Classification 6209.

~~((Camp grounds such as but not limited to church, recreational, or educational including incidental cottage or cabin rentals, boat concessions, grocery stores, and penny or video arcades~~

~~Dude ranches—excluding cattle ranches~~

~~Swimming pools—public~~

~~This classification includes food and beverage operations; and clerical office and sales personnel physically located at the above facilities.))~~

6209-03 Dude ranch resorts

Applies to establishments engaged in operating a dude ranch resort where vacationers experience the western style of life on a ranch. Activities include, but are not limited to, horseback riding, grooming the ranch animals, hay rides, swimming, ranch style meals, and nightly singing round the campfire. Operations include, but are not limited to, grooming and caring for animals, assisting with horseback riding, preparing ranch style meals and performing maintenance work on the ranch. This classification includes food and beverage operations and clerical office and sales personnel physically located at the resort.

This classification excludes cattle ranches which are to be reported separately in classification 7302.

6209-06 Swimming pools - public;

Scuba diving instruction in pool

Applies to establishments engaged in the operation and maintenance of public swimming pools. Work contemplated by this classification includes, but is not limited to, testing and replenishing chemicals in the pool, cleaning the pool, providing lifeguards, providing swimming lessons to the public, food and beverage operations, and clerical office and sales personnel physically located at the above facilities. This classification includes the rental or sale of pool accessories such as paddle boards, fins and swim wear when performed in connection with a swimming pool facility by employees of employers subject to this classification. This classification also applies to scuba diving instructors providing lessons in a swimming pool even though they may not be employed by the swimming pool establishment.

This classification excludes scuba diving not performed in a swimming pool environment which is to be reported separately in classification 0202 and swimming clubs which are to be reported separately in classification 6205.

6209-09 Campgrounds

Applies to establishments engaged in operating public or private campgrounds. Campgrounds offer a variety of facilities and activities for families, groups, and individuals to camp overnight in recreational vehicles or tents. Typical campgrounds have a main office building for registration and information. Many have retail stores that sell groceries, souvenirs, camping equipment, fishing gear, and supplies, and/or snack bars, restaurants, game rooms, rental operations for recreational equipment, shower facilities, and laundries, which are all included in this classification. Campground activities include, but are not limited to, swimming (in a pool or lake), fishing, boating, hiking, archery, arts and crafts, miniature golf, shuffleboard and other games. Typical occupations include, but are not limited to, counselors, cooks, ground and maintenance personnel, nurses, housekeepers, security guards, lifeguards, store clerks and game attendants. This classification includes clerical office and sales personnel physically located at the above facilities.

This classification excludes day camp operations that do not include overnight accommodations which are to be reported separately in the applicable classification and state park campgrounds which are to be reported separately in the applicable state agency classifications.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-696 Classification 6301.

~~((Automobile sales personnel~~

~~Camper sales personnel~~

~~Driving school instructors~~

~~Motorcycle sales personnel~~

~~Pleasurecraft sales personnel—no aircraft~~

~~Trailer or mobile home sales personnel~~

~~Truck sales personnel.))~~

6301-00 Sales personnel: Vehicles and marine pleasure craft

Applies to sales employees of establishments engaged in selling and/or leasing new and/or used automobiles, trucks, campers, recreational vehicles, mobile homes, motorcycles or other all-terrain vehicles, or boats and other marine pleasure craft and who are not covered by another classification assigned to the employer's account. Duties contemplated by this classification are limited to sales training, test driving, showing and demonstrating vehicles, completing paper work, and arranging for delivery of purchased vehicles.

Special note: This is a restrictive classification; the qualifying factor is that all the conditions of the general reporting rules covering standard exception employees have been met.

6301-06 Instructors of driving schools

Applies to instructors of driving schools. Instructors duties include, but are not limited to, demonstrating driving techniques, and observing student drivers.

This classification excludes administrative staff and classroom instructors of driving schools who are to be reported separately in classification 6103; vehicle repair or maintenance staff who are to be reported separately in classification 3411; and high school driving instructors who are to be reported separately in classification 6104.

6301-07 Limousine drivers

Applies to drivers of establishments engaged in providing limousine services to others. Limousine services provide luxury transportation for special occasions such as, but not limited to, birthday parties, weddings, dances, sporting events, concerts, and corporate business functions. Clients usually travel in groups from two to ten. Drivers are professionally trained chauffeurs; they generally provide services by appointment from specific locations to set destinations, and often wait with the vehicle while clients attend events. Depending on the occasion, the limousine service may also provide beverages, snacks, balloons, or flowers. Since the service is intended for luxury as opposed to meeting deadlines, the hazards of driving differ from most other professional drivers.

This classification excludes employees who repair and/or service the company's limousines who are to be reported separately in classification 3411.

Special note: Clerical office employees may be reported separately in classification 4904 provided all the conditions of the general reporting rule covering standard exception employees have been met.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-697 Classification 6302.

((Book sales personnel

Coffee, tea, grocery sales personnel

Cosmetics sales personnel

Door-to-door sales personnel, N.O.C.

Household furnishings sales personnel

Magazine sales personnel

Vacuum cleaner sales personnel

Wearing apparel sales personnel

This classification is for door-to-door sales personnel.))

6302-00 Sales personnel: Door to door

Applies to sales personnel engaged in door-to-door sales of merchandise. Types of merchandise include, but are not limited to, coffee, tea, or other grocery items, mops, brushes, carpets or other household furnishings, vacuum cleaners, books, and magazines. Duties contemplated by this classification are limited to showing samples or brochures describing items for sale, completing paperwork for orders, and driving. Sales persons take orders and have the products shipped directly from a distributor to the consumer.

This classification excludes sales employees who deliver the sold products or who sell directly from stock kept in their

vehicle who are to be reported separately in classification 1101.

Special note: This is a restrictive classification; the qualifying factor is that all the conditions of the general reporting rules covering standard exception employees have been met.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-698 Classification 6303.

((Collectors, messengers, counsellors, N.O.C.

Farm machinery sales personnel—outside

Insurance sales personnel and claims adjusters—outside

Machinery sales personnel—outside—construction, mining, heavy equipment

Sales personnel, N.O.C.—outside.))

6303-00 Outside sales personnel, N.O.C.; messengers

Applies to those employees whose job duties and work environment meet all the conditions of the general reporting rules covering outside sales personnel, and who are not covered by another classification (N.O.C.) assigned to the employer's account. Duties of outside sales personnel contemplated by this classification are limited to soliciting new customers by telephone or in person, showing, selling, and explaining products or services, servicing existing accounts, completing correspondence, placing orders, performing public relations duties, and estimating. Duties of messengers are limited to delivering interoffice mail, making deposits, and similar duties that are exclusively for the administration of the employer's business.

This classification excludes the demonstration or delivery of machinery or equipment which are to be reported separately as applicable, establishments engaged as collection agencies or public relations agencies which are to be reported separately in classification 5301; establishments engaged in providing inspection and valuations exclusively for insurance companies which are to be reported separately in classification 4903.

Special note: When considering this classification care must be taken to look beyond titles of employees. Employees with occupational titles such as, but not limited to, collectors, counselors, consultants, or appraisers may or may not qualify for this classification. This is a restrictive classification; the qualifying factor is that all the conditions of the general reporting rules covering standard exception employees have been met.

6303-03 Insurance sales personnel and claims adjusters

Applies to insurance sales personnel and claims adjusters with outside duties. Duties of employees subject to this classification are limited to selling insurance policies at their place of business or at the client's home, or going to the scene of an accident or catastrophe to assess damage. Work may be performed within an office or away from the employer's premises.

Special note: This is a restrictive classification and is not to be assigned unless all the conditions of the general reporting rule covering standard exception employees have been met.

6303-21 Home health care services: Social workers and dietitians

Applies to social workers and dietitians employed by home health care service establishments who provide care for handicapped individuals. Duties of these employees include teaching and assisting physically or developmentally disabled individuals in their own home to manage daily living skills such as caring for themselves, dressing, cooking, shopping, and going to the doctor. This classification also includes dietitians, sometimes called nutritionists, who usually are referred to patients by their physicians. The dietitian assesses the patient's current nutritional status, including current food intake, medical background, family history, currently prescribed medications, and social and psychological needs, then develops a food plan to meet the patient's needs. Employees subject to this classification do no cooking.

This classification excludes nursing and home health care services which are to be reported separately in classification 6110; therapy services which are to be reported separately in classification 6109; domestic servants who are to be reported separately in classification 6510; and chore workers who are to be reported separately in classification 6511.

Special note: This is a restrictive classification; the qualifying factor is that all the conditions of the general reporting rules covering standard exception employees have been met. This classification is not to be assigned to any account that does not also have classification 6110.

AMENDATORY SECTION (Amending 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-699 Classification 6304.

((Antique variety stores—retail

For purposes of this rule the term "antique variety stores" shall apply to retail establishment engaged in selling a variety of used merchandise or reproduction merchandise such as but not limited to furniture, glassware, wearing apparel, silverware, pictures, tools and jewelry. Antique specialty stores that are engaged exclusively in the sale of furniture and related home furnishings are to be reported separately in classification 6306 "furniture stores." Antique specialty stores engaged exclusively in the sale of glassware, china, or silverware are to be reported separately in classification 6406 "retail stores; N.O.C." Antique specialty stores engaged exclusively in the sale of wearing apparel and shoes are to be reported separately in classification 6305 "clothing stores—retail"

Department stores—retail

For purposes of this rule the term "department stores" shall apply only to retail establishments whose inventoried products available for sale to the public include all of the following merchandise: Wearing apparel; linens; home furnishings (other than furniture); and two or more of the following product lines: Cosmetics; shoes; furniture; jewelry; sporting goods; luggage; toys; books; videos; compact discs or cassette music; greeting cards; portrait studios; candy; camera; stereo; television; small appliances; and collectibles. This classification applies to larger retail stores which are characterized by many sep-

arate departments each selling a specific type of merchandise. This classification includes employees of specialty departments such as alterations personnel, installation of home furnishings such as furniture, draperies, blinds, mirrors, closet organizers and pictures and delivery drivers, but excludes installation of carpeting, floor vinyl, tile, exterior siding, painting, cabinet installation, fencing, roofing or similar construction related activities and automotive service centers.))

6304-00 Stores: Department - retail

Applies to establishments engaged in operating large retail stores which are characterized by specialized departments such as, but not limited to, wearing apparel, jewelry, luggage, housewares, cosmetics and furniture. For purposes of this classification, a department store will include all of the following departments: Wearing apparel, shoes and household furnishings (such as, but not limited to, window coverings, bedding, linens, lamps). A department store will also have at least two of the following departments: Furniture, jewelry, audio equipment, luggage, hardware, giftware, china, or sporting goods. This classification includes employees of specialty services such as alteration personnel, and delivery drivers. This classification is distinguishable from clothing stores in classification 6305, or retail variety stores in classification 6406, in the number of specialized departments and the variety of nonclothing or giftware merchandise for sale. This classification also includes the placement or installation of furniture items such as, but not limited to, couches, china cabinets, end tables, dining tables, bedding such as mattresses and box springs, curtains, draperies, and mirrors in customer's locations.

This classification excludes automotive service centers which are to be reported separately in the applicable service classification and the installation of carpet, floor vinyl, tile, cabinets, exterior siding, painting, fencing, roofing or similar construction related activities which are to be reported separately in the classification applicable to the construction work being performed.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6304-01 Antique variety stores - retail

Applies to establishments engaged in the retail sale of a variety of used or antique merchandise. While the majority of merchandise is used, some of the items may be new. Merchandise includes, but is not limited to, glassware, jewelry, clothing, pictures, tools, floor coverings, and silverware and could include a limited amount of furniture.

This classification excludes antique or specialty stores engaged primarily in the sale of furniture which are to be reported separately in classification 6306; antique specialty stores engaged primarily in the sale of glassware, china or silverware which are to be reported separately in classification 6406; and antique specialty stores engaged primarily in the sale of wearing apparel and/or shoes which are to be reported separately in classification 6305.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided

all the conditions of the general reporting rules covering standard exception employees have been met.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-700 Classification 6305.

~~((Clothing stores—retail~~

~~Concessions: Hat and coat checking~~

~~Custom dressmaking and tailoring including alterations~~

~~Shoe stores—retail:))~~

6305-00 Stores: Clothing - retail

Applies to establishments engaged in the retail sale of new or used clothing. Merchandise varies, but generally includes shoes, jewelry, giftware, or accessories in addition to wearing apparel. Some establishments will specialize in certain types of clothing such as, but not limited to, athletic wear, T-shirts, coats, socks, or vintage clothing. This classification also applies to stores that rent clothing such as, but not limited to, costumes, tuxedos, or wedding apparel. This classification includes all store employees including specialty services such as alterations personnel and delivery drivers.

This classification is distinguishable from department stores in classification 6304 or retail variety stores in classification 6406 in the limited number of specialized departments and the variety of nonclothing or giftware merchandise for sale.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6305-01 Stores: Dry goods - retail

Applies to establishments engaged in the retail sale of a variety of new or used dry goods. For purposes of this classification dry goods include, but are not limited to, fabric, embroideries, veiling, laces, textile trimmings, curtains, draperies, blankets, bedspreads, sheets, pillowcases, tablecloths, napkins, and towels. This classification includes all store employees.

This classification is distinguishable from retail fabric stores in classification 6406 in that dry good stores will carry primarily finished piece goods for sale while fabric stores will carry primarily fabric, sewing notions and a limited supply of finished goods.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6305-02 Stores: Shoe - retail

Shoe shine stands

Applies to establishments engaged in the retail sale of new or used shoes. Establishments may sell a full line of shoes or they may specialize in certain types such as athletic shoes, safety shoes, work boots, women's, men's, or children's shoes. It is customary for shoe stores to sell some related products such as, but not limited to, handbags, socks, belts, or shoe care products. This classification includes all

store employees. This classification also applies to shoe shine stands.

This classification excludes establishments engaged in the manufacture or repair of shoes or boots which are to be reported separately in classification 3802.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6305-04 Stores: Western wear, including tack - retail

Applies to establishments engaged in the retail sale of new or used western style clothing. Merchandise varies, but may also include western style shoes and boots, jewelry, giftware, or horse tack. This classification includes all store employees including specialty services such as alterations personnel and delivery drivers.

This classification is distinguishable from department stores in classification 6304 in that classification 6305 businesses are not comprised of specialized departments and do not carry furniture, housewares, and similar items required as part of the department store classification.

This classification excludes establishments engaged exclusively in the sale of horse tack and related animal grooming and care products which are to be reported separately in classification 2009 "farm supply stores."

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6305-05 Stores: Wig or hat - retail

Applies to establishments engaged in the retail sale of new or used wigs or hats. Merchandise varies, but generally these establishments will also sell related hair care products, hat pins, broaches or similar accessory items. This classification includes all store employees.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6305-06 Custom dressmaking, tailoring, alterations

Applies to establishments who provide custom dressmaking, tailoring, or alterations services to others. Activities include the showing of sketches and fabrics, modeling samples, taking individual orders and measurements, cutting, basting and fitting. Employees use sewing machines, but much of the work is hand sewing, steaming or pressing. Materials include fabrics, buttons, zippers, and sewing notions. Tools and machinery include, but are not limited to, scissors, steam presses and irons, dress forms, and sewing machines with attachments to perform a variety of sewing functions. Custom dressmakers and tailors may sell fabrics and sewing notions, or limited supply ready-made apparel. The sale of these items by establishments engaged in custom dressmaking or tailoring is included in this classification. This classification is distinguishable from clothing manufacturers in classification 3802 in that establishments subject to classification 6305 make custom clothing for individuals rather than making garments on a quantity basis. However,

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customers of a 6305 business may order several items of a kind such as for a wedding party or small theater group.

This classification excludes the mass production of wearing apparel which is to be reported separately in classification 3802.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-701 Classification 6306.

~~((Appliance stores—excluding second hand appliance stores which are to be reported separately in classification 0607 "household appliances service and repair"~~

~~Furniture rental stores~~

~~Furniture stores-~~

~~Office furniture stores-~~

~~Piano or organ stores, N.O.C.~~

~~This classification includes the installation of household furnishings, household floor coverings, and household appliances including incidental service and repair of household appliances but excludes second hand or used appliance dealers who are to be reported separately in classification 0607; and contract installation which for the purposes of this rule shall mean the bidding and ultimate furnishing to a purchaser such items listed in this classification that are specially ordered from others (i.e., factories, manufacturers, brokers, etc.) to fulfill the terms of the contract.)~~

6306-00 Stores: Furniture - wholesale or retail

Stores: Billiard or pool table - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of new, used, or antique household furniture. This classification also includes the sale of related items such as, but not limited to, lamps, bedding, pillows, floor and window coverings, framed pictures, art pieces and sculptures when sold in connection with a furniture store operation. This classification includes the delivery and the incidental repair of merchandise sold. Incidental repair in this classification is limited to such activities as the repair or cleaning of upholstery or fixing a small scratch on a table. The installation of carpet and window coverings may be included in this classification if such merchandise is part of the store's inventory and is readily available for sale and delivery to the customer. The contract installation of any merchandise which must be ordered from a factory or distributor to fulfill the terms of contract is to be reported separately in the classification applicable to the work being performed. For example, a furniture store could bid on a job to carpet all units of an apartment complex. If the carpet is ordered from the factory as opposed to carpet carried at the store and in the stores inventory, then the installation is to be reported separately in classification 0502. This classification also applies to stores that sell billiard or pool tables.

Special note: Care should be exercised when considering this classification for antique or used furniture stores

since such establishments may actually be a furniture refinishing business or an upholstery shop which are to be reported separately in the appropriate classification. Repair work covered by this classification (6306) is limited to such activities as fixing a small scratch on a table, replacing a piece of glass or mirror in a china or curio cabinet, sewing on a button or adjusting a reclining chair mechanism. Classification 6306 should not be assigned to an establishment that is engaged in furniture refinishing, or upholstery work which are to be reported separately in the applicable service or repair classification.

6306-01 Stores: Furniture - rental

Applies to establishments engaged in the rental of new, used, or antique household furniture. This classification also includes the sales of related items such as, but not limited to, lamps, bedding, pillows, framed pictures, art pieces and sculptures when sold in connection with a furniture rental store operation. This classification includes the delivery and the incidental repair of merchandise rented. Incidental repair in this classification is limited to such activities as the repair or cleaning of upholstery or fixing a small scratch on a table. This classification also applies to establishments that provide rent-to-own purchasing options, and to establishments engaged in the sale or rental of hospital beds, motorized wheelchairs and similar patient appliances.

Special note: Care should be exercised when considering this classification for an antique or used furniture store since such establishments may actually be a furniture refinishing business or an upholstery shop which are to be reported separately in the appropriate classification. Repair work covered by this classification (6306) is limited to such activities as fixing a small scratch on a table, replacing a piece of glass or mirror in a china or curio cabinet, sewing on a button or adjusting a reclining chair mechanism. Classification 6306 should not be assigned to an establishment that is engaged in furniture refinishing, or upholstery work which are to be reported separately in the applicable service or repair classification.

6306-02 Stores: Appliance - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of gas, electric, or propane household appliances. Household appliances include, but are not limited to, refrigerators, freezers, stoves, range tops, trash compactors, washing machines, clothes dryers, television consoles, big screen televisions, and television antennas or satellite dish receiving units. Appliance stores will routinely carry smaller appliances which are generally referred to as counter top units which include, but are not limited to, mixers, blenders, microwave ovens, toasters and espresso machines and are included in this classification when sold in connection with the appliance store operation. This classification covers the sale of primarily new appliances although establishments subject to this classification accept trade-ins and sell some used appliances. Also included is the incidental repair of appliances sold by the appliance store, parts departments employees, and the delivery of products sold. The contract installation of any merchandise which must be ordered from a factory or distributor to fulfill the terms of contract is to be reported separately in the classification applicable to the

work being performed. For example, an appliance store could bid on a job to supply appliances for all units of an apartment complex. If the appliances are ordered from the factory as opposed to items carried at the store and in the stores inventory then the installation is to be reported separately in classification 0607. Establishments engaged in the sale of commercial appliances may be assigned to this classification provided such establishments operate a bonafide store operation. Generally, however, commercial appliances such as those used to equip bakeries and restaurants are factory ordered items which are made to a customer's specifications from a manufacturer's representative.

Special note: Care should be taken when considering this classification for an antique or used appliance store since such establishments are primarily engaged in reconditioning appliances (service and repair) for resale and are to be reported separately in classification 0607.

6306-03 Stores: Piano or organ - wholesale or retail

Applies to establishments engaged primarily in the wholesale or retail sale of new pianos and organs. This classification includes all operations associated with the store including service, repair, and delivery. It is common for stores subject to this classification to carry other musical instruments such as, but not limited to, guitars, drums and wind instruments as well as provide instructions on the use of instruments.

This classification excludes establishments engaged exclusively in piano tuning which are to be reported separately in classification 4107; stores that sell musical instruments other than pianos or organs which are to be reported separately in classification 6406; and establishments engaged in the reconditioning of organs and pianos accompanied by the related sales of reconditioned pianos and organs which are to be reported separately in classification 2906.

6306-06 Stores: Office furniture - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of new, used, or antique office furniture. This classification also includes the sales of related items such as, but not limited to, lamps, floor and window coverings, framed pictures, art pieces and sculptures when sold in connection with an office furniture store operation. This classification includes the delivery of furniture and related items, and the incidental repair of office furniture items sold by the office furniture store such as upholstery repair and cleaning. The installation of carpet and window coverings may be included in this classification if such merchandise is part of the store's inventory and readily available for sale and delivery to the customer. The contract installation of any merchandise that must be ordered from a factory or distributor to fulfill the terms of contract is to be reported separately in the classification applicable to the work being performed. For example, an office furniture store could bid on a job to supply modular desk units for a large office complex. If the desk units are ordered from the factory as opposed to units carried at the store and in the stores inventory, then the installation is to be reported separately in classification 2002.

Special note: Care should be exercised when considering this classification for an antique or used office furniture store since such establishments may actually be a furniture

refinishing business or an upholstery shop which are to be reported separately in the appropriate classification. Repair work covered by this classification (6306) is limited to such activities as fixing a small scratch on a table, replacing a piece of glass or mirror in a china or curio cabinet, sewing on a button or adjusting a reclining chair mechanism. Classification 6306 should not be assigned to an establishment that is engaged in furniture refinishing or upholstery work.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-703 Classification 6308.

~~((Clock and watch stores-~~

~~Hearing aid stores-~~

~~Jewelry stores-~~

~~Optical stores - excluding lens grinding which is to be reported separately in classification 6604.))~~

6308-00 Stores: Jewelry - wholesale or retail

Applies to establishments engaged in the sale of premanufactured jewelry. Jewelry sales may be retail to consumers or on a wholesale basis to other stores and dealers. It is common for jewelry stores to employ a goldsmith who will size rings on premises, mount gem stones into settings, or make custom jewelry. Jewelry stores could also be engaged in watch repair and engraving and may offer these services as a part of the jewelry store business. Repair of watches and engraving is included in this classification when performed by jewelry store employees. Custom jewelry making subject to classification 6308-00 is distinguishable from jewelry manufacturing subject to classification 3602 in that businesses in classification 3602 are engaged primarily in the manufacture of jewelry in mass quantities, while jewelry stores in classification 6308 are primarily in the business of selling jewelry purchased from a manufacturer or dealer, and may also make custom or one-of-a-kind pieces.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6308-01 Stores: Hearing-aid - wholesale or retail

Applies to establishments engaged in the sale of hearing aids. Hearing aids are purchased directly from the manufacturer or a distributor and resold to retail consumers, or at wholesale to other hearing-aid stores. Stores subject to this classification routinely offer free hearing tests to customers. Classification 6308-01 is distinguishable from medical services rendered by a physician subject to classification 6109 in that technicians employed by hearing-aid stores subject to classification 6308 rely on sound testing equipment to conduct examinations. They can provide hearing-aid appliances to customers, but do not perform medical procedures and do not need medical certification. This classification includes technicians employed by the store who conduct hearing tests. Medical doctors, on the other hand, perform a number of medical tests including X-ray and may recommend or perform hearing corrections through surgical procedures.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided

all the conditions of the general reporting rules covering standard exception employees have been met.

6308-02 Stores: Optical - wholesale or retail

Applies to establishments engaged in the sale of optical goods such as, but not limited to, eye glasses and contact lenses. Optical stores purchase eye glass frames and premade lenses from other sources and sell them to retail customers, or wholesale to other optical stores. Stores subject to this classification routinely offer free eye exams to customers. The eye examinations are performed by optometrists or by technicians. These technicians do not need medical certification in order to conduct tests. This classification includes optometrists or technicians employed by optical stores. Classification 6308-02 is distinguishable from medical services rendered by a physician (ophthalmologist) subject to classification 6109 in that optical stores in classification 6308 rely on testing equipment and can only provide eye glass appliances to customers. Medical doctors, on the other hand, perform a number of medical tests including X-ray and may recommend or perform vision corrections through surgical procedures.

This classification excludes establishments engaged in grinding operations as part of the manufacture of optical lenses which are to be reported separately in classification 6604 and establishments engaged in the manufacture of eye glass frames which are to be reported separately in the classification applicable to the materials and processes used.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6308-03 Stores: Clock and watch - wholesale or retail

Applies to establishments engaged in the sale of clocks and watches, including related repair. Stores subject to this classification carry an assortment of clocks and watches such as, but not limited to, cuckoo clocks, grandfather clocks, anniversary clocks, and an assortment of heirloom quality pocket or wrist watches. Establishments assigned to this classification are not engaged in the manufacture or assembly of clocks or clock kits. Clocks are purchased directly from the manufacturer or a distributor and resold to retail consumers, or at wholesale to other stores. Classification 6308-03 is distinguishable from clock or watch manufacturing subject to classification 3602 in that clock stores subject to classification 6308 are engaged exclusively in the sale of items manufactured by others and businesses in classification 3602 are engaged primarily in the manufacture of clock mechanisms.

This classification excludes establishments engaged in the manufacture of wooden components or cabinets such as those for grandfather or cuckoo clocks which are to be reported separately in classification 2905.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6308-04 Stores: Trophy or awards - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of trophies, plaques, awards and related items such

as, but not limited to, banners, name badges, certificates, buttons, pins, ribbons, pens, advertising or specialty items. As a convenience to their customers, trophy stores may also sell small signs or similar items which they purchase from others. Establishments subject to this classification purchase component parts from other unrelated businesses, then assemble and engrave or letter them per customer specifications. Component pieces include, but are not limited to, plastic, marble, metal, or wood bases and backings, decorative mounts, small hardware, vinyl fabric, and ready made banners. They use hand tools, table top punching or bending devices and engraving equipment. While stores may still use old style engraving machines for some custom orders, most of today's engraving or lettering is done on computerized equipment.

This classification excludes the manufacture of component pieces or signs which is to be reported separately in the classification applicable to the work being performed.

Special note: Producing "computerized vinyl lettering or designs" is a normal activity in several types of businesses such as, but not limited to, trophy stores, manufacturers of textile banners, or sign painting services in a shop. Computerized lettering or designs are made on a plotter/cutter that is attached to a computer. A roll of vinyl fabric is placed on the plotter/cutter. Designs are created on the computer, then transferred electronically to the plotter/cutter that punches them out in the vinyl material. Designs are transferred onto the backing with the use of transfer paper. One must look beyond the producing of computerized vinyl applications when determining the nature of the business being classified. An employee whose *only* duties are generating vinyl lettering or designs on computerized equipment in an office environment could qualify for classification 4904 provided all the conditions of the general reporting rule covering standard exception employees have been met.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-704 Classification 6309.

~~((Art galleries, custom picture or u-frame: Stores including in-store custom frame making and frame repair
Automobile, truck or motoreycle: Accessory or replacement parts stores excluding automobile or truck service or repair centers operated in connection with a store operation which is to be reported separately in classification 3411 "automobile or truck: Repair shops or garages"; machine shop services which is to be reported separately in classification 3402 "machine shops, N.O.C."; and motoreycle service or repair centers which is to be reported separately in classification 3309 "motoreycle service or repair centers." The automobile, truck or motoreycle accessory or replacement parts store classification (6309) shall not be assigned to any business engaged in the sale or rental of new or used automobiles, trucks, motor homes, motoreycles, machinery, mobile~~

homes, boats, all-terrain vehicles, golf carts or similar items which specifically includes parts department employees

Bicycle stores—including in-store service and repair but excluding all forms of bicycle manufacturing

Floor covering stores—excluding all installation work which is to be reported separately in the applicable construction classifications

Gun stores—including in-store service and repairs

Hardware variety stores, N.O.C.—excluding any store or operation that sells lumber or building materials which is to be reported separately in classification 2009 "hardware stores with lumber or building material supplies"

Hobby craft stores—excluding the manufacturing, fabrication or assembly of all hobby crafts goods sold by establishments covered by this classification

Locksmith services—including repairs but excluding installation of dead-bolt lock sets or similar activities which is to be reported separately in classification 0607 "dead-bolt lock set—Installation"

Paint and wallpaper stores—excluding all installation work which is to be reported separately in the applicable construction classifications

Pawn shops

Sewing machine stores—including in-store service and repair

Spa/hot tub stores—including the sale of spa and pool accessories and related items, and the incidental repairs of pumps at store location; excluding installation service or repair of pumps performed at customer site which are to be reported separately in classification 0306; also excluding installation of spa/hot tubs and the construction of pads, sidewalks, decks, gazebos, or other related structures which are to be reported separately in the applicable construction classifications. Stores that sell only accessories for spa/tubs or pools are to be reported separately in classification 6406

Sporting goods stores

Stained art glass stores—excluding the manufacturing of all stained glass or the fabrication and assembly of stained art goods sold by establishments covered by this classification

Wood stove and accessory stores—excluding installation, service or repair which is to be reported separately in classification 0307 "wood stove installation" or as otherwise provided for in classification 0307.))

6309-02 Stores: Gun - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of hand guns and rifles. Gun stores subject to this classification will routinely sell related goods such as, but not limited to, knives, archery supplies, ammunition, cleaning kits, targets, target launchers, ammunition belts and specialty clothing. It is common for gun stores to repair guns for their customers. This generally consists of replacing worn or malfunctioning parts that they have in inventory, or that are special ordered from the manufacturer. Gun stores are not generally involved in machining operations although some light machine work is contemplated by this classification. Gun stores in this classification can also make custom ordered guns. This term may be misleading in that a custom gun made by a gun store is simply the assembly of various com-

ponents to produce the desired gun. Depending on the size and location of the store a related shooting range may be found on the premise. Whether the shooting range is operated in connection with the store operation or by an independent business unrelated to the gun store, it is to be reported separately in classification 6208. Establishments in classification 6309-02 are distinguishable from operations covered in classification 3402, in that gun stores subject to classification 6309 are not engaged in the manufacture of guns, which includes such operations as machining barrels, fabricating triggers, springs, bolts, levers, clips and handles as well as assembly of gun components into finished goods.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6309-03 Stores: Bicycle - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of all types of bicycles. Bicycle stores subject to this classification will sell related goods such as, but not limited to, helmets, pumps, carrier racks, water bottles, shoes, trailers, child carriers, and specialty clothing. It is common for bicycle stores to assemble new bicycles as well as tune and repair bicycles for their customers. This generally consists of replacing worn or malfunctioning parts that they have in inventory or that are special ordered from the manufacturer. Bicycle stores subject to this classification will occasionally make a custom bicycle. This term may be misleading in that a custom bicycle may be nothing more than the assembly of various components to produce the desired bicycle, or it could be the actual cutting, bending, and welding of tube metal, or the cutting, rolling and heating of graphite reinforced plastic material. Only those custom bicycles that are assembled from components *manufactured by others* are to be reported in classification 6309 and *only* if such custom work is incidental to the primary sales of off-the-rack bicycles manufactured by others.

This classification excludes machining operations, frame welding, and establishments engaged in custom manufacturing or mass producing bicycles from nonfinished goods which are to be reported separately in the classification applicable to the bicycle frame material and process used to manufacture the finished units.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6309-06 Stores: Garden supply - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of homeowner type yard and garden tools, equipment, and supplies. Establishments subject to this classification will carry in their inventory and have available for immediate sale various garden tools and gloves, equipment, and supplies such as, but not limited to, rakes, shovels, post hole diggers (nonpower), hoes, wheel barrows, garden carts, edgers, weed wackers, lawn sprinklers, garden hose, lawn mowers, and chain saws. On a seasonal basis these establishments will routinely stock bags of various types of lawn, shrub and plant fertilizer, lawn seed, bags of potting soil, bags of beauty

bark, flower bulbs, vegetable and flower seeds, and some bedding plants and small shrubs. This classification is distinguishable from nurseries in that nurseries sell plants, shrubs and trees that they have purchased from others or raised from seeds or cuttings, most of which are available for sale all year round. Nurseries typically sell soils and bark in bulk, but seldom sell lawn mowers, lawn tractors, edgers and similar items. Nurseries are further distinguishable from garden supply stores in that garden supply stores have a limited outside yard and are primarily composed of a store operation. Nurseries, on the other hand, have limited store operations and extensive yards where plants, shrubs, and trees are displayed and cared for, as well as extensive greenhouse operations.

This classification excludes the repair of tools and equipment sold which is to be reported separately in the classification applicable to the work being performed.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6309-07 Locksmiths

Applies to establishments engaged in servicing or repairing locksets. Establishments subject to this classification will have a small retail store where they sell new door locksets, repair customer locksets, re-key locksets, make duplicate keys, and sell home security items such as safes and alarm systems. In addition to store operations, this classification includes locksmith field work such as unlocking a car, removing a broken key from an ignition or door, and installing a replacement lockset in a door.

This classification excludes the installation of safes, new locksets, or dead bolt locks which is to be reported separately in classification 0607 and the installation of home security systems which is to be reported separately in classification 0608.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6309-08 Stores: Automobile, truck, motorcycle, or aircraft accessories or replacement parts - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of automobile, truck, motorcycle, or aircraft accessories or replacement parts. Most establishments subject to this classification carry a full line of parts ranging from batteries, wiper blades, ignition components, to engines, tires, and transmissions. However, this classification also applies to establishments that sell specialized product lines such as, but not limited to, batteries, electrical systems, or transmission parts. This classification covers only the store operation. Any vehicle, tire, or machine shop service is to be reported separately in the applicable repair or service classification. Care should be exercised when considering the assignment of this classification to an establishment engaged in vehicle service or repair as parts departments may be included in the service or repair classification. Only those vehicle service or repair establishments that have "full line" replacement parts stores are to be assigned to this classification and only when

the classification that governs the repair or service permits, the parts department to be reported separately.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6309-09 Stores: Architectural and surveyor supplies - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of professional and technical measurement equipment used primarily by architects and surveyors. Products sold by establishments subject to this classification include, but are not limited to, plan holders, plotters, lettering systems, engineering software, CAD supplies, copiers and computer paper and films. This classification includes the in-shop servicing or repair of products sold, such as replacing or adjusting parts.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6309-11 Stores: Stained art glass - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of stained art glass supplies. Operations contemplated by this classification include the receipt of merchandise purchased from unrelated businesses, dealers, or manufacturers, warehousing, stocking of shelves, cashiering, offering craft classes to customers, and delivery of merchandise to customers. Items sold by establishments subject to this classification include, but are not limited to, lead and leaded glass, crafts, light fixtures, terrarium parts, lamp shade parts, kits for picture frames, mirrors, books on stained glass, small grinders, glass cutters and other tools for making stained glass items.

This classification excludes the manufacture of stained glass and the fabrication and assembly of stained art goods which is to be reported separately in classification 3503 and stores that sell craft-making goods or hobby supplies which are to be reported separately in classification 6309-21.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6309-12 Stores: Wood stove and accessories - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of wood stoves, pellet stoves, fireplace inserts, and accessories. The majority of stoves today are produced from cast iron or steel plate and may be finished with enamel or paint. Stove stores subject to this classification will sell related accessories such as, but not limited to, noncombustible hearths and irons, wood holders, pellet scoops, stovepipes, metal chimneys, decorative brass legs and brass handles and bags of pellets. Some wood stove dealers may sell both stoves and spas as their main product lines. Stores that sell both are to be reported separately in classification 6309-14.

This classification excludes the installation and repair of wood stoves, furnaces, air conditioning units and vacuum cleaner systems which is to be reported separately in classification 0307; masonry work which is to be reported separately in classification 0302; and chimney cleaning which is to be reported separately in classification 4910.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6309-13 Stores: Hardware variety, N.O.C., specialty hardware or marine hardware - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of hardware related items. Operations contemplated by this classification include the receipt of merchandise purchased from unrelated business dealers or manufacturers, warehousing of inventory, stocking of shelves, cashiering, customer load out, assistance and delivery. Establishments subject to this classification cater to homeowners and, therefore, do not carry contractor quantities of products for sale. Hardware variety stores applicable to this classification are generally small retail stores (3,000 square feet or less). Hardware variety stores will have a wide assortment of products for sale ranging from paint and painting supplies, electrical and plumbing supplies, to hand or power tools, garden supplies, housewares, and hardware. For purposes of this classification the term "hardware" applies to nails, screws, bolts, hinges, staples, chain, and similar items. Classification 6309-13 is distinguishable from classification 2009 in that the quantity of products sold by hardware variety stores subject to classification 6309-13 is limited to homeowner quantities, the selection of product is limited, and they carry only a limited selection of lumber, if at all. Hardware variety stores may also carry seasonal plants. This classification also applies to specialty hardware or marine hardware stores.

This classification excludes hardware stores that sell lumber or building materials which are to be reported separately in classification 2009.

Special notes: Care should be exercised when assigning classification 6309-13 to a business. All other store and nursery classifications are to be considered before this classification is assigned. It is common for a nursery to have a substantial inventory of hardware and tools, just as it is common for farm supply stores to sell similar products, yet these types of businesses are covered in alternative classifications.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6309-14 Stores: Hot tub or spa - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of hot tubs and spas. Most dealers subject to this classification have small store operations where a limited supply of spas and hot tubs are displayed. Some may have distribution centers where spas are shipped from the manufacturer and stored until delivered to a showroom or directly to a customer. The majority of spa units are portable and self-contained, which means the plumbing, pump, wiring, and

controls are already in place and enclosed in the siding surrounding the tub. They are ready to use once the electricity is hooked up at the customer's site. The other type of spas are referred to as "shells," which are usually set in place in the ground, then the pump, plumbing, electrical wiring, and any surrounding rockery or structures built around it. Stores that sell spas and hot tubs also stock related items such as, but not limited to, spa or swimming pool chemicals and cleaners, brushes, replacement pumps and parts, filters, and spa accessories such as fragrances. Some may also sell other product lines such as swimming pool shells, wood or pellet stoves and related items such as, but not limited to, lawn furniture, barbecues, or water sports equipment. Operations contemplated by this classification include the receipt of tubs, spas, pools, pool liners, chemicals and other products from manufacturers or unrelated companies, stocking shelves, setting up displays, cashiering, delivery of products to customer locations, instruction on testing and maintaining pool waters, and incidental pump repair in the store; it does not contemplate the repair or service of pumps or pools at customer's location. Establishments that sell both wood stoves and spas are to be reported in this classification. This classification also applies to establishments that rent hot tubs and deliver them to, and pick them up from, the customer's location.

This classification excludes establishments that sell only accessories for tubs or pools which are to be reported separately in classification 6406; establishments engaged in the sale of wood or pellet stoves, but do not sell spas, which are to be reported separately in classification 6309-12; and establishments engaged in the manufacture or installation of hot tubs which are to be reported separately in the classification applicable to the work being performed.

Special notes: Spa and hot tub dealers may be licensed contractors who build swimming or wading pools, in addition to the spas and hot tubs sold. Except for the in-store pump repair, all other electrical or plumbing installation or repair work, pump repair, landscaping, building of structures, pouring of concrete, and servicing of the pool waters are excluded from this classification and are to be reported separately in the classification applicable to the work being performed.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6309-15 Stores: Floor covering - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of floor coverings. Establishments subject to this classification sell a variety of floor coverings and related items such as, but not limited to, sheet vinyl, floor tile, ceramic wall or countertop tile, wood parquet, floor or area rugs, carpeting, window coverings, bathroom and kitchen accessories, and supplies to install products. Other stores may specialize in only one or a few of these products. Floor covering stores generally consist of a store operation where samples of all product types are displayed. Merchandise is usually ordered from the factory or distributor per customer specifications; however some goods are kept in stock and are available for immediate sale. Operations contemplated by this classification include the receipt of merchandise pur-

chased from unrelated businesses and manufacturers, stocking shelves, cashiering, estimating floor covering needs from plans, blue prints and customer measurements, ordering special floor coverings from distributors or manufacturers, and delivering the product to customers.

This classification excludes all installation work and the manufacture of any product sold by floor covering stores, which is to be reported separately in the applicable construction, installation, or manufacturing classification.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6309-16 Pawn shops

Applies to establishments engaged in loaning money to others in exchange for collateral of new or used merchandise such as, but not limited to, jewelry, video equipment, and computers. It is common for pawn shops to sell new and used merchandise they have taken as collateral for defaulted loans. Operations contemplated by this classification include receiving merchandise from others, stocking of shelves, and cashiering.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6309-17 Stores: Sporting goods - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of a variety of sporting goods. Operations contemplated by this classification include the receipt of merchandise purchased from other unrelated businesses, dealers, or manufacturers, warehousing, stocking of shelves, cashiering, and delivery. For purposes of this classification the term "sporting goods" includes, but is not limited to, baseball gloves, bats, balls, fishing poles, tackle, reels, tennis racquets, bicycle helmets, exercise equipment, and specialty clothing and shoes. A store may carry equipment and related items for a number of sports, or specialize in a particular sport such as skiing or fishing.

This classification excludes stores that specialize in selling bicycles and related items such as tire pumps, water bottles, locks, shoes and clothing, which are to be reported separately in classification 6309-03, and stores that specialize in selling guns and related items such as ammunition, hunting supplies, archery equipment, targets, knives, and clothing which are to be reported separately in classification 6309-02.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6309-18 Stores: Paint and wallpaper - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of paint and wallpaper supplies. Operations contemplated by this classification include the receipt of merchandise purchased from other unrelated businesses, dealers, or manufacturers, mixing paints and stains, warehousing, stocking of shelves, cashiering, and delivery of merchandise to customers. Establishments subject to this classification

routinely offer pressure washer and spray units, and ladders for rent or sale which is included in this classification when such sales and rentals are conducted in connection with a paint and wallpaper store. This classification excludes establishments engaged in the rental of spray paint and pressure washer units which are to be reported separately in classification 1106.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6309-19 Stores: Sewing machines or vacuum cleaners - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of new or reconditioned sewing machines or vacuum cleaners. Operations contemplated by this classification include the receipt of merchandise purchased from other unrelated businesses, dealers, or manufacturers, warehousing, stocking of shelves, cashiering, demonstrating or delivering merchandise to customers, providing instructions or sewing classes to customers, and in-store repair. Sewing machine repair is generally limited and consists mainly of adjusting thread and stitch tensioners, aligning components (needle and foot), replacing electrical motor, lights and belts. Types of sewing machines include sergers, button holers, embroidery machines, and commercial machines such as those used by a tailor or an upholstery shop, but does not include industrial machines such as those used in feed and carpet mills.

This classification excludes fabric stores that may also sell sewing machines which are to be reported separately in classification 6406; and establishments engaged in the repair of industrial sewing machines which are to be reported separately in classification 3402 for shop operations and classification 0603 for field repairs.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6309-20 Stores: Custom framed art or U-frame - wholesale or retail: Art galleries

Applies to establishments engaged in the wholesale or retail sale of custom framed art such as, but not limited to, posters and pictures. Operations contemplated by this classification include the receipt of merchandise purchased from other unrelated businesses, dealers, or manufacturers, warehousing, stocking of shelves, cashiering, cutting matte board, glass and frame material, assembling frames, mounting art, posters or pictures into custom made or premade frames and delivery of merchandise to customers. Custom frame manufacturing covered by this classification is distinguishable from other frame manufacturing covered in classifications 3404, 2909, and 3512 in that custom frame making contemplated in classification 6309-20 consists of cutting frame material purchased from others with a specialized saw and fastening the pieces together with a small air nailer or finish screws. Frame manufacturing operations in other classifications consist of extruding metal or plastic through dies to pro-

duce the desired frame material, or planing and molding the dimensional lumber to the desired appearance, cutting material in mass quantities, fastening frames together (mass production oriented) and boxing for shipment. U-frame operations consist of selling the various components such as, but not limited to, premade frames or precut unassembled frame kits, matte board, glass and prints to customers for customer assembly. This classification also includes establishments that operate art galleries, as the framing activities are similar.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6309-21 Stores: Hobby and craft - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of hobby and craft supplies. Operations contemplated by this classification include the receipt of merchandise purchased from other unrelated businesses, dealers, or manufacturers, warehousing, stocking of shelves, cashiering, offering craft classes to customers, and delivery of merchandise to customers. Items sold by establishments subject to this classification include, but are not limited to, floral arrangement supplies, pottery supplies, art glass supplies, doll making supplies, jewelry components such as beads and wire, and artist supplies. It is common for establishments subject to this classification to also be involved in custom picture framing in connection with hobby or craft store operation.

This classification excludes the manufacture of hobby and craft goods which is to be reported separately in the classification applicable to the materials and processes and stores that specialize in the sale of stained art goods which are to be reported separately in classification 6309-11.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-706 Classification 6402.

((Grocery stores, N.O.C. - retail

For purposes of this rule the term "grocery stores, N.O.C. - retail" shall apply only to retail establishments whose inventoried products available for sale to the public include all of the following merchandise: Canned goods; dairy products; fresh and frozen meats; vegetables and fruits; carbonated and alcoholic beverages; juices; household cleaners; laundry and health care products; and baked goods. Retail establishments subject to this classification may also have other in-store departments or services which are provided for their customers convenience such as in-store bakeries, delis, espresso bars, video rental, film developing, floral and wine departments. These operations, although they may be physically separated within the general store area, are common to such stores and are included within the scope of classification 6402 when performed by employees of an

employer subject to this classification. This classification excludes in-store pharmacy operations which are to be reported separately in classification 6406 "drug stores - retail"; and lunch counters and restaurants which are to be reported separately in classification 3905 "eating establishments, N.O.C.")

6402-00 Stores: Grocery, N.O.C. - retail

Applies to establishments engaged in providing retail sale of a full line of grocery items. To qualify for this classification an establishment must provide for retail sale all of the following items: Canned goods, dairy products, a full line of fresh meats, frozen meats, vegetables and fruits, baked goods, carbonated and alcoholic beverages, juices, household cleaners, laundry and health care products. These stores will generally be of the supermarket size but there may be some smaller stores which are also to be included in this classification if all of the items listed above are in their inventory. Also included in this classification, when performed by employees of the store, are in-store departments or services that are provided for the customer's convenience such as in-store bakeries, delis, video rental, film developing, florists, and wine departments.

This classification excludes in-store pharmacies which are to be reported separately in classification 6406, espresso street carts or stands and lunch counter/restaurant operations which are to be reported separately in classification 3905; convenience store or mini-markets that do not sell all of the above mentioned items which are to be reported separately in classification 6403; grocery or convenience stores with self-service gasoline operations which are to be reported separately without division of hours in classification 3410; and specialty retail stores that sell only dairy products, fruits and vegetables, soft drinks or wine and/or liquor which are to be reported separately in classification 6403.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-707 Classification 6403.

((Coffee, tea or spice stores - retail

Convenience grocery stores or mini markets, N.O.C. - retail

Dairy products stores - retail

Fruit or vegetable stores - retail

Soft drink stores - retail

Wine or liquor stores - retail

This classification excludes any store operation engaged in the sales of gasoline which is to be reported separately in classification 3410 "convenient grocery stores with self service gasoline.")

6403-01 Stores: Coffee, tea, or spice - retail

Applies to establishments engaged in the retail sale of specialty coffees, teas, or spices. They may sell coffee/tea in packaged and/or ready to drink forms and may offer a small selection of pastries or cookies for the customers convenience.

This classification excludes espresso street carts or stands and lunch counter/restaurant operations which are to be reported separately in classification 3905.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6403-02 Stores: Dairy products - retail

Applies to establishments engaged in the retail sale of dairy products such as, but not limited to, milk, eggs, cheese, and ice cream. As a convenience to their customers, these establishments may offer a limited supply of related foods such as bread. This classification is distinguishable from other 6403 store operations in that the primary products available for sale are dairy products.

This classification excludes espresso street carts or stands and lunch counter/restaurant operations which are to be reported separately in classification 3905.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6403-04 Stores: Fruit or vegetable - retail

Applies to establishments primarily engaged in the retail sale of fresh fruits and/or vegetables. These stores are usually found in individual stands at public or municipal street markets, or at roadside stands not located on the farm which may range from a small booth to a store-like operation. Sales at roadside stands away from the farm location or public markets are to be reported in this classification even if vendors grow all their own produce.

This classification excludes establishments that grow their own fruits and vegetables and sell them at their farm location which are to be reported separately in the appropriate agricultural classification as required by the general inclusion provision of the general rules, espresso street carts or stands and lunch counter/restaurant operations which are reported separately in classification 3905.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6403-05 Stores: Specialty grocery - retail

Applies to establishments engaged in retail sale of specialty grocery items. Establishments subject to this classification have a limited selection of grocery items which are generally related to ethnic foods and cuisine, gourmet meats, cheeses, or condiments, health food or pet food. This classification also applies to stores that sell U-bake pizza.

This classification excludes espresso street carts or stands and lunch counter/restaurant operations which are reported separately in classification 3905.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6403-06 Stores: Mini-markets or convenience grocery, N.O.C. -retail

Applies to establishments engaged as retail convenience grocery stores or mini-marts. Generally these stores sell convenience items such as, but not limited to, soft drinks, beer/wine, snack foods, candy and a limited selection of canned or boxed foods. They may also prepare foods such as sandwiches, chicken, jo jos and hot dogs. While these stores may sell a variety of grocery items they are distinguished from stores in classification 6402 in that they do not sell all of the items specified for retail grocery store operations. Generally the difference can be established by determining if the store cuts and sells fresh meat. This classification also applies to food bank operations.

This classification excludes establishments engaged as convenience grocery stores or mini-markets with self-service gasoline operations which are to be reported separately in classification 3410 and espresso street carts or stands and lunch counter/restaurant operations which are to be reported separately in classification 3905.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6403-07 Stores: Wine, liquor, or soft drinks - retail

Applies to establishments engaged primarily in the retail sale of wine, liquor, or soft drinks and an assortment of pre-packaged mixed drinks, and related gift items. Establishments in this classification are not operated in connection with a manufacturing, bottling, restaurant, or tavern operation. This classification also applies to liquor stores operated by Native American tribes and to contract state liquor stores operated by nonstate employees. This classification contemplates a minimal amount of mail order sales and locker rentals in a wine cellar operated by a wine store.

This classification excludes state operated liquor stores which are reported separately in classification 5307; establishments engaged in the distillation, brewing, or bottling of alcohol, beer or wine, which often have tasting rooms and gift shops, which are reported separately in classification 3702; and establishments engaged primarily in selling wine-making or beer-making kits and supplies which are reported separately in classification 6406.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-708 Classification 6404.

((Balloon arrangement stores
Florists and artificial floral arrangement stores
Indoor plants—Sales or leasing—including plant watering and care services-))

6404-00 Stores: Florists - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of fresh-cut flower arrangements, potted plants,

balloon arrangements, or arrangements of artificial or dried flowers and foliage. These shops typically carry related gift items, such as, but not limited to, terrariums, vases, and gift cards. Operations contemplated by this classification include the receipt of flowers, plants, and other merchandise from unrelated businesses, making the arrangements, storing fresh-cut flowers in refrigerated cases, caring for potted plants in a greenhouse, and delivering items sold. Also included in this classification is the assembly and/or decoration of Christmas wreaths. Wreaths may be assembled from fresh greens and decorations added, or decorations may be attached to grapevine wreath bases or metal rings. Establishments in this classification work with hand cutting tools, glue guns, small wires and wooden stakes, floral foam or clay, greenery, wreath bases, and decorative trimmings. This classification also applies to "cottage industries" that make similar items, and to establishments primarily engaged in packing holly that was grown by others.

This classification excludes establishments engaged in the planting, cultivating, and/or harvesting of flowers, plants, shrubbery, trees, florist greens, holly, baby's breath or florist greens which are to be reported separately in the classification applicable to the work being performed.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6404-02 Stores: Indoor plants or aquariums - wholesale or retail: Sale, lease, or care of

Applies to establishments engaged in the wholesale or retail sale, lease, or care of indoor plants or aquariums. Establishments subject to this classification will deliver, set up, service, and maintain plants or aquariums at the customer's location. Maintenance/care includes, but is not limited to, watering, trimming, pruning, fertilizing, and cleaning. Such establishments will frequently have a small greenhouse facility for caring and storing plants.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6404-03 Stores: Candy or cookie arrangement - wholesale or retail

Applies to establishments engaged in the wholesale or retail sale of candy or cookie arrangements in containers such as, but not limited to, mugs, vases, booklets, and novelty items. Typical occupations include, but are not limited to, making arrangements, answering telephones, selling to walk-in customers, cashiering, and delivering the bouquets. This classification does not include any on-premise manufacturing of candies or cookies.

This classification excludes establishments engaged in retail candy sales with on-premise manufacturing which are to be reported separately in classification 3905, and establishments engaged in specialty bake shops which are to be reported separately in classification 3901.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided

all the conditions of the general reporting rules covering standard exception employees have been met.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-709 Classification 6405.

((Fire: Retreading, rebuilding and/or recapping
Fire sales and service center—including automobile or truck care service centers or repair garages operated in connection with a tire service or repair center:))

6405-01 Tire sales and service centers, including automobile or truck care service centers or repair garages operated in connection with a tire service or repair center

Applies to establishments engaged in the sale, installation, and repair of vehicle tires for others. This classification includes, but is not limited to, tire store employees, service managers, and auto care service employees. Services provided include, but are not limited to, tire mounting and balancing, in-shop or mobile service flat repair, alignments, brake service, muffler repair, tune-ups, and oil changes. It is common for tire centers to offer other automotive services such as wiper replacement, radiator flush, battery replacement and even major engine and transmission work which are also included in this classification. This classification is distinguishable from classification 3411 and 3413 in that classification 6405 applies to any business that installs and services tires regardless of the number of tires sold. Establishments assigned to classification 3411 and 3413 do not install or service tires. *Classification 3411 and 3413 are not to be assigned to an establishment assigned classification 6405.*

This classification excludes towing services for hire which are to be reported separately in classification 1109 and tire sales and services centers which are also engaged in tire retreading operations which are to be reported separately in classification 6405-06.

6405-06 Tire rebuilding, retreading and/or recapping

Applies to establishments engaged in rubber tire rebuilding, retreading and/or recapping either at their tire dealership location, or at a location physically separate from the tire store. Rebuilding tires differs from the manufacture of tires in that rebuilding, recapping, or retreading simply restores used tires to a usable condition by bonding new rubber onto the existing work tread and lateral surface. First, tires are inspected for separations and penetrations. To remove the tread pattern, the casing is mounted on a wheel, inflated, and smoothed with a buffer or abrasive file. Any rocks, nail heads, etc., are pulled out with air tools, and the holes repaired with a rubber patch or a strip of rubber applied with an extruder gun. In the hot process, the buffed tire is put on a spinning wheel and unvulcanized tread rubber is wrapped around the tread area of the tire body either manually or mechanically. The tire is then placed inside a curing mold which has a tread design, and heated at 320 degrees for several hours so the rubber expands into the design and forms the tread. After the tire is removed from the vulcanizing mold, it is inflated to high pressure and cooled. In the cold process, commonly referred to as bandage, the new tread is a precured

strip or rubber compound with the tread design already molded into it. Only enough old rubber is removed to true the tire and provide a bonding surface. Air hoses or solvents are used to remove contaminants which would interfere with the adhesion process. The tire is inflated to its normal running pressure and a rubber cement is applied over the buffed surface by spray gun or brush. When the cement dries the prepared tread is wrapped around the casing. The strip is bonded to the tire casing under pressure and heated at 210 degrees in a curing chamber. This classification excludes tire dealers that do not perform rebuilding, recapping or retreading which are to be reported separately in classification 6405-01 and the manufacture of tires which is to be reported separately in classification 3513.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-710 Classification 6406.

~~((Baseball card stores—retail
Book, record, tape, compact disc, and video stores—retail
Camera or photo supply stores—retail
Coin and stamp stores—retail
Coin operated arcades—excluding repair which is to be reported separately in classification 0606 "amusement devices, N.O.C."
Drug stores—retail
Fabric and yardage stores; yarn and needle work stores—retail
Microwave oven, blender, mixer, or toaster oven stores—retail
Musical instrument stores—retail—excluding piano or organ stores which are to be reported separately in classification 6306 "piano or organ stores"
News and magazine stands—retail
Office machine stores—retail
Office stationery stores
Private mailbox; safety deposit box; or computer tape storage—facilities
Retail stores, N.O.C.—retail
Stereo component stores—retail
Telephone stores—retail
This classification excludes all on premise manufacturing of any kind, repair work, delivery drivers, outside installation, lunch counters and restaurant operations which are to be reported separately.))~~

This classification applies to specialty retail store operations engaged primarily in the sale of a wide variety of products ranging from collectibles such as stamps, coins, sports cards, and dolls to table top appliances such as portable televisions, blenders, mixers and toasters. This classification is comprised of subclassifications that cover a specific type of retail store operation. One of the subclassifications applies to the sale of products which are not covered by another classification. Although the products sold by establishments subject to this classification will vary by each subclassification, the overall operational activities are similar. Each business covered by this classification will generally employ cashiers

and merchandise stockers, as well as other occupations of workers.

Special note: This classification excludes all repair operations unless it is specifically included in the classification, delivery service, on-premises manufacturing, outside installation work, and lunch counters and restaurants which are to be reported separately in the classification applicable to the work or service being performed.

Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6406-00 Retail stores, N.O.C.

Applies to establishments engaged in the retail sale of merchandise or services not covered by another classification (N.O.C.). Merchandise includes, but is not limited to, greeting cards, costume jewelry, scarves, tropical fish and birds and related fish or bird supplies, table top appliances such as mixers, blenders, microwave ovens, or table top satellite receiving units, quick print copy or FAX services and related specialty items or services. This classification also applies to establishments that provide inventory services for other businesses.

This classification excludes pet stores that sell dogs or cats and establishments engaged in pet grooming services which are to be reported separately in classification 7308; pet food stores which are to be reported separately in classification 6403; and offset, cold press and similar printing operations which are to be reported separately in classification 4101.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-01 Stores: Camera or photography supply - retail

Applies to establishments engaged in the retail sale of cameras and photography and dark room supplies such as, but not limited to, batteries, film, processing trays, chemicals, print paper, enlargers, and timers. It is common for these establishments to offer film developing services which may be either a one-hour service or an overnight process. Both types of film developing services are included in this classification when conducted in connection with a camera and photography supply store. This classification is distinguishable from classification 6506 in that establishments covered in classification 6506 are not engaged in the sale of cameras or photo developing equipment.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-03 News and magazine stands - retail

Applies to establishments engaged in the retail sale of newspapers and magazines. Establishments subject to this classification may sell newspapers or magazines from various locations such as, but not limited to, stands at public markets, store operations in malls, or from a street corner.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-09 Arcades: Coin or token operated

Applies to establishments engaged in operating coin- or token-operated arcades. This classification covers atten-

dants, change makers, and security personnel who monitor the game rooms and make change. Attendants may remove tokens and money from machines and may perform minor adjustments such as resetting a jarred machine.

This classification excludes the installation, removal or repair of machines which is to be reported separately in classification 0606.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-11 Stores: Office stationery and machinery - retail

Applies to establishments engaged in the retail sale of office stationery, supplies, and/or machinery. For purposes of this classification "office stationery and supplies" includes, but is not limited to, paper, writing tablets, computer software, pens, pencils, markers, staples, staplers, scissors, paper clips, and binders. "Office machinery or business machinery" includes, but is not limited to, calculators, typewriters, various types of copy machines, fax machines, and desk top and lap top computers.

This classification excludes service and repair of office/business machines which is to be reported separately in classification 4107 and establishments engaged in sale of office furniture which are to be reported separately in classification 6306.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-12 Stores: Fabric, yardage, yarn and needlework supplies - retail

Applies to establishments engaged in the retail sale of fabric, yardage, yarn and needlework supplies. It is common for establishments subject to this classification to have a small inventory of noncommercial/industrial sewing machines and sergers for sale in addition to fabric, sewing notions, patterns, and related supplies. Fabric and yarn stores may also offer sewing and craft classes which are included in this classification when taught by employees of an employer subject to this classification. This classification is distinguishable from sewing machine stores in classification 6309 in that the principle products sold in classification 6406 are fabric and sewing notions while sewing machine stores are not engaged in the sale of fabric or yardage.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-14 Stores: Wind or string musical instruments - retail

Applies to establishments engaged in the retail sale of musical instruments such as, but not limited to, drums, wind instruments, guitars, and banjos. This classification includes music lessons when provided by employees of an employer subject to this classification and includes minor adjustment services such as replacing a drum skin or a broken string on a guitar.

This classification excludes the repair of wind and string musical instruments which is to be reported separately in the applicable repair classification; establishments engaged in the repair of pianos which are to be reported separately in classification 2906; and establishments engaged in the sale of

pianos and organs which are to be reported separately in classification 6306.

Special notes: Classification 6406 does not apply to any establishments that sells pianos or organs in addition to wind or string instruments. Refer to classification 6406 general description for operations excluded from this classification.

6406-16 Stores: Drug - retail

Applies to establishments engaged in the retail sale of prescription and nonprescription drugs. Establishments subject to this classification will routinely carry a variety of personal care and grooming products in addition to prescription and nonprescription drugs and may also rent crutches, canes, wheel chairs, and walkers.

This classification excludes establishments engaged in the sale and/or rental of hospital beds, motorized wheel chairs, and other patient appliances which are to be reported separately in classification 6306, and establishments engaged in the sale/rental and service (repair) of motorized mobility aids such as wheelchairs and 3-wheel scooters which are to be reported separately in classification 3309.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-17 Stores: Variety - retail

Applies to establishments engaged in the retail sale of a variety of consumer goods such as, but not limited to, housewares, linens, clothing, toys, and candy. In earlier years establishments subject to this classification were often referred to as "5 and 10 cent stores." Although these stores carry much of the same merchandise as a department store, they are distinguishable in that variety stores are not comprised of specialized departments and do not generally carry the quantity/assortment of products that department stores do.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-18 Private mail box; safety deposit box; computer tape storage facilities - rent or lease

Applies to establishments engaged in renting or leasing private mail boxes, safety deposit boxes, or computer and financial record storage facilities. Establishments subject to this classification will operate a secured facility where they receive and sort their customers' mail, parcels and packages from the U.S. Post Office or other parcel/package delivery companies, and package articles for shipment for their customers. They also provide a secured storage facility equipped with safety deposit boxes which they rent out on a short or long term basis. It is common for these establishments to offer additional services such as FAX, and copying services.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-19 Stores: Coins, stamps, baseball cards, and comic books - retail

Applies to establishments engaged in the retail sale of coins, stamps, baseball cards, comic books, and similar collectibles. Establishments subject to this classification may be engaged exclusively in mail order sales, sell from browse tables at collectible or trade shows, through specialty auc-

tions, or may sell from a store location. Coin and stamp stores routinely sell magazines, periodicals, and supplies that cater to collections or hobbies. Card shops routinely sell other sports memorabilia such as autographed baseballs, footballs and basketballs, framed pictures, POGS and buttons.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-20 Stores: Book, record, cassette, compact disc, and video - retail

Applies to establishments engaged in the retail sale or rental of new or used books, records, cassettes, compact discs or videos. Establishments subject to this classification may be engaged exclusively in mail order sales, sell from browse tables or trade shows, through specialty auctions or may sell from a store location.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-23 Stores: Candy - retail

Applies to establishments engaged in the retail sale of packaged and unpackaged candy they have purchased from others.

This classification excludes establishments engaged in the on-premise manufacture of candy and the subsequent retail sale of these products which are to be reported separately in classification 3905; and establishments engaged in the manufacture of candy or confections for wholesale to retail establishments or distributors which are to be reported separately in classification 3906.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-24 Stores: Cigarette and tobacco - retail

Applies to establishments engaged in the retail sale of cigarettes, tobacco, and related products such as, but not limited to, pipes, pipe cleaning supplies, rolling machines, cigarette papers, lighters, lighter fluid, and cigarette cases.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-25 Stores: Telephones - retail

Applies to establishments engaged in the retail sale of telephones, pagers, and cell phones. Establishments subject to this classification are not a utility company in that they do not operate telephone exchanges and are not regulated by the Utilities and Transportation Commission of Washington. Their operations are limited to the sale of communication hardware. Stores subject to this classification may arrange activation and service for their customer, or the customer may contact the service provider directly.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-27 Stores: Stereo components - retail

Applies to establishments engaged in the retail sale of stereo components. Establishments subject to this classification will sell a variety of audio and video appliances such as, but not limited to, video players, stereos and portable televisions. These establishments may also sell and install automo-

bile stereo speaker systems and car phone systems; however, the installation is not covered in classification 6406-27.

This classification excludes the installation, service or repair of home or car stereos and car phone systems which are to be reported separately in classification 0607, and establishments engaged in the sale of stereo and television console sets, big screen televisions, or other major appliances which are to be reported separately in classification 6306.

Special note: Classification 6306 applies to any establishment that sells TV console sets or big screen TVs, even if the majority of their inventory is stereo components and/or portable TVs. Refer to classification 6406 general description for operations excluded from this classification.

6406-29 Stores: Toys - retail

Applies to establishments engaged in the retail sale of a variety of toys, games, and related items for persons of all ages. Merchandise includes, but is not limited to, video games, tricycles or bicycles, books, dolls and stuffed animals, outdoor play equipment, and specialty clothing.

This classification excludes establishments engaged in the retail sale of sporting goods and bicycles which are to be reported separately in classification 6309. This classification is distinguishable from businesses in classification 6309 in that the principle products of stores subject to classification 6406 are toys and games, as compared to stores in classification 6309 which are primarily engaged in the sales of sporting goods and bicycles.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-30 Stores: Cosmetics - retail

Applies to establishments engaged in the retail sale of cosmetics and fragrances. Related services usually offered by these types of stores include consultations with clients regarding make-up techniques, styles, and colors.

This classification excludes hair and nail salons which are to be reported separately in classification 6501.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-31 Stores: Kitchen, bath and drapery - retail

Applies to establishments engaged in the retail sale of kitchen or bathwares such as, but not limited to, pots and pans, flatware, dishes, towels, canister sets, soap dishes, towel bars, waste baskets, plant stands, and curtains or draperies.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

6406-33 Stores: Gift shops, N.O.C. - retail

Applies to establishments engaged in the retail sale of gift items not covered by another classification (N.O.C.) such as, but not limited to, crystal and silver serving pieces, china, cut glass, picture frames, wedding and shower books and invitations, special occasion cards, decorative statues, boxed candy, and ornaments. This merchandise tends to be of a finer selection than the everyday wares common in variety shops.

Special note: Refer to classification 6406 general description for operations excluded from this classification.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-711 Classification 6407.

~~((Wholesale stores, N.O.C.:~~

~~For purposes of this rule the term "wholesale stores, N.O.C." shall also include combined wholesale and retail store operations. This classification is the wholesale store counterpart to risks assigned to retail store classifications 6304, 6305, 6309 and 6406~~

~~This classification excludes delivery drivers which are to be reported separately in classification 1101, "delivery by combined wholesale and retail stores.")~~

6407-00 Wholesale stores, N.O.C. - including combined wholesale and retail store operations

Applies to establishments engaged in the wholesale, or combined wholesale and retail sales of merchandise that is not covered by another classification (N.O.C.). Establishments subject to classification 6407 usually own the merchandise they sell, but may also be marketing goods on consignment, in which case classification 6407 still applies because the exposure and processes are the same. This classification is primarily the wholesale counterpart (supplier) for establishments assigned to retail store classification 6304, 6305 and 6406. Work contemplated by classification 6407 includes, but is not limited to, maintaining warehouse inventories, incidental assembly (limited to joining pre-made parts of bicycles, tables, etc., with screws, nuts, bolts), sorting and grading goods, and breaking down bulk quantities to repack into smaller lots. Equipment typically used includes, but is not limited to, balers to bind merchandise into bundles, strapping equipment to secure palletized goods, forklifts, and hand tools.

This classification excludes delivery which is to be reported separately in classification 1101.

Special notes: When assigning classification 6407, care must be exercised to look beyond the words "wholesale" or "retail." The manufacturer of a product will also "wholesale" their merchandise (or a combination of their own merchandise and finished products bought from other manufacturers) to a customer. These sales are an integral part of the manufacturing/marketing process and is an inclusion in the manufacturing classification. Establishments that buy goods, such as clothing or cloth goods, in wholesale quantities, then screen print or embroider them for resale are performing manufacturing operations and are to be reported separately in the appropriate manufacturing classification.

Warehouse operations in classification 2102, with the exception of grocery dealers, do not own the product they are warehousing and are not in the business of selling the goods they store. Businesses in classification 6407 may operate a warehouse, but only as an integral part of the wholesaling/distribution process, which is included in classification 6407.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-712 Classification 6408.

~~((Farm machinery/implement dealers~~

~~Farm machinery rental dealers~~

~~This classification includes parts departments, demonstration of machinery or implements, and repair without regard to location. All other operations are to be reported separately.)~~

6408-03 Dealers: Farm machinery/implement

Applies to establishments engaged in the sale, rental, or lease of new or secondhand farm machinery and implements, service and/or repair by dealer either in the dealer's shop or at the customer's site. Establishments subject to this classification will occasionally service or repair other equipment, such as farm trucks, owned by their customers, which is considered incidental to their main activity and is included in this classification. For purposes of this classification the term "farm machinery" refers to engine powered machinery such as, but not limited to, tractors, combines, and swathers. Implement refers to attachments to and/or powered by farm machinery such as, but not limited to, plows, discs, balers, and rakes. This classification includes parts and service department employees, the demonstration of machinery or implements at the dealer's premises or the customer's site, truck drivers, regional sales and/or service representatives who provide factory service or training to local dealers and to customers. The parts departments in these establishments not only provide parts to their service departments, but frequently will sell a larger quantity to the general public. Many will also carry a substantial inventory of automobile parts, for the convenience of their customers, which is also included in this classification. Establishments subject to this classification will have a large inside display room which may contain small to medium sized tractors, riding mowers, both agricultural and garden type, sprayers, pumps, generators, a limited amount of small hardware items, and supplies such as oil, filters, and belts. The variety of merchandise varies with the needs of the particular geographical area. Larger horsepower tractors, implements, and used machinery and implements, are usually displayed on outside fenced lots.

This classification excludes dairy equipment and supply dealers who are to be reported separately in classification 6407 for their "store" operations and classification 0603 for the installation, service, or repair of their machinery and equipment; wind machine dealers who are to be reported separately in classification 0603 for all field work, such as tower erection, hooking up generators and motors, installing gear boxes, and installing propane or diesel fuel tanks, as well as regular maintenance or repair work; and establishments that repair farm type tractors, but who are not involved in the sale of them, which are to be reported separately in classification 3413.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-713 Classification 6409.

~~((Machinery/equipment dealers, N.O.C.~~

PROPOSED

Machinery rental dealers, N.O.C.

Oil or gas well supplies or equipment dealers

~~This classification includes demonstration of machinery or equipment and repair without regard to location. All other operations to be separately rated.))~~

6409-00 Dealers: Machinery/equipment, N.O.C.

Applies to establishments engaged in the sale, rent, or lease of new or used machinery and equipment not covered by another classification (N.O.C.), and oil or gas well equipment or supplies. For purposes of this classification the terms machinery or equipment includes, but is not limited to, diesel tractors, bulldozers, dump trucks, buses, road graders, logging towers, feller/bunchers, skidders, semi trucks, printing presses, power generators, industrial and grain milling, and concrete barriers and other flagging equipment used in construction projects. Operations contemplated by this classification include, but are not limited to, the service, repair or demonstration of machinery and equipment at the dealer's premises or customer's site, and delivery to the customer's location. Establishments subject to this classification will occasionally service or repair other equipment such as farm trucks, owned by their customers, which is considered incidental to their main activity and is included in this classification. For the convenience of their customers, the parts departments of establishments subject to this classification frequently will carry a substantial inventory of automobile parts which is also included in this classification. Establishments subject to this classification usually have a large inside showroom to display their machinery, and accessories. Large pieces of machinery and equipment and used machinery and equipment usually are displayed on outside fenced lots. The variety of merchandise carried by a machinery and equipment dealer will vary with the needs of the particular geographical area and the market being served. Included within this classification is the rental and installation of temporary fences and regional sales and/or service representatives who provide factory service or training to local dealers and other customers.

This classification excludes installation of plant equipment such as that found in printing plants, feed mills, canneries, and sawmills, which is to be reported separately in classification 0603; farm machinery and equipment dealers who are to be reported separately in classification 6408; dairy equipment and supply dealers who are to be reported separately in classification 6407 for their "store" operations and classification 0603 for the installation, service, or repair of their machinery and equipment; wind machine dealers who are to be reported separately in classification 0603 for all field work such as tower erection, hooking up generators and motors, installing gear boxes, and installing propane or diesel fuel tanks, as well as regular maintenance or repair work; and establishments that repair buses, semi trucks and tractors, and construction equipment, but who are not involved in the sale of them, which are to be reported separately in classification 3413.

AMENDATORY SECTION (Amending WSR 91-12-014, filed 5/31/91, effective 7/1/91)

WAC 296-17-71301 Classification 6410.

~~((Janitorial supply dealers~~

~~This classification includes outside sales personnel and delivery drivers.))~~

6410-02 Janitorial supply dealers

Applies to establishments engaged in wholesale and/or retail distribution of janitorial supplies. Janitorial supply dealers generally sell to cleaning service companies, hospitals, schools and government agencies. A small portion of their business may involve retail sales to walk-in customers. Typical products sold include, but are not limited to, aerosols, brushes, carpet cleaning products, cleaners, strippers, deodorizers, floor sealers, polishes, paper products, toilet tissue, paper towels, hand cleaners, dispensers, waxes, mops, buckets, and floor or carpet cleaning equipment. Orders may be taken by employees who work inside the store room, by outside sales personnel, or by route drivers, all of whom are included in this classification.

This classification excludes janitorial cleaning services which are to be reported separately in classification 6602.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-714 Classification 6501.

~~((Barber shops~~

~~Beauty parlors~~

~~Cosmetologists and electrolysis studios~~

~~Sun tanning parlors~~

~~This classification includes clerical office and sales personnel.))~~

6501-00 Barber shops

Applies to establishments engaged in providing barber and hair cutting services which may be performed in the shop, at the customer's home, or in hospitals. Barber services contemplated by this classification include, but are not limited to, shampooing and cutting hair, shaving or trimming mustaches or beards, and facials. Unique to this industry is the "booth renter." A booth renter performs cosmetology, barbering, or manicuring services in a shop, but is not an employee of the shop owner. They pay a fee for the use of the shop's booth and facilities. Classification 6501-00 applies to booth renters who elect optional coverage. This classification includes clerical office and sales personnel.

6501-01 Beauty parlors; sun tanning parlors

Applies to establishments engaged in providing beauty parlor or sun tanning parlor services which may be performed at the shop, at the customer's home, or in hospitals. Beauty parlor services contemplated by this classification include, but are not limited to, shampooing, cutting, styling or dyeing hair, manicures, pedicures, facials, and the use of body toning equipment. Indoor sun tanning booths may be operated as part of a beauty shop or conducted as a separate business. Unique to this industry is the "booth renter." A booth renter performs cosmetology, barbering, or manicuring services in a salon, but is not an employee of the salon owner. They pay a

fee for the use of the salon's booth and facilities. Classification 6501-01 applies to booth renters who elect optional coverage. This classification includes clerical office and sales personnel.

This classification excludes establishments engaged exclusively as nail salons which are to be reported separately in classification 6501-02.

6501-02 Cosmetologists and electrolysis studios; tattoo parlors; nail salons

Applies to establishments engaged in cosmetology and electrolysis services and to tattoo parlors or nail salons. Cosmetologists provide personalized instructions on the application of cosmetics. Some offer "permanent cosmetic" services such as, but not limited to, application of permanent eyeliner or restructuring eyebrows. Electrolysis involves the removal of facial or body hair by destroying hair roots with an electrified needle. Nail salons may specialize in the application of artificial fingernails. This classification includes clerical office and sales personnel.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-715 Classification 6502.

((Banking
Check-cashing services
Credit unions
Financial institutions, N.O.C.
Investment companies
Loan companies
Mortgage companies
Savings and loan associations
Stock brokers and escrow companies
This classification includes clerical office and sales personnel.))

6502-00 Banks; credit unions; savings and loan associations

Applies to establishments engaged in providing banking and related financial services. Services include, but are not limited to, establishing and servicing checking and savings accounts, telephone, computer and in-person fund transfers, lending, vending certificates of deposit and savings bonds, providing financial consulting services and estate planning, and providing supplemental services such as automatic teller machines (ATMs) and credit cards, currency exchange, cashier and travelers checks, notary public services, and safe deposit box rentals. This classification includes clerical office and sales personnel.

This classification excludes establishments engaged in providing armored car or on-premises security which are to be reported separately in the applicable services classification.

6502-05 Mortgage companies; financial or investment companies, N.O.C.

Applies to establishments engaged in providing financial or investment services not covered by another classification (N.O.C.). This classification also applies to establishments engaged in extending credit in the form of mortgage loans by

originating mortgage or real estate construction loans, selling mortgage loans to permanent investors, and servicing the loans, and to establishments that offer check cashing services. This classification includes clerical office and sales personnel and staff inspectors who authorize release of funds on construction loans.

This classification excludes mortgage brokers who are to be reported separately in classifications 4904 and 6303. Mortgage brokers do not originate loans, but provide the service of finding lenders for people who need loans.

6502-06 Stock brokers

Applies to establishments engaged in brokering stocks and other related securities. Establishments subject to this classification act as agents in the buying, selling, or exchanging of securities such as, but not limited to, stocks, mutual funds, annuities, bonds and commodity contracts for their clients. Their "full-service" usually extends to financial planning advice, arranging for IRA and KEOGH accounts, money market accounts, tax free bonds, and related financial investments. This classification also includes "investment bankers" who are primarily engaged in originating, underwriting, and distributing securities, buying and selling commodity contracts for their own account or for the account of others, and buying, selling, or trading in stocks, stocks options, bonds, or commodity contracts. This classification includes clerical office and sales personnel.

6502-07 Escrow companies

Applies to establishments engaged in providing escrow and/or title search services to the general public. They may be known either as "escrow companies" or "title companies." An escrow company is a third party who holds in custody a written agreement such as a deed or bond (escrow) which does not become effective until certain conditions are fulfilled by the grantee. Title companies conduct title searches to ensure there are no liens against property; if there are no liens, they issue a title insurance policy; if there are liens they make them known to potential buyers. Establishments subject to this classification typically provide both escrow and title search services which include the issuance of title insurance, collection and disbursement of funds for which they are custodians, providing closing of documents for the purchase of real estate, and preparing and filing the documents at the appropriate municipal offices. This classification includes clerical office and sales personnel.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-716 Classification 6503.

((Labor unions or employee representative associations
This classification includes all employees including any official representatives.))

6503-00 Labor unions or employee representative associations

Applies to establishments engaged as labor unions or employee representative associations. This classification applies to the employees of the union or association itself as opposed to the members that they represent, who are employ-

ees of other businesses. These establishments act as bargaining agents for others; they maintain membership records, collect dues, and negotiate contracts. This classification includes labor union officials, business agents, organizers and other employees with combined inside and outside duties.

This classification excludes clerical office employees who may be reported separately in 4904 if the conditions of the standard exception general reporting rule are met.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-717 Classification 6504.

~~((Stores—welfare—such as Goodwill or Salvation Army
This classification includes collecting, conditioning and resale of donated used household articles.))~~

6504-00 Stores: Charitable or welfare

Applies to those employees of a charitable or welfare organization who are engaged in operating a store. Stores of this type usually deal in used merchandise such as, but not limited to, clothing, household appliances, toys, housewares, furniture, and garden tools that has been donated to the organization. Work contemplated by this classification includes, but is not limited to, the collection of donated items from locations away from the store, conditioning donated items, stocking and cleaning the store, and cashiering. Conditioning is limited to cleaning, reupholstery work, and minor repairs; it does not include major mechanical repairs or refinishing furniture.

This classification excludes establishments engaged in repairing and selling used appliances which are to be reported separately in classification 0607; and all other employees of the charitable or welfare organization not employed in the store who are to be reported separately in the classification applicable to the work performed.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-718 Classification 6505.

~~((Welfare special works program~~

~~Use of this classification will be limited to nonprofit organizations that administer special training block grant moneys which are used to provide eligible unemployable candidates work experience. "Work experience" for the purpose of this rule shall mean activities performed under direct and close supervision for a limited period of time, usually less than six months, wages or remuneration for which is paid by the referring or sponsoring organization without reimbursement from the person or entity in whose workplace the activities are performed.))~~

6505-00 Welfare special works program

Applies to certain "employees" of nonprofit establishments engaged in finding work experience for individuals

who are in need of job training or skill enhancement to make them employable or more competitive in the job market. Establishments that qualify for this classification will solicit the participation of other businesses by offering the services of one of these individuals cost-free for a limited length of time, usually less than six months. During that period the business person who has agreed to participate will supply the opportunity for work experience and the supervision of the work being performed while wages will be paid by the sponsoring organization (the establishment that qualifies for this classification). These wages come from training block grant moneys (usually a government grant) which have been provided for this purpose. State agencies, such as the employment security department, and nonprofit job counselors are typical sponsors of these programs. Work contemplated by this classification may be found in any type of work environment.

This classification excludes the permanent administrative and clerical employees of the sponsoring organization who are to be reported separately as applicable.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-719 Classification 6506.

~~((Film exchanges—commercial type movie theatre films
excluding video cassettes which are to be separately rated~~

~~Film print shops including developing and printing~~

~~Microfilming~~

~~Photograph studios including outside photographers~~

~~This classification excludes drivers who are to be reported separately in classification 1101, "delivery by combined wholesale and retail stores.")~~

6506-00 Photography studios

Applies to establishments engaged in the operation of photography studios. Photographers use a wide range of still and motion cameras; services include both sitting portraits and motion pictures of special events, and are photographed in the studio or at outside locations. Photographers may develop and print photographs in their own studio darkrooms, or they may contract out to an independent photo finishing shop. Studios may also offer services such as retouching negatives, restoration work, mounting and framing pictures, and enlarging photographs. This classification includes glamour and boudoir photography studios which often have a salon where clients have their hair styled and make-up applied. This classification also includes booths, usually located in malls, that will produce photography novelty items such as, but not limited to, cups, shirts and calendars from photographs. Photographs may be taken on location or the customer may bring a picture or negative in to have the image applied to the particular item. Video taping services performed in connection with photography studios is included in this classification.

This classification excludes delivery drivers who are to be reported separately in classification 1101; and establishments engaged in video taping services not in connection

with photography studio operations which are to be reported separately in classification 6303.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6506-01 Film processing shops

Applies to establishments engaged in processing film. Operations include, but are not limited to, processing film, reproducing negatives, prints or slides, enlarging pictures, mounting and finishing, storing and mixing chemicals, and inspecting and packaging finished products. Finishing processes may be manual or automated. These shops may offer retail type film developing services to commercial laboratories that provide mass film developing and/or one-hour processing services.

This classification excludes delivery drivers who are to be reported separately in classification 1101.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6506-02 Motion picture film exchanges

Applies to establishments engaged in the operation of motion picture film exchanges. These exchanges receive fully processed movie films from producers, which they catalogue and store for subsequent rental or sale to commercial movie theaters, television networks, or other groups. Film exchanges have a projection room where customers may view the film before they book it. When rented films are returned, they are inspected and repaired as necessary. Repair usually consists of cutting out damaged section and splicing the film with special adhesive and pressure.

This classification excludes delivery drivers who are to be reported separately in classification 1101 and video rental stores which are to be reported separately in classification 6406.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6506-03 Microfilming

Applies to establishments engaged in providing micro-filming services for others. Microfilming reproduces and preserves documents onto film in greatly reduced sizes to allow the storage of information in less space. Documents are photographed; the film is developed in automatic processing units, then stored on reels or cartridges or cut into microfiche. Establishments subject to this classification usually offer related services such as, but not limited to, advice on setting up micrographic systems, the sale or rental of supplies or equipment, storage facilities, keypunch services, film restoration, and/or the destruction of source materials.

This classification excludes drivers who are to be reported separately in classification 1101.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided

all the conditions of the general reporting rules covering standard exception employees have been met.

AMENDATORY SECTION (Amending WSR 91-12-014, filed 5/31/91, effective 7/1/91)

WAC 296-17-722 Classification 6509.

~~((Adult family homes
Boarding homes and centers, N.O.C.
Boarding houses
Foster homes
Fraternity houses
Orphanages
Rooming houses
Sorority houses.))~~

6509-04 Boarding homes and centers, N.O.C., adult family homes, rooming houses, foster homes, and orphanages

Applies to establishments engaged in providing residential and social care for children, aged, and special categories of persons who are ambulatory and for whom medical care is not a major element. This classification includes, but is not limited to, alcohol and drug rehabilitation centers, shelters for the homeless, safe houses for abused women and children, orphanages, homes for mentally, emotionally, physically, and developmentally disabled individuals, adult family homes, and group homes as well as halfway homes for delinquents and offenders. Alzheimer care facilities are also included in this classification. Work contemplated by this classification includes meal service, linen service, house-keeping and transportation. Medical care includes only the administration of drugs.

This classification excludes convalescent, assisted living, and nursing homes which are to be reported separately in classification 6108.

6509-05 Fraternity or sorority houses

Applies to establishments providing living accommodations to *only* those college and university students who are members of the fraternity or sorority. Fraternities and sororities operate as independent political, economic and social organizations within the guidelines of the college. Fraternity and sorority houses normally have all the amenities of a home-kitchen, living room, dining room, bedrooms and bathrooms. Chapter houses may also have a party room with floor space for social functions and a Chapter room which are a combination library, study, meeting and trophy room. Employments contemplated by this classification includes house directors who supervise and manage facility, cooks, helpers and facilities maintenance.

6509-07 Retirement centers

Applies to establishments engaged in operating retirement centers which cater to the elderly by offering an independent life style in a communal environment. Differing from a boarding home, a retirement center will usually offer a studio, one bedroom or two bedroom apartments as opposed to a single room. Most offer a full service dining area for all meals, exercise programs for individuals or groups, a hairdresser, gift shop, housekeeping/laundry service, a full social/activity program, security, as well as

PROPOSED

assisted living services. Assisted living services, if offered, include, but are not limited to, assistance in maintaining the resident's schedule for prescription medication, transportation for medical appointments, and 24 hour on-call emergency assistance. On-call emergency services may be provided by a full-time nurse who can assess situations and summon a doctor or ambulance as necessary.

Special note: Residents of a retirement center are capable of an independent lifestyle and do not require an on-site physician or personal care services. Businesses engaged in providing temporary or permanent residences which provide various levels of medical and personal care services such as feeding, bathing, and personal hygiene are to be reported separately in classification 6108.

NEW SECTION

WAC 296-17-72201 Classification 6510.

6510-00 Domestic servants employed in or about the private residence of a home owner

Applies to individuals employed by a home owner to provide domestic services in the home owner's private residence. This classification includes services such as, but not limited to, cooking, housekeeping, caring for children, running errands, shopping, and transporting members of the household by vehicle to appointments, after school activities, or similar activities.

This classification is subject to the provisions of RCW 51.12.020 - Employments excluded - which states in part: "The following are the only employments which shall not be included within the mandatory coverage of this title: Any person employed as a domestic servant in a private home by an employer who has less than two employees regularly employed forty or more hours a week in such employment." This classification is also subject to the provisions of RCW 51.12.110 which allows the employer to elect optional coverage for domestic servants.

This classification excludes chore services which are to be reported separately in classification 6511; domestic (residential) cleaning or janitorial services which are to be reported separately in classification 6602; and skilled or semiskilled nursing care which is to be reported separately in classification 6110.

NEW SECTION

WAC 296-17-72202 Classification 6511.

6511-00 Chore services

Applies to establishments engaged in providing chore workers/home care assistants to private individuals. The services performed by the chore workers/home care assistants include, but are not limited to, general household chores, meal planning and preparation, shopping and errands either with or without the client, personal care such as bathing, body care, dressing, and help with ambulating, as well as companionship. Frequently the recipients of service are funded by DSHS or some other community service agency; however, the services are also available to those who pay privately.

This classification excludes individuals working under a welfare special works training program who are to be reported separately in classification 6505; domestic (residential) cleaning or janitorial services which are to be reported separately in classification 6602; and skilled or semiskilled nursing care which is to be reported separately in classification 6110.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-723 Classification 6601.

((Armored car services
Crowd control services
Detective agencies
Merchant police or patrol
Security guard agencies
Security guard at logging or construction sites as allowed for in WAC 296-17-441(1).))

6601-00 Detective agencies

Applies to establishments engaged in providing investigative and related services for others. Services include, but are not limited to, investigating corporate embezzlement and fraud, employee theft, insurance fraud, missing person cases, matrimonial or child custody disputes, conducting background checks, tracking and apprehending fugitives, monitoring burglar or fire alarm systems, or provide polygraph testing or fingerprinting services. Investigative methods include checking public records, conducting interviews, surveillance, and undercover operations. As a general rule, the detective agency provides clients with a final report, which includes documentation, photographs, or videotapes.

This classification excludes establishments engaged in providing customer shoplifting surveillance within retail stores which are to be reported separately in classification 6601-01 and surveillance employees hired as direct employees of a nondetective or security agency who are to be reported separately in the classification applicable to the establishment.

6601-01 Merchant police or patrol

Applies to establishments engaged in providing security services to shopping centers, malls, business parks, banks and other businesses. Services include, but are not limited to, monitoring parking lots and garages, maintaining public security in malls, hospitals, and banks, providing surveillance for theft or shoplifting, and monitoring alarm systems.

This classification excludes detective agencies which are to be reported separately in classification 6601-00 and security guard services which are to be reported separately in classification 6601-02.

6601-02 Security guard agencies

Applies to establishments engaged in providing general security guard services for clients such as airports, commercial, industrial, residential and governmental facilities. Services include, but are not limited to, protecting persons or buildings, responding to fire or burglar alarms, protecting and/or transporting executives, providing security at strikes, and conducting electronic sweeps. The clients' security sys-

tems may be connected to a central security system of the security guard agency, where employees of the security guard agency monitor the client's systems and notify the appropriate authorities if necessary. As a general rule, security guards, do not have police powers.

This classification excludes security guards at logging sites who are to be reported separately in classification 6601-03 and security guards at construction sites who are to be reported separately in classification 6601-04 provided the conditions in the special exception section of the general rules have been met.

6601-03 Security guards at logging sites

Applies to employees of logging contractors or landowners who are employed as security guards to maintain security at logging sites by preventing, deterring and detecting crime and/or fires. Security guards subject to this classification are limited to employment at the site only during those hours that the employer is not conducting any other operations at the site and may have no other duties during their shift as security guard. This classification also applies to establishments that contract to provide security guards at logging sites.

6601-04 Security guards at construction sites

Applies to employees of construction contractors or landowners who are employed as security guards to maintain security at construction sites by preventing, deterring and detecting crime and/or fires. Security guards subject to this classification are limited to employment at the site only during those hours that the employer is not conducting any other operations at the site and may have no other duties during their shift as security guard. This classification also applies to establishments that contract to provide security guards at construction sites.

6601-05 Armored car services

Applies to establishments engaged in armored car services which transport cash or valuables for businesses such as, but not limited to, banks, supermarkets, and jewelry stores to other destinations. Also included are armored car services which collect or deposit money into or from automatic teller machines.

6601-06 Crowd control services

Applies to establishments engaged in providing crowd control services. Crowd control services is a growing field and may include, but not be limited to, crowd management at sporting events, race tracks, live concerts, rallies, conventions, rodeos, and fairs. This classification includes parking lot staff, and rule enforcement employees such as uniformed or plain clothes security guards who maintain order as well as providing personal protection.

This classification excludes theatre ushers, inside ticket takers, set up crews and stagehands who are to be reported separately in classification 4504.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-724 Classification 6602.

((Janitorial cleaning services, N.O.C.—including contract window cleaning

Janitors, N.O.C.

Pest control.—This category applies to operations involved in the control and extermination of pests by the use of pesticides, rodenticides and fumigants

Portable cleaning and washing, N.O.C.—includes auto and truck washing, recreational vehicles and mobile homes. This category will include roof cleaning and washing of single story buildings, but only if the washing is not incidental to painting or roof repair

Residential cleaning or residential janitorial services

Swimming pool cleaning

Termite control.—This category applies to operations involved in the control and extermination of termites and other wood-destroying pests or organisms by fumigation or spraying of poisonous insecticides. Does not include structural repair

Window washing services.))

6602-02 Contract window washing services

Applies to establishments engaged in contract window washing services not done in connection with a janitorial service. These establishments specialize in cleaning both interior and exterior windows in residential and commercial, single and multistory buildings.

This classification excludes establishments engaged in residential cleaning which are to be reported separately in classification 6602-04 and establishments engaged in both commercial and residential cleaning which are to be reported separately in classification 6602-03.

6602-03 Janitorial cleaning services, N.O.C.

Applies to establishments engaged in providing general interior cleaning services for commercial businesses or for combined commercial and residential customers. General cleaning services include, but are not limited to, washing, waxing, and polishing floors, vacuuming and shampooing carpets, dusting and washing walls, dusting or cleaning mirrors, cabinets, moldings, lights, hardware, sinks, tubs, commodes, and appliances, and replacing light globes, paper or linen towels. This classification includes window washing when performed by the janitorial service employees in conjunction with a general house cleaning contract, it also includes the cleaning of swimming pools, spas and hot tubs. Fire restoration, which includes cleaning smoke or water damaged buildings, drying and/or cleaning carpets and upholstered furniture, washing and polishing furniture, washing walls, washing and waxing floors, cleaning personal contents of the home or business such as linens, dishes, drapes, and other general cleaning tasks, are included in this classification.

This classification excludes establishments engaged exclusively in contract window washing services which are to be reported separately in classification 6602-02; establishments engaged in residential cleaning which are to be reported separately in classification 6602-04; and establishments that specialize in the cleaning of ceiling tiles which are to be reported separately in classification 0504.

Special note: Care should be exercised with companies specializing in fire restoration or water damage related work. These companies may be general contractors who will not only do the clean up work, but will also do repairs such as,

but not limited to, repair or replace cabinets, doors, and fixtures, patch drywall, paint, and replace windows. Construction-related tasks, when performed by a company doing the clean up work, are to be assigned the appropriate construction classification. Each contract should be reviewed to determine the proper classification assignment.

6602-04 Janitorial cleaning services - residential

Applies to establishments engaged in providing general interior janitorial cleaning or services to residential customers. General cleaning services include, but are not limited to, washing, waxing, and polishing floors, vacuuming and shampooing carpets, dusting and washing walls, dusting or cleaning mirrors, cabinets, moldings, lights, hardware, sinks, tubs, commodes, and appliances. This classification includes window cleaning when performed in connection with a general house cleaning contract.

This classification excludes establishments engaged exclusively in contract window cleaning which are to be reported separately in classification 6602-02 and establishments engaged in commercial or combined commercial and residential cleaning which are to be reported separately in 6602-03.

6602-05 Janitors, N.O.C.

Applies to the janitorial staff assigned to clean the clerical and administrative offices of establishments whose principle business undertaking is other than providing janitorial services and who are eligible to report their clerical employees in classification 4904. This classification is applicable only to janitors who clean the office area. Janitors who clean outside the office area such as a shop, warehouse, or retail store area, are excluded from this classification and are to be reported separately in the classification applicable to the employer's business.

Special note: See the special exception section of the general rules for a complete description of these requirements.

6602-08 Pest control

Applies to establishments engaged in pest control services for others. These establishments offer inspection for, and elimination of, unwanted pests in buildings and other wooden structures. Pests include, but are not limited to, termites, carpenter ants, fleas, ticks, mice, ants, cockroaches, and bees. This classification applies to all operations of elimination services such as, but not limited to, spraying liquid or aerosol pesticide, dusting with powder, setting out traps or bait, applying pesticides to the soil to creating a chemical barrier around the base of a structure, digging trenches around foundations, and drilling holes through masonry surfaces in order to pour or pump chemicals into the infected areas. Establishments may also offer inspection and certification services for customers seeking mortgage approval.

This classification excludes any structural repairs which are to be reported separately in the appropriate construction classification.

6602-10 Portable cleaning and washing, N.O.C.

Applies to establishments engaged in cleaning and washing services not otherwise classified (N.O.C.). This classification contemplates cleaning and washing, by means of por-

table spray or steam power units, machinery, equipment, automobiles, trucks, recreational vehicles, mobile homes, walk-in freezers, and shopping carts. This classification also applies to the cleaning or removal of snow from roofs, gutters or downspouts of one-story buildings.

This classification excludes establishments engaged in cleaning buildings or structures, cleaning or removing snow from roofs, gutters, and downspouts on multistory buildings, which are to be reported separately in classification 0504.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-725 Classification 6603.

~~((Auction sales, all types, excluding livestock auctions and sales yards rated in risk classification 4304 (WAC 296-17-633))~~

~~This classification includes clerical office and sales personnel.)~~

6603-00 Auction sales: Industrial or commercial equipment or machinery

Applies to establishments engaged in auction sales of industrial or commercial plant equipment or machinery such as, but not limited to, tractors, farm implements, backhoes, cranes, booms, asphalt pavers, trailers, conveyors, stone crushers, lifts, bulldozers, forklifts, dump trucks, and logging equipment. Auctions are held at the auctioneer's permanent location or at the client's place of business. Work contemplated by this classification includes, but is not limited to, picking up merchandise from clients, advertising, preparing catalog listings of items for auction, preparing the auction site, demonstrating equipment at preauction inspections, estimating values, ensuring that there is title for the goods, numbering and tagging items into lots, conducting the auction, and receiving payment from buyers and paying the consignor. This classification includes clerical office and outside sales personnel, snack bars, concession stands, and lunch counters when operated by employees of the auction company.

This classification excludes establishments engaged as equipment or machinery dealers which are to be reported separately as applicable.

6603-01 Auction or estate sales: Antiques or general household furnishings

Applies to establishments engaged in auction or estate sales of collectibles and antiques or of general household furnishings such as, but not limited to, furniture, pictures, vases, dishes, musical instruments, books, clothing, or lawn and garden furniture, ornaments, tools and equipment. Auctions are held at the auctioneer's permanent location or at the client's location. Work contemplated by this classification includes, but is not limited to, picking up merchandise from clients, advertising, preparing catalog listings of items for auction, preparing the auction site, opening boxes with razor blades and knives, moving merchandise with the use of hand carts, estimating values, ensuring that there is title for the goods, numbering and tagging items into lots, conducting the auction, and receiving payment from buyers and paying the consignor. This classification includes clerical office and

outside sales personnel, snack bars, concession stands, and lunch counters when operated by employees of the auction company.

This classification excludes establishments engaged as antique variety stores which are to be reported separately in classification 6304.

6603-02 Auction sales: Specialty merchandise

Applies to establishments engaged in auction sales of specialty merchandise such as, but not limited to, fine art, furs, collectibles, cars and trucks. Auctions are held at the auctioneer's permanent location or at the client's place of business. Depending on the value of items, these types of auctions may operate on a wholesale only basis, or for dealers or qualified buyers only. Work contemplated by this classification includes, but is not limited to, picking up merchandise from clients, advertising, preparing catalog listings of items for auction, preparing the auction site, opening boxes with razor blades and knives, moving merchandise with the use of hand carts, estimating values, ensuring that there is title for the goods, numbering and tagging items into "lots," conducting the auction, and receiving payment from buyers and paying the consignor. This classification includes clerical office and outside sales personnel, snack bars, concession stands, and lunch counters when operated by employees of the auction company.

This classification excludes establishments engaged as stores or dealers which are to be reported separately as applicable.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-726 Classification 6604.

~~((Lens manufacturing—ground and polished lenses
Optical goods manufacturing, N.O.C.
Telescope manufacturing—with lens grinding
This classification includes clerical office and sales personnel.))~~

6604-00 Lens: Manufacturing, grinding and polishing

Applies to establishments engaged in the manufacture of precision lenses for their own sales, or for other retailers such as optometrists and opticians. Glass and plastic blanks (or roughs), emery, polishing rouge are received from others. Blanks are heated, placed in molds, formed, annealed (tempered), and ground to curvature, size, gauge and thickness on grinding machines. Using precision lathes with diamond cutting tools, lenses are centered, trimmed, and beveled, then buffed, washed, and inspected. This classification also applies to the manufacture of contact lenses and artificial eyes which are usually molded from acrylics, and/or cut and polished. This classification includes clerical office and sales personnel.

This classification excludes optical dispensary stores that do no lens grinding which are to be reported separately in classification 6308 and establishments engaged in the manufacture of glass which are to be reported separately in classification 3503.

6604-01 Optical goods: Manufacturing, N.O.C.

Applies to establishments engaged in the manufacture of optical goods not covered by another classification (N.O.C.), such as, but not limited to, eye glasses, opera glasses, field glasses, goggles and telescopes. Glass and plastic blanks (or roughs), emery, polishing rouge, steel, silver and gold wire rod or tube, sheet plastic and metal are received from others. Blanks are heated, placed in molds, formed, annealed (tempered), and ground to curvature, size, gauge and thickness on grinding machines. Using precision lathes with diamond cutting tools, lenses are centered, trimmed, and beveled, then buffed, washed, and inspected. Assembly is completed by mounting the lenses into frames. This classification includes the shaping of the frames from raw materials or products may be assembled from component parts received from others. This classification includes clerical office and sales personnel.

This classification excludes optical dispensary stores that do no lens grinding which are to be reported separately in classification 6308; establishments engaged in the precision grinding of lenses or the grinding of blank lenses to curvature and size or the manufacture of contact lenses or artificial eyes, which are to be reported separately in classification 6604-00; and establishments engaged in the manufacture of glass which is to be reported separately in classification 3503.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-727 Classification 6605.

~~((Actors and performers, N.O.C.
Dance halls—all employment, N.O.C.
Musicians, N.O.C.~~

~~This classification includes actors, performers, players and musicians of theaters but excludes entertainers such as ballet, dance, gymnastics, ice dance/skate performers which are to be reported separately [in] classification 6620.))~~

6605-00 Actors and performers, N.O.C.

Applies to establishments or individuals providing performances that are not of a physical or strenuous nature, and who are not specifically covered by another classification (N.O.C.). For purposes of this classification, entertainment that is not physical or strenuous includes, but is not limited to, comedians, magicians or clowns at parties, or nightclubs. Physical or strenuous activities which are not covered by this classification include, but are not limited to, ballet, dancing, skating, gymnastics, or performing stunts.

This classification excludes actors, players, performers, entertainers, or musicians whose routines or performances are of a physical or strenuous nature who are to be reported separately in classification 6620; players, entertainers or musicians N.O.C., hired by theatres, who perform nonstrenuous routines or performances who are to be reported separately in classification 6605-03; musicians performing nonstrenuous routines or performances at dance halls who are to be reported separately in classification 6605-04; musicians, N.O.C., performing nonstrenuous routines or performances who are to be reported separately in classification 6605-01;

entertainers engaged in television or radio company operations who are to be reported separately in classification 4502; and entertainers engaged in motion picture production company operations who are to be reported separately in classification 6608.

Special note: Classifications 6620 and 6605 may be assigned to a single establishment provided the establishment maintains accurate records which distinguishes actors and performers whose routines are of a physical and strenuous nature, from the routines which are not physical or strenuous. Care should be exercised when assigning this classification as the actors and performers may be exempt from coverage as specified in RCW 51.12.020(9).

6605-01 Musicians, N.O.C.

Applies to establishments or individuals engaged as musicians whose entertainment is not of a physical or strenuous nature, and who are not specifically covered by another classification (N.O.C.). For purposes of this classification, entertainment that is not physical or strenuous includes disk jockeys or members of a musical band playing at nightclubs, concerts, or other events, as well as members of the entertainer's road crew who set up or disassemble musical equipment or sound systems. Physical or strenuous activities which are not covered by this classification include, but are not limited to, ballet, dancing, skating, gymnastics or performing stunts.

This classification excludes actors, players, performers, entertainers or musicians whose routines or performances are of a physical or strenuous nature who are to be reported separately in classification 6620; players, entertainers or musicians hired by theatres performing nonstrenuous routines or performances who are to be reported separately in classification 6605-03; actors or performers performing nonstrenuous routines or performances who are to be reported separately in classification 6605-00; musicians performing nonstrenuous routines or performances at dance halls who are to be reported separately in classification 6605-04; entertainers engaged in television or radio company operations who are to be reported separately in classification 4502 and entertainers engaged in motion picture production company operations who are to be reported separately in classification 6608.

Special note: Classifications 6620 and 6605 may be assigned to a single establishment provided the establishment maintains accurate records which distinguishes musicians whose routines are of a physical and strenuous nature, from the routines which are not physical or strenuous. Care should be exercised when assigning this classification as the musician may be exempt from coverage as specified in RCW 51.12.020(9).

6605-03 Players, entertainers and musicians hired by a theatre, N.O.C.

Applies to establishments or individuals engaged as players, entertainers, and musicians who are hired by theatres to provide entertainment of a nonphysical or strenuous nature, and who are not covered by another classification (N.O.C.). For purposes of this classification, entertainment that is not physical or strenuous includes players, entertainers, and musicians in theatrical productions such as plays, programs, or operas. Physical or strenuous activities which

are not covered by this classification include, but are not limited to, ballet, dancing, skating, gymnastics, or performing stunts.

This classification excludes actors, players, performers, entertainers or musicians whose routines or performances are of a physical or strenuous nature who are to be reported separately in classification 6620; actors and performers performing non strenuous routines or performances who are to be reported separately in classification 6605-00; musicians, N.O.C. performing nonstrenuous routines or performances who are to be reported separately in classification 6605-01; entertainers engaged in television or radio company operations who are to be reported separately in classification 4502; and entertainers engaged in motion picture production company operations who are to be reported separately in classification 6608.

Special note: Classifications 6620 and 6605 may be assigned to a single establishment provided the establishment maintains accurate records which distinguishes players, entertainers and musicians whose routines are of a physical and strenuous nature, from the routines which are not physical or strenuous. Care should be exercised when assigning this classification as the players, entertainers and musician hired by a theatre may be exempt from coverage as specified in RCW 51.12.020(9).

6605-04 Dance halls, N.O.C.

Applies to establishments engaged in operating dance halls that are not covered by another classification (N.O.C.). Establishments contemplated by this classification may provide only the dance hall facility, or may also provide disc jockey services or live musicians, singers, and/or dancers. Some charge a cover charge; some will allow customers to bring their own beverages and/or snacks. This classification applies to all employees including, but not limited to, bouncers, security personnel, attendants, and food and beverage servers.

This classification excludes entertainers or musicians whose routines or performances are of a physical or strenuous nature who are to be reported separately in classification 6620; and lounges or restaurants that provide entertainment for customers which are to be reported separately in classification 3905.

Special note: Care should be exercised when assigning this classification as the entertainers or musicians may be exempt from coverage as specified in RCW 51.12.020(9).

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-729 Classification 6607.

(Billiard halls

Card rooms and bingo parlors

Recreational, social and community centers, N.O.C.

This classification includes food and beverage operations.))

6607-00 Card rooms; bingo parlors or casinos

Applies to establishments engaged in operating card rooms, bingo parlors, or casinos. To qualify for this classification, card rooms must be run as a separate operation when located in a tavern or Class H restaurant. If the food and bev-

erage service is provided by the tavern or restaurant for the convenience of the card room operation, then the waiters/waitresses are to be reported separately in the appropriate tavern or restaurant classification. This classification includes employments such as, but not limited to, dealers, security floor managers, janitorial and maintenance staff, and food and beverage operations. Bingo parlors and casinos are usually operated by Native American tribal organizations or by nonprofit organizations to raise funds for charity. This classification applies to any workers these organizations employ to operate bingo or casino games. Typical employments include, but are not limited to, game attendants and helpers, money collectors, callers, card dealers, janitorial and maintenance staff, and food and beverage operations.

Special note: Coverage for Native American tribes conducting a bingo operation is subject to jurisdictional policy.

6607-01 Billiard or pool halls

Applies to establishments engaged in operating billiard or pool halls. This classification could apply to the operation of a billiard or pool hall in connection with another enterprise, such as a bowling alley or skating rink, but only if it is conducted as a separate and distinct operation. This classification includes, but is not limited to, counter personnel who collect money for the rental of billiard and pool equipment, rackets, food and beverage operations, and janitorial and maintenance staff.

This classification excludes clerical office and outside sales personnel who may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met; billiard or pool tables that are provided as part of a bowling center, tavern, or restaurant operation which are to be reported separately in the applicable classification.

6607-02 Recreational, social or community centers, N.O.C.

Applies to establishments engaged in operating recreational, social or community centers not covered by another classification (N.O.C.) such as, but not limited to, senior centers, community centers for minors, and adult social establishments. These organizations may target a particular age or cultural group. Organizations may provide educational workshops, social interaction, drug prevention programs, crafts and limited physical recreational activities. This classification includes food or beverage operations provided by the center. Organizations in classification 6607 do not require membership fees as opposed to clubs in classification 6205 that charge a fee for membership.

This classification excludes YMCA's and boy/girls clubs which are to be reported separately in classification 6203; health clubs and gymnasiums which are to be reported separately in classification 6204; clubs, N.O.C. such as fraternal organizations which are to be reported separately in classification 6205, and municipal community centers which are to be reported separately in the applicable classification.

6607-03 Indoor playgrounds

Applies to establishments that provide indoor entertainment centers for children. Generally these operations include a playground area consisting of interconnecting tubes, lad-

ders, slides, ball bins, roller slides, and water and/or air beds. The equipment is typically made of plastic, rubber, and/or plexi-glass. Video games may also be available on the premises but generally they are maintained by the game vendor. Typical duties of the employees include, but are not limited to, selling tickets, supervising the playground area, facilitating parties, snack bar operations and light cleaning such as dusting the tubes, vacuuming and cleaning the snack area. The more involved janitorial duties are usually contracted out to a private janitorial firm. Included in this classification is child day care service whereby parents can leave children at the playground for a specific period of time. This service usually places limitations on the time a child may be left at the center.

This classification excludes child day care services not part of an indoor playground operations which are to be reported separately in classifications 6103 and 6104; amusement parks, permanently located kiddie rides, and establishments which provide adult or family sports entertainment, which may include batting cages and miniature golf, which are to be reported separately in classification 6208; and establishments engaged in providing gymnastic training to children which are to be reported separately in classification 6204.

Special note: Normally establishments in this classification do not employ workers who are engaged exclusively in clerical office or sales. However, separate classifications could be assigned provided all the conditions of the general reporting rules covering standard exception employees have been met.

6607-04 Indoor simulated golfing

Applies to establishments engaged in providing computer simulated indoor golf facilities to the public. The operation consists of separate cubicles which house a computer simulated screen and a play area. Customers select a particular course from a list of available courses which are generally exact replicas of famous courses throughout the world. The player hits a golf ball against a canvas screen inside the cubicle; a computer measures the speed and direction of the ball and simulates the shot so the player can view the results on the screen. Facilities may provide a small putting area, a snack area with limited seating, and/or the sale of golf shirts and memorabilia. Typical duties of the workers include monitoring facilities, setting up computers and collecting the admission price, selling memorabilia, food and beverage operations, and light janitorial work.

This classification excludes miniature golf courses and driving ranges which are reported separately in classification 6208.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-730 Classification 6608.

~~((Motion picture production~~

~~This classification includes clerical office and sales personnel.))~~

6608-00 Motion picture production

Applies to establishments engaged in the production of motion pictures. Elaborate sets are often constructed at the production sites and filmed with cameras mounted on large booms. This classification includes all employment such as, but not limited to, staff who design and construct the sets, actors and entertainers, stunt personnel, camera and lighting personnel, musicians, writers, costume designers, make-up artists, film editing, directors, producers, sales personnel, and clerical office employees.

This classification excludes video taping or production work conducted in a studio or on location for a television broadcasting company which is to be reported separately in classification 4502.

AMENDATORY SECTION (Amending Order 89-07, filed 7/20/89, effective 8/20/89)

WAC 296-17-73105 Classification 6614.

~~((Parimutuel horse racing: All other employees, N.O.C. - Major tracks~~

~~This classification is limited in scope to employees of trainers and/or owners who come under the jurisdiction of the Washington horse racing commission, and who become licensed subject to the Washington horse racing commission's rules or regulations. This classification covers all on or off track employments of employers subject to this classification, such as: Assistant trainers, pony riders, and exercise riders; but excludes grooms which are to be reported separately in classification 6615. For purposes of this rule, jockeys will be considered exercise riders when employed by a trainer and/or owner at a time other than during the dates of a scheduled race meet. A meet, as used in this section, shall be for the duration of the racing season as set for each track by the Washington state horse racing commission.))~~

6614-00 Parimutuel horse racing: All other employees, N.O.C. - major tracks

(to be assigned only by the horse racing underwriter)

Applies to licensed employees of licensed horse trainers and/or horse owners who conduct business at a major parimutuel horse racing track. These tracks are currently Yakima Meadows in Yakima, Playfair in Spokane and Emerald Downs in Auburn. This classification applies to on and off track employees such as assistant trainers, pony riders and exercise riders. Jockeys are considered exercise riders when employed by a trainer and/or owner at a time other than during a scheduled race meet. The dates of a race meet are set for each track by the Washington horse racing commission. Coverage provided in this classification is funded by premiums collected at the time of licensing. Trainers premiums are collected on a per license basis.

This classification excludes licensed grooms working at major tracks who are to be reported separately in classification 6615; unlicensed employees who work only on a farm or ranch who are to be reported separately in classification 7302; and assistant trainers, pony riders and exercise riders working at a fair or bush track who are to be reported separately in classification 6616.

Special note: All employees working at a major track must be licensed by the Washington state horse racing commission.

AMENDATORY SECTION (Amending Order 89-07, filed 7/20/89, effective 8/20/89)

WAC 296-17-73106 Classification 6615.

~~((Parimutuel horse racing: Grooms - Major tracks~~

~~This classification is limited in scope to individuals licensed as grooms by the Washington horse racing commission who are employed by a trainer and/or owner who come under the jurisdiction of and are licensed by the Washington horse racing commission. This classification covers all on or off track activities of grooms employed at major tracks. Employment activities performed by grooms at a fair or bush track are to be reported separately in classification 6617.))~~

6615-00 Parimutuel horse racing: Grooms - major tracks (to be assigned only by the horse racing underwriter)

Applies to licensed grooms performing services for licensed horse trainers who conduct business at a major parimutuel horse racing track. The major tracks are currently Yakima Meadows in Yakima, Playfair in Spokane and Emerald Downs in Auburn. This classification includes all on or off track duties of a licensed groom such as, but not limited to, cleaning or mucking horses stalls, feeding, and bathing the horses. For workers' compensation purposes, a groom is considered to be an employee of the trainer who provided the required signature on the grooms application for a license. Coverage provided in this classification is funded by the premiums collected from the trainer at the time of licensing.

This classification excludes licensed grooms working at a fair or bush track who are to be reported separately in classification 6617.

Special note: All employees working at a major track must be licensed by the Washington state horse racing commission.

AMENDATORY SECTION (Amending Order 89-07, filed 7/20/89, effective 8/20/89)

WAC 296-17-73107 Classification 6616.

~~((Parimutuel horse racing: All other employees, N.O.C. - Fair meets or bush tracks~~

~~This classification is limited in scope to employees of trainers and/or owners who come under the jurisdiction of the Washington horse racing commission, and who become licensed subject to the Washington horse racing commission's rules or regulations. This classification covers all on or off track employments of employers subject to this classification, such as: Assistant trainers, pony riders, and exercise riders; but excludes grooms which are to be reported separately in classification 6617. For purposes of this rule, jockeys will be considered exercise riders when employed by a trainer and/or owner at a time other than during the dates of a scheduled race meet. A meet, as used in this section, shall be for the duration of the race~~

ing season as set for each track by the Washington state horse racing commission.))

6616-00 Parimutuel horse racing: All other employees, N.O.C. - fair meets or bush tracks

(to be assigned only by the horse racing underwriter)

Applies to licensed employees of licensed horse trainers and/or horse owners who conduct business at a fair meet or bush track. This classification applies to on or off track employees such as assistant trainers, pony riders, and exercise riders. Jockeys will be considered exercise riders when employed by a trainer and/or owner at a time other than during a scheduled race meet. The dates of a race meet are set for each track by the Washington state horse racing commission. Coverage provided in this classification is funded by premiums collected at the time of licensing. Trainer premiums are collected on a per license basis.

This classification excludes assistant trainers, pony riders and exercise riders working at a major track who are to be reported separately in classification 6614; grooms working at a major track who are to be reported separately in classification 6615 and grooms working at a fair or bush track who are to be reported separately in classification 6617.

Special note: All employees working at a fair or bush track must be licensed by the Washington state horse racing commission.

AMENDATORY SECTION (Amending Order 89-07, filed 7/20/89, effective 8/20/89)

WAC 296-17-73108 Classification 6617.

~~((Parimutuel horse racing: Grooms - Fair meets or bush tracks~~

~~This classification is limited in scope to individuals licensed as grooms by the Washington horse racing commission who are employed by a trainer and/or owner who come under the jurisdiction of and are licensed by the Washington horse racing commission. This classification covers all on or off track activities of grooms employed at a bush track or fair meet. Employment activities performed by grooms at a major track are to be reported separately in classification 6615.))~~

6617-00 Parimutuel horse racing: Grooms - fair meets or bush tracks

(to be assigned only by the horse racing underwriter)

Applies to licensed grooms performing services for licensed horse trainers who conduct business at a fair meet or bush track. This classification includes all on or off track duties of a licensed groom such as, but not limited to, cleaning or mucking horse stalls, feeding, and bathing the horses. For workers' compensation purposes, a groom is considered to be an employee of the trainer who provided the required signature on the grooms application for a license. Coverage provided in this classification is funded by the premiums collected from the trainer at the time of licensing.

This classification excludes grooms working at a major track who are to be reported separately in classification 6615; assistant trainers, pony riders and exercise riders working at major tracks who are to be reported separately in classification 6614; and assistant trainers, pony riders and exercise rid-

ers working at fair meets or bush tracks who are to be reported separately in classification 6616.

Special note: All employees working at a fair meet or bush track must be licensed by the Washington state horse racing commission.

6618-00 Parimutuel horse racing: Special horse racing account(used only by horse racing underwriter)

This classification is *not* to be assigned to any account; no claims are to be charged to it. This classification is *solely* for the collection of fees assessed on horse owner licenses. The horse racing commission collects the fees from horse owners and deposits the money into the special horse racing account to help fund workers' compensation coverage for injured workers. (Payment of this fee is mandatory, but does not extend coverage to owners. Owners may apply for individual coverage.) The owners' fees are based on the percentage of a horse or horses they own, up to a maximum of \$150.00.

AMENDATORY SECTION (Amending WSR 94-24-007, filed 11/28/94, effective 1/1/95)

WAC 296-17-73111 Classification 6620.

~~((Entertainers, N.O.C.~~

~~This classification covers entertainers whose routines and performances are of a physical nature such as but not limited to ballet, dance, gymnastics, and ice dance/skate performers.))~~

6620-00 Entertainers, N.O.C.

Applies to establishments or individuals providing entertainment of a strenuous nature for a fee, donation or free of charge. For classification purposes, strenuous entertainment includes activities such as, but not limited to, ballet, dancing, skating, gymnastics, or performing stunts.

This classification excludes actors, players, performers, entertainers, or musicians whose routines or performances are not of a physical or strenuous nature who are to be reported separately in classification 6605.

Special note: Classifications 6620 and 6605 may be assigned to a single establishment provided the establishment maintains accurate records which distinguishes entertainers whose routines are of a physical and strenuous nature, from the routines which are not physical or strenuous. Care should be exercised when assigning this classification as the entertainers may be exempt from coverage as specified in RCW 51.12.020(9).

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-735 Classification 6704.

~~((Parking lot operations including attendants or monitors.))~~

6704-00 Parking lot operations

Applies to establishments engaged in operating parking lots for the temporary parking of customer vehicles in uncovered spaces. Work contemplated by this classification includes, but is not limited to, checking customers in and out, collecting fees, parking customers vehicles at check-in and

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returning them to customer upon check-out, patrolling and monitoring the area for security purposes, and providing shuttle service in connection with parking lot operations. Parking lot operations subject to this classification do not provide service to the automobiles.

This classification excludes parking/storage garages which are to be reported separately in classification 3406.

AMENDATORY SECTION (Amending Order 88-06, filed 5/31/88, effective 7/1/88)

WAC 296-17-736 Classification 6705.

~~((Excursions— outdoor recreational N.O.C., includes river rides, pack trains, hiking and mountaineering, and including camping operations incidental thereto~~

~~Ski facilities— includes all operations incidental to the operation of the skiing facility such as ski tows parking lots but excludes food service operations, hotel or motel operations, ski rental or ski sales shops~~

~~Ski instructors and ski patrols~~

~~Wind sail board instructors:))~~

6705-00 Ski facilities

Applies to establishments engaged in operating facilities for all types of skiing such as downhill or cross country. Work contemplated by this classification includes, but is not limited to, parking attendants, operation of artificial snow making machines, ski tows and lifts, ski patrols, ski instruction, conducting excursions, trail grooming, and snow compacting when performed by employees of an employer subject to this classification. This classification also applies to establishments that operate facilities for other similar recreational activities such as snow tubing, windboard sailing, and snowmobiling.

This classification excludes ski rental and sales operations which are to be reported separately in classification 6309; overnight lodging facilities which are to be reported separately in classification 4905; food and beverage services which are to be reported separately in classification 3905; ski instructors who are to be reported separately in classification 6705-04 and ticket sales and collection personnel who work exclusively in an office environment or ticket sales booth and have no other duties in or about the employer's premises who may be reported separately in classification 4904.

6705-03 Excursions - outdoor recreational, N.O.C.

Applies to establishments engaged in providing outdoor recreational excursions and guide services that are not covered by another classification (N.O.C.). Outdoor excursions include, but are not limited to, fishing, hunting, hiking, horse-back riding, backpacking, mountain climbing, camping, river rides, white water rafting, and teaching survival skills. Employees of employers subject to this classification will routinely include course instructors and guides who conduct excursions. Work contemplated by this classification may include, but not be limited to, accompanying customers on excursions, teaching first aid, survival skills, hygiene, navigation and other courses in connection with outdoor activities, and maintaining equipment.

This classification excludes snow skiing excursions or wind board sailing instruction which are to be reported separately in classification 6705-04.

6705-04 Ski instructors

Applies to establishments who are engaged in providing instruction only in snow/water skiing, surf boarding, sailing and wind sail boarding. Work contemplated by this classification includes, but is not limited to, providing appropriate equipment (skis, snowboards, canoes, etc.) maintaining the equipment, and teaching the technique. This classification excludes establishments that provide the full scope of ski resort services, with or without ski instructors, which are to be reported separately in classification 6705-00 subject to all appropriate exclusions, and the operation of any other full service resort or campground, with or without instructors, which is to be reported separately as applicable.

6705-05 Ski patrols

Applies to establishments engaged in providing ski patrolling services only. Work contemplated by this classification includes, but is not limited to, routine surveillance of a ski facility to ensure safe conditions and sufficient snow cover, encouraging safe use of the facility by patrons, and conducting search and rescue for lost or injured skiers either by contract with a ski resort or on an on-call basis in an emergency. This classification excludes establishments that provide the full scope of ski resort services, with or without a ski patrol, which are to be reported separately in classification 6705-00.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-737 Classification 6706.

~~((Athletic teams— operation of premises and care of teams
All employees other than players, umpires, coaches and managers:))~~

6706-01 Athletic teams: Care of teams and equipment, operation of premises

Applies to employees of athletic teams who are engaged in the care of the team, its equipment, playing field/stadium/arena, and the operation of the premises it owns/leases to house their organization. Work contemplated by this classification includes, but is not limited to, trainers, laundry workers, janitors, stadium lighting and sound, ushers, security, parking attendants, and maintenance of a clubhouse/locker room and grounds when performed by employees of an employer subject to this classification.

This classification excludes players, coaches, managers, referees, and umpires who are to be reported separately in classifications 6707, 6809, or 7102 as applicable; management and maintenance of the stadium/arena by an owner or contractor which is to be reported separately in classification 4910; and ticket sales and ticket takers who work exclusively in an office environment, ticket sales booth or entrances and have no other duties in or about the employer's premises who may be reported separately in classification 4904.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-738 Classification 6707.

~~((Football teams, N.O.C.
Hockey teams~~

~~Roller derbies~~

~~Contact sports, N.O.C.~~

~~This classification applies to professional contact sports and includes umpires, referees, coaches and managers.))~~

6707-00 Football teams, N.O.C.

Contact sports, N.O.C.

Applies to players, coaches, referees, and managers employed by a professional football team that is not a member of the National Football League (NFL) and professional wrestlers, roller derbies, and professional martial arts competitors and their managers, coaches and referees.

This classification excludes employees engaged in caring for the team and equipment, the care and operation of the playing field/stadium and care of the facility in which the team organization is housed who are to be reported separately in classification 6706, and officials of community or school amateur sporting events are to be reported separately in classification 6103.

Special note: Teams that are members of the NFL, including players, coaches, referees, and managers, are to be reported separately in classification 7102.

6707-01 Hockey teams

Applies to players, coaches, referees, and managers employed by a professional hockey team.

This classification excludes employees engaged in caring for the team and equipment, the care and operation of the arena/stadium, and care of the facility in which the team organization is housed who are to be reported separately in classification 6706 and officials of community or school amateur sporting events are to be reported separately in classification 6103.

AMENDATORY SECTION (Amending Order 87-26, filed 12/1/87, effective 1/1/88)

WAC 296-17-739 Classification 6708.

~~((Jockeys~~

~~Professional racing drivers.))~~

6708-01 Jockeys

Applies to jockeys riding horses in a race, or working with the horses in any way, during the dates of a scheduled race meet. Coverage during a race meet is through election of optional coverage and is to be reported at ten hours per mount per race or ten hours per day if not riding in a race. Coverage outside the dates of a race meet is mandatory. Jockeys will be considered exercise riders when employed by a trainer and/or owner at a time other than during the dates of a scheduled race meet and are then reportable in classification 6614, 6616, or 7302 as appropriate to their job duties.

6708-02 Professional motor vehicle or watercraft race drivers

Applies to professional motor vehicle/water craft race drivers during a competition. Coverage during a competition is mandatory and is subject to a division of hours as provided in the general exclusion section of the general reporting rules.

When not driving during competition, hours worked are reportable as appropriate to the work being performed; maintenance of a racing motor vehicle and/or pit crew operations which is to be reported separately in classification 3411; assembly of a racing motor vehicle which is to be reported separately in classification 3402; maintenance of a racing water craft and/or pit crew operations which is to be reported separately in classification 3414; assembly of a racing water craft which is to be reported separately in classification 2903, 3404 or 3511 as appropriate; and any other work usually done for this employer which is to be reported separately as appropriate to the employees usual job duties.

This classification excludes piloting an aircraft in a race which is to be reported separately in classification 6803 for a plane or 6801 for a hot air balloon.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-740 Classification 6709.

~~((Sheltered workshops~~

~~This classification includes clerical office and sales personnel.))~~

6709-00 Sheltered workshops

Applies to the developmentally disabled persons who are enrolled as employees of sheltered workshops. Classification 6709-00 applies regardless of the type of work performed. This classification also applies to all staff who operate sheltered workshops, even if the sheltered workshop also operates a work activity center, and to all staff who operate work activity centers. Sheltered workshops are nonprofit organizations licensed by the Department of Social and Health Services to provide a rehabilitation program for persons whose productive capacities are impaired by physical or mental deficiencies. These workshops provide productive employment to persons who have reached an optimum level of functioning, but cannot realistically compete in the open job market. Workers can be paid less than the minimum wage for their work, but it must be at least fifty percent of the current minimum wage.

This classification excludes developmentally disabled employees enrolled in work activity centers who are to be reported separately in classification 7309.

Special note: Sheltered workshops may also operate a work activity center at the same location. Work activity centers differ from sheltered workshops in the severity of the impairments of the participants. Sheltered workshop participants are functional in daily routines despite their impairment. Work activity center participants are generally non-functional in daily routines and must be taught activities such as making beds, cooking, using public transportation, and caring for their personal needs as well as job skills.

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AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-741 Classification 6801.

~~((Airlines, scheduled—all members of the flying crew
Hot air balloon—flight crew-))~~

6801-00 Scheduled airlines - flight crews

Applies to members of flight crews employed by establishments operating scheduled airlines. A scheduled airline will have published fares, definite dates, routes, and times for plane departures and arrivals. Flight crews include, but are not limited to, pilots, co-pilots, navigators and flight attendants.

This classification excludes ground crew operations and ticket sellers who handle baggage who are to be reported separately in classification 6802 and clerical, information, reservation clerks and ticket sellers with no other duties who may be reported separately in classification 4904.

6801-01 Hot air balloon - flight crew

Applies to members of flight crews employed by establishments operating hot air balloon rides.

This classification excludes ground crew operations which are to be reported separately in classification 6802.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-742 Classification 6802.

~~((Airlines, scheduled—ground crew operations
Hot air balloon—ground crew operations
This classification includes ticket-sellers who handle baggage-))~~

6802-00 Airlines, scheduled - ground crew operations

Applies to all ground crew employees of establishments operating scheduled airlines. A scheduled airline will have published fares, definite dates, routes, and times for plane departures and arrivals. Ground crew operations include, but are not limited to, all baggage handlers, ticket sellers who handle baggage and maintenance of the aircraft.

This classification excludes members of the flight crew who are to be reported separately in classification 6801 and ticket sellers, information and reservation clerks and clerical personnel with no other duties who may be reported separately in classification 4904.

6802-01 Hot air balloon - ground crew operations

Applies to ground crew operations of establishments operating hot air balloon rides. Duties include but are not limited to preparing the balloon for flight, hooking the gondola to the balloon and handling the tether lines.

This classification excludes members of the flying crew who are to be reported separately in classification 6801.

AMENDATORY SECTION (Amending Order 87-26, filed 12/1/87, effective 1/1/88)

WAC 296-17-743 Classification 6803.

~~((Aircraft operations, N.O.C.—all members of the flying crew
Flight instruction~~

~~Private aircraft—transportation of personnel in connection with the employer's business. The rule governing standard exceptions does not apply here
Nonscheduled airlines—flight crew members-))~~

6803-01 Flight instruction

Applies to flight instructors employed by establishments who provide flight instruction services. This classification applies only to the pilot operating or overseeing the aircraft during the flight lesson. This classification excludes classroom flight instruction which is to be reported separately in classification 6103 and ground crew operations which are to be reported separately in classification 6804.

6803-02 Private aircraft - transportation of personnel in connection with the employer's business

Applies to members of a flight crew who operate private aircraft owned by a business and used for the transportation of company personnel in connection with the company's business. Aircraft operation is subject to the general exclusion section of the general rules which allows all other hours worked by these same personnel to be reported separately in the applicable classification.

This classification excludes ground crew operations which are to be reported separately in classification 6804.

6803-04 Aircraft operations, N.O.C. and nonscheduled airlines - flight crews

Applies to members of the flight crew for aircraft operations not covered by another classification (N.O.C.) and flight crews employed by an employer operating a nonscheduled airline. Nonscheduled airlines, such as a charter service, do not have definite dates, routes, and times for departures and arrivals but make their services available to the public as needed. Operations not covered by another classification could include, but not be limited to, an aircraft used for sky-writing/advertising, helicopter-assisted hoisting of large or heavy objects in connection with construction projects and helicopter-assisted removal of logs from a logging site.

This classification excludes ground crew operations which are to be reported separately in classification 6804; establishments engaged in aerial spraying, seeding, crop dusting, and fire fighting which are to be reported separately in classification 6903; ground crews of a helicopter logging operation which are to be reported separately in classification 5001; and clerical and ticket sellers with no other duties which may be reported separately in classification 4904.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-744 Classification 6804.

~~((Aircraft companies, sales or service agencies—including aircraft sales personnel~~

~~Aircraft ground crew operations, N.O.C.~~

~~Airport operations~~

~~Aircraft remanufacturing and/or rebuilding including modifications, conversions and repairs by firms not engaged in the original manufacturing of such aircraft~~

~~Nonscheduled airlines—ground crew operations including ticket sellers who handle baggage-))~~

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6804-00 Airport operations

Applies to establishments engaged in operating airports. This classification includes work such as, but not limited to, control tower operations, information clerks located at the airport, baggage handlers who load/unload planes, maintenance and janitorial personnel, porters (skycaps), security personnel, fuel attendants and fire department personnel.

This classification excludes clerical personnel and ticket sellers with no other duties who may be reported separately in classification 4904.

6804-01 Aircraft ground crew operations, N.O.C.

Applies to ground crew operations of employers with aircraft operations not covered by another classification (N.O.C.). This classification includes work such as, but not limited to, baggage/cargo handlers, mechanics, fuel handlers, and ticket sellers who also handle baggage.

This classification excludes all members of the flying crew who are to be reported separately in classification 6803 and clerical and ticket sellers with no other duties who may be reported separately in classification 4904.

6804-02 Aircraft companies, sales or service agencies - including aircraft sales personnel

Applies to establishments engaged as aircraft sales, rental or service agencies. This classification includes work such as, but not limited to, aircraft mechanical work, fueling aircraft, repair of electronic equipment in the airplane and personnel engaged in the sales/rental of aircraft including the routine preparation and maintenance.

This classification excludes in-flight demonstration of aircraft which is to be reported separately in classification 6803.

6804-03 Airlines, nonscheduled - ground crew operations

Applies to all ground crew employees of establishments operating nonscheduled airlines. Ground crew operations include, but are not limited to, all baggage handlers, ticket sellers who handle baggage and maintenance of the aircraft.

This classification excludes members of the flight crew who are to be reported separately in classification 6803 and clerical and ticket sellers with no other duties who may be reported separately in classification 4904.

6804-04 Aircraft: Remanufacture, rebuild, modification, conversion, or repair

Applies to establishments engaged in remanufacturing, rebuilding, modifying, converting or repairing aircraft, such as airplanes and helicopters, but that are not the original manufacture of the aircraft. These types of businesses are usually located adjacent to airports. Remanufacturing or rebuilding usually consists of taking a plane apart and replacing parts such as, but not limited to, exterior sheet metal, the frame, engines, windshields, landing gears and remodeling the inside of the aircraft. Modifying or converting an aircraft includes, but is not limited to, installation of conversion kits which convert an aircraft from gas power to turbine power, installation of larger fuel tanks to increase the range of the aircraft, and installation of more efficient engines. This classification includes the fabrication of component parts when performed by an employer subject to this classification, and the assembly of aircraft kits for a customer.

This classification excludes establishments engaged in the original manufacture of the aircraft and establishments engaged in the manufacture of aircraft component parts which are to be reported separately in the applicable classification, and all flight testing of the aircraft which is to be reported separately in classification 6803.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-745 Classification 6809.

((Baseball teams

Basketball teams

Soccer teams

Noncontact sports, N.O.C.

This classification applies to professional noncontact sports and includes umpires, referees, coaches and managers.))

6809-00 Baseball teams - professional

Applies to players, umpires, coaches, and managers employed by a professional baseball team.

This classification excludes employees engaged in caring for the team and equipment, the care and operation of the playing field/stadium, and care of the facility in which the team organization is housed who are to be reported separately in classification 6706 and officials of community or school amateur sporting events who are to be reported separately in classification 6103.

6809-01 Basketball teams - professional

Applies to players, coaches, managers, and referees employed by a professional basketball team.

This classification excludes employees engaged in caring for the team and equipment, the care and operation of the arena/stadium, and care of the facility in which the team organization is housed who are to be reported separately in classification 6706 and officials of community or school amateur sporting events who are to be reported separately in classification 6103.

6809-02 Soccer teams - professional

Noncontact sports, N.O.C.

Applies to players, coaches, managers, and referees employed by a professional soccer team or noncontact sports teams that are not covered by another classification (N.O.C.).

This classification excludes employees engaged in caring for the team and equipment, the care and operation of the playing fields/stadium, and care of the facility in which the team organization is housed who are to be reported separately in classification 6706 and officials of community or school amateur sporting events who are to be reported separately in classification 6103.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-746 Classification 6901.

((Volunteers

This classification includes all volunteers performing services for any state agency, municipal corporation, politi-

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cal subdivision, or private nonprofit charitable organization

This classification excludes volunteer law enforcement officers which are to be reported separately.)

6901-00 Volunteers

Applies to the medical aid coverage for volunteers of state agencies, municipal corporations, political subdivisions, or private nonprofit charitable organizations. Medical aid coverage is *mandatory* for volunteers of state agencies. Medical aid coverage is *optional* for volunteers of city, county, town, special district, municipal corporations, political subdivisions, or nonprofit charitable organizations.

This classification excludes student volunteers of private sector employers who are to be reported separately in classification 6901-01; volunteer law enforcement officers of cities, towns, counties and taxing districts for whom medical aid only coverage has been elected who are to be reported separately in classification 6906; and volunteer law enforcement officers of cities, towns, counties, or Native American tribal councils for whom full coverage has been elected who are to be reported separately in classification 6905.

Special note: To elect coverage for volunteers, employers or charitable organizations must submit a completed Application for Optional Coverage to the department. Conditions of coverage are outlined on the application. State Fund workers' compensation is not provided to volunteer firemen covered by chapter 41.24 RCW and emergency services workers covered by chapter 38.52 RCW.

6901-01 Student volunteers

Applies to the medical aid coverage for student volunteers. Medical aid coverage is *optional* for student volunteers. A student volunteer is defined as a student who is enrolled in a public school (kindergarten level through grade 12), is participating as a volunteer in a program authorized or sponsored by the public school to provide work-based learning experiences, and who receives no wages for their volunteer services. Maintenance and reimbursement for actual expenses incurred in performing assigned duties are not considered wages. This classification excludes volunteer workers for state agencies, local government agencies and private nonprofit charitable organizations who are to be reported separately in classification 6901-00; volunteer law enforcement officers of cities, towns, counties and taxing districts for whom medical aid only coverage has been elected who are to be reported separately in classification 6906; and volunteer law enforcement officers of cities, towns, counties, or Native American tribal councils for whom full coverage has been elected who are to be reported separately in classification 6905.

Special note: To elect coverage for student volunteers, employers or charitable organizations must submit a completed Application for Optional Coverage to the department. Conditions of coverage are outlined on the application. State Fund workers' compensation is not provided to volunteer firemen covered by chapter 41.24 RCW and emergency services workers covered by chapter 38.52 RCW.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-747 Classification 6902.

~~(Logging railroad construction or maintenance~~

~~Logging road construction or maintenance~~

~~For the purposes of this rule logging roads are roads for which the basic use is for the transporting of logs by truck. This classification includes roads constructed on public or private lands in connection with timber sales or logging, such as roads being constructed in accordance with the state department of natural resources or the United States Forest Service timber sales. Roads constructed subject to this classification are comprised of dirt and/or crushed rock. Operations covered include grading, grubbing, clearing of right-of-way including culverts and bridges; but excludes falling, bucking of right-of-way timber or any of the other logging activities as enumerated in classification 5001 (WAC 296-17-659)~~

~~This classification excludes the construction of asphalt or concrete type roads which are to be reported separately in classifications 0210 "asphalt paving or repaving" or 0214 "concrete paving or repaving"~~

~~See classification 5206 (WAC 296-17-675) for permanent yard operations.))~~

6902-02 Logging road: Construction or maintenance

Applies to the construction or maintenance of logging roads. For purposes of this classification logging roads are roads for which the basic use is to provide access into a timber or forest area and for the transporting of logs out of the area by truck. This classification includes roads constructed on public or private land in connection with timber sales or logging, such as roads being constructed in accordance with the State Department of Natural Resources or the United States Forest Service timber sales. Logging roads contemplated by this classification are typically cleared and graded with a bulldozer and then paved with gravel, crushed rock, or large stones. Logging roads are generally engineered to support the weight of logging equipment and trucks but not necessarily to handle speeds and volume of nonlogging traffic. As a rule, these roads are not surfaced with asphalt or paved with concrete. Classification 6902 includes log road maintenance which is limited to keeping the road bed in good repair such as regrading and fill to repair washouts and ruts.

This classification excludes the felling of timber, bucking and delimiting of all trees in the proposed roadway or adjacent shoulder and all other logging activities which are to be reported separately in classification 5001; all excavation, land clearing or grading as a part of roadway construction not in connection with a logging road which is to be reported separately in classification 0101; construction of asphalt roads which is to be reported separately in classification 0210; construction of concrete roads which is to be reported separately in classification 0214; mechanical roadside brushing or machine application of chemicals which is to be reported separately in classification 5006; and permanent shop or yard operations which are to be reported separately in classification 5206 provided the conditions of WAC 296-17-675 have been met.

6902-03 Logging railroad: Construction or maintenance

Applies to the construction or maintenance of logging railroads. For purposes of this classification logging railroads are side tracks and spurs which feed into existing railroad main lines. Log trucks haul logs from the cutting site to the logging railroad where they are loaded onto the logging railroad cars and transported to the main line. This classification includes railroads constructed on public or private land in connection with timber sales or logging, such as roads being constructed in accordance with the State Department of Natural Resources or the United States Forest Service timber sales. The construction includes clearing and grading with use of a bulldozer; laying dirt, rock and ballast; laying ties and track; and installing crossover frogs, switches, switch stands, switch mechanisms and crossing planks as needed. This classification also includes log railroad maintenance which is limited to keeping the railroad line operational.

This classification excludes the falling of timber, bucking and delimiting of all trees in the proposed roadway or adjacent shoulder, and all other logging activities which are to be reported separately in classification 5001; the construction of railroad lines not in connection with a logging railroad which is to be reported separately in classification 0101; construction of logging roads which is to be reported separately in classification 6902-02; and maintenance and storage of equipment and material at a permanent yard or shop which is to be reported separately in classification 5206 provided the conditions of WAC 296-17-675 have been met.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-748 Classification 6903.

~~((Aerial spraying, seeding, crop dusting, firefighting-))~~

6903-00 Aerial spraying, seeding, crop dusting, or fire fighting

Applies to the flying crew of establishments engaged in aerial spraying, seeding, crop dusting, and fire fighting, which involves the low altitude release of agricultural chemicals, seeds, water, or fire retardant compound.

This classification excludes aircraft ground crew operations which are to be reported separately in classification 6804.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-749 Classification 6904.

~~((Fire fighters - salaried fire fighters of municipal fire departments-))~~

6904-00 Salaried fire fighters of cities or towns

Applies to salaried fire fighters of cities and towns. Fire fighters respond to fire alarms and other emergencies, control and extinguish fires, protect lives and property, and maintain fire fighting equipment, administer first aid and artificial respiration to injured persons and those overcome by fire and smoke. They may inspect buildings for fire hazards and compliance with fire prevention ordinances and may issue citations to building owners listing the fire regulation violations

to be corrected. This classification includes paramedics employed by fire departments.

See classifications 0803, 1301, 1404, 1501, 6901, 6905, and 6906 for other city or town operations.

Special note: State Fund workers' compensation is not provided to volunteer firemen covered by chapter 41.24 RCW and emergency services workers covered by chapter 38.52 RCW.

6904-01 Salaried fire fighters of counties and taxing districts

Applies to salaried fire fighters of counties and taxing districts. Fire fighters respond to fire alarms and other emergencies, control and extinguish fires, protect lives and property, and maintain fire fighting equipment, administer first aid and artificial respiration to injured persons and those overcome by fire and smoke. They may inspect buildings for fire hazards and compliance with fire prevention ordinances and may issue citations to building owners listing the fire regulation violations to be corrected. This classification includes paramedics employed by fire departments.

See classifications 1301, 1404, 1501, 6901, 6905, and 6906 for other city or town operations.

Special note: State Fund workers' compensation is not provided to volunteer firemen covered by chapter 41.24 RCW and emergency services workers covered by chapter 38.52 RCW.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-750 Classification 6905.

~~((Law enforcement officers - law enforcement officers of cities, towns, counties or Indian tribal councils~~

~~This classification includes volunteer law enforcement officers, N.O.C.))~~

6905-00 Salaried law enforcement officers of cities and towns; Volunteer law enforcement officers, N.O.C.: Full coverage

Applies to salaried law enforcement officers of cities and towns and to volunteer law enforcement officers of cities and towns who are not otherwise classified (N.O.C.) for whom full coverage is elected. Duties of law enforcement officers include, but are not limited to, directing traffic, patrolling by motor vehicle, motorcycle, bicycle, or on foot or horseback, preventing crimes, investigating disturbances of the peace, arresting violators, conducting criminal investigations, giving first aid, and guarding persons detained at the police station.

This classification excludes volunteer law enforcement officers for whom the city or town has elected medical aid benefits only who are to be reported separately in classification 6906.

See classifications 0803, 1301, 1404, 1501, 5305, 6901, and 6904, and for other city or town operations.

Special note: This coverage is optional for volunteer law enforcement officers. To elect this coverage, the city or town must submit a completed Application for Optional Coverage to the department. Conditions of coverage are outlined

on the application. If coverage is provided, all volunteer law enforcement officers must be included.

6905-01 Salaried law enforcement officers of counties and taxing districts:

Volunteer law enforcement officers, N.O.C.: Full coverage

Applies to salaried law enforcement officers of counties and taxing districts and to volunteer law enforcement officers of counties and taxing districts who are not otherwise classified (N.O.C.) for whom full coverage is elected. Duties of law enforcement officers include, but are not limited to, directing traffic, patrolling by motor vehicle, motorcycle, bicycle, or on foot or horseback, preventing crimes, investigating disturbances of the peace, arresting violators, conducting criminal investigations, giving first aid, and guarding persons detained at the police station.

This classification excludes volunteer law enforcement officers for whom the county or taxing district has elected medical aid benefits only who are to be reported separately in classification 6906.

See classifications 1301, 1404, 1501, 5305, 6901 and 6904, and for other city or town operations.

Special note: This coverage is optional for volunteer law enforcement officers. To elect this coverage, the county or taxing district must submit a completed Application for Optional Coverage to the department. Conditions of coverage are outlined on the application. If coverage is provided, all volunteer law enforcement officers must be included.

6905-02 Salaried law enforcement officers of Native American tribal councils:

Volunteer law enforcement officers, N.O.C.: Full coverage

Applies to salaried law enforcement officers of Native American tribal councils and to volunteer law enforcement officers of Native American tribal councils who are not otherwise classified (N.O.C.) for whom full coverage is elected. Duties of law enforcement officers include, but are not limited to, directing traffic, patrolling by motor vehicle, motorcycle, bicycle, or on foot or horseback, preventing crimes, investigating disturbances of the peace, arresting violators, conducting criminal investigations, giving first aid, and guarding persons detained at the police station.

This classification excludes volunteer law enforcement officers for whom the Native American tribal council has elected medical aid benefits only who are to be reported separately in classification 6906.

Special note: This coverage is optional for volunteer law enforcement officers. To elect this coverage, the Native American tribal council must submit a completed Application for Optional Coverage to the department. Conditions of coverage are outlined on the application. If coverage is provided, all volunteer law enforcement officers must be included.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-751 Classification 6906.

((Volunteer law enforcement officers

This classification includes volunteer law enforcement officers in accordance with RCW 51.12.035.))

6906-00 Volunteer law enforcement officers of cities and towns - medical aid only

Applies to medical aid coverage for volunteer law enforcement officers of cities and towns for whom the cities or towns have elected coverage. Duties of law enforcement officers include, but are not limited to, directing traffic, patrolling by motor vehicle, motorcycle, bicycle, or on foot or horseback, preventing crimes, investigating disturbances of the peace, arresting violators, conducting criminal investigations, giving first aid, and guarding persons detained at the police station.

This classification excludes salaried law enforcement officers and volunteer law enforcement officers for whom the cities or towns have elected full coverage who are to be reported separately in classification 6905.

See classifications 0803, 1301, 1404, 5305, 6901, 6904, and 6905 for other city or town operations.

Special note: This coverage is optional for volunteer law enforcement officers. To elect coverage for volunteer law enforcement officers, the city or town must submit a completed Application for Optional Coverage to the department. Conditions of coverage are outlined on the application. If coverage is provided, all law enforcement officers must be included.

6906-01 Volunteer law enforcement officers of counties, taxing districts and Native American tribal councils - medical aid only

Applies to medical aid coverage for volunteer law enforcement officers of counties, taxing districts and Native American tribal councils for whom the counties, taxing districts or Native American tribal councils have elected coverage. Duties of law enforcement officers include, but are not limited to, directing traffic, patrolling by motor vehicle, motorcycle, bicycle, or on foot or horseback, preventing crimes, investigating disturbances of the peace, arresting violators, conducting criminal investigations, giving first aid, and guarding persons detained at the police station.

This classification excludes salaried law enforcement officers and volunteer law enforcement officers for whom the counties, taxing districts or Native American tribal councils have elected full coverage, who are to be reported separately in classification 6905. See classifications 1301, 1404, 1501, 5306, 6901, 6904, and 6905 for other county or taxing district operations.

Special note: This coverage is optional for volunteer law enforcement officers. To elect coverage for volunteer law enforcement officers, the counties, taxing districts or Native American tribal councils must submit a completed Application for Optional Coverage to the department. Conditions of coverage are outlined on the application. If coverage is provided, all law enforcement officers must be included.

6906-02 Volunteer law enforcement officers of state agencies - medical aid only

Applies to medical aid coverage for volunteer law enforcement officers of state agencies for whom the state agencies have elected coverage. Duties of law enforcement

officers include, but are not limited to, directing traffic, patrolling by motor vehicle, motorcycle, bicycle, or on foot or horseback, preventing crimes, investigating disturbances of the peace, arresting violators, conducting criminal investigations, giving first aid, and guarding persons detained at the police station.

This classification excludes salaried law enforcement officers and volunteer law enforcement officers for whom the state agencies have elected full coverage who are to be reported separately in classification 7103.

See classifications 4902, 4906, 5307, 7103, and 7201 for other state government operations.

Special note: This coverage is optional for volunteer law enforcement officers. To elect coverage for volunteer law enforcement officers, the state agencies must submit a completed Application for Optional Coverage to the department. Conditions of coverage are outlined on the application. If coverage is provided, all law enforcement officers must be included.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-752 Classification 6907.

((Household furnishings moving and storage.))

6907-01 Household furnishings moving and storage

Applies to establishments engaged in interstate and/or intrastate moving and/or storage of household furnishings. Work contemplated by this classification includes packing and unpacking, loading and unloading of household goods, transportation from one residence to another, and temporary storage of household goods in a warehouse. This classification includes the moving van drivers, packing personnel, laborers who assist in the loading and unloading operations, warehouse employees and truck mechanics.

This classification excludes intrastate and/or interstate delivery of nonhousehold furnishings which are to be reported separately in either classification 1101 or 1102, as applicable, and nonhousehold furnishing warehouses, which are to be reported separately in the appropriate warehouse classification.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-753 Classification 6908.

((Carbon paper, crepe paper, blue print paper, computer paper, calculation tape, note pad, file folder, envelope, stationery, and typewriter ribbon: Manufacturing

Lightweight paper goods: Manufacturing such as but not limited to such single or double ply paper items as surgical gowns, towels, napkins, table or shelf covers, florist papers, tissue, and shredded packing material

Paper bag, movers packing pads, and wallpaper: Manufacturing

Paper box: Manufacturing—set up or folding.))

6908-02 Lightweight paper products, N.O.C.: Manufacturing

Applies to establishments engaged in the manufacture of lightweight paper products not otherwise classified (N.O.C.), such as, but not limited to, carbon paper, crepe paper, blue print paper, computer paper, calculation tape, note pad, file folder, envelope, stationery, and typewriter ribbon. Materials include, but are not limited to, file folder or stationery-weight paper, glue, string, clasps, coating liquids and ink. Machinery includes, but is not limited to, sheeters, slitters, die cutters or other cutting equipment, printing presses, folding, punching and drilling machines, glue applicators, trimmers, winders/rewinders, embossers, packaging machinery, balers, shredders and forklifts.

This classification excludes establishments engaged in the manufacture of paper, which are to be reported separately in classification 2401.

Special note: This classification includes establishments engaged as "paper rewinders or paper converters." These businesses purchase large rolls of premanufactured paper from outside sources, then cut, rewind, or "remanufacture" them into smaller or narrower rolls. They sometimes refer to themselves as "paper wholesalers," but they are performing more "manufacturing" work than what is allowed in classification 6407 for wholesale stores. The machinery used for this type of cutting and rewinding is the same as that used by manufacturers of the types of goods mentioned above, who also cut, wind and rewind paper from large rolls onto smaller rolls.

6908-03 Paper bag, movers packing pads, and wallpaper: Manufacturing

Applies to establishments engaged in the manufacture of paper products such as, but not limited to, paper bags of all sizes, movers packing pads, wrapping paper and wallpaper. Raw materials include, but are not limited to, paper, glue, string, ink, foam or bubble plastic, plastic wrap and tape. Machinery includes, but is not limited to, bag making machines, slitters, die cutters or other cutting machinery, perforating or embossing machines, glue applicators, printing presses, winders/rewinders, packaging machines, shredders, balers, forklifts and sewing machines which are used to sew tape across the tops of bags that package bulk goods.

This classification excludes establishments engaged in the manufacture of paper, pulp or wood fiber, corrugated boxes or other heavy-grade paper products, or corrugating, laminating, oiling or coating paper, which are to be reported separately in classification 2401; establishments engaged in the manufacture of plastic bags which are to be reported separately in classification 3510 and establishments engaged in the manufacture of abrasive cloth or paper (emery cloth/sandpaper) and textile bags or sacks, which are to be reported separately in classifications 3708 or 3802 as applicable.

6908-05 Paper box - noncorrugated: Manufacturing

Applies to establishments engaged in the manufacture of boxes, or partitions for boxes, from lightweight, noncorrugated cardboard. Boxes contemplated by classification package goods such as, but not limited to, clothing or other soft goods, prepared foods, wine, cigars, stationery and games. Materials include, but are not limited to, cardboard (chip-

board), glue, staples, tape, resins, ink and plastic film. Machinery includes, but is not limited to, box-making machines, sheeters, slitters, slotters, winders and rewinders, printing presses, cutting machines, laminators, bundlers, unitizers, balers, shredders and forklifts.

This classification excludes establishments engaged in the manufacture of paper, pulp or wood fiber, corrugated boxes or other heavy-grade paper products, or corrugating, laminating, oiling or coating paper, which are to be reported separately in classification 2401.

6908-06 Single or double-ply paper products: Manufacturing

Applies to establishments engaged in the manufacture of single or double-ply paper products such as, but not limited to, surgical gowns, towels, napkins, table or shelf covers, florist papers, tissue and shredded or crimped packing material. Some of the items made in this classification are primarily hand-made. Raw materials include, but are not limited to, single or double-ply paper, tape, glue, plastic or cellophane lining. Machinery includes, but is not limited to, winders and rewinders, folding machines, cutting tables, paper-crimping machinery, gluing machines and forklifts.

This classification excludes establishments engaged in the manufacture of paper, which are to be reported separately in classification 2401.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-75301 Classification 6909.

((Medical laboratories

Blood banks

Assaying laboratories

Laboratories—Analytical, testing, or quality control for others, including outside operations, excluding outside X-raying and drilling.))

6909-00 Laboratories - analytical, testing, or quality control for others

Applies to establishments engaged in operating laboratories which provide analytical, testing, and quality control services. This classification includes laboratories that experiment and provide a variety of tests and analysis for other customers' products and/or materials. Generally, the employees include chemists, engineers and other scientists and research aides who use a variety of chemicals and sophisticated scientific equipment and machinery for the testing and analysis process. This classification includes the quality control inspection of fish and agricultural products. Work may be performed at the laboratory or at the customer's location.

This classification excludes outside X-raying and drilling which is to be reported separately in the classification applicable to the X-raying or drilling being performed.

Special note: This classification does not apply to establishments that operate a laboratory in connection with testing or inspecting their own products/materials, which is to be included in the basic classification applicable to the business. For example, a laboratory to test and analyze the assembled fly rod or the composition of the graphite rod when operated

by a fly rod manufacturer, is included within classification 3510.

6909-02 Laboratories: Medical

Applies to establishments engaged in operating medical laboratories. Services include, but are not limited to, providing data on which to base decisions concerning the detection, diagnosis and treatment of disease and to evaluate a patient's response to treatment. Laboratory personnel perform analytical tests on the tissues and fluids of the human body, detect parasites, bacteria, viruses, drugs, and poisons; and interpret cell and tissue abnormalities. This classification includes employment-related drug testing for others.

Special note: This classification does not apply to establishments that operate a laboratory in connection with testing or analyzing services, which is to be included in the basic classification applicable to the business. For example, a hospital which also operates a laboratory as part of their medical facility to provide an analysis of patient tests and samples is included within classification 6105.

6909-03 Blood banks

Applies to establishments engaged in operating blood banks. Generally, these types of facilities allow individuals to come in and donate, save, or sell their blood for a fee. Medical and laboratory personnel perform routine laboratory tasks including extracting blood from individuals, testing and analyzing blood, processing whole blood and blood components, and storing blood in refrigerated storage rooms. This classification also includes services offered by bloodmobiles.

Special note: This classification does not apply to establishments that operate a laboratory in connection with testing or analyzing services which is to be included in the basic classification applicable to the business. For example, a hospital which also operates a laboratory as part of their medical facility to provide an analysis of patient tests and samples is included within classification 6105.

6909-22 Laboratories: Assaying

Applies to establishments engaged in operating assaying laboratories which examine, test, and analyze the quantitative or qualitative substance of material such as a metal, ore or drug. This classification includes a variety of laboratories who experiment and provide tests and analysis of products and/or materials including specialty laboratories such as, but not limited to, chemical, drugs, food products, rock formation and minerals, fossils and bones, and soil and toxic materials. Generally, the employees include chemists, engineers, and other scientists and research aides who use a variety of chemical and sophisticated equipment and machinery for the testing and analysis process.

Special note: This classification does not apply to establishments that operate a laboratory in connection with testing or inspecting their own products/materials which is to be assigned to the basic classification applicable to the business. For example, a mining operation which also operates a laboratory to determine the composition of rock and minerals excavated from the mine is included as part of the mining classification.

NEW SECTION**WAC 296-17-75303 Classification 7002.****7002-00 Department of Energy contract**

Applies to establishments that have contracted with the department of energy at DOE's nuclear facilities within the state of Washington to operate, construct or service the nuclear site. At present, the only site covered by this contract is at Richland. These contractors can be identified by the assignment of account number 000,100-xx with each contractor given a separate subaccount. The coverage provided by this classification is usually for the possibility of workers being exposed to nuclear radiation although the coverage applies to any type of on-the-job injury. Benefits for injured workers covered under this contract are paid from a special fund which DOE pays into to cover all industrial insurance and medical aid payments made to or in behalf of the injured workers and/or their beneficiaries. The premium paid by the contractors to labor and industries is limited to the supplemental pension premium assessment.

Special note: This classification is used to administer the DOE contract and collect supplemental pension fund premiums.

AMENDATORY SECTION (Amending Order 87-26, filed 12/1/87, effective 1/1/88)

WAC 296-17-754 Classification 7101.

((Corporate officers, N.O.C.))

7101-00 Corporate officers, N.O.C.

Applies to executive officers of a corporation who are not covered by another classification (N.O.C.) and who have elected optional coverage. To qualify for this classification, a corporate officer must own stock in the corporation, be elected and empowered in accordance with the articles or bylaws of incorporation, serve on the board of directors, and perform *only* administrative, clerical or outside sales duties. Any officer who performs any duties directly related to the operational activities of the corporation must be reported in the basic classification applicable to the work being performed. Typical titles of executive officers include chairman, president, vice president, secretary and treasurer.

Special note: Under no circumstances will classification 4904 be assigned to an executive officer. Any officer engaged exclusively in outside sales is to be reported separately in classification 6303. Executive officers are exempt from mandatory coverage if the conditions of RCW 51.12.020(8) have been met; however, they may elect optional coverage.

AMENDATORY SECTION (Amending Order 87-26, filed 12/1/87, effective 1/1/88)

WAC 296-17-755 Classification 7102.

((Football teams

This classification applies to football teams which are participants in the National Football League and includes players, referees, coaches, and managers.))

7102-00 Football teams - NFL

Applies to players, referees, coaches and managers employed by a professional football team that is a member of the National Football League (NFL).

This classification excludes employees engaged in caring for the team and equipment, the care and operation of the playing field/stadium, and care of the facility in which the team organization is housed who are to be reported separately in classification 6706; officials of community or school amateur sporting events who are to be reported separately in classification 6103; and professional football teams that are not members of the NFL which are to be reported separately in classification 6707.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-756 Classification 7103.

((State government, this classification is to be used to report all workers who have law enforcement powers although such workers are administrative employees

This classification includes all departments, agencies, boards, commissions and committees of either the executive, legislative or judicial branches of state government, including employees having arrest powers or such other powers common to law enforcement, such as state patrol officers, fish and wildlife officers, guards or correctional officers of inmates, lottery officers

See classifications 4902, 5307, and 7201 for other state government operations.))

7103-00 State government - law enforcement officers, N.O.C.

Applies to any state employees, including administrative employees, who have law enforcement powers such as, but not limited to, authority to arrest or to preserve order, and who are not covered by another classification (N.O.C.). State agencies assigned this classification include, but are not limited to, department of agriculture, department of natural resources, utility and transportation commission, Washington state gambling commission, Washington state liquor control board, and the Washington state parks and recreation commission.

This classification excludes any state employees N.O.C. who do not have law enforcement powers who are to be reported separately in the classification applicable to work performed.

See classifications 4902, 4906, 5307, and 7201 for other state government operations.

7103-01 State government - law enforcement officers - state patrol

Applies to employees of the Washington state patrol, including administrative employees, who have law enforcement powers such as, but not limited to, authority to arrest or to preserve order.

This classification excludes any state patrol employees who do not have law enforcement powers who are to be reported separately in the classification applicable to work performed.

See classifications 4902, 4906, 5307, and 7201 for other state government operations.

7103-03 State government - law enforcement officers - guards or correctional officers

Applies to employees of the department of corrections, including administrative employees, who have law enforcement powers such as, but not limited to, authority to arrest or to preserve order.

This classification excludes any department of corrections employees who do not have law enforcement powers who are to be reported separately in the classification applicable to work performed.

See classifications 4902, 4906, 5307, and 7201 for other state government operations.

7103-05 State government - law enforcement officers - lottery officers

Applies to employees of the lottery commission, including administrative employees, who have law enforcement powers such as, but not limited to, authority to arrest or to preserve order.

This classification excludes any lottery commission employees who do not have law enforcement powers who are to be reported separately in the classification applicable to work performed.

See classifications 4902, 4906, 5307, and 7201 for other state government operations.

7103-06 State government - law enforcement officers - fish and wildlife officers

Applies to employees of the department of fish and wildlife, including administrative employees, who have law enforcement powers such as, but not limited to, authority to arrest or to preserve order.

This classification excludes any department of fish and wildlife employees who do not have law enforcement powers who are to be reported separately in the classification applicable to work performed.

See classifications 4902, 4906, 5307, and 7201 for other state government operations.

AMENDATORY SECTION (Amending Order 88-06, filed 5/31/88, effective 7/1/88)

WAC 296-17-757 Classification 7104.

~~((Temporary help company: Administrative offices including clerical office and sales personnel.~~

~~This classification applies only to those employees of the temporary help company assigned to work in the administrative or branch offices of a temporary help company. It does not apply to employees of a temporary help company assigned to a customer's administrative or clerical office. This classification is also applicable to an employment agency's administrative office when conducted in connection with a temporary help company operation.))~~

7104-01 Temporary help company: Administrative offices

Applies only to employees such as, but not limited to, clerical office or sales personnel of the temporary help com-

pany who work in the administrative or branch offices of a temporary help company. This classification also applies to an employment agency's administrative office when conducted in connection with a temporary help company operation.

This classification excludes employees of a temporary help company who are assigned to a customer's administrative or clerical office who are to be reported separately in classification 7105.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-758 Classification 7105.

~~((Temporary help company: Office support services.~~

~~This classification applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged wholly in office work for such customers. This classification includes occupations such as clerks, typists, receptionists, secretaries, accountants, actuaries, attorneys, bank tellers, bookkeepers, word processors, data entry and computer operators, programmers, drafters, designers, graphic artists, technical writers, technical illustrators, design engineers, library assistants, telemarketers, and dispatchers, prepress work for printers, bindery - collating by hand, and mail clerks who do not operate equipment. Mail clerks who operate equipment are to be reported separately in risk classification 7109. Employees subject to this classification are not required to physically be located in a clerical office. The test is whether or not they perform clerical office work as described in this classification. A division of worker hours is not permitted between this classification and any other classification.))~~

7105-01 Temporary help company: Office support services

Applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged wholly in office work for such customers. This classification includes occupations such as, but not limited to, clerks, typists, receptionists, secretaries, accountants, actuaries, attorneys, bank tellers, bookkeepers, word processors, data entry and computer operators, programmers, drafters, designers, graphic artists, technical writers, technical illustrators, design engineers, library assistants, telemarketers, dispatchers, prepress work for printers, collating by hand such as in a bindery, and mail clerks who do not operate equipment. Employees subject to this classification are not required to be physically located in a clerical office. The test is whether they perform clerical office work as described in this classification. A division of worker hours is not permitted between this classification and any other classification.

This classification excludes mail clerks who operate equipment who are to be reported separately in classification 7109-01

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-759 Classification 7106.

((Temporary help company: Retail or wholesale store services.

This classification applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in activities related to a store operation as opposed to a warehouse or repackaging operation. Activities may include a combination of clerical type duties and those that require minimal physical lifting. This classification includes occupations such as cashiering, stocking, beauticians, gift wrappers, buyers, product demonstration, booth aids, modeling, outside sales, and inventory taking.

For the purposes of this section, inventory taking is limited to those services provided to store operations which are performed exclusively at ground level. Inventory taking utilizing ladders, step stools, or at any height or when performed for customers not engaged in store operations are to be reported separately in risk classification 7114 provided they do not operate equipment or machinery.))

7106-01 Temporary help company: Retail or wholesale store services

Applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in activities related to a store operation as opposed to a warehouse or repackaging operation. Activities may include a combination of clerical type duties and those that require minimal physical lifting. This classification includes occupations such as, but not limited to, cashiers, stockers, beauticians, gift wrappers, buyers, product demonstrators, booth aids, models, outside sales persons, and inventory takers. For the purposes of this classification, taking inventory is limited to those services provided to store operations which are performed exclusively at ground level.

This classification excludes employees who take inventory with the use of ladders, step stools to reach any height, or when the inventory is performed for customers not engaged in store operations, who are to be reported separately in classification 7114-00 provided they do not operate equipment or machinery.

AMENDATORY SECTION (Amending Order 88-06, filed 5/31/88, effective 7/1/88)

WAC 296-17-760 Classification 7107.

((Temporary help company: Bakery, restaurant, or food sundry preparation services, and musicians or entertainers.

This classification applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in activities such as baking, cooking, food preparation, waiting and bussing tables, and dishwashing, or who are assigned to a customer and who are engaged as musicians or entertainers.))

7107-01 Temporary help company: Bakery, restaurant, or food sundry preparation services, musicians or entertainers

Applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in activities such as, but not limited to, baking, cooking, food preparation, waiting and bussing tables, and dishwashing. This classification also applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged as musicians or entertainers.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-761 Classification 7108.

((Temporary help company: Packaging and repackaging of dry goods such as clothing, wearing apparel, textile, and related articles of trade; retail products such as books, china, and glassware; and pharmaceuticals as part of the distribution and preshipping process

This classification applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in warehousing or repackaging of items such as clothing, fabric, yarn, shoes, glassware, art, linens, kitchenware, drugs and pharmaceutical preparations, computer discs, bulk film or cassette tapes and records. This classification excludes any assembly or freight handling of wood, metal, plastic, or masonry products to be reported separately in risk classification 7114 provided they do not operate equipment or machinery.))

7108-01 Temporary help company: Packaging and repackaging of dry goods, retail products, and pharmaceuticals as part of the distribution and preshipping process

Applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in warehousing or repackaging dry goods such as, but not limited to, clothing, fabric, yarn, shoes, glassware, linens, kitchenware, china, books, drugs, computer discs, bulk film, cassette tapes, records, and pharmaceutical preparations.

This classification excludes any assembly or freight handling of wood, metal, plastic, or masonry products which are to be reported separately in classification 7114 provided they do not operate equipment or machinery.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-762 Classification 7109.

((Temporary help company: Electronic, precision, and scientific equipment assembly and nonfield technician services.

This classification applies to employees of a temporary help company assigned on a temporary basis to its customers engaged in the assembly of electronic or biomedical equipment and employees engaged in printing and bind-

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ery work. This classification includes occupations such as electronic assemblers, mechanical assemblers, electro-mechanical assemblers, quality control inspectors, test technicians, kit pullers, storekeepers, upholsterers, laboratory technicians, printers, offset operators, lead typesetters, and bindery workers.)

7109-01 Temporary help company: Electronic, precision, and scientific equipment assembly; nonfield technician services

Applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in the assembly of electronic or biomedical equipment or printing and bindery work. This classification includes, but is not limited to, occupations such as electronic assemblers, electro-mechanical assemblers, quality control inspectors, test technicians, kit pullers, storekeepers, upholsterers, laboratory technicians, printers, offset operators, lead typesetters, mail clerks who operate equipment, and bindery workers.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-76201 Classification 7110.

((Temporary help company: Field engineer and field technician services.

This classification applies to employees of a temporary help company assigned on a temporary basis to its customers who are engaged in duties away from the customers premises and who are providing field engineering, field technician, traffic counters and surveying services, telephone installation and service within buildings, vending machine service and parking lot or garage attendants, weigh scale attendants, and service station attendants excluding mechanics.)

7110-00 Temporary help company: Field engineer and field technician services

Applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in duties away from the customers' premises and who are providing field engineering, field technician services, traffic counters, and surveying services, telephone installation and service within buildings, vending machine service, and to parking lot or garage attendants, weigh scale attendants, and service station attendants (other than mechanics).

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-76202 Classification 7111.

((Temporary help company: Health care, medical laboratory, quality control services, testing laboratories, N.O.C., homemaker services and home health services.

This classification applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are providing health care services and includes such employments as therapists, nurses,

nurses aides, physicians, dental hygienists, laboratory technicians and assistants.)

7111-00 Temporary help company: Health care, medical laboratory, quality control services, testing laboratories, N.O.C.; homemaker services and home health services

Applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are providing health care services. This classification includes employments such as, but not limited to, therapists, nurses, nurses aides, physicians, dental hygienists, laboratory technicians, and assistants who work at a health care facility or at the home of the patient.

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.

AMENDATORY SECTION (Amending Order 88-06, filed 5/31/88, effective 7/1/88)

WAC 296-17-76203 Classification 7112.

((Temporary help company: Agricultural services. This classification applies to employees of a temporary help company assigned on a temporary basis to its customers and who are engaged in any aspects of agricultural work such as field crops, livestock, stables, dairies, nurseries and greenhouses including the operation of power driven farm machinery or equipment.)

7112-00 Temporary help company: Agricultural services

Applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in any aspects of agricultural operations such as field crops, livestock, stables, dairies, nurseries, and greenhouses. This classification contemplates the operation of power driven farm machinery or equipment.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-76204 Classification 7113.

((Temporary help company: Janitorial, plant or facility supplemental maintenance and groundskeeping services.

This classification applies to employees of a temporary help company assigned on a temporary basis to its customers and who are engaged in janitorial work, preoccupaney building cleanup, plant maintenance, and groundskeeping or grounds maintenance work to an existing landscape such as mowing lawns, pruning shrubs and weeding as compared to new landscape construction work. Landscape workers involved exclusively in hand labor work such as raking, digging, using wheel barrow to haul soil, beauty bark or decorative rock, whether performed as maintenance of existing landscape or new landscape work are subject to this risk classification (7113). Separately report employees engaged in exterior window cleaning, debris or building material cleanup and removal, and new landscape construction (i.e., clearing of land, installation of underground sprinkler systems, moving boulders) in risk classification 7118. Tree removal to be reported separately in risk classification

7121. ~~A division of worker hours is not permitted between this classification and any other classification.))~~

113-00 Temporary help company: Janitorial, plant or facility supplemental maintenance and grounds keeping services

Applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in janitorial work, building preoccupancy cleanup, plant or facility maintenance, and/or grounds maintenance work on an existing landscape. Grounds keeping work contemplated by this classification means, but is not limited to, mowing lawns, pruning shrubs, and weeding, as compared to new landscape construction work. This classification includes landscape workers involved exclusively in hand labor work such as raking, digging, using a wheelbarrow to haul soil, beauty bark or decorative rock, whether performed as maintenance of existing landscape or new landscape work.

This classification excludes employees engaged in cleaning exterior windows, cleaning and removing debris or building material, and construction of new landscapes such as, but not limited to, clearing of land, installation of underground sprinkler systems, moving boulders, who are to be reported separately in classification 7118 and employees engaged in removing trees who are to be reported separately in classification 7121. A division of worker hours is not permitted between this classification and any other classification.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-76205 Classification 7114.

~~((Temporary help company: Assembly work and freight handling, N.O.C.~~

~~This classification applies to employees of a temporary help company assigned on a temporary basis to customers of a temporary help company engaged in the assembly of wood, metal, plastic, or masonry products during shipping or receiving; and freight handling such as furniture, tires, and other products made of wood, metal, plastic, or masonry products during shipping and receiving. Employees assigned this classification could use small power driven hand tools in the assembly process, and nonpower pallet jacks and hand trucks for the freight handling activity. This classification also includes inventory takers, N.O.C. Employees whose duties include the operation of power driven equipment or machinery, although they may also be engaged in assembly work or freight handling activities, are to be reported without division of hours in risk classification 7117.))~~

7114-00 Temporary help company: Assembly work and freight handling, N.O.C.; inventory takers, N.O.C.

Applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in the assembly of wood, metal, plastic, or masonry products during shipping or receiving; and handling freight such as tires, furniture, and other products made of wood, metal, plastic, or masonry products during shipping or

receiving. Employees assigned this classification could use small power driven hand tools to assemble goods and non-powered pallet jacks or hand trucks for handling freight. This classification also applies to employees of a temporary help company who are assigned on a temporary basis to its customers who are engaged in taking inventory and who are not covered by another classification (N.O.C.).

This classification excludes employees who operate power driven equipment or machinery to perform assembly work or freight handling activities who are to be reported separately, without division of hours, in classification 7117.

AMENDATORY SECTION (Amending Order 88-06, filed 5/31/88, effective 7/1/88)

WAC 296-17-76206 Classification 7115.

~~((Temporary help company: Cannery or food processing services, including fresh fruit and vegetable packing and food dehydrating processes.~~

~~This classification applies to employees of a temporary help company assigned on a temporary basis to its customers and who are assigned to work in a cannery, fruit and vegetable packing or freezer operation. This classification includes employees engaged in cooking or otherwise preparing food prior to packaging or canning, but excludes employees engaged in plant or cannery equipment or machinery operations or maintenance which are to be reported separately in risk classification 7117.))~~

7115-00 Temporary help company: Cannery or food processing services

Applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in cannery or food processing operations such as, but not limited to, canning, freezing, or dehydrating, or in packing fresh fruits or vegetables. Cooking or otherwise preparing food prior to processing or packing is included in this classification.

This classification excludes employees engaged in operating or maintaining plant or cannery equipment or machinery who are to be reported separately in classification 7117.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-76207 Classification 7116.

~~((Flagging services by specialty contractor: This classification applies to nonconstruction contractors that are providing flagging services on public utility, power, water or gas line construction projects. This classification does not apply to employees of a construction contractor that are assigned flagging duties which are to be reported separately in the classification applicable to the construction work being performed by their employer.~~

~~Temporary help company: Flagging for public utility, power, water, or gas line construction.~~

~~This classification applies to employees of a temporary help company assigned on a temporary basis to its customers and who are engaged in flagging services for a public utility company involved in the extension of overhead or~~

PROPOSED

~~underground power line construction or underground water or gas line construction.)~~

7116-00 Temporary help company: Flagging services by specialty contractor:

Flagging for public utility line construction

This classification applies to specialty (nonconstruction) contractors that are providing flagging services on public utility, power, water, or gas line construction projects. This classification also applies to employees of a temporary help company who are assigned on a temporary basis to a public utility company to provide flagging services during the construction or extension of overhead or underground power, water, or gas lines.

This classification excludes employees of construction contractors who perform flagging duties who are to be reported separately in the classification applicable to the construction work the construction contractor is performing.

AMENDATORY SECTION (Amending Order 88-06, filed 5/31/88, effective 7/1/88)

WAC 296-17-76208 Classification 7117.

~~((Temporary help company: Machine operators and skilled craftpersons—plant or shop operations, N.O.C.~~

~~This classification applies to employees of a temporary help company assigned on a temporary basis to its customers who operate power driven equipment or machinery such as forklifts, table saws, drill presses, industrial packaging and processing equipment or machinery and skilled craftpersons such as machinists, mechanics, welders, tool and die makers, carpenters, cabinet makers, and who are assigned to work in the customer's plant or shop but does not apply to maritime trades or plant maintenance workers.~~

~~This classification includes such industries as cabinet shops, lumber remanufacturing, canneries, amusement parks, sign paint shops, laundries, printing shops but would exclude shake or shingle mills.~~

~~Employees whose duties include work at a construction site are to be reported without a division of hours in risk classification 7118 except for those employees working in the specialty trades of plumbing, electrical wiring, or sheet metal work, who are subject to this risk classification (7117). Employees assigned to work in maritime trades subject to Washington workers compensation laws are to be reported separately in risk classification 7120. Employees assigned to work in a customer's plant as maintenance workers are to be reported separately in risk classification 7113.)~~

7117-00 Temporary help company: Machine operators; skilled craft persons - plant or shop operations, N.O.C.; specialty trades

Applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who operate power driven equipment or machinery such as, but not limited to, forklifts, table saws, drill presses, industrial packaging and processing equipment or machinery, or who are assigned to work in the customer's plant or shop. This classification also applies to skilled craftpersons such as

machinists, mechanics, welders, tool and die makers, carpenters, cabinet makers, and to employees of a temporary help company who work in the specialty trades of plumbing, electrical wiring, or sheet metal work. Businesses or industries contemplated by this classification include, but are not limited to, cabinet shops, lumber remanufacturers, canneries, amusement parks, sign painting shops, printing shops, and laundries, but does not apply to shake or shingle mills.

This classification excludes employees of a temporary help company who work at construction sites performing duties other than those of specialty trades who are to be reported separately, without a division of hours, in classification 7118; employees of a temporary help company who are assigned to work in maritime trades subject to Washington workers' compensation laws who are to be reported separately in classification 7120; and employees of a temporary help company who are assigned to do plant maintenance work in a customer's plant who are to be reported separately in classification 7113.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-76209 Classification 7118.

~~((Flagging services by specialty contractor, N.O.C.: This classification applies to noneconstruction contractors that are providing flagging services which are not covered in classification 7116. This classification does not apply to employees of a construction contractor that are assigned flagging duties which are to be reported separately in the classification applicable to the construction work being performed by their employer~~

~~Temporary help company: Construction.~~

~~This classification applies to employees of a temporary help company assigned on a temporary basis to its customers and who are engaged in any aspect of construction work such as road, underground or overhead utility lines, fence, metal erection, signs or lighting including the operation of equipment, machinery, and tools by such employees. This classification also applies to construction security personnel and flaggers, N.O.C. Employees working in the specialty trades of plumbing, electrical wiring, or sheet metal work are to be reported separately in classification 7117.)~~

7118-00 Temporary help company: Flagging services by specialty contractor, N.O.C.: construction

Applies to specialty nonconstruction contractors that are providing flagging services which are not covered in classification 7116. This classification also applies to employees of a temporary help company assigned on a temporary basis to its customers and who are engaged in any aspect of construction work such as, but not limited to, road, new landscape, underground or overhead utility lines, fence, metal erection, signs or lighting, including the operation of equipment, machinery, and tools by those employees, and to security personnel and flaggers who are not covered by another classification, (N.O.C.).

This classification excludes employees of construction contractors who perform flagging duties who are to be

reported separately in the classification applicable to the construction work the construction contractor is performing and employees of a temporary help company who are working in the specialty trades of plumbing, electrical wiring, or sheet metal work who are to be reported separately in classification 7117.

AMENDATORY SECTION (Amending Order 88-06, filed 5/31/88, effective 7/1/88)

WAC 296-17-76210 Classification 7119.

((Temporary help company: Commercial vehicle operations, N.O.C. and sawmill operations.

This classification applies to employees of a temporary help company assigned on a temporary basis to its customers and who are engaged in commercial vehicle operations such as truck, delivery, and taxi drivers or who are engaged in any aspect of sawmill work, such as operating machinery, grading lumber, or sorting and stacking lumber.))

7119-00 Temporary help company: Commercial vehicle operations, N.O.C.; sawmill operations

Applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in commercial vehicle operations such as, but not limited to, driving truck for a moving or storage company, driving garbage collection trucks, driving pilot cars, driving delivery vehicles or driving taxis. This classification also applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in any aspect of sawmill work such as, but not limited to, operating machinery, grading lumber, or sorting and stacking lumber.

AMENDATORY SECTION (Amending Order 88-06, filed 5/31/88, effective 7/1/88)

WAC 296-17-76211 Classification 7120.

((Temporary help company: Hazardous waste handling and maritime employments.

This classification applies to employees of a temporary help company assigned on a temporary basis to its customers who are engaged in hazardous waste handling or maritime employments subject to Washington workers compensation laws including diving or subaqueous work.))

7120-00 Temporary help company: Hazardous waste handling; maritime employments

Applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in hazardous waste handling. This classification also applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in maritime employments subject to Washington workers' compensation laws, including diving or subaqueous work.

AMENDATORY SECTION (Amending Order 88-06, filed 5/31/88, effective 7/1/88)

WAC 296-17-76212 Classification 7121.

((Temporary help company: Logging, shake or shingle mills, and aircraft flight crew members.

This classification applies to employees of a temporary help company assigned on a temporary basis to its customers and who are engaged in any phase of logging or aircraft operations or who are assigned to work in any lumbering mill including equipment or machinery operators related to industries subject to this classification.))

7121-00 Temporary help company: Logging, shake or shingle mills; aircraft flight crew members

Applies to employees of a temporary help company who are assigned on a temporary basis to its customers and who are engaged in any phase of logging or aircraft operations or who are assigned to work in any lumbering mill, including equipment or machinery operators related to industries subject to this classification.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-763 Classification 7201.

((State government—this classification is to be used to report all employments of workers assigned to work at state operated facilities that provide patient or health care of any type. Usage of this classification is not limited to state operated hospitals as it is intended to also cover health care facilities at state schools, infirmaries at correctional institutions, traveling nurses and physicians, etc.

This classification excludes clerical office and administrative personnel that are not engaged in providing or attending to patient care and all blue collar employments

See classifications 4902, 5307 and 7103 for other state government operations.))

7201-00 State government - patient or health care personnel

Applies to state employees who provide any type of patient or health care at state-operated facilities or at health care facilities in state schools or correctional institutions. Type of employment contemplated by this classification includes, but is not limited to, traveling nurses, therapists, and physicians.

This classification excludes any state employees who do not provide patient or health care who are to be reported separately in the classification applicable to work performed.

See classifications 4902, 4906, 5307, and 7103 for other state government operations.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-764 Classification 7202.

((Real estate agencies

~~This classification includes clerical office and sales personnel but, excludes building management and/or property development.))~~

7202-00 Real estate agencies

Applies to establishments engaged in buying, selling, renting, and appraising real estate for others. A real estate agent will study property listings, accompany clients to the property site to show the property, and draw up real estate contracts such as deeds, leases, and mortgages. They will also hold open houses, conduct negotiations, and assist at the closing. This classification includes clerical office and sales personnel.

This classification excludes building and/or property management services which are to be reported separately in classification 4910.

AMENDATORY SECTION (Amending Order 87-12, filed 5/29/87, effective 7/1/87)

WAC 296-17-765 Classification 7203.

~~((Community service workers~~

~~This classification includes all community service workers performing work for counties, cities, towns, state agencies, or nonprofit organizations pursuant to court order or under the provisions of chapter 13.40 RCW.))~~

7203-00 Community service workers

Applies to individuals who are sentenced to perform community service work for a state agency, county, city, town or nonprofit organization as the result of a court order. The "workers" perform various services for benefit of the agency or organization. These services may range from clerical office or counseling duties to maintenance or construction work. The type of work performed has no bearing on the assignment of this classification. The workers are not compensated for their work; instead, they are allowed to perform these services in lieu of imprisonment.

Special note: This classification is assigned only if the agency or organization for whom the service is being provided elects to cover their community service workers (RCW 51.12.045).

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-766 Classification 7204.

~~((Preferred workers~~

~~This classification includes all preferred workers in accordance with the provisions of RCW 51.16.120(3) and WAC 296-16-010.))~~

7204-00 Preferred workers

Applies to "preferred workers" as certified by the department of labor and industries. Preferred workers are workers who, because of a work-related injury or occupational disease, are unable to return to work with the same employer or, because of substantial impairment, unable to return to the same type of work. Before this classification can be assigned to an employer's account, the department must receive a completed "intent to hire" form from that employer within sixty days from the first date of employment. A worker may be

certified as a preferred worker for a period of thirty-six months. A qualified employer who hires a preferred worker will receive up to thirty-six months of premium relief provided the preferred worker is in their employment during the same period of time. The only cost to the preferred worker and the employer will be the supplemental pension premium. If an injured worker sustains an injury within three years of the hiring date, all claims will be paid by the department through the second injury fund with no costs to the employer. The type of work performed by the preferred worker has no bearing on the assignment of this classification.

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-772 Classification 7301.

~~((Dairy farms~~

~~This classification includes all farm operations related and incidental to the enterprise described and applies to all acreage devoted to the raising of these animals.))~~

7301-00 Farms: Dairy

Applies to establishments engaged in the raising of dairy cattle for the purpose of milk production. Work contemplated by this classification is of a custodial nature that includes, but is not limited to, tending and feeding animals, raising crops for feed, erecting or mending fences, breeding animals, milking animals, transporting animals to or from market, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification also covers artificial insemination and veterinary care when performed by employees of an employer subject to this classification.

This classification excludes contractors engaged exclusively in the installation of sprinkler or irrigation systems who are to be reported separately in classification 0301 and contractors hired by a farm operator to build or repair fences or structures who are to be reported separately in the appropriate construction classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as cleaning stalls or barns, weeding or planting crops, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. Farm labor contractors will be reported in the classification applicable to the farm with which they are contracting. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

AMENDATORY SECTION (Amending Order 89-07, filed 7/20/89, effective 8/20/89)

WAC 296-17-773 Classification 7302.

~~((Livestock farms~~

Parimutuel horse racing: Proprietors, partners, and corporate officers

This subclassification is limited in scope to excluded employment contained in RCW 51.12.020 (5) and (8) "Sole proprietors, partners, and corporate officers" who elect workers compensation insurance on a voluntary basis. See WAC 296-17-350(2) "Excluded employments" for premium reporting and calculations.

Riding academies

This classification includes all farm operations related and incidental to the enterprises described above and applies to all acreage devoted to the raising of these animals.)

7302-00 Farms: Livestock

Animal stud service

Applies to establishments engaged in the raising of cattle, pigs, and horses for sale to others. Work contemplated by this classification is of a custodial nature that includes, but is not limited to, tending and feeding animals, raising crops for feed, erecting or mending fences, breeding animals, transporting animals to or from market, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification also covers artificial insemination and veterinary care when performed by employees of an employer subject to this classification. This classification also applies to establishments that provide animal stud services for others.

This classification excludes contractors engaged exclusively in the installation of sprinkler or irrigation systems who are to be reported separately in classification 0301 and contractors hired by a farm operator to build or repair fences or structures who are to be reported separately in the appropriate construction classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as cleaning stalls, grooming or caring for animals, weeding or planting crops, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. Farm labor contractors will be reported in the classification applicable to the farm with which they are contracting. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

7302-02 Riding academies

Applies to establishments engaged as riding academies which offer services such as, but not limited to, instruction on riding horses or on the care of animals and the rental of horses. Work contemplated by this classification is of a custodial nature that includes, but is not limited to, tending and feeding animals, training animals, cleaning stalls and barn areas, raising crops for feed, erecting or mending fences, breeding animals, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification also covers artificial insemination and veterinary care when

performed by employees of an employer subject to this classification.

This classification excludes contractors engaged exclusively in the installation of sprinkler or irrigation systems who are to be reported separately in classification 0301 and contractors hired by a farm operator to build or repair fences or structures who are to be reported separately in the appropriate construction classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as cleaning stalls, grooming or caring for animals, weeding or planting crops, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. Farm labor contractors will be reported in the classification applicable to the farm with which they are contracting. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

7302-03 Boarding and/or training stables for pleasure or show horses

Applies to establishments that board and/or train pleasure or show horses for others. Work contemplated by this classification is of a custodial nature that includes, but is not limited to, tending and feeding animals, cleaning stalls and barn areas, training animals, raising crops for feed, erecting or mending fences, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification.

This classification excludes contractors engaged exclusively in the installation of sprinkler or irrigation systems who are to be reported separately in classification 0301 and contractors hired by a farm operator to build or repair fences or structures who are to be reported separately in the appropriate construction classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as cleaning stalls, grooming or caring for animals, weeding or planting crops, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. Farm labor contractors will be reported in the classification applicable to the farm with which they are contracting. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

7302-04 Centers or trainers for race horses - unlicensed by WHRC

Applies to establishments or individuals who train race horses for others, but who are not licensed as trainers or training centers by the Washington horse racing commission. Work contemplated by this classification is of a custodial nature that includes, but is not limited to, tending and feeding

animals, cleaning stalls and barn areas, training animals, raising crops for feed, erecting or mending fences, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification.

This classification excludes individuals or centers that train nonrace horses which are to be reported separately in classification 7302-03; contractors engaged exclusively in the installation of sprinkler or irrigation systems who are to be reported separately in classification 0301; and contractors hired by a farm operator to build or repair fences or structures who are to be reported separately in the appropriate construction classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as cleaning stalls, grooming or caring for animals, weeding or planting crops, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. Farm labor contractors will be reported in the classification applicable to the farm with which they are contracting. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

7302-05 Pari-mutuel horse racing: Licensed employments, N.O.C.

Applies to employments licensed by the Washington horse racing commission who are not mandatorily covered under Washington workers' compensation insurance laws and are not covered by another classification. This classification is *only* for individuals such as, but not limited to, horse owners, trainers, farriers, and veterinarians, who hold specialty licenses issued by the commission. These individuals are generally owners of a business such as that of a farrier or training services. The business entity could be a proprietorship, partnership, joint venture, or corporation and may or may not have employees. The qualifying factor for this classification is that these individuals are licensed by the horse racing commission, are *not* mandatorily covered under Washington workers' compensation insurance laws, and are *not* included or covered by another classification. For example, a veterinarian who operates a veterinary clinic away from a race track and treats various animals such as dogs, cats, cows, and horses would report owner coverage (*if elected*) in classification 6107, not in classification 7302.

AMENDATORY SECTION (Amending WSR 93-12-093, filed 5/31/93, effective 7/1/93)

WAC 296-17-777 Classification 7307.

((Christmas tree farms—all operations including planting, pruning, harvesting, baling, packing and delivery Retail operations (i.e., cashiers, parking attendants, customer assistants, etc.) of Christmas tree u-cut farms or retail sales lots are to be reported separately in classification 4805-

Classification 7307 and classification 5004 shall not be assigned to the same risk unless the operations described by these classifications are conducted as separate and distinct businesses and each business has separate and distinct employees:))

7307-00 Farms: Christmas tree

Applies to establishments engaged in operating Christmas tree farms. Work contemplated by this classification includes, but is not limited to, preparing soil for new trees, planting trees, fertilizing, spraying, fumigating, weeding, pruning, harvesting, baling, packing, delivering trees, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification also applies to wholesale Christmas tree operations. Retail tree sales conducted at a farm location, as in the case of a U-cut tree operation, or at a seasonal sales lot away from the farm *may* be reported separately provided the conditions in classification 4805-09 have been met.

This classification excludes contractors engaged exclusively in the installation of sprinkler or irrigation systems who are to be reported separately in classification 0301 and contractors hired by a farm operator to build or repair fences or structures who are to be reported separately in the appropriate construction classification applicable to the work being performed.

Special notes: Establishments assigned to classification 4805 -09 should report hours in this classification *only* during the fourth quarter of each year since these sales are confined to the Christmas season. Special care should be exercised when assigning this classification as work covered by classification 5004 is similar in nature.

The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as planting trees, pruning, or harvesting. Generally the work involves manual labor tasks as opposed to machine operations. Farm labor contractors will be reported in the classification applicable to the farm with which they are contracting. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

7307-01 Tree farms, N.O.C.

(to be assigned only by classification services staff)

Applies to establishments engaged in operating tree farms not covered by another classification, (N.O.C.) such as, but not limited to, cottonwood tree farms. Operations contemplated by this classification include, but are not limited to, preparing soil for new trees, planting trees, fertilizing, spraying, fumigating, weeding, pruning trees, and maintaining or installing sprinkler systems when performed by employees of an employer subject to this classification.

This classification excludes harvesting of trees which is to be reported separately in the appropriated logging classification based on the method of harvest; contractors engaged in the installation of sprinkler or irrigation systems who are to be reported separately in classification 0301; and contractors

hired by a tree farm operator to build or repair fences or structures who are to be reported separately in the appropriate construction classification applicable to the work being performed.

Special note: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as planting trees, pruning, or harvesting. Generally the work involves manual labor tasks as opposed to machine operations. Farm labor contractors will be reported in the classification applicable to the farm with which they are contracting. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-778 Classification 7308.

((Animal shelters
Dog grooming parlors
Dog pounds
Humane societies
Pet boarding
Pet breeding kennels
Pet stores, N.O.C.))

7308-02 Animal shelters or services, dog pounds and humane societies

Applies to establishments engaged in operating animal shelters/services, dog pounds, or humane societies which care for lost or unwanted animals or animals that have been placed for adoption. The title "animal services" has replaced the title "animal shelter" or "dog pound" in most establishments. While the activities are the same under all of these titles, the main difference is the funding. Animal services are tax-base funded; humane societies are privately funded. Activities include, but are not limited to, feeding, cleaning, or grooming animals, veterinary care, euthanasia, catching or controlling animals, and investigating incidents such as animal bites and animal abuse. This classification also applies to dog obedience classes that are not in connection with kennels or pet breeding establishments.

This classification excludes pet grooming parlors which are to be reported separately in classification 7308-03; pet stores which are to be reported separately in classification 7308-04; and pet breeding/boarding kennels which are to be reported separately in classification 7308-05.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

7308-03 Pet grooming parlors

Applies to establishments engaged in providing pet grooming services either at the groomer's or the customer's location. Services may be provided in a shop or at the customer's location with the use of a vehicle equipped with the necessary supplies. Although most of the animals groomed

are dogs, parlors may also groom cats. Activities include, but are not limited to, bathing, dipping to control fleas, cutting, brushing, combing and drying hair, clipping nails, and the incidental sale of pet products such as collars, shampoos and pet clothing. Depending on the length of their stay, animals may also be fed, watered, and placed in kennels until their owners pick them up.

This classification excludes animal shelters, dog pounds, and humane societies which are to be reported separately in classification 7308-02; pet stores, N.O.C. which are to be reported separately in classification 7308-04; and pet breeding/boarding kennels which are to be reported separately in classification 7308-05.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

7308-04 Pet stores, N.O.C.

Applies to establishments engaged as pet stores not covered by another classification (N.O.C.). Stores in this classification sell cats and dogs. In addition to cats and dogs, they may also sell other animals such as birds, snakes, fish, reptiles or turtles, and related items such as, but not limited to, pet food, cages, travel carriers, pet toys, collars, shampoos, flea, tick and worm treatments, vaccination equipment, aquariums, and supplies aquariums. This classification also includes any incidental pet grooming performed by employees of employers subject to this classification.

This classification excludes stores which sell pets such as tropical fish, birds or reptiles, but do not sell cats and dogs, which are to be reported separately in classification 6406; pet grooming parlors which are to be reported separately in classification 7308-03; animal shelters, dog pounds and humane societies which are to be reported separately in classification 7308-02; pet breeding/boarding kennels which are to be reported separately in classification 7308-05 and stores which sell pet food only, but do not sell pets, which are to be reported separately in classification 6403.

Special note: Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

7308-05 Pet breeding and boarding kennels

Applies to establishments primarily engaged in boarding pets while their owners are away from home, or in boarding pets for others in connection with a breeding service. Work contemplated by this classification is of a custodial nature that includes, but is not limited to, sheltering, tending, breeding, grooming and feeding animals, erecting or mending fences, erecting or maintaining kennels, cleaning kennels, and veterinary services and the incidental sale of animals, animal grooming or care supplies when performed by employees of an employer subject to this classification.

This classification excludes pet grooming parlors which are to be reported separately in classification 7308-03 and contractors hired by a farm operator to build or repair fences or structures who are to be reported separately in the applicable construction classification.

Special notes: The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as feeding animals, grooming, and cleaning kennels. Generally the work involves manual labor tasks as opposed to machine operations. Farm labor contractors will be reported in the classification applicable to the farm or business with which they are contracting.

Effective July 1, 1996, clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

AMENDATORY SECTION (Amending WSR 94-12-063, filed 5/30/94, effective 6/30/94)

WAC 296-17-779 Classification 7309.

~~((Work activity centers~~

~~This classification is only applicable to businesses who have employees listed on their Community Rehabilitation Program (CRP) subminimum wage certificate as issued by the United States Department of Labor. This classification excludes professional, clerical, and other blue-collar employments which will be separately rated in risk classification 6709 (WAC 296-17-740) even though the only operation of the employer may be a work activity center.))~~

7309-00 Work activity centers

Applies only to the developmentally disabled persons who are enrolled at work activity centers and are listed on the center's community rehabilitation program subminimum wage certificate issued by the United States Department of Labor. Work activity centers are nonprofit organizations licensed by the department of social and health services to provide job training and learning skills to mentally and/or developmentally disabled workers enrolled as clients of the center. Because of their severe impairments, participants are unemployable in the open job market but are considered employees of the work activity center. Participants are allowed to perform their work at their own pace and can be paid less than fifty percent of the minimum wage for their work. Work activity centers are generally conducted in association with sheltered workshops.

This classification excludes all staff who operate work activity centers and all staff who operate sheltered workshops, even if the sheltered workshop also operates a work activity center, who are to be reported separately in classification 6709 and developmentally disabled workers enrolled in sheltered workshops who are to be reported separately in classification 6709.

Special note: Work activity centers differ from sheltered workshops in the severity of the impairments of the participants. Sheltered workshop participants are functional in daily routines despite their impairment. Work activity center participants are generally nonfunctional in daily routines and must be taught activities such as making beds, cooking, using public transportation, and caring for their personal needs as well as job skills.

While the workers' compensation rates for classifications 7309 and 6709 are identical, the premiums for classification

7309 are calculated on a piece rate basis to reflect the limited productivity of the workers covered by this classification.

AMENDATORY SECTION (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

WAC 296-17-870 Evaluation of actual losses. Except as provided in the following subsections of this paragraph, actual losses shall include all payments as of the "valuation date" for each claim arising from an accident occurring during the experience period. Losses for claims open as of the valuation date may also include a reserve for future payments. Actual losses on claims for accidents occurring outside of the experience period shall not be included.

(1) **Valuation date.** The valuation date shall be on and include December 31, one year and one day immediately preceding the effective date of premium rates as set forth in WAC 296-17-895. For experience modifications effective January 1, 1990, and thereafter, the valuation date shall be June 1, seven months immediately preceding the effective date of premium rates.

(2) **Retroactive adjustments - revision of losses between valuation dates.** No claim value shall be revised between valuation dates and no retroactive adjustment of an experience modification shall be made because of disputation concerning the judgment of the claims examiner or because of subsequent developments except as specifically provided in the following cases:

(a) In cases where loss values are included or excluded through mistake other than error of judgment.

(b) In cases where a third party recovery is made, subject to subsection (4)(a) of this section.

(c) In cases where the claim qualifies as a second injury claim under the provisions of RCW 51.16.120.

(d) In cases where a claim, which was previously evaluated as a compensable claim, is closed and is determined to be noncompensable (ineligible for benefits other than medical treatment).

(e) In cases where a claim is closed and is determined to be ineligible for any benefits.

In the above specified cases retroactive adjustment of the experience modification shall be made for each rating in which the claim was included. Retroactive adjustments will not be made for rating periods more than ten years prior to the date on which the claim status was changed.

(3) **Average death value.** Each fatality occurring to a worker included within the mandatory or elective coverage of Title 51 RCW shall be assigned the "average death value," said value to be the average incurred cost for all such fatalities occurring during the experience period. The average death value is set forth in Table II.

(4) **Third-party recovery - effect on experience modification.**

(a) For claims with injury dates prior to July 1, 1994, a potential claim cost recovery from action against a third party, either by the injured worker or by the department, shall not be considered in the evaluation of actual losses until such time as the third-party action has been completed. If a third-party recovery is made after a claim had previously been used

in an experience modification calculation, the experience modification shall be retroactively adjusted. The department shall compute a percentage recovery by dividing the current valuation of the claim into the amount recovered or recoverable as of the recovery date, and shall reduce both primary and excess losses previously used in the experience modification calculation by that percentage.

(b) For claims with injury dates on or after July 1, 1994, if the department determines that there is a reasonable potential of recovery from an action against a third party, both primary and excess values of the claim shall be reduced by fifty percent for purposes of experience modification calculation, until such time as the third-party action has ~~((ben))~~ been completed. This calculation shall not be retroactively adjusted, regardless of the final outcome of the third-party action. After a third-party recovery is made, the actual percentage recovery shall be applied to future experience modification calculations.

(c) For third-party actions completed before July 1, 1996, the claim shall be credited with the department's net share of the recovery, after deducting attorney fees and costs. For third-party actions completed on or after July 1, 1996, the claim shall be credited with the department's gross share of the recovery, before deducting attorney fees and costs.

(d) Definitions:

(i) As used in this section, "recovery date" means the date the money is received at the department or the date the order confirming the distribution of the recovery becomes final, whichever comes first.

(ii) As used in this section, "recoverable" means any amount due as of the recovery date and/or any amount available to offset case reserved future benefits.

(5) **Second injury claims.** The primary and excess values of any claim which becomes eligible for second injury relief under the provisions of RCW 51.16.120, as now or hereafter amended, shall be reduced by the percentage of relief granted.

(6) **Occupational disease claims.** When a claim results from an employee's exposure to an occupational disease hazard, the "date of injury," for the purposes of experience rating, shall be the date on which the disability was diagnosed, giving rise to the filing of a claim for benefits. The cost of any occupational disease claim, paid from the accident fund and medical aid fund and arising from exposure to the disease hazard under two or more employers, shall be prorated to each period of employment involving exposure to the hazard. Each insured employer who had employed the claimant during the experience period, and for at least ten percent of the claimant's exposure to the hazard, shall be charged for his share of the claim based upon the prorated costs.

(7) **Maximum claim value.** No claim shall enter an employer's experience record at a value greater than the "maximum claim value." The maximum claim value is set forth in Table II.

AMENDATORY SECTION (Amending WSR 97-24-062, filed 12/1/97, effective 1/1/98)

WAC 296-17-895 Industrial insurance accident fund base rates and medical aid base rates by class of industry.

Industrial insurance accident fund and medical aid fund base rates by class of industry shall be as set forth below.

| Class | Base Rates Effective January 1, 1998 | |
|-------|---|------------------|
| | Accident Fund | Medical Aid Fund |
| 0101 | 1.6071 | 0.4584 |
| 0103 | 1.8351 | 0.5549 |
| 0104 | 1.0933 | 0.3245 |
| 0105 | 1.3874 | 0.5243 |
| 0107 | 1.4267 | 0.3972 |
| 0108 | 1.0933 | 0.3245 |
| 0112 | 0.8229 | 0.2575 |
| 0201 | 3.3774 | 0.9111 |
| 0202 | 3.3774 | 0.9111 |
| 0210 | 1.1029 | 0.3252 |
| 0212 | 1.1029 | 0.3252 |
| 0214 | 1.3827 | 0.4230 |
| 0217 | 1.4818 | 0.4490 |
| 0219 | 1.3064 | 0.4042 |
| 0301 | 0.6772 | 0.3016 |
| 0302 | 2.3045 | 0.5805 |
| 0303 | 2.0291 | 0.5249 |
| 0306 | 1.1146 | 0.3373 |
| 0307 | 0.7917 | 0.2849 |
| 0308 | 0.5771 | 0.2602 |
| 0403 | 1.5775 | 0.5574 |
| 0502 | 1.7171 | 0.4424 |
| 0504 | 1.5798 | 0.4930 |
| 0506 | 5.2406 | 1.3770 |
| 0507 | 3.5434 | 1.1731 |
| 0508 | 3.9663 | 0.8627 |
| 0509 | 1.9123 | 0.5650 |
| 0510 | 1.5777 | 0.5226 |
| 0511 | 1.2325 | 0.4282 |
| 0512 | 1.7355 | 0.5221 |
| 0513 | 0.7873 | 0.2504 |
| 0514 | 1.4829 | 0.5566 |
| 0515 | 3.6223 | 0.9275 |
| 0516 | 1.5777 | 0.5226 |
| 0517 | 1.7320 | 0.6778 |
| 0518 | 1.9875 | 0.5183 |
| 0519 | 1.9882 | 0.7142 |
| 0520 | 1.9963 | 0.4853 |
| 0521 | 1.5798 | 0.4930 |
| 0601 | 0.6761 | 0.2363 |
| 0602 | 0.4525 | 0.1620 |

PROPOSED

| Class | Base Rates Effective January 1, 1998 | | Class | Base Rates Effective January 1, 1998 | |
|-------|---|---------------------|-------|---|---------------------|
| | Accident Fund | Medical Aid Fund | | Accident Fund | Medical Aid Fund |
| 0603 | 1.0471 | 0.3055 | 2104 | 0.2239 | 0.1329 |
| 0604 | 1.2275 | 0.5245 | 2105 | 0.6125 | 0.2346 |
| 0606 | 0.2819 | 0.1426 | 2106 | 0.3038 | 0.1583 |
| 0607 | 0.3494 | 0.1473 | 2201 | 0.2459 | 0.1104 |
| 0608 | 0.2859 | 0.1445 | 2202 | 0.5350 | 0.2594 |
| 0701 | 2.7641 | 0.4866 | 2203 | 0.3038 | 0.1599 |
| 0803 | 0.3574 | 0.1508 | 2204 | 0.1687 | 0.0757 |
| 0901 | 1.9875 | 0.5183 | 2401 | 0.3349 | 0.1985 |
| 1002 | 0.7837 | 0.3358 | 2903 | 0.5826 | 0.3029 |
| 1003 | 0.7984 | 0.3224 | 2904 | 0.7225 | 0.3505 |
| 1004 | 0.5504 | 0.2067 | 2905 | 0.4304 | 0.2309 |
| 1005 | 7.1440 | 1.8946 | 2906 | 0.3346 | 0.1380 |
| 1007 | 0.3916 | 0.1343 | 2907 | 0.4882 | 0.2348 |
| 1101 | 0.5399 | 0.2486 | 2908 | 0.9739 | 0.3970 |
| 1102 | 1.4183 | 0.4572 | 2909 | 0.4137 | 0.2111 |
| 1103 | 0.6601 | 0.2607 | 3101 | 0.7987 | 0.2912 |
| 1104 | 0.4163 | 0.2370 | 3102 | 0.2363 | 0.1142 |
| 1105 | 0.7044 | 0.2947 | 3103 | 0.8335 | 0.3169 |
| 1106 | 0.2475 | 0.1509 | 3104 | 0.5547 | 0.1819 |
| 1108 | 0.4014 | 0.1999 | 3105 | 0.7748 | 0.3320 |
| 1109 | 0.7135 | 0.3709 | 3303 | 0.2273 | 0.1156 |
| 1301 | 0.3972 | 0.1783 | 3304 | 0.4970 | 0.2693 |
| 1303 | 0.1747 | 0.0756 | 3309 | 0.3577 | 0.1899 |
| 1304 | 0.0206 | 0.0109 | 3402 | 0.4396 | 0.1940 |
| 1305 | 0.3898 | 0.1799 | 3403 | 0.2054 | 0.0871 |
| 1401 | 0.5514 | 0.2549 | 3404 | 0.4086 | 0.1991 |
| 1404 | 0.5673 | 0.2228 | 3405 | 0.2559 | 0.1077 |
| 1405 | 0.4040 | 0.1894 | 3406 | 0.2107 | 0.1149 |
| 1501 | 0.4020 | 0.1644 | 3407 | 0.3416 | 0.1495 |
| 1507 | 0.3343 | 0.1518 | 3408 | 0.1010 | 0.0519 |
| 1701 | 0.7855 | 0.2945 | 3409 | 0.0901 | 0.0509 |
| 1702 | 1.9988 | 0.5581 | 3410 | 0.1772 | 0.1156 |
| 1703 | 0.3545 | 0.1245 | 3411 | 0.3785 | 0.1609 |
| 1704 | 0.7855 | 0.2945 | 3412 | 0.3913 | 0.1565 |
| 1801 | 0.9945 | 0.3244 | 3413 | 0.5270 | 0.2261 |
| 1802 | 1.0362 | 0.3682 | 3414 | 0.4856 | 0.2085 |
| 2002 | 0.5301 | 0.2663 | 3415 | 0.5075 | 0.2187 |
| 2004 | 0.5979 | 0.2937 | 3501 | 0.9144 | 0.3594 |
| 2007 | 0.4532 | 0.2051 | 3503 | 0.2242 | 0.1679 |
| 2008 | 0.2661 | 0.1199 | 3506 | 1.0939 | 0.2832 |
| 2009 | 0.3035 | 0.1626 | 3509 | 0.3560 | 0.1857 |
| 2101 | 0.5968 | 0.2541 | 3510 | 0.3964 | 0.1940 |
| 2102 | 0.3980 | 0.2070 | 3511 | 0.5503 | 0.2730 |

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Base Rates Effective
January 1, 1998Base Rates Effective
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| Class | Accident Fund | Medical Aid Fund | Class | Accident Fund | Medical Aid Fund |
|-------|---------------|------------------|-------|---------------|------------------|
| 3512 | 0.3069 | 0.1978 | 4810 | 0.1173 | 0.0783 |
| 3513 | 0.3961 | 0.2007 | 4811 | 0.2001 | 0.1199 |
| 3602 | 0.1061 | 0.0622 | 4812 | 0.3017 | 0.1426 |
| 3603 | 0.4065 | 0.2264 | 4813 | 0.1716 | 0.0981 |
| 3604 | 1.2653 | 0.5772 | 4900 | 0.5219 | 0.1808 |
| 3605 | 0.4585 | 0.2005 | 4901 | 0.0489 | 0.0207 |
| 3701 | 0.2363 | 0.1142 | 4902 | 0.0687 | 0.0324 |
| 3702 | 0.4202 | 0.1849 | 4903 | 0.0548 | 0.0249 |
| 3707 | 0.4514 | 0.2969 | 4904 | 0.0228 | 0.0134 |
| 3708 | 0.3857 | 0.1919 | 4905 | 0.2252 | 0.1500 |
| 3802 | 0.1629 | 0.0881 | 4906 | 0.0737 | 0.0353 |
| 3808 | 0.3562 | 0.1478 | 4907 | 0.0574 | 0.0292 |
| 3901 | 0.1317 | 0.0926 | 4908 | 0.0572 | 0.0847 |
| 3902 | 0.3682 | 0.1905 | 4909 | 0.0286 | 0.0371 |
| 3903 | 1.0189 | 0.5842 | 4910 | 0.3621 | 0.1836 |
| 3905 | 0.1317 | 0.0926 | 5001 | 5.3508 | 1.3677 |
| 3906 | 0.4147 | 0.1984 | 5002 | 0.4919 | 0.2089 |
| 3909 | 0.1542 | 0.0907 | 5003 | 1.6322 | 0.4623 |
| 4002 | 0.9145 | 0.3110 | 5004 | 1.3436 | 0.5964 |
| 4101 | 0.2127 | 0.1045 | 5005 | 1.2765 | 0.3733 |
| 4103 | 0.2408 | 0.1385 | 5006 | 1.6270 | 0.4598 |
| 4107 | 0.1317 | 0.0708 | 5101 | 0.7303 | 0.3937 |
| 4108 | 0.1555 | 0.0741 | 5103 | 0.6538 | 0.3576 |
| 4109 | 0.2049 | 0.1074 | 5106 | 0.6538 | 0.3576 |
| 4201 | 0.4422 | 0.1418 | 5108 | 0.5240 | 0.2536 |
| 4301 | 0.6635 | 0.3496 | 5109 | 0.6986 | 0.2587 |
| 4302 | 0.5826 | 0.2142 | 5201 | 0.3163 | 0.1312 |
| 4304 | 0.6394 | 0.3038 | 5204 | 0.9080 | 0.3662 |
| 4305 | 0.9470 | 0.3447 | 5206 | 0.5219 | 0.1808 |
| 4401 | 0.3995 | 0.1990 | 5207 | 0.1289 | 0.0907 |
| 4402 | 0.6263 | 0.3155 | 5208 | 0.8234 | 0.3465 |
| 4404 | 0.3812 | 0.1883 | 5209 | 0.6803 | 0.2976 |
| 4501 | 0.1231 | 0.0700 | 5301 | 0.0287 | 0.0152 |
| 4502 | 0.0387 | 0.0201 | 5305 | 0.0390 | 0.0242 |
| 4504 | 0.0767 | 0.0517 | 5306 | 0.0412 | 0.0223 |
| 4601 | 0.5782 | 0.2869 | 5307 | 0.3396 | 0.1413 |
| 4802 | 0.2047 | 0.1064 | 6103 | 0.0529 | 0.0397 |
| 4803 | 0.1743 | 0.1049 | 6104 | 0.2333 | 0.1312 |
| 4804 | 0.4751 | 0.2542 | 6105 | 0.1800 | 0.0854 |
| 4805 | 0.2870 | 0.1439 | 6107 | 0.0883 | 0.0624 |
| 4806 | 0.0517 | 0.0279 | 6108 | 0.3969 | 0.2358 |
| 4808 | 0.4642 | 0.1864 | 6109 | 0.0641 | 0.0315 |
| 4809 | 0.2239 | 0.1211 | 6110 | 0.3812 | 0.1874 |

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| Class | Base Rates Effective January 1, 1998 | | Class | Base Rates Effective January 1, 1998 | |
|-------------|---|---------------------|-------------|---|---------------------|
| | Accident Fund | Medical Aid Fund | | Accident Fund | Medical Aid Fund |
| 6201 | 0.3014 | 0.1201 | 6614 | 399.0000* | 460.00000 |
| 6202 | 0.5730 | 0.2749 | 6615 | 147.0000* | 167.00000 |
| 6203 | 0.0591 | 0.0444 | 6616 | 125.0000* | 144.00000 |
| 6204 | 0.1284 | 0.0834 | 6617 | 44.0000* | 50.00000 |
| 6205 | 0.1867 | 0.1063 | 6618 | 70.0000* | 79.00000 |
| 6206 | 0.1564 | 0.0889 | 6620 | 1.1163 | 0.5271 |
| 6207 | 0.9751 | 0.7654 | 6704 | 0.1026 | 0.0580 |
| 6208 | 0.2087 | 0.1632 | 6705 | 0.5747 | 0.4118 |
| 6209 | 0.2111 | 0.1314 | 6706 | 0.3038 | 0.2076 |
| 6301 | 0.1426 | 0.0529 | 6707 | 1.3843 | 0.8472 |
| 6302 | 0.1442 | 0.0800 | 6708 | 4.4763 | 3.5090 |
| 6303 | 0.0651 | 0.0327 | 6709 | 0.1414 | 0.1035 |
| 6304 | 0.1710 | 0.1155 | 6801 | 0.2337 | 0.1047 |
| 6305 | 0.0656 | 0.0402 | 6802 | 0.3428 | 0.2222 |
| 6306 | 0.2547 | 0.1272 | 6803 | 1.0538 | 0.2027 |
| 6308 | 0.0521 | 0.0267 | 6804 | 0.1957 | 0.0956 |
| 6309 | 0.1348 | 0.0829 | 6809 | 3.2414 | 2.7886 |
| 6402 | 0.2712 | 0.1362 | 6901 | 0.0000 | 0.0399 |
| 6403 | 0.1718 | 0.1067 | 6902 | 0.9373 | 0.2451 |
| 6404 | 0.1604 | 0.0994 | 6903 | 4.6292 | 1.3618 |
| 6405 | 0.5424 | 0.2360 | 6904 | 0.2188 | 0.0954 |
| 6406 | 0.0622 | 0.0406 | 6905 | 0.2642 | 0.1256 |
| 6407 | 0.1950 | 0.1090 | 6906 | 0.0000 | 0.1256 |
| 6408 | 0.3073 | 0.1456 | 6907 | 1.0827 | 0.4467 |
| 6409 | 0.5270 | 0.2261 | 6908 | 0.4326 | 0.2047 |
| 6410 | 0.1438 | 0.0806 | 6909 | 0.0866 | 0.0487 |
| 6501 | 0.0962 | 0.0491 | <u>7002</u> | <u>0.0000</u> | <u>0.0000</u> |
| 6502 | 0.0253 | 0.0141 | 7101 | 0.0264 | 0.0144 |
| 6503 | 0.0728 | 0.0252 | 7102 | 2.1732 | 2.5468 |
| 6504 | 0.3039 | 0.2187 | 7103 | 0.3091 | 0.1232 |
| 6505 | 0.0798 | 0.0545 | 7104 | 0.0204 | 0.0135 |
| 6506 | 0.0737 | 0.0441 | 7105 | 0.0210 | 0.0132 |
| 6508 | 0.2925 | 0.1685 | 7106 | 0.1334 | 0.0673 |
| 6509 | 0.2135 | 0.1322 | 7107 | 0.2202 | 0.1226 |
| <u>6510</u> | <u>0.2925</u> | <u>0.1685</u> | 7108 | 0.1487 | 0.1072 |
| <u>6511</u> | <u>0.2925</u> | <u>0.1685</u> | 7109 | 0.1350 | 0.0890 |
| 6601 | 0.1525 | 0.0981 | 7110 | 0.2958 | 0.1160 |
| 6602 | 0.4193 | 0.2114 | 7111 | 0.3619 | 0.1902 |
| 6603 | 0.2957 | 0.1532 | 7112 | 0.5361 | 0.2518 |
| 6604 | 0.0523 | 0.0323 | 7113 | 0.5638 | 0.2450 |
| 6605 | 0.2417 | 0.1805 | 7114 | 0.5968 | 0.4148 |
| 6607 | 0.1198 | 0.0735 | 7115 | 0.4644 | 0.2423 |
| 6608 | 0.2993 | 0.1107 | 7116 | 0.4441 | 0.2204 |

Base Rates Effective
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| Class | Accident Fund | Medical Aid Fund |
|-------|---------------|------------------|
| 7117 | 0.9669 | 0.5481 |
| 7118 | 1.7933 | 0.8898 |
| 7119 | 1.8051 | 0.7607 |
| 7120 | 4.3722 | 2.2248 |
| 7121 | 4.8163 | 2.2131 |
| 7201 | 1.0637 | 0.3586 |
| 7202 | 0.0414 | 0.0199 |
| 7203 | 0.0914 | 0.0709 |
| 7204 | 0.0000 | 0.0000 |
| 7301 | 0.5428 | 0.2204 |
| 7302 | 0.5759 | 0.3230 |
| 7307 | 0.5278 | 0.2969 |
| 7308 | 0.1680 | 0.1181 |
| 7309 | 0.1414 | 0.1035 |

* These rates are calculated on a per license basis for parimutuel race tracks and are base rated.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 296-17-310 General rules and instructions.
- WAC 296-17-320 General definitions.
- WAC 296-17-345 Professional and semiprofessional athletic teams.
- WAC 296-17-350 Assumed worker hours.
- WAC 296-17-360 Assignment of classification by analogy.
- WAC 296-17-370 Governing classification.
- WAC 296-17-380 Single enterprise.
- WAC 296-17-390 Multiple enterprises.
- WAC 296-17-400 Mercantile operations.
- WAC 296-17-410 Division of single employee's worker hours.
- WAC 296-17-411 Classification for employees supporting separate operations.
- WAC 296-17-420 General inclusions.
- WAC 296-17-430 General exclusions.
- WAC 296-17-440 Standard exceptions.
- WAC 296-17-44001 Business described by a standard exception classification.
- WAC 296-17-441 Special exceptions.
- WAC 296-17-450 Special agricultural classification interpretations.
- WAC 296-17-45001 Special horse racing classification interpretation.
- WAC 296-17-45002 Special trucking industry rules.

WAC 296-17-45003

Building, construction and erection contractor reporting rules.

WAC 296-17-45004

Forest, range, or timber land services—Industry rule.

WAC 296-17-45005

Logging and/or tree thinning—Mechanized operations—General reporting rule.

WAC 296-17-45006

Special drywall industry rule.

WAC 296-17-455

Special temporary help classification interpretation.

WAC 296-17-460

Classification phraseology.

WAC 296-17-470

Penalty assessments for employers who fail to register under Title 51 RCW.

WAC 296-17-721

Classification 6508.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-14-010

Reciprocal agreements—Industrial insurance.

WAC 296-14-015

Industrial insurance labor-management cooperation program.

WSR 98-12-092

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 95-16—Filed June 2, 1998, 4:30 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-06-018.

Title of Rule: Chapter 173-806 WAC, Model ordinance.

Purpose: These revisions update the model ordinance to reflect recent changes to the SEPA rules.

Statutory Authority for Adoption: RCW 43.21C.130.

Statute Being Implemented: Chapter 43.21C RCW, State Environmental Policy Act.

Summary: Cities and counties are required to adopt their own procedures describing how they will implement the State Environmental Policy Act (SEPA), chapter 43.21C RCW. This rule provides a model ordinance that they can use as a basis for adopting their own procedures. The model only serves as guidance for cities and counties. They can use all, part, or none of it, at their discretion.

Reasons Supporting Proposal: The Department of Ecology is required by statute to develop this model ordinance. Recent changes in the SEPA rules (chapter 197-11 WAC) require updating the model.

Name of Agency Personnel Responsible for Drafting and Implementation: Neil Aaland, Ecology Headquarters, Lacey, (360) 407-7045.

Name of Proponent: Washington Department of Ecology, governmental.

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Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The model ordinance is only guidance. If used, it likely will be a cost savings since a city/county will not have to go to the expense of developing their own procedures.

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

Explanation of Rule, its Purpose, and Anticipated Effects: SEPA (chapter 43.21C RCW) and the SEPA rules (chapter 197-11 WAC) contain procedures for evaluating the potential environmental impacts of a proposal. Cities and counties are often the lead agency for implementing SEPA, and are required to adopt their own local procedures for implementation. This model ordinance is prepared to provide an example of a local ordinance setting procedure. It can be used as adopted in WAC, or can be modified as appropriate to serve local needs. A city or county can also choose to use its own procedures, and not base it on this model at all. The model ordinance is adopted as an administrative rule because the Department of Ecology is directed to do so by RCW 43.21C.130 and 43.21C.135.

Proposal Changes the Following Existing Rules: The changes to existing chapter 173-806 WAC are made to conform the model ordinance to recent changes in the SEPA rules. Changes include incorporating new sections by reference; revising the appeals section; changing time limits; and changing the references from environmentally sensitive areas to critical areas.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These changes do no impose economic impacts upon small businesses. The changes are voluntary in nature, at the discretion of cities and counties. No new requirements are added to the requirements already in chapter 197-11 WAC (SEPA rules).

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This rule does not subject a violator to a penalty or sanction; does not establish, alter or revoke a qualification or standard for the issuance, suspension or revocation of a license or permit; and does not make a new or significant amendment to a policy or regulatory program. This rule only provides suggestions to cities and counties on how their own local procedures may be prepared.

Hearing Location: Department of Ecology, Headquarters Building, Room 1S-16, 300 Desmond Drive, Lacey, WA 98503, on Wednesday July 8, 1998, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Neil Aaland by July 1, 1998, TDD (360) 407-6006, or (360) 407-7045.

Submit Written Comments to: Neil Aaland, Department of Ecology, P.O. Box 7703, Olympia, WA 98504-7703, FAX (360) 407-6904, by Wednesday, July 8, 1998.

Date of Intended Adoption: August 21, 1998.

June 1, 1998
Dan Silver
Deputy Director

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-020 Purpose of this part and adoption by reference. This part contains the basic requirements that apply to the SEPA process. The city/county adopts the following sections of chapter 197-11 of the Washington Administrative Code by reference:

| | |
|-------------------------|--|
| WAC | |
| 197-11-040 | Definitions. |
| 197-11-050 | Lead agency. |
| (197-11-055) | Timing of the SEPA process.) |
| 197-11-060 | Content of environmental review. |
| 197-11-070 | Limitations on actions during SEPA process. |
| 197-11-080 | Incomplete or unavailable information. |
| 197-11-090 | Supporting documents. |
| 197-11-100 | Information required of applicants. |
| <u>197-11-158</u> | <u>GMA project review—Reliance on existing plans, laws, and regulations.</u> |
| <u>197-11-210</u> | <u>SEPA/GMA integration. (WAC 197-11-210 through 197-11-235 optional: does not apply for non-GMA jurisdictions.)</u> |
| <u>197-11-220</u> | <u>SEPA/GMA definitions.</u> |
| <u>197-11-228</u> | <u>Overall SEPA/GMA integration procedures.</u> |
| <u>197-11-230</u> | <u>Timing of an integrated GMA/SEPA process.</u> |
| <u>197-11-232</u> | <u>SEPA/GMA integration procedures for preliminary planning, environmental analysis, and expanded scoping.</u> |
| <u>197-11-235</u> | <u>Documents.</u> |
| <u>197-11-238</u> | <u>Monitoring. (optional)</u> |
| <u>197-11-250</u> | <u>SEPA/Model Toxics Control Act integration.</u> |
| <u>197-11-253</u> | <u>SEPA lead agency for MTCA actions.</u> |
| <u>197-11-256</u> | <u>Preliminary evaluation.</u> |
| <u>197-11-259</u> | <u>Determination of nonsignificance for MTCA remedial actions.</u> |
| <u>197-11-262</u> | <u>Determination of significance and EIS for MTCA remedial actions.</u> |
| <u>197-11-265</u> | <u>Early scoping for MTCA remedial actions.</u> |
| <u>197-11-268</u> | <u>MTCA interim actions.</u> |

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-030 Additional definitions. In addition to those definitions contained within WAC 197-11-700 through 197-11-799 and 197-11-220, when used in this ordinance, the following terms shall have the following meanings, unless the context indicates otherwise:

- (1) "Department" means any division, subdivision or organizational unit of the city/county established by ordinance, rule, or order.
- (2) "SEPA rules" means chapter 197-11 WAC adopted by the department of ecology.
- (3) "Ordinance" means the ordinance, resolution, or other procedure used by the city/county to adopt regulatory requirements.
- (4) "Early notice" means the city's/county's response to an applicant stating whether it considers issuance of a determination of significance likely for the applicant's proposal

(mitigated determination of nonsignificance (DNS) procedures).

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-050 Lead agency determination and responsibilities. (1) The department within the city/county receiving an application for or initiating a proposal that involves a nonexempt action shall determine the lead agency for that proposal under WAC 197-11-050, 197-11-253, and 197-11-922 through 197-11-940; unless the lead agency has been previously determined or the department is aware that another department or agency is in the process of determining the lead agency.

(2) When the city/county is the lead agency for a proposal, the department receiving the application shall determine the responsible official who shall supervise compliance with the threshold determination requirements, and if an EIS is necessary, shall supervise preparation of the EIS.

(3) When the city/county is not the lead agency for a proposal, all departments of the city/county shall use and consider, as appropriate, either the DNS or the final EIS of the lead agency in making decisions on the proposal. No city/county department shall prepare or require preparation of a DNS or EIS in addition to that prepared by the lead agency, unless required under WAC 197-11-600. In some cases, the city/county may conduct supplemental environmental review under WAC 197-11-600.

(4) If the city/county or any of its departments receives a lead agency determination made by another agency that appears inconsistent with the criteria of WAC 197-11-253 or 197-11-922 through 197-11-940, it may object to the determination. Any objection must be made to the agency originally making the determination and resolved within fifteen days of receipt of the determination, or the city/county must petition the department of ecology for a lead agency determination under WAC 197-11-946 within the fifteen-day time period. Any such petition on behalf of the city/county may be initiated by

(5) Departments of the city/county are authorized to make agreements as to lead agency status or shared lead agency duties for a proposal under WAC 197-11-942 and 197-11-944: *Provided*, That the responsible official and any department that will incur responsibilities as the result of such agreement approve the agreement.

(6) Any department making a lead agency determination for a private project shall require sufficient information from the applicant to identify which other agencies have jurisdiction over the proposal (That is: Which agencies require non-exempt licenses?).

(7) When the city/county is lead agency for a MTCA remedial action, the department of ecology shall be provided an opportunity under WAC 197-11-253(5) to review the environmental documents prior to public notice being provided. If the SEPA and MTCA documents are issued together with one public comment period under WAC 197-11-253(6), the city/county shall decide jointly with ecology who receives the comment letters and how copies of the comment letters will be distributed to the other agency.

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-053 Transfer of lead agency status to a state agency. (*Optional for cities or towns under 5,000 population and counties ((of fifth through ninth class)) with a population under eighteen thousand.*) For any proposal for a private project where the city/county would be the lead agency and for which one or more state agencies have jurisdiction, the city's/county's responsible official may elect to transfer the lead agency duties to a state agency. The state agency with jurisdiction appearing first on the priority listing in WAC 197-11-936 shall be the lead agency and the city/county shall be an agency with jurisdiction. To transfer lead agency duties, the city's/county's responsible official must transmit a notice of the transfer together with any relevant information available on the proposal to the appropriate state agency with jurisdiction. The responsible official of the city/county shall also give notice of the transfer to the private applicant and any other agencies with jurisdiction over the proposal.

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-058 Additional timing considerations.

(1) For nonexempt proposals, the DNS or (*Note: Select either draft or final EIS.*) EIS for the proposal shall accompany the city's/county's staff recommendation to any appropriate advisory body, such as the planning commission.

(2) (*This subsection is for non-GMA jurisdictions only.*) If the city's/county's only action on a proposal is a decision on a building permit or other license that requires detailed project plans and specifications, the applicant may request in writing that the city/county conduct environmental review prior to submission of the detailed plans and specifications. (*Note: The following may be added.*) The point at which environmental review may be initiated for specific permits or other licenses requiring detailed project plans and specifications is

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-065 Purpose of this part and adoption by reference. This part contains the rules for deciding whether a proposal has a "probable significant, adverse environmental impact" requiring an environmental impact statement (EIS) to be prepared. This part also contains rules for evaluating the impacts of proposals not requiring an EIS. The city/county adopts the following sections by reference, as supplemented in this part:

| | |
|------------|-----------------------------------|
| WAC | |
| 197-11-300 | Purpose of this part. |
| 197-11-305 | Categorical exemptions. |
| 197-11-310 | Threshold determination required. |
| 197-11-315 | Environmental checklist. |
| 197-11-330 | Threshold determination process. |
| 197-11-335 | Additional information. |

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| 197-11-340 | Determination of nonsignificance (DNS). |
| 197-11-350 | Mitigated DNS. |
| <u>197-11-355</u> | <u>Optional DNS process.</u> |
| 197-11-360 | Determination of significance (DS)/initiation of scoping. |
| 197-11-390 | Effect of threshold determination. |

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-090 Environmental checklist. (1) *(Use Option 1 or 2, but not both) (Option 1, using checklist from the rules without changes.) Except as provided in subsection (4) of this section, a (this exception is added for jurisdictions wishing to use planned actions) completed environmental checklist (or a copy), in the form provided in WAC 197-11-960, shall be filed at the same time as an application for a permit, license, certificate, or other approval not specifically exempted in this ordinance; except, a checklist is not needed if the city/county and applicant agree an EIS is required, SEPA compliance has been completed, or SEPA compliance has been initiated by another agency. The city/county shall use the environmental checklist to determine the lead agency and, if the city/county is the lead agency, for determining the responsible official and for making the threshold determination.*

(Option 2, adding questions to the checklist.) A completed environmental checklist shall be filed at the same time as an application for a permit, license, certificate, or other approval not exempted in this ordinance; except, a checklist is not needed if the city/county and applicant agree an EIS is required, SEPA compliance has been completed, or SEPA compliance has been initiated by another agency. Except as provided in subsection (4) of this section, the checklist shall be in the form of WAC 197-11-960 with the following additions: (Indicate city's/county's additions.)

(2) For private proposals, the city/county will require the applicant to complete the environmental checklist, providing assistance as necessary. For city/county proposals, the department initiating the proposal shall complete the environmental checklist for that proposal.

(3) *(Optional.)* The city/county may require that it, and not the private applicant, will complete all or part of the environmental checklist for a private proposal, if either of the following occurs: *(Either one or both of the following may be included.)*

(a) The city/county has technical information on a question or questions that is unavailable to the private applicant; or

(b) The applicant has provided inaccurate information on previous proposals or on proposals currently under consideration.

(4) (This subsection is to be used only by jurisdictions wishing to use planned actions.) For projects submitted as planned actions under WAC 197-11-164, the city/county shall use its existing environmental checklist form or may modify the environmental checklist form as provided in WAC 197-11-315. The modified environmental checklist form may be prepared and adopted along with or as part of a planned action ordinance; or developed after the ordinance is

adopted. In either case, a proposed modified environmental checklist form must be sent to the department of ecology to allow at least a thirty-day review prior to use.

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-100 Mitigated DNS. (1) As provided in this section and in WAC 197-11-350, the responsible official may issue a DNS based on conditions attached to the proposal by the responsible official or on changes to, or clarifications of, the proposal made by the applicant.

(2) An applicant may request in writing early notice of whether a DS is likely under WAC 197-11-350. The request must:

(a) Follow submission of a permit application and environmental checklist for a nonexempt proposal for which the department is lead agency; and

(b) Precede the city's/county's actual threshold determination for the proposal.

(3) The responsible official should respond to the request for early notice within working days. The response shall:

(a) Be written;

(b) State whether the city/county currently considers issuance of a DS likely and, if so, indicate the general or specific area(s) of concern that is/are leading the city/county to consider a DS; and

(c) State that the applicant may change or clarify the proposal to mitigate the indicated impacts, revising the environmental checklist and/or permit application as necessary to reflect the changes or clarifications.

(4) As much as possible, the city/county should assist the applicant with identification of impacts to the extent necessary to formulate mitigation measures.

(5) When an applicant submits a changed or clarified proposal, along with a revised or amended environmental checklist, the city/county shall base its threshold determination on the changed or clarified proposal and should make the determination within fifteen days of receiving the changed or clarified proposal:

(a) If the city/county indicated specific mitigation measures in its response to the request for early notice, and the applicant changed or clarified the proposal to include those specific mitigation measures, the city/county shall issue and circulate a DNS under WAC 197-11-340(2).

(b) If the city/county indicated areas of concern, but did not indicate specific mitigation measures that would allow it to issue a DNS, the city/county shall make the threshold determination, issuing a DNS or DS as appropriate.

(c) The applicant's proposed mitigation measures (clarifications, changes or conditions) must be in writing and must be specific. For example, proposals to "control noise" or "prevent stormwater runoff" are inadequate, whereas proposals to "muffle machinery to X decibel" or "construct 200-foot stormwater retention pond at Y location" are adequate.

(d) Mitigation measures which justify issuance of a mitigated DNS may be incorporated in the DNS by reference to agency staff reports, studies or other documents.

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(6) ~~((A mitigated DNS is issued under WAC 197-11-340(2), requiring a fifteen day comment period and public notice.)) (Note: GMA counties/cities may use either Option 1 or 2; non-GMA counties/cities must use Option 1.) (Option 1) A mitigated DNS is issued under WAC 197-11-340(2), requiring a fourteen-day comment period and public notice. (Option 2) A mitigated DNS is issued under either WAC 197-11-340(2), requiring a fourteen-day comment period and public notice, or WAC 197-11-355, which may require no additional comment period beyond the comment period on the notice of application.~~

(7) Mitigation measures incorporated in the mitigated DNS shall be deemed conditions of approval of the permit decision and may be enforced in the same manner as any term or condition of the permit, or enforced in any manner specifically prescribed by the city/county.

(8) If the city's/county's tentative decision on a permit or approval does not include mitigation measures that were incorporated in a mitigated DNS for the proposal, the city/county should evaluate the threshold determination to assure consistency with WAC 197-11-340 (3)(a) (withdrawal of DNS).

(9) The city's/county's written response under subsection (2) of this section shall not be construed as a determination of significance. In addition, preliminary discussion of clarifications or changes to a proposal, as opposed to a written request for early notice, shall not bind the city/county to consider the clarifications or changes in its threshold determination.

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-128 Adoption by reference. This part contains rules for consulting, commenting, and responding on all environmental documents under SEPA, including rules for public notice and hearings. The city/county adopts the following sections by reference, as supplemented in this part:

| | |
|-------------------|---|
| WAC | |
| 197-11-500 | Purpose of this part. |
| 197-11-502 | Inviting comment. |
| 197-11-504 | Availability and cost of environmental documents. |
| 197-11-508 | SEPA register. |
| <u>197-11-510</u> | <u>Public notice.</u> |
| 197-11-535 | Public hearings and meetings. |
| 197-11-545 | Effect of no comment. |
| 197-11-550 | Specificity of comments. |
| 197-11-560 | FEIS response to comments. |
| 197-11-570 | Consulted agency costs to assist lead agency. |

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-130 Public notice. (This section is required for non-GMA cities and counties. Subsections (1) and (2) of this section may be combined.) (1) Whenever city/county issues a DNS under WAC 197-11-340(2) or a DS under WAC 197-11-360(3) the city/county shall give public notice as follows:

(a) If public notice is required for a nonexempt license, the notice shall state whether a DS or DNS has been issued and when comments are due.

(b) If no public notice is required for the permit or approval, the city/county shall give notice of the DNS or DS by: (Note: Select at least one of the following)

- (i) Posting the property, for site-specific proposals;
- (ii) Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located;

(iii) Notifying public or private groups which have expressed interest in a certain proposal or in the type of proposal being considered;

(iv) Notifying the news media;

(v) Placing notices in appropriate regional, neighborhood, ethnic, or trade journals; and/or

(vi) Publishing notice in agency newsletters and/or sending notice to agency mailing lists (either general lists or lists for specific proposals for subject areas);

(vii) (or, specify other method)

(c) Whenever the city/county issues a DS under WAC 197-11-360(3), the city/county shall state the scoping procedure for the proposal in the DS as required in WAC 197-11-408 and in the public notice.

(2) Whenever the city/county issues a DEIS under WAC 197-11-455(5) or a SEIS under WAC 197-11-620, notice of the availability of those documents shall be given by:

(a) Indicating the availability of the DEIS in any public notice required for a nonexempt license; and (Note: In addition select at least one of the following or insert all of the list and require that at least one method be used.)

(b) Posting the property, for site-specific proposals;

(c) Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located;

(d) Notifying public or private groups which have expressed interest in a certain proposal or in the type of proposal being considered;

(e) Notifying the news media;

(f) Placing notices in appropriate regional, neighborhood, ethnic, or trade journals; and/or

(g) Publishing notice in agency newsletters and/or sending notice to agency mailing lists (general lists or specific lists for proposals or subject areas); (and/or

(h) specify other)

(3) Whenever possible, the city/county shall integrate the public notice required under this section with existing notice procedures for the city's/county's nonexempt permit(s) or approval(s) required for the proposal.

(4) The city/county may require an applicant to complete the public notice requirements for the applicant's proposal at his or her expense.

NEW SECTION

WAC 173-806-132 Public notice. (This section is required for GMA cities and counties. Subsections (1) and (2) of this section may be combined.) (1) Whenever possible, the city/county shall integrate the public notice required under this section with existing notice procedures for the

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city's/county's nonexempt permit(s) or approval(s) required for the proposal.

(2) Whenever city/county issues a DNS under WAC 197-11-340(2) or a DS under WAC 197-11-360(3) the city/county shall give public notice as follows:

(a) If public notice is required for a nonexempt license, the notice shall state whether a DS or DNS has been issued and when comments are due.

(b) If an environmental document is issued concurrently with the notice of application, the public notice requirements for the notice of application in RCW 36.70B.110(4) will suffice to meet the SEPA public notice requirements in WAC 197-11-510(1).

(c) If no public notice is otherwise required for the permit or approval, the city/county shall give notice of the DNS or DS by: *(Note: Select at least one of the following.)*

(i) Posting the property, for site-specific proposals;

(ii) Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located;

(iii) Notifying public or private groups which have expressed interest in a certain proposal or in the type of proposal being considered;

(iv) Notifying the news media;

(v) Placing notices in appropriate regional, neighborhood, ethnic, or trade journals; and/or

(vi) Publishing notice in agency newsletters and/or sending notice to agency mailing lists (either general lists or lists for specific proposals for subject areas);

(vii) (or, specify other method)

(d) Whenever the city/county issues a DS under WAC 197-11-360(3), the city/county shall state the scoping procedure for the proposal in the DS as required in WAC 197-11-408 and in the public notice.

(3) If a DNS is issued using the optional DNS process, the public notice requirements for a notice of application in RCW 36.70B.110(4) as supplemented by the requirements in WAC 197-11-355 will suffice to meet the SEPA public notice requirements in WAC 197-11-510(1)(b).

(4) Whenever the city/county issues a DEIS under WAC 197-11-455(5) or a SEIS under WAC 197-11-620, notice of the availability of those documents shall be given by:

(a) Indicating the availability of the DEIS in any public notice required for a nonexempt license; and (Note: In addition select at least one of the following or insert all of the list and require that at least one method be used.)

(b) Posting the property, for site-specific proposals;

(c) Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located;

(d) Notifying public or private groups which have expressed interest in a certain proposal or in the type of proposal being considered;

(e) Notifying the news media;

(f) Placing notices in appropriate regional, neighborhood, ethnic, or trade journals; and/or

(g) Publishing notice in agency newsletters and/or sending notice to agency mailing lists (general lists or specific lists for proposals or subject areas);

(h) (and/or specify other)

(5) Public notice for projects that qualify as planned actions shall be tied to the underlying permit as specified in WAC 197-11-172(3).

(6) The city/county may require an applicant to complete the public notice requirements for the applicant's proposal at his or her expense.

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-150 Purpose of this part and adoption by reference. This part contains rules for using and supplementing existing environmental documents prepared under SEPA or National Environmental Policy Act (NEPA) for the city's/county's own environmental compliance. The city/county adopts the following sections by reference:

| | |
|-------------------|---|
| WAC | |
| <u>197-11-164</u> | <u>Planned actions—Definition and criteria.</u> |
| <u>197-11-168</u> | <u>Ordinances or resolutions designating planned actions—Procedures for adoption.</u> |
| <u>197-11-172</u> | <u>Planned actions—Project review.</u> |
| 197-11-600 | When to use existing environmental documents. |
| 197-11-610 | Use of NEPA documents. |
| 197-11-620 | Supplemental environmental impact statement—Procedures. |
| 197-11-625 | Addenda—Procedures. |
| 197-11-630 | Adoption—Procedures. |
| 197-11-635 | Incorporation by reference—Procedures. |
| 197-11-640 | Combining documents. |

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-160 Substantive authority. (1) The policies and goals set forth in this ordinance are supplementary to those in the existing authorization of the city of county.

(2) The (city/county) may attach conditions to a permit or approval for a proposal so long as:

(a) Such conditions are necessary to mitigate specific probable adverse environmental impacts identified in environmental documents prepared pursuant to this ordinance; and

(b) Such conditions are in writing; and

(c) The mitigation measures included in such conditions are reasonable and capable of being accomplished; and

(d) The city/county has considered whether other local, state, or federal mitigation measures applied to the proposal are sufficient to mitigate the identified impacts; and

(e) Such conditions are based on one or more policies in subsection (4) of this section and cited in the license or other decision document.

(3) The (city/county) may deny a permit or approval for a proposal on the basis of SEPA so long as:

(a) A finding is made that approving the proposal would result in probable significant adverse environmental impacts that are identified in a FEIS or final SEIS prepared pursuant to this ordinance; and

(b) A finding is made that there are no reasonable mitigation measures capable of being accomplished that are sufficient to mitigate the identified impact; and

(c) The denial is based on one or more policies identified in subsection (4) of this section and identified in writing in the decision document.

(4) The city/county designates and adopts by reference the following policies as the basis for the city's/county's exercise of authority pursuant to this section:

(a) The city/county shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:

(i) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(ii) Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;

(iii) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(iv) Preserve important historic, cultural, and natural aspects of our national heritage;

(v) Maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(vi) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(vii) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(b) The city/county recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

(c) (Optional.) The city/county adopts by reference the policies in the following city/county (codes, ordinances, resolutions, plans). (List the codes, ordinances, resolutions, or plans you have selected, such as zoning ordinance, building codes or comprehensive plans.)

(d) (Optional.) The city/county establishes the following additional policies:

~~((5) (Note: Required by RCW 43.21C.060, unless the city/county council/commission elects to eliminate such appeals and states so in this ordinance.) Except for permits and variances issued pursuant to chapter of the city/county code (chapter relating to shoreline management), when any proposal or action not requiring a decision of the city/county council/commission is conditioned or denied on the basis of SEPA by a nonelected official, the decision shall be appealable to the city/county council/commission. Such appeal may be perfected by the proponent or any aggrieved party by giving notice to the responsible official within ten days of the decision being appealed. Review by the city/county council/commission shall be on a de novo basis.)~~

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-170 Appeals. (1) (Agency administrative appeal is optional. If allowed, the statute requires that all of this subsection be included, except (c) of this subsection which is optional.) city/county establishes the following administrative appeal procedures under RCW 43.21C.075 and WAC 197-11-680:

~~((a) Any agency or person may appeal the city's/county's procedural compliance with chapter 197-11 WAC for issuance of the following: (Note: Select one or more.)~~

~~(i) A final DNS: (Note: Choose one of the following options.)~~

~~(Option 1) Appeal of the DNS must be made to within days of the date the DNS is final (see WAC 197-11-390 (2)(a)).~~

~~(Option 2) Appeal of the DNS must be made to within days of the date the DNS is final. Appeal of the substantive determination on the action must be made to within days of the issuance of the permit or other license.~~

~~(Option 3) Appeal of the (city/county must specify DNS, substantive determination on action, or both. If both are allowed, they must be consolidated.) must be made to within days of the date the permit or other approval is issued.~~

~~(ii) A DS: The appeal must be made to within days of the date the DS is issued.~~

~~(iii) An EIS: Appeal of the (city/county must specify FEIS, substantive determination on the action, or both. If both are allowed, they must be consolidated) must be made to within days of the date the permit or other approval is issued.) (Note: No model ordinance language has been prepared for administrative appeals, as there are many different choices a city or county can make. If you choose to offer administrative appeals, state your procedures here. Special note: If you do not wish to offer one specific type of administrative appeal, that of a nonelected official's decision conditioning or denying a proposal, RCW 43.21C.060 requires you to clearly state that you are eliminating that type of appeal.)~~

(b) For any appeal under this subsection, the city/county shall provide for a record that shall consist of the following:

- (i) Findings and conclusions;
- (ii) Testimony under oath; and
- (iii) A taped or written transcript.

(c) (Optional.) The city/county may require the appellant to provide an electronic transcript.

(d) The procedural determination by the city's/county's responsible official shall carry substantial weight in any appeal proceeding.

(2) The city/county shall give official notice under WAC 197-11-680(5) whenever it issues a permit or approval for which a statute or ordinance establishes a time limit for commencing judicial appeal. (The following is optional.) The following permits or approvals require official notice:

PROPOSED

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-175 Purpose of this part and adoption by reference. This part contains uniform usage and definitions of terms under SEPA. The city/county adopts the following sections by reference, as supplemented by WAC ~~((173-806-040))~~ 173-806-030:

WAC

| | |
|-------------------------|--|
| 197-11-700 | Definitions. |
| 197-11-702 | Act. |
| 197-11-704 | Action. |
| 197-11-706 | Addendum. |
| 197-11-708 | Adoption. |
| 197-11-710 | Affected tribe. |
| 197-11-712 | Affecting. |
| 197-11-714 | Agency. |
| 197-11-716 | Applicant. |
| 197-11-718 | Built environment. |
| 197-11-720 | Categorical exemption. |
| <u>197-11-721</u> | <u>Closed record appeal.</u> |
| 197-11-722 | Consolidated appeal. |
| 197-11-724 | Consulted agency. |
| 197-11-726 | Cost-benefit analysis. |
| 197-11-728 | County/city. |
| 197-11-730 | Decision maker. |
| 197-11-732 | Department. |
| 197-11-734 | Determination of nonsignificance (DNS). |
| 197-11-736 | Determination of significance (DS). |
| 197-11-738 | EIS. |
| 197-11-740 | Environment. |
| 197-11-742 | Environmental checklist. |
| 197-11-744 | Environmental document. |
| 197-11-746 | Environmental review. |
| ((197-11-748 | Environmentally sensitive area:)) |
| 197-11-750 | Expanded scoping. |
| 197-11-752 | Impacts. |
| 197-11-754 | Incorporation by reference. |
| 197-11-756 | Lands covered by water. |
| 197-11-758 | Lead agency. |
| 197-11-760 | License. |
| 197-11-762 | Local agency. |
| 197-11-764 | Major action. |
| 197-11-766 | Mitigated DNS. |
| 197-11-768 | Mitigation. |
| 197-11-770 | Natural environment. |
| 197-11-772 | NEPA. |
| 197-11-774 | Nonproject. |
| <u>197-11-775</u> | <u>Open record hearing.</u> |
| 197-11-776 | Phased review. |
| 197-11-778 | Preparation. |
| 197-11-780 | Private project. |
| 197-11-782 | Probable. |
| 197-11-784 | Proposal. |
| 197-11-786 | Reasonable alternative. |
| 197-11-788 | Responsible official. |

| | |
|------------|---------------------------------|
| 197-11-790 | SEPA. |
| 197-11-792 | Scope. |
| 197-11-793 | Scoping. |
| 197-11-794 | Significant. |
| 197-11-796 | State agency. |
| 197-11-797 | Threshold determination. |
| 197-11-799 | Underlying governmental action. |

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-180 Adoption by reference. The city/county adopts by reference the following rules for categorical exemptions, as supplemented in this ordinance, including WAC 173-806-070 (Flexible thresholds), WAC 173-806-080 (Use of exemptions), and WAC 173-806-190 ~~((Environmentally sensitive))~~ Critical areas:

WAC

| | |
|------------|---------------------------------------|
| 197-11-800 | Categorical exemptions. |
| 197-11-880 | Emergencies. |
| 197-11-890 | Petitioning DOE to change exemptions. |

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-185 Purpose of this part and adoption by reference. This part contains rules for agency compliance with SEPA, including rules for charging fees under the SEPA process, designating ~~((environmentally sensitive))~~ categorical exemptions that do not apply within critical areas, listing agencies with environmental expertise, selecting the lead agency, and applying these rules to current agency activities. The city/county adopts the following sections by reference ~~((; as supplemented by WAC 173-806-045 through 173-806-043 and this part))~~:

WAC

| | |
|------------|---|
| 197-11-900 | Purpose of this part. |
| 197-11-902 | Agency SEPA policies. |
| 197-11-916 | Application to ongoing actions. |
| 197-11-920 | Agencies with environmental expertise. |
| 197-11-922 | Lead agency rules. |
| 197-11-924 | Determining the lead agency. |
| 197-11-926 | Lead agency for governmental proposals. |
| 197-11-928 | Lead agency for public and private proposals. |
| 197-11-930 | Lead agency for private projects with one agency with jurisdiction. |
| 197-11-932 | Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city. |
| 197-11-934 | Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies. |
| 197-11-936 | Lead agency for private projects requiring licenses from more than one state agency. |
| 197-11-938 | Lead agencies for specific proposals. |
| 197-11-940 | Transfer of lead agency status to a state agency. |
| 197-11-942 | Agreements on lead agency status. |

WAC

- 197-11-944 Agreements on division of lead agency duties.
- 197-11-946 DOE resolution of lead agency disputes.
- 197-11-948 Assumption of lead agency status.

AMENDATORY SECTION (Amending Order DE 84-25, filed 6/15/84)

WAC 173-806-190 ((Environmentally sensitive))

Critical areas. *((Optional. If used, all subsections must be included.))* (1) *(Use Option 1 or 2, but not both.)*

(Option 1: If maps have been prepared.) The map(s) filed under designate the location of environmentally sensitive areas within the city/county and are adopted by reference. For each environmentally sensitive area, the exemptions within WAC 197-11-800 that are inapplicable for that area are: Unidentified exemptions shall continue to apply within environmentally sensitive areas of the city/county.

(Option 2: If environmentally sensitive areas have not been designated.) shall designate environmentally sensitive areas under the standards of WAC 197-11-908 and shall file maps designating such areas, together with the exemptions from the list in WAC 197-11-908 that are inapplicable in such areas, with and the Department of Ecology, Headquarters Office, Olympia, Washington. The environmentally sensitive area designations shall have full force and effect of law as of the date of filing.

(2) The city/county shall treat proposals located wholly or partially within an environmentally sensitive area no differently than other proposals under this ordinance, making a threshold determination for all such proposals. The city/county shall not automatically require an EIS for a proposal merely because it is proposed for location in an environmentally sensitive area.

(3) Certain exemptions do not apply on lands covered by water, and this remains true regardless of whether or not lands covered by water are mapped: *(Optional.)* (1) The city/county has selected certain categorical exemptions that will not apply in one or more critical areas identified in the critical areas ordinances required under RCW 36.70A.060. For each critical area listed below, the exemptions within WAC 197-11-800 that are inapplicable for that area are:

(a) . . . (list each critical area and exemptions that do not apply within that critical area: exemptions that do not apply can be chosen from the list in WAC 197-11-908). . . .

(b)

(2) The scope of environmental review of actions within these areas shall be limited to:

(a) Documenting whether the proposal is consistent with the requirements of the critical areas ordinance; and

(b) Evaluating potentially significant impacts on the critical area resources not adequately addressed by GMA planning documents and development regulations, if any, including any additional mitigation measures needed to protect the critical areas in order to achieve consistency with SEPA and with other applicable environmental review laws.

(3) All categorical exemptions not listed in subsection (1) of this section apply whether or not the proposal will be located in a critical area.

REPEALER

The following section of the Washington Administrative Code is repealed:

- WAC 173-806-055 Additional considerations in time limits applicable to the SEPA process.

WSR 98-12-093
PROPOSED RULES
LOTTERY COMMISSION
 [Filed June 3, 1998, 8:15 a.m.]

Supplemental Notice to WSR 98-08-064.
Preproposal statement of inquiry was filed as WSR 97-24-077.

Title of Rule: Chapter 315-36 WAC, Lucky for Life.
Purpose: To establish gameplay rules and criteria for determining winners for a new on-line game, "Lucky for Life." These rules replace the prior rules for this game (prior game name "Lucky 21").

Statutory Authority for Adoption: RCW 67.70.040.

Statute Being Implemented: RCW 67.70.040.

Summary: See Purpose above.

Reasons Supporting Proposal: See Explanation of Rules below.

Name of Agency Personnel Responsible for Drafting: Mary Jane Ferguson, Rules Coordinator, Olympia, (360) 753-1947; Implementation and Enforcement: Merritt D. Long, Director, Olympia, (360) 753-3330.

Name of Proponent: Washington State Lottery Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Chapter 315-36 WAC describes the game rules and criteria for determining winners for a new on-line game, "Lucky for Life."

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The lottery has considered whether these rules are subject to the Regulatory Fairness Act, chapter 19.85 RCW, and has determined that they are not for the following reasons: (1) The rules have no economic impact on business' cost of equipment, supplies, labor or administrative costs. The rules are designed to establish rules and procedures for the playing of instant lottery games; and (2) the rules will have negligible impact, if any, on business because they are interpretive. They have been promulgated for the purpose of stating policy, procedure and practice and do not include requirements for forms, fees, appearances or other actions by business.

RCW 34.05.328 does not apply to this rule adoption. Said section does not apply to these proposed rules because

PROPOSED

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they are not proposed by one of the listed agencies. As the rules are merely interpretive, the lottery does not voluntarily apply this section.

Hearing Location: Sea-Tac International Airport, Large Auditorium, SeaTac, WA, on July 17, 1998, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Mary Jane Ferguson by July 16, 1998, (360) 753-1947.

Submit Written Comments to: Mary Jane Ferguson, Lottery, FAX (360) 586-6586, by July 16, 1998.

Date of Intended Adoption: July 17, 1998.

June 2, 1998

Mary Jane Ferguson

Rules Coordinator

NEW SECTION

WAC 315-36-010 What is Lucky for Life and how do I play? (1) Lucky for Life is an on-line lottery game in which you purchase a computer-generated ticket and try to match your set of four numbers to the winning set of four numbers, chosen by the lottery. The game is conducted in accordance with the rules for on-line games found in chapter 315-30 WAC and the general rules found in chapter 315-06 WAC.

(2) To play Lucky for Life, you first pick one set of four numbers from "00" to "99" for a chance to win the grand prize of \$1,000 per week for the rest of your life, as specified in WAC 315-36-110. Or you can let the computer pick this set of numbers for you. If you have the computer pick for you, this is called a "quick pick" or "quick play."

(3) Next, the computer will generate twenty additional sets of four numbers each from "00" to "99" for you. These sets will all be quick picks, that is, the computer selects them for you. You cannot pick any of these additional sets of numbers yourself. You will receive a computer printed ticket containing all twenty-one sets of numbers.

(4) If any one of the twenty-one sets on the ticket match two, three, or four of the numbers in the winning set of four numbers, in any order, you win a prize as specified in WAC 315-36-030.

(5) A Lucky for Life ticket may look similar to this:

Lucky for Life

LIFETIME CASH

A. 05 20 60 73

\$50,000 PRIZE

B. 12 18 25 99 C. 22 25 36 38

\$25,000 PRIZE

D. 05 10 12 20 E. 32 35 46 48

F. 25 67 76 80 G. 33 34 46 69

\$10,000 PRIZE

H. 00 39 44 77 I. 01 23 69 98

J. 04 13 30 34 K. 36 39 80 81

L. 29 41 52 61 M. 02 03 21 99

\$5,000 PRIZE

N. 10 20 21 31 O. 24 53 60 81

P. 20 22 43 63 Q. 71 82 92 93

R. 53 63 70 90 S. 70 82 98 99

T. 40 51 83 90 U. 63 64 68 88

NEW SECTION

WAC 315-36-020 How much does a ticket cost? One Lucky for Life ticket with twenty-one sets of four numbers each costs \$2.

NEW SECTION

WAC 315-36-030 What are the prizes for Lucky for Life? (1) The grand prize is \$1,000 per week for life, as specified in WAC 315-36-110. This is the prize for matching all four of the numbers in the first set designated on the ticket to the winning set of four numbers.

(2) The prizes for matching all four numbers in any of the remaining twenty sets to the winning numbers are specified under headings on the ticket, and are as follows:

| Number of Sets | Prize Bracket |
|----------------|---------------|
| Two | \$50,000 |
| Four | \$25,000 |
| Six | \$10,000 |
| Eight | \$5,000 |

(3) For matching three numbers in one of your sets to three numbers in the winning set, you win fifty dollars. For matching two numbers in one of your sets to two numbers in the winning set of numbers, you win a prize of four dollars. You may win no more than one prize for each set of numbers.

(4) All prize payments are subject to federal income tax withholding requirements and debt checks, pursuant to RCW 67.70.255.

NEW SECTION

WAC 315-36-040 Can I win more than once on one ticket? Yes. If your ticket has more than one set with two, three, or four numbers which match the winning numbers, you will receive the total of the prizes for each matching set.

NEW SECTION

WAC 315-36-050 How is the winning set of numbers selected? Lottery officials conduct the drawing for the winning set of numbers, as specified in the general rules for on-line game drawings, WAC 315-30-040. The director has the discretion to specify the means for randomly drawing the winning numbers. Each drawing shall determine, at random, four numbers from "00" through "99," which will be the winning set of numbers. No two of the four numbers in the win-

ning set will be identical. Any drawn numbers will not be declared winning numbers until the drawing is validated by the lottery. The winning numbers shall be used to determine all Lucky for Life winners for that drawing. If a drawing is not validated, another drawing will be conducted to determine the four numbers, which will be the winning set of numbers. The drawing shall not be invalidated based on the liability of the lottery.

NEW SECTION

WAC 315-36-060 How often is the winning set of numbers chosen? The Lucky for Life drawing for the winning set of numbers is held at least once a week and may be held up to once a day, seven days a week, at the discretion of the director of the lottery. The director in addition has the discretion to change the drawing schedule or cancel the drawing if it falls on a holiday.

NEW SECTION

WAC 315-36-070 Where can I buy or redeem Lucky for Life tickets? You can buy or redeem Lucky for Life tickets only from a lottery retailer licensed by the director of the lottery to sell on-line, computer generated tickets. You can buy or redeem the tickets during no less than seventeen hours each day, according to a schedule determined by the director of the lottery, but each on-line retailer will sell and redeem tickets only during their normal business hours. In redeeming tickets, a retailer may only pay out prizes up to \$600. For prizes over \$600, you must obtain a lottery claim form as described in WAC 315-06-120, and submit your ticket to the lottery by mail or in person. Tickets will be validated and redeemed in accordance with the general rules for on-line games found in chapter 315-30 WAC. Federal income tax must be withheld from prize payments as required by law.

NEW SECTION

WAC 315-36-080 What information is included on a Lucky for Life ticket and playslip? The front of the ticket includes the selection of numbers, amount wagered, drawing date, and validation and reference numbers. The playslip includes an estimate of the probability of purchasing a winning ticket, player instructions, and player information.

NEW SECTION

WAC 315-36-090 What are the odds of winning Lucky for Life? The odds of winning any prize are 1 in 7. The odds of winning specific prizes are as follows:

| | |
|-----------------------------------|---------------|
| "Lifetime Cash" type Grand Prize: | 1:3, 921, 225 |
| "\$50,000 Prize": | 1:1, 960, 613 |
| "\$25,000 Prize": | 1: 980, 306 |
| "\$10,000 Prize": | 1: 653, 538 |
| "\$5,000 Prize": | 1: 490, 153 |
| Match three numbers \$50 Prize: | 1:486 |

| | |
|-----------------------------------|---------------|
| "Lifetime Cash" type Grand Prize: | 1:3, 921, 225 |
| Match two numbers \$4 Prize: | 1:7 |

NEW SECTION

WAC 315-36-100 If more than one person per drawing wins the grand prize, does each person receive the entire prize of \$1,000 for life or is the prize split among the winners? Each person up to three winners wins the grand prize of \$1,000 per week for life. If more than three persons win the grand prize in any one drawing, then three grand prizes (for a total of \$3,000 per week for life) will be split equally among the total number of grand prize winners for that drawing.

NEW SECTION

WAC 315-36-110 How is the "Lifetime Cash" type grand prize paid? (1) You must be a natural person (e.g., not a legal entity such as a corporation) to claim the prize of \$1,000 per week for life.

(2) At the discretion of the director, winners may be permitted to choose grand prize payments either made once a year for \$52,000 or made once per week for \$1,000 per week for a total of 52 payments in one calendar year. The first payment will be made after validation of the winning ticket.

(3) Your prize becomes payable on the first business day following the drawing in which the winning numbers were drawn. If both payment methods are allowed and you select the annual payment, your first payment after ticket validation will be based on the number of weeks remaining in the calendar year in which you claim the prize. The number of weeks will be based on the first business day after the drawing in which the winning numbers were drawn. For example, if the drawing is on a Wednesday, and there are 17 Thursdays left in the calendar year (including the first business day after the drawing), you will be entitled to \$17,000 for the payment in the calendar year in which you claim your prize. Annual payments of \$52,000 will be paid in January of each qualifying year.

(4) If both payment methods are allowed and you select the annual payment, you are entitled to the \$52,000 payment if you live until January 1, even if you do not live until the end of the calendar year. If you select the weekly payment and live until January 1, but you do not live the entire calendar year, your estate will be entitled to receive your weekly payments until the end of the calendar year.

(5) If both payment methods are allowed and you select the weekly payment, you must furnish the lottery with a bank account number for electronic funds transfer (EFT) of your weekly payments, within 30 days of claiming your prize. Failure to provide a bank account number may result in paying your prize in one annual payment. You may choose to change your payment method to an annual payment by so notifying the lottery, which will calculate within 45 days the remainder due for the calendar year. Persons selecting an annual payment may not change their selection to weekly payments.

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(6) If both payment methods are allowed and you select the weekly payment, your first payment will be based on the number of weekly payments which have accrued since the first business day after the drawing in which your winning numbers were selected. Thereafter, your payments will be \$1,000 per week.

(7) If only one payment method is allowed by the director, then the grand prize will be paid as one annual payment as set forth above.

(8) The director has the discretion to revise the payment method or methods or select one payment method if it is in the best interests of the lottery, so long as each winner of the "Lifetime Cash" type prize receives a total of \$52,000 for each calendar year after the year in which he/she claims the prize.

(9) If you are under eighteen at the time of claiming the grand prize, weekly or annual payments will begin on your eighteenth birthday. For purposes of calculating your initial payment, the day before your eighteenth birthday will be treated as the date of the drawing of the winning numbers. You must notify the lottery where your payments should be sent and whether you choose weekly or annual payments, at least 30 days preceding your eighteenth birthday.

(10) "Lifetime Cash" winners are responsible to inform the lottery of any address or bank account changes affecting receipt of payments, at least 30 days preceding the address or account change.

(11) If a winner dies before payment of \$250,000 under this section, the winner's successor-in-interest will be entitled to receive a lump sum payment in the amount necessary to bring the amount paid as a prize under this section up to a total of \$250,000. Any successor-in-interest must provide the lottery with the necessary documentation and a court order directing payment of the final amount to the successor or successors entitled to payment. The determination of the sufficiency of the documentation shall lie within the discretion of the director of the lottery. Payment to the successor or successors shall be governed by all applicable laws, including WAC 315-06-120, 315-06-123, and 315-06-130.

(12) The winner's successor-in-interest must notify the lottery of the death of the winner. If the lottery makes a payment after the winner's death, the lottery shall require return of the payment, except, at the director's discretion, the payment may be deducted from any lump sum payment due to the winner's estate.

NEW SECTION

WAC 315-36-120 How are prizes, other than the "Lifetime Cash" type grand prize, paid? Every Lucky for Life prize other than the "Lifetime Cash" type grand prize will be paid in a single payment.

NEW SECTION

WAC 315-36-130 What happens to unclaimed Lucky for Life prizes? When a player who holds a winning ticket does not claim his or her prize within one hundred eighty days of the drawing in which the prize was won, that

prize is retained in the state lottery fund for further use as prizes, as provided for in RCW 67.70.190.

NEW SECTION

WAC 315-26-140 Definitions for Lucky for Life. (1) Number: Any play number from "00" through "99" inclusive.

(2) Set: One selection of four numbers, which are printed horizontally on the ticket. Each set is preceded by a letter of the alphabet.

(3) Lifetime cash: The grand prize of \$1,000 per week for life, for a maximum of \$52,000 per year.

(4) Play slip: A mark-sense game card used by players to select one set of four numbers for the "Lifetime Cash" grand prize.

(5) Lucky for Life ticket: A computer-generated receipt showing payment for one play in a Lucky for Life game. Tickets shall be issued by an on-line terminal at locations licensed by the lottery and shall list the twenty-one sets of four numbers each that belong to the ticket holder.

(6) Quick pick or quick play: A method for choosing a set of numbers by use of the random number generator within the on-line computer terminal.

(7) Play: Twenty-one sets of four numbers.

Reviser's note: The above new section was filed by the agency as WAC 315-26-140. This section is placed among sections forming new chapter 315-36 WAC, and therefore should be numbered WAC 315-36-140. Pursuant to the requirements of RCW 34.08.040, the section is published in the same form as filed by the agency.

NEW SECTION

WAC 315-36-150 Suspension or termination of Lucky for Life. At the discretion of the director, Lucky for Life may be suspended or terminated at any time, to be effective prior to the beginning of sales for any future drawing. The director may suspend or terminate sales only where no sales have been made for the drawing.

WSR 98-12-096

PROPOSED RULES

DEPARTMENT OF TRANSPORTATION

[Filed June 3, 1998, 8:40 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-08-089.

Title of Rule: WAC 468-38-120 Transport of extra-legal manufactured housing.

Purpose: Governs the movement of manufactured housing units exceeding legal dimensions for travel on the state highway system.

Statutory Authority for Adoption: RCW 46.44.090.

Summary: Expands the extra-legal limits to a sixteen foot box with twelve inch eaves, and discusses the process for permit approval for this increased size load.

Reasons Supporting Proposal: To provide economic/competitive equity relative to the manufacture and

transport of manufactured housing between the states of Washington, Oregon, and Idaho.

Name of Agency Personnel Responsible for Drafting and Implementation: Barry Diseth, Washington State Department of Transportation, Olympia, (360) 664-9497; and Enforcement: Captain Marsh Pugh, Washington State Patrol, Olympia, (360) 753-0350.

Name of Proponent: Washington State Department of Transportation, and Washington Manufactured Housing Association, private and governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule has been adopted on an emergency basis. It creates economic/competitive equity relative to the manufacture and transport of manufactured housing between the states of Washington, Oregon, and Idaho.

Proposal does not change existing rules. Establishes emergency rule as permanent rule.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Requested by private industry.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Transportation Building, Commission Board Room 1D2, Olympia, Washington 98504, on August 4, 1998, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact TDD (360) 705-6980, by July 31, 1998.

Submit Written Comments to: Barry Diseth, Motor Carrier Services, P.O. Box 47367, Olympia, WA 98504-7367, FAX (360) 664-9440, by July 31, 1998.

Date of Intended Adoption: August 4, 1998.

June 3, 1998

Gerald E. Smith

Deputy Secretary, Operations

AMENDATORY SECTION (Amending WSR 96-18-053, filed 8/30/96, effective 9/30/96)

WAC 468-38-120 (~~Over~~~~size~~ ~~manufactured~~ ~~home~~ ~~transport~~ ~~regulations.~~) **Transport of extra-legal manufactured housing.** ((1) The purpose of this section is to supplement the provisions of chapter 468-38 WAC as they relate to the movement of manufactured homes. Where conflicts with other sections of this chapter occur, the following rules apply:

(2) Definitions:

(a) "Manufactured home" means all trailers of the semi-trailer type with hitch ball coupler designed as structures for human habitation which may have been subsequently adapted to other uses, which are capable of being towed upon the public highways and are more than thirty-six feet in length and more than eight and one-half feet in width.

(b) "Modular homes and sectional buildings" means any factory-built housing designed for human habitation which does not contain a permanent frame and must be mounted on a permanent foundation. Modular homes or sectional buildings with their own attached running gear which can be towed are considered to be manufactured homes for purposes

of this regulation. Modular homes or sectional buildings moved on legally registered trailers are subject to the provisions of chapter 46.44 RCW and the provisions of this chapter of the Washington Administrative Code regulating the movement of overlegal loads.

(c) ~~Over~~~~size~~ ~~permits may be issued to transporters, dealers or owners who shall assume full responsibility while operating under a permit. Operators of tow vehicles and others assisting in the transport must function as agents or employees of the permittee.~~

(d) A "unit" is a complete or irreducible part of an over-size manufactured home:

(3) ~~Manufactured homes of semi-trailer design whose width, including eaves, exceeds eight and one-half feet but whose box width does not exceed fourteen feet, and/or whose length exceeds fifty-three feet but does not exceed seventy-five feet including tongue, may be moved under the provisions of an over-size load permit issued by the department. Provided, That the permitted over-size limits, incorporating box width and eave location when traveling, are as follows:~~

(a) ~~The box may not exceed fourteen feet in width.~~

(b) ~~The box plus eave may not exceed fifteen feet in width.~~

(c) ~~With any combination of box and eave width, up to fourteen feet, the eave(s) may be traveled on either or both sides.~~

(d) ~~Any eave in addition to the permitted combination of fourteen-foot box and eave(s) shall be traveled on the right side in the direction of traffic.~~

The procedure for measuring box width shall not include external appurtenances such as door knobs, window fasteners, drip cap at roof edge, clearance lights, load securing devices and closure materials. *Provided, That such external appurtenances do not exceed two inches on any side.*

(4) ~~Over~~~~size~~ ~~manufactured home permits may be issued as follows:~~

(a) ~~Annual permits may be issued only to permittees who are qualified as dealers or manufacturers as provided in chapter 46.70 RCW or to transporters licensed as provided in chapter 46.76 RCW.~~

~~Annual permits shall apply only to transport of manufactured homes fourteen feet or less in height, above level ground, while being transported.~~

(b) ~~Monthly permits may be issued to dealers, manufacturers, and transporters under the same conditions as annual permits except that fourteen-foot height limitations may be waived.~~

(c) ~~Single trip permits may be issued to dealers, transporters and owners for a specific combination of tow vehicle and mobile home to travel from a point of origin to a prescribed destination.~~

(5) ~~The permittee must have insurance in effect while operating under the permit in the minimum amounts of one hundred thousand dollars three hundred thousand dollars public liability and fifty thousand dollars property damage. Pilot car operators shall meet the insurance requirements of RCW 46.44.180.~~

(6) ~~If an accident occurs while transporting a manufactured home under permit, the permittee shall immediately notify the nearest state patrol office if the damage is greater~~

than two hundred fifty dollars to the manufactured home or greater than one hundred dollars to other vehicles or structures. Permission to continue the movement must be obtained from the state patrol.

(7) Dealers selling twelve to fourteen-foot wide manufactured homes must advise the prospective purchaser in writing that not all state highways are approved for the transport of twelve to fourteen-foot wide manufactured homes.

(8) Permits issued in accordance with the Uniform Mobile and Modular Home Transportation Regulations of WASHTO will be subject to those regulations and will be honored by the state of Washington if issued by other states.

(9) Manufactured homes:

(a) Overall dimensions shall not exceed those stated in the permit except for minor protrusions not to exceed two inches, such as door and window hardware. Eaves will be included in the measurement of maximum width. All dimensions shall be reduced to the practical minimum. Manufactured homes having a single eave overhang along their length will be transported to allow for safe passing distances.

(b) The complete system of the manufactured home, including running gear assembly, shall comply with the rules and regulations adopted by the United States Department of Housing and Urban Development (24 CFR 280 (1976) and as thereafter amended). Tires shall comply with applicable Federal Motor Carrier Safety Regulations, Title 49, chapter 111. Those manufactured homes not certified as qualifying to the minimum H.U.D. specifications shall have brakes on at least two axles and on four wheels. Units of sixty feet or more in length shall have at least three full axles, except that twelve-foot wide homes manufactured prior to November 1, 1970, may be moved with a minimum of two axles. The brakes shall be under the control of the driver from the cab of the towing vehicle, and shall be adequate to control the manufactured home and its load. They shall be so designed and connected that they shall automatically apply in case of accidental breakaway from the towing vehicle. A wet cell or approved battery with a full charged rating of twelve volts will be installed in the manufactured home to actuate electric brakes in the event of a breakaway. The minimum track width between two wheels on the same axle shall be eight feet. Track width shall be measured from the outer edges of the road bearing tread of tires on a single axle. Tires shall have no signs of separation or excessive aging and shall be inflated to the maximum recommended tire pressure and have tread depth no less than 3/32nd inch in any part of tire contacting the road. Recapped or retreaded tires are not allowed. Minimum combined load rating of manufactured home tires must be in excess of their in-transit load. Axles and wheels must be properly aligned to minimize wear and overheating of tires.

(c) The open side of half sections of manufactured homes shall be covered in such a way as to prevent billowing of the covering material.

(d) Furnishings or loose objects within the manufactured home shall be secured in positions to achieve proper weight and balance.

(10) Tow vehicles:

(a) Tow vehicles shall comply with the following minimum requirements:

| Manufactured Home Width to be Towed | Drive-Axle Gross | | | | |
|-------------------------------------|------------------|-------------|-------------|------------|------------------|
| | Tire Width | Tire Rating | Curb Weight | (1) Weight | Rear-Axle Rating |
| Over 8-1/2' to 10' | 7.00" | 6-ply | (2) | 6,000# | (2) |
| Over 10' to 12' | 8.00" | 8-ply | 35,000(3) | 8,000# | 15,000# |
| Over 12' to 14' | 8.25" | 10-ply | 35,000# | 9,000# | 15,000# |

(1) Includes fuel and accessories prior to hook up with manufactured home.

(2) Not required.

(3) May be waived for older vehicles.

(b) Conventional or cab forward configuration shall have a minimum wheelbase of one hundred twenty inches. Cab over engine tow vehicles shall have a minimum wheelbase of eighty nine inches. Tow vehicles shall have a minimum 4 speed transmission. Power shall be sufficient to meet the requirements listed.

(c) Electrical brake controls, wiring and connections to manufactured home brake systems will be capable of producing rated voltage and amperage at the manufactured home brake magnets in accordance with the manufactured home brake manufacturer's specifications.

(11) Signs and flags: In addition to the requirements of WAC 468-38-190, the OVERSIZE LOAD sign will be attached horizontally on the rear of the unit with the bottom edge between five and seven feet above the road surface. Sign material shall be impervious to moisture, clean and mounted with adequate supporting anchorage to provide legibility at all times.

(12) Lights: In addition to provisions of WAC 468-38-170, six inch diameter flashing amber lights with a minimum of thirty five candle power shall be mounted at the rear of the trailing unit, on a horizontal plane, at least ten feet above the roadway surface. They shall be operated with a flashing cycle of sixty to one hundred twenty times per minute during transit. Wiring and connections shall be in good working order.

(13) Travel speeds for manufactured homes shall be as set forth in WAC 468-38-340.

(14) Manufactured homes traveling in rural areas shall maintain adequate spacing of at least one half mile between any two manufactured home units. All units shall maintain a minimum distance of from four hundred to five hundred feet behind any truck, truck tractor or trailer which could impair the visibility of an overtaking vehicle.

(15) The manufactured home unit shall be operated in the right lane except when passing. On two lane highways, units shall not pass other vehicles except when required to pass a vehicle being operated at a speed so slow as to hinder the safe flow of traffic.

(16)(a) A decal issued by the county treasurer shall be displayed on any manufactured or modular home being transported on public highways in this state. The decal is not required if one of the following conditions is met:

(i) When a manufactured home is to enter the state;

(ii) When a manufactured home is being moved from the manufacturer or distributor to a retail sales outlet;

PROPOSED

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(iii) When a manufactured home is being moved from the manufacturer or distributor to a purchaser's designated location; or

(iv) When a manufactured home is being moved between retail sales outlets:

(b) The county treasurer's decal shall be displayed on the rear of the manufactured home while in transport. It shall be issued at the same time as the tax certificate for manufactured home movement. If the tax certification is for a double-wide manufactured home, two manufactured home movement decals shall be issued:

(e) The decal shall meet the following requirements:

(i) It shall be at least eight and one-half inches square.

(ii) It shall be printed on Appleton-Radiant Fluorescent Bristol (weight .010) or paper of comparable quality.

(iii) It shall be of fluorescent orange color.

(iv) It shall show the make, model and serial number of the manufactured home, the date issued, the name of the transporter, the transporter's WUTC permit number if required, the department of transportation special motor vehicle permit number, and the name of the county issuing the decal.

(v) It shall display in readily legible script the expiration date of the decal, which shall be not more than fifteen days after the date the decal is issued.

(d) Manufactured home movement decals may not be transferred:)) (1) **Purpose:** To supplement the provisions of chapter 468-38 WAC as they relate to the transport of extra-legal manufactured housing on state highways. Where conflicts with other sections of this chapter occur, the following rules apply.

(2) **Vehicle combination and size limits:**

(a) **Combination of vehicles** - The combination shall be limited to two vehicles composed of the towing vehicle and the semi-trailer designed housing unit.

(b) **Length** - The length of the manufactured housing unit must not exceed seventy-five feet, including tongue.

(c) **Width** - The width of the manufactured housing unit must not exceed a box (base) width of sixteen feet. The unit may have an eave provided it does not extend beyond either side by:

(i) More than thirty inches for units with box width less than sixteen feet; or

(ii) More than sixteen inches for units with box width of sixteen feet, however, the overall width shall not, under any circumstance, exceed eighteen feet.

(d) **Width exemptions** - External features, such as door-knobs, window fasteners, eave cap, clearance lights, and load securing devices, that extend no more than two inches on each side of the unit, are exempt from the overall width measurement.

(e) **Height** - The height of the unit is limited to the actual overhead clearance of the route.

(3) **Permits for transport:** Permits to transport extra-legal manufactured housing units are issued as follows:

(a) **Annual/monthly permits** are issued only to dealers or manufacturers described in chapter 46.70 RCW or to licensed transporters described in chapter 46.76 RCW. Annual/monthly permits are restricted to units with a width less than, or equal to, a fourteen foot box plus twelve inch eave and/or a height of fifteen feet or less measured from level ground.

(b) **Single trip permits** are required for units with an overall width greater than fifteen feet or greater and/or height greater than fifteen feet measured from level ground. A single trip permit may also be issued for any unit of a lesser dimension. **Units with an overall width or height greater than sixteen feet must comply with WAC 468-38-405, superloads prior to having a permit issued.**

(c) Permits issued in accordance with the Uniform Mobile and Modular Home Transportation Regulations of WASHTO will be subject to those regulations and will be honored by the state of Washington if issued by other states.

(4) **Escort vehicles:** Escort vehicles must comply with WAC 468-38-100, except a front escort vehicle with height pole is not required until the overall height of the unit, measured from the road surface, exceeds fifteen feet. Vehicle or load width referenced in WAC 468-38-100 must be interpreted as overall width.

(5) **Insurance:**

(a) The transporter must have insurance in effect while operating under the permit in the minimum amounts of one hundred thousand/three hundred thousand dollars bodily injury and fifty thousand dollars property damage. Escort vehicle operators shall meet the insurance requirements of RCW 46.44.180.

(b) If an accident occurs while transporting a manufactured home under permit, the transporter must immediately notify the nearest state patrol office if the damage is greater than two hundred fifty dollars to the manufactured home or greater than one hundred dollars to other vehicles or structures. Permission to continue the movement must be obtained from the state patrol.

(6) **Axles, tires and brakes** for manufactured housing unit:

(a) **Units manufactured on or after June 15, 1976,** must conform to federal HUD rules Title 24, Chapter II, Subpart J of Part 280, as in effect on September 1, 1979, and as thereafter amended.

(b) **Units manufactured prior to June 15, 1976, or not bearing the official HUD label, must comply as follows:**

| width of unit at base | number of axles required | wheels w/ brakes |
|-----------------------------|-------------------------------------|--|
| > 8' 6" but < 10' | 2 or more | all wheels on 2 axles (towing unit w/min. 9,000 GVW ¹ , all wheels on 1 axle) |
| 10' to 14' (under 60' long) | 2 or more (3 or more if > 60' long) | all wheels on 2 axles (tires minimum 8:00 x 14.5, 10 ply) |

¹ Gross vehicle weight rating which is assigned by the vehicle manufacturer.

(c) All units exceeding fourteen feet in width at the base must:

- (i) Have a minimum of four axles;
- (ii) Have operating brakes on all wheels;
- (iii) Not exceed the manufacturer's maximum weight rating on any tire as specified on the tire side wall;
- (iv) Not exceed the manufacturer's rating for any wheel, axle, draw bar, hitch, or other suspension component; and
- (v) Carry a minimum of two spare tires, inflated and ready for use.

(d) Brakes must be designed and installed to activate if the unit accidentally breaks away from the towing vehicle.

(7) Towing vehicle requirements:

(a) Towing vehicles must be equipped with dual wheels on the drive axle; and

(b) If the unit exceeds fourteen feet in width, the towing vehicle must have a minimum GAWR² of thirty-two thousand (32,000) pounds.

² Gross axle weight rating which is the sum of the axle ratings assigned by the axle manufacturer.

(c) Engine horsepower must be enough to maintain speeds of 45 MPH on the interstate and 35 MPH on other highways.

(8) Signs and lights:

(a) The *oversize load* sign must be mounted on the rear of the unit, on a horizontal plane, between five and seven feet above the road surface.

(b) In addition to any other lighting requirements by law or rule, two six-inch flashing amber lights, with a minimum of thirty-five candle power, a flashing cycle of sixty to one hundred twenty times per minute during transit, must be mounted at the rear of the trailing unit, on a horizontal plane, at least ten feet above the road surface, and above the roof line of the towing vehicle. The lights at both locations must be separated as far as practical.

(9) Travel requirements:

(a) Routes: Extra-legal units must comply with the route restrictions published by the department. All units with an overall width or height of sixteen feet or greater must be approved for travel by the department on a case-by-case basis, see also WAC 468-38-405, superloads. In addition, **dealers selling extra-legal manufactured homes must advise the prospective purchaser in writing that not all state highways are approved for the transport of manufactured homes in excess of twelve feet wide.**

(b) Speed in transit is governed by WAC 468-38-340.

(c) Open side covering: Units with an open side must be covered with a rigid material such as plywood or hardboard. In lieu of the rigid material, plastic covering can be used, provided a grillwork of lumber or similar material is applied to prevent tears and/or billowing of the plastic material.

(d) Rural travel must maintain adequate spacing between units in transit of at least one-half mile. When following a truck, truck-tractor or trailer units must maintain a space of four hundred to five hundred feet to avoid impairing the visibility of an overtaking vehicle.

(e) Travel in the right lane is required except when passing or avoiding an obstacle. On two-lane highways, units must not pass other vehicles except when required to pass a slow moving vehicle which is hindering the safe flow of traffic.

(10) Decals:

(a) A decal issued by the county treasurer must be displayed on any manufactured home being transported on public highways in this state (RCW 46.44.170), except:

(i) When a unit is to enter the state;

(ii) When a unit is being moved from the manufacturer or distributor to a retail sales outlet;

(iii) When a unit is being moved from the manufacturer or distributor to a purchaser's designated location; or

(iv) When a unit is being moved between retail sales outlets.

(b) The county treasurer's transport decal shall be displayed on the rear of the manufactured home while in transport. It shall be issued at the same time as the tax certificate for manufactured home movement. If the tax certification is for a double-wide (or more) manufactured home, there must be a transport decal issued for each unit.

(c) The decal must meet the following requirements:

(i) Be at least eight and one-half inches square.

(ii) Be printed on Appleton Radiant Florescent Bristol (weight .010) or paper of comparable quality.

(iii) Be fluorescent orange in color.

(iv) Show the make, model and serial number of the manufactured home, the date issued, the name of the transporter, the transporter's WUTC permit number if required, the department of transportation special motor vehicle permit number, and the name of the county issuing the decal.

(v) Clearly display the expiration date of the decal, which must not be more than fifteen days after the date issued.

(d) Decals must not be transferred.

WSR 98-12-004
EXPEDITED ADOPTION
DEPARTMENT OF REVENUE
 [Filed May 21, 1998, 10:51 a.m.]

Title of Rule: Amendatory section WAC 458-20-259
 Small timber harvesters—Business and occupation tax exemption.

Purpose: The purpose of the rule is to implement the B&O tax exemption provided by RCW 82.04.333 for small timber harvesters.

Statutory Authority for Adoption: RCW 82.32.300.

Statute Being Implemented: RCW 82.04.333.

Summary: The amendment removes the restriction previously in the statute which provided that a small harvester could not fell, cut or take more than five hundred thousand board feet of timber in any calendar quarter, and increases the maximum amount of timber that a small harvester could fell, cut, or take in a calendar year from one million board feet to two million board feet.

Reasons Supporting Proposal: This amendment is necessary to incorporate chapter 325, Laws of 1995, which changed the definition of "small harvester."

Name of Agency Personnel Responsible for Drafting: D. Douglas Titus, 711 Capitol Way South #303, Olympia, WA 98504, (360) 664-0687; Implementation: Claire Hesselholt, 711 Capitol Way South #303, Olympia, WA 98504, (360) 753-3446; and Enforcement: Russell W. Brubaker, 711 Capitol Way South #303, Olympia, WA 98504, (360) 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: The rule implements the B&O tax exemption provided by RCW 82.04.333 for small timber harvesters. The rule explains who qualifies as a small harvester. It provides a number of examples to demonstrate how the exemption applies in several situations. The rule also explains the registration requirements of small timber harvesters.

Proposal Changes the Following Existing Rules: The rule is changed to incorporate chapter 325, Laws of 1995, which changed the definition of "small harvester" by removing the restriction that a small harvester could not fell, cut, or take more than five hundred thousand board feet of timber in any calendar quarter; and increasing the maximum amount of timber that a small harvester could fell, cut, or take in a calendar year from one million board feet to two million board feet.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU

MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO D. Douglas Titus, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, FAX (360) 664-0693, e-mail doug@dor.wa.gov, AND RECEIVED BY August 3, 1998. Assistance for persons with disabilities: Contact Arturo Haro by July 22, 1998, TDD 1-800-451-7985 or (360) 586-0721.

May 20, 1998

Russell W. Brubaker

Assistant Director

Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 90-17-007, filed 8/3/90, effective 9/3/90)

WAC 458-20-259 Small timber harvesters—Business and occupation tax exemption. (1) ~~((Exemption.))~~ **Introduction.** Harvesters of timber are generally subject to business and occupation (B&O) tax in the extracting classification. ~~((After June 6, 1990, chapter 141, Laws of 1990))~~ RCW 82.04.333 provides a limited exemption from B&O tax for small harvesters of timber (as defined in RCW 84.33.073) whose value of product harvested, gross proceeds of log sales, or gross income of the timber harvesting business is less than \$100,000 per year.

(2) **Registration - return.**

(a) A person whose only business activity is as small harvester of timber and whose gross income in a calendar year from the harvesting of timber is less than \$100,000, is not required to register with the department for B&O tax purposes.

(b) A small harvester of timber is required to register with the department for B&O tax purposes in the month when the gross proceeds received during a calendar year from the timber harvested exceed((s)) the exempt amount.

(c) When the gross proceeds received during a calendar year from timber harvested by a small harvester exceed((s)) the exempt amount, a return shall be filed and shall include all proceeds received during the calendar year to the time when the filing of a return is required. See((:)) WAC 458-20-228 and WAC 458-20-22801 for penalties, interest and return filing periods.

(d) A harvester of timber must register with the forest tax division of the department for payment of timber excise tax.

(3) **Definition - small harvester - RCW 84.33.073(1).**

(a) "Small harvester" means every person who from his own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services, fells, cuts, or takes timber for sale or for commercial or industrial use;

(i) Prior to July 1, 1995, in an amount not exceeding five hundred thousand board feet in a calendar quarter and not exceeding one million board feet in a calendar year ~~((:—Provided, that))~~; and

(ii) After June 30, 1995, as provided by chapter 325, Laws of 1995, in an amount not exceeding two million board feet in a calendar year.

EXPEDITED ADOPTION

(b) Whenever the United States or any instrumentality thereof, the state, including its departments and institutions and political subdivisions, or any municipal corporation therein, so fells cuts, or takes timber for sale or for commercial or industrial use, not exceeding these amounts, the small harvester is the first person other than the United States or any instrumentality thereof, the state, including its departments and institutions and political subdivisions, or any municipal corporation therein, who acquires title to or a possessory interest in such timber.

(c) "Small harvester" does not include persons performing under contract the necessary labor or mechanical service for a harvester, and it does not include harvesters of Christmas trees.

(4) Examples((:)). The following examples identify a number of facts and then state a conclusion. These examples should be used only as a general guide. The tax results of other situations must be determined after a review of all facts and circumstances.

(a) A person not otherwise registered with the department for B&O tax purposes and who is a small harvester under RCW 84.33.073, harvests timber during the calendar year and receives \$60,000.

(i) No B&O tax is due and the person need not register with the department for B&O tax purposes.

(ii) However, the person must register with the department's forest tax division for payment of the timber excise tax.

(b) A person not otherwise registered with the department for B&O tax purposes and who is a small harvester under RCW 84.33.073, harvests timber during the calendar year. The small harvester has contracted with a logging company to provide the labor and mechanical services of the harvesting. The small harvester is to receive 60% and the logging company 40% of the log sale proceeds. The log purchaser pays \$150,000 for the logs paying \$90,000 to the person and \$60,000 to the logging company.

(i) For the small harvester, B&O tax is due on the entire \$150,000 paid for the logs. The small harvester is taxed upon the gross sales price of the logs without deduction for the amount paid to the logging company. See: RCW 82.04.070 and WAC 458-20-135. The small harvester must register with the department for B&O tax purposes in the month when, for the calendar year, the proceeds from all timber harvested exceeds \$100,000.

(ii) The logging company is taxed on the \$60,000 it received under the appropriate business tax classification(s). The logging company is not a small harvester as defined in RCW 84.33.073 and the exemption of this section is not applicable to the logging company.

(iii) The small harvester must register with the department's forest tax division for payment of the timber excise tax.

(c) A person is primarily engaged in another business which is currently registered with the department for B&O tax purposes and has monthly receipts of \$250,000. The person is a small harvester under RCW 84.33.073 and receives \$10,000 from the sale of the timber harvested.

(i) B&O tax remains due on \$250,000 from the other business activities. The \$10,000 received from the sale of

logs is exempt and is not reported on the person's combined excise tax return. The exemption applies to the activity of harvesting timber and receipts from the sale of logs are not combined with the receipts from other business activities to make the sale of logs taxable.

(ii) The person must register with the department's forest tax division for the payment of timber excise tax.

(d) A person is primarily engaged in another business which is currently registered with the department for B&O tax purposes and has monthly receipts of \$40,000. The person is a small timber harvester under RCW 84.33.073 and receives \$50,000 from the sale of the timber harvested.

(i) B&O tax remains due on \$40,000 from the other business activities. The \$50,000 received from the sale of logs is exempt and is not reported on the persons combined excise tax return. The exemption applies to the activity of harvesting timber only and receipts from the sale of logs are not combined with the receipts of other business activities to make the other activity exempt.

(ii) The person must register with the department's forest tax division for the payment of timber excise tax.

(e) A person not currently registered with the department for B&O tax purposes and who is a small harvester under RCW 84.33.073, harvests timber in June and again in August receiving \$50,000 in June and \$75,000 in August from the sale of the logs harvested.

(i) B&O tax is due on the entire \$125,000 received from the sale of logs. The small harvester must register with the department in August when the receipts from the timber harvesting business exceed the \$100,000 exemption amount. A tax return is to be filed in the appropriate period as provided in WAC 458-20-22801.

(ii) The person must register with the department's forest tax division for the payment of timber excise tax.

WSR 98-12-067

EXPEDITED ADOPTION DEPARTMENT OF HEALTH

[Filed June 1, 1998, 3:05 p.m.]

Title of Rule: Certificate of need program.

Purpose: Regulate health planning services to Washington state citizens.

Other Identifying Information: WAC 246-310-045, 246-310-395, and 246-310-397.

Statutory Authority for Adoption: Chapter 70.38 RCW.

Statute Being Implemented: Chapter 70.38 RCW.

Summary: Legislative changes were made to chapter 70.38 RCW which exempts a particular residential hospice care center from having to obtain a CON before expanding bed capacity. Changes were also made to the Department of Social and Health Services nursing home reimbursement statute which reference capital costs recognized by the Department of Health for nursing home replacement projects.

Reasons Supporting Proposal: During the 1998 legislative session, the legislature made changes [to] chapter 70.38 RCW. The department is incorporating these changes in the rule.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Janis Sigman, Manager, 1112 Quince Street S.E., Olympia, 98504, (360) 753-3787.

Name of Proponent: Department of Health, Certificate of Need Program, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule will incorporate legislative changes made to chapter 70.38 RCW during the 1998 legislative session which exempts one particular residential hospice care center from having to obtain a CON before expanding its bed capacity. Changes made to the Department of Social and Health Services nursing home reimbursement statute which reference CON identification of capital costs associated with nursing home bed replacements will also be incorporated into the Department of Health rule.

Proposal Changes the Following Existing Rules: Allows an exemption for one particular residential hospice care center from having to obtain a certificate of need prior to expanding its bed capacity. The Department of Social and Health Services nursing home reimbursement statute changes also reference CON identification of capital costs associated with nursing home bed replacement.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Janis Sigman, Manager, Department of Health, Certificate of Need Program, 1112 Quince Street S.E., Olympia, WA 98504-7851, AND RECEIVED BY August 1, 1998.

June 1, 1998
Bruce Miyahara
Secretary

NEW SECTION

WAC 246-310-045 Exemption from certificate of need requirements for a change in bed capacity at a residential hospice care center. (1) A change in bed capacity at a residential hospice care center shall not be subject to certificate of need review under this chapter if the department determined prior to June 1994 that the construction, development, or other establishment of the residential hospice care center was not subject to certificate of need review under this chapter.

(2) For purposes of this section, a "residential hospice care center" means any building, facility, place, or equivalent that opened in December 1996 and is organized, maintained, and operated specifically to provide beds, accommodations, facilities, and services over a continuous period of twenty-

four hours or more for palliative care to two or more individuals, not related to the operator, who are diagnosed as being in the latter stages of an advanced disease that is expected to lead to death.

AMENDATORY SECTION (Amending WSR 96-24-052 [98-10-053], filed 11/27/96 [4/29/98], effective 12/28/96 [5/30/98])

WAC 246-310-395 Nursing home bed banking for alternative use notice requirements. In the case of a nursing home licensee, requesting to convert some of the nursing home beds to an alternative use, as defined in RCW 70.38.111(8), or reduce the number of beds per room to two or one, or otherwise enhance the quality of life for residents and preserve the right to later convert the original portion of the facility back to skilled nursing care, the nursing home shall give notice of intent to preserve its conversion options to the department of health.

(1) Notice of the nursing homes intent to preserve conversion options shall be given to the department of health no later than thirty days after the effective date of the license modification made by the nursing home licensing authority. Such notices shall be signed by the licensee and include the following:

(a) A description of the alternative service to be provided or a description of how the proposed bed banking will have a direct and immediate benefit to the quality of life of the residents and a listing of the number of beds, by room number;

(b) A projected timeline for implementation; and

(c) In the event the nursing home licensee, as defined by WAC 246-310-010, is not the nursing home owner, the licensee shall provide a written statement indicating the building owner's approval of the bed reduction.

(2) The department shall notify the nursing home, as to whether the proposal meets the requirements of RCW 70.38.111 (8)(a) and if conversion rights are recognized. The nursing home does not forfeit its right to bank beds under this section if the department does not respond within this thirty-day time frame, nor does the nursing home obtain rights that it otherwise would not have under applicable statutes or rules if the department does not respond within the thirty-day time frame.

(3) The licensee shall notify the department of health at the time the alternative service or services commences.

(4) In the event the facility decides to modify the room numbers or alternative uses for the beds that have been banked, notification to the department is necessary to assure continued compliance with RCW 70.38.111 (8)(a) and WAC 246-310-395.

(5) Notice of intent to convert beds back to nursing home bed use shall be given to the department of health and the department of social and health services no later than one year prior to the effective date of the licensure modification made by the nursing home licensing authority reflecting the restored beds unless construction is required to convert the beds back. In the event the beds are not converted back to nursing home beds within sixty days of the date stated in the notice of intent, a notice of intent will need to be resubmitted

no later than one year prior to the effective date of the licensure modification.

~~((5))~~ (6) In the event construction is required to convert beds back to nursing home bed use, notice shall be given to the department of health and department of social and health services no later than two years prior to the effective date of licensure modification made by the nursing home licensing authority reflecting the restored beds. The same life and safety code requirements as existed at the time the nursing home voluntarily reduced its licensed beds shall be complied with unless waivers from such requirements were issued, in which case the converted beds shall reflect the conditions or standards that then existed pursuant to the approved waivers. In the event the beds are not converted back to nursing home beds within sixty days of the date stated in the notice of intent, a notice of intent will need to be resubmitted no later than two years prior to the effective date of the licensure modification.

~~((6))~~ (7) Prior to any license modification to convert beds back to nursing home beds under this section, the licensee must demonstrate that the nursing home meets the certificate of need exemption requirements under WAC 246-310-043.

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 WSR 96-24-052, filed 11/27/96, effective 12/28/96)

WAC 246-310-397 Nursing home bed replacement notice requirements. In the case of a nursing home licensee wanting to replace nursing home beds pursuant to WAC 246-310-044, the nursing home shall give notice of intent to replace the beds to the department of health.

Notice of the nursing home licensees intent to replace the nursing home beds shall be given to the department a minimum of thirty days prior to initiating the replacement project. Such notices shall be signed by the licensee and include the following:

(1) Documentation that the applicant is the existing licensee at all affected facilities and has operated the beds at all affected facilities for at least one year immediately preceding the replacement exemption request fulfilling the notice requirements of this section;

(2) An affidavit from the applicant that the applicant intends to be the licensee at all affected facilities at the time of project completion. This affidavit shall include a statement that the applicant acknowledges the project can not be completed if the applicant is not the licensee at the time of project completion except as allowed for under the provisions of RCW 70.38.115(14);

(3) In the event the nursing home licensee, as defined by WAC 246-310-010, is not the nursing home owner, the licensee shall document whether the building owner has a secured interest in the beds.

(a) If the building owner does have a secured interest in the beds, the licensee shall provide a written statement, signed by the building owner, indicating approval of the bed replacement. In the event that the licensee is unable to complete the replacement project, as referenced in RCW 70.38.115(14), the building owner shall be permitted to complete the project.

(b) If the building owner does not have a secured interest in the beds, the licensee shall provide documentation showing that the building owner has been notified of the proposed project. In the event that the licensee is unable to complete the replacement project, as referenced in RCW 70.38.115(14), the building owner shall not be permitted to complete the project.

(4) The number of beds currently licensed at each affected facility and the number of licensed beds to be replaced at each affected facility;

(5) Geographic location of both the existing nursing home beds and the proposed replacement beds;

(6) Documentation that the nursing home beds being replaced will not be used for nursing home services once the replacement beds are licensed; ~~((and))~~

(7) A projected timeline for completion of the project; and

(8) Estimated capital expenditure. (This figure will be used by department of social and health services as part of the rate calculation.)

WSR 98-12-090

EXPEDITED ADOPTION

LIQUOR CONTROL BOARD

[Filed June 2, 1998, 1:15 p.m.]

Title of Rule: WAC 314-12-025 Applicants for temporary licenses—Fee—Who qualifies, 314-12-130 No liquor deliveries on Sunday—Exceptions, 314-12-135 Business entertainment—Records, 314-12-140 Prohibited practices—Contracts—Gifts—Rebates, etc, 314-12-141 Courses of instruction, 314-12-145 Credit on nonliquor food items—Conditions—Recordkeeping, 314-15-010 Motel—Definition—General provisions—Fee, 314-15-020 Purchase of liquor, 314-15-030 Sale of liquor—Motel, 314-15-040 Security and storage of liquor—Definition of honor bar—Motel, 314-15-050 Records—Motel, 314-16-020 Dispensing apparatus and containers—Furnishing of certain devices, 314-16-025 "Minor prohibited" posting required in classified premises, 314-16-040 Service limited to license and order—Removal of liquor in open containers—Room service—Price list, 314-16-050 Hours of operation, 314-16-070 Minors—Employment, 314-16-075 Musicians, disc jockeys, sound or lighting technicians, persons performing janitorial services, employees of amusement device companies, security officers, fire fighters and law enforcement officers employment, 314-16-090 Bottles and containers—Reuse, 314-16-110 Liquor purchases by spirits, beer and wine restaurant, club and sports/entertainment facility licensees, 314-16-115 Hotels with spirits, beer and wine restaurants and spirits, beer and wine clubs with overnight sleeping accommodations—

Sales by the bottle to registered guests—Conditions, 314-16-150 No sale of liquor to minors, intoxicated persons, etc., 314-16-160 Records—Purchases—Reports, 314-16-190 Spirits, beer and wine restaurant—Qualifications, 314-16-195 Spirits, beer and wine restaurant restricted—Qualifications, 314-16-196 Spirits, beer and wine restaurant—Floor space requirements—Conditions for service bar only premises, 314-16-197 Minimum qualifications for applicants who apply for beer and/or wine restaurant licenses in lieu of presently held tavern license, 314-16-199 Cocktail lounge declassification—Sunday dining events, 314-16-200 Minimum qualifications for issuance of grocery store or beer and/or wine specialty shop licenses, 314-16-205 Minimum qualifications for issuance for a beer and wine gift delivery license, 314-16-210 Spirits, beer and wine restaurant license fees in unincorporated areas—Seasonal operations—Prorating fees, 314-16-230 Authorization for sale of beer and/or wine in unopened bottles for off-premises consumption under special occasion license, 314-16-240 Beer and/or wine specialty shop licenses—Principal business sale of beer and wine for off-premises consumption—Authorization for selling or serving samples, 314-16-250 Retail sale of malt liquor in kegs, 314-16-220 Class F licensees—Principal business sale of wine for off-premises consumption—Authorization for selling or serving samples, 314-18-030 Applicants—Retail liquor licensees ineligible—Exceptions, 314-18-040 Issuance fee—Restrictions, 314-18-060 Liquor to be served and consumed—Restrictions, 314-20-005 Application procedure—Beer distributor's or importer's license, 314-20-010 Brewers—Importers—Distributors—Monthly reports—Tax refund procedures, 314-20-015 Licensed brewers—Retail sales of beer on brewery premises—Beer served without charge on premises—Spirits, beer and wine restaurant operation, 314-20-020 Beer labels—Certificate of label approval required—Labels to be submitted, 314-20-030 Packages—Classification, 314-20-050 Beer distributors—Importers—Brewers—Records—Preservation, 314-20-060 Beer distributors and importers—Reports—Stamps, 314-20-070 Claims for defective keg beer—Replacement of overaged packaged beer—Procedures, 314-20-080 Sales to vessels, 314-20-090 Cash sales, 314-20-100 Beer distributor price posting, 314-20-105 Beer suppliers' price filings, contracts and memoranda, 314-22-010 Nonretail licenses—License designations, 314-24-006 Substandard wines prohibited, 314-24-040 Wine labels—Certificate of label approval required—Labels to be submitted, 314-24-080 Containers—Sizes and types permitted, 314-24-095 Fortified wine—Exception to definition when affidavit on file, 314-24-105 Application procedure—Wine distributor's or importer's license, 314-24-110 Domestic wineries, wine distributors, wine importers—Monthly reports—Bonds required—Payment of tax, 314-24-120 Importer of foreign wine—United States wineries—Certificate of approval required—Monthly reports—Records, 314-24-130 Case lot sales, 314-24-140 Sales to vessels, 314-24-150 Wine records—Preservation, 314-24-160 Domestic wineries—Retail sales of wine on winery premises—Wine served without charge on premises—Spirit, beer and wine restaurant operation, 314-24-170 Cash sales, 314-24-180 Wine distributors, wine importers—Certain rights granted, 314-24-190 Wine distributor price posting, 314-24-200 Wine

suppliers' price filings, contracts and memoranda, 314-24-210 Return of wine by retailer—Replacement—Conditions, 314-24-220 Licensing and operation of bonded wine warehouses, 314-24-230 Wine shipper's license, 314-24-250 Labeling requirements for private wine shippers, 314-25-010 Definition and limitations, 314-25-020 Purchase and receipt of beer and wine, 314-25-030 Location—Auxiliary location—Inspection, 314-25-040 Delivery of beer and wine—Records, 314-26-010 Procedures for tax refunds, 314-27-010 Liquor purchases by interstate common carrier licensees—Reports—Payment of markup and taxes—Sales by in-state beer and wine suppliers, 314-30-010 Sales by manufacturers, 314-37-010 Liquor sales in Indian country—Appointment of tribal liquor vendors—Qualifications, 314-44-005 Agent's license required—Eligible employers defined—Certain classes limited—Bona fide entity defined—Prohibited practices, 314-45-010 Convention defined—Hospitality rooms, display booths, receptions and similar activities—Permits required—Fees—Procedures, 314-52-005 Purpose and application of rules, 314-52-010 Mandatory statements, 314-52-040 Contests, competitive events, premiums and coupons, 314-52-070 Outdoor advertising, 314-52-080 Novelty advertising, 314-52-085 Programs and program folders, 314-52-090 Advertising sponsored jointly by retailers and manufacturers, importers, or distributors, prohibited, 314-52-110 Advertising by retail licensees, 314-52-113 Brand signs and point-of-sale displays on retail licensed premises, 314-52-115 Advertising by clubs—Signs, 314-70-010 Sale by spirits, beer and wine restaurant licensee of liquor stock after discontinuance of business, 314-70-020 Disposition by a governmental agency of lawfully seized liquors, except those which are required to be delivered to the board under RCW 66.32.090, 314-70-030 Purchases by spirits, beer and wine restaurant licensee of certain liquor stocks, and 314-70-040 Procedures for board purchase of liquor from governmental agencies.

Purpose: All listed rule changes and repeals are house-keeping changes to comply with chapter 321, Laws of 1997 and chapter 126, Laws of 1998. These legislative changes restructured the liquor licensing designation system. These rules are being revised to reflect these changes.

Statutory Authority for Adoption: RCW 66.08.030.

Statute Being Implemented: RCW 15.88.030, 19.126.020, 66.04.010, 66.08.180, 66.16.100, 66.20.010, 66.20.300, 66.20.310, 66.24.150, 66.24.170, 66.24.185, 66.24.200, 66.24.206, 66.24.210, 66.24.230, 66.24.240, 66.24.244, 66.24.250, 66.24.375, 66.24.380, 66.24.395, 66.24.400, 66.24.420, 66.24.425, 66.24.440, 66.24.450, 66.24.455, 66.24.495, 66.24.540, 66.28.010, 66.28.040, 66.28.050, 66.28.170, 66.28.180, 66.28.190, 66.28.200, 66.28.310, 66.44.190, 66.44.310, 66.98.060, and 82.08.150.

Summary: Legislation passed in 1997 and 1998 restructured the liquor licensing system. Instead of alphabetical designations, liquor license designations were simplified to refer to the type of premises being licensed. For instance, what was formerly a class BCEF license will now be referred to as a tavern license. These rule changes and repeals are house-keeping measures in order to reflect the new designations.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David Goyette, P.O. Box 43080, Olympia, WA 98504.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rules being amended or repealed all address the definition, purpose, qualifications, or guidelines for the various liquor licenses. Legislation passed in 1997 and 1998 restructured and simplified the liquor licensing system. Instead of alphabetical designations, liquor license designations were simplified to refer to the type of premises being licensed. For instance, what was formerly a class BCEF license will now be referred to as a tavern license. These rule changes and repeals are housekeeping measures in order to reflect the new designations. No other changes are being made to these rules.

Proposal Changes the Following Existing Rules: The rules being amended or repealed all refer to names of various liquor licenses. The 1997 and 1998 legislature passed laws that restructured the liquor licensing system. Instead of alphabetical designations, liquor license designations were simplified to refer to the type of premises being licensed. For instance, what was formerly a class BCEF license will now be referred to as a tavern license. These rule changes and repeals are housekeeping measures in order to reflect the new designations. No other changes are being made to these rules.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Teresa Berntsen, Liquor Control Board, P.O. Box 43080, Olympia, WA 98504-3080, AND RECEIVED BY August 31, 1998.

June 2, 1998
Nathan S. Ford, Jr.
Chairman

AMENDATORY SECTION (Amending WSR 96-03-004, filed 1/4/96, effective 2/4/96)

WAC 314-12-025 Applicants for temporary licenses—Fee—Who qualifies. A person who has submitted application for a retail or ~~((wholesale))~~ distributor liquor license in accordance with RCW 66.24.010 and WAC 314-12-070, and who has demonstrated to the satisfaction of the board that an emergency situation exists, or who submits all initially required documents which appear to be complete and signed, may apply for, and be issued, a temporary license to be effective immediately upon issuance under the following conditions:

(1) A fee of fifty dollars shall be submitted with the application for a temporary license.

(2) For the purposes of this section "emergency situation" shall include death or incapacity of the seller, foreclosure, divorce, or other situation which requires the buyer to assume control of the business before the application can be fully processed and approved.

(3) For the purposes of this section, "retail liquor license" shall include all classes of liquor licenses that allow the holder to sell liquor directly to the public.

(4) For the purposes of this section, ~~((wholesale))~~ distributor liquor license" shall include all classes of liquor licenses held in conjunction with those ~~((wholesale))~~ distributor licenses authorized by RCW 66.24.200 and 66.24.250.

(5) The privilege of having a temporary license issued upon an application for license does not apply to breweries or wineries, even though these licensees have limited ~~((wholesale))~~ distributor and retail privileges under their manufacturers' licenses.

AMENDATORY SECTION (Amending Order 203, Resolution No. 212, filed 11/25/86)

WAC 314-12-130 No liquor deliveries on Sunday—Exceptions. No liquor shall be delivered to any retail licensee between midnight on Saturday and midnight on Sunday; nor shall any retail licensee receive or accept delivery of any liquor between midnight on Saturday and midnight on Sunday: *Provided*, That if delivery of beer and/or wine cannot be accomplished prior to Sunday, nothing in this section shall prohibit a ~~((wholesaler))~~ distributor from delivering and a ~~((Class G, J,))~~ special occasion or ~~((retail liquor))~~ catering licensee from receiving beer and/or wine for a licensed special occasion event occurring between midnight on Saturday and midnight on Sunday. Upon license approval, beer and/or wine may be ordered by a ~~((Class G, J,))~~ special occasion licensee or ~~((I))~~ catering licensee and delivered by the ~~((wholesaler))~~ distributor to the location specified by the ~~((Class G, J,))~~ special occasion licensee or ~~((I))~~ catering licensee or directly to such licensed retailer at the ~~((wholesaler's))~~ distributor's licensed premises.

AMENDATORY SECTION (Amending WSR 90-14-003, filed 6/22/90, effective 7/23/90)

WAC 314-12-135 Business entertainment—Records. All manufacturers, importers and ~~((wholesalers))~~ distributors and employees thereof who provide either food, beverages, transportation, tickets or admission fees for or at athletic events or for other forms of entertainment to retail licensees and or their employees must maintain records thereof as follows:

(1) The originals or copies of all purchase invoices, receipts and other memoranda covering or relating to all expenditures made for entertainment activities as specified in this subsection showing:

- (a) Tickets, transportation, food, beverage, admission fees purchased or paid for,
- (b) Quantities purchased or paid for,
- (c) From whom purchased,

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(d) The name of the retail licensee or employee for whom purchased and the retail license number of the business they represent, and

(e) The purchase date.

(2) The records described above shall be kept for at least two years after each purchase or payment and shall be filed separately and kept apart from all other records and as nearly as possible shall be filed in consecutive order and each month's records kept separate so as to render the same readily available for inspection and copying.

(3) All cancelled checks, bank statements and books of account covering or involving the purchase of or expenditures for items specified in subsection (1) above and all memoranda, if any, showing payment for any such items other than by check, shall be preserved for two years and shall at all times be kept available for inspection and copying by board employees.

AMENDATORY SECTION (Amending WSR 95-17-005, filed 8/3/95, effective 9/3/95)

WAC 314-12-140 Prohibited practices—Contracts—Gifts—Rebates, etc. (1) No contract shall be made or entered into whereby any retail licensee agrees to handle any particular brand or brands of liquor to the exclusion of any other brand or brands of liquor.

(2) No contract shall be made or entered into for the future delivery of liquor to any retail licensee: *Provided*, That this regulation shall not be construed as prohibiting the placing and accepting of orders for the purchase and delivery of liquor which are made in accordance with the usual and common business practice and which are otherwise in compliance with the regulations.

(3) No manufacturer, ((wholesaler)) distributor, or importer, or his employee, shall directly or indirectly solicit, give or offer to, or receive from any retail licensee, any employee thereof, or an applicant for a license, any gifts, discounts, loans of money, premiums, rebates, free liquor of any kind, treats or services of any nature whatsoever; nor shall any retail licensee, employee thereof, or an applicant for a license, directly or indirectly, solicit, receive from, or give or offer to any manufacturer, ((wholesaler)) distributor or importer, or his employee, any gifts, discounts, loans of money, premiums, rebates, free liquor of any kind, treats or services of any nature whatsoever, except such services as are authorized in this regulation. It shall be a violation of this section for:

(a) Any retail licensee who has paid for beer or wine with a check which was dishonored upon presentation to thereafter refuse to make good on the check by immediate payment in cash.

(b) Any retail licensee to purchase beer and/or wine from any source after having received notice that a previous check given in payment for beer and/or wine has been dishonored until that dishonored check has been made good in cash.

(4) Pursuant to RCW 66.28.010 a manufacturer, ((wholesaler)) distributor, importer, or his licensed agent may perform the following services for a retailer:

(a) Build, rotate, and restock displays, utilizing filled cases, filled bottles or filled cans of his own brands only,

from stock or inventory owned by the retailer. Rotate, rearrange or replenish bottles or cans of his own brands on shelves or in the refrigerators but is prohibited from rearranging or moving displays of his products in such a manner as to cover up, hide or reduce the space of display of the products of any other manufacturer, ((wholesaler)) distributor or importer; Provided, however, manufacturers, ((wholesalers)) distributors, importers or any employees thereof may move or handle in any manner any products of any other manufacturer, importer or ((wholesaler)) distributor on the premises of any retail licensee when reasonable notice is given to other interested manufacturers, ((wholesalers)) distributors or their agents and such activity occurs during normal business hours or upon hours that are mutually agreed.

(b) Provide price cards and may also price goods of his own brands in accordance with the usual and common business practice and which are otherwise in compliance with the regulations.

(c) Provide point of sale advertising material and brand signs.

(d) Provide sales analysis of beer and wine products based on statistical sales data voluntarily provided by the retailer involved for the purpose of proposing a schematic display for beer and wine products. Any statistical sales data provided by retailers for this purpose shall be at no charge.

(e) Such services may be rendered only upon the specific approval of the retail licensee. Displays and advertising material installed or supplied for use on a retailer's premises must be in conformity with the board's advertising rules as set forth in chapter 314-52 WAC.

(5) No manufacturer, ((wholesaler)) distributor, importer, or employee thereof shall, directly or indirectly, give, furnish, rent or lend to, or receive from, any retail licensee any equipment, fixtures, supplies or property of any kind, nor shall any retail licensee, directly or indirectly, receive, lease or borrow from, or give or offer to, any manufacturer, ((wholesaler)) distributor or importer any equipment, fixtures, supplies or property of any kind. Sales authorized in this regulation shall be made on a cash on delivery basis only.

(6) No manufacturer or ((wholesaler)) distributor or employee thereof shall sell to any retail licensee or solicit from any such licensee any order for any liquor tied in with, or contingent upon, the retailer's purchase of some other beverage, alcoholic or otherwise, or any other merchandise, property or service.

(7) In selling equipment, fixtures, supplies or commodities other than liquor, no manufacturer, ((wholesaler)) distributor or importer shall grant to retail licensees, nor shall such licensees accept, more favorable prices than those extended to nonlicensed retailers. The price thereof shall be not less than the manufacturer's, importer's, or ((wholesaler's)) distributor's cost of acquisition. In no event shall credit be extended to any retail licensee.

(8) Any manufacturer, ((wholesaler)) distributor or importer who sells what is commonly referred to as heavy equipment and fixtures, such as counters, back bars, stools, chairs, tables, sinks, refrigerators or cooling boxes and similar articles, shall immediately after making any such sales have on file and available for inspection in accordance with

WAC 314-20-050 a copy of the invoice covering each such sale, which invoice shall contain a complete description of the articles sold, the purchase price of each unit sold together with the total amount of the sale, transportation costs and services rendered in connection with the installation of such articles. Such invoice shall list the date of such sale and affirm that full cash payment for such articles was received from the retailer as provided in subsection (5) of this section.

(9) If the board finds in any instance that any licensee has violated this regulation, then all licenses involved shall be held equally responsible for such violation.

Note: WAC 314-12-140 is not intended to be a relaxation in any respect of section 90 of the Liquor Act (RCW 66.28.010). As a word of caution to persons desiring to avail themselves of the opportunity to sell to retail licensees fixtures, equipment and supplies subject to the conditions and restrictions provided in section 90 of the act and the foregoing regulation, notice is hereby given that, if at any time such privilege is abused or experience proves that as a matter of policy it should be further curtailed or eliminated completely, the board will be free to impose added restrictions or to limit all manufacturers and ~~((wholesalers))~~ distributors solely to the sale of liquor when dealing with retail licensees. WAC 314-12-140 shall not be considered as granting any vested right to any person, and persons who engage in the business of selling to retail licensees property or merchandise of any nature voluntarily assume the risk of being divested of that privilege and they will undertake such business subject to this understanding. The board also cautions that certain trade practices are prohibited by rulings issued under the Federal Alcohol Administration Act by the United States Bureau of Alcohol, Tobacco and Firearms, and WAC 314-12-140 is not intended to conflict with such rulings or other requirements of federal law or regulations.

AMENDATORY SECTION (Amending WSR 91-19-071, filed 9/16/91, effective 10/17/91)

WAC 314-12-141 Courses of instruction. Breweries, wineries and ~~((wholesalers))~~ distributors conducting courses of instruction as authorized by RCW 66.28.150 may provide alcohol at no charge to licensees of the board, their employees, and invited guests who have a legitimate business interest in the manufacturing, importing, ~~((wholesaling))~~ distributing and retailing of liquor.

AMENDATORY SECTION (Amending Order 249, Resolution No. 258, filed 5/4/88)

WAC 314-12-145 Credit on nonliquor food items—Conditions—Recordkeeping. (1) Notwithstanding the provisions of WAC 314-12-140, persons licensed under RCW 66.24.200 as wine ~~((wholesalers))~~ distributors and persons licensed under RCW 66.24.250 as beer ~~((wholesalers))~~ distributors may sell at wholesale nonliquor food products on thirty days credit terms to persons licensed as retailers under this title. Complete and separate accounting records shall be maintained on all sales of nonliquor food products to ensure that such persons are in compliance with RCW 66.28.010.

(2) Nonliquor food products include all food products for human consumption as defined in RCW 82.08.0293 as it exists on July 1, 1987, except that for the purposes of this sec-

tion bottled water and carbonated beverages, whether liquid or frozen, shall be considered food products.

(3) For the purpose of this section, the period of credit is calculated as the time elapsing between the date of delivery of the product and the date of full legal discharge of the retailer, through the payment of cash or its equivalent, from all indebtedness arising from the transaction.

(4) If the board finds in any instance that any licensee has violated this section by extending or receiving credit in excess of the thirty days as provided for by this section, then all licensees involved shall be held equally responsible for such violation.

AMENDATORY SECTION (Amending WSR 93-23-015, filed 11/5/93, effective 12/6/93)

WAC 314-15-010 (~~(Class M)) Motel—Definition—General provisions—Fee.~~ (1) Pursuant to the provisions of chapter 511, Laws of 1993, there shall be a license designated as a ~~((Class M))~~ motel license which will allow a motel with 3 or more rooms to sell~~((s))~~ spirits, beer and wine by the bottle to registered guests who are at least twenty-one years of age. The annual fee for such license shall be three hundred dollars per year. Such license will be issued only to those motel establishments that do not have a licensed restaurant included as part of the motel property.

(2) "Motel" means a facility or place offering three or more self contained units (rooms) designated by number, letter, or some other method of identification to travelers and transient guests.

(3) A ~~((Class M))~~ licensed motel may sell liquor in no more than one-half of its guest rooms under the following conditions:

(a) No rooms are offered to guests on less than daily rental basis,

(b) All liquor must be stored in locked honor bars in rooms with overnight sleeping accommodations,

(c) Each honor bar must also contain snack food,

(d) Any liquor sold is for consumption in the guest room only by persons of legal age,

(e) Spirits must be sold in individual bottles not to exceed fifty milliliters in size,

(f) Beer may be sold only in individual cans or bottles not to exceed twelve ounces in size,

(g) Wine may be sold only in individual bottles not to exceed one hundred eighty-seven milliliters in size.

(4) The ~~((Class M))~~ motel licensee must provide the board with a list of all rooms by number, letter or other form of identification which contain honor bars.

AMENDATORY SECTION (Amending WSR 93-23-015, filed 11/5/93, effective 12/6/93)

WAC 314-15-020 Purchase of liquor(~~(Class M))~~. (1) All liquor sold by a ~~((Class M))~~ motel licensee must be purchased from an authorized source. All spirits must be purchased from the board. Beer and wine must be purchased from a licensed beer or wine ~~((wholesaler))~~ distributor or the board.

(2) No ((Class M)) licensee shall buy or accept delivery of beer or wine from a beer or wine ((~~wholesaler~~)) distributor except for cash paid at the time of the delivery thereof; *Provided*, That a ((Class M)) licensee may pay cash prior to delivery of the beer or wine purchased. Failure by the licensee to keep accurate accounting records which result in the extension of or receipt of credit from a ((~~wholesaler~~)) distributor through the use of a prior cash deposit which is overextended is a violation.

AMENDATORY SECTION (Amending WSR 93-23-015, filed 11/5/93, effective 12/6/93)

WAC 314-15-030 Sale of liquor—((Class M)) Motel.

(1) Before a guest may be provided access to the honor bar the licensee will require proof of age from the guest requesting the use of the honor bar pursuant to RCW 66.16.040. The guest must complete a declaration, under penalty of perjury, verifying that:

- (a) The guest is twenty-one years of age or older,
- (b) No one under twenty-one years of age will have access to the liquor in the honor bar.

(2) For the purposes of chapter 511, Laws of 1993, section 1 the declaration referred to in section 1 above shall be considered an affidavit.

(3) Where there may be a question of a registered guest's right to purchase liquor, by reason of age, the licensee shall require the guest to complete a certification card as provided in RCW 66.20.190.

AMENDATORY SECTION (Amending WSR 93-23-015, filed 11/5/93, effective 12/6/93)

WAC 314-15-040 Security and storage of liquor—

Definition of honor bar—((Class M)) Motel. (1) All liquor stored in a ((Class M)) motel licensed premises shall be either locked in an honor bar or locked in a secured liquor storage room. No person under twenty-one years of age shall have access to the honor bar(s), liquor storage room, or keys, combinations, etc. to the locked liquor facilities.

(2) An "honor bar" for the purposes of a ((Class M)) licensed motel is considered to be any cabinet, box, cooler or refrigerator which can be opened only with a key, combination, magnetic card or other device particular to that cabinet and which is secured within a guest room.

(3) Replenishment of a liquor honor bar or storage room may be made only during those hours when liquor may legally be sold, and only by employees of the ((Class M)) licensed motel who are twenty-one years of age or older; *Provided, However*, beer and wine wholesalers may deliver, price and stock product only in the storage room.

AMENDATORY SECTION (Amending WSR 93-23-015, filed 11/5/93, effective 12/6/93)

WAC 314-15-050 Records—((Class M)) Motel. (1)

Each ((Class M)) motel licensee shall keep books and records which will clearly reflect all financial transactions and the financial condition of the business. Failure to keep and main-

tain adequate records as described in this section is a violation.

(2) Every ((Class M)) licensed motel will keep originals or copies of all purchase invoices and other memoranda covering all purchases and sales of liquor showing (a) items purchased and sold, (b) quantities thereof, (c) from whom purchased and (d) purchase and sale date. These records shall be filed separately and kept apart from all other records and, as nearly as possible, shall be filed in consecutive order and each month's records kept separate so as to render the same readily available for inspection and copying.

(3) All records will be available for inspection and copying by representatives of the board for a period of two years.

(4) A ((Class M)) motel licensee may maintain records within an automatic data processing system provided the system includes a method for producing legible records that will provide the same information required of that type of records required in section (2) above.

(5) All records maintained, either manually or with a data processing system must provide:

(a) An audit trail so that details underlying the summary accounting data may be identified and made available upon request.

(b) The opportunity to trace any transaction back to the original source or forward to a final total. If printouts are not made when a transaction is processed, the system must have the ability to reconstruct these transactions.

AMENDATORY SECTION (Amending WSR 93-10-070, filed 5/3/93, effective 6/3/93)

WAC 314-16-020 Dispensing apparatus and containers—Furnishing of certain devices. (1) No retail licensee shall draw any beer from any faucet, spigot or other dispensing apparatus unless the brand name of the beer drawn shall appear in legible lettering, visible from both the front and rear, upon such faucet, spigot or other dispensing apparatus.

Brewers and beer ((~~wholesalers~~)) distributors may furnish "tap marking devices" to retail dispensers as hereinabove provided at a nominal value or cost to the brewer or beer ((~~wholesaler~~)) distributor. Brewers and beer ((~~wholesalers~~)) distributors may also furnish can and bottle openers to retail licensees at a nominal value or cost to the brewer or beer ((~~wholesaler~~)) distributor.

(2) Every bottle or other container from which wine is sold by a retail licensee for consumption on the licensed premises shall be truly labeled with the brand name, type and manufacturer's name of said wine. Wineries and wine ((~~wholesalers~~)) distributors may furnish said labels and "tap marking devices" or container marking devices and corkscrews to retail dispensers as hereinabove provided at a nominal value or cost to the winery or wine ((~~wholesaler~~)) distributor.

AMENDATORY SECTION (Amending Order 182, Resolution No. 191, filed 4/22/86)

WAC 314-16-025 "Minor prohibited" posting required in classified premises. (1) Licensees of licensed premises classified by the board pursuant to RCW

66.44.310(2) shall post a notice in a conspicuous location at each entryway to each such classified tavern or cocktail lounge informing persons under twenty-one years of age that they are not permitted to enter or remain on such classified premises.

(2) The board will provide the notices required by subsection (1) of this section to licensees without charge: *Provided, however,* That licensees may design and post their own notices. Licensees choosing to do so must ensure that the notices are legible and that they contain, at a minimum, the following language:

(a) For a premises classified as a tavern: "Persons under twenty-one years of age not permitted on these premises."

(b) For a premises classified as the cocktail lounge portion of a ~~((class H licensed))~~ spirits, beer and wine restaurant premises: "Persons under twenty-one years of age not permitted in this area."

AMENDATORY SECTION (Amending Order 261, Resolution No. 270, filed 11/22/88)

WAC 314-16-040 Service limited to license and order—Removal of liquor in open containers—Room service—Price list. (1) No retail licensee shall possess or allow any person to consume or possess any liquor other than that permitted by his license in or on the licensed premises, or on any public premises adjacent thereto which are under his control except under authority of a banquet permit; however, a restaurant licensee (~~(holding a Class C or H license)~~) may, with or without a corkage fee, allow patrons to bring wine into the premises for consumption with a meal.

(2) Beer and/or wine only licensees may keep spirituous liquor on the premises for use in the manufacture of confection or food products provided that prior written permission of the board is obtained, all confection or food products manufactured contain one percent or less of alcohol by weight, and customers are made aware that such confection or food products contain liquor and the alcohol content is one percent or less of the weight of the product.

(3) No retail licensee or employee thereof shall permit the removal of any liquor in an open container from the licensed premises except that liquor brought on a licensed premises under authority of a banquet permit shall be recorked, recapped or resealed in its original container and shall be removed at the termination of such banquet permit function. Further, wine may be removed as authorized by RCW (~~(66.24.340)~~) 66.24.320 and 66.24.400.

(4) No holder of a ~~((Class H))~~ spirits, beer and wine restaurant license shall be permitted to hold any other class of retail license covering the premises so licensed. Upon the granting of a ~~((Class H))~~ spirits, beer and wine restaurant license, all other classes of retail licenses which may be held by such new ~~((Class H))~~ spirits, beer and wine restaurant licensee at that time at the premises to be so licensed must be surrendered to the board for cancellation.

(5) When a hotel and restaurant are located in the same building or in adjoining buildings and owned by the same person or entity, room service may be provided to the hotel patrons. When the restaurant and hotel are under separate ownership, room service is authorized only when a limited

lease or agreement for that purpose has been submitted to and approved by the board.

(6) No licensee shall sell or serve any spirituous liquor, beer, or wine other than ordered, or substitute a nonalcoholic beverage when an alcoholic beverage has been ordered. A ~~((Class H))~~ spirits, beer and wine restaurant licensee shall display prices for all liquor either by posting a price list or by using menus listing such prices, or by both.

(7) No holder of a ~~((Class C))~~ beer and/or wine restaurant license shall advertise for sale, nor sell, any mixed drink under the name of "Old Fashioned," "Whiskey Sour," "Singapore Sling," "Martini," "Manhattan," nor any other name which, by long and general usage, has become associated in the public mind as being the name of a mixed drink made from spirituous liquor, unless the name of such drink is prefaced by the word "wine," such as Wine Old Fashioned. The holder of a ~~((Class C))~~ beer and/or wine restaurant license may advertise for sale, mix, compound or sell upon order, mixed drinks made from one or more wines under a name which does not conflict with this section.

AMENDATORY SECTION (Amending WSR 94-08-031, filed 3/30/94, effective 4/30/94)

WAC 314-16-050 Hours of operation. (1) No retail licensee, or employee thereof, shall sell, deliver, offer for sale, serve or allow to be consumed upon the licensed premises any liquor, nor permit the removal of any liquor from the licensed premises in any manner, whatever, nor shall ~~((a class A, B, C, D or H))~~ any retail on-premise licensee permit the physical possession of any liquor, between the hours of 2:00 a.m. and 6:00 a.m., however, persons working on the ~~((class A, B, C, D or H))~~ premises may, while in the performance of their official duties possess liquor.

(2) Any municipality may fix later opening hours or earlier closing hours than those specified in this rule, however, such later opening hours or earlier closing hours shall apply to all licensed premises.

AMENDATORY SECTION (Amending Order 263, Resolution No. 272, filed 10/5/88)

WAC 314-16-070 Minors—Employment. No person under the age of 21 years shall be employed in any service in connection with the sale, handling or serving of any liquor, either on a paid or voluntary basis, in, on or about any licensed premises except as otherwise authorized by law. Employees 18 years of age or over of ~~((Class A, C, D and/or H))~~ on-premises retail licensees may take orders for, serve and sell liquor for consumption on premises as authorized by, and under the conditions provided in, chapter 66.44 RCW. Employees 18 years of age or over of ~~((Class E and/or F))~~ off-premises retail licensees exclusively, may sell, stock and handle beer and/or wine not to be consumed upon the premises as authorized by, and under the conditions provided in, RCW 66.44.340.

(1) All licensees shall have a person 21 years of age or over on duty supervising the sale, service and consumption of liquor at the licensed premises.

(2) Persons under 21 years of age may not serve liquor in any area of (~~Class A, C, D, or H~~) an on-premises retail licensed premises at any time such area is classified by the board as off-limits to persons under 21 years of age.

(3) Employees 18 years of age or older of (~~Class A, C, D, or H~~) an on-premises retail premises may enter cocktail lounges, bars, or other areas classified by the Washington state liquor control board as off-limits to persons under 21 years of age to perform work assignments, including picking up liquor for service in other parts of the licensed premises, performing clean-up work, setting up and arranging tables, delivering supplies, delivering messages, serving food, and seating patrons. Such employees shall remain in the areas off-limits to minors no longer than is necessary to carry out their aforementioned duties.

(4) Persons under 21 years of age shall not be permitted to perform activities or functions of a bartender. For the purposes of this section, activities or functions of a bartender include, but are not limited to: Mixing drinks or cocktails; drawing beer or wine; pouring beer or wine anywhere on the premises except at the patrons table; supplying or providing to 18, 19, or 20 year old employees for delivery to the customer spirituous liquor by the glass, beer by the pitcher or glass; or wine by the carafe or glass.

AMENDATORY SECTION (Amending Order 277, Resolution No. 286, filed 3/27/89)

WAC 314-16-075 Musicians, disc jockeys, sound or lighting technicians, persons performing janitorial services, employees of amusement device companies, security officers, fire fighters and law enforcement officers employment. Pursuant to the provisions of RCW 66.44.316, professional musicians eighteen years of age and older are permitted to enter and to remain in liquor licensed establishments during and in the course of their employment as musicians. The following definitions and requirements shall be applicable.

(1) Definitions:

(a) The term "professional minor musician" shall be construed as a person between eighteen and twenty-one years of age who is employed to perform in his or her capacity as a musician at a retail liquor licensed establishment.

(b) The term "professional minor musician" shall include a person who plays a musical instrument and/or is a vocalist, professional disc jockeys, or professional sound or lighting technicians actively engaged in support of professional musicians or professional disc jockeys.

(c) To assure that the professional minor musician employed is engaged for that purpose, he or she shall be compensated at a rate not less than the minimum wage provided for by state law.

(2) Areas in licensed establishments where professional minor musicians may perform:

(a) Professional minor musicians during their performance shall, except as provided in (b) and (c) of this subsection, remain on the stage or bandstand of the licensed premises.

(b) The style of a "strolling musician" or a group of "strolling musicians" may be utilized in licensed establishments.

(c) Disc jockeys and sound and lighting technicians may enter and remain on the licensed premises, in such locations as required, during and in the course of their employment.

(3) Areas where professional minor musicians may remain when not performing:

(a) Prior to commencing a performance; at breaks or intermissions during the performance; and after concluding a performance, professional minor musicians shall be permitted only: On the stage or bandstand; in a private room or separate area on the premises in which no liquor is served; or in areas where minors are permitted under the licensee's minor classification (for example, in the restaurant section of a (~~Class H~~) spirits, beer and wine restaurant licensed premises).

(b) Professional minor musicians are permitted to enter and remain on the licensed premises not more than one hour prior to the start of their performance, in order to set up their equipment and tune their musical instruments, and to remain not more than one hour after concluding their performance in order to properly secure their equipment.

(4) Licensees shall at all times provide adequate supervision in order to insure that there will be neither the sale of nor the supplying of any alcoholic beverages to professional minor musicians, and that professional minor musicians will not be permitted to consume alcoholic beverages at any place on the premises.

(5) Responsibilities of professional minor musician:

(a) Professional minor musicians shall at all times during the course of their employment on licensed retail premises have with them documents available for inspection which disclose their true age and date of birth.

(6) Practice sessions — "jam sessions":

(a) Practice sessions involving professional minor musicians shall not be permitted on licensed premises.

(b) "Jam sessions" involving professional minor musicians shall not be permitted on any licensed premises unless the participants are being paid for such "jam sessions" in accordance with subsection (1)(c) of this section.

(7) Persons eighteen years of age and older performing janitorial services may enter and remain on premises licensed under the provisions of Title 66 RCW during the hours when there is no sale, service, or consumption of liquor on the premises (or in the area being cleaned), but only during and in the course of their performance of janitorial services.

(8) Employees of amusement device companies or companies which are in the business of installing, maintaining, and repairing amusement devices, which employees are eighteen years of age or older, may enter and remain in any premises licensed under the provisions of Title 66 RCW, but only during and in the course of their employment for the purpose of installing, maintaining, repairing, or removing an amusement device. For the purposes of this section amusement device means coin-operated video games, pinball machines, juke boxes, or other similar devices.

(9) Security officers, fire fighters and law enforcement officers eighteen years and over are permitted to enter and remain on premises licensed under the provisions of Title 66

RCW, but only during and in the course of their employment or official duties and only if they are not the direct employees of the licensee. Provided, however, that security officers access to classified portions of liquor licensed premises is limited to only isolated incidents arising in the course of their duties.

AMENDATORY SECTION (Amending WSR 93-15-025, filed 7/12/93, effective 8/12/93)

WAC 314-16-090 Bottles and containers—Reuse. (1) No ~~((Class-H))~~ spirits, beer and wine restaurant licensee shall reuse, refill or tamper with any bottle of spiritous liquor, nor shall such licensee adulterate, dilute, fortify, or cause any substitution of any nature to be made in or to, the contents of any bottle of spiritous liquor.

(2) No retail licensee shall fill a jug, bottle or other container with beer while such jug, bottle or other container bears any identification or marking which would mislead the purchaser about the identity of the contents of the container.

(3) Every jug, bottle or other container a retail licensee fills for off-premise consumption must:

(a) Be capable of being sealed; and

(b) Be capable of holding a minimum of 750 ml (25.4 ounces) of liquid and may not hold more than 15 liters (or 4 gallons or 512 ounces) of any beer.

AMENDATORY SECTION (Amending Order 209, Resolution No. 218, filed 12/30/86)

WAC 314-16-110 Liquor purchases by ~~((Class-H))~~ spirits, beer and wine restaurant, club and sports/entertainment facility licensees. (1) Any employee authorized by the board may sell spiritous liquor at a discount of fifteen percent from the retail price fixed by the board, together with all taxes, to any ~~((Class-H))~~ spirits, beer and wine restaurant, club or sports/entertainment facility licensee upon presentation to such employee at the time of purchase of a special permit issued by the board to such licensee or through such other means of insuring identification of the authorized purchaser as are approved by the board: *Provided, however,* That prior to license delivery, a new licensee or transferee may, with board authorization, be sold ~~((Class-H))~~ discount liquor and beer and wine purchased under Title 66 RCW for the purpose of stocking the premises. The employee shall at the time of selling any spiritous liquor to a ~~((Class-H))~~ spirits, beer and wine restaurant, club or sports/entertainment facility licensee make a record of the liquor so sold, together with the name of the ~~((Class-H))~~ spirits, beer and wine restaurant, club or sports/entertainment facility licensee making the purchase. No sale of beer, wine, or spiritous liquor shall take place until the premises of the new licensee or transferee have been inspected by the board and the ~~((Class-H))~~ spirits, beer and wine restaurant, club or sports/entertainment facility license is delivered.

(2) Every ~~((Class-H))~~ spirits, beer and wine restaurant, club or sports/entertainment facility licensee, upon purchasing any spiritous liquor from the board, shall immediately cause such liquor to be delivered to his licensed premises, and he shall not thereafter remove or permit to be removed

from said premises any bottle or other container containing such liquor, except pursuant to chapter 314-70 WAC or to return it to a state liquor store or agency, nor shall he dispose or allow to be disposed the liquor contained therein in any manner except as authorized by his license: *Provided, however,* That a delivery service business may pick up more than one ~~((Class-H))~~ liquor order on the same day so long as each of said orders are delivered in the normal course of business on the same day without detour or diversion, except for those stops and deliveries as may be necessary to make deliveries to the other ~~((Class-H))~~ licensees whose order is also on the particular delivery vehicle. The possession of any bottle or other container purchased from the board at a discount by any person other than the ~~((Class-H))~~ licensee or said licensee's agents or employees who purchased the same, or the possession thereof at any place which is not the licensed premises of the licensee who purchased such liquor, shall be prima facie evidence that the ~~((Class-H))~~ licensee unlawfully permitted the removal thereof from his licensed premises: *Provided,* ~~((That a Class-H))~~ The licensee who permanently discontinues business, other than as a result of a legal restraint action, may remove open bottles of liquor from the premises for personal use upon payment to the board of an amount to be determined by the board in lieu of the ~~((Class-H))~~ discount and tax exemption in effect at that time.

(3) No ~~((Class-H))~~ licensee shall keep in or on the licensed premises any spiritous liquor which was not purchased from the board at a discount: *Provided,* That spiritous liquor not purchased at a discount from the board may be kept in or on the ~~((Class-H))~~ licensed premises under authority of a banquet permit issued pursuant to RCW 66.20.010(3) and chapter 314-18 WAC, but only during the specific date and time for which the banquet permit was issued: *Provided, further,* That notwithstanding any other provision of Title 314 WAC, a ~~((Class-H))~~ spirits, beer and wine licensee may display antique, unusual, or unique liquor bottles with or without liquor on the licensed premises if such bottles are used as part of the decor, and any such bottles containing liquor are locked securely in display cases, and are not for sale.

(4) No person, including anyone acting as the agent for another other than a ~~((Class-H))~~ spirits, beer and wine licensee shall keep or possess any bottle or other container containing spiritous liquor which was purchased from the board at a discount except as provided in subsection (2) of this section.

(5) All spiritous liquor in and on the licensed premises shall be made available at all times by every ~~((Class-H))~~ licensee for inspection by the board, and such licensee shall permit any authorized inspector of the board to make such tests or analyses, by spirit hydrometer or otherwise, as the inspector deems proper. Such inspectors are authorized to seize as evidence any bottles or other containers and the contents thereof which they have determined have been reused, refilled, tampered with, adulterated, diluted, fortified or substituted.

AMENDATORY SECTION (Amending Order 232, Resolution No. 241, filed 10/27/87)

WAC 314-16-115 (~~(Class H hotels)~~) **Hotels with spirits, beer and wine restaurants and** (~~(Class H)~~) **spirits, beer and wine clubs with overnight sleeping accommodations—Sales by the bottle to registered guests—Conditions.** (1) Pursuant to the provisions of RCW 66.24.400 as amended by chapter 196, Laws of 1987, (~~(Class H licensed hotels)~~) **spirits, beer and wine restaurant** and clubs licensed under chapter 70.62 RCW with overnight sleeping accommodations may sell liquor by the bottle to registered guests of said (~~hotel or club~~) **licensed premises** who are twenty-one years of age or over provided:

(a) That before a guest may purchase such liquor it must be established that he or she is a guest of the hotel or club. This may be done by showing a room key bearing the room number and name of the hotel or club, or by presenting a registration receipt from the hotel or club.

In either event the guest must acknowledge his/her registration by signature upon a form to be provided by the hotel or club for this purpose, and said form when completed shall be kept by the hotel or club for the same time period it is required to retain its registration information.

(b) Where there may be a question of a registered guest's right to purchase liquor, by reason of age, the licensee may require the guest to complete a certification card as provided in RCW 66.20.190.

(c) That any bottle of liquor sold under this section must be removed unopened from the lounge area or other approved dispensing area. The contents of such bottle(s) may be consumed only in a guest, hospitality or banquet room of the hotel or club; however, guests may remove from the premises any unused portion of such liquor in its original container.

(d) That such sales of liquor by the bottle shall be from the lounge of the licensed premises, from an approved dispensing area or by room service provided by the licensee. If an approved dispensing area is used for this purpose, the access thereto must be limited to registered guests who intend to purchase liquor for use within a guest, hospitality or banquet room.

(2) (~~(Class H licensed hotels)~~) **Spirits, beer and wine restaurant** or clubs may sell within the individual guest room liquor by the bottle to registered guests age twenty-one years or over provided;

(a) That such liquor shall be secured in a liquor dispensing cabinet within the guest room. That liquor dispensing cabinets must remain locked whenever the room is rented to a guest under the age of twenty-one years.

(b) That access to individual guest room liquor dispensing cabinets shall be by key, magnetic card or similar device provided by the hotel or club to the adult registered guest.

(c) That liquor made available for sale within the guest room from a liquor dispensing cabinet shall be packaged in individual serving containers such as miniatures of distilled spirits, splits of wine and bottles or cans of malt beverages.

(d) That replenishment of such liquor dispensing cabinets may be made only during those hours when liquor may be sold by the (~~(Class H)~~) licensee, and only by employees

eighteen years of age or over working under the supervision of an employee at least age twenty-one.

(3) (~~(Class H)~~) **Licensed hotels or clubs** may provide a dispensing area removed from the lounge for the purpose of sales to registered guests of legal age. Such area shall not be accessible to anyone other than registered guests and employees of the (~~(Class H)~~) licensee. Sales therefrom shall be made only by authorized employees of the licensee who are twenty-one years of age or over. The purchaser shall complete a form provided by the licensee which attests to the validity of the guest's registration at that hotel or club. Where there may be a question of a registered guest's right to purchase liquor, by reason of age, the licensee may require the guest to complete a certification card as provided in RCW 66.20.190.

AMENDATORY SECTION (Amending WSR 94-08-030, filed 3/30/94, effective 4/30/94)

WAC 314-16-150 No sale of liquor to minors, intoxicated persons, etc. (1) No retail licensee shall give or otherwise supply liquor to any person under the age of twenty-one years, either for his/her own use or for the use of his/her parent or of any other person; or to any person apparently under the influence of liquor; nor shall any licensee or employee thereof permit any person under the said age or in said condition to consume liquor on his/her premises, or on any premises adjacent thereto and under his/her control.

(2) No (~~(class A, B, C, D, or H)~~) **retail** licensee shall permit any person apparently under the influence of liquor to physically possess liquor on the licensed premises.

AMENDATORY SECTION (Amending Order 270, Resolution No. 279, filed 11/22/88)

WAC 314-16-160 Records—Purchases—Reports. (1) The originals or copies of all purchase invoices and other memoranda covering all purchases of liquor by retail licensees showing (a) items purchased, (b) quantities thereof, (c) from whom purchased, and (d) purchase date, shall be kept for at least two years after each purchase, and shall be filed separately and kept apart from all other records, and as nearly as possible shall be filed in consecutive order and each month's records kept separate so as to render the same readily available for inspection and copying. All canceled checks, bank statements and books of account covering or involving the purchase of liquor, and all memoranda, if any, showing payment of money for liquor other than by check, shall be likewise preserved for two years and shall be at all times kept available for inspection and copying.

(2) No retail licensee shall buy or accept delivery of liquor except for cash paid at the time of the delivery thereof: *Provided*, That a retail licensee may pay cash prior to delivery of liquor purchased. Failure by licensees to keep accurate accounting records which result in the extension of or receipt of credit from a manufacturer, importer, or (~~(wholesaler)~~) **distributor** through the use of a prior cash deposit which is overextended may result in administrative action being taken against the liquor license.

(3) A retail licensee shall purchase beer from a beer ((~~wholesaler~~)) distributor pursuant to RCW 66.28.070 and shall purchase wine from a state liquor store or agency or from a duly licensed ((~~wholesaler~~)) distributor except as provided in chapter 314-70 WAC. All beer purchased must be at the posted price in accordance with WAC 314-20-100 and all wine purchased must conform to the posted price as filed under WAC 314-24-190. No retail licensee may return wine to a wine ((~~wholesaler~~)) distributor except in accordance with the provisions of WAC 314-24-210, nor shall any retail licensee return beer to a beer ((~~wholesaler~~)) distributor except in accordance with the provisions of WAC 314-20-070.

(4) Prior to license delivery, a new beer and/or wine licensee or transferee may, with board authorization, be sold beer and/or wine for the purpose of stocking the premises. No retail sale of beer and/or wine shall take place until the applicant premises have been inspected by the board and the liquor license is delivered.

(5) Each retail licensee shall keep books and records which will clearly reflect all financial transactions and the financial condition of the business.

(6) Any retail licensee may maintain microfilm records containing reproductions (including microfiche) of any record, document, or report if first approved by the board. Request for approval shall be directed to the Washington state liquor control board and must include the following information:

- (a) Records proposed to be reproduced.
- (b) Reproduction process.
- (c) Manner of preserving the reproduction.
- (d) Facilities provided for examining or viewing such reproduction.

If the request is approved, the licensee shall provide for the examining, viewing and reproduction of such records the same as if they were the original records.

(7) If a retail licensee keeps records within an automatic data processing (ADP) system, the system must include a method for producing from punchcards or from other machine-sensible data media legible records that will provide the same information required of that type of record within this section. The ADP system is acceptable if it complies with the following guidelines:

(a) Provides an audit trail so that details (invoices and vouchers) underlying the summary accounting data may be identified and made available upon request.

(b) Provides the opportunity to trace any transaction back to the original source or forward to a final total. If print-outs of transactions are not made when they are processed, the system must have the ability to reconstruct these transactions.

(c) Has available a full description of the ADP portion of the accounting system. This should show the applications being performed, the procedures employed in each application and the controls used to ensure accurate and reliable processing.

(8) All ((~~Class-H~~)) spirits, beer and wine licensees in addition to the requirements of subsection (1) of this section shall at all times:

(a) Maintain records of all purchases for the premises, including liquor, food and supplies. The purchases supported

by supplier invoices or signed vouchers are to be segregated as to type and recorded.

(b) Maintain records of all sales in the premises from all sources including liquor, food and miscellaneous items and service. Individual sales are to be recorded on sales slips or cash register tape in such a manner to indicate the source of revenue and the records are to be filed for future audit purposes. Sales segregated as to source of revenue are to be recorded.

(c) Preserve for a period of two years the records described in subsections (6), (7), and (8)(a) and (b) of this section.

(d) Make such periodic reports to the board covering purchases, sales and inventory of liquor, food and supplies as may be prescribed or requested by the board.

(e) Keep available for inspection and copying by the board and/or its accredited representatives all books and records relative to purchases, sales and inventories of liquor, food and supplies.

AMENDATORY SECTION (Amending WSR 95-16-008, filed 7/20/95, effective 8/20/95)

WAC 314-16-190 ((~~Class-H~~)) Spirits, beer and wine restaurant—Qualifications. (1) Definitions: For the purpose of this section:

(a) Complete meals means any combination of foods consisting of an entree and at least one additional course that is prepared and cooked on the premises and, except as provided in subsection (5) of this section, requires the use of dining implements for consumption.

(b) Entree means the main course of a meal to include meat, fish, fowl, eggs, vegetarian meat substitutes, pasta, or any combination thereof. Except as provided in subsection (5) of this section, such entree must be heated by means of baking, roasting, broiling, or grilling.

(c) Minimum food service means sandwiches and/or short orders such as deep fried foods, hors d'oeuvres, soup, or chili. Snacks such as peanuts, popcorn, and chips are not sufficient to meet the minimum food service requirement.

(2) All restaurant applicants for a ((~~Class-H~~)) spirits, beer and wine license, in addition to furnishing all requested material and information relating to the premises applied for and their personal qualifications, shall establish to the satisfaction of the board that the premises will commence as, and continue to operate as, a bona fide restaurant as required by RCW 66.24.400 and 66.24.410(2).

(3) A restaurant applicant for a ((~~Class-H~~)) spirits, beer and wine license shall be subject to the following requirements which are conditions precedent to action by the board on the application:

(a) The applicant shall furnish to the board a detailed blueprint of the entire premises to be licensed drawn to scale of one-fourth inch to one foot. This blueprint shall include the kitchen equipment layout plus a detailed listing of the kitchen equipment and its approximate value. The kitchen equipment shall include, at a minimum, adequate refrigeration, oven, grill, cooktop, and/or broiler to support the menu.

(b) Prior to delivery of the license the board shall receive a verification from its enforcement officer, based upon an

inspection of the premises, that the kitchen equipment designated in (a) of this subsection is in place and is operational.

(4) In any case where the board has a concern as to the applicant's qualifications, based on the applicant's experience; the adequacy of the proposed facility; the proposed method of operation; the applicant's financial stability; or for any other good and sufficient reason, the board may require such applicant to submit figures reflecting operation as a restaurant for a period to be designated by the board. The submission of these operating figures shall be a condition precedent to the board making a decision on a license application. Any applicant required to submit operating figures for a period designated by the board, shall not thereby be deemed to have acquired a vested right to have the license applied for issued merely because the requested figures have been submitted.

(5) Each ~~((Class-H))~~ spirits, beer and wine restaurant licensee shall conspicuously display or provide to any patron upon request, a menu offering a variety of at least five entrees accompanied by such other foods as to constitute a complete meal. One of the five entrees may consist of pizza or a deep fried food. Where salad bars or other buffet-type meals are offered, one or more entrees may be included to count toward the five entree requirement.

(6) The restaurant area of any ~~((Class-H))~~ spirits, beer and wine restaurant shall be open to the public for service of complete meals, with a minimum selection of five entrees, at least five days a week, unless otherwise authorized in writing by the board to alleviate demonstrated hardship, and such service of complete meals shall be available to the public for five hours a day between the hours of 11:00 a.m. and 11:00 p.m. on any day liquor is offered for sale, service or consumption, unless otherwise authorized in writing by the board to alleviate demonstrated hardship. The hours of complete meal service shall be conspicuously posted for public viewing. A chef or cook shall be on duty during the hours when complete meal service is available. At all other times when the restaurant area is not open for service of complete meals, but liquor is offered for sale, service or consumption on the licensed premises, minimum food service shall be available for sale to the public. Notice of such minimum food service availability shall be conspicuously posted in all areas where liquor is being served.

(7) The licensee shall maintain the ingredients necessary to provide complete meals including at least five different entrees during those times as required in subsection (5) of this section and minimum food service at all other times. Such ingredients shall be fresh, palatable, and relate to the menu so posted or available to the public.

(8) The refusal or failure by any licensee or employee thereof to provide complete meals or minimum food service shall be *prima facie* evidence of a violation of this section.

(9) In the event a ~~((Class-H))~~ spirits, beer and wine restaurant licensee shall fail to comply with any of the foregoing requirements, and such licensee has been notified that they will not be eligible to retain its ~~((Class-H))~~ spirits, beer and wine restaurant license, such licensee may petition the board setting forth unusual, extenuating and mitigating circumstances for the failure to comply and the board may consider such reasons and may grant an extension of the ~~((Class-H))~~

spirits, beer and wine restaurant license under such terms and conditions as the board determines are in the best interest of the public.

AMENDATORY SECTION (Amending Order 107, Resolution No. 116, filed 6/16/82)

WAC 314-16-195 ~~((Class-H))~~ Spirits, beer and wine restaurant restricted—Qualifications. (1) ~~((Class-H))~~ Spirits, beer and wine restaurant restricted licensees shall govern their operations in selling liquor in accordance with the regulations set forth in Titles I and II. Such licensees may sell liquor in accordance with these regulations, only to members, invited guests, and holders of cards as authorized by subsection (3) of this section. ~~((Class-H))~~ Spirits, beer and wine restaurant restricted licensees shall not be prohibited from renting, leasing, or donating all or a portion of their facilities for, or making services available to, an activity where the public is invited or admitted under the conditions specified in subsection (4) of this section.

(2)(a) Applications for new ~~((Class-H))~~ spirits, beer and wine restaurant restricted licenses shall be on forms prescribed by the board and shall be accompanied by proof that:

(i) The business has been in operation for at least one year immediately prior to the date of its application. Such proof should include records of membership as well as an indication as to numbers and types of membership.

(ii) Membership or admission will not be denied to any person because of race, creed, color, national origin, sex or the presence of any sensory, mental or physical handicap.

(b) Applications for renewal shall be made on forms prescribed by the board and shall be accompanied by such information as the board may request.

(c) ~~((Class-H))~~ Spirits, beer and wine restaurant restricted applicants and licensees must meet the provisions of WAC 314-16-190 (1), (2), (3), (4), (5) and (7).

(3)(a) Guest privilege cards may be issued only as follows:

(i) For ~~((Class-H))~~ spirits, beer and wine restaurant restricted licensees within the limits of any city or town, only to those persons residing outside of an area ten miles from the limits of such city or town.

(ii) For ~~((Class-H))~~ spirits, beer and wine restaurant restricted licensees outside of any city or town only to those persons residing outside an area fifteen miles from the location of such licensee: *Provided*, That where such area limitation encroaches upon the limits of any city or town, the entire corporate limits of such city or town shall be included in the prohibited area.

(iii) Such guest privilege cards shall be issued for a reasonable period and must be numbered serially, with a record of the issuance of each such card to be filed on the licensed premises in such a manner as to be readily accessible for inspection.

(iv) The mileage restrictions in (i) and (ii) of this subsection may be waived for special events upon written approval of the board.

(b) Guests may be introduced when accompanied at all times by a member and may remain as long as such member is present: *Provided*, That any such guest may only enjoy the

privileges of the organization a reasonable number of times in any one calendar year.

(c) Persons who are members in good standing of a licensed ~~((Class-H))~~ spirits, beer and wine restaurant restricted organization may enjoy the privileges of any other licensed ~~((Class-H))~~ spirits, beer and wine restaurant restricted organization: *Provided*, That the operating rules of such organization authorize reciprocal privileges: *Provided further*, That (a) and (b) of this subsection shall not apply to members of such organizations while exercising reciprocal privileges.

(4) If the licensee at any time rents any portion of the premises for any purpose other than to their membership or at any time holds any function within the premises to which the public is generally invited or admitted, then such portion devoted to liquor service must be closed to the public generally and no one admitted therein except for bona fide members and guests. If the premises does not have an area which can be so closed, then no liquor service whatever may be permitted during the entire time when such activity is taking place or when the public is generally admitted in the premises.

AMENDATORY SECTION (Amending WSR 96-03-005, filed 1/4/96, effective 2/4/96)

WAC 314-16-196 ~~((Class-H))~~ Spirits, beer and wine restaurant—Floor space requirements—Conditions for service bar only premises. (1) Definitions. For the purpose of this section:

(a) "Banquet room" means any room used primarily for the sale and service of food and liquor to private groups.

(b) "Cabaret" means a dining area also used to conduct entertainment such as live music, patron dancing, comedy and floor shows.

(c) "Cocktail lounge" means that portion of a licensed premises used primarily for the preparation, sale and service of liquor. Persons under twenty-one years of age are not permitted to enter a cocktail lounge except as otherwise provided under this title.

(d) "Public service area" means those public areas where food and/or liquor is normally sold and served to the general public.

(e) "Dining room" means that area dedicated to the sale and service of food with liquor being incidental to dining. A dining area must be separate and apart from a dance floor, entertainment stage, cocktail lounge or game area except if written permission is given by the board to use a dining area during specified times as a cabaret area.

(f) "Service bar" means any fixed or portable table, counter, cart or similar work station primarily used to prepare, mix, serve and sell liquor for pickup only, by employees and customers.

(2) Before the board shall issue a ~~((Class-H))~~ spirits, beer and wine restaurant license to a bona fide restaurant, the applicant shall submit, as a part of or in addition to the blueprint required by WAC 314-16-190 (2)(a), a scale drawing one-quarter inch equals one foot of the proposed premises indicating that the area designated as the primary dining

room(s) comprises at least fifteen percent of the total public service area: *Provided*,

(a) Banquet rooms are permitted without limitations as to number or size.

(b) Routine sale and service of liquor in a banquet room to the public requires written board approval.

(3) The boundary of a cocktail lounge or other restricted area shall be clearly defined as a separate and distinct area by fixed or movable barriers, including, but not limited to, railings, ropes and stanchions, shrubbery or other closely placed plantings, etc.

(a) Restricted area entrances may be no wider than ten feet.

(b) Minor prohibited signs as required by WAC 314-16-025 must be placed at all restricted area entrances and other locations as necessary.

(c) The licensee is responsible to construct and post restricted area boundaries to reasonably prevent unauthorized persons from entering such areas.

(d) Movable barriers may not be placed so as to reduce the required dining area to less than fifteen percent.

(4) In ~~((Class-H))~~ spirits, beer and wine restaurant premises with a cocktail lounge, any portable service bar(s) may be placed in, or moved about, public service areas other than the dining area(s) without need for separate board approval.

(a) Any permanently fixed service bar(s) must be included as part of original floor plans or submitted as an alterations request, requiring board approval.

(b) Customers may not be seated or allowed to consume food or liquor at the service bar(s).

(5) ~~((Class-H))~~ Spirits, beer and wine restaurant licensees/applicants may have a service bar(s) without regard to the floor space requirements of subsection (2) of this section, in lieu of a cocktail lounge on the following conditions:

(a) Location of permanently fixed service bar(s) shall be approved, in writing, by the board.

(b) Customers may not be seated or allowed to consume food or liquor at the service bar(s).

(c) Liquor sale, service and consumption may take place only during hours that the full restaurant menu is available and a chef or cook is on duty.

(d) A ~~((Class-H))~~ spirits, beer and wine licensed restaurant having a service bar(s) only, is not eligible for entertainment except for the added activity of live background music. Written board approval is required.

(6) If the board issues a ~~((Class-H))~~ spirits, beer and wine restaurant license to a bona fide restaurant which has a service bar in lieu of an approved cocktail lounge and the licensee subsequently applies for approval to install a cocktail lounge, the board will process such a change in the same manner as an application for a new ~~((Class-H))~~ spirits, beer and wine restaurant license (i.e., notice will be posted at the premises, notice will be given to local officials, and nearby churches and schools will be notified).

(7) The board may approve variations to the floor space requirement of this subsection where the applicant/licensee can demonstrate to the satisfaction of the board that the proposed layout would best suit the available floor space.

AMENDATORY SECTION (Amending WSR 92-14-026, filed 6/22/92, effective 7/23/92)

WAC 314-16-197 Minimum qualifications for applicants who apply for ~~((Class A)) beer and/or wine restaurant~~ licenses in lieu of presently held ~~((Class B)) tavern~~ license. (1) A ~~((Class A)) beer and/or wine restaurant~~ license provides, in part, for the sale of beer at retail for consumption on the premises of a restaurant. Licensees presently holding a ~~((Class B)) tavern~~ license who apply for a ~~((Class A)) beer and/or wine restaurant~~ license in lieu thereof, must demonstrate to the satisfaction of the board that the business to be licensed will primarily be that of a restaurant, maintained in a substantial manner as a place for preparing, cooking, and serving of meals. Additionally, prior to approval of the ~~((Class A)) beer and/or wine restaurant~~ license, the business must be designed and constructed in such a manner as to facilitate the service of food.

(2) While the requirements of subsection ~~((s)) (1) and (2) and (3))~~ of this section must be established before the board will give consideration to the issuance of an in lieu ~~((Class A)) beer and/or wine restaurant~~ license, the fact that an applicant meets those criteria does not establish a vested right that such license shall issue.

AMENDATORY SECTION (Amending WSR 94-13-127, filed 6/20/94, effective 7/21/94)

WAC 314-16-199 Cocktail lounge declassification—Sunday dining events. (1) Pursuant to RCW 66.44.310(2), the board may classify the cocktail lounge portion of a ~~((Class H)) spirits, beer and wine restaurant~~ premises as a restaurant for Sunday dining events.

(2) ~~((Class H)) Spirits, beer and wine restaurant~~ licensees may utilize their cocktail lounge for all age dining events on Sundays subject to the following conditions, (a) written board approval, (b) no preparation, sale or service of liquor from within the cocktail lounge area, (c) all entertainment is prohibited except recorded and live background music which requires prior approval of the board, (d) withdrawal of approval if violations occur.

AMENDATORY SECTION (Amending WSR 95-17-006, filed 8/3/95, effective 9/3/95)

WAC 314-16-200 Minimum qualifications for issuance of ~~((Class E, F, and Classes EF)) grocery store or beer and/or wine specialty shop~~ licenses. (1) The following are minimum qualifications necessary prior to consideration being given by the board to the issuance of ~~((Class E, F, or Classes EF)) grocery store or beer and/or wine specialty shop~~ licenses ~~((to store operations))~~. The decision as to whether a license will or will not be issued in a particular case is, pursuant to RCW 66.24.010, a matter of board discretion. While the following minimum qualifications must be present before the board will give consideration to the issuance of a ~~((Class E, F, or Classes EF)) grocery store or beer and/or wine specialty shop~~ license to an applicant, the mere fact that an applicant meets these minimum qualifications is not to be con-

strued as creating a vested right in the applicant to have a license issued.

(2) Before the board will issue a ~~((Class E, F, or Classes EF))~~ license to an applicant grocery store, the proposed licensed premises must be stocked with an inventory of food ~~((, grocery and related grocery store items))~~ for human consumption, not including pop, beer or wine in excess of \$3,000 wholesale value. The minimum wholesale inventory required by this subsection shall be stocked and maintained within the confines of the licensed premises ~~((and shall not include any gasoline, oil, auto parts, or tobacco products))~~.

(3) ~~((Grocery stores which also sell gasoline must be stocked with an inventory of food, grocery, and related grocery store items in excess of \$7,500 wholesale value before the board will issue to them a Class E, F, or Classes EF license.))~~ The minimum wholesale inventory required by this ~~((subsection))~~ section shall be stocked and maintained within the confines of the licensed premises ~~((and shall not include any gasoline, oil, auto parts, or tobacco products))~~. Marinas which sell gasoline for use in boats only shall be subject to the requirements of subsection (2) of this section.

(4) The minimum amounts referred to in subsection ~~((s)) (2) and (3))~~ of this section shall be maintained at the premises at all times they are licensed with the exception of beginning and closing inventory for seasonal operations or when the inventory is being sold out immediately prior to discontinuing or selling the business.

(5) ~~((Stores other than grocery))~~ Beer and/or wine specialty stores must submit to the board a written commitment to establish and maintain a minimum wholesale inventory of beer and/or wine in the amount of ~~(((\$5,000)) \$3,000~~ prior to the issuance of a license. This minimum inventory shall be maintained at the licensed premises at all times they are licensed.

(6) ~~((Subsections (2), (3), (4), and (5) of this section shall not apply to a licensee or licensees at a store or stores licensed prior to October 11, 1984, if on that date and thereafter said licensee(s) and/or his, her, their, or its transferee(s) continue to meet the requirements imposed by this section which were in effect pursuant to liquor control board Administrative Order 102, Resolution No. 111.~~

(7) If a ~~((Class E, Class F, or Classes EF))~~ grocery store or beer and/or wine specialty shop licensee or applicant for such licenses does not meet or maintain the requirements provided for in subsections (2) through ~~((6)) (5)~~ of this section, the licensee or applicant may petition the board, setting forth any unusual, extenuating, or mitigating circumstances that may justify a variance, and the board may, under such terms and conditions it determines are in the best interest of the public, grant the variance.

AMENDATORY SECTION (Amending Order 220, Resolution No. 229, filed 7/22/87)

WAC 314-16-205 Minimum qualifications for issuance for a ~~((Class P)) beer and wine gift delivery~~ license. The decision as to whether or not a ~~((Class P)) beer and wine gift delivery~~ license authorized by RCW 66.24.550 will be issued in a particular case is, pursuant to RCW 66.24.010(2), a matter of board discretion. While the following minimum

qualifications must be present before the board will give consideration to the issuance of a ((Class-P)) beer and wine gift delivery license, the fact that an applicant meets the qualifications set forth in subsections (1) through (6) hereof does not establish a vested right that such license shall issue.

(1) The term "gifts at retail" as used in RCW 66.24.550 shall be interpreted as referring to "goods" and shall not include "services."

(2) The sale and delivery of beer and/or wine under a ((Class-P)) beer and wine gift delivery license shall be adjunct to and not constitute the only retail gift delivery service business of the licensee.

(3) Businesses engaged in the selling of flowers or floral arrangements must establish to the board's satisfaction that the primary business being conducted is the sale of flowers, floral arrangements or ornamental plants. The board may inspect an applicant's inventory, sales figures and business records to make this determination.

(4) A ((Class-P)) beer and wine gift delivery license holder is required to maintain sales records of all wine sales to include date of sale, name of purchaser, date of delivery and the name and address of the person receiving the delivery of beer and/or wine.

(5) All deliveries of beer and/or wine are to be made by employees twenty-one years of age and older who will have the responsibility of verifying that the person receiving the wine gift is at least twenty-one years of age.

(6) The restrictions on license issuance as specified in RCW 66.24.550, and in subsections (1) through (5) hereof, shall be construed to be continuing conditions for retaining the ((Class-P)) beer and wine gift delivery license.

AMENDATORY SECTION (Amending Order 85, Resolution No. 94, filed 10/28/81)

WAC 314-16-210 ((Class-H)) Spirits, beer and wine restaurant license fees in unincorporated areas—Seasonal operations—Prorating fees. (1) The provisions of RCW 66.24.420 (1)(c) which provide for prorated fees according to the calendar quarters for ((Class-H)) spirits, beer and wine restaurant licensees outside of incorporated cities and towns pertains to those ((Class-H)) spirits, beer and wine restaurant licensees who have seasonal operations only.

(2) As required by RCW 66.24.010 (5)(c), ((Class-H)) spirits, beer and wine restaurant licensees outside of incorporated cities and towns who operate on a year-round basis or who are open for a period of time during each calendar quarter are required to submit a full year's fee.

AMENDATORY SECTION (Amending Order 85, Resolution No. 94, filed 10/28/81)

WAC 314-16-230 Authorization for sale of beer and/or wine in unopened bottles for off-premises consumption under ((Class-J)) special occasion license. (1) Authorization for the sale of unopened bottles and original packages of beer and/or wine not to be consumed on the premises where sold, ((at an additional fee of ten dollars per day.)) as authorized by RCW ((66.24.500)) 66.24.380, must be applied for to the board at the time the society or organiza-

tion makes application for the ((Class-J)) special occasion license, and the board's written approval is required before any such sales are made.

(2) Board approval for the sales authorized in subsection (1) of this section shall be granted by the board upon the condition that no more than twelve liters of beer and/or wine may be sold to any one purchaser under a single ((Class-J)) special occasion license.

AMENDATORY SECTION (Amending Order 221, Resolution No. 230, filed 7/22/87)

WAC 314-16-240 ((Class-E)) Beer and/or wine specialty shop licenses—Principal business sale of beer and wine for off-premises consumption—Authorization for selling or serving samples. (1) ((Class-E)) Licensees whose business is primarily the sale of beer and/or wine at retail, who desire authorization under RCW ((66.24.360)) 66.24.370 to serve on their premises free or for a charge, single serving samples of two ounces or less must, prior to commencing such sales or service, obtain written approval from the board.

(2) To demonstrate to the satisfaction of the board that the ((Class-E)) licensee's primary business is and continues to be the sale of beer and/or wine at retail, the board may require the licensee to make periodic reports concerning the licensee's sales and inventory. A ((Class-E and/or-F)) licensee's gross retail sales of beer and/or wine, not to be consumed on premises, must exceed fifty percent of all gross sales for the entire business of said licensee in order to be considered by the board as a business whose primary business is the sale of beer and/or wine.

(3) No more than one sample of any single brand and type of beer and/or wine, and no more than four samples, may be furnished or sold to a customer or patron during any one visit to the licensed premises.

(4) The sampling privileges authorized by RCW ((66.24.360)) 66.24.370 as implemented by this section of the rules are not to be a substitute for or an alternative to the on-premises consumption of beer and/or wine that is authorized under RCW 66.24.170, 66.24.240 or 66.28.040.

AMENDATORY SECTION (Amending WSR 93-15-026, filed 7/12/93, effective 8/12/93)

WAC 314-16-250 Retail sale of malt liquor in kegs. (1) Licensees holding a ((Class-A or-B)) beer restaurant or beer tavern license in combination with a ((Class-E)) off-premises beer and wine license may sell malt liquor in kegs or other containers capable of holding four gallons or more of liquid.

(2) Licensees holding a ((Class-E)) off-premises beer and wine license may sell malt liquor in kegs or other containers capable of holding four gallons or more, but less than five and one-half gallons of malt liquor.

(3) Any licensee who sells or offers for sale kegs or other containers holding four gallons or more of malt liquor to consumers for off-premises consumption who are not licensed under chapter 66.24 RCW shall require the purchaser to:

(a) Provide one piece of identification pursuant to RCW 66.16.040.

(b) Sign a sworn statement, contained on the keg registration declaration and receipt form, under penalty of perjury that:

(i) The purchaser is of legal age to purchase, possess, or use malt liquor;

(ii) The purchaser will not allow any person under the age of twenty-one years to consume the beverage except as provided by RCW 66.44.270;

(iii) The purchaser will not remove, obliterate, or allow to be removed or obliterated, the keg registration declaration and receipt form affixed to the container.

(c) State the particular address where the malt liquor will be consumed, or the particular address where the keg or other container will be physically located.

(4) The keg registration declaration and receipt forms shall be provided by the board to licensees holding a ((Class A or B)) beer restaurant or beer tavern license in combination with the ((Class E)) off-premises beer and wine license. Licensees holding a ((Class E)) off-premises beer and wine license must purchase the keg registration declaration and receipt forms from the board at the board's costs of providing the forms. Forms will be sold to ((Class E)) off-premises beer and wine licensees upon receipt of a request and payment in the form of a check or money order for the proper amount.

(5) The keg registration declaration and receipt form provided by the board must be properly completed for sales of kegs for off-premises consumption.

(a) The form shall contain:

(i) The name and address of the purchaser.

(ii) The type and number of the identification presented by the purchaser pursuant to RCW 66.16.040.

(iii) A sworn statement, signed by the purchaser under penalty of perjury, that the purchaser is twenty-one years of age or older; will not allow persons under twenty-one years of age to consume the malt liquor purchased; and that the purchaser will not remove or obliterate the keg registration tag affixed to the keg or allow its removal or obliteration.

(iv) The particular address where the malt liquor will be consumed, and the date on which it will be consumed.

(b) Where the purchaser obtains more than one keg for off-premises consumption at the same location and on the same date, only one keg registration declaration and receipt form must contain all required information. All other keg registration declaration and receipt forms for that particular transaction must contain the registration number from the fully completed form as a reference and be signed by the purchaser. Such keg registration declaration and receipt forms which contain the reference number of a fully completed form and have been signed by the purchaser constitute a valid and properly completed keg registration and declaration receipt.

(6) The seller shall comply with all provisions of the keg registration law as codified in RCW 66.28.200, 66.28.210, 66.28.220, 66.28.230, and 66.28.240 including provisions adopted in chapter 21, Laws of 1993.

(7) For the purpose of tracing the kegs and purchaser responsibility it shall be the responsibility of the seller to affix the properly completed and signed keg registration dec-

laration and receipt form to all containers of four gallons or more of malt liquor prior to the container leaving the premises of the seller.

(8) The licensee must retain a copy of the keg registration declaration and receipt, which shall be retained on the licensed premises for a period of one year unless otherwise authorized in writing by the board. The records shall be available for inspection and copying by any liquor enforcement officer or other law enforcement officer.

(9) The keg registration declaration and receipt affixed to the keg may serve as the purchaser's receipt.

(10) Kegs or other containers holding four gallons or more of malt liquor shall be purchased for off-premises consumption only from an authorized retail source and shall, at all times, have a properly completed keg registration declaration and receipt form affixed thereon when sold for off-premises consumption. Possession of a keg or other container which holds four gallons or more of malt liquor, other than on the seller's premises, without a properly completed keg registration and declaration form either affixed thereon or in possession of the person with the keg(s) shall be a violation of this title.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 314-16-220

Class F licensees—Principal business sale of wine for off-premises consumption—Authorization for selling or serving samples.

AMENDATORY SECTION (Amending Order 268, Resolution No. 277, filed 10/25/88)

WAC 314-18-030 Applicants—Retail liquor licensees ineligible—Exceptions. (1) Any person twenty-one years of age or older, either for himself/herself or in a representative capacity on behalf of a society, organization, or business entity, may apply for a banquet permit which authorizes the service and consumption of liquor at a specific place upon a specific date.

(2) Retail liquor licensees are NOT eligible to apply for banquet permits for events to be held at, in, or upon such licensee's premises: *Provided, however,* That the licensee's ineligibility will not apply:

(a) When the application is by an established organization of members or auxiliary within a licensed club;

(b) Where grand openings, or special openings following new construction or substantial alterations, or when conventions are to be held on the licensed premises;

(c) Where special occasions such as employee Christmas parties, business anniversaries, etc. are held on the licensed premises;

(d) For functions held at locations other than the licensed premises.

(3) Banquet permits may be issued to qualified applicants for private functions on a chartered bus, chartered boat, chartered plane, or a chartered passenger car on a train.

(4) A banquet permit is not required for:

(a) Spirit, beer ((or)) and wine sampling conducted in accordance with RCW 66.28.040 as implemented by chapter 314-64 WAC.

(b) Beer or wine provided by a brewery, winery, or ~~((wholesaler))~~ distributor as part of a course of instruction for liquor licensees and/or their employees pursuant to RCW 66.28.150.

(5) The board interprets and will apply the relevant portions of the Liquor Act (RCW 66.20.010, 66.04.010(23), 66.04.010(26), 66.24.480, 66.24.481, and 66.44.100), reading them in pari materia, as not requiring a banquet permit to be obtained by an individual for a function when that individual is not acting with a business purpose or on behalf of an organization or business entity, where each of the following conditions are met:

(a) The function to be held by the individual is of a personal, noncommercial type which would normally be held in the individual's private home but for space considerations. Examples being a birthday party, wedding reception, bar mitzvah, etc. In lieu of holding the function in his or her home, the individual has arranged for use of a facility which is to be closed off from the public during the function and which is not on any licensed premises.

(b) The function is hosted by the individual personally. That is, there is no charge in any manner whatsoever for attendance, whether by admission charge, donation, dues, fees, or otherwise, and there is no charge in any manner whatsoever for anything provided at the function (i.e., mixer, setups, ice, food, hors d'oeuvres, etc.).

(c) That there is no business purpose for the function and that no pecuniary gain is intended or realized by the individual from the holding of the function.

(d) That those persons attending the function are the personal invitees of the individual holding it.

AMENDATORY SECTION (Amending Order 183, Resolution No. 192, filed 4/22/86)

WAC 314-18-040 Issuance fee—Restrictions. (1) Banquet permits may be issued by the board's stores and agencies to qualified applicants on forms provided by the board; the fee for each banquet permit will be ten dollars.

(2) Except for outdoor areas, banquet permits will only be issued for use at premises that are or can be arranged so that the general public can be excluded therefrom.

(3) Where the application is for a banquet to be held either partially or wholly out-of-doors, the following restrictions will apply:

(a) State parks: State parks are exempt from the law requiring a license or permit to consume liquor in a public place (RCW 66.04.011). Banquet permits shall not be issued for the service and consumption of liquor in state parks.

(b) City and county parks: Applicants will be issued banquet permits only upon presentation of written approval from the appropriate local authority for the banquet applied for.

(c) Commercial parks (privately owned and operated): Store and agency managers may issue banquet permits for use in such commercial parks even though the event is to be held partly or wholly out-of-doors.

(d) All other outdoor areas: Issuance is conditioned upon approval of the area liquor enforcement officer.

(4) Where the application is for a banquet permit for an event to be held on a college or university campus or upon the premises of an elementary or high school, public or private; permits will be issued provided that approval, in writing, by an appropriate official of the college, university, elementary, or high school is furnished with the application.

(5) When the application is for a banquet permit for an event to be held in or at a state armory used for military purposes, permits will be issued provided that approval, in writing, by the adjutant general or his/her designee is furnished by the applicant to the board and to the chief of police of the incorporated city or town in which the armory is located or to the county sheriff if the armory is located outside the boundaries of incorporated cities or towns.

(6) Banquet permits will not be issued for use at premises that have a license issued by the board that is or will be suspended on the date of the scheduled banquet.

(7) The event for which the banquet permit application is made cannot be open to the public through general admission ticket sales.

(8) The event for which the banquet permit application is made cannot be open to the public or advertised to the public.

(9) Approval of the area enforcement officer is required for banquet permits intended for use in the cocktail lounge facilities or tap rooms of ~~((Class A, C, D, or H licensed premises, including))~~ hotels, restaurants, and clubs, unless the entire premises under the control of the licensee is devoted to the banquet, and then only if all licensee liquor is removed from view and securely isolated.

(10) Where the application is for a banquet permit for an event to be held on a vessel under the jurisdiction of the Washington state ferry system; permits will be issued provided that approval, in writing, by an appropriate official of the Washington state ferry system is furnished with the application.

AMENDATORY SECTION (Amending WSR 92-01-080, filed 12/16/91, effective 1/16/92)

WAC 314-18-060 Liquor to be served and consumed—Restrictions. (1) ~~((Class H))~~ Spirit, beer and wine restaurant discount liquor cannot be sold, served, or consumed under or by authority of a banquet permit. Liquor to be served will be purchased from an authorized retail source only.

(2) Licensees and/or commercial caterers shall not pay for or advance the moneys to purchase the liquor for the event for which the banquet permit application has been made, but they may transport the prepaid liquor purchased by the applicant to whom the banquet permit was issued.

(3) No banquet permittee may buy or accept delivery of liquor from any manufacturer, brewer, ~~((wholesaler))~~ distributor, distiller, winery, importer, or agent thereof.

(4) It is not necessary for a banquet permit applicant to purchase liquor at the time the permit is issued, and individuals attending a banquet function may bring their own liquor.

AMENDATORY SECTION (Amending Order 55, filed 5/31/77)

WAC 314-20-005 Application procedure—Beer ((~~wholesaler's~~)) distributor's or importer's license. Any person making application for a new beer ((~~wholesaler's~~)) distributor's or importer's license shall submit to the board, as a condition precedent to the board considering the application, such information as may be requested by the board and shall additionally submit a written commitment from a manufacturer or importer that the product the applicant proposes to distribute is available to him should a license be issued.

The decision as to whether a license will or will not be issued in a particular case is, pursuant to RCW 66.24.010, a matter of board discretion. The submission of the above information and written commitment shall not be construed as creating a vested right in the applicant to have a license issued.

AMENDATORY SECTION (Amending Order 138, Resolution No. 147, filed 4/11/84)

WAC 314-20-010 Brewers—Importers—((~~Wholesalers~~)) Distributors—Monthly reports—Tax refund procedures. (1) The holders of licenses to manufacture malt liquors within the state of Washington and holders of certificates of approval and importers who import malt liquors manufactured outside the United States must at all times when said licenses or certificates of approval are in force have in effect and on file with the board a bond executed by any surety authorized to do business in the state of Washington, in form and amount acceptable to the board, which bond shall be payable to the Washington state liquor control board and conditioned that such licensee or holder of certificate of approval will pay to the board the tax levied by virtue of RCW 66.24.290 (section 24 of the Washington State Liquor Act).

(2) Every person, firm or corporation holding a license to manufacture malt liquors within the state of Washington shall, in addition to the statement required to be made by RCW 66.24.280 (section 23F(1) of the Washington State Liquor Act), on or before the twentieth day of each month make a report to the board upon forms furnished by the board, of all sales of beer in and out of the state during the preceding calendar month, and shall at the same time pay to the board the tax due thereon including beer furnished as samples to authorized licensees for the purpose of negotiating a sale as provided in RCW 66.28.040.

(3) Every person, firm or corporation holding a license to import beer into the state of Washington shall make a report to the board, upon forms furnished by the board, on or before the twentieth day of each month of all beer imported into the state during the preceding calendar month, and shall at the same time pay to the board the tax due thereon: *Provided, however,* That said tax shall be paid on behalf of the importer of such beer by the holders of certificates of approval at the

time that said holders of certificates of approval furnish to the board the report required under RCW 66.24.270 and WAC 314-20-170: *Provided further,* That the report method of payment of tax shall be exclusive of any other method. In the event beer has been imported into the state of Washington upon which the tax has not been paid, or payment arranged as herein provided, the beer importer shall pay the tax due thereon including beer received and/or furnished as samples to authorized licensees for the purpose of negotiating a sale as provided in RCW 66.28.040.

(4) Failure to make such report or pay said tax at the time prescribed will be sufficient ground for the board to forthwith suspend or cancel the license privilege of the delinquent brewer or importer or the certificate of approval of the brewer located outside the state of Washington. A two percent penalty per month, or portion of a month, will be assessed on any tax payments postmarked after the twentieth day following the month of sale. In addition, in case of any such delinquency, the board shall immediately give notice to the surety on such brewer's, importer's or certificate of approval holder's bond and shall take such action as is thereafter deemed necessary by the board to collect any of said tax which it finds is due.

(5) In consideration of the foregoing requirements, revenue stamps evidencing payment of said tax shall not be used on any package containing beer manufactured by brewers within the state or imported into the state by a beer importer, nor shall it be required that "in transit" stamps be affixed to packages containing any beer manufactured in the state of Washington when the same is exported directly to a point outside the geographical confines of the state by such manufacturers. Neither shall it be required that "in transit" stamps be affixed to packages of beer being shipped in interstate commerce from one point outside this state, through this state, to another point outside the geographical confines of this state. In the case of beer manufactured by a brewer within the state or imported into the state of Washington by a beer importer and either sold to beer ((~~wholesalers~~)) distributor's for export from the state or exported directly by the importer, such manufacturer or importer must either pay the tax on beer so sold or affix "in transit" stamps, if not previously affixed, to all packages containing such beer, as provided in WAC 314-20-040(1).

(6) Beer ((~~wholesalers~~)) distributor's or beer importers who export beer to a point outside the geographical confines of the state of Washington upon which the tax imposed by RCW 66.24.290 has been paid may claim a refund or tax credit of said tax on forms prescribed and furnished by the board. For the purpose of this regulation, beer sold and delivered to interstate ((~~commercial~~)) common ((~~passenger~~)) carriers holding licenses pursuant to chapter 245, Laws of 1975 1st ex. sess., or for use within the confines of any military reservation over which the state does not exercise jurisdiction shall be considered exported from the state. Such tax shall not be paid on beer being shipped in interstate commerce from a point outside this state directly through the state to another point outside the geographical confines of this state.

(7) The board may make other arrangements for reporting and payment of tax where an in-state licensee purchases beer from within and/or without the state of Washington pri-

marily for export from the state. Such arrangements would be on an individual basis and would be for the purpose of simplifying the reporting and accounting requirements.

AMENDATORY SECTION (Amending WSR 93-11-028, filed 5/10/93, effective 6/10/93)

WAC 314-20-015 Licensed brewers—Retail sales of beer on brewery premises—Beer served without charge on premises—((Class H)) Spirit, beer and wine restaurant operation. (1) A licensed brewer holding a proper retail license, pursuant to chapter 66.24 RCW, may sell beer of its own production at retail on the brewery premises: *Provided*, That beer so sold at retail shall be subject to the tax and penalty for late payment, if any, as imposed by RCW 66.24.290, and to reporting and bonding requirements as prescribed in RCW 66.28.010 and WAC 314-20-010.

(2) In selling beer at retail, as provided in subsection (1) of this regulation, a brewer shall conduct such operation in conformity with the statutes and regulations applicable to holders of such beer retailers' licenses. The brewer shall maintain records of such retail operation separate from other brewery records.

(3) Upon written authorization of the board, pursuant to RCW 66.04.011, beer of a licensed brewer's own production may be consumed in designated parks and picnic areas adjacent to and held by the same ownership as the licensed brewer.

(4) A licensed brewer or a lessee of a licensed brewer operating a ((Class H)) spirit, beer and wine restaurant, licensed pursuant to RCW 66.28.010, shall conduct such operation in conformity with the statutes and regulations which apply to holders of such ((Class H)) spirit, beer and wine restaurant licenses.

(5) A brewer may serve its own beer and beer not of its own production without charge on the brewery premises, as authorized by RCW 66.28.040. Such beer served without charge as provided herein is not subject to the tax imposed by RCW 66.24.290.

(6) No retail license or fee is required for the holder of a brewer's license to serve beer without charge on the brewery premises as set forth in subsection (5) of this regulation. Before exercising this privilege, however, such brewer shall obtain approval of the proposed service area and facilities from the board. Such brewer shall maintain a separate record of all beer so served.

(7) A brewery is required to obtain the appropriate retail license to sell beer, wine, or spirits on the brewery premises that is not of its own production.

AMENDATORY SECTION (Amending WSR 92-03-109, filed 1/21/92, effective 2/21/92)

WAC 314-20-020 Beer labels—Certificate of label approval required—Labels to be submitted. (1) Every bottle or can containing beer intended for sale in the state of Washington shall bear a label in compliance with RCW 66.28.120. No beer shall be imported or sold within the state of Washington until the licensed brewery, or certificate of

approval holder, shall have obtained from the board a certificate of label approval for such beer.

(2) A request for certificate of label approval must be submitted on a form prescribed by the board which is one copy of the federal certificate of label approval for such beer, issued by the Bureau of Alcohol, Tobacco, and Firearms, U.S. Treasury Department.

(3) Any change in label or product which requires reissuance of federal certificate of label approval, must also be submitted to the board, in accordance with the foregoing provisions of this regulation.

(4) No label shall be used that is misleading.

(5) Every producer, importer, or ((wholesaler)) distributor of beer shall, upon request of the board or its authorized representative, furnish without cost to the board, samples of any brand of beer upon its premises for the purpose of analysis in order to determine whether the beer conforms to commercial standards.

(6) No label will be approved which is designed to be especially appealing to children or other persons under legal age to consume. Persons who appear to be under legal age to consume may be depicted on a label when, in the discretion of the board, the depiction is dignified and does not promote illegal consumption of liquor.

AMENDATORY SECTION (Amending WSR 93-10-070, filed 5/3/93, effective 6/3/93)

WAC 314-20-030 Packages—Classification. (1) No manufacturer, ((wholesaler)) distributor or importer shall sell beer for use in the state of Washington in any packages or containers differing in sizes and case quantities from the manufacturer's original packages.

(2) Net contents—Packaged beer. Net contents shall be stated in a clearly legible manner on the label in fluid ounces or as follows:

(a) If less than 1 pint, in fluid ounces, or fractions of a pint;

(b) If 1 pint, 1 quart, or 1 gallon, the net contents shall be so stated;

(c) If more than 1 pint, but less than 1 quart, the net contents shall be stated in fractions of a quart, or in pints and fluid ounces;

(d) If more than 1 quart, but less than 1 gallon, the net contents shall be stated in fractions of a gallon, or in quarts, pints, and fluid ounces;

(e) If more than 1 gallon, the net contents shall be stated in gallons and fractions thereof;

(f) The net contents need not be stated on any label if the net contents are displayed by having the same blown, branded, or burned in the container in letters or figures in such manner as to be plainly legible under ordinary circumstances and such statement is not obscured in any manner in whole or in part.

(3) Container size limitations—Barrels. Whole barrels (31 gallons), 1/2 barrels (15.5 gallons), 1/4 barrels (7.75 gallons), 1/6 barrels (5.16 gallons). Packaged beer—Maximum capacity for individual containers, 170 fluid ounces: *Provided, however*, That the board may, in its discretion, authorize other container and/or barrel size packages which have

been approved for marketing within the United States by the Bureau of Alcohol, Tobacco, and Firearms, United States Treasury Department: *Provided further*, That the board may, in its discretion, authorize a brewery with ((Class H)) spirit, beer and wine restaurant privileges to dispense beer directly from conditioning tanks/vessels to the ((Class H)) spirit, beer and wine restaurant area provided the taxes have been paid prior to dispensing.

(4) The net contents of individual containers shall be stated on the outside of any multicontainer package where the individual container label or bottle size is not visible to the consumer at the point of purchase.

(5) Gift packages. A beer importer or beer wholesaler may prepare and sell "gift packages" consisting of containers of beer differing in case quantities from the manufacturer's original case capacities provided the tax has been paid on the previously purchased beer in accordance with RCW 66.24.290 and provided written approval by the board has been obtained.

AMENDATORY SECTION (Amending Order 229, Resolution No. 238, filed 9/29/87)

WAC 314-20-050 Beer ((wholesalers)) distributors—Importers—Brewers—Records—Preservation. (1) Beer ((wholesalers)) distributors must keep beer accounts separate and independent from other accounts and maintain proper records in a form approved by the board, showing all transactions in beer, and must in case of beer exported or beer sold, transferred or shipped to another ((wholesaler)) distributor, preserve all bills of lading or other evidence of shipment for a period of two years after such exportation, and must in the case of sales to retailers preserve all sales slips and keep the same on file in the office of the wholesaler for at least two years after each sale.

(2) Each brewery, beer ((wholesaler)) distributor, and beer importer may maintain microfilm records containing reproductions (including microfiche) of any record, document, or report if first approved by the board. Request for approval shall be directed to the financial division of the Washington state liquor control board and must include the following information:

- (a) Records proposed to be reproduced.
- (b) Reproduction process.
- (c) Manner of preserving the reproduction.
- (d) Facilities provided for examining or viewing such reproduction.

If the request is approved, the licensee shall provide for the examining, viewing, and reproduction of such records the same as if they were the original records.

(3) If the brewery, beer ((wholesaler)) distributor, or beer importer keeps records within an automated data processing (ADP) system, the system must include a method for producing legible records that will provide the same information required of that type of record within this section. The ADP system is acceptable if it complies with the following guidelines:

- (a) Provides an audit trail so that details (invoices and vouchers) underlying the summary accounting data may be identified and made available upon request.

(b) Provides the opportunity to trace any transaction back to the original source or forward to a final total. If print-outs of transactions are not made when they are processed, the system must have the ability to reconstruct these transactions.

(c) Has available a full description of the ADP portion of the accounting system. This should show the applications being performed, the procedures employed in each application, and the controls used to ensure accurate and reliable processing.

(4) The provisions contained in subsections (2) and (3) of this section do not eliminate the requirement to maintain source documents, but they do allow the source documents to be maintained in some other location.

AMENDATORY SECTION (Amending Rule 45, filed 6/13/63)

WAC 314-20-060 Beer ((wholesalers)) distributors and importers—Reports—Stamps. All beer ((wholesalers)) distributors and beer importers who during any month have received, handled or had on hand at the end of such month any beer imported into the state of Washington by them with beer "in transit" stamps only affixed to the package or container upon which the tax has not been paid, shall, on or before the tenth day of the succeeding month, furnish to the board a report, upon forms prescribed or furnished by the board, showing the disposition of all tax free beer, and if exported from the state, the name and address of the person to whom exported. Such report shall also show the number, brand or trade name, type and size of all packages and containers, respectively.

AMENDATORY SECTION (Amending WSR 93-10-092, filed 5/4/93, effective 6/4/93)

WAC 314-20-070 Claims for defective keg beer—Replacement of overaged packaged beer—Procedures.

(1) In the case of beer in barrels, beer which is not in salable condition due to defective beer or a defective container may be returned by the retailer to the beer ((wholesaler)) distributor for a claim adjustment. The brewer or supplier may make a credit adjustment to the ((wholesaler)) distributor for such claim;

(2) No claim adjustment shall be accepted unless the same shall be made by the retailer within ten days after the defect in the beer or container has been discovered;

(3) All documentary evidence relating to the claim shall be preserved by the retailer, beer ((wholesaler)) distributor, brewer, or beer importer for two years after the date of the claim;

(4) No brewer, beer ((wholesaler)) distributor, or beer importer shall allow, or shall any retailer make claim for adjustment for defective keg beer unless the container or the beer is in fact defective;

(5) In the case of package beer, other than beer in barrels, beer which is not in a salable condition or overaged may be returned by a retail licensee to the beer ((wholesaler)) distributor from whom the beer was purchased, provided it is immediately replaced by the beer ((wholesaler)) distributor with an

identical quantity, type and brand of beer: *Provided further*, That if the brand of beer is not presently in the beer ((~~wholesaler's~~) distributor's stock and is not available to the ((~~wholesaler~~) distributor in the immediate future, a cash refund may be made to the retail licensee;

(6) Beer different from that ordered which has been delivered in error to a retail licensee may be returned to a beer ((~~wholesaler~~) distributor and either replaced with that beer which was ordered or a cash refund may be made: *Provided*, That the error in delivery shall be discovered and corrected within eight days of the date the delivery was made;

(7) ((~~Wholesalers~~) Distributors who replace unsalable or overaged packaged beer as provided in subsection (5) of this section, shall maintain complete records of all such transactions, with such records to be readily available for inspection by authorized employees of the board;

(8) Salable or unsalable beer may be returned by a retail licensee or by a governmental agency who has seized the same to the beer ((~~wholesaler~~) distributor selling such beer in the event the retailer goes out of the business of selling beer at retail, and in such case a cash refund may be made upon return of the beer, provided that consent of the board is first had and obtained;

(9) Except as provided herein, no other adjustment, by way of cash refund or otherwise, shall be made by the beer ((~~wholesaler~~) distributor, brewer or beer importer.

AMENDATORY SECTION (Amending Rule 47, filed 6/13/63)

WAC 314-20-080 Sales to vessels. (1) Tax paid beer may be sold direct by beer ((~~wholesalers~~) distributors to:

(a) Vessels engaged in foreign commerce and operating on regular schedules.

(b) Vessels engaged in interstate commerce and operating on regular schedules.

(c) Vessels commonly known as "tramps," engaged in interstate and/or foreign commerce but not operating on regular schedules and taking cargo when and where it offers and to any port.

(2) Beer may not be sold direct by beer ((~~wholesalers~~) distributors to any other class of boat or vessel unless the boat or vessel is in possession of a proper retail license.

AMENDATORY SECTION (Amending Order 270, Resolution No. 279, filed 11/22/88)

WAC 314-20-090 Cash sales. No beer ((~~wholesaler~~) distributor nor brewer or beer importer holding a beer ((~~wholesaler's~~) distributor's license shall sell or deliver beer to any retailer except for cash paid at the time of the delivery thereof: *Provided*, That cash may be paid prior to the delivery of beer sold to any retailer. Failure by licensees to keep accurate accounting records which result in the extension of credit, in violation of RCW 66.28.010 through the use of a prior cash deposit which is overextended may result in administrative action being taken against the liquor license.

AMENDATORY SECTION (Amending Order 173, Resolution No. 182, filed 8/5/86)

WAC 314-20-100 Beer ((~~wholesale~~) distributor price posting. (1) Every beer ((~~wholesaler~~) distributor shall file with the board at its office in Olympia a price posting showing the ((~~wholesale~~) distributor prices at which any and all brands of beer sold by such beer ((~~wholesaler~~) distributor shall be sold to retailers within the state.

(2) All price postings must be received by the board not later than the tenth day of the month, and if approved will become effective on the first day of the calendar month following the date of such filing. An additional period, not to exceed five days will be allowed for revision of such posting to correct errors, omissions, or to meet competitive prices filed during the current posting period, but a revised posting must be on file at the board office by not later than the fifteenth day of the month in order to become effective on the first day of the next calendar month: *Provided*, That the board may in individual cases, for good cause shown, extend the date on which the filings required by the rules are to be received by the board.

When any price posting to be filed with the board under the provisions of this rule has been deposited in the United States mail addressed to the board, it shall be deemed filed or received on the date shown by the post office cancellation mark on the envelope containing it or on the date it was mailed if proof satisfactory to the board establishes that the actual mailing occurred on an earlier date.

(3) Filing date exception—Whenever the tenth day of the month falls on Saturday, Sunday or a legal holiday, an original price posting may be filed not later than the close of business the next business day.

(4) In the event that a beer ((~~wholesaler~~) distributor determines to make no changes in any items or prices listed in the last filed and approved schedule, such prices listed in the schedule previously filed and in effect, shall remain in effect for each succeeding posting period until a revised or amended schedule is filed and approved, as provided herein.

Provision for filing of temporary price reductions—In the event a beer ((~~wholesaler~~) distributor elects to file postings listing selected items on which prices are temporarily reduced for one posting period only, such filing shall be made on special forms provided for such purpose and clearly reflect all items, the selling price thereof, and the posting period for which the price reductions will be in effect. At the expiration of the posting period during which such reductions were effective the special filing will become void and the last regularly filed and effective price schedule shall again become effective until subsequently amended pursuant to regular filing dates.

(5) Each price posting shall be made on a form prepared and furnished by the board or a reasonable facsimile thereof, and shall set forth:

(a) All brands, types, packages and containers of beer offered for sale by such beer ((~~wholesaler~~) distributor.

(b) The wholesale prices thereof to retail licensees, including allowances, if any, for returned empty containers.

(6) No beer ((~~wholesaler~~) distributor shall sell or offer to sell any package or container of beer to any retail licensee

at a price differing from the price for such package or container as shown in the price posting filed by the beer ((~~wholesaler~~)) distributor and then in effect.

(7) Quantity discounts are prohibited. No price shall be posted which is below acquisition cost plus ten percent of acquisition cost.

(8) Wholesale prices on a "close-out" item shall be accepted by the board if the item to be discontinued has been listed on the state market for a period of at least six months, and upon the further condition that the ((~~wholesaler~~)) distributor who posts such a close-out price shall not restock the item for a period of one year following the first effective date of such close-out price.

(9) If an existing written contract or memorandum of oral agreement between a licensed brewer, certificate of approval holder, beer importer or beer ((~~wholesaler~~)) distributor and a beer ((~~wholesaler~~)) distributor, on file in accordance with WAC 314-20-105, is terminated by either party, and a new written contract or memorandum of oral agreement is made by such a supplier with another beer ((~~wholesaler~~)) distributor in the affected trade area, the board, after receiving such new contract or memorandum of oral agreement and a corresponding wholesale price posting from the newly-designated beer ((~~wholesaler~~)) distributor, may put such filings into effect immediately: *Provided*, That prices and other conditions of such filings which are in effect at the time of such termination shall not be changed until subsequent filings are submitted to the board and become effective under regulatory procedures set forth in other subsections of this regulation and WAC 314-20-105.

(10) The board may reject any price posting which it deems to be in violation of this or any other regulation or portion thereof which would tend to disrupt the orderly sale and distribution of beer. Whenever the board shall reject any posting the licensee submitting said posting may be heard by the board and shall have the burden of showing that said posting is not in violation of regulation and/or does not tend to disrupt the orderly sale and distribution of beer. Thereupon if said posting is accepted it shall become effective at the time fixed by the board. If said posting is rejected, the last effective posting shall remain in effect until such time as an amended posting is filed and approved, in accordance with the provisions of this regulation.

(11) All price postings filed as required by this regulation shall at all times be open to inspection to all trade buyers within the state of Washington and shall not within any sense be considered confidential.

(12) Any beer ((~~wholesaler~~)) distributor or employee authorized by his ((~~wholesaler~~)) distributor-employer may sell beer at the ((~~wholesaler's~~)) distributor's posted prices to any ((Class A, B, D, E, H, or G)) authorized retail licensee upon presentation to such ((~~wholesaler~~)) distributor or employee at the time of purchase of a special permit issued by the board to such licensee.

(a) Every Class ((A, B, D, E, H, or G)) authorized retail licensee upon purchasing any beer from a ((~~wholesaler~~)) distributor, shall immediately cause such beer to be delivered to his licensed premises, and he shall not thereafter permit such beer to be disposed of in any manner except as authorized by his license.

(b) Beer sold as provided herein shall be delivered by such ((~~wholesaler~~)) distributor or his authorized employee either to such retailer's licensed premises or directly to such retailer at the ((~~wholesaler's~~)) distributor's licensed premises: *Provided, however*, That a ((~~wholesaler's~~)) distributor's prices to retail licensees shall be the same at both such places of delivery.

(13) When a new beer ((~~wholesaler's~~)) distributor's license is issued by the board, the holder thereof may file an initial price schedule and request that such posting be placed into effect immediately. The board may grant such approval, providing that such posting is in compliance with all other applicable regulatory requirements, and that contracts and memoranda are on file, in accordance with WAC 314-20-105.

AMENDATORY SECTION (Amending Order 207, Resolution No. 216, filed 12/9/86)

WAC 314-20-105 Beer suppliers' price filings, contracts and memoranda. (1) Every licensed brewer shall file with the board at its office in Olympia a copy of every written contract and a memorandum of every oral agreement which such brewer may have with any beer ((~~wholesaler~~)) distributor, which contracts or memoranda shall contain a schedule of prices charged to ((~~wholesalers~~)) distributors for all items, all terms of sale, including all regular and special discounts; all advertising, sales and trade allowances and incentive programs; all commissions, bonuses or gifts and any and all other discounts or allowances. Whenever changed or modified such revised contracts or memoranda shall forthwith be filed with the board as provided in this regulation.

Each price schedule shall be made on a form prepared and furnished by the board, or a reasonable facsimile thereof, and shall set forth all brands, types, packages and containers of beer offered for sale by such licensed brewer; all additional information required may be filed as a supplement to said price schedule forms.

(2) Filing date—All written contracts and memoranda of oral agreements must be received by the board not later than the twenty-fifth day of the month, and if approved will become effective on the first day of the second calendar month following the date of such filing. An additional period will be allowed for revision of such filings to correct errors and omissions, or to meet competitive prices, filed during the current posting period, but a revised contract or memorandum of oral agreement must be on file with the board not later than the first day of the month in order to become effective on the first day of the following month: *Provided*, That the board may in individual cases, for good cause shown, extend the date on which the filings required by the rules are to be received by the board.

(a) When any price posting to be filed with the board under the provisions of this rule has been deposited in the United States mail addressed to the board, it shall be deemed filed or received on the date shown by the post office cancellation mark on the envelope containing it, or on the date it was mailed if proof satisfactory to the board establishes that the actual mailing occurred on an earlier date.

(b) Exceptions for changes in ~~((wholesalers))~~ distributors and newly licensed ~~((wholesalers))~~ distributors are set forth in WAC 314-20-100 (9) and (13).

(3) Filing date exception—Whenever the twenty-fifth day of the month falls on Saturday, Sunday, or a legal holiday, an original contract or memorandum of oral agreement may be filed not later than the close of business the next business day.

(4) In the event that a brewer determines to make no changes in any items or prices listed in the last filed and approved schedule, such prices listed in the schedule previously filed and in effect, shall remain in effect for each succeeding posting period until a revised or amended schedule is filed and approved, as provided herein.

Provision for filing of temporary price reductions—In the event a licensed brewer elects to file postings listing selected items on which prices are temporarily reduced for a period of one posting period only, such filing shall be made on special forms provided for such purpose and clearly reflect all items, the selling price thereof, and the posting period for which the price reductions will be in effect. At the expiration of the posting period during which such reductions were effective the special filing will become void and the last regularly filed and effective price schedule shall again become effective until subsequently amended pursuant to regular filing dates.

(5) Prices filed by a licensed brewer shall be uniform prices to all ~~((wholesalers))~~ distributors on a statewide basis less bona fide allowances for freight differentials. Quantity discounts are prohibited. No price shall be filed which is below acquisition cost plus ten percent of acquisition cost: *Provided*, That acquisition cost plus ten percent of acquisition cost shall not apply to sales of beer between a beer importer who sells beer to another beer importer or to a beer ~~((wholesaler))~~ distributor, or to a beer ~~((wholesaler))~~ distributor who sells beer to another beer ~~((wholesaler))~~ distributor.

(6) No licensed brewer shall sell or offer to sell any beer to any persons whatsoever in this state until copies of such written contracts or memoranda of such oral agreements are on file with the board.

(7) No licensed brewer shall sell or offer to sell any package or container of beer to any ~~((wholesaler))~~ distributor at a price differing from the price for such package or container as shown in the schedule of prices filed by the brewer and then in effect.

(8) The provisions set forth in the foregoing subsections of this regulation shall also apply to written contracts and memoranda of oral agreements which must be filed with the board by every certificate of approval holder who sells beer to a beer importer, every beer importer who sells beer to another beer importer or to a beer ~~((wholesaler))~~ distributor, and every beer ~~((wholesaler))~~ distributor who sells beer to another beer ~~((wholesaler))~~ distributor: *Provided*, That the provisions of this subsection shall not apply, and filings will not be required in the instance of beer ~~((wholesalers))~~ distributors making accommodation sales to other beer ~~((wholesalers))~~ distributors when such sales are made at a selling price not to exceed the laid-in cost of the beer being sold. Accommodation sales may only be made when the ~~((wholesaler))~~ distributor purchasing the beer is an authorized purchaser of

the brand and product being sold, having been designated as an authorized purchaser by the manufacturer or importer of the product being sold, as demonstrated by an existing contract or memoranda on file and in effect under the provisions of this rule.

(9) Holders of certificates of approval may ship beer into this state when the beer has been sold and consigned to the holder of a beer importer's license at his licensed premises. The bill of lading covering such consignment shall not be changed or the beer diverted unless such diversion is to another beer importer, and the board so notified immediately.

(10) The board may reject any supplier's price filing, contract or memorandum of oral agreement or portion thereof which it deems to be in violation of this or any other regulation or which would tend to disrupt the orderly sale and distribution of beer. Whenever the board shall reject any such price filing, contract or memorandum the licensee submitting said price filing, contract or memorandum may be heard by the board and shall have the burden of showing that the said price filing, contract or memorandum is not in violation of regulation and/or does not tend to disrupt the orderly sale and distribution of beer. Thereupon if said price filing, contract or memorandum is accepted it shall become effective at a time fixed by the board. If said price filing, contract or memorandum or portion thereof is rejected, the last effective price filing, contract or memorandum shall remain in effect until such time as an amended price filing, contract or memorandum is filed and approved, in accordance with the provisions of this regulation.

(11) All prices, contracts and memoranda filed as required by this regulation shall at all times be open to inspection to all trade buyers within the state of Washington and shall not in any sense be considered confidential.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 314-22-010 Nonretail licenses—License designations.

Chapter 314-24 WAC

DOMESTIC WINERIES AND DOMESTIC WINE ~~((WHOLESALE))~~ DISTRIBUTORS

AMENDATORY SECTION (Amending Order 5, filed 8/7/69, effective 9/8/69)

WAC 314-24-006 Substandard wines prohibited. Application of this regulation. The production, importation or sale of, wine, which fails to conform to the standards prescribed in regulation (57) hereof, or of any wine fermented from raisins, dried fruits, or dried berries, or of any imitation or substandard wine as hereinafter defined, is hereby prohibited.

(1) Imitation wine shall include:

(a) Any wine containing synthetic materials;

(b) Any wine made from a mixture of water with residues remaining after thorough pressing of grapes, fruit or other agricultural products;

(c) Any class or type of wine, the taste, aroma, color or other characteristics of which have been acquired in whole or in part by treatment with methods or materials of any kind, if the taste, aroma, color or other characteristics of normal wines of such class or type are acquired without such treatment; or

(d) Any wine made from "must" concentrated at any time to more than 80 degrees (balling).

(2) Substandard wine shall include:

(a) Any wine having a volatile acidity in excess of the maximum prescribed therefor in these regulations;

(b) Any wine for which no maximum volatile acidity is prescribed in these regulations having a volatile acidity, calculated as acetic acid and exclusive of sulphur dioxide, in excess of 0.14 gram per 100 cubic centimeters (20 degrees C.);

(c) Any wine for which a standard of identity is prescribed in these regulations which, through disease, decomposition, or otherwise, fails to have the composition, color, and clean vinous taste and aroma of normal wines conforming to such standard; or

(d) Wine of any class or type containing added water, or sugar and water solution, in excess of the quantities expressly authorized for standard wine made from the same kind or kinds of materials as prescribed in regulation (57).

(3) Coined names:

(a) The sale in this state of wines, identified on labels or in advertisements by a type of brand designation which implies mixtures of wines for which standards of identity are established in these regulations, or which identifying type or brand designation resembles an established wine type name such as Angelica, Madeira, Muscatel, Port, White Port, Sherry, Tokay, Sauterne, Claret, Burgundy, etc., is hereby prohibited.

(b) The sale in this state of wine or combinations of wine and other alcoholic beverages which contain on the label statements such as whiskey wine, rum and wine, gin and wine, beer and wine, etc., or simulations of such combinations, is hereby prohibited.

(4) Containers:

(a) The sale of wine in any container originally designed for a product other than wine or in any container the design or shape of which would tend to mislead the consumer as to the nature of the contents, is hereby prohibited.

(b) The sale of wine in containers which have blown, branded or burned therein the name or other distinguishing mark of any person engaged in business as a wine producer, importer, ((~~wholesaler~~)) distributor, or bottler or any other person different from the person whose name is required to appear on the brand label, is hereby prohibited.

AMENDATORY SECTION (Amending WSR 92-03-110, filed 1/21/92, effective 2/21/92)

WAC 314-24-040 Wine labels—Certificate of label approval required—Labels to be submitted. No wine shall be imported or sold within the state of Washington until the

certificate of approval holder, or domestic winery, or United States importer of foreign wine, shall have obtained from the board a certificate of label approval for such wine.

(1) A request for certificate of label approval must be submitted to the board on forms prescribed by the board, together with the following:

(a) Two labels of the brand and type for which approval is requested for wines under seven percent alcohol by volume; and

(b) One copy of the federal certificate of label approval for such wine which has been issued by the Bureau of Alcohol, Tobacco, and Firearms, U.S. Treasury Department.

(2) Any change in label or product which requires reissuance of federal approval under the provisions of 27 CFR Part 4, must also be submitted to the board in accordance with the foregoing provisions of this regulation.

(3) Every producer, importer, bottler, or ((~~wholesaler~~)) distributor of wine shall, upon request of the board or its authorized representative, furnish without cost to the board, samples of any brand of wine upon its premises for the purpose of analysis in order to determine whether the wine conforms to the quality standards set by the board in WAC 314-24-060 and conforms with commercial standards.

(4) No label shall be used that is misleading.

(5) No label will be approved which is designed to be especially appealing to children or other persons under legal age to consume. Persons who appear to be under legal age to consume may be depicted on a label when, in the discretion of the board, the depiction is dignified and does not promote illegal consumption of liquor.

AMENDATORY SECTION (Amending Order 172, Resolution No. 181, filed 3/13/86)

WAC 314-24-080 Containers—Sizes and types permitted. (1) All wine sold for consumption in the state shall be sold in packages or container sizes approved by the Bureau of Alcohol, Tobacco, and Firearms, U.S. Treasury Department for Marketing within the United States. A copy of the federal certificate of label approval must be submitted with each such request for authorization.

(2) No domestic winery or wine ((~~wholesaler~~)) distributor, or wine importer shall adopt or use any packages for wine differing in sizes and case capacities from: Manufacturer's original full cases. The board may, in its discretion, authorize other container and/or keg size packages it deems appropriate.

(3) Wine referred to in subsections (1) and (2) of this regulation may also be packaged and sold in metric standards of fill and in case sizes as are established in 27 Code of Federal Regulations, to wit: 3 liters (101 fl. oz.) 4 bottles per case; 1.5 liters (50.7 fl. oz.) 6 bottles p/c; one liter (33.8 fl. oz.) 12 bottles p/c; 750 milliliters (25.4 fl. oz.) 12 bottles p/c; 375 milliliters (12.7 fl. oz.) 24 bottles p/c; 187 milliliters (6.3 fl. oz.) 48 bottles p/c; 100 milliliters (3.4 fl. oz.) 60 bottles p/c. Wine may be bottled or packed in containers of four liters or larger if the containers are filled and labeled in quantities of even liters.

(4) Wine imported from foreign countries may be packaged and container sizes approved by the Bureau of Alcohol,

Tobacco, and Firearms, U.S. Treasury Department for marketing within the United States. A copy of the federal certificate of label approval must be submitted with each such request for authorization.

(5) For taxing purposes and in all reports to the board, the above enumerated designations of package sizes, and no others, shall be used.

AMENDATORY SECTION (Amending WSR 93-11-028, filed 5/10/93, effective 6/10/93)

WAC 314-24-095 Fortified wine—Exception to definition when affidavit on file. (1) All wines which have an alcohol content greater than fourteen percent of alcohol by volume shall be considered to be "fortified wine" as defined in RCW 66.04.010(34) until an affidavit of exception, on a form prescribed by the board, has been filed with the board certifying that said wine qualifies under one or more of the statutory exclusions from that definition.

(2) The affidavit may be filed by either the manufacturer, importer or ((~~wholesaler~~)) distributor of the wine, and whichever licensee files the affidavit is responsible for the information contained therein. Any affidavit which the board finds to contain false information shall result in suspension of label and product approval for the wine which is the subject of the affidavit for a period of not less than one year.

AMENDATORY SECTION (Amending Order 55, filed 5/31/77, effective 7/1/77)

WAC 314-24-105 Application procedure—Wine ((~~wholesaler's~~)) distributor's or importer's license. Any person making application for a new wine ((~~wholesaler's~~)) distributor's or importer's license shall submit to the board, as a condition precedent to the board considering the application, such information as may be requested by the board and shall additionally submit a written commitment from a manufacturer or importer that the product the applicant proposes to distribute is available to him should a license be issued.

The decision as to whether a license will or will not be issued in a particular case is, pursuant to RCW 66.24.010, a matter of board discretion. The submission of the above information and written commitment shall not be construed as creating a vested right in the applicant to have a license issued.

AMENDATORY SECTION (Amending Order 222, Resolution No. 231, filed 7/22/87)

WAC 314-24-110 Domestic wineries, wine ((~~wholesaler's~~)) distributors, wine importers—Monthly reports—Bonds required—Payment of tax. (1) Every domestic winery and every holder of a wine ((~~wholesaler's~~)) distributor's license must at all times when said license is in force, have in effect and on file with the board a bond executed by any surety authorized to do business in the state of Washington, in form and amount acceptable to the board. The said bond shall be payable to the Washington state liquor control board and conditioned that such domestic winery and wine ((~~whole-~~

~~saler~~)) distributor will pay to the board the tax of \$0.2192 per liter, levied by reason of RCW 66.24.210 and 82.02.030.

(2) Every person, firm or corporation holding a license to manufacture or produce wine within the state of Washington shall, on or before the twentieth day of each month, submit to the board, upon forms furnished by the board, reports showing all required information on transactions in wine manufactured or produced on the winery premises.

(3) At the time of making such monthly reports to the board, the domestic winery shall pay to the board the total wine tax and surcharge of \$0.2192 per liter on wine removed from federal bond for sale at retail on the winery premises, as provided in RCW 66.28.010 and 66.24.170; on wine removed from federal bond for sale to retail licensees as provided in RCW 66.24.170; on wine removed from federal bond for furnishing as samples to authorized licensees for the purpose of negotiating a sale as provided in RCW 66.28.040; and on wine removed from federal bond for furnishing without charge to a not-for-profit group for the purpose of enology or the study of viticulture as provided in RCW 66.28.040: *Provided*, That such tax shall not apply to or be paid by a domestic winery on sales to Washington wine ((~~wholesalers~~)) distributors, inter-winery shipments, shipments exported directly to a point outside the state of Washington, or sales to the Washington state liquor control board.

(4) Every person, firm or corporation holding a wine importer's license or a wine ((~~wholesaler's~~)) distributor's license in the state of Washington shall make a report to the board, upon forms furnished by the board, on or before the twentieth day of each month, of all wine that such importer or ((~~wholesaler~~)) distributor has purchased and received during the preceding calendar month on which the wine tax has not been paid. The total tax and surcharge of \$0.2192 per liter shall be paid by the first wine ((~~wholesaler~~)) distributor to receive the wine on which such tax has not been previously paid, including wine received as samples from outside the state of Washington and/or wine furnished as samples to authorized licensees for the purpose of negotiating a sale as provided in RCW 66.28.040, and shall be remitted to the board at the time of filing the monthly report required in this subsection. Such tax shall apply to sales by a wine ((~~wholesaler~~)) distributor to the Washington state liquor control board. The report method of payment of tax shall be exclusive of any other method. Where a wine importer does not also hold a wine ((~~wholesaler's~~)) distributor's license, the wine importer shall pay the wine tax on any wines received and/or furnished as samples.

(5) Failure to make such report, or pay said total tax and surcharge where required, at the time prescribed will be sufficient cause for the board to forthwith suspend or cancel the license privilege of the delinquent domestic winery, wine importer, or wine ((~~wholesaler~~)) distributor. A two percent penalty per month, or portion of a month, will be assessed on any tax payments postmarked after the twentieth day following the month of purchase. When the twentieth day of any month falls on a Sunday, or a legal holiday, the tax may be filed not later than the close of business the next business day. In addition, in case of any such tax delinquency, the board shall immediately give notice to the surety on such domestic winery or wine ((~~wholesaler's~~)) distributor's bond and shall

take such action as is thereafter deemed necessary by the board to collect any of said tax which it finds is due.

(6) Wine (~~(wholesaler's)~~) distributors or wine importers who export wine to a point outside the geographical confines of the state of Washington upon which the tax imposed by RCW 66.24.210 and the surcharge as imposed by RCW 82.02.030 have been paid may claim a refund or tax credit of said tax on forms prescribed and furnished by the board. For the purpose of this regulation, wine sold and delivered to interstate commercial common passenger carriers holding licenses pursuant to RCW 66.24.395, or for use within the confines of any military reservation over which the state does not exercise jurisdiction shall be considered exported from the state. The wine tax shall not be paid on wine being shipped in interstate commerce from one point outside this state directly through the state to another point outside the geographical confines of this state.

(7) The board may make other arrangements for reporting and payment of total tax and surcharge where an in-state licensee purchases wine from within and/or without the state of Washington primarily for export from the state. Such arrangements would be on an individual basis and would be for the purpose of simplifying the reporting and accounting requirements.

AMENDATORY SECTION (Amending Order 95, Resolution No. 104, filed 1/28/82)

WAC 314-24-120 Importer of foreign wine—United States wineries—Certificate of approval required—Monthly reports—Records. (1) Foreign wine. Wine manufactured outside of the United States may be imported by a wine importer under the following conditions:

(a) The wine importer must be the holder of a certificate of approval.

(b) The wine importer (certificate of approval holder) importing such wine must obtain label approval in accordance with WAC 314-24-040. Such wine shall be imported and delivered directly to either the warehouse of the importer (certificate of approval holder) or to some other warehouse previously designated by the importer and approved by the board.

(c) On or before the twentieth day of the month following such importation the importer (certificate of approval holder) shall report such importation to the board upon forms prescribed and furnished by the board.

(d) All matters pertaining to the importation, transportation, storage, keeping of records, and all other matters pertaining to the importation of wine manufactured outside the United States shall be subject at all times to such orders, rules and regulations as the board may from time to time prescribe, and the board reserves the right to make orders applicable to individual and particular cases in addition to general orders, rules and regulations applicable generally.

(e) Any wine importer (certificate of approval holder) holding a wine (~~(wholesaler's)~~) distributor's license should refer to WAC 314-24-110 for requirements on surety bond and payment of wine tax.

(2) Holders of certificate of approval—United States wineries, located outside of Washington state. Each winery

holding a certificate of approval may ship wine to licensed wine importers only. As required by section 10, chapter 21, Laws of 1969 ex. sess., and by the written agreement embodied in the application for certificate of approval, each winery holding a certificate of approval shall, on or before the twentieth day of each month, furnish to the board a report of such shipments.

(a) Such report shall show the quantity of wine sold or delivered to each licensed wine importer during the preceding month, together with such other information as the board may require.

(b) All reports shall be made upon forms prescribed and furnished by the Washington state liquor control board.

(3) Failure to make such a report at the time and in the manner as prescribed will be sufficient cause for the board to forthwith suspend or revoke the certificate of the certificate of approval holder.

AMENDATORY SECTION (Amending Order 5, filed 8/7/69, effective 9/8/69)

WAC 314-24-130 Case lot sales. No domestic winery, wine (~~(wholesaler)~~) distributor, wine importer, or certificate of approval holder shall sell or otherwise deliver wine to another domestic winery, wine (~~(wholesaler)~~) distributor, and wine importer except in whole case lots, nor shall any such licensee receive from any other such licensee wine except in whole case lots.

AMENDATORY SECTION (Amending Order 5, filed 8/7/69, effective 9/8/69)

WAC 314-24-140 Sales to vessels. Tax paid wine may be sold direct by wine (~~(wholesaler's)~~) distributors to:

(1) Vessels engaged in foreign commerce and operating on regular schedules.

(2) Vessels engaged in interstate commerce and operating on regular schedules.

(3) Vessels commonly known as "tramps," engaged in interstate and/or foreign commerce but not operating on regular schedules and taking cargo when and where it offers and to any port.

Wine may not be sold direct by wine (~~(wholesaler's)~~) distributors to any other class of boat or vessel unless the boat or vessel is in possession of a proper retail license.

AMENDATORY SECTION (Amending Order 229, Resolution No. 238, filed 9/29/87)

WAC 314-24-150 Wine records—Preservation. (1) Every domestic winery, wine (~~(wholesaler)~~) distributor, and wine importer shall keep wine accounts separate from other accounts, and maintain proper records in a form approved by the board showing all transactions in wine.

(2) Every domestic winery, wine (~~(wholesaler)~~) distributor, and wine importer, shall, in the case of sales of wine within the state, keep and preserve all invoices, bills of lading, sales slips, and other evidence of sale, in the office of the domestic winery, wine (~~(wholesaler)~~) distributor or wine importer for at least two years after each sale.

(3) Every domestic winery, wine (~~(wholesaler)~~) distributor, and wine importer, shall, in the case of wine exported from the state, keep and preserve all bills of lading and other evidence of shipment in the office of the domestic winery, wine (~~(wholesaler)~~) distributor, or wine importer for at least two years after each shipment.

(4) In the case of sales, transfers or shipments of wine between a domestic winery and a wine (~~(wholesaler)~~) distributor, or between two domestic wineries, or between two wine (~~(wholesalers)~~) distributors, or between a wine importer and a wine (~~(wholesaler)~~) distributor, both the shipping and receiving licensees, as the case may be, shall keep and preserve all invoices, bills of lading, sales slips, and other evidence of sale, transfer or shipment in their respective offices for at least two years after each sale, transfer or shipment.

(5) Each winery, wine (~~(wholesaler)~~) distributor, and wine importer may maintain microfilm records containing reproductions (including microfiche) of any record, document, or report if first approved by the board. Request for approval shall be directed to the financial division of the Washington state liquor control board and must include the following information:

- (a) Records proposed to be reproduced.
- (b) Reproduction process.
- (c) Manner of preserving the reproduction.
- (d) Facilities provided for examining or viewing such reproduction.

If the request is approved, the licensee shall provide for the examining, viewing, and reproduction of such records the same as if they were the original records.

(6) If the winery, wine (~~(wholesaler)~~) distributor, or wine importer keeps records within an automated data processing (ADP) system, the system must include a method for producing legible records that will provide the same information required of that type of record within this section. The ADP system is acceptable if it complies with the following guidelines:

(a) Provides an audit trail so that details (invoices and vouchers) underlying the summary accounting data may be identified and made available upon request.

(b) Provides the opportunity to trace any transaction back to the original source or forward to a final total. If print-outs of transactions are not made when they are processed, the system must have the ability to reconstruct these transactions.

(c) Has available a full description of the ADP portion of the accounting system. This should show the applications being performed, the procedures employed in each application, and the controls used to ensure accurate and reliable processing.

(7) The provisions contained in subsections (5) and (6) of this section do not eliminate the requirement to maintain source documents, but they do allow the source documents to be maintained in some other location.

AMENDATORY SECTION (Amending WSR 93-11-028, filed 5/10/93, effective 6/10/93)

WAC 314-24-160 Domestic wineries—Retail sales of wine on winery premises—Wine served without charge

on premises—(~~(Class H)~~) Spirit, beer and wine restaurant operation. (1) A domestic winery holding a proper retail license, pursuant to chapter 66.24 RCW, may sell wine of its own production at retail on the winery premises: *Provided*, That wine so sold at retail shall be subject to the tax imposed by RCW 66.24.210, and to reporting and bonding requirements as prescribed by RCW 66.28.010 and WAC 314-24-110 (Rule 69).

(2) In selling wine of its own production at retail on its premises as provided in subsection (1) of this regulation, a domestic winery shall conduct such operation in conformity with the statutes and regulations which apply to holders of such wine retailers' licenses. The winery shall maintain records of its retail operation separate from other winery operation records.

(3) Upon written authorization of the board, pursuant to RCW 66.04.011, wine of a domestic winery's own production and/or liquor products other than wine of a licensee's own production may be consumed in designated parks and picnic areas adjacent to and held by the same ownership as the domestic winery.

(4) A domestic winery or a lessee of a licensed domestic winery operating a (~~(Class H)~~) spirit, beer and wine restaurant, licensed pursuant to RCW 66.28.010, shall conduct such operation in conformity with the statutes and regulations which apply to holders of such (~~(Class H)~~) spirit, beer and wine restaurant licenses.

(5) A domestic winery may serve its own wine and wine not of its own production without charge on the winery premises as authorized by RCW 66.28.040. Such wine served without charge as provided herein is not subject to the tax imposed by RCW 66.24.210.

(6) No retail license or fee is required for the holder of a domestic winery license to serve wine without charge on the winery premises as set forth in subsection (5) of this regulation. Before exercising this privilege, however, such winery shall obtain approval of the proposed service area and facilities. Such winery shall maintain a separate record of all wine so served.

(7) A winery is required to obtain the appropriate retail license to sell beer, wine, or spirits on the winery premises that is not of its own production.

AMENDATORY SECTION (Amending Order 270, Resolution No. 279, filed 11/22/88)

WAC 314-24-170 Cash sales. No wine (~~(wholesaler)~~) distributor shall sell or deliver any wine to any retailer within the state except for cash paid at the time of the delivery of such wine: *Provided*, That cash may be paid prior to the delivery of wine sold to any retailer. Failure by licensees to keep accurate accounting records which result in the extension of credit, in violation of RCW 66.28.010 through the use of a prior cash deposit which is overextended may result in administrative action being taken against the liquor license.

AMENDATORY SECTION (Amending Order 5, filed 8/7/69, effective 9/8/69)

WAC 314-24-180 Wine ((wholesalers)) distributors, wine importers—Certain rights granted. (1) Wine ((wholesalers)) distributors may sell to the board, export wine from the state, and purchase wine from or sell wine to another wine ((wholesaler)) distributor.

(2) Wine importers may sell to the board, export wine from the state, or sell to wine ((wholesalers)) distributors, but may not sell to another wine importer.

AMENDATORY SECTION (Amending Order 222, Resolution No. 231, filed 7/22/87)

WAC 314-24-190 Wine ((wholesale)) distributor price posting. (1) Every wine ((wholesaler)) distributor shall file with the board at its office in Olympia a wine price posting, showing the wholesale prices at which any and all brands of wine offered for sale by such wine ((wholesaler)) distributor shall be sold to retailers within the state.

(2) All price postings must be received by the board not later than the tenth day of the month, and if approved will become effective on the first day of the calendar month following the date of such filing. An additional period, not to exceed five days will be allowed for revision of such posting to correct errors, omissions, or to meet competitive prices filed during the current posting period, but a revised posting must be on file at the board office by not later than the fifteenth day of the month in order to become effective on the first day of the next calendar month: *Provided*, That the board may in individual cases, for good cause shown, extend the date on which the filings required by the rules are to be received by the board.

When any price posting to be filed with the board under the provisions of this rule has been deposited in the United States mail addressed to the board, it shall be deemed filed or received on the date shown by the post office cancellation mark on the envelope containing it or on the date it was mailed if proof satisfactory to the board establishes that the actual mailing occurred on an earlier date.

(3) Filing date exception—Whenever the tenth day of any month falls on Saturday, Sunday or a legal holiday, an original price posting may be filed not later than the close of business the next business day.

(4) In the event that a wine ((wholesaler)) distributor determines to make no changes in any items or prices listed in the last filed and approved schedule, such prices listed in the schedule previously filed and in effect, shall remain in effect for each succeeding calendar month until a revised or amended schedule is filed and approved, as provided herein.

Provision for filing of temporary price reductions—In the event a wine ((wholesaler)) distributor elects to file postings listing selected items on which prices are temporarily reduced for a period of one calendar month only such filing shall be made on special forms provided for such purpose and clearly reflect all items, the selling price thereof, and the month for which the price reductions will be in effect. At the expiration of the month during which such reductions were effective the special filing will become void and the last reg-

ularly filed and effective price schedule shall again become effective until subsequently amended pursuant to regular filing dates.

(5) Postings shall be submitted upon forms prescribed and furnished by the board, or a reasonable facsimile thereof, and shall set forth:

(a) All brands, types and sizes of packages or containers of wine offered for sale in this state by such wine ((wholesaler)) distributor, which packages or containers shall be limited to the sizes permitted in WAC 314-24-080.

(b) The wholesale prices thereof within the state, which prices shall include the state wine tax plus surcharge of \$0.2192 cents per liter imposed under RCW 66.24.210 and 82.02.030.

(6) No wine ((wholesaler)) distributor shall sell or offer for sale any package or container of wine at a price differing from the price of such item as shown in the price posting then in effect.

(7) Quantity discounts are prohibited. No price shall be posted which is below acquisition cost plus ten percent of acquisition cost.

(8) Wholesale prices on a "close-out" item shall be accepted by the board when the item to be discontinued has been listed on the state market for a period of at least six months, and upon the further condition that the ((wholesaler)) distributor who posts such a "close-out" price shall not restock the item for a period of one year following the first effective date of such "close-out" price.

(9) If an existing written contract or memorandum of oral agreement between a domestic winery, certificate of approval holder, wine importer, or wine ((wholesaler)) distributor and a ((wine wholesaler)) distributor, as filed in accordance with WAC 314-24-200, is terminated by either party, and a new written contract or memorandum of oral agreement is made by such a supplier with another wine ((wholesaler)) distributor in the affected trade area, the board, after receiving such new written contract or memorandum of oral agreement, and a corresponding wholesale price posting from the newly designated wine ((wholesaler)) distributor, may put such filings into effect immediately: *Provided*, That prices and other conditions of any such filings which are in effect at the time of such termination shall not be changed prior to the next applicable filing period.

(10) When a new wine ((wholesaler's)) distributor's license is issued for the first time by the board, the holder thereof may file an initial price schedule and request that such posting be placed into effect immediately. The board may grant such approval, providing that such posting is in compliance with all other applicable regulatory requirements, and that contracts and memoranda are on file, in accordance with WAC 314-24-200.

(11) The board may reject any price posting or portion thereof which it deems to be in violation of this or any other regulation or which would tend to disrupt the orderly sale and distribution of wine. Whenever the board shall reject any posting the licensee submitting said posting may be heard by the board and shall have the burden of showing that the posting is not in violation of regulation and/or does not tend to disrupt the orderly sale and distribution of wine. Thereupon if said posting is accepted it shall become effective at a time

fixed by the board. If said posting or portion thereof is rejected the last effective posting shall remain in effect until such time as an amended posting is filed and approved in accordance with the provisions of this regulation.

(12) Any wine (~~((wholesaler))~~ distributor or employee authorized by (~~((his wholesaler))~~ his/her distributor-employer may sell wine at the (~~((wholesaler's))~~ distributor's posted prices to any (~~((Class C, F, H, or J))~~ authorized licensee upon presentation to such (~~((wholesaler))~~ distributor or employee at the time of purchase of a special permit issued by the board to such licensee.

(a) Every (~~((Class C, F, H, or J))~~ authorized retail licensee, upon purchasing any wine from a (~~((wholesaler))~~ distributor, shall immediately cause such wine to be delivered to his licensed premises, and he shall not thereafter permit such wine to be disposed of in any manner except as authorized by his license.

(b) Wine sold as provided herein shall be delivered by such (~~((wholesaler))~~ distributor or his authorized employee either to such retailer's licensed premises or directly to such retailer at the (~~((wholesaler's))~~ distributor's licensed premises: *Provided, however,* That a (~~((wholesaler's))~~ distributor's prices to retail licensees shall be the same at both places of delivery.

(13) All price postings filed as required by this regulation shall at all times be open to inspection to all trade buyers within the state of Washington and shall not in any sense be considered confidential.

AMENDATORY SECTION (Amending Order 222, Resolution No. 231, filed 7/22/87)

WAC 314-24-200 Wine suppliers' price filings, contracts and memoranda. (1) Every domestic winery shall file with the board at its office in Olympia a copy of every written contract and a memorandum of every oral agreement which such winery may have with any wine (~~((wholesaler))~~ distributor, which contracts or memoranda shall contain a schedule of the prices charged to (~~((wholesalers))~~ distributors for all items. Requirements for including or omitting from such prices the wine tax plus surcharge of \$0.2192 cents per liter, imposed under RCW 66.24.210 and 82.02.030, are set forth in subsection (8) of this section. Contracts and memoranda required to be filed under this subsection must list all terms of sale, including all regular and special discounts; all advertising, sales and trade allowances; and all commissions, bonuses or gifts and any and all other discounts or allowances. Whenever changed or modified such revised prices, contracts or memoranda shall be filed with the board, as provided in this regulation.

Each price schedule shall be made on a form prepared and furnished by the board, or a reasonable facsimile thereof, and shall set forth all brands, types, packages and containers of wine offered for sale by such licensed domestic winery; all additional information required may be filed as a supplement to said price schedule forms.

(2) Filing date—All written contracts and memoranda of oral agreements must be received by the board not later than the twenty-fifth day of the month, and if approved will become effective on the first day of the second calendar

month following the date of such filing. An additional period will be allowed for revision of such filings to correct errors and omissions, or to meet competitive prices, filed during the current posting period, but a revised contract or memorandum of oral agreement must be on file with the board not later than the first day of the month in order to become effective on the first day of the next calendar month: *Provided,* That the board may in individual cases, for good cause shown, extend the date on which the filings required by the rules are to be received by the board.

When any price posting to be filed with the board under the provisions of this rule has been deposited in the United States mail addressed to the board, it shall be deemed filed or received on the date shown by the post office cancellation mark on the envelope containing it or on the date it was mailed if proof satisfactory to the board establishes that the actual mailing occurred on an earlier date.

(3) Filing date exception—Whenever the twenty-fifth day of any month falls on Saturday, Sunday, or a legal holiday, an original contract or memorandum of oral agreement may be filed not later than the close of business the next business day.

(4) Exceptions for changes in (~~((wholesalers))~~ distributors and newly licensed (~~((wholesalers))~~ distributors are set forth in WAC 314-24-190 (9) and (10).

(5) In the event that a domestic winery determines to make no changes in any contracts or memoranda last filed and then in effect, such contracts or memoranda shall remain in effect for each succeeding calendar month until revised or amended contracts or memoranda are filed and placed into effect as provided herein.

Provision for filing of temporary price reductions—In the event a licensed domestic winery elects to file postings listing selected items on which prices are temporarily reduced for a period of one calendar month only such filing shall be made on special forms provided for such purpose and clearly reflect all items, the selling price thereof, and the month for which the price reductions will be in effect. At the expiration of the month during which such reductions were effective the special filing will become void and the last regularly filed and effective price schedule shall again become effective until subsequently amended pursuant to regular filing dates.

(6) Prices filed by a domestic winery shall be uniform prices to all (~~((wholesalers))~~ distributors on a state-wide basis less bona fide allowances for freight differentials. Quantity discounts are prohibited. No price shall be filed which is below acquisition cost plus ten percent of acquisition cost: *Provided,* That acquisition cost plus ten percent of acquisition cost shall not apply to sales of wine between a wine importer who sells wine to a wine (~~((wholesaler))~~ distributor, or to a wine (~~((wholesaler))~~ distributor who sells wine to another wine (~~((wholesaler))~~ distributor.

(7) The provisions set forth in subsections (1), (2), (3), (4), (5) and (6) of this section shall also apply to written contracts and memoranda of oral agreements which must be filed with the board by certificate of approval holders who sell wine to wine importers; wine importers who sell to wine (~~((wholesalers))~~ distributors; and wine (~~((wholesalers))~~ distributors who sell to other wine (~~((wholesalers))~~ distributors:

Provided, That the provisions of this subsection shall not apply, and filing will not be required, in the instance of wine ((~~wholesalers~~)) distributors making accommodation sales to other wine ((~~wholesalers~~)) distributors when such sales are made at a selling price not to exceed the laid-in cost of the wine being sold. Accommodation sales may only be made when the ((~~wholesaler~~)) distributor purchasing the wine is an authorized purchaser of the brand and product being sold, having been designated as an authorized purchaser by the manufacturer or importer of the product being sold, as demonstrated by an existing contract or memoranda on file and in effect under the provisions of this rule.

(8) The wine tax plus surcharge, imposed under RCW 66.24.210 and 82.02.030, is not to be included in the prices filed as required by subsection (1) of this section by (a) a domestic winery, nor (b) by a certificate of approval holder who is not licensed as a wine ((~~wholesaler~~)) distributor, nor (c) a wine importer who is not licensed as a wine ((~~wholesaler~~)) distributor.

Every wine ((~~wholesaler~~)) distributor who sells wine to another wine ((~~wholesaler~~)) distributor shall include such tax in the prices posted on such required schedules.

(9) No domestic wineries, certificate of approval holders, wine importers, or wine ((~~wholesalers~~)) distributors shall sell any wine to any persons whatsoever in this state until copies of such written contracts or memoranda of such oral agreements are on file with the board.

(10) Certificate of approval holders may ship wine into this state when the same has been sold and consigned to the holder of an importer's license at his licensed premises. The bill of lading covering such consignment shall not be changed or the wine diverted unless such diversion is to another importer, and the board so notified immediately.

(11) The board may reject any supplier's price filing, contract or memorandum of oral agreement or portion thereof which it deems to be in violation of this or any other regulation or which would tend to disrupt the orderly sale and distribution of wine. Whenever the board shall reject any such price filing, contract or memorandum of oral agreement the licensee submitting said price filing, contract or memorandum may be heard by the board and shall have the burden of showing that the said price filing, contract or memorandum is not in violation of regulation and/or does not tend to disrupt the orderly sale and distribution of wine. Thereupon if said price filing, contract or memorandum is accepted it shall become effective at a time fixed by the board. If said price filing, contract or memorandum or portion thereof is rejected the last effective price filing, contract or memorandum shall remain in effect until such time as an amended price filing, contract or memorandum is filed and approved, in accordance with the provisions of this regulation.

(12) All prices, contracts and memoranda filed as required by this regulation shall at all times be open to inspection to all trade buyers within the state of Washington and shall not in any sense be considered confidential.

AMENDATORY SECTION (Amending Order 227, Resolution No. 236, filed 7/23/87)

WAC 314-24-210 Return of wine by retailer—Replacement—Conditions. No wine shall be returned by any retail licensee to any wine ((~~wholesaler~~)) distributor except as herein provided.

(1) Wine which is not in a salable condition may be returned by a retail licensee to the wine ((~~wholesaler~~)) distributor from whom purchased, provided it is immediately replaced by the wine ((~~wholesaler~~)) distributor with an identical quantity, type and brand of wine: *Provided*, That if the brand of wine is not presently in the wine ((~~wholesalers~~)) distributor's stock and is not available to the ((~~wholesaler~~)) distributor in the immediate future, a cash refund may be made to the retail licensee upon the approval of the board first being obtained.

(a) Every wine ((~~wholesaler~~)) distributor shall maintain on the licensed premises for a period of two years complete records of all refunds and exchanges made under this section including an inventory of unsalable wine returned to such ((~~wholesaler~~)) distributor by any retail licensee.

(b) Such unsalable wine which requires reconditioning or destruction shall be returned by the wine ((~~wholesaler~~)) distributor to the domestic winery which manufactured or produced the same, or to the importer who imported such wine. When wine which has been returned to a domestic winery by any person for reconditioning or destruction has been assembled at the winery, a complete inventory in duplicate of unsalable wine shall be filed with the board by the winery with a request that inspection be made of the returned wine before the reconditioning process or destruction is started. When wine has been returned by the ((~~wholesaler~~)) distributor to the importer who imported such wine, a complete inventory of said wine shall be filed in duplicate with the board by the importer with a request that inspection be made of the returned wine before the wine is destroyed or returned to the out-of-state manufacturer.

(c) Wine which is not in a salable condition and has been returned to a domestic winery or importer by a ((~~wholesaler~~)) distributor may be replaced by the supplier with an identical quantity, type, and brand of wine: *Provided*, That if the brand of wine is not presently in the winery or importer's stock and is not available to the supplier in the immediate future, a cash refund or credit may be made to the ((~~wholesaler~~)) distributor by the supplier. Credit extended for the return of product should be noted on a separate document from the original invoice. Except as provided herein, no other adjustment, by way of a cash refund or otherwise, shall be made by the winery or wine ((~~wholesaler~~)) distributor.

(2) Wine may be returned by a retail licensee or by a governmental agency who has seized the same to the wine ((~~wholesaler~~)) distributor selling such wine in the event the retailer goes out of the business of selling wine at retail or has their license changed to a ((~~Class-F~~)) wine restricted license, and in such case a cash refund may be made upon return of the wine, provided that consent of the board is first had and obtained.

(3) Wine different from that ordered which has been delivered in error to a retail licensee may be returned to a

wine (~~(wholesaler)~~) distributor and either replaced with that wine which was ordered or a cash refund may be made upon the approval of the board first being obtained: *Provided*, That the error in delivery shall be discovered and corrected within eight days of the date the delivery was made.

(4) A (~~(wholesaler)~~) distributor may return salable wine to a Washington winery provided the winery reimburses the (~~(wholesaler)~~) distributor for the cost of the wine plus the wine tax which was paid by the (~~(wholesaler)~~) distributor. The winery will then put any wine returned from a (~~(wholesaler)~~) distributor into their tax paid area at the winery.

AMENDATORY SECTION (Amending WSR 96-11-076, filed 5/13/96, effective 6/13/96)

WAC 314-24-220 Licensing and operation of bonded wine warehouses. (1) There shall be a license for bonded wine warehouses pursuant to RCW 66.24.185, and this type of license shall be known as a (~~(Class N license)~~) bonded wine warehouse licensee. Applications for a bonded wine warehouse license shall be on forms prescribed by the board and shall be accompanied by such information as the board may request including, but not limited to, a written description of the proposed method of shipping, receiving, inventory control, and security.

(2) The bonded wine warehouse shall be physically separated from any other use in such manner as prescribed by the board, and as a condition of license approval, the applicant must furnish the board appropriate documentation indicating the location of the bonded wine warehouse is properly zoned for the intended use. Wine not under federal excise tax bond shall be identified as federally tax-paid and physically separated on the premises to the extent required under the license holder's federal basic permit.

(3) A bonded wine warehouse may provide storage for a domestic winery and for a United States winery outside the state of Washington holding a Washington certificate of approval. The wine may or may (~~(not))~~ not be under federal bond, and the Washington wine tax provided in RCW 66.24.210 shall not be due until the wine is removed from bond and shipped to a licensed Washington wine (~~(wholesaler)~~) distributor or, pursuant to RCW 66.12.020, to the liquor control board who will be responsible to pay the tax based on their purchases.

(4) Every bonded wine warehouse licensee shall have on file and available for inspection records of all wine transactions, including receipts and shipments of wine and the total inventory on hand at the bonded warehouse.

(5) Removals of wine from a bonded wine warehouse may be made only for (~~(shipment))~~ shipment (a) to a licensed independent Washington wine (~~(wholesaler)~~) distributor; (b) to another licensed bonded wine warehouse; (c) to the liquor control board; (d) out of state; (e) for return to the producing winery; or (f) to a producing domestic winery licensee. For purposes of this section, "producing domestic winery licensee" means the licensed Washington winery that produced the wine and its licensed agents. For purposes of this section, a "licensed agent" shall be an accredited representative, licensed pursuant to chapter 314-44 WAC, of only one producing domestic winery at the time of removal by

such agent. A producing domestic winery licensee may take possession of wine from a bonded wine warehouse, after accepting an order therefor, and deliver the wine to a purchasing retail or special occasion licensee only by transporting the wine directly from the bonded wine warehouse to the licensed premises of the purchasing retail or special occasion licensee; provided, however, that in no event may a producing domestic winery licensee remove, in the aggregate, during any one calendar year, more than two thousand cases of wine for delivery directly to retail and special occasion licensees. Producing domestic winery licensees shall maintain records of removals and deliveries of wine from bonded wine warehouses and shall file with the liquor control board annually reports of the quantity of wine removed and delivered directly to retail and special occasion licensees. Invoicing shall be by the titleholder. The titleholder shall report shipments to, and returns from the bonded wine warehouse and sales to Washington wine (~~(wholesalers)~~) distributors, and/or the liquor control board on the twentieth day of the month following the month of shipment and/or sale on forms furnished by, or acceptable to, the board.

(6) At no time shall title to wine stored at the bonded wine warehouse pass to the operator of the bonded wine warehouse.

(7) "Storage of bottled wine only" as used in RCW 66.24.185(1) shall mean the storage of wine packaged for sale at retail (i.e., other than in bulk form).

(8) As a condition precedent to license issuance, a bonded wine warehouse licensee shall guarantee payment to the state of any and all taxes under RCW 66.24.210 in the event the winery or other entity storing wine in the bonded wine warehouse fails to immediately pay such tax when due. Such guarantee shall be in the form of the bond referred to in subsection (9) of this section.

(9) As required by RCW 66.24.185(5) every holder of a bonded wine warehouse license must, at all times when said license is in force, have in effect and on file with the board a bond executed by a surety authorized to do business in the state of Washington, in a form approved by the board and in the amount of five thousand dollars.

AMENDATORY SECTION (Amending WSR 94-10-034, filed 4/29/94, effective 5/30/94)

WAC 314-24-230 (~~(Class W8 - Private))~~ Wine shipper's license. There shall be a license, designated as a (~~(class W8))~~ wine shipper's license, to authorize the licensee to ship up to two cases of wine of its own manufacture annually to any resident of the state of Washington who is over the age of twenty-one years without payment of Washington's state liquor taxes and markup.

(1) Wine received as authorized by this rule shall be free of markup and state taxes as otherwise required by RCW 66.12.120 if the state from which the wine is received allows its residents to receive wine from the state of Washington without imposition of state tax, markup, or charges.

(2) All holders of a winery certificate of approval designated as (~~(a-W7))~~ an out-of-state winery license as authorized by RCW 66.24.206 and WAC 314-22-010, shall be deemed to hold (~~(class W8))~~ wine shipper's license privileges without

further application, *provided*, the holder meets all legal requirements for private wine shipments.

(3) A wine manufacturer located outside the state of Washington which is licensed by its resident state to manufacture wine therein may apply for a ~~((class W8))~~ wine shipper's license from the board, if the manufacturer's resident state allows Washington wineries licensed under RCW 66.24.170 an equal reciprocal shipping privilege.

AMENDATORY SECTION (Amending WSR 91-21-132, filed 10/23/91, effective 11/23/91)

WAC 314-24-250 Labeling requirements for ~~((W8))~~ private wine shippers. (1) All holders of a ~~((class W8))~~ private wine shipper's license shall label all wine cases or outside shipping packages with the following language: "Alcoholic beverage. Do not deliver to anyone under 21 years old or who is visibly intoxicated. If reasonable doubt of age exists, verify age and record driver's license number or other photo ID."

(2) The language required in section (1) must be clearly visible and readable at the time of delivery.

AMENDATORY SECTION (Amending WSR 94-08-032, filed 3/30/94, effective 4/30/94)

WAC 314-25-010 Definition and limitations. (1) The holder of a duty free exporter's license ~~((, designated as a class S license by))~~ RCW 66.24.530 and ~~((a class NS))~~ ships chandler's license ~~((by))~~ WAC 314-22-010(7) shall be referred to as a "ships chandler" for the purposes of this section.

(2) A ships chandler is considered to be a ~~((wholesaler))~~ distributor of beer and wine for the purposes of RCW 66.28.010.

(3) A ships chandler is authorized to sell beer and wine and is not authorized to sell, possess, deliver or transfer any spirituous liquor without an additional liquor importers license.

AMENDATORY SECTION (Amending WSR 94-08-032, filed 3/30/94, effective 4/30/94)

WAC 314-25-020 Purchase and receipt of beer and wine. (1) As authorized by RCW 66.24.530, a ships chandler may purchase beer and wine, from;

(a) A licensed Washington brewery or winery ~~((;))~~;

(b) A licensed Washington beer or wine ~~((wholesaler))~~ distributor;

(c) A licensed beer or wine importer located within the state of Washington ~~((and))~~;

(d) Breweries and wineries located within the United States who hold a certificate of approval to ship their product into Washington as authorized by ~~((RCW 66.24,))~~ chapter 66.24 RCW;

(e) A ships chandler who is currently licensed by the state of Washington ~~((with a class S (NS) license)).~~

(2) A ships chandler may not purchase beer or wine from any source other than those listed above.

(3) All beer and/or wine purchased by a ships chandler must be delivered to the licensed address of the ships chandler, unless an auxiliary location has been authorized by the board.

AMENDATORY SECTION (Amending WSR 94-08-032, filed 3/30/94, effective 4/30/94)

WAC 314-25-030 Location—Auxiliary location—Inspection. (1) A ships chandler may distribute beer and wine from their licensed location to ships doing business in foreign commerce, to other ~~((class S (NS)))~~ licensees, and to Interstate Common Carriers ~~((class CCI-1))~~ ships chandler licensed under RCW 66.24.395 with no additional notification.

(2) The ships chandler must notify the board of every auxiliary distribution location, its secondary business name, if applicable, the street address and mailing address.

(3) No distribution of beer and wine shall be made to a ship except from an authorized location.

(4) All ships chandler's license holders, their auxiliary locations and any vehicle used to transport beer and wine will be open to inspection by employees of the board.

AMENDATORY SECTION (Amending WSR 94-08-032, filed 3/30/94, effective 4/30/94)

WAC 314-25-040 Delivery of beer and wine—Records. (1) Sales made by a ships chandler of beer and wine to an approved recipient may only be delivered to another ships chandler, a vessel for use in foreign commerce, a contracted ~~((CCI-1))~~ Interstate Common Carrier, or employees thereof.

(2) Beer and wine may only be delivered when the ships chandler has on file a signed statement, in a format approved by the board, which indicates the captain of the ship or manager of the authorized purchasing business understands and agrees that;

(a) No beer or wine purchased will be consumed in Washington waters or territory or within three miles of the shores of the state of Washington;

(b) No beer or wine purchased will be consumed while the ship is docked in a Washington port; and

(c) Local law enforcement officers and board enforcement officers have the right to board and inspect the vessel while in Washington waters.

(3) Every statement will be notarized and remain valid for ~~((12))~~ twelve calendar months after the date of signing and be signed by the master of the ship or his/her agent with the ships stamp affixed and countersigned by the ships chandler or their employee.

(4) A ships chandler or their employee must deliver any beer and wine directly to an authorized recipient purchasing the alcoholic beverage and it must be immediately placed into a locked storage area. The ships chandler must obtain the signature and printed name of the master or agent of the ship, ~~((S (NS)))~~ ships chandler licensee or contracted ~~((ICE))~~ Interstate Common Carrier on the delivery document which will contain the following information:

(a) Name of ship ~~((;))~~;

- (b) Country of registry, if known((?));
- (c) Type and amount of product delivered;
- (d) Date of delivery((?));
- (e) Name and address of ships chandler making the sale;

and

(f) Signature and printed name of crew member receiving the liquor.

(5) The ships chandler will maintain records of all sales to ships, ~~((S-(NS)))~~ ships chandler licensees and ~~((CCI-1))~~ Interstate Common Carrier approved licensees doing business in foreign commerce to include all federally mandated documents including order forms, bills of lading, affidavits, delivery to auxiliary location, etc., for a period of ~~((2))~~ two years. Such records, or their computerized equivalent, will be available for inspection and copying by employees of the board upon request.

(6) Board employees have the right to enter and inspect, without warrant, any business, ship, aircraft, vessel, or transport vehicle from which beer and wine is delivered to or from a licensed ships chandler.

AMENDATORY SECTION (Amending WSR 91-19-070, filed 9/16/91, effective 10/17/91)

WAC 314-26-010 Procedures for tax refunds. The board may refund the tax on beer imposed by RCW 66.24.290, and the tax on wine imposed by RCW 66.24.210, when such taxpaid products have been deemed to be unsalable due to freight damage or other causes prior to sale to consumers, and are destroyed within the state. Such tax refunds are subject to the following conditions:

(1) Notify local liquor enforcement officer in advance for destruction of more than fifty cases of wine or two hundred cases of beer

(2) Record shall be kept for the liquor auditor showing (a) the reason for the destruction, (b) an inventory of products destroyed and (c) a completed copy of "REFUND BEER TAX" (LIQ 710) or "WINE ~~((WHOLESALE))~~ DISTRIBUTORS...SALES TO MILITARY, out of state &/OR CLAIMS" (LIQ 700) which was mailed to the board within 30 days of the destruction.

(3) It shall be a violation of this title for any licensee to: (a) destroy amounts of beer or wine over those stated in section (1) without having first notified the local liquor enforcement officer, or (b) fail to mail a destruction form to the board within 30 days of the destruction and (c) fail to keep a copy of the destruction at the licensed premises and available for inspection by board employees for a period of two years.

AMENDATORY SECTION (Amending Order 109, Resolution No. 118, filed 8/9/82)

WAC 314-27-010 Liquor purchases by Class ~~((CCI))~~ Interstate Common Carrier licensees—Reports—Payment of markup and taxes—Sales by in-state beer and wine suppliers. (1) Any employee authorized by the board and/or any licensed importer and/or ~~((wholesaler))~~ distributor may sell liquor to the holder of a Class ~~((CCI))~~ Interstate Common Carrier license upon presentation of a special permit issued by the board to such licensee.

(2) Sales of liquor by the board to such properly licensed interstate commercial common passenger carriers shall be treated as sales for export from the state and, as such, will not be subject to collection of the state liquor taxes at the time of purchase by the licensee.

(3) Every federally licensed interstate commercial common passenger carrier, holding ~~((a Class CCI-1 or a Class CCI-2))~~ an Interstate Common Carrier license pursuant to chapter 245, Laws of 1975 1st ex. sess., shall, on or before the fifteenth day of each month, make a report to the board, upon forms approved by the board, of all spirituous liquor, beer and wine served or sold at retail for passenger consumption by such common carrier within or over the territorial limits of the state of Washington during the preceding calendar month.

At the time of filing the report prescribed herein, such common carrier shall pay to the board the board's markup on spirituous liquor, and state liquor taxes as applicable, on such spirituous liquor, beer and wine so served or sold, in an amount to approximate the revenue that would have been realized from such markup and taxes had such alcoholic beverages been purchased for use in the state.

~~((4))~~ ~~((Holders of Class CCI-3 or Class CCI-4 licenses as provided in said chapter 245, Laws of 1975 1st ex. sess., are not authorized to serve or sell at retail spirituous liquor, beer or wine for passenger consumption within or over the territorial limits of the state, and are not subject to the provisions of subsection (3) of this section.~~

~~((5))~~ Licensed beer and wine importers and ~~((wholesalers))~~ distributors who sell beer or wine to such properly licensed interstate commercial common passenger carriers shall treat such sales as exports from the state. Such importers and ~~((wholesalers))~~ distributors who have paid the taxes imposed by RCW 66.24.290 or 66.24.210 on beer or wine so sold may claim refund of the taxes under procedures set forth in WAC 314-20-010 or 314-24-110, as applicable.

AMENDATORY SECTION (Amending Order 265, Resolution No. 274, filed 10/5/88)

WAC 314-30-010 Sales by manufacturers. (1) Manufacturers licensed in accordance with RCW 66.24.150 may sell within the state:

(a) Spirituous liquor only to the board or to an authorized vendor of the board;

(b) Wine products only to ~~((wholesalers))~~ distributors licensed in accordance with RCW 66.24.200;

(c) Beer products only to beer certificate of approval holders as authorized by RCW 66.24.270 who also hold an importer's license as authorized by RCW 66.24.260; or

(d) To permit holders as authorized by Title 66 RCW.

(2) The first wine ~~((wholesaler))~~ distributor or beer certificate of approval holder with a beer importer's license to receive wine or malt beverages from a distiller, rectifier, or bottler shall be liable for the taxes due.

(3) Manufacturers selling wine or malt beverage products will be considered a supplier and will be required to meet the requirements of WAC 314-24-200 and 314-20-105 respectively.

(4) Manufacturers selling wine to a licensed wine ~~((wholesaler))~~ distributor or beer to a licensed beer certificate

of approval holder who also has a beer importer's license shall file monthly reports with the board on forms prescribed by the board showing the quantity of liquor shipped to each above referenced licensee during the preceding month. Such report shall be submitted on or before the twentieth day of the month following the month of sale or delivery.

(5) Failure to make such report at the time prescribed will be sufficient cause for the board to forthwith suspend or cancel the license privilege of the manufacturer. When the twentieth day of any month falls on a Sunday, or a legal holiday, the report may be filed not later than the close of business the next business day.

AMENDATORY SECTION (Amending Order 131, Resolution No. 140, filed 11/30/83)

WAC 314-37-010 Liquor sales in Indian country—Appointment of tribal liquor vendors—Qualifications. (1) The Washington state liquor control board deems it necessary and advisable to adopt this rule for the following reasons:

(a) The decision of the United States Supreme Court in the case of *Rice v. Rehner* (filed July 1, 1983) has established that the state of Washington has licensing jurisdiction over tribal liquor sales in Indian country and that those sales, when made in conformity with federal law, are subject to both tribal and state liquor regulatory requirements.

(b) It is contrary to state law (see chapter 66.44 RCW) for purchasers of Indian liquor to remove that liquor from the reservation and into the state of Washington in those instances where the tribal liquor sellers are not authorized by the board to sell liquor.

(2) Accordingly, pursuant to RCW 66.08.050(2), the Washington state liquor control board will appoint qualifying Indian tribes, which have entered into negotiated business agreements with the board, as liquor vendors which will authorize those vendor tribes to sell liquor by the bottle to such persons, firms or corporations as may be sold liquor from a state liquor store. All such appointments will be subject to the following conditions:

(a) The tribe must enter into a business agreement with the Washington state liquor control board for the purchase and sale of liquor which will insure that the state's control over liquor traffic will be maintained while taking into consideration the unique nature of a tribal liquor vendor operation.

(b) The tribe must purchase all of its spirituous liquor for resale in Indian country from the board at a negotiated price: *Provided*, That a quota of spirituous liquor will be sold by the board each year to the vendor tribe without the payment of state taxes, which quota shall be negotiated between the board and the qualified tribes and approved by the department of revenue.

(c) The tribe must have in force a tribal ordinance governing liquor sales, which ordinance must have been certified by the Secretary of the Interior and published in the Federal Register as required by 18 U.S.C. §1161.

(d) The tribe must make all liquor sales in Indian country in conformity with both state and federal law.

(3) Should a tribe which has been appointed as a liquor vendor pursuant to this section fail to comply with all the

above enumerated conditions, which shall be construed as continuing requirements to maintain the status of liquor vendor, the appointment of that tribe as a liquor vendor may be revoked by the board.

(4) A tribe, whether or not it has status as an Indian liquor vendor, which desires to sell beer and wine purchased from a licensed (~~wholesaler~~) distributor must obtain state licenses for the sale of beer and wine and must abide by all state laws and rules applicable to sale of beer and wine by state licensees. Tribes selling beer and wine shall collect and remit to the state department of revenue the retail sales tax imposed by RCW 82.08.020 on retail sales of beer and wine to nontribal members.

(5) "Indian country" as used herein shall have the meaning ascribed to it in Title 18 U.S.C. §1151 as qualified by Title 18 U.S.C. §1154 as of July 1, 1983.

AMENDATORY SECTION (Amending Order 271, Resolution No. 280, filed 12/8/88)

WAC 314-44-005 Agent's license required—Eligible employers defined—Certain classes limited—Bona fide entity defined—Prohibited practices. (1) No person shall canvass for, solicit, receive or take orders for the purchase or sale of any liquor, or act as the agent for the purchase or sale of liquor, nor contact any licensees of the board in goodwill activities, unless such person is holder of an agent's license as provided in RCW 66.24.310, and this regulation.

(2) An agent's license may be issued to the accredited representative of a person, firm, or corporation holding a certificate of approval issued pursuant to RCW 66.24.270 or 66.24.206, a beer (~~wholesaler's~~) distributor's license, a brewer's license, a beer importer's license, a domestic winery license, a wine importer's license, or a wine (~~wholesaler's~~) distributor's license within the state of Washington, or the accredited representative of a distiller, manufacturer, importer, or distributor of spirituous liquor, or foreign produced beer or wine. A person, firm, or corporation so qualified, is herein defined to be an eligible employer. Such employer shall apply to the board for such an agent's license for his accredited representatives on application forms prescribed and furnished by the board.

(3) Every firm which applies for an agent's license under the provisions of this section shall furnish the board with satisfactory proof that such firm is in fact a bona fide business entity.

(4) Only the licensed agent of a distiller, manufacturer, importer, or distributor of spirituous liquor may contact retail licensees in goodwill activities when such contacts pertain to spirituous liquor products.

(5) No distiller, manufacturer, importer, (~~wholesaler~~) distributor of liquor, or agent thereof, shall solicit either in person, by mail or otherwise, any liquor vendor or employee of the board, except the purchasing agent thereof, for the purpose or with the intent of furthering the sale of a particular brand or brands of merchandise as against another brand or brands of merchandise.

(6) No distiller, manufacturer, importer, (~~wholesaler~~) distributor of liquor, or agent thereof, shall visit any state liquor store or agency for the purpose of exerting influence

on employees for sales promotion or to secure information regarding inventory or any other matter relating to sales. They may deliver, or have delivered, and assemble where required, consumer offers and display material that have been approved by the board or its designee. Violation of this section will result in a penalty against all company items, which in appropriate cases could mean a partial or total delisting of those items.

(7) No distiller, manufacturer, importer, (~~wholesaler~~) or distributor of liquor, or agent thereof, shall give or offer to any employee of the board any entertainment, gratuity or other consideration for the purpose of inducing or promoting the sale of merchandise.

(8) No distiller, manufacturer, importer, (~~wholesaler~~) or distributor, or agent thereof, shall allow, pay or rebate, directly or indirectly, any cash or merchandise to any retail licensee to induce or promote the sale of liquor, including the payment of tips to such licensees or their employees and the purchasing of drinks "for the house." Such persons, firms and licensees must operate in conformity with WAC 314-12-140, RCW 66.28.010, 66.28.040, and other applicable laws and rules.

(9) Upon the infraction of any law or regulation by any distiller, manufacturer, importer, (~~wholesaler~~) distributor, or agent, the board may, in addition to imposing other penalties as prescribed by law, remove such firm's products from the sales list of the board, and/or prohibit the sale of any brand or brands of beer or wine involved as provided in RCW 66.28.030.

(10) Upon the termination of the employment of a licensed agent, his employer shall immediately notify the board and with such notice return to the board the agent's license issued to such person.

AMENDATORY SECTION (Amending Order 165, Resolution No. 174, filed 9/12/85)

WAC 314-45-010 Convention defined—Hospitality rooms, display booths, receptions and similar activities—Permits required—Fees—Procedures. Activities pursuant to RCW 66.20.010 (8), (9), a manufacturer, importer, (~~wholesaler~~) distributor, or agent thereof, may serve or donate liquor without charge to delegates and guests at a bona fide convention of a trade association composed of licensees of the board, subject to conditions set forth in this regulation.

(1) For the purposes of this section a "convention" is defined as a bona fide session or assembly of the general membership of a trade association composed of licensees of the board.

(2) Such manufacturer, importer, (~~wholesaler~~) distributor, or agent thereof, must hold a special permit issued by the board to engage in such an activity at such convention. The fee for each such special permit shall be \$25.00. Application for such permit shall be submitted on a form prescribed by the board. The statutory permits applicable to such activities are:

(a) A special permit provided for in RCW 66.20.010(8) which authorizes the holder thereof to serve liquor without charge to delegates and guests in a hospitality room or from a

booth in a board-approved suppliers' display room at such convention.

(b) A special permit provided for in RCW 66.20.010(9) which authorizes the holder thereof to donate liquor for a reception, breakfast, luncheon, or dinner for delegates and guests at such convention.

(3) Any liquor served or donated as provided herein is authorized only for consumption within a specific area designated on an application for permit and approved by the board.

(4) A special permit holder who serves or donates any beer or wine on which state taxes have not been paid, must file a report of the quantity so served or donated and remit the amount of the taxes to the board, in conformity with RCW 66.20.010 (8), (9).

(5) Any spirituous liquor served or donated shall be purchased from the board or a (~~Class H~~) spirit, beer and wine restaurant licensee.

AMENDATORY SECTION (Amending Order 191, Resolution No. 200, filed 7/16/86)

WAC 314-52-005 Purpose and application of rules.

(1) PREAMBLE: The purpose of this title is to provide reasonable regulations as to the kind, character and location of advertising of liquor, as authorized by RCW 66.08.060.

(2) No person engaged in business as a producer, manufacturer, bottler, importer, (~~wholesaler~~) distributor, or retailer of liquor, directly or indirectly, or through an affiliate, shall publish or disseminate or cause to be published or disseminated in any media any advertisement of liquor, unless such advertisement is in conformance with these rules: *Provided*, That these provisions shall not apply to the publisher of any newspaper, magazine or similar publication, nor to the operator of any radio or television station unless such publisher or operator is engaged in business as a producer, manufacturer, bottler, importer, (~~wholesaler~~) distributor, or retailer of liquor, directly or indirectly, or through an affiliate.

(3) The board holds each producer, manufacturer, bottler, importer, (~~wholesaler~~) distributor, or retailer of liquor responsible for complying with the advertising rules of the Washington state liquor control board in any advertising material placed by them or on their behalf by their agents. If desired, advertising may be submitted prior to publication for an advisory opinion by the advertising coordinator of the Washington state liquor control board, but advisory opinions will be restricted to advertising material submitted by said producers, manufacturers, bottlers, importers, (~~wholesalers~~) distributors, or retailers of liquor, or their agents.

(4) Liquor advertising materials, defined as institutional or educational advertising in WAC 314-52-015, intended for placement in retail outlets of the Washington state liquor control board shall be presented to the advertising coordinator of the Washington state liquor control board for prior approval before placement: *Provided, however*, That all other forms of advertising approved by the board advertising coordinator and which are acceptable to the board merchandising committee under the provisions of WAC 314-52-040 shall not be prohibited under this rule.

AMENDATORY SECTION (Amending Order 108, Resolution No. 117, filed 8/11/82)

WAC 314-52-010 Mandatory statements. (1) Brand advertising of spirituous liquor by any manufacturer shall contain the following information:

(a) The name and address of the manufacturer responsible for its publication. (Street number may be omitted.)

(b) A conspicuous statement of the class to which the product belongs and the type thereof corresponding with the statement of class and type which is required by federal regulations to appear on the label of the product.

(c) A statement of the alcoholic content by proof, except that for cordials and liqueurs, gin fizzes, cocktails, highballs, bitters and other specialties, the alcoholic content may be stated in percentage by volume or by proof.

(d) In the case of distilled spirits (other than cordials, liqueurs and specialties) produced by blending or rectification, if neutral spirits have been used in the production thereof, there shall be stated the percentage of neutral spirits so used and the name of the commodity from which such neutral spirits have been distilled.

(e) In the case of neutral spirits or of gin produced by a process of continuous distillation, there shall be stated the name of the commodity from which such neutral spirits or gin has been distilled.

(2) Brand advertising of wine by any manufacturer or (~~wholesaler~~) distributor shall contain the following information:

(a) The name and address of the manufacturer or (~~wholesaler~~) distributor responsible for its publication. (Street number may be omitted.)

(b) A conspicuous statement of the class, type or distinctive designation to which the product belongs, corresponding with the statement of class, type, or distinctive designation which is required by federal regulation to appear on the label of the product.

(3) Brand advertising of malt beverages by any manufacturer, importer, or (~~wholesaler~~) distributor shall contain the following information:

(a) The name and address of the manufacturer, importer or (~~wholesaler~~) distributor responsible for publication of the advertisement. (Street number may be omitted.)

(b) A conspicuous statement of the class to which the product belongs, corresponding to the statement of class which is required by federal regulations to appear on the label of the product.

(4) Alcoholic content of beer. Retail licensees who choose to offer beer for sale at both less than four percent by weight and more than four percent by weight, alcoholic content, packaged in identical packages, shall be required to separate the two strengths of beer in their displays, and shall be required to identify by point-of-sale advertising which is the higher strength and which is the lower strength beer. Manufacturers, importers and (~~wholesalers~~) distributors of such beer shall supply such shelf tickets free of charge to retail licensees: *Provided, however*, That no promotion of the higher alcoholic content shall be included in such advertising.

AMENDATORY SECTION (Amending Order 108, Resolution No. 117, filed 8/11/82)

WAC 314-52-040 Contests, competitive events, premiums and coupons. Liquor advertisements may offer consumers premiums or prizes, upon completion of any coupon, contest, or competitive event, which may or may not require proof of purchase of the advertised product: *Provided, however*, That contests or sweepstakes that offer prizes or premiums to consumers through a game of chance or random drawing, shall not require proof of purchase, and must comply with the requirements of RCW 9.46.020(14) regarding lotteries: *And provided further*, That no liquor advertisements by manufacturers, importers, or (~~wholesalers~~) distributors may offer any premium or prize redeemable through a Washington state liquor store or any retail liquor outlet licensed by the state of Washington.

AMENDATORY SECTION (Amending Order 191, Resolution No. 200, filed 7/16/86)

WAC 314-52-070 Outdoor advertising. (1) "Outdoor advertising" by manufacturers, importers, (~~wholesalers~~) distributors, and retail licensees for these purposes shall include all signs visible to the general public, whether permanent or temporary, advertising the sale and service of liquor (excluding point-of-sale brand signs, which are defined and governed as otherwise provided in WAC 314-52-113) as well as trade name and room name signs.

(2) Outdoor signs shall be designed, installed, and used in a manner not offensive to the public, and shall comply with all liquor advertising rules. These rules include, but are not limited to:

(a) WAC 314-52-015(1), which:

(i) Prohibits any statement or illustration that is false or misleading in any material particular;

(ii) Prohibits any statement, picture or illustration which promotes overconsumption;

(iii) Prohibits any statement, picture, illustration, design, device, or representation which is undignified, obscene, indecent, or in bad taste.

(b) WAC 314-52-110(1), which requires that every advertisement by a retail licensee shall carry the licensed trade name or the registered franchise name or the trademark name. The term "trade name" shall mean the "licensed trade name" as it appears on the issued license.

(3) Prior board approval is not required before installation and use of outdoor signs/advertising; however, outdoor signs/advertising (excluding outdoor readerboard messages and/or interior signs visible through a window of a premises) not in compliance with board rules will be required to be altered or removed at the licensee's expense. If prior approval is desired, the licensee, applicant or their agent may submit three copies to the board advertising coordinator for approval.

(4) No outdoor advertising of liquor shall be placed in proximity to schools, churches, or playfields used primarily by minors, where administrative body of said schools, churches, playfields, object to such placement, nor any place

which the board in its discretion finds contrary to the public interest.

AMENDATORY SECTION (Amending WSR 93-11-028, filed 5/10/93, effective 6/10/93)

WAC 314-52-080 Novelty advertising. (1) Novelty advertising items shall include, but shall not be limited to, trays, lighters, blotters, post cards, pencils, coasters, menu cards, meal checks, napkins, clocks, wearing apparel, mugs, glasses, knives, lamp shades, or similar items on which the logo, liquor brand name or name of a manufacturer of an alcoholic beverage has been imprinted.

(2) No liquor manufacturer, ((~~wholesaler~~)) distributor, or importer, or employee thereof, shall provide without charge, directly or indirectly, any novelty advertising items to any retail licensee; nor shall any retail licensee, or employee thereof, accept without charge any liquor novelty advertising items directly or indirectly, from any manufacturer, ((~~wholesaler~~)) distributor, or importer, or employee thereof.

(3) A manufacturer, ((~~wholesaler~~)) distributor, or importer, or employee thereof, may sell, and a retail licensee may purchase, for use, resale, or distribution on the licensed premises any novelty advertising items. The price thereof shall be not less than the manufacturer's, importer's, or ((~~wholesaler's~~)) distributor's cost of acquisition. In no event shall credit be extended to any retail licensee. The purchase by retail licensees of such items shall be supported by invoices or signed vouchers which shall be preserved for two years on premises available for immediate inspection by board enforcement officers.

(4) A manufacturer, importer, or ((~~wholesaler~~)) distributor who sells novelty advertising items to retail licensees shall keep on file the originals or copies of all sales slips, invoices, and other memoranda covering all purchases of novelty advertising items from the supplier or manufacturer of such items and shall also keep on file a copy of all invoices, sales slips, or memoranda reflecting the sales to licensees or other disbursement of all novelty advertising items. Such records shall be maintained in a manner satisfactory to the board and must be preserved in the office of the manufacturer, importer, or ((~~wholesaler~~)) distributor for a period of at least two years after each purchase or sale. Any manufacturer which does not maintain a principal office within the state shall, when requested, furnish the above required records at a designated location within the state for review by the board.

AMENDATORY SECTION (Amending Order 108, Resolution No. 117, filed 8/11/82)

WAC 314-52-085 Programs and program folders. Programs and program folders, for the purpose of this section, shall mean brochures for use at sporting arenas which have, as a part of their operations, whether directly or indirectly, a retail licensed premises. No manufacturer, importer, ((~~wholesaler~~)) distributor, or their agent, shall provide, without cost, directly or indirectly, programs or program folders for retail licensees: *Provided, however,* That sporting arenas as described above, or their agents may accept bona fide liquor advertising from manufacturers, importers, ((~~whole-~~

sales)) distributors or their agents, for publication in the program or program folder of the sporting arena: *Provided further,* That such advertising is paid for by said manufacturer importer, ((~~wholesaler~~)) distributor or their agent at the published advertising rate for all program or program folder advertisers, including nonliquor advertisers: *And also provided,* That such advertising shall carry with it no express or implied offer on the part of the manufacturer, importer, ((~~wholesaler~~)) distributor or their agent, or promise on the part of the retail licensee whose operation is directly or indirectly part of the sporting arena, to stock or list any particular brand of liquor to the total or partial exclusion of any other brand.

AMENDATORY SECTION (Amending Order 108, Resolution No. 117, filed 8/11/82)

WAC 314-52-090 Advertising sponsored jointly by retailers and manufacturers, importers, or ((~~wholesalers~~)) distributors, prohibited. (1) The name of a retail licensee shall not appear in, or as a part of, or supplementary to, any advertising of a manufacturer, importer or ((~~wholesaler~~)) distributor. The brand name of liquor may appear in or as a part of advertising by a retail licensee: *Provided,* That such advertising is upon the retail licensee's free initiative and no moneys or moneys' worth has been offered the retail licensee as an inducement to secure such mention by any manufacturer, importer, or ((~~wholesaler~~)) distributor or their agent, or solicited by the retail licensee or his agent.

(2) RCW 66.28.010 shall also apply to joint advertising insofar as it is relevant.

AMENDATORY SECTION (Amending Order 132, Resolution No. 141, filed 11/23/83)

WAC 314-52-110 Advertising by retail licensees. (1) Every advertisement by a retail licensee shall carry the licensed trade name or the registered franchise name or the trademark name. The term "trade name" shall be defined as the "licensed trade name" as it appears on the license issued to the licensee: *Provided, however,* That such words as tavern, cafe, grocery, market, food store, food center, delicatessen, wine shop, beer parlor and other similar words used to identify the type of business licensed, and numbers used to identify chain licensees of the same trade name, shall neither be required nor prohibited as part of the trade name in advertisements: *And provided further,* That advertisements by public ((~~Class H~~)) spirit, beer and wine restaurant licensees may also refer to cocktails, bar, lounge and/or the "room name." The term "room name" shall be defined as the name of the room designated as the cocktail lounge and/or the dining room if both are in the same room.

(2) No retail licensee shall offer for sale any liquor for on premises consumption under advertising slogans such as "two for the price of one," "two for one drinks," "buy one—get one free," "two for \$____," nor any similar phrase or slogan where the express or implied meaning is that a customer, in order to receive a reduced price, would be required to purchase more than one drink or quantity of liquor at one time.

AMENDATORY SECTION (Amending Order 199, Resolution No. 208, filed 9/10/86)

WAC 314-52-113 Brand signs and point-of-sale displays on retail licensed premises. Manufacturers, importers or ((~~wholesalers~~)) distributors may furnish brand signs and point-of-sale material under the following conditions:

(1) The brand signs and point-of-sale material shall have no value to the retailer except as brand advertisement; such signs as those which provide illumination for cash registers, pool tables and other parts of the premises, have a functional value and are not authorized. The brand signs and point-of-sale material shall remain the property of, and be the responsibility of, the manufacturers, importers or ((~~wholesalers~~)) distributors.

(2) The term "point-of-sale material" as used herein, shall include such manufacturer, importer or ((~~wholesaler~~)) distributor-supplied items as display cards, placards, table tents, recipes, display bins, decalcomanias, price cards, shelf strips, product information pamphlets, bottle hangers, matches, scorecards, calendars, and other such brand advertising material for display at the point of sale.

(3) Giant inflatables, such as inflated beer cans, bottles, animals, and banners may be provided as point-of-sale by manufacturers, importers, or ((~~wholesalers~~)) distributors to retailers for display purposes on their property, provided the following conditions are met:

(a) All retail licensees are afforded equal opportunity to display item;

(b) Novelty items as defined in WAC 314-52-080 are not provided by manufacturers, importers, or ((~~wholesalers~~)) distributors to customers in conjunction with the display;

(c) The display shall be removed if objected to by local officials, or if the board, in its discretion, finds it contrary to the public interest.

(4) Animal mascots and costumed individuals representing beer, wine, or liquor manufacturers may be provided as point-of-sale by manufacturers, importers, or ((~~wholesalers~~)) distributors to retailers for display and promotion purposes on their property, provided the following conditions are met:

(a) The costumed individual is limited to the manufacturer, importer, ((~~wholesaler~~)) distributor, or employee thereof and the costumed individual's activities on-premises are limited to socializing with customers and not conducting any activity that the retail licensee would otherwise have to assign employees to;

(b) All retail licensees are afforded equal opportunity for such displays;

(c) Novelty items as defined in WAC 314-52-080 and including the purchase of drinks, are not to be provided to customers by the costumed individual in conjunction with such displays;

(d) The costumed individual must comply with the regulations regarding lewd and obscene conduct (WAC 314-16-125);

(e) If the board finds it contrary to the public interest, it may prohibit the use of the above-mentioned activities.

AMENDATORY SECTION (Amending WSR 94-06-022, filed 2/22/94, effective 3/25/94)

WAC 314-52-115 Advertising by clubs—Signs. (1) Clubs shall not engage in any form of soliciting or advertising which may be construed as implying that the club operates a public ((~~Class-H~~)) spirit, beer and wine restaurant premises, a tavern open to the public, or that social functions at which club liquor may be consumed, are open to the public: *Provided, however,* Circularizing membership shall not be considered advertising, and where clubs provide lunch or dinner to the public, this may be advertised: *Provided further,* Such advertising must specify no liquor service is available.

(2) Clubs and/or their auxiliary organizations may advertise social or other club events to their membership through the public media: *Provided,* Such advertising is clearly directed to their membership only and cannot be construed as implying that the general public is welcome to attend.

(3) Advertising of the club functions by means of placards placed for public viewing shall be governed by the provisions of subsection (2) of this section.

(4) Advertising may be directed to the public generally in connection with events of special public interest such as Flag Day, Memorial Day, Veterans Day or such other occasions, under provisions set forth in WAC 314-40-080(3).

(5) Clubs desiring to have radio or television broadcasts originating from their licensed premises may do so: *Provided,* That such broadcasts consist only of entertainment or other matter which is in the public interest and may not contain any announcement of opening or closing hours, any invitation to visit the club, or any statement which may be construed as advertising or any implication that the club is operated as a public place. The only reference to the club during such broadcasts shall be limited to a statement at the opening and closing of the program as originating from the club quarters.

AMENDATORY SECTION (Amending WSR 96-03-004, filed 1/4/96, effective 2/4/96)

WAC 314-70-010 Sale by ((~~Class-H~~)) spirit, beer and wine restaurant licensee of liquor stock after discontinuance of business. Notwithstanding any other provision of Title 66 RCW or Title 314 WAC, a ((~~Class-H~~)) spirit, beer and wine restaurant licensee who permanently discontinues business for any reason shall dispose of the salable unopened liquor remaining in stock by sale to the board of the items originally purchased from the board. The board will pay the total amount listed in the official price list then in effect, less the ((~~Class-H~~)) spirit, beer and wine restaurant discount and tax exemption expressed as a percent of the total price and the percent of total expenses assigned to the merchandise division to gross sales as reported on the profit and loss statement in the last published annual report of the board. Combined percentages will be rounded up to a whole percent: *Provided, however,* That in the case of a sale of business with a ((~~Class-H~~)) spirit, beer and wine restaurant licensee, after obtaining the approval of the board and under the supervision of a

EXPEDITED ADOPTION

representative of the board, may sell the entire inventory of liquor to the incoming licensee at a negotiated price.

AMENDATORY SECTION (Amending Order 260, Resolution No. 269, filed 7/29/88)

WAC 314-70-020 Disposition by a governmental agency of lawfully seized liquors, except those which are required to be delivered to the board under RCW 66.32.090. Notwithstanding any other provision of Title 66 RCW or Title 314 WAC, governmental agencies may, after obtaining the approval of the board and under the supervision of the board, dispose of lawfully seized liquors (except those which are required to be delivered to the board under RCW 66.32.090) as follows:

- (1) The governmental agency may sell spirituous unopened salable liquor, and/or wine and beer previously purchased from the board, to the board as per procedure in WAC 314-70-040.
- (2) The governmental agency may sell opened containers of liquor back to the ~~((Class-H)) spirit, beer and wine restaurant~~ licensee from whom seized, if the licensee is going out of business, for the personal use of the licensee at a negotiated price after payment by the licensee to the board of an amount to be determined by the board in lieu of the ~~((Class H)) spirit, beer and wine restaurant~~ discount and tax exemption in effect at that time: *Provided*, That if the licensee has not so purchased the opened bottles of liquor within the period of redemption, they shall be destroyed.
- (3) The governmental agency may sell unopened beer and/or wine to the ~~((wholesaler)) distributor~~ selling the same as per procedure in WAC 314-24-210 and 314-20-070 at a negotiated price. Copies of inventory and bill of sale shall be furnished the board.
- (4) The governmental agency may sell unopened salable wine and/or beer to appropriately licensed retailers at a negotiated price. Beer purchased under this subsection shall meet the quality standards set forth by its manufacturer. Copies of the inventory and bill of sale shall be furnished the board.
- (5) The governmental agency may ship the liquor out of the state of Washington.

AMENDATORY SECTION (Amending WSR 96-03-004, filed 1/4/96, effective 2/4/96)

WAC 314-70-030 Purchases by ~~((Class-H)) spirit, beer and wine restaurant~~ licensee of certain liquor stocks. Notwithstanding any other provision of Title 66 RCW or Title 314 WAC, a ~~((Class-H)) spirit, beer and wine restaurant~~ licensee in conjunction with the purchase of a licensed business may purchase, and place into its regular stock, salable liquor as provided in WAC 314-70-010. Such liquor shall be treated for purposes of Title 66 RCW and Title 314 WAC as if it had been purchased from the board pursuant to RCW 66.24.440.

AMENDATORY SECTION (Amending Order 260, Resolution No. 269, filed 7/29/88)

WAC 314-70-040 Procedures for board purchase of liquor from governmental agencies. The board may purchase from governmental agencies lawfully seized salable unopened liquor. Such purchases are subject to the following conditions:

AMENDATORY SECTION (Amending Order 109, Resolution No. 118, filed 8/9/82)

WAC 314-70-040 Procedures for board purchase of liquor from governmental agencies. The board may purchase from governmental agencies lawfully seized salable unopened liquor. Such purchases are subject to the following conditions:

- (1) The governmental agency shall provide the board with a listing of the liquor and shall make the liquor available for examination and review.
- (2) The board will issue a purchase order for the liquor.
- (3) When the governmental agency is from within the state of Washington and the liquor was originally purchased from the board, the board will pay the total amount listed in the official board price list then in effect, less the ~~((Class-H))~~ discount and tax exemption expressed as a percent of the total price and the percent of total expenses assigned to the merchandise division to gross sales as reported on the profit and loss statement in the last published annual report of the board. Combined percentages will be rounded up to a whole percent.
- (4) When the governmental agency is a federal agency, or when the governmental agency is from within the state of Washington but the liquor was not originally purchased from the board, or the liquor is no longer handled by the board, the board will pay a negotiated amount not to exceed ninety percent of the original approximate cost price from the distillery or manufacturer including federal tax and duty.
- (5) After receipt of the board purchase order, the governmental agency who is selling the liquor will invoice the board as per the prices listed on the purchase order.

**WSR 98-12-103
EXPEDITED ADOPTION
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed June 3, 1998, 11:32 a.m.]**

Title of Rule: Underground transportation of explosives, chapter 296-52 WAC.

Purpose: Underground transportation of explosives, chapter 296-52 WAC, Safety standards for the possession and handling of explosives.

In a letter dated August 16, 1995, the Occupational Safety and Health Administrative (OSHA) notified the department that its safety standards relating to underground transportation of explosives were not at-least-as-effective-as those in the federal standard.

Amended section WAC 296-52-489 Transportation. The following proposed amendments to subsection (8) add federal requirements to make underground transportation of explosives requirements identical to the federal standard. These amendments:

- Add the requirement that explosives and blasting agents be hoisted, lowered, or conveyed in a powder car.
- Add the requirement that no other materials, supplies, or equipment be transported at the same time expo-

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sives and blasting agents are being transported in a powder car.

Add the requirement that explosives and blasting agents being transported underground be taken to the point of use or storage without delay.

Add the requirement that the amount of explosives or blasting agents being transported not exceed the amount needed for the intended blast.

Reason for Using Expedited Adoption

Federal-initiated changes are being proposed because the department must adopt rules identical to or at-least-as-effective-as OSHA rules as required by chapter 49.17 RCW (the Washington Industrial Safety and Health Act). The department is using the expedited rule adoption process because the following criterion for expedited adoption of a rule in Title 34 RCW, Administrative Law is met: RCW 34.05.230 (1)(b): The proposed rules adopt or incorporate by reference without material change federal statutes or regulations... if the same material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule.

LIST OF STAKEHOLDERS DIRECTLY NOTIFIED

Holders of chapter 296-52 WAC, Safety standards for the possession and handling of explosives. This list includes all stakeholders currently on the mailing list to receive this chapter.

Statutory Authority for Adoption: RCW 49.17.010, [49.17].040, and 49.17.050.

Statute Being Implemented: RCW 49.17.010, [49.17].040, and 49.17.050.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Tracy Spencer, Tumwater, Washington, (360) 902-5530; Implementation and Enforcement: Michael A. Silverstein, Tumwater, Washington, (360) 902-5495.

Name of Proponent: Washington State Department of Labor and Industries, governmental.

Rule is necessary because of federal law, OSHA letter dated August 16, 1995.

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

Proposal Changes the Following Existing Rules: See Purpose above.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Suzanne Mager, Washington State Department of Labor and Industries, P.O. Box

44001, Olympia, WA 98504-4001, AND RECEIVED BY August 3, 1998.

June 3, 1998

Gary Moore

Director

AMENDATORY SECTION (Amending WSR 95-07-014, filed 3/6/95, effective 4/20/95)

WAC 296-52-489 Transportation. (1) Regulations governing the transportation of explosives on public highways are adopted by the United States Department of Transportation (see 49 CFR Parts 100 through 199) and the Washington utilities and transportation commission and administered by the Washington state patrol.

(2) The regulations of this section shall be applicable in-and-on job sites and off-highway roads. The department of labor and industries shall administer these regulations in locations such as but not limited to: Construction or mining access roads and blast sites; off-highway forest roads including both publicly and privately owned logging roads, haul roads or general access roads.

Note: Examples of publicly owned off-highway roads where these regulations are applicable shall include, but are not limited to: U.S. Forest Service roads, Bureau of Land Management roads, state department of natural resources roads, but specifically not including the state or interstate highway system.

(a) No person shall be allowed to smoke, carry matches or any other flame-producing device, except guards or commissioned law enforcement officers, to carry any firearms or loaded cartridges while in or near a motor vehicle transporting explosives; or drive, load, or unload such vehicle in a careless or reckless manner.

(b) Explosives shall not be carried on any vehicle while vehicle is being used to transport workers other than driver and two persons.

(c) Explosives shall be transferred from a disabled vehicle to another, only when proper and qualified supervision is provided. Local fire and police departments shall be promptly notified in congested areas. In remote areas they shall be notified if appropriate.

(d) Other materials or supplies shall not be placed on or in the cargo space of a conveyance containing explosives, detonating cord or detonators, except carrying safety fuse, and properly secured, nonsparking equipment used expressly in the handling of such explosives will be permissible.

(3) Transportation vehicles.

(a) All vehicles used for transporting explosives shall be strong enough to carry the load without difficulty and be in good mechanical condition. The cargo compartment(s) shall have a tight floor and must not have any exposed spark producing metal on the inside which could come into contact with explosives cargo.

(b) Explosives vehicles used on any roadway which is open to public travel shall comply with WAC 296-52-550, Appendix II.

(c) Open top explosives transportation vehicles may only be used on the jobsite or on roads which are not open to public travel (while laden with explosives). In open top vehicles

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or trailers, explosives may only be transported in the original DOT approved shipping container(s)/box(es) or a daybox or portable magazine which complies with the requirements of this chapter. In all instances the explosive container(s), box(es), daybox or portable magazine shall be secured to the bed of the vehicle or trailer.

(i) If an explosives transportation vehicle or trailer does not have a fully enclosed cargo area with nonsparking interior, the cargo bed and all explosive cargo shall be covered with a flameproof and moisture-proof tarpaulin or other effective protection against moisture and sparks. Whenever tarpaulins are used for covering explosives, both the tarpaulin and the explosives container shall be secured to the body of the truck bed by means of rope, wire, or other equally efficient tie downs.

(ii) Packages of explosives shall not be loaded above the sides on open-sided vehicles.

(4) Vehicles shall be placarded and displayed as specified by the United States Department of Transportation, CFR 49-1981, Parts 100 through 199. Placards shall remain on the vehicle until all explosives have been removed from the vehicle.

(5)(a) Each motor vehicle used for transporting explosives shall be equipped with a minimum of two extinguishers, each having a rating of at least 2A 10BC. The driver shall be trained in the use of the extinguishers on the vehicle.

(i) Only extinguishers listed or approved by a nationally recognized testing laboratory shall be deemed suitable for use on explosives-carrying vehicles. Refer to WAC 296-24-58501(19) for definition of listed, and federal regulation 29 CFR 1910.7 for nationally recognized testing laboratory.

(ii) Extinguishers shall be filled and ready for immediate use and readily available. Extinguishers shall be examined periodically by a competent person.

(b) A motor vehicle used for transporting explosives shall be given the following inspection to determine that it is in proper condition for safe transportation of explosives:

(i) Fire extinguishers shall be filled and in working order.

(ii) All electrical wiring shall be completely protected and securely fastened to prevent short-circuiting.

(iii) Chassis, motor, pan, and underside of body shall be reasonably clean and free of excess oil and grease.

(iv) Fuel tank and feedline shall be secure and have no leaks.

(v) Brakes, lights, horn, windshield wipers, and steering apparatus shall function properly.

(vi) Tires shall be checked for proper inflation and defects.

(vii) The vehicle shall be in proper condition in every other respect and acceptable for handling explosives.

(c) Motor vehicles or conveyances carrying explosives, blasting agents, or blasting supplies, shall not be taken inside a garage or shop for repairs or servicing.

(6) Operation of transportation vehicles.

(a) Vehicles transporting explosives shall only be driven by and be in the charge of a licensed driver who is not less than twenty-one years of age, physically fit, careful, capable, reliable, able to read and write the English language, and not addicted to the use, or under the influence of intoxicants, narcotics, or other dangerous drugs. This rule does not apply to

persons taking prescription drugs and/or narcotics as directed by a physician providing such use shall not endanger the worker or others. They shall be familiar with the traffic regulations, state laws, and the provisions of this section.

(i) Explosives may only be transported by a licensed manufacturer, blaster, purchaser or seller, or the designated agent or representative thereof, or a contract carrier for hire who complies with all requirements for transportation of hazardous materials.

(ii) The person in control of the explosive laden vehicle shall be made aware of the nature of the cargo and pertinent safety precautions relating to the particular explosive(s) being transported.

(b) Parking. A motor vehicle which contains Class A or Class B explosives must not be parked under any of the following circumstances:

(i) On or within 5 feet of the traveled portion of a public street or highway;

(ii) On private property (including premises of a fueling or eating facility) without the knowledge and consent of the person who is in charge of the property and who is aware of the nature of the hazardous materials the vehicle contains; or

(iii) Within 300 feet of a bridge, tunnel, dwelling, building, or place where people work, congregate, or assemble, except for brief periods when the necessities of operation require the vehicle to be parked and make it impracticable to park the vehicle in any other place.

(c) Every motor vehicle transporting any quantity of Class A or Class B explosives shall, at all times, be attended by a driver or other attendant of the motor carrier. This attendant shall have been made aware of the class of the explosive material in the vehicle and of its inherent dangers, and shall have been instructed in the measures and procedures to be followed in order to protect the public from those dangers. The attendant shall have been made familiar with the vehicle to which assigned, and shall be trained, supplied with the necessary means, and authorized to move the vehicle when required.

(i) For the purpose of this subdivision, a motor vehicle shall be deemed "attended" only when the driver or other attendant is physically on or in the vehicle, or has the vehicle within the driver or attendants field of vision and can reach it quickly and without any kind of interference; "attended" also means that the driver or attendant is awake, alert, and not engaged in other duties or activities which may divert their attention from the vehicle.

(ii) An explosive laden vehicle may be left unattended for a period not to exceed 48 hours provided that:

(A) The vehicle is parked in a designated parking lot which complies with NFPA Std. 498 and with the appropriate clearance table of this chapter for the type and quantity of explosives carried;

(B) The designated parking lot is correctly bermed and walled or fenced and gated to prevent unauthorized entry;

(C) The designated lot is inspected and approved by the department of labor and industries and is provided with a full-time security patrol at all times when explosives are present;

(D) Trucks used for explosives delivery which contain only blasting agents (International Class 1.5 D) and no high explosives need not be attended provided the vehicle is

locked to prevent movement of the vehicle, the cargo compartments are locked to prevent theft, the vehicle is parked according to all applicable storage distance requirements, and the vehicle is located in a secured area which restricts entry to the area by unauthorized personnel.

(d) No spark-producing metal, spark-producing tools, oils, matches, firearms, electric storage batteries, flammable substances, acids, oxidizing materials, or corrosive compounds shall be carried in the body of any motor truck and/or vehicle transporting explosives, unless the loading of such dangerous articles and the explosives comply with U.S. Department of Transportation regulations.

(e) Vehicles transporting explosives shall avoid congested areas and heavy traffic.

(f) Delivery and issue of explosives shall only be made by and to authorized persons and into authorized magazines or authorized temporary storage or handling area.

(7) Transporting blasting caps and explosives in the same vehicle.

(a) Fuse type blasting caps, blasting caps with safety fuse and/or blasting caps with metal clad mild detonating fuse shall not be transported in the same vehicle or trailer with other explosives.

(b) Blasting caps rated by U.S. DOT as nonmass detonating may be transported in the same vehicle or trailer with other explosives when:

(i) The caps are carried in DOT approved shipping containers:

(ii) The truck or trailer complies with Appendix 1, WAC 296-52-550.

(8) When primers are made up at a central primer house for use in high speed tunneling, the following shall apply:

(a) Only enough primers shall be made up for each round of blasting.

(b) The primers shall be placed in separate containers or bins, categorized by degree of delay in such a manner so as to prevent them from physical impact.

(c) Explosives carried in the same magazine shall be separated by 1/4-inch steel, covered on each side by four inches of hardwood planking, or equivalent.

(d) Hoist operators shall be notified before explosives or blasting agents are transported in a shaft conveyance.

(e) Explosives and blasting agents shall be hoisted, lowered, or conveyed in a powder car. No other materials, supplies, or equipment shall be transported in the same conveyance at the same time.

(f) Only a state approved powder car or conveyance shall be used underground.

((#)) (g) All explosives or blasting agents in transit underground shall be taken to the place of use or storage without delay.

(h) The quantity of explosives or blasting agents taken to an underground loading area shall not exceed the amount estimated to be necessary for the blast.

(i) The number of primers for one round will be removed from the state approved car or vehicle at the face or heading after the drilling has been completed and the holes readied for loading. After loading the charge, the powder car or vehicle will be withdrawn from the tunnel.

~~((g))~~ (j) Wires on electric caps shall be kept shunted until wired to the bus wires.

~~((h))~~ (k) The powder car or conveyance shall be inspected daily for lights, brakes and external damage to electrical circuitry. The electrical system shall be checked weekly to detect any failures that may constitute an electrical hazard and a written certification record of such inspection shall be kept on file for the duration of the job. The certification record shall contain the date of inspection, the serial number or other positive identification of the unit being inspected and the signature of the person performing the inspection.

~~((i))~~ (l) The installation of auxiliary lights on truck beds, which are powered by the truck's electrical system, shall be prohibited.

~~((j))~~ (m) No one, except the operator, the helper, and/or the powderperson, shall be permitted to ride on a conveyance transporting explosives and blasting agents.

~~((k))~~ (n) No person shall ride in any shaft conveyance transporting explosives and blasting agents.

~~((l))~~ (o) No explosives or blasting agents shall be transported on a crew-haul trip.

~~((m))~~ (p) The car or conveyance containing explosives or blasting agents shall be pulled, not pushed, whenever possible.

~~((n))~~ (q) The powder car or conveyance especially built for the purpose of transporting explosives or blasting agents shall bear a reflectorized sign on each side with the word "explosives" in letters not less than 4 inches in height; upon a background of sharply contrasting color.

~~((o))~~ (r) Compartments for transporting detonators and explosives in the same car or conveyance shall be physically separated by a distance of 24 inches or by a solid partition at least 6 inches thick.

~~((p))~~ (s) Detonators and other explosives shall not be transported at the same time in any shaft conveyance.

~~((q))~~ (t) Explosives and/or blasting agents, not in original containers, shall be placed in a suitable container when transported manually.

~~((r))~~ (u) No explosives or blasting agents shall be transported on any locomotive. At least two car lengths shall separate the locomotive from the powder car.

(9) When explosives are carried to the blasting site from the main storage magazines by the blaster or helper:

(a) Special insulated containers or original DOT shipping containers shall be used for this purpose, either boxes or bags, one container for explosives and one for detonators.

(b) Detonators or explosives shall never be carried in pockets of clothing.



WSR 98-11-095**PERMANENT RULES
DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Aging and Adult Services Administration)

[Filed May 20, 1998, 10:20 a.m., effective July 1, 1998]

Date of Adoption: May 20, 1998.

Purpose: To make the adult family home regulations clearer, more easily understood, and more reflective of practices and expectations that are currently in place.

Citation of Existing Rules Affected by this Order: Amending WAC 388-76-540, 388-76-550, 388-76-560, 388-76-570, 388-76-595, 388-76-605, 388-76-620, 388-76-635, 388-76-655, 388-76-660, 388-76-665, 388-76-670, 388-76-675, 388-76-680, 388-76-685, 388-76-690, 388-76-695, and 388-76-705.

Statutory Authority for Adoption: RCW 70.128.040.

Other Authority: Chapters 70.128 and 70.129 RCW.

Adopted under notice filed as WSR 98-02-077 on January 7, 1998.

Changes Other than Editing from Proposed to Adopted Version:

REASONS FOR ADOPTING THE RULES

Due to laws passed in the 1995 legislative session, rules governing adult family homes were completely revised and became effective in July 1996. Since that time, internal and external stakeholders have provided input and feedback concerning their experience implementing these rules. This feedback made it evident that changes to the regulations were needed to: Eliminate faulty and/or confusing language; make the regulations clearer and more easily understood; and make the regulations more reflective of current practices and laws. In addition, some changes are necessary to ensure department expectations are clearly defined and easily understood.

**VARIANCE BETWEEN PROPOSED AND FINAL RULES ADULT
FAMILY HOME MINIMUM LICENSING REQUIREMENTS WAC
388-76-540 THROUGH 388-76-705**

The following is a description of differences between the proposed rules and the adopted version, and the principal reasons.

WAC 388-76-540 Definitions.

Caregiver - within this definition "entity responsible individual" was changed to "entity representative." This change was made throughout the rules.

Entity representative - we changed the name from "entity responsible individual" to "entity representative" as was suggested to us; we found the latter term less awkward. Other minor editorial changes were made to make this definition clearer. Throughout the rules, "entity responsible individual" has been replaced with "entity representative."

Individual provider - clarifying changes were made to make this definition clearer.

WAC 388-76-550 License application.

Section title revised to reflect recent statutory changes (eliminating renewal applications and implementing a nonexpiring license).

(1) Deleted "renewal" to reflect recent statutory changes (eliminating renewal applications and implementing a nonexpiring license).

(3) Minor editorial changes made to make this subsection easier to read.

(4) This subsection was revised to reflect recent statutory changes (eliminating renewal applications and implementing a nonexpiring license).

(6) Deleted "or renew" from this subsection to reflect recent statutory changes (eliminating renewal applications and implementing a nonexpiring license).

(8) Added "provider" after applicant for clarity, and deleted "or renewal" from this subsection to reflect recent statutory changes (eliminating renewal applications and implementing a nonexpiring license).

(9) Made numerous editorial and clarifying changes to make this subsection easier to read and understand.

(10-11) Deleted "or renewal" from these subsections to reflect recent statutory changes (eliminating renewal applications and implementing a nonexpiring license).

(12) This subsection deleted as it is no longer relevant due to the recent statutory change (eliminating renewal applications and implementing a nonexpiring license).

WAC 388-76-560 License eligibility. Section title revised to reflect recent statutory changes (eliminating renewal applications and implementing a nonexpiring license).

(5) Added a clarifying sentence to remind adult family homes that their Department of Health (DOH) registration must be renewed annually.

(6) Added a clarifying sentence to remind adult family homes that resident manager's DOH registration must be renewed annually. Deleted "within sixty days of being designated as an adult family home resident manager" because our assistant attorney general advised the department that we do not have statutory authority to make this change.

(9) Reorganized this section and made minor editorial changes to try and make it clearer and easier to read. Deleted reference to renewal of licenses to reflect recent statutory changes. Due to comments received, clarified in (c) and (d) that the action must be taken by an agency.

(10-13) Reorganized these subsections and made minor editorial changes to try and make it clearer and easier to read. Deleted reference to renewal of licenses to reflect recent statutory changes.

(14) Deleted reference to renewal of licenses to reflect recent statutory changes.

(15) This subsection deleted as it is no longer relevant (due to the recent statutory change eliminating renewal applications and implementing a nonexpiring license).

WAC 388-76-570 Additional license requirements — Multiple-facility providers.

(5) Inserted "prior to" in new subsection (5) in order to eliminate old subsections (5-6).

WAC 388-76-595 Inspections and ombudsman visits.

(2) Added examples of willful interference and failure to cooperate in this subsection in response to comments received. (4-5) Changed "shall" to "will" for clarity.

(6-10) Reorganized this section and made minor editorial changes to try and make it clearer and easier to read.

Revised some of the requirements of this section because they conflicted with public disclosure laws and confidentiality requirements.

(11) Added in "state regulations for the long-term care ombudsman program" for clarity.

WAC 388-76-605 Restraints.

(4)(b) Deleted "who has assessed the resident" for accuracy, as health care professionals with prescriptive authority follow standards of practice under their respective licenses.

(4)(c) Revised language to be clearer. Prior language was not entirely accurate.

WAC 388-76-620 Provision of services and care.

(3) Changed "service" to "care." This change has been made throughout the rules, and this "service" was accidentally missed.

(4)(b) Changed "ensures" to "promotes" in response to comments received about the use of the word ensure.

WAC 388-76-635 Nurse delegation—Penalties.

The department has changed "shall" to "may" to reflect recent statutory changes.

WAC 388-76-655 General management and administration.

(2)(d) "For example" was replaced with "including but not limited to" in order to be clear that the being on vacation was only one example, not the only example.

(3)(a) This entire subsection had been incorrectly deleted; what was needed was additional language to specify that damage or loss of the resident's property is covered if due to negligence of the insured. The correct language has been added.

(7)(a) The specific WAC citation has changed, so this subsection was revised.

(7)(b) Language was added to clarify that the maximum time a resident can be left alone must be documented in a resident's negotiated care plan.

WAC 388-76-660 Training.

(2)(a) Some minor language was revised to make this subsection clearer.

(4) Language was added to clarify that AFHs who take a special Division of Developmental Disabilities training are exempt from the fundamentals of caregiving training.

WAC 388-76-670 Disaster and emergency preparedness.

(4) Minor editorial changes were made to this subsection to make it clearer and more easily understood.

WAC 388-76-675 Reporting requirements.

(2) No changes will be made in this subsection. It was decided to leave this section as it currently is, and not make any changes.

WAC 388-76-680 Infection control and communicable disease.

(2-4) Revisions were made in these subsections to make them clearer and more reflective of current standards in regard to tuberculosis (TB).

WAC 388-76-685 Criminal history disclosure and background inquiries.

(3) "Against persons" was deleted based on our assistant attorney general's advice. The statute this subsection refers to lists more than just crimes against persons, and so the prior language was not accurate.

WAC 388-76-690 Advance directives, guardianship, and decision making.

(4-5) The language in these subsections was completely revised to be simpler, clearer, and to comply with the appropriate statutes.

WAC 388-76-705 Remedies.

(3)(a)(iii)(A-B) In order to clarify that there are two circumstances when civil fines can exceed one hundred dollars per day, new language was added in (A) and (B) to specifically identify those two circumstances. The two circumstances are defined in statute, and those statutes are referenced in (A) and (B) of this subsection.

(3)(a)(iv) "Or refusal to renew" was deleted to reflect recent statutory changes (eliminating renewal applications and implementing a nonexpiring license).

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 18, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 18, Repealed 0.

Effective Date of Rule: July 1, 1998.

May 20, 1998

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-540 Definitions. ((+)) "**Abandonment**" means action or inaction by a person or entity with a duty of care for a frail elder or vulnerable adult that leaves the vulnerable person without the means or ability to obtain necessary food, clothing, shelter, or health care.

((2)) "**Abuse**" means a nonaccidental act of physical or mental mistreatment or injury, or sexual mistreatment, which harms a person through action or inaction by another individual.

((3)) "**Adult family home**" means the same as the definition in RCW 70.128.010.

((4)) "**Applicant**" means an individual, partnership, corporation, or other entity seeking a license to operate an adult family home.

((5)) "**Capacity**" means the maximum number of persons in need of personal or special care permitted in an adult family home at a given time. This number shall include related children or adults in the home who receive special care.

((6)) "**Caregiver**" means any person eighteen years of age or older responsible for providing direct personal care to

a resident and may include but is not limited to the provider, resident manager, employee, relief caregiver, volunteer, student, entity representative, or household member.

((7)) "**Case manager**" means the department staff person or designee assigned to negotiate, monitor, and facilitate a service plan for residents receiving services fully or partially paid for by the department.

((8)) "**Chemical restraint**" means a psychopharmacologic drug that is used for discipline or convenience and not required to treat the resident's medical symptoms.

((9)) "**Department**" means the Washington state department of social and health services.

((10)) "**Entity provider**" means any corporation, partnership, association, or limited liability company that is licensed under this chapter to operate an adult family home.

((11))

"Entity representative" means the individual designated by an entity provider who is responsible for the daily operation of the adult family home.

"**Exploitation**" means the illegal or improper use of a frail elder or vulnerable adult or that person's income or resources, including trust funds, for another person's profit or advantage.

((12)) "**Frail elder or vulnerable adult**" means the same as the definition in RCW 74.34.020 or RCW 43.43.830.

((13)) "**Individual provider**" means ~~((a natural))~~ an individual person or a legally married couple who is licensed to operate an adult family home.

((14)) "**Inspection**" means an on-site visit by department personnel to determine the adult family home's compliance with this chapter and chapter 70.128 RCW, Adult family homes.

((15)) "**Multiple facility provider**" means an individual or entity provider who is licensed to operate more than one adult family home.

((16)) "**Neglect**" means a pattern of conduct or inaction resulting in deprivation of care necessary to maintain a resident's physical or mental health.

((17)) "**Nursing assistant**" means the same as the definition in chapter 18.88A RCW.

((18)) "**Personal care services**" means both physical assistance and/or prompting and supervising the performance of direct personal care tasks as determined by the resident's needs as defined in WAC 388-15-202~~((38))~~, Long-term care services—Definitions. Personal care services do not include assistance with tasks performed by a licensed health professional.

((19)) "**Physical restraint**" means a manual method, obstacle, or physical or mechanical device, material, or equipment attached or adjacent to the resident's body that restricts freedom of movement or access to his or her body, is used for discipline or convenience, and not required to treat the resident's medical symptoms.

((20)) "**Provider**" means any person or entity that is licensed under this chapter to operate an adult family home.

((21)) "**Resident**" means any adult unrelated to the provider who lives in the adult family home and who is in need of care. "**Resident**" includes former residents when examining complaints about admissions, readmissions, transfers or discharges. For decision-making purposes, the term

"resident" includes the resident's surrogate decision maker in accordance with state law or at the resident's request.

((22)) "**Resident manager**" means a person employed or designated by the provider to manage the adult family home.

((23)) "**Special care**" means care beyond personal care services as defined by ~~((subsection (18) of))~~ "personal care services" in this section.

((24)) "**Unsupervised**" means the same as the definition in RCW 43.43.830(8).

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-550 License application~~((—Initial and renewal))~~. (1) All applications for adult family home licensure ~~((or renewal))~~ are subject to review under this chapter.

(2) ~~((To apply for an adult family home license, an applicant shall complete and submit a license application on department provided forms at least sixty days before the requested effective date of that license))~~ Persons who have not held an adult family home license within the last twelve months must attend department orientation to receive an initial adult family home application.

(3) ~~((For renewal of an adult family home license, the provider shall complete and submit a renewal application on department provided forms at least sixty days before the current license's expiration date. The license must be renewed annually to remain valid))~~ (a) To apply for an initial adult family home license, an applicant shall complete and submit the department application form.

(b) The applicant must provide all information requested, including information regarding any facilities and homes for the care or provision of services to children or vulnerable adults that the applicant is or has been affiliated with in the last ten years. This information is needed so the department can determine whether the applicant meets all applicable qualifications and requirements.

(c) An entity shall provide the information in (b) of this subsection with regard to any partner, officer, director, managerial employee, or owner of five percent or more of the entity.

~~((The applicant shall complete the department designated application form providing all information necessary, including information regarding any facilities and homes for the care or provision of services to children or vulnerable adults that the applicant is or has been affiliated with in the last ten years, so the department can determine whether the applicant meets all applicable qualifications and requirements. An entity shall provide this information with regard to any partner, officer, director, managerial employee, or owner of five percent or more of the entity applicant))~~ (a) An adult family home license is a nonexpiring license which means it does not need to be renewed every year.

(b) The adult family license remains valid unless:

(i) The department takes enforcement action to suspend or revoke the license in accordance with state law;

(ii) The provider voluntarily surrenders the license or closes the home; or

(iii) The provider fails to pay the annual licensing fee.

(5) All entity providers shall include their Unified Business Identifier (UBI) and Federal Employer Identification (FEI) numbers on the application.

(6) Married couples may not apply for separate adult family home licenses for each spouse.

(7)(a) Couples considered legally married under Washington state law are the only individuals who may apply jointly for an individual provider adult family home license.

(b) After the effective date of these rules two (or more) unmarried individuals applying for an initial adult family home license to be held jointly, must become an entity provider by forming a corporation, partnership, association, or limited liability company.

(8) The license applicant/provider shall be the person or entity ultimately responsible for the ((daily)) operation of the adult family home. The license applicant or the applicant's authorized representative shall sign the adult family home license ((or renewal)) application.

~~((8))~~ (9)(a) All entity providers shall designate an individual on their adult family home application who is responsible for the daily operation of the adult family home. This person is called the entity representative and is considered the department's primary contact person within the entity organization.

(b) For some entity providers one person may act as both the entity representative and the resident manager.

(c) Entity providers shall immediately notify their licensor when there is a change in the entity representative.

(10) An applicant who enters into a lease or contractual agreement with a landlord who takes an active interest in the operation of the adult family home, shall include the landlord's name and address on the license ((or renewal)) application. Active interest includes but is not limited to:

- (a) The charging of rent as a percentage of the business;
- (b) Assistance with start up and operational expenses;
- (c) Collection of resident fees;
- (d) Recruitment of residents;
- (e) Management oversight;

(f) Assessment and negotiated ((service)) care plan development for residents; or

- (g) The provision of personal or special care to residents.

~~((9))~~ (11) The department shall not commence review of an incomplete license ((or renewal)) application, and incomplete applications shall become void sixty days following the department's written request for additional documentation or information to complete the application.

~~((10) An adult family home license shall be valid for up to one year.)~~

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-560 License eligibility~~((—Initial and renewal))~~. (1) The department shall consider separately and jointly as applicants each person and entity named in an application for an adult family home license. If the department finds any person or entity unqualified, the department shall deny the license.

(2) In making a determination whether to grant an adult family home license, the department shall review:

(a) The information in the application; and

(b) Other documents and information the department deems relevant, including inspection and complaint investigation findings in each facility or home for the care or provision of services to children or vulnerable adults with which the applicant or any partner, officer, director, managerial employee, or owner of five percent or more of the entity applicant is or has been affiliated.

(3) The applicant and the home for which the license is sought shall comply with all requirements established by chapter 70.128 RCW and this chapter. The department may deny a license for noncompliance with any such requirements.

(4) An individual provider shall be twenty-one years of age or older ~~((and all providers shall be registered with the department of health as required by RCW 70.128.120)).~~

(5) All providers shall be registered with the department of health as required by RCW 70.128.120, prior to applying for an adult family home license. This registration must be renewed annually.

(6) Each resident manager shall register with the department of health as required by RCW 70.128.120. This registration must be renewed annually.

(7) A provider shall have the understanding, ability, emotional stability and physical health suited to meet the emotional and physical care needs of vulnerable adults.

(8) An adult family home shall not simultaneously be licensed as a boarding home.

(9) The department shall deny, suspend or revoke a license if ~~((an applicant or any partner, officer, director, managerial employee, or owner of five percent or more of the entity applicant has))~~ any of the following people have a history of significant noncompliance with federal or state regulations in providing care or services to vulnerable adults or children:

- * An applicant/provider.
- * A resident manager.
- * A partner of the entity.
- * An officer of the entity.
- * A director of the entity.
- * A managerial employee of the entity.
- * An entity representative, or
- * An owner of five percent or more of the entity.

The department shall consider, at a minimum, the following as a history of significant noncompliance requiring denial of a license:

(a) Revocation or suspension of a license for the care of children or vulnerable adults;

(b) Enjoined from operating a facility for the care of children or adults; ~~((or))~~

(c) Revocation, cancellation, suspension, or nonrenewal of a Medicaid or Medicare provider agreement ~~((or))~~ by the contracting agency; or

(d) Revocation, cancellation, suspension, or nonrenewal of any ((other)) agreement with a public agency for the care or treatment of children or vulnerable adults, when the action is taken by the public agency.

~~((6))~~ (10) The department may deny, suspend or revoke a license if any of the following people meet any of the criteria under subsection (9) of this section:

- * Any person who is a caregiver;
- * Any person who has unsupervised access to residents in the adult family home; or
- * Any person who lives in the home but who is not a resident.

(11) The department shall deny, suspend(;) or revoke(;; or refuse to renew) a license if ((~~an applicant or any partner, officer, director, managerial employee, an owner of fifty percent or more of the entity applicant, or an owner who exercises control over daily operations has been~~)):

- * An applicant/provider,
- * Any person who is a caregiver,
- * Any person who has unsupervised access to residents in the adult family home.
- * Any person who lives in the home but who is not a resident.
- * A resident manager,
- * A partner of the entity,
- * An officer of the entity,
- * A director of the entity,
- * A managerial employee of the entity,
- * An entity representative,
- * An owner of fifty percent or more of the entity, or
- * An owner who exercises control over daily operations,

has been:

- (a) Convicted of a crime against a person as defined under RCW 43.43.830 or RCW 43.43.842;
- (b) Convicted of a crime relating to financial exploitation as defined under RCW 43.43.830 or RCW 43.43.842;
- (c) Found by a court in a protection proceeding under chapter 74.34 RCW to have abused or financially exploited a vulnerable adult;
- (d) Found in any final decision issued by a disciplinary board to have sexually or physically abused or exploited any minor or a person with a developmental disability or to have abused or financially exploited any vulnerable adult;
- (e) Found in any dependency action under RCW 13.34.030 (2)(b) to have sexually (~~assaulted~~) abused or exploited any minor or to have physically abused any minor; or
- (f) Found by a court in a domestic relations proceeding under Title 26 RCW to have sexually abused or exploited any minor or to have physically abused any minor.

~~((7) The department shall deny, suspend, revoke, or refuse to renew a license if any person who lives in the home or who has unsupervised access to residents meets any of the criteria defined under subsection (6) of this section.~~

~~((8))~~ (12) The department may deny, suspend(;) or revoke a license, ((~~or refuse to renew a license if an applicant or any partner, officer, director, managerial employee;~~)) if:

- * An applicant/provider,
- * Any person who is a caregiver,
- * Any person who has unsupervised access to residents in the adult family home.
- * Any person who lives in the home but who is not a resident.
- * A resident manager,
- * A partner of the entity,
- * An officer of the entity,
- * A director of the entity.

- * A managerial employee of the entity,
 - * A entity representative,
 - * An owner of fifty percent or more of the entity ((applicant)), or
 - * An owner who exercises control over daily operations
- has:

- (a) Obtained or attempted to obtain a license by fraudulent means or misrepresentation;
- (b) Permitted, aided, or abetted the commission of any illegal act on the adult family home premises;
- (c) Been convicted of a felony or a crime against a person if the conviction reasonably relates to the competency of the person to own or operate an adult family home;
- (d) Had sanction, corrective, or remedial action taken by federal, state, county, or municipal health or safety officials related to the care or treatment of children or vulnerable adults;

(e) Engaged in or been convicted of the illegal use of drugs or the excessive use of alcohol within the past five years without evidence of rehabilitation;

(f) Been convicted of the illegal selling or distribution of drugs;

(g) Been convicted of any crime involving a firearm used in the commission of a felony or in an act of violence against a person;

(h) Operated a facility for the care of children or adults without a license;

~~((g) Failed to meet financial obligations as the obligations fell due in the normal course of business;~~

~~((h))~~ (i) Misappropriated property of residents;

~~((i))~~ (j) Been denied a license or license renewal to operate a facility that was licensed for the care of children or vulnerable adults;

~~((j))~~ (k) Relinquished or returned a license in connection with the operation of any facility for the care of children or vulnerable adults, or did not seek the renewal of such license, following written notification of the licensing agency's initiation of denial, suspension, cancellation or revocation of the license;

~~((k))~~ (l) Had resident trust funds or assets of an entity providing care to children or vulnerable adults seized by the IRS or a state entity for failure to pay income or payroll taxes;

~~((l))~~ (m) Refused to permit authorized department representatives to interview residents or have access to resident records;

~~((m))~~ (n) Interfered with a long term care ombudsman in the performance of his or her official duties; ~~((n))~~

~~((o))~~ (o) Exceeded licensed capacity in the operation of an adult family home; or

(p) Been found by the court in a proceeding under Title 26 RCW to have committed an act of domestic violence toward a family or household member.

~~((9))~~ (13) The department may deny, suspend or revoke a license if:

- * An applicant,
- * A provider,
- * A resident manager,
- * A partner of the entity,
- * An officer of the entity,
- * A director of the entity.

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- * A managerial employee of the entity.
 - * An entity representative.
 - * An owner of fifty percent or more of the entity, or
 - * An owner who exercises control over daily operations.
- Failed to meet financial obligations as the obligations fell due in the normal course of business, thereby impeding his/her ability to care for residents.

(14) The department shall deny ~~((or refuse to renew))~~ an adult family home license to an applicant who is licensed to care for children in the same home unless:

- (a) It is necessary in order to allow a resident's child(ren) to live in the same home as the resident or to allow a resident who turns eighteen to remain in the home;
- (b) The applicant provides satisfactory evidence to the department of the home's capability to meet the needs of children and adults residing in the home; and
- (c) The total number of persons receiving care in the home does not exceed the number permitted by the licensed capacity of the adult family home.

~~((10) The department's renewal of a license does not preclude the department from taking any action under WAC 388-76-705 based on inspection.))~~

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-570 Additional license requirements—Multiple facility providers. (1) The department shall not issue a license to a provider to operate more than one adult family home unless:

- (a) The applicant has operated an adult family home for at least one year in this state without any significant violation of the rules of this chapter; or
 - (b) The applicant has submitted evidence demonstrating that it has the capability to operate multiple adult family homes.
- (2) An applicant that is applying to be licensed for more than one adult family home shall submit to the department for each adult family home:

- (a) A twenty-four hour per day, seven days per week, staffing plan; and
 - (b) A plan for covering administrative responsibilities.
- (3) Multiple facility providers shall have on-site at each adult family home a plan that addresses visitor parking, deliveries, and staff parking.

(4) The department may consider the applicant's credit history in determining whether to license the applicant for more than two adult family homes, when the department determines the credit history relates to an applicant's ability to provide care and services to vulnerable adults.

~~((4) When))~~ (5) Prior to operating two or more adult family homes, ((a)) the individual provider or entity representative shall successfully complete forty-eight hours of residential care administrator's training, including training in at least the following areas:

- (a) Business planning and marketing;
- (b) Fiscal planning and management;
- (c) Human resource planning;
- (d) Resident health services;
- (e) Nutrition and food service;

- (f) Working with people who are elderly, chronically mentally ill, or developmentally disabled;
- (g) The licensing process;
- (h) Social and recreational activities;
- (i) Resident rights;
- (j) Legal issues;
- (k) Physical maintenance and fire safety; and
- (l) Housekeeping.

~~((5) A provider who is operating more than one adult family home prior to the effective date of this chapter, shall have until June 1, 1997 to complete the residential care administrator's training.~~

~~((6) A provider who applies for a license to operate more than one adult family home on or after the effective date of this chapter, shall complete the residential care administrator's training prior to operating more than one family home.))~~

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-595 Inspections and ombudsman visits.

(1) The department shall conduct unannounced inspections and complaint investigations to determine the provider's compliance with this chapter and chapter 70.128 RCW.

(2) The provider shall ensure that department staff have access to the home, residents, and all resident records therein and shall not willfully interfere or fail to cooperate with department staff in the performance of official duties. Examples of willful interference or failure to cooperate include but are not limited to, not allowing department staff to talk to residents in private, not allowing department staff entrance into the home, or not allowing department staff access to resident records.

(3) Department staff shall have access to relevant staff records which must be kept in the adult family home. Relevant staff records include: Criminal history background inquiries; tuberculosis test documentation; CPR-First aid cards; department of health registration; fundamentals of caregiving, modified fundamentals of caregiving, nurse delegation and continuing education certificates; and any other special certificates.

(4) Within ten calendar days of the inspection of the adult family home, the department's inspection report will be mailed or hand delivered to the provider.

(5) Within ten calendar days of the completion of complaint investigation data collection, any department inspection report related to a complaint investigation will be mailed or hand delivered to the provider.

(6) A provider shall submit to the department the planned corrective measures for violations and/or deficiencies within ten calendar days of receipt of a statement of deficiencies or an inspection report.

(7) Upon request, the department will supply to the public copies of inspection reports and complaint investigation reports, as soon as they are completed.

(8) The department will include a copy of the provider's planned corrective measures with the inspection and complaint investigation reports, if a copy is available at the time of the request.

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(9) Any written decision by the department to take an enforcement action will be immediately available to the public.

(10) Subsections (7) through (9) above are subject to applicable public disclosure and confidentiality requirements.

(11) The adult family home shall not willfully interfere with a representative of the Washington protection and advocacy system as defined under RCW 71A.10.080 or the long term care ombudsman in the performance of official duties, as defined under chapter 43.190 RCW, Long-term care ombudsman program, the state regulations for the long-term care ombudsman program, and under federal law. The department shall impose a penalty of not more than one thousand dollars for any such willful interference with a representative from the long-term care ombudsman program.

~~((4) The department's inspection report shall be mailed to the provider and made available to the public within ten working days of the inspection of the adult family home. If a provider gives the department a plan of correction for deficiencies, the department shall include a statement of the provider's planned corrective measures in the department's inspection report.))~~

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-605 Restraints. (1) The resident has the right to be free from physical and chemical restraint and involuntary seclusion.

(2) Adult family homes are prohibited from using any and all forms of physical restraint that are used for the purposes of discipline or convenience and are not required to treat the resident's medical symptoms. Treatment of such medical symptoms must be applied and ~~((directly))~~ immediately supervised on-site by a licensed registered nurse (RN), licensed practical nurse (LPN) or a licensed physician. Immediate supervision means the licensed registered nurse, the licensed practical nurse, or the licensed physician is in the home and quickly and easily available.

(3) The provider shall ensure that the resident is free from chemical restraints which are:

- (a) Used for discipline or convenience; and
- (b) Not required to treat the resident's medical symptoms.

(4) In any situation where a psychopharmacological drug is used for the resident, the provider shall ensure:

- (a) That it is not used for the purpose of discipline or convenience;
- (b) That it has been prescribed by a physician or health care professional with prescriptive authority;

(c) The resident's negotiated ~~((service))~~ care plan ~~((provides))~~ includes other environmental and behavioral strategies ~~((and approaches to diminish or eliminate use of))~~ /modifications to address the symptoms for which the psychopharmacological ~~((drug))~~ medication has been prescribed, where possible. An actual change in medication will only occur when the prescriber determines it is medically warranted for the resident; and

(d) The resident or surrogate decision maker has given informed consent for its use.

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-620 Provision of services and care. (1) The provider shall ensure that the resident receives necessary services and care to promote the most appropriate level of physical, mental, and psychosocial well-being consistent with resident choice.

(2) The provider shall encourage and promote resident participation in service planning and delivery.

(3) The provider shall respect the resident's right to decide negotiated ~~((service))~~ care plan goals and treatment choices, including acceptance or refusal of ~~((service))~~ care plan recommendations.

(4) The provider shall ensure that resident services are delivered in a manner and in an environment that:

- (a) Promotes maintenance or enhancement of each resident's quality of life; ~~((and))~~
- (b) Promotes the safety of all residents; and
- (c) Reasonably accommodates the resident's individual needs and preferences, except when the health or safety of the resident or other residents would be endangered.

(5) The provider shall ensure that appropriate professionals provide needed services to the resident based upon the resident's assessment and negotiated ~~((service))~~ care plan.

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-635 Nurse delegation—Penalties. The department ~~((shall))~~ may impose a civil fine on any provider ~~((or resident manager))~~ that knowingly performs or knowingly permits an employee to perform a nursing task except as delegated by a nurse pursuant to chapter 18.79 RCW and chapter 246-840 WAC as follows:

- (1) Two hundred fifty dollars for the first time the department finds an unlawful delegation;
- (2) Five hundred dollars for the second time the department finds an unlawful delegation; and
- (3) One thousand dollars for the third time or more the department finds an unlawful delegation.

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-655 General management and administration. (1) The provider shall not admit or retain any resident whose needs the provider cannot meet.

- (2) The provider shall ensure all of the following:
 - (a) That staff are competent, and receive necessary training to perform assigned tasks;
 - (b) The adult family home is in compliance with the requirements of this chapter and other applicable state laws; ~~((and))~~
 - (c) The home employs sufficient staff to meet the needs of the residents; and

(d) That he/she is available to respond to resident needs and caregiver inquiries within a reasonable time frame. In the event a provider is unavailable (including but not limited to being on vacation), a person must be designated to respond on behalf of the provider.

(3) The provider shall maintain liability insurance of at least one hundred thousand dollars per occurrence to cover:

(a) Damage or loss of the resident's property if due to negligence of the insured; and

(b) Injury or harm to the resident resulting from:

(i) The provision of services or failure to provide needed services; or

(ii) Incidents occurring in the adult family home or on the home's premises.

~~(4) ((A provider who operates only one adult family home shall have evidence of the insurance coverage required by subsection (3) of this section beginning January 1, 1997.~~

~~(5))~~ (5) The provider shall ensure that all caregivers are at least eighteen years of age or older.

~~((6))~~ (6) The provider shall ensure that the provider entity representative, resident manager and all caregivers:

(a) Are able to communicate or make provisions for communicating with the resident in his or her primary language;

(b) Have a clear understanding of job responsibilities and knowledge of residents' negotiated ~~((service))~~ care plans in order to be able to provide care specific to each resident's needs;

(c) Not engage in the illegal use of drugs or the excessive use of alcohol when providing care to residents; and

(d) Possess a valid first aid and CPR card prior to providing care for residents unless such care is directly supervised by a fully qualified caregiver who has a valid first aid and CPR card.

~~((7) The provider shall ensure that there is at all times on the premises at least one caregiver who is literate and capable of understanding written and oral instructions communicated in English in order to be able to respond appropriately to emergency situations))~~ (6) The provider shall ensure that:

(a) There is at least one caregiver present in the home whenever one or more residents are on the premises;

(b) The caregiver referred to in (a) of this subsection is capable of understanding and speaking English well enough to be able to respond appropriately to emergency situations; and

(c) At least one caregiver is accessible by phone or beeper for emergencies when there are no residents on the homes' premises.

(7) An adult family home shall be exempt from subsection (6)(a) of this section if:

(a) The home provides care to residents whose primary disabilities are developmental disabilities as defined by WAC 388-76-590; and

(b) It is determined and documented in a resident's current negotiated care plan that the resident is capable and willing to be left alone unsupervised in the adult family home during normal awake hours. The maximum period of time a resident can be left alone must be documented in the negotiated care plan.

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-660 Training. (1) Before operating and providing services in an adult family home, individual providers, entity representative and resident managers shall successfully complete the department's:

(a) Fundamentals of caregiving training; or

(b) Modified fundamentals of caregiving training if they meet the requirements listed in subsection (3) of this section.

(2) Providers shall ensure that:

(a) All caregivers hired in the adult family home ~~((on or after the effective date of this chapter))~~ successfully complete the department designated fundamentals of caregiving training within one hundred twenty days of employment, unless he or she meets the requirements in subsections (3) or (4) below; and

~~(b) ((All caregivers hired in the adult family home prior to the effective date of this chapter successfully complete the department designated fundamentals of caregiving training prior to March 1, 1997, unless he or she meets the requirements in subsection (3) below; and~~

~~(c))~~ All caregivers complete a minimum of ten hours of continuing education credits per calendar year, on topics relevant to caregiving:

(i) Topics include, but are not limited to residents' rights, personal care, dementia, mental illness, developmental disabilities, depression, medication assistance, communication skills, alternatives to restraints, and activities for residents;

(ii) Caregivers must receive a certificate of completion to meet the requirement for continuing education credit and each hour of completed instruction will count as one hour of continuing education credit; and

(iii) The continuing education requirement begins the calendar year after the year in which the caregiver completes the fundamentals or modified fundamentals of caregiving training.

(3) A caregiver who ~~((is))~~ has successfully completed training as a registered or licensed practical nurse, a physical or occupational therapist, a nursing assistant certified, a home health aid from a Medicare certified home health agency, who has successfully completed department approved adult family home training, or department approved personal care training from an area agency on aging or their subcontractor, or who is a resident manager or provider prior to ~~((the effective date of this chapter))~~ July 20, 1996, is exempt from the fundamentals of caregiving training in subsection (2) of this section if the caregiver successfully completes the department designated modified fundamentals of caregiving training in accordance with the dates specified in subsection (2) of this section.

(4) Caregivers are exempt from attending the fundamentals of caregiving or modified fundamentals of caregiving trainings if they successfully pass the department's challenge test for the class they are required to take. The caregiver has only one opportunity to successfully pass the challenge test then he/she must attend the fundamentals of caregiving or modified fundamentals of caregiving trainings as required.

(5) A provider and any of their staff who have successfully completed the division of developmental disabilities (DDD) staff training as required by chapter 275-26 WAC is

exempt from the fundamentals of caregiving training in subsections (1) and (2) of this section, as long as the provider continues to work for a DDD-contracted agency. This exemption no longer applies if the provider or their staff leaves the DDD-contracted agency.

(6) Volunteers are exempt from the training requirements listed above unless they provide unsupervised direct personal care to residents.

~~((5))~~ (7) The provider shall document that caregivers have met the education and training requirements.

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-665 Resident records. (1) The provider or resident manager shall:

(a) Keep confidential all information contained in the resident's records, regardless of the form or storage method of the records (e.g., computer files); and

(b) Protect information in the resident's record against alteration, loss, destruction, and unauthorized use.

(2) The provider or resident manager shall release information from the resident's record when required by:

(a) The resident's transfer to a health care institution;

(b) Law;

(c) Representatives of the department when acting in accordance with state law; or

(d) The resident.

(3) The provider shall ensure that caregivers in the home have access to resident records when information in those records is needed to provide care.

(4) The provider shall retain the resident's record for three years following the resident's discharge or death.

~~((4))~~ (5) The adult family home shall ensure that the resident's record includes at least the following:

(a) Resident identification including the name, address, and telephone number of the person or persons the resident designates as significant;

(b) The name, address, and telephone numbers for the resident's:

(i) Surrogate decision maker, if any; and

(ii) Health care providers;

(c) A current medical history;

(d) An inventory of personal belongings which is:

(i) Updated as additional belongings accrue; and

(ii) Dated and signed by the resident and the provider or resident manager;

(e) The resident's assessment;

(f) The current negotiated ~~((service))~~ care plan;

(g) Legal documents, including but not limited to:

(i) Power of attorney (POA) if the resident has appointed a POA;

(ii) Advance health care directives if the resident has executed such directives; and

(iii) A court order, if any, appointing a legal guardian and detailing the guardian's responsibility;

(h) Financial records;

(i) Medication records;

(j) The resident's social security number; and

(k) Admission, discharge, and absences information.

~~((5))~~ (6) The provider or resident manager shall keep the resident's record at the adult family home in which the resident lives.

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-670 Disaster and emergency preparedness. (1) The provider shall develop written plans and procedures to meet potential emergencies and disasters, such as fires, earthquakes, and floods.

(2) The provider shall ensure that all staff are trained in those emergency procedures when they begin to work at the home.

(3) The provider shall periodically review disaster and emergency procedures with staff, caregivers, and residents.

(4) ~~((The provider shall maintain a seventy-two hour food and water supply at the home to meet resident needs in an emergency))~~ In the plans (described in subsection (1) of this section), the provider shall describe how they will supply residents and household members with a seventy-two hour supply of food, accommodating any specific resident needs or food restrictions, in order to meet resident and household member needs in an emergency. In addition to this plan, the provider must also have on-site three gallons of drinking water per person to meet resident and household member needs in an emergency.

(5) The provider shall ensure the adult family home has readily available first-aid supplies and a first-aid manual.

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-675 Reporting requirements. (1) The provider and all caregivers shall immediately notify the department's toll-free complaint telephone number of any incidents involving allegations of resident abuse, neglect, exploitation or abandonment in accordance with the provisions of chapter 74.34 RCW.

(2) The provider shall keep a log of injuries and accidents to residents.

(3) When there is a significant change in a resident's condition, or a serious injury, trauma, or death of a resident, the provider shall immediately notify:

(a) The resident's family, surrogate decision maker, physician and other appropriate professionals, and other persons identified in the negotiated ~~((service))~~ care plan; and

(b) The case manager, if the resident is receiving services paid for fully or partially by the department.

(4) The adult family home shall immediately report to the department's aging and adult services administration:

(a) Any event, actual or potential, requiring the evacuation or relocation of all or part of the home's residents to another address; ~~((and))~~

(b) Circumstances which threaten the home's ability to ensure continuation of services to residents; and

(c) Instances when a resident is determined to be missing.

(5) The provider shall immediately notify local law enforcement anytime the provider has reason to believe that the resident has been the victim of a crime.

(6) The provider shall notify the local public health officer and the department of any occurrence of food poisoning or communicable disease as required by the state board of health.

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-680 Infection control and communicable disease. (1) The provider or resident manager shall institute appropriate infection control measures when the resident or any household member or caregiver has, or is suspected of having, a communicable disease.

(2) The provider shall ~~((, in addition to following))~~ follow chapter 49.17 RCW, Washington Industrial Safety and Health Act (WISHA) requirements ~~((;))~~ to protect the health and safety of residents ~~((from tuberculosis by requiring the provider, and each resident manager and caregiver to have, upon employment:~~

(a) A tuberculin skin test by the Mantoux method, unless the staff person:

(i) Documents a previous positive Mantoux skin test, which is ten or more millimeters of induration read at forty-eight to seventy-two hours;

(ii) Documents meeting the requirements of this subsection within the six months preceding the date of employment; or

(iii) Provides a written waiver from skin testing from the department of health or authorized local health department;

(b) A second test one to three weeks after a negative Mantoux skin test for staff thirty-five years of age or older; and

(c) A chest X-ray within seven days of any positive Mantoux skin test) and employees.

(3) The provider must ensure that tuberculosis screening is carried out as outlined below.

(a) Skin testing whether documented historically or performed currently, must be by intradermal (Mantoux) administration of PPD, and test results read in forty-eight to seventy-two hours by trained personnel. A positive reaction is ten or more millimeters of induration.

(b) The individual provider, entity representative, resident manager and caregiver must have, upon employment, tuberculosis skin testing to establish tuberculosis status.

(c) Baseline skin testing upon employment must be in two steps performed one to three weeks apart unless a person meets the requirements in (d) or (e) of this section.

(d) A person does not need to be skin tested for tuberculosis if he/she has:

(i) A documented history of a previous positive skin test; or

(ii) Documented evidence of adequate therapy for active disease; or

(iii) Documented evidence of adequate preventive therapy for infection.

(e) Exceptions to two-step testing. A person needs to have only a one-step skin test upon employment if he/she has any one of the following:

(i) A positive result from his/her initial first step skin test (a person who has a positive result from an initial first step skin test should not have any more skin testing); or

(ii) A documented history of a negative result from previous two-step baseline testing; or

(iii) A documented negative result from one step skin testing in the previous twelve months.

(f) A person with a positive reaction to skin testing must have a chest X-ray within seven days.

(g) Persons with negative test results may be required by the public health or licensing authority to have follow-up skin testing in certain circumstances such as after exposure to active tuberculosis; when tuberculosis symptoms are present; or for periodic screening.

(h) A person who has reason to decline skin testing may submit a signed statement to the employer giving the reason for declining and evidence to support the reason.

(4) The provider or resident manager shall:
(a) Report any employee's or provider's positive chest X-ray(s) to the appropriate public health authority((;)), and

(b) Follow precautions ordered by ~~((a physician or))~~ the public health authority, the employee's personal physician, or other licensed health care professional.

~~((4))~~ (5) The provider shall retain records of tuberculin test results, reports of X-ray findings, physician or public health official orders, and waivers in the adult family home.

~~((5))~~ (6) The provider or resident manager shall:

(a) Use infection control standards and educational material consistent with the current curriculum for infection control as defined in the department's fundamentals of caregiving training ~~((and the adult family home provider's handbook));~~

(b) Dispose of used syringes, razor blades, and other sharp items in a manner that will not jeopardize the health and safety of residents, staff, and the public;

(c) Ensure disposals are placed in rigid containers, impervious to liquids and penetration by puncture. These containers shall be such that they cannot be opened either intentionally or accidentally; and

(d) Use all disposable and single-service supplies and equipment as specified by the manufacturer.

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-685 Criminal history disclosure and background inquiries. (1) Before the adult family home employs, directly or by contract, a resident manager, entity representative or caregiver, or accepts as a caregiver any volunteer or student, or allows a household member unsupervised access to residents, the home shall:

(a) Require the person to complete the residential care services background inquiry form which includes:

- (i) A disclosure statement; and
- (ii) A statement authorizing the adult family home, the department, and the Washington state patrol to conduct a background inquiry;

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(b) Verbally inform the person:

(i) That he or she may request a copy of the background inquiry result; and

(ii) Of the inquiry result within ten days of receipt; and

(c) Notify the appropriate licensing or certification agency of any person resigning or terminated as a result of having a conviction record.

(2) The adult family home provider shall not employ any person, directly or by contract, or accept as a volunteer or student any person who may have unsupervised access to residents, or allow a household member unsupervised access to residents if the person or background inquiry discloses that the person was:

(a) Convicted of a crime against persons as defined under RCW 43.43.830;

(b) Convicted of a crime related to financial exploitation as defined under RCW 43.43.830;

(c) Found by a court in a domestic relations proceeding under Title 26 RCW to have sexually abused or exploited any minor or to have physically abused any minor;

(d) Subject to an order of protection under chapter 74.34 RCW for abuse, neglect, abandonment or financial exploitation of a vulnerable adult;

(e) Found in a final decision issued by a disciplinary board to have:

(i) Sexually or physically abused or exploited any minor or developmentally disabled person; or

(ii) Abused, neglected, abandoned or financially exploited any vulnerable adult; or

(f) Found in any dependency action under RCW 13.34.030 (2)(b) to have sexually assaulted or exploited any minor or to have physically abused any minor.

(3) The adult family home may choose to employ a person with a conviction of a crime ~~((against persons))~~ only if the conviction is one of the crimes listed in RCW 43.43.842 and the required number of years has passed.

(4) An adult family home may conditionally employ a person pending the result of a background inquiry, provided the home requests the inquiry within seventy-two hours of the conditional employment.

(5) A background inquiry result is valid for two years from the date it is conducted, at which point a new background inquiry application must be submitted.

(6) The adult family home shall establish procedures ensuring:

(a) All disclosure statements and background inquiry applications and responses and all copies are maintained in a confidential and secure manner;

(b) All background inquiry results and disclosure statements are used for employment purposes only;

(c) Background inquiry results and disclosure statements are not disclosed to any person except:

(i) The person about whom the adult family home made the disclosure or background inquiry;

(ii) Authorized state and federal employees; and

(iii) The Washington state patrol auditor.

~~((6))~~ (7) A record of inquiry results shall be retained by the adult family home for eighteen months beyond the date of employment termination.

~~((7))~~ (8) The provider shall secure and submit any additional documentation and information as requested by the department to satisfy the requirements of this section.

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-690 Advance directives, guardianship, and decision making. (1) The provider or resident manager shall provide or ensure that the resident, at the time of admission, has received the department's current booklet on health care rights, in the language appropriate for the resident, if available from the department.

(2) The provider or resident manager shall:

(a) Immediately contact the local emergency medical services in the event of a resident medical emergency regardless of any order, directive, or other expression of resident wishes involving the provision of medical services;

(b) Have readily available for emergency medical services personnel the resident's advance directives if the resident has executed an advance directive;

(c) Inform the resident of the action required by subsection (2)(a) of this section; and

(d) Include the action required by subsection (2)(a) of this section in the home's operational policies.

(3) A licensed physician or registered nurse acting within his or her scope of practice shall be exempt from the provisions of subsection (2) of this section.

~~(4) ((Owners, administrators, providers, provider family members, and employees shall not act as legal guardian, or attorney in fact, for any resident residing in or receiving care in the home, unless he or she is the parent, spouse, adult child, or sibling of the resident. A provider who is a guardian for a resident of the adult family home at the time of the effective date of this regulation shall have up to two years from the effective date of this regulation to be legally removed as guardian of the resident)) A provider may become a guardian for a resident if two criteria are met:~~

(a) The court authorizes you under Washington state's guardianship law (chapter 11.88 RCW) to be a resident's guardian; and

(b) You inform the court in writing, through a petition, that you care for the resident in your adult family home, and you request the court to direct payment from the funds of the resident for care, maintenance, and education to you. This is required by RCW 11.92.040(6), a section in Washington state's guardianship law.

(5) A provider can not act as power of attorney for health care for a resident. Washington state's power of attorney law (chapter 11.94 RCW) says that owners, administrators, or employees of the adult family home where the resident resides or receives care can not act as power of attorney for health care for a resident, unless they are also the spouse, adult child, brother or sister of the resident.

(6) The adult family home shall provide care and services in compliance with the federal patient self determination act and with applicable state statutes related to surrogate and health care decision making, including chapters 7.70, 70.122, 11.88, 11.92, and 11.94 RCW.

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 WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-695 Protection of resident funds—Liquidation or transfer. (1) Upon the death of a resident, the adult family home shall promptly convey the resident's personal funds held by the adult family home with a final accounting of such funds to the department or to the individual or probate jurisdiction administering the resident's estate no later than forty-five calendar days after the date of the resident's death.

(2) If the deceased resident was a recipient of long-term care services paid for in whole or part by the state of Washington, then the personal funds held by the adult family home and the final accounting should be paid to the secretary, department of social and health services and mailed to the office of financial recovery, estate recovery unit, P.O. Box 9501, Olympia, WA 98507-9501 or such address as may be directed by the department in the future:

(a) The check and final accounting accompanying the payment shall contain the name and social security number of the deceased individual from whose personal funds account the monies are being paid; and

(b) The department of social and health services shall establish a release procedure for use of funds necessary for burial expenses.

(3) In situations where the resident is absent from the adult family home for an extended time without notifying the home, and the resident's whereabouts is unknown:

(a) The adult family home shall make a reasonable effort to find the missing resident; and

(b) If the resident cannot be located after ninety days, the home shall notify the department of revenue of the existence of "abandoned property," outlined in chapter 63.29 RCW. The home shall deliver to the department of revenue the balance of the resident's personal funds within twenty days following such notification.

(4) Prior to the sale or other transfer of ownership of the adult family home the provider shall:

(a) Provide each resident with a written accounting of any personal funds held by the home;

(b) Provide the new provider with a written accounting of all resident funds being transferred; and

(c) Obtain a written (~~request~~) receipt for those funds from the new provider.

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-705 Remedies. (1) The department may take one or more of the actions listed in subsection (3)(a) of this section in any case in which the department finds that an adult family home provider has:

(a) Failed or refused to comply with the applicable requirements of chapters 70.128 and 70.129 RCW or of this chapter;

(b) Operated without a license or under a revoked license;

(c) Knowingly, or with reason to know, made a false statement of material fact on his or her application for a license or any data attached thereto, or in any matter under investigation by the department; (~~(e)~~)

(d) Willfully prevented (~~(e)~~), interfered with, or failed to cooperate with any inspection or investigation by the department; or

(e) Failed to comply with:

(i) A condition imposed on a license; or

(ii) A stop placement order.

(2)(a) For failure or refusal to comply with any applicable requirements of chapters 70.128 and 70.129 RCW or of this chapter, the department may provide consultation and shall allow the provider a reasonable opportunity to correct before imposing remedies under subsection (3)(a) unless the violations pose a serious risk to residents, are recurring or have been uncorrected.

(b) When violations of this chapter pose a serious risk to a resident, are recurring or have been uncorrected, the department shall impose a remedy or remedies listed under subsection (3)(a). In determining which remedy or remedies to impose, the department shall take into account the severity of the potential or actual impact of the violations on residents and which remedy or remedies are likely to improve resident outcomes and satisfaction in a timely manner.

(3)(a) Actions and remedies the department may impose include:

(i) Denial of an application for a license;

(ii) Imposition of reasonable conditions on a license, such as correction within a specified time, training, and limits on the type of residents the provider may admit or serve;

(iii) Imposition of civil penalties of not more than one hundred dollars per day per violation except that:

(A) Fines of up to one thousand dollars can be issued for willful interference with a representative of the long-term care ombudsman per RCW 70.128.150; and

(B) Fines of up to three thousand dollars can be issued for retaliation against a resident, employee, or any other person for making a complaint, providing information to, or cooperating with, the ombudsman, the department, the attorney's general office, or a law enforcement agency per RCW 74.39A.060(7).

(iv) Suspension(~~(;)~~) or revocation(~~(, or refusal to renew)~~) of a license; or

(v) Order stop placement.

(b) When the department orders stop placement, the adult family home shall not admit any person until the stop placement order is terminated. The department may approve readmission of a resident to the adult family home from a hospital or nursing home during the stop placement. The department shall terminate the stop placement when the department determines that:

(i) The violations necessitating the stop placement have been corrected; and

(ii) The provider exhibits the capacity to maintain adequate care and service.

(c) Conditions the department may impose on a license include, but are not limited to the following:

- (i) Correction within a specified time;
 - (ii) Training related to the violations;
 - (iii) Limits on the type of residents the provider may admit or serve;
 - (iv) Discharge of any resident when the department determines discharge is needed to meet that resident's needs or for the protection of other residents;
 - (v) Change in the license capacity;
 - (vi) Removal of the adult family home's designation as a specialized home;
 - (vii) Prohibition of access to residents by a specified person; and
 - (viii) Demonstration of ability to meet financial obligations necessary to continue operation.
- (d) When a provider fails to pay a fine when due under this chapter, the department may, in addition to other remedies, withhold an amount equal to the fine plus interest, if any, from any contract payment due to the provider from the department.
- (e) When the department finds that a licensed provider also operates an unlicensed adult family home, the department may impose a remedy listed under subsection (3)(a) of this section on the provider and the provider's licensed adult family home or homes.
- (f) When the department determines that violations existing in an adult family home are of such a nature as to present a serious risk of harm to residents of other homes operated by the same provider, the department may impose remedies on those other homes.

WSR 98-12-002
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Order 98-07—Filed May 20, 1998, 3:45 p.m.]

Date of Adoption: May 20, 1998.

Purpose: Chapter 392-170 WAC, to update information because of legislation recommendation by the superintendent's State Gifted Advisory Committee.

Citation of Existing Rules Affected by this Order: Amending WAC 392-170-035, 392-170-050, 392-170-080, and 392-170-090.

Statutory Authority for Adoption: Chapter 28A.185 RCW.

Adopted under notice filed as WSR 97-23-012 on November 7, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 6, Amended 3, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 6, Amended 3, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 20, 1998

Dr. Terry Bergeson
 Superintendent of
 Public Instruction

AMENDATORY SECTION (Amending Order 84-20, filed 6/28/84)

WAC 392-170-035 Definition—Highly capable students. As used in this chapter, the term highly capable student shall mean a student who has been assessed to have superior intellectual ability as demonstrated by one or more of the multiple criteria specified in WAC 392-170-040.

These students exhibit high capability in intellectual and/or creative areas, possess an unusual leadership capacity, or excel in specific academic fields, thereby requiring services beyond the basic programs provided by schools. Outstanding abilities are present in students from all cultural groups, across all economic strata, and in all areas of human endeavor.

NEW SECTION

WAC 392-170-036 Definition—Unique needs. As used in this chapter, the term unique needs shall mean that identified highly capable students generally possess these learning characteristics:

- (1) Capacity to learn with unusual depth of understanding, to retain what has been learned, and to transfer learning to new situations;
- (2) Capacity and willingness to deal with increasing levels of abstraction and complexity earlier than their chronological peers;
- (3) Ability to make unusual connections among ideas and concepts;
- (4) Ability to learn very quickly in their area(s) of intellectual strength;
- (5) Capacity for intense concentration and/or focus.

NEW SECTION

WAC 392-170-037 Definition—Program options. Learning opportunities shown by research and practice to be especially effective with highly capable students include, but are not limited to:

- (1) Accelerated learning opportunities;
- (2) Grouping arrangements that provide intellectual and interest peer group interactions;
- (3) Cooperative agreements between K-12 schools and institutions of higher education providing for concurrent enrollment, dual credit, and other advance and/or postsecondary options;

(4) Programs designed to coordinate, combine and/or share resources, people and facilities within a district or building in order to maximize access to and utilization of available resources for supporting students' learning;

(5) Mentorships and career exploration opportunities.

NEW SECTION

WAC 392-170-038 Definition—Special teacher. A teacher with experience and/or training in the education of highly capable students. Areas of training should include: Identification, program design and delivery, instructional practices, student assessment, and program evaluation.

NEW SECTION

WAC 392-170-042 Annual notification. Annual public notification of parents and students must be made before any major identification activity. The notice must be published or announced in school publications, newspapers, and/or other media, with circulation adequate to notify parents and students throughout the district.

NEW SECTION

WAC 392-170-047 Parental permission. Parental permission must be obtained in writing before:

(1) Conducting assessment(s) to determine eligibility for participation in programs for highly capable students.

(2) Providing initial special services and programs to an identified highly capable student.

Parental permission notice shall include:

(a) A full explanation of the procedures for identification and program options.

(b) An explanation of the appeal process.

AMENDATORY SECTION (Amending Order 84-20, filed 6/28/84)

WAC 392-170-050 Screening of nominees. Students nominated for consideration as highly capable students may be screened for eligibility according to district procedures. Such procedures shall be applied equitably and systematically to all nominated students. Equity of access shall be assured for all nominated students. Screening procedures may eliminate students for whom there exists clear, current evidence that the student will not qualify for eligibility under WAC 392-170-055.

NEW SECTION

WAC 392-170-078 Program services. Education program services for each identified highly capable student shall be the result of the assessed academic need of that student. A variety of appropriate program services shall be made available. Once services are started, a continuum of services shall be provided and may include kindergarten through twelfth grade.

AMENDATORY SECTION (Amending Order 84-20, filed 6/28/84)

WAC 392-170-080 Educational program for highly capable students. Each student (~~(selected)~~) identified as a highly capable student shall be provided (~~(an)~~) educational (~~(opportunity)~~) opportunities which take(~~(s)~~) into account such students' unique needs and capabilities. Such program shall recognize the limits of the resources provided by the state and the program options available to the district, including programs in adjoining districts and public institutions of higher education. Districts shall keep on file a description of the educational program provided for each student selected.

AMENDATORY SECTION (Amending Order 84-20, filed 6/28/84)

WAC 392-170-090 End of year report. Districts shall submit to the superintendent of public instruction at the close of fiscal year an end of the year report on forms provided by the superintendent of public instruction which includes number of students served by grade level (~~(and)~~), the ethnicity and gender of such students, and program(s) provided for these students.

WSR 98-12-005

PERMANENT RULES

GAMBLING COMMISSION

[Order 357-A—Filed May 21, 1998, 11:55 a.m., effective July 1, 1998]

Date of Adoption: April 10, 1998.

Purpose: Change clarifies the prohibitions and explains the intent behind the restrictions on holding an interest in businesses at different marketing levels.

Citation of Existing Rules Affected by this Order: Amending WAC 230-30-225.

Statutory Authority for Adoption: RCW 9.46.070.

Adopted under notice filed as WSR 98-06-027 on February 25, 1998, with a publication date of March 18, 1998.

Changes Other than Editing from Proposed to Adopted Version: The entire new section was deleted except for subsection (5). Subsection (5), relating to spouses of substantial interest holders, is reworded so that the standard is "not material" rather than "no" potential for involvement or influence in the business. Also, subsection (5) makes reference to WAC 230-30-220, i.e. "except as otherwise provided in WAC 230-30-220."

THIS FILING IS TO CORRECT TYPOGRAPHICAL ERRORS MADE IN THE RULE FILED ON MAY 1, 1998. AFTER READING THE APRIL 1998 COMMISSION MEETING MINUTES, THIS CORRECTED VERSION OF THE RULE REFLECTS WHAT THE COMMISSION VOTED TO APPROVE.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: July 1, 1998.

May 20, 1998

Soojin Kim

Rules and Policy Coordinator

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: July 1, 1998.

May 22, 1998

Peggy Larson

Administrator

NEW SECTION

WAC 230-30-225 Exception to prohibition of holding an interest in separate punch board or pull-tab businesses at different marketing levels. (1) Except as otherwise provided in WAC 230-30-220, the spouse of an individual who is a holder of a substantial interest in a business involved in punch boards or pull-tabs may not be considered a substantial interest holder in such business if, after considering the entire circumstances surrounding the relationship and business, the director finds the potential for involvement or influence in the business by the spouse is not material. A spouse may be required to submit one or more of the following documents to the director for determining whether involvement or influence is material:

- (a) Community or marital property agreements;
- (b) Separate property agreements;
- (c) Prenuptial agreements; or
- (d) Wills and codicils.

(2) When spouses are involved in both the operation of and/or the supply of punch boards and pull-tabs, the director may impose additional requirements on either licensee, including, but not limited to, prohibiting a manufacturer or distributor from making sales or providing services to an operator.

**WSR 98-12-008
PERMANENT RULES
BOARD OF
PILOTAGE COMMISSIONERS**

[Filed May 22, 1998, 3:25 p.m., effective July 1, 1998]

Date of Adoption: May 14, 1998.

Purpose: To establish a Puget Sound pilotage district annual tariff for pilotage services.

Citation of Existing Rules Affected by this Order: Amending WAC 363-116-300.

Statutory Authority for Adoption: RCW 88.16.035.

Adopted under notice filed as WSR 98-08-071 on March 31, 1998.

Changes Other than Editing from Proposed to Adopted Version: The adopted tariff is a decrease of .417% more than was proposed, resulting in a decrease of 3.027% in all tariff categories except transportation.

AMENDATORY SECTION (Amending WSR 97-12-017, filed 5/28/97, effective 7/1/97)

WAC 363-116-300 Pilotage rates for the Puget Sound pilotage district. Effective 0001 hours July 1, ((+1997)) 1998, through 2400 hours June 30, ((+1998)) 1999.

CLASSIFICATION

RATE

Ship length overall (LOA)

Charges:

per LOA rate schedule in this section

Boarding fee:

((~~\$36.00~~)) \$35.00

Per each boarding/deboarding at the Port Angeles pilot station.

Harbor shift - Live ship (Seattle Port)

LOA Zone I

Harbor shift - Live ship (other than Seattle Port)

LOA Zone I

Harbor shift Dead ship

Double LOA Zone I

Dead ship towing charge:

Double LOA

LOA of tug + LOA of tow + beam of tow

Zone

Any tow exceeding seven hours, two pilots are mandatory. Harbor shifts shall constitute and be limited to those services in moving vessels from dock to dock, from anchorage to dock, from dock to anchorage, or from anchorage to anchorage in the same port after all other applicable tariff charges for pilotage services have been recognized as payable.

Waterway and bridge charges:

Ships up to 90' beam:

PERMANENT

A charge of ~~((\\$191.00))~~ \$185.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street ~~((Bridge))~~ in Seattle, south of Eleventh Street ~~((Bridge))~~ in any of the Tacoma waterways, in Port Gamble, or in the Snohomish River. Any vessel movements required to transit through bridges shall have an additional charge of ~~((\\$91.00))~~ \$88.00 per bridge.

Ships 90' beam and/or over:

A charge of ~~((\\$256.00))~~ \$248.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street ~~((Bridge))~~ in Seattle and south of Eleventh Street ~~((Bridge))~~ in any of the Tacoma waterways. Any vessel movements required to transit through bridges shall have an additional charge of ~~((\\$179.00))~~ \$174.00 per bridge.

(The above charges shall not apply to transit of vessels from Shilshole Bay to the limits of Lake Washington.)

Two or three pilots required:

In a case where two or three pilots are employed for a single vessel waterway or bridge transit, the second and/or third pilot charge shall include the bridge and waterway charge in addition to the harbor shift rate.

| | |
|--|---|
| Compass adjustment | ((\\$255.00)) <u>\$247.00</u> |
| Radio direction finder calibration | ((\\$255.00)) <u>\$247.00</u> |
| Launching vessels | ((\\$384.00)) <u>\$372.00</u> |
| Trial trips, 6 hours of less (Minimum ((\\$720.00)) <u>\$696.00</u>) | ((\\$120.00)) <u>\$116.00</u> per hr. |
| Trial trips, over 6 hours (two pilots) | ((\\$240.00)) <u>\$233.00</u> per hr. |
| Shilshole Bay – Salmon Bay | ((\\$150.00)) <u>\$145.00</u> |
| Salmon Bay – Lake Union | ((\\$117.00)) <u>\$113.00</u> |
| Lake Union – Lake Washington (plus LOA zone from Webster Point) | ((\\$150.00)) <u>\$145.00</u> |
| Cancellation charge | LOA Zone I |

Cancellation charge— Port Angeles
(when a pilot is ordered and vessel proceeds to a port outside the Puget Sound pilotage district without stopping for pilot or when a pilot order is cancelled less than twelve hours prior to the original ETA.)

LOA Zone II

Docking delay after anchoring: ~~((\\$120.00))~~ \$116.00 per hr.

Applicable harbor shift rate to apply, plus ~~((\\$120.00))~~ \$116.00 per hour standby. No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is ~~((\\$120.00))~~ \$116.00 for every hour or fraction thereof.

Sailing delay: ~~((\\$120.00))~~ \$116.00 per hour

No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is ~~((\\$120.00))~~ \$116.00 for every hour or fraction thereof.

Slowdown: ~~((\\$120.00))~~ \$116.00 per hour

When a vessel chooses not to maintain its normal speed capabilities for reasons determined by the vessel and not the pilot, and when the difference in arrival time is one hour, or greater, from the predicted arrival time had the vessel maintained its normal speed capabilities, a charge of ~~((\\$120.00))~~ \$116.00 per hour, and each fraction thereof, will be assessed for the resultant difference in arrival time.

Tonnage charges:

0 to 20,000 gross tons:
Additional charge to LOA zone mileage of ~~((\\$0.0061))~~ \$0.0059 a gross ton for all gross tonnage up to 20,000 gross tons.

20,000 to 50,000 gross tons:
Additional charge to LOA zone mileage of ~~((\\$0.0620))~~ \$0.0601 a gross ton for all gross tonnage in excess of 20,000 gross tons up to 50,000 gross tons.

50,000 gross tons and up:
In excess of 50,000 gross tons, the charge shall be ~~((\\$0.0741))~~ \$0.0719 per gross ton.

For vessels where a certificate of international gross tonnage is required, the appropriate international gross tonnage shall apply.

Delayed arrival-Port Angeles: ~~((\\$120.00))~~ \$116.00 per hour

When a pilot is ordered for an arriving inbound vessel at Port Angeles and the vessel does not arrive within two hours of its ETA, or its ETA is amended less than six hours prior to the original ETA, a charge of ~~((\\$120.00))~~ \$116.00 for each hour delay, or fraction thereof, shall be assessed in addition to all other appropriate charges.

When a pilot is ordered for an arriving inbound vessel at Port Angeles and the ETA is delayed to six hours or more beyond the original ETA, a cancellation charge shall be assessed, in addition to all other appropriate charges, if the ETA was not amended at least twelve hours prior to the original ETA.

Transportation to vessels on Puget Sound:

| | |
|--------------------------|-----------|
| March Point or Anacortes | \$ 144.00 |
| Bangor | 84.00 |
| Bellingham | 158.00 |

PERMANENT

| | | Intra-Harbor | 0-30 Miles | 31-50 Miles | 51-75 Miles | 76-100 Miles | 101 Miles & Over |
|---|--------|--------------|------------|-------------|-------------|--------------|------------------|
| Bremerton | 44.00 | | | | | | |
| Cherry Point | 175.00 | | | | | | |
| Dupont | 85.00 | | | | | | |
| Edmonds | 27.00 | | | | | | |
| Everett | 52.00 | Up to 449 | 179 | 280 | 487 | 729 | 985 1280 |
| Ferndale | 173.00 | 450-459 | 186 | 287 | 490 | 740 | 1000 1286 |
| Manchester | 66.00 | 460-469 | 190 | 291 | 497 | 752 | 1015 1291 |
| Mukilteo | 52.00 | 470-479 | 195 | 299 | 504 | 768 | 1018 1294 |
| Olympia | 108.00 | 480-489 | 200 | 305 | 506 | 783 | 1024 1300 |
| Point Wells | 27.00 | 490-499 | 203 | 308 | 512 | 796 | 1036 1306 |
| Port Gamble | 77.00 | 500-509 | 213 | 313 | 521 | 806 | 1044 1315 |
| Port Townsend (Indian Island) | 109.00 | 510-519 | 216 | 320 | 526 | 818 | 1055 1319 |
| Seattle | 15.00 | 520-529 | 219 | 331 | 534 | 822 | 1064 1331 |
| Semiahmoo (Blaine) | 196.00 | 530-539 | 227 | 336 | 541 | 831 | 1082 1345 |
| Tacoma | 56.00 | 540-549 | 230 | 341 | 553 | 840 | 1099 1357 |
| Tacoma Smelter | 66.00 | 550-559 | 234 | 352 | 557 | 853 | 1106 1370 |
| Winslow | 42.00 | 560-569 | 243 | 366 | 567 | 860 | 1118 1384 |
| | | 570-579 | 249 | 370 | 571 | 863 | 1129 1393 |
| (a) Intraharbor transportation for the Port Angeles port area -transportation between Port Angeles pilot station and Port Angeles harbor docks - \$15.00. | | 580-589 | 260 | 377 | 584 | 871 | 1137 1408 |
| | | 590-599 | 271 | 384 | 587 | 875 | 1153 1423 |
| (b) Interport shifts: Transportation paid to and from both points. | | 600-609 | 280 | 396 | 595 | 878 | 1166 1430 |
| | | 610-619 | 298 | 400 | 606 | 882 | 1179 1443 |
| (c) Intraharbor shifts: Transportation to be paid both ways. If intraharbor shift is cancelled on or before scheduled reporting time, transportation paid one way only. | | 620-629 | 309 | 405 | 613 | 892 | 1192 1460 |
| | | 630-639 | 325 | 413 | 620 | 894 | 1201 1473 |
| | | 640-649 | 338 | 422 | 626 | 897 | 1214 1484 |
| (d) Cancellation: Transportation both ways unless notice of cancellation is received prior to scheduled reporting time in which case transportation need only be paid one way. | | 650-659 | 362 | 430 | 637 | 904 | 1228 1499 |
| | | 660-669 | 369 | 434 | 642 | 908 | 1241 1511 |
| | | 670-679 | 382 | 445 | 649 | 924 | 1255 1519 |
| (e) Any new facilities or other seldom used terminals, not covered above, shall be based on mileage x \$1.80 per mile. Delinquent payment charge: 1 1/2% per month after 45 days from first billing. | | 680-689 | 388 | 455 | 658 | 935 | 1266 1535 |
| | | 690-699 | 400 | 462 | 667 | 951 | 1280 1566 |
| | | 700-719 | 418 | 476 | 680 | 960 | 1304 1584 |
| | | 720-739 | 443 | 490 | 697 | 975 | 1331 1612 |
| Delinquent payment charge: 1 1/2% per month after 45 days from first billing. | | 740-759 | 462 | 512 | 712 | 985 | 1357 1640 |
| | | 760-779 | 480 | 531 | 727 | 1000 | 1384 1662 |
| Nonuse of pilots: Ships taking and discharging pilots without using their services through all Puget Sound and adjacent inland waters shall pay full pilotage fees on the LOA zone mileage basis from Port Angeles to destination, from place of departure to Port Angeles, or for entire distance between two ports on Puget Sound and adjacent inland waters. | | 780-799 | 504 | 554 | 740 | 1015 | 1408 1691 |
| | | 800-819 | 524 | 571 | 755 | 1020 | 1430 1716 |
| | | 820-839 | 541 | 590 | 773 | 1036 | 1460 1737 |
| | | 840-859 | 565 | 616 | 787 | 1048 | 1484 1768 |
| | | 860-879 | 585 | 637 | 802 | 1076 | 1511 1791 |
| | | 880-899 | 606 | 656 | 818 | 1101 | 1535 1818 |
| | | 900-919 | 624 | 676 | 832 | 1127 | 1566 1845 |
| LOA rate schedule | | 920-939 | 643 | 697 | 853 | 1153 | 1584 1868 |
| The following rate schedule is based upon distances furnished by National Oceanic and Atmospheric Administration, computed to the nearest half-mile and includes retirement fund contributions. | | 940-959 | 667 | 716 | 864 | 1179 | 1612 1892 |
| | | 960-979 | 683 | 737 | 880 | 1201 | 1640 1920 |
| | | 980-999 | 707 | 755 | 895 | 1228 | 1662 1944 |
| | | 1000 & over | 727 | 781 | 910 | 1255 | 1691 1971)) |

PERMANENT

((LOA ZONE I ZONE II ZONE III ZONE IV ZONE V ZONE VI

| LOA | ZONE I Intra Harbor | ZONE II 0-30 Miles | ZONE III 31-50 Miles | ZONE IV 51-75 Miles | ZONE V 76-100 Miles | ZONE VI 101 Miles & Over |
|-----------|------------------------|-----------------------|-------------------------|------------------------|------------------------|-----------------------------|
| Up to 449 | 174 | 272 | 472 | 707 | 955 | 1241 |
| 450 - 459 | 180 | 278 | 475 | 718 | 970 | 1247 |
| 460 - 469 | 184 | 282 | 482 | 729 | 984 | 1252 |
| 470 - 479 | 189 | 290 | 489 | 745 | 987 | 1255 |
| 480 - 489 | 194 | 296 | 491 | 759 | 993 | 1261 |
| 490 - 499 | 197 | 299 | 497 | 772 | 1005 | 1266 |
| 500 - 509 | 207 | 304 | 505 | 782 | 1012 | 1275 |
| 510 - 519 | 209 | 310 | 510 | 793 | 1023 | 1279 |
| 520 - 529 | 212 | 321 | 518 | 797 | 1032 | 1291 |
| 530 - 539 | 220 | 326 | 525 | 806 | 1049 | 1304 |
| 540 - 549 | 223 | 331 | 536 | 815 | 1066 | 1316 |
| 550 - 559 | 227 | 341 | 540 | 827 | 1073 | 1329 |
| 560 - 569 | 236 | 355 | 550 | 834 | 1084 | 1342 |
| 570 - 579 | 241 | 359 | 554 | 837 | 1095 | 1351 |
| 580 - 589 | 252 | 366 | 566 | 845 | 1103 | 1365 |
| 590 - 599 | 263 | 372 | 569 | 849 | 1118 | 1380 |
| 600 - 609 | 272 | 384 | 577 | 851 | 1131 | 1387 |
| 610 - 619 | 289 | 388 | 588 | 855 | 1143 | 1399 |
| 620 - 629 | 300 | 393 | 594 | 865 | 1156 | 1416 |
| 630 - 639 | 315 | 400 | 601 | 867 | 1165 | 1428 |
| 640 - 649 | 328 | 409 | 607 | 870 | 1177 | 1439 |
| 650 - 659 | 351 | 417 | 618 | 877 | 1191 | 1454 |
| 660 - 669 | 358 | 421 | 623 | 881 | 1203 | 1465 |
| 670 - 679 | 370 | 432 | 629 | 896 | 1217 | 1473 |
| 680 - 689 | 376 | 441 | 638 | 907 | 1228 | 1489 |
| 690 - 699 | 388 | 448 | 647 | 922 | 1241 | 1519 |
| 700 - 719 | 405 | 462 | 659 | 931 | 1265 | 1536 |
| 720 - 739 | 430 | 475 | 676 | 945 | 1291 | 1563 |
| 740 - 759 | 448 | 497 | 690 | 955 | 1316 | 1590 |
| 760 - 779 | 465 | 515 | 705 | 970 | 1342 | 1612 |
| 780 - 799 | 489 | 537 | 718 | 984 | 1365 | 1640 |
| 800 - 819 | 508 | 554 | 732 | 989 | 1387 | 1664 |
| 820 - 839 | 525 | 572 | 750 | 1005 | 1416 | 1684 |
| 840 - 859 | 548 | 597 | 763 | 1016 | 1439 | 1714 |
| 860 - 879 | 567 | 618 | 778 | 1043 | 1465 | 1737 |
| 880 - 899 | 588 | 636 | 793 | 1068 | 1489 | 1763 |
| 900 - 919 | 605 | 656 | 807 | 1093 | 1519 | 1789 |
| 920 - 939 | 624 | 676 | 827 | 1118 | 1536 | 1811 |
| 940 - 959 | 647 | 694 | 838 | 1143 | 1563 | 1835 |
| 960 - 979 | 662 | 715 | 853 | 1165 | 1590 | 1862 |
| 980 - 999 | 686 | 732 | 868 | 1191 | 1612 | 1885 |

| LOA | ZONE I Intra Harbor | ZONE II 0-30 Miles | ZONE III 31-50 Miles | ZONE IV 51-75 Miles | ZONE V 76-100 Miles | ZONE VI 101 Miles & Over |
|-------------|------------------------|-----------------------|-------------------------|------------------------|------------------------|-----------------------------|
| 1000 & over | 705 | 757 | 882 | 1217 | 1640 | 1911 |

WSR 98-12-015
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Filed May 22, 1998, 4:17 p.m.]

Date of Adoption: May 1, 1998.

Purpose: The purpose of the fee increases contained in WAC 246-296-990 and 246-292-160 is to provide revenue that will assist the Division of Drinking Water in meeting its operating costs. The total revenue that the program obtains from the current fees is less than its expenditures from providing the services. In addition, revenue is needed to support the preparation and implementation activities associated with undertaking the operator certification requirements mandated in the reauthorized federal Safe Drinking Water Act.

Citation of Existing Rules Affected by this Order: Amending WAC 246-292-160.

Statutory Authority for Adoption: RCW 43.20B.020.

Adopted under notice filed as WSR 98-07-082 on March 17, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 19, 1998

Bruce Miyahara

Secretary

AMENDATORY SECTION (Amending WSR 94-04-004, filed 1/20/94, effective 2/20/94)

WAC 246-292-160 Water works certification fees. (1)

Operator fees:

(a) Applicable fees shall be as indicated in Table 2;

PERMANENT

Table 2
WATER WORKS OPERATOR FEES

| OPERATOR CLASSIFICATION | APPLICATION FEE | REAPPLICATION FEE | ANNUAL RENEWAL FEE | LATE FEE |
|-------------------------|--------------------------------------|---------------------------------|-------------------------------------|-------------------------------------|
| WTPO | ((\$50.00)) \$ 52.00 | \$ 25.00 \$ 26.00 | \$ 25.00 * \$ 26.00 * | \$ 25.00 * \$ 26.00 * |
| WDM | ((\$50.00)) \$ 52.00 | \$ 25.00 \$ 26.00 | \$ 25.00 * \$ 26.00 * | \$ 25.00 * \$ 26.00 * |
| WDS | ((\$50.00)) \$ 52.00 | \$ 25.00 \$ 26.00 | \$ 25.00 * \$ 26.00 * | \$ 25.00 * \$ 26.00 * |
| CCS | ((\$30.00)) \$ 31.00 | \$ 25.00 \$ 26.00 | \$ 25.00 * \$ 26.00 * | \$ 25.00 * \$ 26.00 * |
| BAT | ((\$30.00)) \$ 31.00 | \$ 25.00 \$ 26.00 | \$ 25.00 \$ 26.00 | \$ 25.00 \$ 26.00 |
| BTO | ((\$30.00)) \$ 31.00 | \$ 25.00 \$ 26.00 | \$ 25.00 \$ 26.00 | \$ 25.00 \$ 26.00 |

* The annual renewal fee and late fee for a WTPO, WDM, WDS and CCS certification shall be ~~((twenty-five))~~ twenty-six dollars regardless of the number of classifications held.

(b) A late fee shall be assessed to operators failing to submit the required fee within the time period specified on the renewal form; and

(c) The fee for application for reciprocity shall be one hundred four dollars per classification.

(2) Group A system fees:

(a) Applicable fees shall be as indicated in Table 3.

Table 3
ANNUAL SYSTEM CERTIFICATION FEES

| SYSTEM SIZE * (Number of Equivalent Services) | SYSTEM FEE |
|--|-------------------------------------|
| Less than 601 Services | ((\$75.00)) \$ 78.00 |
| 601 through 6,000 Services | ((\$225.00)) \$ 234.00 |
| 6,001 through 20,000 Services | ((\$300.00)) \$ 312.00 |
| More than 20,000 Services | ((\$450.00)) \$ 468.00 |

* Systems designated by the department as approved satellite management agencies (SMAS) shall pay a fee based on total services in all systems owned by the SMA.

(b) Group A system fees shall be paid in conjunction with the system's annual operating permit fee required in chapter 246-294 WAC.

(c) A late fee shall be assessed against any system not submitting the applicable fee to the department within the designated time period. The late fee shall be based on the water system's classification and shall be an additional ten percent of the applicable system fee or ~~((twenty-five))~~ twenty-six dollars, whichever is greater.

(d) The system fee for issuance of a temporary certificate shall be ~~((fifty))~~ fifty-two dollars for each temporary position.

(3) Fees shall be nonrefundable and transfers of fees shall not be allowed.

(4) Payment of fees required under this chapter shall be in the form of a check or money order made payable to the department of health and shall be mailed to Department of Health, P.O. Box 1099, Olympia, Washington 98507-1099, or such successor organization or address as designated by the department.

WSR 98-12-016

PERMANENT RULES

DEPARTMENT OF ECOLOGY

[Order 97-45—Filed May 26, 1998, 1:55 p.m.]

Date of Adoption: May 22, 1998.

Purpose: This rule certifies a practical alternative to grass seed field burning of field and turf grasses grown for seed and identifies where this alternative is reasonably available. Where this alternative is reasonably available, the farmer will no longer be able to burn grass seed fields.

Citation of Existing Rules Affected by this Order: Amending chapter 173-430 WAC, Agricultural burning.

Statutory Authority for Adoption: RCW 70.94.656.

Adopted under notice filed as WSR 98-08-079 on March 31, 1998.

Changes Other than Editing from Proposed to Adopted Version:

PERMANENT

| Section | Change | Reason |
|------------|---|---------------|
| 040 (4)(e) | Exemptions to additional requirements for burning of field and turf grasses grown for seed ((d)) of this subsection). A farmer may request an exemption for extraordinary circumstances, such as property where a portion(s) of the field is oddly shaped or where the slope is extremely steep. This provision does not apply to <u>WAC 173-430-045 section 045</u> - Alternatives to burning field and/or turf grasses grown for seed. Under this subsection, relief from the acreage/emissions reduction requirements of (d) of this subsection shall be limited to no more than five percent of the acreage in production on May 1, 1996, and is also subject to the following provisions: | Clarification |
| 040 (4)(f) | This provision does not apply to WAC 173-430-045 Alternatives to burning field and/or turf grasses grown for seed. | Clarification |
| 045(3) | Based on this conclusion, the open burning of field and/or turf grasses grown for seed is prohibited. Open burning of field and/or turf grasses grown for seed may be allowed under circumstances <u>except</u> as described in <u>subSection 4 below of this section</u> . | Clarification |

| Section | Change | Reason |
|----------------|--|--------------------------------|
| 045 (a)(i) | Why mechanical residue management is not reasonably available, referring to specific facts supporting this belief. <u>Unacceptable facts include but are not limited to general statements about burning as a tool for the routine control of weed and disease, for seed propagation purposes, or as a less costly alternative to mechanical residue management.</u> | Clarification Added example |
| 045 (4)(a)(v) | <u>The ground or portions of the field will remain, without replanting, in grass production at least through the next harvest season following burning:</u> | Clarification |
| 045 (4)(a)(vi) | <u>All residue from any neighboring fields or portions of fields, under the control of the grower, will be removed prior to burning and that reasonable precautions will be taken to prevent fire from spreading to areas where burning is not allowed; and</u> | Clarification |
| 045 (4)(b) | Where a farmer establishes that extreme field conditions exist. Ecology or a local air authority, at their discretion, may grant a waiver for extreme field conditions. The farmer must certify in writing the following: | Clarification |
| 045 (4)(b)(i) | Why mechanical residue management is not reasonably available, referring to specific facts supporting this belief. <u>Unacceptable facts include but are not limited to general statements about burning as a tool for the routine control of weed and disease, for seed propagation purposes, or as a less costly alternative to mechanical residue management.</u> | Clarification Added example |
| 045 (4)(b)(ii) | He/she did not cause or create the field condition to purposefully avoid using mechanical residue management techniques. | |
| 045 (4)(b)(vi) | <u>All residue from any neighboring fields or portions of fields, under the control of the grower, will be removed prior to burning and that reasonable precautions will be taken to prevent fire from spreading to areas where burning is not allowed; and</u> | Clarification |
| 045 (4)(c) | Where a farmer demonstrates to ecology or a local air authority that his/her small farm <u>agricultural operation</u> is eligible for mitigation. For 1998 only, ecology or a local air authority may allow burning on a small farm <u>agricultural operation</u> . A small farm <u>agricultural operation</u> owner has a gross 1997 revenue from all farm <u>agricultural operations</u> of less than \$300,000. <u>A farmer must show information of sufficient quantity and quality to ecology or a local air authority to establish gross revenue from agricultural operations.</u> A small farm <u>agricultural operation</u> owner may burn current acreage up to 25% of 1997 acreage under a valid permit. Fields taken out of production <u>after the 1997 harvest season and in 1998 cannot be counted in the determination of 1997 acreage burned for the purpose of eligible burn acreage.</u> | Clarification |
| 045 (4)(d) | Total burn <u>acres</u> granted must not exceed 1/3 of a farmer's acreage in production on May 1, 1996. Permits issued pursuant to (a), (b), or (c) of <u>this subsection</u> are not eligible for the permit trading program identified in <u>section WAC 173-430-040</u> of this regulation. | Clarification |
| 045 (5)(a) | Sixty days prior to the planned burn date, a farmer must submit in writing a request to ecology or a local air authority. In the request, the farmer must identify the circumstances and meet the specific requirements of subsection (4)(a), (b), and/or (c) of <u>this section</u> . <u>Ecology or a local air authority may require the request to be submitted on a form or in a format provided by ecology or the local air authority.</u> | Clarification and explanation |

PERMANENT

PERMANENT

| Section | Change | Reason |
|-----------|--|---|
| 45 (5)(b) | <p>Upon receiving a request for a waiver, ecology or <u>the</u> local air authority will determine if the necessary documents and information provided is complete enough to evaluate the request. If incomplete, ecology or the local air authority will advise the farmer and suspend further evaluation until the request for a waiver is complete. <u>The documents and information identified as necessary to complete the request must be delivered to ecology or the local air authority at least thirty days (30 days) prior to burning.</u> Once a request for a waiver is deemed complete, ecology or <u>the</u> local air authority will evaluate the request and decide whether or not a <u>the permit waiver</u> is appropriate. As part of the evaluation, ecology or <u>the</u> local air authority <u>will may</u> conduct an on-site inspection.</p> | <p>Clarification</p> <p>Clarification on the process when necessary information is required.</p> <p>Clarification</p> |

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 22, 1998

Tom Fitzsimmons

Director

(4) **Best management practice:** Means the criteria established by the agricultural burning practices and research task force (Ag task force).

(5) **Certify:** Means to declare in writing, based on belief after reasonable inquiry, that the statements and information provided are true, accurate, and complete.

(6) **Department:** Means the department of ecology.

((6)) (7) **Farmer:** Means any person engaged in the business of growing or producing for sale upon their own lands, or upon the land in which they have a present right of possession, any agricultural product. Farmer does not mean persons using such products as ingredients in a manufacturing process, or persons growing or producing such products primarily for their own consumption.

((7)) (8) **Open burning:** Means all forms of burning except those listed as exempt in WAC 173-425-020.

((8)) (9) **Permitting authority:** Means a local air authority (and the department where no local air authority exists) or their delegate. Conservation districts, counties, fire districts, or fire protection agencies may receive delegation for all or portions of the agricultural burning permit program as identified in a delegation agreement. The permitting authority will issue agricultural burning permits for a given locale.

((9)) (10) **Silvicultural burning:** Means burning on any land the department of natural resources protects per RCW 70.94.030(13), 70.94.660, 70.94.690, and pursuant to chapter 76.04 RCW.

AMENDATORY SECTION (Amending Order 94-17, filed 1/17/95, effective 2/17/95)

WAC 173-430-030 Definition of terms. The definitions of terms contained in chapter 173-400 WAC are incorporated into this chapter by reference. Unless a different meaning is clearly required by context, the meanings of the following words and phrases used in this chapter are listed below.

(1) **Agricultural burning:** Means the burning of vegetative debris from an agricultural operation necessary for disease or pest control, necessary for crop propagation and/or crop rotation, or where identified as a best management practice by the agricultural burning practices and research task force established in RCW 70.94.650 or other authoritative source on agricultural practices.

(2) **Agricultural operation:** Means a farmer who can substantiate that the operation is commercial agriculture by showing the most recent year's IRS schedule F form or proof that the land is designated in a classification for agricultural use. It also includes burning conducted by irrigation district or drainage district personnel as part of water system management.

(3) **Ag task force:** Means the agricultural burning practices and research task force.

AMENDATORY SECTION (Amending Order 96-05, filed 1/7/97, effective 2/7/97)

WAC 173-430-040 Agricultural burning requirements. (1) Agricultural burning is allowed when it is reasonably necessary to carry out the enterprise. A farmer can show it is reasonably necessary when it meets the criteria of the best management practices and no practical alternative is reasonably available.

(2) All agricultural burning requires a permit.

(a) To qualify for an agricultural burning permit the farmer must be an agricultural operation or government entity with specific agricultural burning needs, such as irrigation districts, drainage districts, and weed control boards.

(b) A farmer must fill out the information requested on a permit application (or the permit) and return it to the permitting authority.

(i) The permitting authority may require the farmer to fill out an application prior to issuing a permit.

(ii) The application must describe the reason for burning and include at least the following information: Name and address of the person or corporation responsible for the burn, the specific location (county; legal description: Range, section, township, block and unit number), the crop type, the type or size of the burn, directions to the burn, specific reason for the burn, the target date for burning, and any additional information required by the permitting authority. Each permitting authority may require additional information on the application.

(iii) All applications must comply with other state or local regulations.

(c) The permitting authority must evaluate the application, if there is one, and approve the permit prior to burning.

(d) Local air agencies (and the department where no local air agency exists) may issue permits for appropriate agricultural burning activities in nonattainment and urban growth areas.

(3) All agricultural burning permits require a fee. After January 1, 1995, the fee is the greater of:

(a) A minimum fee of twenty-five dollars per year per farm based on burning up to ten acres or equivalent which will be used as follows: Twelve dollars and fifty cents of which goes to the agricultural burning research fund and the remainder will be kept by the permitting authority to cover the costs of administering and enforcing this regulation; or

(b) A variable fee based on the acreage or equivalent of agricultural burning which will be used as follows: Up to one dollar per acre for applied research, twenty-five cents per acre for ecology administration and up to one dollar and twenty-five cents per acre for local permit program administration.

(i) Local permitting program administration. One portion of the fee shall cover the permitting authority's costs of administering and enforcing the program. The permitting authority may set the fee as an amount per farm per year, a set amount per fire, or a set rate no greater than one dollar and twenty-five cents per acre burned. The permitting authority must establish this portion of the fee by an appropriate, public process such as a local rule, ordinance, or resolution. In areas of the state where the department is the permitting authority this portion of the fee shall be one dollar and twenty-five cents per acre burned.

(ii) Ecology administration. Another portion of the fee shall be twenty-five cents per acre burned and cover the state-wide administrative, education, and oversight costs of the department. The amount (if any) by which the annual total, of this portion of the fee, exceeds the annual state-wide administrative, education, and oversight costs shall be deposited in the agricultural burning research fund of the air pollution control account.

(iii) Research fund. A final portion, the agricultural burning applied research portion, of the fee shall be no greater than one dollar per acre burned. The amount assessed may be less than one dollar per acre burned as periodically determined by the Ag task force based on applied research needs, regional needs and the research fund budget. The research portion of the fee assessed shall be fifty cents per acre burned

starting in calendar year 1995. The Ag task force may also establish discounted assessment rates based on the use of best management practices.

(c) A farmer must pay the fee prior to receiving a permit. Refunds are allowed for portions not burned provided the adjusted fee after subtracting refunds is no less than twenty-five dollars.

(d) The agricultural burning practices and research task force may set acreage equivalents, for nonfield style agricultural burning practices, based on the amount of emissions relative to typical field burning emissions. Any acreage equivalents, established by rule, shall be used in determining fees. For agricultural burning conducted by irrigation or drainage districts, each mile of ditch (including banks) burned is calculated on an equivalent acreage basis.

(4) All agricultural burning permits must be conditioned to minimize air pollution.

(a) A farmer must comply with the conditions on the agricultural burning permit.

(b) For purposes of protecting public health (not eliminating agricultural burning), if an area exceeds or threatens to exceed unhealthy air pollution levels, the permitting authority may limit the number of acres, on a pro rata basis, or as provided by RCW 70.94.656.

(c) Permits must be conditioned to minimize emissions insofar as practical, including denial of permission to burn during periods of adverse meteorological conditions. Additional requirements for burning of field and turf grasses grown for seed. The department of ecology will proceed with the process to certify alternatives to burning as identified in RCW 70.94.656(3). In addition to the certification process, ecology is also limiting the number of acres allowed to be burned as specified in RCW 70.94.656(4). Without regard to any previous burn permit history, in 1996, each farmer shall be limited to burning the greater of:

(i) Two-thirds of the number of acres the farmer burned under a valid permit issued in 1995; or

(ii) Two-thirds of the number of acres in grass seed production on May 1, 1996. "In production" means planted, growing and under the control of the farmer.

(d) Additional requirements for burning of field and turf grasses grown for seed. Beginning in 1997 and until approved alternatives become available, each farmer shall be limited to burning no more than one-third of the number of acres in grass seed production on May 1, 1996. "In production" means planted, growing and under the control of the farmer.

(e) Exemptions to additional requirements for burning of field and turf grasses grown for seed ((d) of this subsection). A farmer may request an exemption for extraordinary circumstances, such as property where a portion(s) of the field is oddly shaped or where the slope is extremely steep. This provision does not apply to WAC 173-430-045 Alternatives to burning field and/or turf grasses grown for seed. Under this subsection, relief from the acreage/emissions reduction requirements of (d) of this subsection shall be limited to no more than five percent of the acreage in production on May 1, 1996, and is also subject to the following provisions:

(i) The exemption request must be certified by an agronomic professional;

(ii) The farmer must be able to show full compliance with the emissions reductions in (d) of this subsection for the acreage not exempted; and

(iii) The farmer must be in full compliance with permit requirements for other crops under WAC 173-430-040.

(f) The department of ecology or local air authority may provide for trading of permits using the method described in (f)(i), (ii), (iii), (iv), (v), and (vi) of this subsection. This trading system uses a straight transfer of acres, a transfer requiring mandatory compensation, or a combination of both. If ecology or the local air authority finds that emissions resulting from trading are creating a health impact, as defined by ecology or the local air authority, the trading system, once created, may be dissolved. This provision does not apply to WAC 173-430-045 Alternatives to burning field and/or turf grasses grown for seed.

(i) Ecology or the local air authority may develop a system that allows the trading of permits by:

(A) Adding a signed transfer line to the written permit that provides for a signature for the current holder of the permit;

(B) Providing a tracking system that identifies the current holder of the permit, that identifies when the permit was last used to allow burning of acreage, and that allows the name of the holder to be changed if the transfer line is signed by the current holder;

(C) Requiring that the new holder of the permit must turn in the permit with the signed transfer line at least sixty days before the new holder plans to burn; and

(D) Assuring that the permits are used only once in a calendar year.

(ii) By signing the transfer line on the permit the permit holder must indicate that he or she understands that the acres transferred may no longer be burned, that a permit for the acres transferred will not be issued to the signing permit holder in future years, and that the acres being transferred were not already burned during the calendar year during which the transfer takes place.

(iii) Ecology and the local air authorities may add restrictions to the transfer of permits closer to areas with higher population densities.

(iv) Only permits for acreage which has not yet been burned may be transferred or traded. The seller of the permit is responsible for permanently reducing the acreage burned by the amount of acreage transferred from January 1 of the year during which the transaction takes place.

(v) Acreage that is exempted under (e) of this subsection is not eligible for the trading system.

(vi) The authorities are encouraged to work together to use the same system and to allow trading between authority jurisdictions so as to allow the grass seed growers to adjust to the two-thirds overall reduction in acres permitted for burning as easily as possible.

(g) Measurement for emission reduction for grass seed field and turf grass. Ecology will use acres as the basis for determining emission reductions as provided by RCW 70.94.656, until another method(s) is shown to be better and meets with the intent of RCW 70.94.656(4). Ecology will investigate alternate methods, as they become available. If ecology finds that an alternate method is appropriate and

meets the criteria, it may certify this method using an administrative order.

(h) Alternate open burning practices for field and turf grass grown for seed. Ecology acknowledges that there may be practices that involve some burning, but which produce emissions quantifiably below those of open field burning. If ecology finds that a practice involves open burning and still substantially reduces emissions below open field burning, ecology may certify the alternate burning practice(s) by administrative order. Any certified practice may be used to satisfy the acreage/emissions reduction requirements of (d) of this subsection provided:

(i) The acreage application of the practice is adjusted to reflect effectiveness in reducing emissions so as to meet or exceed the emissions reduction required by (d) of this subsection; and

(ii) In no case shall the emission reduction requirement for the field and turf grass grown for seed be less than that required in (d) of this subsection.

(5) Other laws. A farmer must obtain any local permits, licenses, or other approvals required by any other laws, regulations, or ordinances. The farmer must also honor other agreements entered into with any federal, state, or local agency.

NEW SECTION

WAC 173-430-045 Alternatives to burning field and/or turf grasses grown for seed. (1) When is open burning of field and turf grasses grown for seed prohibited?

The Washington Clean Air Act prohibits open burning of field and turf grasses grown for seed whenever ecology has concluded, through a process spelled out in the act, that any procedure, program, technique, or device constitutes a practical alternate agricultural practice to open burning, and that alternate is reasonably available.

(2) Has ecology certified practical alternatives to open burning of field or turf grasses grown for seed?

Yes. Ecology concludes that mechanical residue management constitutes a practical alternate agricultural practice to the open burning of field and/or turf grasses grown for seed. Mechanical residue management means removing, including arranging for removal of, the residue using non-thermal, mechanical techniques including, but not limited to: Tilling, swathing, chopping, baling, flailing, mowing, raking, and other substantially similar nonthermal, mechanical techniques. Ecology further concludes that mechanical residue management is practical throughout all phases of seed production including:

(a) When the field is planted (establishment);

(b) When the field is producing seed (harvest years);

(c) When the field is prepared for replanting (tear-out).

(3) Are the alternatives to open burning that have been certified by ecology reasonably available?

Ecology concludes that mechanical residue management is reasonably available throughout the state wherever baling can be used. Baling is the process of gathering the residue and moving it off the field. Typically, a machine known as a "baler" is used to gather and bundle residue that is already cut.

Based on this conclusion, the open burning of field and/or turf grasses grown for seed is prohibited except as described in subsection (4) of this section. This rule does not require the use of any particular practice or technique. A farmer may use any alternate practice that does not involve field burning.

(4) Under what circumstances may open burning of field or turf grasses grown for seed be allowed?

(a) Where a farmer establishes that mechanical residue management is not reasonably available on specific portions of a field under specific production conditions due to slope. In a request for a waiver, a farmer must certify in writing to ecology or local air authority the following:

(i) Baling is not reasonably available due to slope. A farmer must explain why baling is not reasonably available, referring to specific facts supporting this belief. Unacceptable facts include, but are not limited to, general statements about burning as a tool for the routine control of weed and disease, for seed propagation purposes, or as a less costly alternative to mechanical residue management. A farmer may use statements from three separate businesses providing baling services as part of their commercial operation to support the belief that baling is not reasonably available due to slope. In the statements, the businesses must certify that they are independent from the farmer and have no financial interest in the farmer's operation;

(ii) Current harvest practices have not diminished the ability to use mechanical residue management;

(iii) Field production is after the first harvest season and prior to the fourth harvest season;

(iv) The ground or portions of the field have not been burned three years in a row in the three years preceding the request for a waiver;

(v) The ground or portions of the field will remain, without replanting, in grass production at least through the next harvest season following burning;

(vi) Residue from any neighboring fields or portions of fields under the control of the farmer will be removed prior to burning and reasonable precautions will be taken to prevent fire from spreading to areas where burning is not allowed; and

(vii) Adjustments in field rotations and locations cannot be made at any time during the rotational cycle and could not have been made when planted to allow the use of mechanical residue management techniques.

(b) Where a farmer establishes that extreme conditions exist. Ecology or a local air authority, at their discretion, may grant a request for a waiver for extreme conditions. The farmer must certify in writing the following:

(i) Why mechanical residue management is not reasonably available, referring to specific facts supporting this belief. Unacceptable facts include, but are not limited to, general statements about burning as a tool for the routine control of weed and disease, for seed propagation purposes, or as a less costly alternative to mechanical residue management;

(ii) He/she did not cause or create the condition to purposefully avoid using mechanical residue management techniques;

(iii) Field production is after the first harvest season and prior to the fourth harvest season;

(iv) The ground or portions of the field have not been burned three years in a row in the three years preceding the request for a waiver;

(v) The field will remain, without replanting, in grass production at least through the next harvest season following burning;

(vi) Residue from any neighboring fields or portions of fields under the control of the farmer will be removed prior to burning and that reasonable precautions will be taken to prevent fire from spreading to areas where burning is not allowed; and

(vii) Adjustments in field rotations and locations cannot be made at any time during the rotational cycle, and could not have been made when planted to allow the use of mechanical residue management techniques.

(c) Where a farmer demonstrates to ecology or local air authority that his/her small agricultural operation is eligible for mitigation.

For 1998 only, ecology or a local air authority may allow burning on a small agricultural operation. A small agricultural operation owner has a gross 1997 revenue from all agricultural operations of less than \$300,000. A farmer must show information of sufficient quantity and quality to ecology or a local air authority to establish gross revenue from agricultural operations. A small farm owner may burn current acreage up to 25% of 1997 acreage burned under a valid permit. Fields taken out of production after the 1997 harvest season and in 1998 cannot be counted in the determination of 1997 acreage burned for the purpose of eligible burn acreage.

(d) Where a request for a waiver is approved under (a), (b), and (c) of this subsection, the following additional limitations also apply:

Total burn acreage must not exceed 1/3 of a farmer's acreage in production on May 1, 1996. Permits issued pursuant to (a), (b), or (c) of this subsection are not eligible for the permit trading program identified in WAC 173-430-040.

(5) What is the process for a farmer to request a waiver for circumstances described in subsection (4) of this section?

(a) A farmer submits a request for a waiver.

Sixty days prior to the planned burn date, a farmer must submit in writing a request to ecology or a local air authority. In the request, the farmer must identify the circumstances and meet the specific requirements of subsection (4)(a), (b), and/or (c) of this section. Ecology or the local air authority may require the request to be submitted on a form or in a format provided by ecology or the local air authority.

(b) Ecology or local air authority evaluates the request for a waiver.

Upon receiving a request for a waiver, ecology or the local air authority will determine if the necessary documents and information provided is complete enough to evaluate the request. If incomplete, ecology or local air authority will advise the farmer and suspend further evaluation until the request for a waiver is complete. The documents and information identified as necessary to complete the request must be delivered to ecology or the local air authority at least thirty days prior to burning. Once a request for a waiver is deemed complete, ecology or the local air authority will evaluate the request and decide whether the burning waiver is appropriate.

As part of the evaluation, ecology or the local air may conduct an on-site inspection.

If ecology or local air authority denies a request for a waiver, the reasons will be provided to the farmer in writing. If approved, ecology or the local air authority will notify the farmer by convenient means. Ecology will also notify the appropriate delegated authority.

(c) The farmer applies for an agricultural burning permit.

If ecology or local air authority approves a request for a waiver, the farmer must complete a permit application and pay the fee as described in WAC 173-430-040. A delegated authority must receive written authorization from ecology that a waiver has been approved prior to processing a permit application.

WSR 98-12-020
PERMANENT RULES
BOARD OF ACCOUNTANCY
[Filed May 27, 1998, 2:20 p.m.]

Date of Adoption: April 17, 1998.

Purpose: To amend rule to add the definition of the term "attest services" as it applies to Washington state regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 4-25-410 Definitions.

Statutory Authority for Adoption: RCW 18.04.055(11).

Adopted under notice filed as WSR 98-01-224 on December 24, 1997.

Changes Other than Editing from Proposed to Adopted Version: Added the language "by a certified public accountant" to the definition of attest services.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 26, 1998

Dana M. McInturff, CPA
Executive Director

AMENDATORY SECTION (Amending WSR 94-23-071, filed 11/15/94, effective 12/16/94)

WAC 4-25-410 Definitions. For purposes of these rules the following terms have the meanings indicated:

(1) "Act" means the Public Accountancy Act codified as chapter 18.04 RCW.

(2)(a) "Audit," "review," and "compilation" are terms reserved by the public accountancy profession to identify forms of reports on financial statements that express differing levels of assurance. Professional standards setting bodies, such as the American Institute of Certified Public Accountants (AICPA), specify form and content of these reports.

(b) "Attest services" include services performed by a certified public accountant in accordance with generally accepted auditing standards, standards for attestation engagements and standards for accounting and review services.

(3) "Board" means the board of accountancy created by RCW 18.04.035.

(4) "Certificate" means a certificate as a certified public accountant issued under this chapter, or a corresponding certificate issued by another state or foreign jurisdiction that is recognized in accordance with the reciprocity provisions of RCW 18.04.180 and 18.04.183. "Valid CPA certificate" means the holder has fully complied with continuing professional education requirements or the board has granted specific exemption from continuing professional education requirements, with or without restricting use of the CPA title.

(5) "Client" means the person or entity that retains a CPA, through other than an employer/employee relationship, for the performance of professional services.

(6) "CPE" means continuing professional education (see also "Interactive CPE").

(7) "Enterprise" means any person or entity, whether organized for profit or not, with respect to which a CPA performs professional services.

(8) "Firm" means a sole proprietorship, a corporation, a limited liability company, or a partnership.

(9) "Generally accepted accounting principles" (GAAP) is a technical accounting term that encompasses the conventions, rules, and procedures necessary to define accepted accounting practice at a particular time. It includes not only broad guidelines of general application, but also detailed practices and procedures. Those conventions, rules, and procedures provide a standard by which to measure financial presentations.

(10) "Generally accepted auditing standards" (GAAS) are broad conceptual guidelines, promulgated by the American Institute of Certified Public Accountants (AICPA), for conducting individual audits of historical financial statements. They include general standards, standards of field work, and reporting standards.

(11) "Holding out" means any representation to the public by the use of restricted titles as set forth in RCW 18.04.-345 by a person or firm that the person or firm is a certified public accountant and that the person or firm offers to perform any professional services to the public as a certified public accountant. "Holding out" shall not affect or limit a person not required to hold a certificate under this chapter or a person or firm not required to hold a license under this chapter from engaging in practices identified in RCW 18.04.350(6).

(12) "Interactive self-study program" means a CPE program designed to use interactive learning methodologies that simulate a classroom learning process by employing software

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or administrative systems that provide significant ongoing interactive feedback to learners regarding their learning progress.

(13) "Licensee" means the holder of a valid license issued under chapter 18.04 RCW.

(14) "Public practice" or the "practice of public accounting" means performing or offering to perform by a person or firm holding itself out to the public as a licensee, for a client or potential client, one or more kinds of services involving the use of accounting or auditing skills, including the issuance of "audit reports," "review reports," "compilation reports," or "attestation reports" on financial statements, or one or more kinds of management advisory, or consulting services, or the preparation of tax returns, or the furnishing of advice on tax matters.

(15) "Quality assurance review" (QAR) means a process, established by and conducted at the direction of the board, of study, appraisal, or review of one or more aspects of the professional work of a person or firm in the practice of public accountancy, by a person or persons who hold certificates and who are not affiliated with the person or firm being reviewed.

(16) "Quality review" means a study, appraisal, or review of one or more aspects of the professional work of a person or firm in the practice of public accountancy, by a person or persons who hold certificates and who are not affiliated with the person or firm being reviewed, including a peer review, or any internal review or inspection intended to comply with quality control policies and procedures but not including a "quality assurance review."

(17) "Reciprocity" means board recognition of certificates or other professional accounting credentials that the board will rely upon in full or partial satisfaction of CPA certification requirements. This board may grant reciprocity, by rule, to CPAs from other states or to certain professional accountants from countries whose credentials are recognized by this board. Board recognition of professional credentials issued by other state accountancy boards or foreign credentialing bodies is conditioned on those bodies' agreements to grant reciprocity to this board's licensees.

(18) "Reports on financial statements" means any reports or opinions prepared by certified public accountants, based on services performed in accordance with generally accepted auditing standards, standards for attestation engagements, or standards for accounting and review services, as to whether the presentation of information used for guidance in financial transactions or for accounting for or assessing the status or performance of commercial and noncommercial enterprises, whether public, private, or governmental, conforms with generally accepted accounting principles or other comprehensive bases of accounting. The term does not include incidental financial data included in management advisory services reports to support recommendations to a client.

(19) "Rules of professional conduct" means principles and rules adopted by the board to govern CPAs' conduct while representing themselves to others as CPAs. The rules apply to CPAs whether engaged in public practice or otherwise engaged in providing professional services while using the CPA title.

(20) "Statements on standards for accounting and review services" (SSARS) are standards, promulgated by the American Institute of Certified Public Accountants (AICPA), to give guidance to CPAs who are associated with the financial statements of nonpublic companies and issue compilation or review reports.

(21) "Statements on standards for attestation engagements" are guidelines, promulgated by the American Institute of Certified Public Accountants (AICPA), for use by CPAs in attesting to assertions involving matters other than historical financial statements and for which no other standards exist.

WSR 98-12-021

PERMANENT RULES

BOARD OF ACCOUNTANCY

[Filed May 27, 1998, 2:22 p.m.]

Date of Adoption: April 17, 1998.

Purpose: Lists the records maintained by the agency that are available for public inspection or copying and notifies the public of records (lists of individuals for commercial purposes) which are exempt from access; to comply with the requirement of RCW 42.17.260 that each agency, for informational purposes, publish a listing of records that are available for public inspection and copying.

Citation of Existing Rules Affected by this Order: Amending WAC 4-25-520 What public records does the board maintain?

Statutory Authority for Adoption: RCW 18.04.055.

Other Authority: RCW 42.17.260.

Adopted under notice filed as WSR 98-01-225 on December 24, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 27, 1998

Dana M. McInturff, CPA
Executive Director

AMENDATORY SECTION (Amending WSR 93-14-050, filed 6/29/93, effective 7/30/93)

WAC 4-25-520 ((Index of public records available))

What public records does the board maintain? ((1) The board maintains the following records:

(a) ~~A data base file of every Washington certified public accountant. This file contains each certified public accountant's name, address, certificate type and number, certificate issue date, and certificate status;~~

(b) ~~A data base file of certified public accountant examination candidates. This file contains each candidate's name, address, and candidate identification numbers;~~

(c) ~~A data base file of certified public accountant firms. This file contains each firm's name, ownership, address, license status, and license number;~~

(d) ~~A data base file of final orders, declaratory rulings, interpretations, and policy statements abstracted from board meeting minutes;~~

(e) ~~Formal disciplinary orders of the board;~~

(f) ~~Board meeting minutes;~~

(g) ~~Tape recordings of board meetings for the previous six months;~~

(h) ~~Board policy manual;~~

(i) ~~Board rules files;~~

(j) ~~Certified public accountants' continuing education reports and continuing education sponsor agreements; and~~

(k) ~~Correspondence and materials dealing with regulatory, supervisory, and enforcement responsibilities of the board. The board does not maintain an index of correspondence files.~~

(2) ~~Under the Public Records Act, chapter 42-17 RCW, the board may not give, sell, or provide access to lists of individuals or firms requested for commercial purposes. The board will provide lists of certified public accountants and/or candidates to bona fide educational and professional organizations.)~~ The board maintains the following public records:

(1) A data base of every Washington CPA. This file contains: Each CPA's name and address, and their certificate type, number, issue date, and status;

(2) A data base of CPA examination candidates. This file contains: Each candidate's name, address, and identification numbers;

(3) A data base of CPA firms. This file contains each firm's name, ownership, address, license status, and license number;

(4) A data base of final orders, declaratory rulings, interpretations, and policy statements abstracted from board meeting minutes;

(5) Formal disciplinary orders of the board;

(6) Board meeting minutes;

(7) Board policy manual;

(8) Board rules files;

(9) CPA's continuing education reports and continuing education sponsor agreements; and

(10) Documents dealing with the regulatory, supervisory, and enforcement responsibilities of the board.

The board may not give, sell, or provide access to lists of individuals requested for commercial purposes. The board provides lists of CPAs and/or CPA examination candidates to bona fide educational and professional organizations.

WSR 98-12-022

PERMANENT RULES

BOARD OF ACCOUNTANCY

[Filed May 27, 1998, 2:25 p.m.]

Date of Adoption: April 17, 1998.

Purpose: The board uses brief adjudicative proceedings to provide a process to persons to appeal staff actions denying certification or licensure. Chapter 34.05 RCW, Administrative Procedure Act, requires agencies to adopt brief adjudicative proceedings to resolve some limited administrative issues.

Citation of Existing Rules Affected by this Order: Amending WAC 4-25-540 What are brief adjudicative proceedings?

Statutory Authority for Adoption: RCW 18.04.055(1).

Other Authority: RCW 34.05.482.

Adopted under notice filed as WSR 98-01-226 on December 24, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 27, 1998

Dana M. McInturff, CPA
Executive Director

AMENDATORY SECTION (Amending WSR 93-12-074, filed 5/27/93, effective 7/1/93)

WAC 4-25-540 What are brief adjudicative proceedings? ((The board adopts the brief adjudicative proceedings procedures permitted by RCW 34.05.482 through 34.05.494 to provide appeal from staff denials of license or certificate applications, good character rulings, agency ethics rulings, and such other matters as the board may decide to address in this manner. The presiding officer for such proceedings shall be the executive director who shall render findings and an order after consulting with one or more board members. Persons aggrieved by a brief adjudicative proceedings order may appeal to the full board for administrative review. Such appeal must be made, orally or in writing, within twenty one days after receipt of the brief adjudicative proceedings order.)) For certain types of decisions, the board has adopted an appeal process authorized by chapter 34.05 RCW which is called a brief adjudicative proceeding. Decisions to which this appeal process will be applied are:

• Denials of license or certificate application;

- Good character rulings;
- Agency ethics rulings; and
- A determination whether a licensee or certificateholder has been certified by a lending agency and reported for nonpayment or default on a federally or state-guaranteed student loan or service conditional scholarship.

To appeal a decision you must submit your request for a brief adjudicative proceeding, in writing, to the board within thirty days after the decision by board staff is posted in the U.S. mail. The residing officer for the brief adjudicative proceedings is the executive director. After consulting with a board member, the executive director renders a decision either upholding or overturning the decision by board staff. This decision, called an order, is mailed to you.

If you do not receive satisfaction from the brief adjudicative proceeding, you may appeal to the board's vice-chair. This appeal process is called an administrative review. Your appeal must be received by the board, orally or in writing, within twenty-one days after the brief adjudicative proceedings order is posted in the U.S. mail. The vice-chair considers your appeal and either upholds or overturns the brief adjudicative proceeding decision. The vice-chair decision, also called an order, is mailed to you.

WSR 98-12-023
PERMANENT RULES
BOARD OF ACCOUNTANCY

[Filed May 27, 1998, 2:26 p.m.]

Date of Adoption: April 17, 1998.

Purpose: WAC 4-25-550 requires certified public accountants (CPAs) and CPA firms to notify the agency of any change in address. With a current address on file, the agency is able to contact the CPA and the CPA firm for regulatory purposes.

Citation of Existing Rules Affected by this Order: Amending WAC 4-25-550 Do I need to notify the board if I change my address?

Statutory Authority for Adoption: RCW 18.04.055.

Adopted under notice filed as WSR 98-01-227 on December 24, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 27, 1998

Dana M. McInturff, CPA
 Executive Director

AMENDATORY SECTION (Amending WSR 93-12-073, filed 5/27/93, effective 7/1/93)

WAC 4-25-550 ((Address changes)) Do I need to notify the board if I change my address? ((Each licensee shall)) **All CPAs and CPA firms must notify the board in writing within thirty days of any change of address.**

WSR 98-12-030
PERMANENT RULES
DEPARTMENT OF AGRICULTURE

[Filed May 28, 1998, 2:10 p.m.]

Date of Adoption: May 27, 1998.

Purpose: Increase metrology laboratory fees from \$65.00 per hour to \$75.00 per hour.

Citation of Existing Rules Affected by this Order: Amending WAC 16-675-030 and 16-675-040 (1) and (2).

Statutory Authority for Adoption: RCW 19.94.216.

Adopted under notice filed as WSR 98-09-099 on April 22, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 27, 1998

James M. Jesernig
 Director

AMENDATORY SECTION (Amending WSR 97-12-024, filed 5/29/97, effective 6/29/97)

WAC 16-675-030 Condition of submitted weights and measures. Weights and measures standards submitted to the laboratory for tolerance testing or calibration must be in a physical condition that makes them acceptable for the service to be performed. Unacceptable weights and measures standards may be returned to the sender at the sender's expense or, if repairs can be made, these repairs shall be charged at the rate of ~~(((\$65.00))~~ seventy-five dollars an hour. Repair fees

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shall be charged in addition to any testing or other calibration fees. Repairs will only be done by written agreement between the department and the owner of the weights or measures to be repaired.

AMENDATORY SECTION (Amending WSR 97-12-024, filed 5/29/97, effective 6/29/97)

WAC 16-675-040 Schedule of laboratory fees. The following fees will be charged for services performed by the metrology laboratory of the department:

(1) An hourly fee of ~~((sixty-five))~~ seventy-five dollars per hour will be charged for inspection, tolerance testing and calibration services performed at the metrology laboratory.

(2) Inspection, tolerance testing and calibration services performed at other than the metrology laboratory will be charged an hourly rate of ~~((sixty-five))~~ seventy-five dollars per hour plus the current mileage and per diem rates established by the office of financial management.

(3) There will be a minimum one-half hour charge for any services provided by the laboratory.

WSR 98-12-031

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed May 28, 1998, 2:11 p.m.]

Date of Adoption: May 27, 1998.

Purpose: Increase certification fees for forest reproductive material.

Citation of Existing Rules Affected by this Order: Amending WAC 16-319-041.

Statutory Authority for Adoption: RCW 15.49.370(3).

Adopted under notice filed as WSR 98-09-100 on April 22, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 1, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 27, 1998

James M. Jesernig

Director

AMENDATORY SECTION (Amending Order 5097, filed 5/8/96, effective 6/8/96)

WAC 16-319-041 Application for certification of forest reproductive material. (1) The conditions of applicant's submittal and of certifying agency's acceptance of application are:

(a) The application should show all classes for which certification services are requested.

(b) All reproductive material acquired or distributed by applicant of a type for which certification is requested is subject to audit.

(c) Applicant shall be responsible for payment of fees for certification services.

(d) Applicant is responsible for developing a record keeping system and labels available and satisfactory to the certifying agency.

(e) Certifying agency reserves the right to refuse certification service to applicant.

(f) Application for audit certification reproductive material shall be filed with certifying agency of the state in which warehouse, nursery, etc., is located with a copy to the certifying agency in the state where the reproductive material is collected.

(2) Timing of application requests for certification services:

(a) Application requests for source identified subclass B and lower classes for the current year's production of reproductive material shall be received by certifying agency from applicant not later than three days prior to initiation of collection, production, or propagation of forest reproductive material.

(b) For source identified subclass A and higher certification class, the applicant shall make application for service, and present a written plan to the certifying agency two weeks prior to the beginning of the collection season. The written plan will include the following:

(i) For subzone collection, areas shall be defined by legal description.

(ii) Details of the collection organization including names of buyers and field supervisors, estimated harvest volume, receiving station location(s), and other pertinent information.

(c) Application requests for all other services shall be received by certifying agency from applicant not later than seven days before need.

(3) The certifying agency establishes the fee schedule for certification services. These may be adjusted at the beginning of a crop year if certifying agency determines that costs are significantly more or less than anticipated: *Provided*, That increases shall not exceed twenty-five percent.

(a) Cones and seed:

(i) Tested and selected - the service includes review of test plans, audit of pertinent records and field inspection at the hourly job time rate shown in current fee schedule.

(ii) Source identified classes - the fee includes field inspection at the per bushel rate shown in the current fee schedule and audit of conditioning at the hourly rate also shown in the current fee schedule.

The fee for each lot containing less than sixty bushels shall be a maximum of thirty-six dollars: *Provided*, That the

certifying agency, due to specific circumstances, may waive this maximum fee or a part thereof.

(iii) Audit class - the fee includes audit of applicant's field and conditioning records at the hourly rate shown in the current fee schedule.

(b) Trees: The fee includes the verification of the source of the trees from the seed source, stratification, sowing, bed identification, lifting, sorting, package identification, storing and/or transplanting.

(c) Not entered for certification: The fee for audit of reproductive material not entered for certification service is performed as required by and satisfactory to certifying agency to exercise said audit simultaneously with audit of reproductive material which applicant has requested certification service.

(d) The fee for certification classes applied for shall be charged whether or not offered material qualifies.

(e) The certifying agency may provide other services, such as training to comply with these standards, advising on the development of recordkeeping systems directly connected with certification needs if requested by the applicant.

(4) Fee schedule:

Effective June 28, 1998, the fee schedule is as follows:

(a) Tree cones and seed -

| Certification Classes | Field Inspection | Audit | Fee Due |
|----------------------------|---|---|-------------|
| Tested and Selected | (\$21.55/hr.) \$22.42/hr. | \$21.55/hr.) \$22.42/hr. | When billed |
| Source Identified Classes: | | | |
| Lots 11 bu. and more | (\$0.73/bu.) \$0.75/bu. | \$21.55/hr.) \$22.42/hr. | |
| Lots 6-10 bu. | (\$17.34/lot) \$18.04/lot | \$21.55/hr.) \$22.42/hr. | |
| Lots 0-5 bu. | (\$10.51/lot) \$10.93/lot | \$21.55/hr.) \$22.42/hr. | |
| Audit | None | (\$21.55/hr.) \$22.42/hr. | When billed |

(b) Tree certification - (~~(\$21.55/hr.)~~) \$22.42/hr.

Seedling certification - experience has shown that seedling certification normally requires a minimum of five nursery visits totalling approximately thirty-two hours. Plantation certification procedures shall be billed at the hourly rate.

(c) Other services including education to comply with the standards, development of record system, verification of source of pollen, cuttings, audit of forest reproductive material not offered for certification by applicant or other services requested, etc. at (~~(\$21.55/hour)~~) \$22.42/hour payable when billed.

(d) OECD certification (certificates of provenance) - (~~(\$0.52)~~) \$0.54 per certificate plus the hourly audit rate. (Auditors shall issue certificates.)

Effective July 1, 1998, the fee schedule is as follows:

(a) Tree cones and seed -

| Certification Classes | Field Inspection | Audit | Fee Due |
|----------------------------|------------------|-------------|-------------|
| Tested and Selected | \$23.35/hr. | \$23.35/hr. | When billed |
| Source Identified Classes: | | | |
| Lots 11 bu. and more | \$0.78/bu. | \$23.35/hr. | |
| Lots 6-10 bu. | \$18.79/lot | \$23.35/hr. | |
| Lots 0-5 bu. | \$11.38/lot | \$23.35/hr. | |
| Audit | None | \$23.35/hr. | When billed |

(b) Tree certification - \$23.35/hr.

Seedling certification - experience has shown that seedling certification normally requires a minimum of five nursery visits totalling approximately thirty-two hours. Plantation certification procedures shall be billed at the hourly rate.

(c) Other services including education to comply with the standards, development of record system, verification of source of pollen, cuttings, audit of forest reproductive material not offered for certification by applicant or other services requested, etc. at \$23.35/hour payable when billed.

(d) OECD certification (certificates of provenance) - \$0.56 per certificate plus the hourly audit rate. (Auditors shall issue certificates.)

WSR 98-12-032

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed May 28, 1998, 2:15 p.m.]

Date of Adoption: May 27, 1998.

Purpose: Increase seed certification fees for buckwheat, chickpea, field pea, lentil, millet, soybean, sorghum and small grains. Also, certain eligible varieties have been added and deleted.

Citation of Existing Rules Affected by this Order: Amending WAC 16-316-474 and 16-316-525.

Statutory Authority for Adoption: RCW 15.49.310 and 15.49.370(3).

Adopted under notice filed as WSR 98-09-101 on April 22, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 2, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

PERMANENT

Effective Date of Rule: Thirty-one days after filing.

May 27, 1998

James M. Jesernig

Director

AMENDATORY SECTION (Amending WSR 97-16-026, filed 7/29/97, effective 8/29/97)

WAC 16-316-474 Buckwheat—Chickpea—Field pea—Lentil—Millet—Soybean—Sorghum—Small grain—Application and fees.

(1) An application for seed certification with application fee, field inspection fee, and late application fee (if due) for each field shall be filed by or for each grower with Washington State Crop Improvement Association, Inc., the certifying agency for seeds of buck-

Table with 2 columns: Fee description and Amount. Includes items like (a) Application fee per variety per grower, (b) Field inspection fee per acre, etc.

(4) A field may be withdrawn upon notification by the applicant to the certifying agency's office before field inspection. In such case, the field inspection fee shall be refunded upon request until June 30 of the year following harvest.

(5) Harvest before field inspection causes forfeitures of both the application and field inspection fees, and completion of certification.

AMENDATORY SECTION (Amending Order 5086, filed 10/25/95, effective 11/25/95)

WAC 16-316-525 Buckwheat—Chickpea—Field pea—Lentil—Millet—Soybean—Sorghum—Small grain—Eligible variety and stock seed.

wheat, chickpea (garbanzo beans), field pea, lentil, millet, soybean, sorghum and small grains.

(2) Due dates:

(a) Buckwheat - June 1

(b) Field pea - June 1

(c) Chickpea - June 1

(d) Lentil - June 1

(e) Millet - June 1

(f) Soybean - July 1

(g) Sorghum - July 15

(h) Small grains - June 1 for both winter varieties and spring varieties.

(i) After due date, an application with late application fee may be accepted for service.

(3) Fees:

Table with 2 columns: Kind and Variety. Lists eligible varieties for Barley, spring and Chickpea Barley, winter.

PERMANENT

| Kind | Variety |
|--------------------------------|--|
| Buckwheat, spring Field pea | <u>Mancan</u> , Manor((-Manean)) ((Alaska 81, Garfield, Latah, Uma- tilla)) <u>Aladin, Alaska 81, Astina, Croma, Delta, Espace, Fallon, Joel, Karita, Phantom, Shawnee, Swing, Umatilla</u> |
| Lentil | Brewer, Crimson, <u>Mason</u> , Red Chief |
| Oat, spring | <u>Cayuse, Celsia, Magnum (P)</u> , Monida, Otana, Park((:)) |
| Rye, winter | Puma, Rymin |
| Wheat, spring | ((Alpowa, Butte 86, Calorwa, Cente- nial, Dirkwin, Edwall, Klasic (P), Nomad (P), Penawawa, Spillman, Treasure, Wadual, Wadual 94, Wakanz, Wampum, Wawawai, West- Bred 906R (P), WestBred 926 (P), WestBred 936 (P), WestBred Express (P), WestBred Sprite, WestBred Vanna (P), Yecora Rojo)) <u>Alpowa, Butte 86, Calorwa, Cavalier (P), Cen- tenial, Edwall, JD3775, Klasic (P), Kulm, ML455 (P), Nomad (P), Penawawa, Pomerelle, Skagit (P), Spillman, Sunstar 50-30 (P), Treasure, Wadual, Wadual 94, Wakanz, Wawawai, WestBred 906R (P), West- Bred 926 (P), WestBred 936 (P), WestBred Express (P), WestBred Sprite, WestBred Vanna (P), White- bird, Yecora Rojo</u> |
| Wheat, winter | ((Andrews, Banner (P), Basin (P), Batum, Blizzard, Buchanan, Cashup (P), Daws, Durham's Pride (P), Eltan, Gene, Hatton, Hill 81, Hoff, Hyak, John, Kmor, Lewjain, MacVicar, Madsen, Malcolm, Meridian, Moro, Nugaines, Quantum 542 (P), Rely, Rod, Rohde, Sprague, Stephens, Tres- Weston)) <u>Andrews, Banner (P), Basin (P), Batum, Blizzard, Bonneville, Buchanan, BZ-470, Cashup (P), Coda, Daws, Durham's Pride (P), Eltan, Finley, Gene, Hatton, Hill-81, Hiller, Hoff, Hyak, John, Lambert, Lewjain, MacVicar, Madsen, Mal- colm, Meridian, Moro, Nugaines, Quantum 542 (P), Rely, Rod, Spra- gue, Stephens, Survivor, Symphony (P)</u> |
| Triticale, spring | ((Juan, Victoria;)) Grace, Trical 2700 (P), <u>Victoria</u> |

| Kind | Variety |
|-----------------------------------|---|
| Triticale, winter | Celia, ((Flora;)) Stan I (P), <u>Trical 102 (P)</u> , Trical 6600 (P), Trical Jenkins (P), ((Frieal 102 (P);))) Trical Stan II (P), Trical XTO-65 (P)((-Whitman)) |
| <u>Wheat, Durum, Spring</u> | <u>Bravadur, Duraking, Durex, Kronos, Reva, Ria, Rich</u> |
| <u>Wheat, Durum, Win- ter</u> | <u>OR 3920036</u> |
| (P) means proprietary | |

The eligibility of other varieties may be approved by the certifying agency.

Foundation seed is eligible to produce registered seed or certified seed.

Registered seed is eligible to produce certified seed.

Certified seed is not eligible for recertification.

WSR 98-12-034

PERMANENT RULES

PUBLIC DISCLOSURE COMMISSION

[Filed May 28, 1998, 4:25 p.m.]

Date of Adoption: May 28, 1998.

Purpose: Allow candidates and political committees to receive incidental in-kind contributions without reporting the activity or having the contributions count against any applicable contribution limit.

Citation of Existing Rules Affected by this Order: Amending WAC 390-16-207 In-kind contributions—Explanation and reporting.

Statutory Authority for Adoption: RCW 42.17.370(1).

Adopted under notice filed as WSR 98-09-019 on April 7, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 28, 1998

Melissa Warheit
Executive Director

AMENDATORY SECTION (Amending WSR 94-11-016, filed 5/5/94)

WAC 390-16-207 In-kind contributions ((and expenditures))—Explanation and reporting. (1) ~~Whenever a candidate or a political committee makes one or more in-kind expenditures which (i) directly or indirectly, in whole or in part, benefit another identifiable candidate or political committee and (ii) in the aggregate amount to a value of fifty dollars or more in the reporting period, then, for the purpose of complying with the provisions of RCW 42.17.090 (1)(f);~~

~~(a) Such candidate or political committee shall identify the candidate or political committee benefitted by such expenditure and state the value thereof; and~~

~~(b) The candidate or political committee that receives benefit of such expenditure or expenditures shall report a corresponding amount as a contribution received and as an expenditure made by such candidate or political committee.~~

~~(2) Whenever a candidate or a political committee makes an in-kind expenditure which supports or opposes more than one candidate or ballot proposition, the person making such expenditure shall identify each candidate or ballot proposition to which such support or opposition is directed and, if the aggregate expenditure amounts to fifty dollars or more, shall state the prorated amount of the expenditure or expenditures properly attributable to each such candidate or ballot proposition.~~

~~(3) Whenever a candidate or political committee provides its equipment, property or other facilities owned, retained, leased or controlled by it to another candidate or political committee, the fair market value of the use of such equipment, property or other facilities, if it amounts to fifty dollars or more, shall be reported as follows:~~

~~(a) By the candidate or political committee providing the equipment, property or other facilities, by attaching to its form C-4, Schedule B, a statement setting forth the name of the candidate or political committee benefitted and the date, description and value of the in-kind contribution made by it;~~

~~(b) By the candidate or political committee benefitting from the use of such equipment, property or other facilities, by reporting the value of such use in its form C-4, Schedule B, both as a contribution and as an expenditure.~~

~~(4) Notwithstanding subsections (1) through (3) of this section, whenever a candidate or political committee subject to the contribution limits of RCW 42.17.640 receives an in-kind contribution from any person valued at more than \$25 in the aggregate during the election cycle, or year for political committees, the contribution is reportable pursuant to RCW 42.17.090 and subject to limits provided in RCW 42.17.640.~~

An in-kind contribution occurs when a person provides goods, services or anything of value, other than money or its equivalent, to a candidate or political committee free-of-charge or for less than fair market value, unless the item or service given is not a contribution according to RCW 42.17.020 (14)(b) or WAC 390-17-405.

(2) An in-kind contribution also occurs when a person makes an expenditure that

- supports or opposes a candidate or a ballot measure,
- meets the definition of contribution in RCW 42.17.020(14) or WAC 390-05-210, and

- is other than a monetary contribution made directly to a candidate or political committee.

For example, an in-kind contribution occurs when a person, after collaborating with a candidate or a candidate's agent, purchases space in a newspaper for political advertising supporting that candidate or opposing that candidate's opponent.

(3) According to RCW 42.17.095(8) and WAC 390-16-238, a candidate may not use his or her campaign funds to make a contribution, including an in-kind contribution, to another candidate or a political committee. However, under RCW 42.17.095(3), a candidate may use surplus funds as defined in RCW 42.17.020 to make a contribution to a political party or caucus political committee.

(4) In-Kind Contributions to Recipients Who Have Limits. (a) If a state office candidate receives in-kind contributions from any person valued at more than \$25 in the aggregate during an election cycle, the contribution is reportable by the giver and the recipient pursuant to RCW 42.17 and is subject to the applicable contribution limit provided in RCW 42.17.640.

(b) If a bona fide political party or legislative caucus committee receives in-kind contributions from any person valued at more than \$25 in the aggregate during a calendar year, the contribution is reportable by the giver and the recipient pursuant to RCW 42.17 and is subject to the applicable contribution limit provided in RCW 42.17.640.

(c) If a state official against whom recall charges have been filed or a political committee supporting the recall of a state official receives in-kind contributions from any person valued at more than \$25 in the aggregate during a recall campaign, the contribution is reportable by the giver and the recipient pursuant to RCW 42.17 and is subject to the applicable contribution limits provided in RCW 42.17.640.

(5) Political Committees That Make In-Kind Contributions. A political committee that makes in-kind contributions to a candidate or political committee totaling more than \$50 in the aggregate during a reporting period must identify the recipient and the amount of the contribution as part of its C-4 report covering that period.

If the in-kind contribution is in the form of an expenditure that has been obligated, but not yet paid, the identity of the recipient candidate or political committee, along with a good faith estimate of the value of the contribution, must be disclosed in part 3 of Schedule B, in addition to the other information required by the form. When the expense is paid, the recipient's name and the amount of the contribution must be disclosed on Schedule A, along with the other information required by the form.

If a political committee provides equipment, property or anything else of value owned, leased or controlled by it to a candidate or political committee, the contributing committee must attach a statement to its C-4 report showing the name of the candidate or political committee to whom the contribution was made and the date, description and fair market value of the in-kind contribution.

(6) Reporting by Recipients. Except as provided in subsection (4), in-kind contributions from one source are not reportable by the recipient candidate or political committee until the aggregate value of all in-kind contributions received from that source during a reporting period is more than \$50.

If this threshold is met, the in-kind contributions must be reported in part 1 of Schedule B to the C-4 report covering that reporting period.

(7) Valuing In-Kind Contributions. (a) For purposes of determining the value of goods or services provided as in-kind contributions, refer to WAC 390-05-235, Definition — Fair Market Value.

(b) If an expenditure that constitutes an in-kind contribution is made, the value of the in-kind contribution to a particular candidate or political committee is the portion of the expense that benefits the candidate or political committee.

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 98-12-035
PERMANENT RULES
PUBLIC DISCLOSURE COMMISSION

[Filed May 28, 1998, 4:27 p.m.]

Date of Adoption: May 28, 1998.

Purpose: Repeal the rule because it has been superseded by a change in law.

Citation of Existing Rules Affected by this Order: Repealing WAC 390-17-205 Number of registered voters—Calculation.

Statutory Authority for Adoption: RCW 42.17.370(1).

Adopted under notice filed as WSR 98-09-018 on April 7, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 1.

Effective Date of Rule: Thirty-one days after filing.

May 28, 1998
 Melissa Warheit
 Executive Director

REPEALER

The following chapter of the Washington Administrative Code is repealed:

| | |
|----------------|--|
| WAC 390-17-205 | Number of registered voters—Calculation. |
|----------------|--|

Reviser's note: The repealer appears above as filed by the agency pursuant to RCW 34.08.040; however, the reference to chapter is probably intended to be to section.

WSR 98-12-036

PERMANENT RULES
PUBLIC DISCLOSURE COMMISSION

[Filed May 28, 1998, 4:30 p.m.]

Date of Adoption: May 28, 1998.

Purpose: Repeal the rule because it is no longer necessary.

Citation of Existing Rules Affected by this Order: Repealing WAC 390-16-200 Encouraging expenditures to avoid contributions—Result.

Statutory Authority for Adoption: RCW 42.17.370(1).

Adopted under notice filed as WSR 98-09-020 on April 7, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 1.

Effective Date of Rule: Thirty-one days after filing.

May 28, 1998
 Melissa Warheit
 Executive Director

REPEALER

The following chapter of the Washington Administrative Code is repealed:

| | |
|----------------|---|
| WAC 390-16-200 | Encouraging expenditures to avoid contributions—Result. |
|----------------|---|

Reviser's note: The repealer appears above as filed by the agency pursuant to RCW 34.08.040; however, the reference to chapter is probably intended to be to section.

WSR 98-12-037

PERMANENT RULES
PUBLIC DISCLOSURE COMMISSION

[Filed May 28, 1998, 4:32 p.m.]

Date of Adoption: May 28, 1998.

Purpose: Clarify what types of services are "of the sort commonly performed by volunteer campaign workers" and clarify under what conditions an accountant or attorney may donate services without a contribution ensuing.

Citation of Existing Rules Affected by this Order: Amending WAC 390-17-405 Volunteer services.

Statutory Authority for Adoption: RCW 42.17.370(1).

PERMANENT

Adopted under notice filed as WSR 98-09-017 on April 7, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 28, 1998

Melissa Warheit
Executive Director

AMENDATORY SECTION (Amending WSR 94-11-017, filed 5/5/94)

WAC 390-17-405 Volunteer services. (1) In accordance with RCW ~~((42.17.630 (5)(b)(viii)))~~ 42.17.020 (14)(b)(vi), an individual may perform services or labor for a ~~((campaign,))~~ candidate or political committee without incurring a contribution ~~((subject to the limits under RCW 42.17.640 or RCW 42.17.105(8)))~~, so long as the individual is not compensated by any person for the services or labor rendered ~~((the services or labor are performed outside the hours for which the employer has scheduled the employee to work))~~ and the services are of the ~~((sort))~~ kind commonly performed by ~~((the))~~ volunteer campaign workers ~~((, including:))~~. These commonly performed services include:

- (a) office staffing;
- (b) doorbelling or leaflet drops;
- (c) mail handling (folding, stuffing, sorting and postal preparation);
- (d) political or fund raising event staffing;
- (e) telephone bank activity (conducting voter identification, surveys or polling, and get-out-the-vote campaigns);
- (f) construction and placement of yard signs, hand-held signs or in-door signs;
- (g) ~~((chauffeur))~~ acting as a driver for candidate or candidate or committee staff;
- (h) scheduling of campaign appointments and events;
- (i) transporting voters to polling places on election day;
- (j) except as provided in subsection (2), ((the services of any individual, except an attorney or accountant, provided that the services donated are solely for the purpose of ensuring)) preparing campaign disclosure reports required by RCW 42.17 and otherwise helping to ensure compliance with state election or public disclosure laws;
- (k) campaign consulting and management services, polling and survey design, public relations and advertising, or fundraising performed by any individual, so long as the indi-

vidual ~~((is not a professional in that field who))~~ does not ordinarily charge~~((s))~~ a fee or receive~~((s))~~ compensation for providing ~~((these))~~ the service~~((s;))~~; and

(1) all similar activities as determined by the commission.

(2) An attorney or accountant may donate his or her professional services to a candidate, a candidate's authorized committee, a political party or a caucus political committee, without making a contribution in accordance with RCW ~~((42.17.630 (5)(b)(ix)))~~ 42.17.020 (14)(b)(viii), if the attorney or accountant is:

(a) employed and his or her employer is paying for the services rendered;

(b) self-employed; or

(c) performing services for which no compensation is paid by any person. However, neither RCW 42.17.020 (14)(b)(viii) nor this section authorizes the services of an attorney or an accountant to be provided to a political committee without a contribution ensuing, unless the political committee is a candidate's authorized committee, political party or caucus political committee and the conditions of RCW 42.17.020 (14)(b)(viii) and (a), (b) or (c) of this subsection are satisfied, or unless the political committee pays the fair market value of the services rendered.

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 98-12-038

PERMANENT RULES

PUBLIC DISCLOSURE COMMISSION

[Filed May 28, 1998, 4:35 p.m.]

Date of Adoption: May 28, 1998.

Purpose: Pursuant to RCW 42.17.375, this rule clarifies the manner in which counties are to maintain and provide public access to the campaign disclosure reports filed with them.

Citation of Existing Rules Affected by this Order: Amending WAC 390-13-100 Duties of elections officials receiving copies of campaign finance reports.

Statutory Authority for Adoption: RCW 42.17.370(1).

Adopted under notice filed as WSR 98-09-021 on April 7, 1998.

Changes Other than Editing from Proposed to Adopted Version: Out-of-date language in subsection (3) was removed.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 28, 1998

Melissa Warheit

Executive Director

AMENDATORY SECTION (Amending Order 83-02 [85-03], filed 8/24/83 [7/9/85])

WAC 390-13-100 Duties of elections officials receiving copies of campaign finance reports. (1) Pursuant to RCW 42.17.375, when arranging, indexing, handling and providing access to reports filed with the county as required by chapter 42.17 RCW, county election officers shall adhere to the following:

(a) Each report on receipt shall be marked with the date (or some means of determining the date) the report was post-marked and/or the date on which it was received by the elections office.

(b) Files for these reports shall be maintained separate from all other reports and documents in the office and shall be arranged alphabetically by the name of the candidate or committee. Elections officers may segregate files into additional categories, if desired.

(c) Files may be maintained in paper or electronic form or on micrographics. If files are maintained in electronic form or on micrographics, equipment for viewing ~~((film))~~ and ~~((for))~~ reproducing ~~((individual frames))~~ reports on paper must be made available to the public.

(d) A separate, special index shall be maintained showing the name of each candidate or committee for whom reports are on file. The index need not list each report subsequently filed. The index shall be readily available for public inspection.

(e) Reports shall be placed in the files and available for public inspection by the end of the next business day following receipt.

(f) Mindful that the public's right to know of the financing of political campaigns is paramount, elections officials shall give priority attention to and promptly honor each request for public inspection of the campaign finance report files.

(2) Copies of reports must be maintained by elections officers for a period of at least six years, in accordance with RCW 42.17.450, and records retention schedules prepared pursuant to chapter 40.14 RCW.

(3) ~~((A description of the county's method of filing and indexing campaign finance reports shall be sent to the public disclosure commission within 30 days of the effective date of this rule. The))~~ A description of the county's method of filing and indexing campaign finance reports shall be updated and sent to the public disclosure commission within 30 days of ~~((any time there is))~~ a revision to the filing and indexing system.

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 98-12-041

PERMANENT RULES

DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed May 29, 1998, 12:00 p.m., effective June 30, 1998]

Date of Adoption: May 29, 1998.

Purpose: The department is adopting a 4.05% general increase in factory assembled structures (FAS) fees, contractor registration fees and plumber certification fees. The 4.05% rate is the Office of Financial Management's maximum allowable fiscal growth rate factor for fiscal year 1998. The general fee increases are necessary to maintain the stability of the plumber's fund and the financial health and operational effectiveness of the contractor registration and FAS programs. Also, several new FAS fees are adopted, most of these cover the cost of services previously provided to FAS customers without charge. Finally, new medical gas piping endorsement fees are adopted for the plumber certification program. These fees are necessary to implement recent amendments to chapter 18.106 RCW. They will become effective when new medical gas rules, proposed by the department, become effective.

Chapter 296-150C WAC, Commercial coaches:

WAC 296-150C-3000 Commercial coach fees. State-initiated amendments are adopted to:

- Increase all commercial coach fees by 4.05% rounded down to the nearest quarter of a dollar.
- Add electrical plan review fees to cover the cost of FAS electrical plan reviews required by WAC 296-46-140 Plan review for educational, institutional or health care facilities and other buildings.
- Add reciprocal plan review fees to cover the cost of this service.
- Add a fee to cover the cost of reviewing and approving sets of design plans submitted beyond the two sets required by the department.
- Add a fee to cover the cost of printing and distributing factory assembled structures RCWs and WACs beyond the one free annual copy required by statute.

Chapter 296-150F WAC, Factory-built housing and commercial structures:

WAC 296-150F-3000 Factory-built housing and commercial structure fees. State-initiated amendments are adopted to:

- Increase all factory-built housing and commercial structure fees by 4.05% rounded down to the nearest quarter of a dollar.
- Add electrical plan review fees to cover the cost of FAS electrical plan reviews required by WAC 296-46-140 Plan review for educational, institutional or health care facilities and other buildings.
- Add reciprocal plan review fees to cover the cost of this service.

- Add a fee to cover the cost of reviewing and approving sets of design plans submitted beyond the two sets required by the department.
- Add a fee to cover the cost of printing and distributing factory assembled structures RCWs and WACs beyond the one free annual copy required by statute.
- Delete the "temporary insignia fees" because a temporary insignia will no longer be issued by the department.

**Chapter 296-150M WAC, Manufactured homes:
WAC 296-150M-3000 Manufactured home fees.**

- State-initiated amendments are adopted to:
- Increase all manufactured home fees by 4.05% rounded down to the nearest quarter of a dollar.
 - Add a fee to cover costs which are incurred after an HBT audit and which are necessary to satisfy federal program requirements.
 - Add a fee to cover the cost of auditing units at a factory where the units were previously inspected and the inspection fee had been paid.
 - Add travel fees to cover the cost of performing IPIA processes at times other than a normally scheduled IPIA audit.
 - Add a fee to cover the cost of printing and distributing factory assembled structures RCWs and WACs beyond the one free annual copy required by statute.

**Chapter 296-150P WAC, Recreational park trailers:
WAC 296-150P-3000 Recreational park trailer fees.**

- State-initiated amendments are adopted to:
- Increase all recreational park trailer fees by 4.05% rounded down to the nearest quarter of a dollar.
 - Add a fee to cover additional costs associated with a plan review that requires a structural review. (The structural requirements were added by the ANSI code.)
 - Add a fee to cover the cost of printing and distributing factory assembled structures RCWs and WACs beyond the one free annual copy required by statute.

**Chapter 296-150R WAC, Recreational vehicles:
WAC 296-150R-3000 Recreational vehicle fees.**

- State-initiated amendments are adopted to:
- Increase all recreational vehicle fees by 4.05% rounded down to the nearest quarter of a dollar.
 - Add a fee to cover the cost of printing and distributing factory assembled structures RCWs and WACs beyond the one free annual copy required by statute.

Chapter 296-200A WAC, Contractor certificate of registration renewals—Security—Insurance:

WAC 296-200A-900 What fees does the department charge contractors for issuance, renewal and reinstatement of certificates of registration? State-initiated amendments are adopted to:

- Increase all fees in this section by 4.05% rounded down to the nearest quarter of a dollar.
- Comply with the "continuous bond" provisions of RCW 18.27.040 by deleting the reference to bond expiration.

Chapter 296-400A WAC, Certification of competency for journeyman plumbers:

WAC 296-400A-045 What fees will I have to pay? State-initiated amendments are adopted to:

- Increase all fees in this section by 4.05% rounded down to the nearest quarter of a dollar.
- Implement SSB 5749 by adding new fees applicable to new medical gas rules proposed by the department. These new fees will be effective when the new medical gas rules become effective.

Citation of Existing Rules Affected by this Order: Amending WAC 296-150C-3000 Commercial coach fees, WAC 296-150F-3000 Factory-built housing and commercial structure fees, WAC 296-150M-3000 Manufactured home fees, WAC 296-150P-3000 Recreational park trailer fees, WAC 296-150R-3000 Recreational vehicle fees, WAC 296-200A-900 What fees does the department charge contractors for issuance, renewal and reinstatement of certificates of registration? and WAC 296-400A-045 What fees will I have to pay?

Statutory Authority for Adoption: Chapters 18.106, 18.27 and 43.22 RCW.

Adopted under notice filed as WSR 98-07-096 on March 18, 1998.

Changes Other than Editing from Proposed to Adopted Version: As a result of written and oral comments received, the following section is being amended: WAC 296-150M-3000 Manufactured home fees, the department agrees that travel time and mileage should not be charged to have an IPIA witness attend a voluntary training class, therefore, it has deleted the "travel time and mileage" component from the fee. The fee will now read:

| | |
|--|---------|
| Attendance at manufacture training classes | \$54.00 |
| (Per hour* only) | |

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 7, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 7, Repealed 0.

Effective Date of Rule: June 30, 1998.

May 27, 1998

Gary Moore
Director

PERMANENT

AMENDATORY SECTION (Amending WSR 97-11-053, filed 5/20/97, effective 6/30/97)

WAC 296-150C-3000 Commercial coach fees.

PERMANENT

| WAC 296-150C-3000 COMMERCIAL COACH FEES | |
|---|----------|
| INITIAL FILING FEE | \$26.00 |
| DESIGN PLAN FEES | |
| INITIAL FEE-MASTER DESIGN | \$177.50 |
| INITIAL FEE-ONE YEAR DESIGN | \$73.00 |
| RENEWAL FEE | \$31.25 |
| RESUBMIT FEE | \$52.00 |
| ADDENDUM | \$52.00 |
| PLANS APPROVED BY PROFESSIONALS | \$36.50 |
| DEPARTMENT INSPECTION FEES | |
| INSPECTION/REINSPECTION* | \$52.00 |
| TRAVEL (PER HOUR)* | \$52.00 |
| PER DIEM** | |
| HOTEL*** | |
| MILEAGE** | |
| RENTAL CAR*** | |
| PARKING*** | |
| AIRFARE*** | |
| DEPARTMENT AUDIT FEES | |
| AUDIT (PER HOUR)* | \$52.00 |
| TRAVEL (PER HOUR)* | \$52.00 |
| PER DIEM** | |
| HOTEL*** | |
| MILEAGE** | |
| RENTAL CAR*** | |
| PARKING*** | |
| AIRFARE*** | |
| INSIGNIA FEES | |
| FIRST SECTION | \$15.50 |
| EACH ADDITIONAL SECTION | \$10.25 |
| ALTERATION | \$26.00 |
| REISSUED-LOST/DAMAGED | \$10.25 |
| FIELD TECHNICAL SERVICE FEE (PER HOUR) | \$52.00 |
| * Minimum charge of 1 hour for inspection; time spent greater than 1 hour is charged in 1/2 hour increments | |
| ** Per state guidelines. | |
| *** Actual charges incurred. | |

| WAC 296-150C-3000 COMMERCIAL COACH FEES | |
|--|----------------|
| INITIAL FILING FEE | \$27.00 |
| DESIGN PLAN FEES: | |
| INITIAL FEE-MASTER DESIGN | \$184.50 |
| INITIAL FEE-ONE YEAR DESIGN | \$75.75 |
| RENEWAL FEE | \$32.50 |
| RESUBMIT FEE | \$54.00 |
| ADDENDUM | \$54.00 |
| ELECTRICAL PLAN REVIEW (When required by WAC 296-46-140, Plan review for educational, institutional or health care facilities and other buildings.) | |
| Electrical plan submission fee | \$54.00 |
| Service/feeder Ampacity: | |
| 0 - 100 | \$24.00 |
| 101 - 200 | \$30.00 |
| 201 - 400 | \$56.00 |
| 401 - 600 | \$66.00 |
| 601 - 800 | \$85.00 |
| 801 - 1000 | \$104.00 |
| Over 1000 | \$113.00 |
| Over 600 volts surcharge | \$18.00 |
| Thermostats: | |
| First | \$11.00 |
| Each additional | \$3.00 |
| Low voltage fire alarm and burglar alarm: | |
| Each control panel and up to four circuits or zones | \$10.00 |
| Each additional circuit or zone | \$2.00 |
| Generators, refer to appropriate service/feeder ampacity fees | |
| <i>Note: Altered services or feeders shall be charged the above rate per the service/feeder ampacity fees.</i> | |
| Supplemental submissions of plans (resubmittals, addendum's, renewals, code updates, etc.) shall be charged per hour or fraction of an hour. " | |
| | \$64.00 |
| RECIPROCAL PLAN REVIEW: | |
| INITIAL FEE - MASTER DESIGN | \$82.50 |
| INITIAL FEE - ONE YEAR DESIGN | \$50.00 |
| RENEWAL FEE | \$50.00 |
| ADDENDUM | \$50.00 |
| PLANS APPROVED BY PROFESSIONALS | \$37.75 |
| APPROVAL OF EACH SET OF DESIGN PLANS BEYOND FIRST TWO SETS | \$10.50 |
| DEPARTMENT INSPECTION FEES: | |
| INSPECTION/REINSPECTION (Per hour* plus travel time* and mileage**) | \$54.00 |
| TRAVEL (PER HOUR)* | \$54.00 |
| PER DIEM** | |
| HOTEL*** | |
| MILEAGE** | |
| RENTAL CAR*** | |
| PARKING*** | |
| AIRFARE*** | |

PERMANENT

| WAC 296-150C-3000 COMMERCIAL COACH FEES | |
|--|---------|
| DEPARTMENT AUDIT FEES: | |
| AUDIT (PER HOUR) * | \$54.00 |
| TRAVEL (PER HOUR) * | \$54.00 |
| PER DIEM ** | |
| HOTEL *** | |
| MILEAGE ** | |
| RENTAL CAR *** | |
| PARKING *** | |
| AIRFARE *** | |
| INSIGNIA FEES: | |
| FIRST SECTION | \$18.00 |
| EACH ADDITIONAL SECTION | \$10.50 |
| ALTERATION | \$27.00 |
| REISSUED-LOST/DAMAGED | \$10.50 |
| OTHER FEES: | |
| FIELD TECHNICAL SERVICE (Per hour * plus travel time * and mileage * *) | \$54.00 |
| PUBLICATION PRINTING AND DISTRIBUTION OF RCW'S AND WAC'S (One free copy per year) | \$10.50 |
| * Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments | |
| ** Per state guidelines. | |
| *** Actual charges incurred. | |

PERMANENT

AMENDATORY SECTION (Amending WSR 97-11-053, filed 5/20/97, effective 6/30/97)

WAC 296-150F-3000 Factory-built housing and commercial structure fees.

PERMANENT

| WAC 296-150F-3000 FACTORY-BUILT HOUSING AND COMMERCIAL STRUCTURE FEES | |
|---|----------|
| INITIAL FILING FEE | \$36.50 |
| DESIGN PLAN FEES | |
| INITIAL FEE-MASTER DESIGN (CODECYCLE) | \$177.50 |
| INITIAL FEE-ONE YEAR DESIGN | \$104.25 |
| RENEWAL FEE | \$36.50 |
| RESUBMIT FEE | \$52.00 |
| ADDENDUM | \$52.00 |
| PLANS APPROVED BY PROFESSIONALS | \$36.50 |
| DEPARTMENT INSPECTION FEES | |
| INSPECTION (PER HOUR)* | \$52.00 |
| TRAVEL (PER HOUR)* | \$52.00 |
| PER DIEM** | |
| HOTEL*** | |
| MILEAGE** | |
| RENTAL CAR*** | |
| PARKING*** | |
| AIRFARE*** | |
| NLEA CHARGE | \$21.75 |
| DEPARTMENT AUDIT FEES | |
| AUDIT (PER HOUR)* | \$52.00 |
| TRAVEL (PER HOUR)* | \$52.00 |
| PER DIEM** | |
| HOTEL*** | |
| MILEAGE** | |
| RENTAL CAR*** | |
| PARKING*** | |
| AIRFARE*** | |
| INSIGNIA FEES | |
| FIRST SECTION | \$146.00 |
| EACH ADDITIONAL SECTION | \$14.50 |
| REISSUED-LOST/DAMAGED | \$36.50 |
| TEMPORARY INSIGNIA FEES | |
| FIRST SECTION | \$146.00 |
| EACH ADDITIONAL SECTION | \$14.50 |
| REPLACEMENT FOR TEMPORARY INSIGNIA | \$36.50 |
| FIELD TECHNICAL SERVICE FEE (PER HOUR) | \$52.00 |
| * Minimum charge of 1 hour for inspection; time spent greater than 1 hour is charged in 1/2 hour increments | |
| ** Per state guidelines. | |
| *** Actual charges incurred. | |

| WAC 296-150F-3000 FACTORY-BUILT HOUSING AND COMMERCIAL STRUCTURE FEES | |
|--|----------------|
| INITIAL FILING FEE | \$37.75 |
| DESIGN PLAN FEES: | |
| INITIAL FEE-MASTER DESIGN (CODE CYCLE) | \$184.50 |
| INITIAL FEE-ONE YEAR DESIGN | \$108.25 |
| RENEWAL FEE | \$37.75 |
| RESUBMIT FEE | \$54.00 |
| ADDENDUM | \$54.00 |
| ELECTRICAL PLAN REVIEW (When required by WAC 296-46-140, Plan review for educational, institutional or health care facilities and other buildings.) | |
| Electrical plan submission fee | \$54.00 |
| Service/feeder Ampacity: | |
| 0 - 100 | \$24.00 |
| 101 - 200 | \$30.00 |
| 201 - 400 | \$56.00 |
| 401 - 600 | \$66.00 |
| 601 - 800 | \$85.00 |
| 801 - 1000 | \$104.00 |
| Over 1000 | \$113.00 |
| Over 600 volts surcharge | \$18.00 |
| Thermostats: | |
| First | \$11.00 |
| Each additional | \$3.00 |
| Low voltage fire alarm and burglar alarm: | |
| Each control panel and up to four circuits or zones | \$10.00 |
| Each additional circuit or zone | \$2.00 |
| Generators, refer to appropriate service/feeder ampacity fees | |
| <i>Note: Altered services or feeders shall be charged the above rate per the service/feeder ampacity fees.</i> | |
| Supplemental submissions of plans (resubmittals, addendum's, renewals, code updates, etc.) shall be charged per hour or fraction of an hour.* | |
| | \$64.00 |
| RECIPROCAL PLAN REVIEW: | |
| INITIAL FEE - MASTER DESIGN | \$82.50 |
| INITIAL FEE - ONE YEAR DESIGN | \$50.00 |
| RENEWAL FEE | \$50.00 |
| ADDENDUM | \$50.00 |
| PLANS APPROVED BY PROFESSIONALS | |
| | \$37.75 |
| APPROVAL OF EACH SET OF DESIGN PLANS BEYOND FIRST TWO SETS | |
| | \$10.50 |
| DEPARTMENT INSPECTION FEES: | |
| INSPECTION/REINSPECTION (Per hour* plus travel time* and mileage**) | \$54.00 |
| TRAVEL (PER HOUR)* | \$54.00 |
| PER DIEM** | |
| HOTEL*** | |
| MILEAGE** | |
| RENTAL CAR*** | |
| PARKING*** | |
| AIRFARE*** | |

PERMANENT

| WAC 296-150F-3000 FACTORY-BUILT HOUSING AND COMMERCIAL STRUCTURE FEES | |
|--|----------|
| DEPARTMENT AUDIT FEES: | |
| AUDIT (PER HOUR)* | \$54.00 |
| TRAVEL (PER HOUR)* | \$54.00 |
| PER DIEM** | |
| HOTEL*** | |
| MILEAGE** | |
| RENTAL CAR*** | |
| PARKING*** | |
| AIRFARE*** | |
| INSIGNIA FEES: | |
| FIRST SECTION | \$151.75 |
| EACH ADDITIONAL SECTION | \$15.00 |
| REISSUED-LOST/DAMAGED | \$37.75 |
| OTHER FEES: | |
| FIELD TECHNICAL SERVICE (Per hour* plus travel time* and mileage**) | \$54.00 |
| NOTIFICATION TO LOCAL ENFORCEMENT AGENCY (NLEA) | \$22.50 |
| PUBLICATION PRINTING AND DISTRIBUTION OF RCW'S AND WAC'S (One free copy per year) | \$10.50 |
| * Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments | |
| ** Per state guidelines. | |
| *** Actual charges incurred. | |

AMENDATORY SECTION (Amending WSR 97-11-053, filed 5/20/97, effective 6/30/97)

WAC 296-150M-3000 Manufactured home fees.

| WAC 296-150M-3000 MANUFACTURED HOME FEES | |
|--|----------|
| INITIAL FILING FEE | \$26.00 |
| DESIGN PLAN | |
| STRUCTURAL ALTERATION-MASTER DESIGN (CODE CYCLE) | \$104.25 |
| STRUCTURAL ALTERATION-ONE YEAR DESIGN | \$73.00 |
| RENEWAL FEE | \$31.25 |
| RESUBMITAL | \$52.00 |
| ADDENDUM | \$52.00 |
| DEPARTMENT INSPECTION FEES | |
| INSPECTION/REINSPECTION (PER HOUR)* | \$52.00 |
| INSIGNIA FEES | |
| ALTERATION | \$26.00 |
| REISSUED-LOST/DAMAGED | \$15.50 |
| FIELD TECHNICAL SERVICE FEES (PER HOUR)* | \$52.00 |
| DEPARTMENT AUDIT FEES | |
| PER SECTION (ONE TIME ONLY) | \$24.00 |
| INCREASED FREQUENCY VISITS (PER HOUR)* | \$52.00 |
| REINSPECTION (PER HOUR)* | \$52.00 |
| NOTE: Local jurisdictions may have other fees that apply. | |
| * Minimum charge of 1 hour for inspection; time spent greater than 1 hour is charged in 1/2 hour increments. | |

PERMANENT

| WAC 296-150M-3000 MANUFACTURED HOME FEES | |
|---|----------|
| INITIAL FILING FEE | \$27.00 |
| DESIGN PLAN FEES: | |
| STRUCTURAL ALTERATION-MASTER DESIGN (CODE CYCLE) | \$108.25 |
| STRUCTURAL ALTERATION-ONE YEAR DESIGN | \$75.75 |
| RENEWAL FEE | \$32.50 |
| RESUBMITAL | \$54.00 |
| ADDENDUM | \$54.00 |
| DEPARTMENT INSPECTION FEES: | |
| INSPECTION (Per hour*) | \$54.00 |
| OTHER REQUIRED INSPECTIONS (Per hour*) | \$54.00 |
| ALL REINSPECTIONS (Per hour*) | \$54.00 |
| INSIGNIA FEES: | |
| ALTERATION | \$27.00 |
| REISSUED-LOST/DAMAGED | \$16.00 |
| IPIA | |
| DEPARTMENT AUDIT FEES | |
| REGULARLY SCHEDULED IPIA AUDIT: | |
| First inspection on each section (one time only) | \$24.75 |
| Second and succeeding inspections of unlabelled sections (Per hour* plus travel time* and mileage**) | \$54.00 |
| OTHER IPIA FEES: | |
| Red tag removal during a regularly scheduled IPIA audit (Per hour* separate from other fees) | \$54.00 |
| Red tag removal at a time other than a regularly scheduled IPIA audit (Per hour* plus travel time* and mileage**) | \$54.00 |
| Increased frequency surveillance (Per hour* plus travel time* and mileage**) | \$54.00 |
| Attendance at manufacturers training classes (Per hour* only) | \$54.00 |
| Subpart "I" investigations (Per hour* plus travel time* and mileage**) | \$54.00 |
| Alterations to a labelled unit (Per hour* plus travel time* and mileage**) | \$54.00 |
| IPIA Issues/Responses (Per hour* plus travel time* and mileage**) | \$54.00 |
| Monthly surveillance during a regularly scheduled IPIA audit (Per hour* plus travel time* and mileage**) | \$54.00 |
| Monthly surveillance at a time other than a regularly scheduled IPIA audit (Per hour* plus travel time* and mileage**) | \$54.00 |
| Plant certifications, recertifications and addenda updates (Per hour* plus travel time* and mileage** per each inspector) | \$54.00 |
| Response to HBT Audit during a regularly scheduled IPIA audit (Per hour*) | \$54.00 |
| Response to HBT Audit at a time other than a regularly scheduled IPIA audit (Per hour* plus travel time* and mileage**) | \$54.00 |
| Alternative construction (AC) letter inspections at placement site (Per hour* plus travel time* and mileage**) | \$54.00 |
| Replacement of HUD labels (Per hour* plus travel time* and mileage**) | \$54.00 |
| OTHER FEES: | |
| FIELD TECHNICAL SERVICE (Per hour* plus travel time* and mileage**) | \$54.00 |
| PUBLICATION PRINTING AND DISTRIBUTION OF RCW'S AND WAC'S (One free copy per year) | \$10.50 |
| NOTE: Local jurisdictions may have other fees that apply. | |
| * Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments. | |
| ** Per state guidelines. | |
| *** Actual charges incurred. | |

PERMANENT

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-150P-3000 Recreational park trailer fees.

| WAC 296-150P-3000 RECREATIONAL PARK TRAILER FEES | |
|---|---------|
| STATE PLAN | |
| INITIAL FILING FEE | \$26.00 |
| DESIGN PLAN | |
| NEW PLAN REVIEW FEE | \$73.00 |
| RESUBMIT FEE | \$52.00 |
| ADDENDUM | \$52.00 |
| STATE PLAN/MANUAL FEES | |
| INITIAL APPROVAL | \$10.25 |
| RESUBMITTAL | \$52.00 |
| ADDENDUM | \$52.00 |
| DEPARTMENT AUDIT FEES | |
| AUDIT (PER HOUR)* | \$52.00 |
| TRAVEL (PER HOUR)* | \$52.00 |
| PER DIEM** | |
| HOTEL*** | |
| MILEAGE** | |
| RENTAL CAR**** | |
| PARKING*** | |
| AIRFARE**** | |
| DEPARTMENT INSPECTION FEES | |
| INSPECTION (PER HOUR)* | \$52.00 |
| TRAVEL (PER HOUR)* | \$52.00 |
| PER DIEM** | |
| HOTEL*** | |
| MILEAGE** | |
| RENTAL CAR**** | |
| PARKING*** | |
| AIRFARE**** | |
| INSIGNIA FEES | |
| STATE CERTIFIED | \$10.00 |
| ALTERATION | \$26.00 |
| REISSUED/LOST/DAMAGED | \$10.00 |
| FIELD TECHNICAL SERVICE FEE (PER HR.) | \$52.00 |
| *Minimum charge of 1 hour for inspection; time spent greater than 1 hour is charged in 1/2 hour increments. | |
| **Per state guidelines. | |
| ***Actual charges incurred. | |

PERMANENT

| WAC 296-150P-3000 RECREATIONAL PARK TRAILER FEES | |
|---|----------|
| INITIAL FILING FEE | \$27.00 |
| DESIGN PLAN FEES: | |
| NEW PLAN REVIEW FEE WITHOUT STRUCTURAL REQUIREMENTS | \$75.75 |
| NEW PLAN REVIEW FEE WITH STRUCTURAL REQUIREMENTS | \$100.00 |
| RESUBMIT FEE | \$54.00 |
| ADDENDUM | \$54.00 |
| STATE PLAN/MANUAL FEES: | |
| INITIAL APPROVAL | \$10.50 |
| RESUBMITTAL | \$54.00 |
| ADDENDUM | \$54.00 |
| DEPARTMENT AUDIT FEES: | |
| AUDIT (PER HOUR)* | \$54.00 |
| TRAVEL (PER HOUR)* | \$54.00 |
| PER DIEM** | |
| HOTEL*** | |
| MILEAGE** | |
| RENTAL CAR*** | |
| PARKING*** | |
| AIRFARE*** | |
| DEPARTMENT INSPECTION FEES: | |
| INSPECTION (PER HOUR)* | \$54.00 |
| TRAVEL (PER HOUR)* | \$54.00 |
| PER DIEM** | |
| HOTEL*** | |
| MILEAGE** | |
| RENTAL CAR*** | |
| PARKING*** | |
| AIRFARE*** | |
| INSIGNIA FEES: | |
| STATE CERTIFIED | \$10.25 |
| ALTERATION | \$27.00 |
| REISSUED-LOST/DAMAGED | \$10.25 |
| OTHER FEES: | |
| FIELD TECHNICAL SERVICE (Per hour* plus travel time* and mileage**.) | \$54.00 |
| PUBLICATION PRINTING AND DISTRIBUTION OF RCW'S AND WAC'S (One free copy per year.) | \$10.50 |
| *Minimum charge of 1 hour ; time spent greater than 1 hour is charged in 1/2 hour increments. | |
| **Per state guidelines. | |
| ***Actual charges incurred. | |

PERMANENT

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-150R-3000 Recreational vehicle fees.

| WAC 296-150R-3000 RECREATIONAL VEHICLE FEES | | | |
|---|---------|------------------------------------|---------|
| STATE PLAN | | SELF CERTIFICATION | |
| INITIAL FILING FEE | \$28.00 | INITIAL FILING FEE | \$28.00 |
| DESIGN PLAN | | DESIGN PLAN | |
| NEW PLAN REVIEW FEE | \$73.00 | NEW PLAN REVIEW FEE (ONE TIME FEE) | \$73.00 |
| RESUBMIT FEE | \$52.00 | RESUBMIT FEE | \$52.00 |
| ADDENDUM | \$52.00 | ADDENDUM | \$52.00 |
| STATE PLAN/MANUAL FEES | | SELF CERTIFICATION/MANUAL FEES | |
| INITIAL APPROVAL | \$10.25 | INITIAL APPROVAL | \$10.25 |
| RESUBMITTAL | \$52.00 | RESUBMITTAL | \$52.00 |
| ADDENDUM | \$52.00 | ADDENDUM | \$52.00 |
| DEPARTMENT AUDIT FEES | | DEPARTMENT AUDIT FEES | |
| AUDIT (PER HOUR)* | \$52.00 | AUDIT (PER HOUR)* | \$52.00 |
| TRAVEL (PER HOUR)* | \$52.00 | TRAVEL (PER HOUR)* | \$52.00 |
| PER DIEM** | | PER DIEM** | |
| HOTEL*** | | HOTEL*** | |
| MILEAGE** | | MILEAGE | |
| RENTAL CAR*** | | RENTAL CAR*** | |
| PARKING*** | | PARKING*** | |
| AIRFARE*** | | AIRFARE*** | |
| DEPARTMENT INSPECTION FEES | | DEPARTMENT INSPECTION FEES | |
| INSPECTION (PER HOUR)* | \$52.00 | INSPECTION (PER HOUR)* | \$52.00 |
| TRAVEL (PER HOUR)* | \$52.00 | TRAVEL (PER HOUR)* | \$52.00 |
| PER DIEM** | | PER DIEM** | |
| HOTEL*** | | HOTEL*** | |
| MILEAGE** | | MILEAGE** | |
| RENTAL CAR*** | | RENTAL CAR*** | |
| PARKING*** | | PARKING*** | |
| AIRFARE*** | | AIRFARE*** | |
| INSIGNIA FEES | | INSIGNIA FEES | |
| STATE CERTIFIED | \$10.00 | SELF CERTIFIED | \$10.00 |
| ALTERATION | \$28.00 | ALTERATION | \$28.00 |
| REISSUED-LOST/DAMAGED | \$10.00 | REISSUED-LOST/DAMAGED | \$10.00 |
| FIELD TECHNICAL SERVICE FEE (PER HR.) | \$52.00 | | |
| * Minimum charge of 1 hour for inspection; time spent greater than 1 hour is charged in 1/2 hour increments | | | |
| ** per state guidelines. | | | |
| *** Actual charges incurred. | | | |

PERMANENT

PERMANENT

| WAC 296-150R-3000 RECREATIONAL VEHICLE FEES | |
|--|----------------|
| STATE PLAN | |
| INITIAL FILING FEE | \$27.00 |
| DESIGN PLAN FEES: | |
| NEW PLAN REVIEW FEE | \$75.75 |
| RESUBMIT FEE | \$54.00 |
| ADDENDUM | \$54.00 |
| STATE PLAN/MANUAL FEES: | |
| INITIAL APPROVAL | \$10.50 |
| RESUBMITTAL | \$54.00 |
| ADDENDUM | \$54.00 |
| DEPARTMENT AUDIT FEES: | |
| AUDIT (PER HOUR)* | \$54.00 |
| TRAVEL (PER HOUR)* | \$54.00 |
| PER DIEM** | |
| HOTEL*** | |
| MILEAGE** | |
| RENTAL CAR*** | |
| PARKING*** | |
| AIRFARE*** | |
| DEPARTMENT INSPECTION FEES: | |
| INSPECTION (PER HOUR)* | \$54.00 |
| TRAVEL (PER HOUR)* | \$54.00 |
| PER DIEM** | |
| HOTEL*** | |
| MILEAGE** | |
| RENTAL CAR*** | |
| PARKING*** | |
| AIRFARE*** | |
| INSIGNIA FEES: | |
| STATE CERTIFIED | \$10.00 |
| ALTERATION | \$27.00 |
| REISSUED-LOST/DAMAGED | \$10.00 |
| OTHER FEES: | |
| FIELD TECHNICAL SERVICE (Per hour* plus travel time* and mileage*.) | \$54.00 |
| PUBLICATION PRINTING AND DISTRIBUTION OF RCW'S AND WAC'S (One free copy per year.) | \$10.50 |
| * Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments | |
| ** Per state guidelines. | |
| *** Actual charges incurred. | |

| WAC 296-150R-3000 RECREATIONAL VEHICLE FEES | |
|--|---------|
| SELF CERTIFICATION | |
| INITIAL FILING FEE | \$27.00 |
| DESIGN PLAN | |
| NEW PLAN REVIEW FEE (ONE TIME FEE) | \$75.75 |
| RESUBMIT FEE | \$54.00 |
| ADDENDUM | \$54.00 |
| SELF CERTIFICATION/MANUAL FEES | |
| INITIAL APPROVAL | \$10.50 |
| RESUBMITTAL | \$54.00 |
| ADDENDUM | \$54.00 |
| DEPARTMENT AUDIT FEES | |
| AUDIT (PER HOUR)* | \$54.00 |
| TRAVEL (PER HOUR)* | \$54.00 |
| PER DIEM** | |
| HOTEL*** | |
| MILEAGE | |
| RENTAL CAR*** | |
| PARKING*** | |
| AIRFARE*** | |
| DEPARTMENT INSPECTION FEES | |
| INSPECTION (PER HOUR)* | \$54.00 |
| TRAVEL (PER HOUR)* | \$54.00 |
| PER DIEM** | |
| HOTEL*** | |
| MILEAGE** | |
| RENTAL CAR*** | |
| PARKING*** | |
| AIRFARE*** | |
| INSIGNIA FEES | |
| SELF CERTIFIED | \$10.00 |
| ALTERATION | \$27.00 |
| REISSUED-LOST/DAMAGED | \$10.00 |
| OTHER FEES: | |
| FIELD TECHNICAL SERVICE (Per hour* plus travel time* and mileage**.) | \$54.00 |
| PUBLICATION PRINTING AND DISTRIBUTION OF RCW'S AND WAC'S (One free copy per year.) | \$10.50 |
| * Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments | |
| ** Per state guidelines. | |
| *** Actual charges incurred. | |

PERMANENT

AMENDATORY SECTION (Amending WSR 97-24-071, filed 12/2/97, effective 1/5/98)

WAC 296-200A-900 What fees does the department charge contractors for issuance, renewal and reinstatement

ment of certificates of registration? (1) For the purposes of this chapter:

- (a) A contractor **renews** its registration before it expires.
- (b) A contractor **reinstates** its registration after ((it has been suspended because its bond or insurance has been canceled or after it has expired)) the registration:

- (i) Has expired; or
- (ii) Has been suspended because the contractor's insurance has expired; or
- (iii) Has been suspended because the contractor's bond has been canceled or impaired.

(c) A contractor **reregisters** when it changes its business structure.

(2) The department charges the following fees:

(a) (~~(\$41.75)~~) \$43.25 for each issuance, renewal or re-registration of a certificate of registration.

(b) \$50.00 for the reinstatement of a certificate of registration.

(c) (~~(\$10.25)~~) \$10.50 for providing a duplicate certificate of registration.

(d) (~~(\$20.00)~~) \$20.75 for each requested certified letter prepared by the department.

(e) \$2.00 per copy for documents copied from a contractor's file. The maximum copy charge for copies from one contractor's file will be \$25.00.

AMENDATORY SECTION (Amending WSR 97-11-052, filed 5/20/97, effective 6/30/97)

WAC 296-400A-045 What fees will I have to pay?
The following are the department's plumbers fees:

| <u>Type of Fee</u> | <u>Period Covered by Fee</u> | <u>Dollar Amount of Fee</u> |
|---|------------------------------|--|
| Examination application | Per examination | (\$104.25) <u>108.25</u> |
| Reciprocity application | Per application | (\$104.25) <u>108.25</u> |
| Trainee certificate* | One year | (\$31.25) <u>32.50</u> |
| Trainee certificate | Less than one year | \$3.00 per month with a minimum fee of (\$20.75) <u>21.50</u> |
| Temporary permit | 90 days | (\$52.00) <u>54.25</u> |
| Journeyman or specialty certificate** | Two years | (\$83.50) <u>87.00</u> |
| Journeyman or specialty certificate | Less than two years | \$3.50 per month with a minimum fee of (\$31.25) <u>32.75</u> |
| <u>Medical gas endorsement examination application***</u> | <u>Per application</u> | <u>\$40.00</u> |
| <u>Medical gas endorsement**</u> | <u>One year</u> | <u>\$30.00</u> |
| <u>Medical gas endorsement</u> | <u>Less than one year</u> | <u>\$2.50 per month with a minimum fee of \$17.50</u> |
| Reinstatement of a journeyman certificate | | (\$167.00) <u>174.00</u> |
| Replacement of all certificates | | (\$31.25) <u>32.50</u> |

* The trainee certificate shall expire one year from the date of issuance and be renewed on or before the date of expiration.

** This fee applies to either the original issuance or a renewal of a certificate. If you have passed the plumbers certificate of competency examination or the medical gas piping installer endorsement examination and paid the certificate fee, you will be issued a plumber certificate of competency or a medical gas endorsement that will expire on your birthdate.

*** An additional fee, paid directly to a nationally recognized testing agency under contract with the department will be required for the written and practical examination of competency for medical gas piping system installers.

(The annual renewal of a Medical Gas Piping Installer Endorsement shall include a continuity affidavit that verifies work in discipline of brazing has occurred within the past year.)

If your birth year is:

(1) In an even-numbered year, your certificate will expire on your birthdate in the next even-numbered year.

(2) In an odd-numbered year, your certificate will expire on your birthdate in the next odd-numbered year.

Note: The medical gas fees in this section will not be effective until the medical gas rules proposed by the department become effective.

WSR 98-12-042

PERMANENT RULES

DEPARTMENT OF LABOR AND INDUSTRIES

[Filed May 29, 1998, 12:09 p.m., effective June 30, 1998]

Date of Adoption: May 29, 1998.

Purpose: **Chapter 296-46 WAC, Safety standards—Installing electric wires and equipment—Administrative rules**, amendments to chapter 296-46 WAC, Safety standards—Installing electric wires and equipment—Administrative rules, were adopted so that the department can comply with chapter 19.28 RCW. The statute requires that the department, in conjunction with the Electrical Board, adopt "reasonable rules to ensure safety to life and property." Chapter 19.28 RCW also allows the department, in conjunction with the Electrical Board, to establish fees and civil penalties so the goals and objectives of the statute can be achieved. The amendments to chapter 296-46 WAC result from stakeholder suggestions, the department's rule review mandated by Executive Order 97-02 and the electrical program's assessment of program needs. Basically, these amendments:

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- Increase existing fees by 4.05% rounded down to the nearest quarter of a dollar. The 4.05% figure is the maximum fiscal growth rate factor allowed by the Office of Financial Management for fiscal year 1998.
- Establish new fees for new services rendered.
- Establish fees for services previously performed without charge.
- Increase certain existing civil penalties and establish a new one in order to strengthen the department's compliance efforts.
- Add new technical content in response to customer requests or changing conditions in the industry.
- Clarify existing rule sections.

WAC 296-46-100 Approval for conductors and equipment. Amendments were adopted to incorporate Electrical Policies 85-03R, "Inspection of Electrical Equipment Which is Not Listed or Labeled By an Approved Electrical Testing Laboratory," 88-03R3, "Field Assembled Control Panels" and 89-02R, "Listing of Electrical Equipment," into this section.

WAC 296-46-140 Plan review for educational, institutional or health care facilities and other buildings. Amendments were adopted to:

- Clarify the primary purpose of the plan review process, which is to ensure that conductors and equipment are of adequate size and rating.
- Add language clarifying that cities with local electrical inspection jurisdiction will do the plan reviews in their jurisdictions required by WAC 296-46-140. Incorporate Electrical Policy 96-02, "Plan Review," into this section.
- List the limited energy systems that are exempt from plan reviews.
- Exempt from plan reviews any system alteration that consists of five or fewer branch circuits and changes the existing load by 5% or less.

WAC 296-46-155 Wiring methods for designated building occupancies. Amendments were adopted to add tables and notes that clarify when a formal plan review is required and help define the correct wiring method for classified occupancies.

WAC 296-46-21052 Receptacles in dwelling units. Amendments were adopted to:

- Change the section title to more accurately reflect its content.
- Remove special requirements for floor boxes because listed floor boxes for residential and light commercial applications are now readily available.
- Add a reference to NEC 370-27(b).

WAC 296-46-225 Outside branch circuits and feeders. Amendments were adopted, in response to stakeholder requests, allowing single feeders to extend more than fifteen feet inside a building as long as the feeder is located in the building crawl space and outside the buildings structural elements.

WAC 296-46-23028 Service or other masts. Amendments were adopted to correct a spelling error in Revised Drawing E-101. The word "sung" in "Min. 2' x 6" Between Rafters With Hole Bored For Sung Fit" has been changed to "snug."

WAC 296-46-30001 Support of raceways and cables in suspended ceilings. Amendments were adopted to allow the use of #12 ceiling support wires when the requirements listed in the section are met. Given the requirements listed in the section, #12 wire provides sufficient support.

WAC 296-46-348 Electrical metallic tubing. Amendments were adopted to incorporate Electrical Policy 86-05R, "Electrical Metallic Tubing in Existing Installations," into this section. The section now explains when existing electrical metallic tubing can be reused during an electrical service upgrade.

WAC 296-46-495 Electrical work permits and fees. Amendments were adopted to:

- Clarify that electrical work permits must be paid in full before an electrical inspection can be performed.
- Clarify that the department will not refund an electrical permit fee once the electrical permit has expired.
- Add replacing lighting fixture ballast with an exact same ballast ("like for like") to the list of items that do not require an electrical work permit.

WAC 296-46-50002 On-site sewage disposal systems. Amendments were adopted to add this new section to chapter 296-46 WAC. This new section incorporates portions of Electrical Policy 85-07R2, "Residential Sewage Wet Well Pump/Ejectors," into chapter 296-46 WAC. Also, this new section describes when nonclassified wiring methods may be used for septic pump wiring.

WAC 296-46-770 Optical fiber cables. Amendments were adopted to change the National Electrical Code reference to reflect the current NEC section number regarding securing optical fiber cables.

WAC 296-46-910 Inspection fees. Amendments were adopted to:

- Add clarifying explanatory notes to the fee tables.
- Increase all existing fees in the section by 4.05% rounded down to the nearest quarter so the fees will more accurately reflect the cost of performing inspections.
- Add new fees for inspecting swimming pools, hot tubs, spas and septic systems to cover the cost of performing those inspections. In the past, the department has charged these inspection fees as either extra trip fees based upon a residential permit or as an inspection based upon a feeder permit. This new language clearly identifies the fee with the service.
- Add a new shipping fee to cover the cost of returning reviewed plans to those that submitted them.
- Add a new "variance request" processing fee to help offset the cost of reviewing the requested variance.
- Add a new refund processing fee to cover the cost of processing requests for permit refunds.

WAC 296-46-915 Electrical contractor license, administrator certificate and examination, and copy fees. Amendments were adopted to:

- Increase all existing fees in the section by 4.05% rounded down to the nearest quarter.
- Add a new fee to cover the cost of processing refund requests.
- Clarify the fee schedule by adding administrator examination fees. In the past, the department has charged

these fees but had overlooked adding them to the fee schedule.

WAC 296-46-920 Civil penalty. Amendments were adopted to:

- Increase certain civil penalties to further encourage compliance with chapter 19.28 RCW, chapters 296-46 and 296-401A WAC.
- Add a new civil penalty that applies to an electrical administrator who fails to fulfill the duties of an administrator. This new penalty serves notice to electrical administrators that there are duties, prescribed by law, that must be fulfilled.

WAC 296-46-930 Electrical contractor license and administrator certificate designation. Amendments were adopted to create a new specialty electrical contractor license and new electrical administrator certificate for nonresidential lighting maintenance and lighting retrofit. This new specialty license was created as a result of stakeholder requests.

WAC 296-46-940 Electrical contractor license. Amendments were adopted to incorporate Electrical Policy 96-04, "Policy for Manufacturers Performing Work on their Manufactured Field Products" and Electrical Policy 90-02R, "Definition of 'Maintenance' as used in chapter 19.28 RCW, chapters 296-46 and 296-401 WAC," into this section.

Chapter 296-401 WAC, Certification of competency for journeyman electricians, amendments to chapter 296-401 WAC, Certification of competency for journeyman electricians, were adopted to comply with the Administrative Procedure Act. (See RCW 34.05.220(5).) Consequently, clear rule-writing techniques were used to rewrite the entire chapter. Following the recommendation of the Office of Code Reviser, chapter 296-401 WAC was repealed in its entirety and replaced with chapter 296-401A WAC.

The content of WAC 296-401-020 Electricians with licenses or practicing the electrical trade at effective date of the act and WAC 296-401-110 Previous experience credit, was not carried forward to chapter 296-401A WAC because the time period in each section had expired.

Chapter 296-401A WAC, Certification of competency for journeyman electricians, clear rule-writing amendments to chapter 296-401A WAC, Certification of competency for journeyman electricians, were adopted to:

- Move current chapter 296-401 WAC requirements into new chapter 296-401A WAC sections.
- Write all sections in a clear rule-writing style.
- Remove outdated and redundant language to make the chapter easier to read.
- Remove gender specific language.
- Include questions in section headings to better describe the information contained in each section and to more effectively engage the reader's interest.
- Use a less formal voice in the chapter and eliminate the passive voice when possible.
- Reorganize some sections to make them easier to understand and use.

The following sections of chapter 296-401A WAC, Certification of competency for journeyman electricians, were written in a clear rule-writing style **without any substantive change to their content:**

WAC 296-401A-100 Who can work in the electrical construction trade?

WAC 296-401A-105 How do I obtain an original journeyman or specialty electrician certificate of competency?

WAC 296-401A-110 How do I renew my journeyman or specialty electrician certificate of competency?

WAC 296-401A-120 May I renew my certificate of competency after the expiration date without reexamination?

WAC 296-401A-130 Can I renew my certificate of competency if I have less than the required hours of continuing education per year of my prior certification period?

WAC 296-401A-150 Do I need a certificate of competency if I'm a lineman?

WAC 296-401A-160 Can my certificate of competency be revoked?

WAC 296-401A-210 How do I qualify to take the specialty electrician competency examination?

WAC 296-401A-230 Can I use my journeyman experience in another country to qualify for the competency examination?

WAC 296-401A-300 What will be included in the examination for journeyman electrician certificates of competency?

WAC 296-401A-310 What will be included in the examination for specialty electrician certificates of competency?

WAC 296-401A-320 What do I do if I fail a competency examination?

WAC 296-401A-400 Can I work as an electrician in Washington if I'm certified in another state?

WAC 296-401A-410 What are reciprocal agreements and how are they used?

WAC 296-401A-420 How do I qualify for a reciprocal electrician's certificate?

WAC 296-401A-430 Who is not eligible for a reciprocal electrician's certificate?

WAC 296-401A-510 How are training employment hours computed?

WAC 296-401A-520 Am I qualified for a higher level of training certificate?

WAC 296-401A-530 Can I work as a trainee without supervision?

WAC 296-401A-540 Who will not be issued training certificates?

WAC 296-401A-545 Does the department audit my trainee hours?

WAC 296-401A-550 What may happen if a person makes a false statement on an application or annual statement of hours worked?

WAC 296-401A-600 How are decisions to approve continuing education courses made?

WAC 296-401A-610 What happens after the subcommittee approves or disapproves my application for continuing education course approval?

WAC 296-401A-620 What information must a continuing education sponsor provide to have a continuing education course approved?

WAC 296-401A-630 How is completion of the training course documented?

WAC 296-401A-800 How do compliance officers and electrical inspectors determine compliance at a job site?

WAC 296-401A-810 What happens if an employer or employee is not complying with the electrician certification laws at the time of inspection?

WAC 296-401A-900 Can I request a hearing or appeal a decision of the department?

WAC 296-401A-910 What is the difference between a formal and informal appeal?

WAC 296-401A-920 How do I request an informal hearing?

WAC 296-401A-930 How do I request a formal hearing?

WAC 296-401A-935 What happens to my formal hearing deposit?

The following sections of chapter 296-401A WAC, Certification of competency for journeyman electricians, were written in a clear rule-writing style **with substantive changes to their content**. The specific sections and the reasons for the amendments are discussed below.

WAC 296-401A-140 Can I obtain a certificate of competency for an electrical specialty? Amendments were adopted, in response to industry requests, to create a new specialty certificate for nonresidential lighting maintenance and lighting retrofit technician.

WAC 296-401A-200 How do I qualify to take the journeyman electrician's competency examination? Amendments were adopted to change section language in subsections (1) and (2) to be compatible with the language in RCW 19.28.530 (1)(c).

WAC 296-401A-220 Can I use my U.S. military service experience to qualify for the journeyman or specialty electrician competency examination? Amendments were adopted to change section language to mirror language in RCW 19.28.530 (1)(c).

WAC 296-401A-500 How do I document my training hours to renew my training certificates? Amendments were adopted to insure that trainees fulfill their obligation to furnish proof of journeyman supervision to the department. Journeyman supervision is a key element in qualifying to take the journeyman or specialty examination and it is imperative that a trainee provide the department with proof that verifies this experience.

WAC 296-401A-524 Can I receive credit for electrical work experience which is exempt from the certification requirements in RCW 19.28.610 Exemptions from RCW 19.28.510 through 19.28.620? Amendments were adopted to:

- Explain the type of verification needed by the department to credit trainee hours for exempt people.
- Explain that, even though the industry is exempt, the department will require trainee cards to enable it to track and credit trainee hours.

WAC 296-401A-700 How much do I pay for a journeyman, specialty, or training certificate, competency examination, or reciprocity? Amendments were adopted to:

- Increase all existing fees by 4.05% rounded down to the nearest quarter.
- Add a new fee to cover the cost of entering new information into the department's database. This information will be used to track trainee hours and continuing education credits and to issue renewal letters.

Citation of Existing Rules Affected by this Order: Amending WAC 296-46-100 Approval for conductors and equipment, 296-46-140 Plan review for educational, institutional or health care facilities and other buildings, 296-46-155 Wiring methods for designated building occupancies, 296-46-21052 Receptacles in dwelling units, 296-46-225 Outside branch circuits and feeders, 296-46-23028 Service or other masts, 296-46-30001 Support of raceways and cables in suspended ceilings, 296-46-348 Electrical metallic tubing, 296-46-495 Electrical work permits and fees, 296-46-770 Optical fiber cables, 296-46-910 Inspection fees, 296-46-915 Electrical contractor license, administrator certificate and examination, and copy fees, 296-46-920 Civil penalty, 296-46-930 Electrical contractor license and administrator certificate designation and 296-46-940 Electrical contractor license; and repealing WAC 296-401-020 Electricians with licenses or practicing the electrical trade at effective date of the act, 296-401-030 Issuing of temporary permits, 296-401-060 Specialty certificates, 296-401-075 Electrical linemens exemption, 296-401-080 Eligibility for journeyman examination, 296-401-085 Eligibility for specialty examination, 296-401-087 Partial credit for experience, 296-401-090 Status of person who has failed an examination for an electrician certificate of competency, 296-401-100 Computation of years of employment—Renewal of training certificates, 296-401-110 Previous experience credit, 296-401-120 Electrical training certificates, 296-401-150 Penalties for false statements or material misrepresentation, 296-401-160 Enforcement, 296-401-163 Continuing education classes, 296-401-165 Issuing and renewing an electrician certificate of competency, 296-401-168 Reciprocal electrician certificates, 296-401-170 Hearing or appeal procedures, 296-401-175 Journeyman, specialty and trainee certificate, and examination fees, and 296-401-180 Examination subjects for specialty and journeyman certificates of competency.

Statutory Authority for Adoption: Chapter 19.28 RCW.

Adopted under notice filed as WSR 98-07-097 on March 18, 1998.

Changes Other than Editing from Proposed to Adopted Version: As a result of written and oral comments received, the following sections are being amended:

WAC 296-46-100 Approval for conductors and equipment, to clarify the intent and application of the last sentence of paragraph two, the department has added the phrase "on a case-by-case basis consistent with WAC 296-46-670."

WAC 296-46-140 Plan review for educational, institutional or health care facilities and other buildings, to eliminate redundant language, the department has deleted the first sentence in subsection (5). The first sentence of WAC 296-46-140(1) is essentially the same language.

WAC 296-46-155 Wiring methods for designated building occupancies, the department has corrected an error in Table 1. For "Birth center or childbirth center," under **Plan Review**, the table should read "NO," not "YES."

WAC 296-46-23028 Service or other masts, the department has corrected an error "Revised Drawing E-102." The reference for "Flashing" on the drawing should be "(per detail on E-101)," not "(per detail on SM-1)."

WAC 296-46-50002 On-site sewage disposal systems, for purposes of clarity, the phrase "and shall remain accessible" has been added to the end of the sentence in WAC 296-46-50002 (1)(e).

WAC 296-46-910 Inspection fees.

- For clarity, the word "multifamily" has been inserted in WAC 296-46-910 (1)(b). The phrase will now read: "Multifamily residential and miscellaneous multifamily residential structures, services and feeders (new construction)."
- A comma has been inserted after the words "modular homes" in WAC 296-46-910 (1)(e).
- In order to be consistent with the subsection heading and content, the word "temporary" has replaced the word "outdoor" in WAC 296-46-910 (3)(c) and the accompanying note.

WAC 296-46-930 Electrical contractor license and administrator certificate designation.

- For clarity, the word "retrofit" has been added to the first sentence of WAC 296-46-930 (2)(f)(ii), Nonresidential lighting maintenance and lighting retrofit (07A). The sentence now reads: Limited to working within the housing of existing nonresidential lighting fixtures for work related to repair, service, maintenance of lighting fixtures and installation of energy efficiency lighting retrofit upgrades.
- To clarify the intent and application of WAC 296-46-930 (2)(f)(ii), the second sentence of paragraph two has been deleted and replaced with the following: This specialty contractor must adhere to the ratio requirements for trainee supervision in RCW 19.28.510 for specialty electricians to trainees. A specialty lighting maintenance and retrofit technician is allowed to supervise a maximum of two trainees on the same job site. A contractor must obtain an electrical permit and request inspection for all retrofit installations. This contractor must have a documented electrical lighting maintenance safety training program for all employees working under this specialty contractor license.

WAC 296-401A-100 Who can work in the electrical construction trade? For clarity, the department has added the phrase "and are learning the trade under the supervision of a certified journeyman" at the end of WAC 296-401A-100(4).

WAC 296-401A-110 How do I renew my journeyman or specialty electrician certificate of competency? For clarity, the department has deleted, in WAC 296-401A-110(2), the phrase "each year during the prior certification period" and replaced it with "required for each year of your prior certification period."

WAC 296-401A-140 Can I obtain a certificate of competency for an electrical specialty? For clarity, the department added to the first sentence of the second paragraph in WAC 296-401A-120(8) the phrase "you performed electrical lighting maintenance and lighting retrofit installations and." The sentence will now read: To qualify for this certificate **on or before June 30, 1999**, you must provide proof to the depart-

ment that you performed electrical lighting maintenance and lighting retrofit installations and you were employed for a minimum of two years by a contractor engaged full-time in the business of nonresidential lighting maintenance and lighting retrofit work.

WAC 296-401A-500 How do I document my training hours to renew my training certificate? To enhance compliance with WAC 296-401A-500, the department has deleted the phrase "the names of each journeyman or specialty electrician who supervised your work" from subsection (1).

WAC 296-401A-910 What is the difference between a formal and an informal appeal? For clarity, the department has amended the table in WAC 296-401A-910. Under "formal hearing results," the word "Decision" has been deleted and replaced with the phrase "Proposed Decision and Order, subject to final acceptance or rejection by the Electrical Board." **In addition to the above amendments, the question format used as section headings in the proposed rule has been replaced with a traditional section heading format in the adopted rule. The traditional format is preferred by the industry.**

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 40, Amended 15, Repealed 19.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 40, Amended 15, Repealed 19.

Effective Date of Rule: June 30, 1998.

May 27, 1998

Gary Moore
Director

NEW SECTION

WAC 296-46-100 Approval for conductors and equipment. In order to meet the minimum electrical safety standards for installations, all materials, devices, appliances, and equipment, not exempted in RCW 19.28.010, shall conform to applicable standards recognized by the department or be listed by an electrical products testing laboratory accredited by the department. Listed materials and equipment must be used in electrical installations when a recognized published electrical product safety standard exists to test the materials and equipment, **and** when two or more manufacturers have products that are listed and labeled in that product category.

Custom built machinery and equipment will not be required to be listed by an accredited products testing laboratory. However, the department will require such unlisted equipment to be field evaluated and approved for safety by a

firm recognized by the department to perform the evaluation using acceptable standards. Department electrical inspectors may also inspect and approve industrial control panels and utilization equipment for compliance with codes, rules, and standards recognized by the department, on a case-by-case basis consistent with WAC 296-46-670.

AMENDATORY SECTION (Amending WSR 97-12-016, filed 5/28/97, effective 6/30/97)

WAC 296-46-140 Plan review for educational, institutional or health care facilities and other buildings. (1) Plan review is a part of the electrical inspection process; its primary purpose is to determine that loads are calculated per the proper NEC or WAC article or section and that conductors and equipment are adequately sized and rated to the calculated load. All electrical plans for new or altered electrical installations in educational, institutional, and health or personal care occupancies classified or defined in WAC 296-46-130 shall be reviewed and approved by the department before the electrical installation or alteration is begun. Plans for these electrical installations within cities that perform electrical inspections within their jurisdiction, and provide an electrical plan review program that equals or exceeds the department's program in plans examiner minimum qualifications per RCW 19.28.070, ((policies and procedures, may)) shall be submitted to that city for review rather than to the department, unless the agency licensing or regulating the installation specifically requires review by the department.

Approved plans shall be available on the job site for use during the electrical installation or alteration and for use by the electrical inspector. Refer plans for department review to the Electrical Inspection Section, Department of Labor and Industries, P.O. Box 44460, Olympia, Washington 98504-4460. Please refer to WAC 296-46-910 for required fees for plan review.

(2) Plans to be reviewed by the department must be legible, identify the name and classification of the facility, clearly indicate the scope and nature of the installation and the person or firm responsible for the electrical plans. The plans shall clearly show the electrical installation or alteration in floor plan view, include switchboard and/or panelboard schedules and when a service or feeder is to be installed or altered, shall include a riser diagram, load calculation, fault current calculation and interrupting rating of equipment. Where existing electrical systems are to supply additional loads, the plans shall include documentation that proves adequate capacity and ratings.

(3) Plan review for new or altered electrical installations of other types of construction may be voluntarily requested by the owner or other interested parties.

(4) For existing structures where additions or alterations to feeders and services are proposed, NEC Article 220 shall govern, except that, in addition to the provisions of Paragraph 220-35 (1) Exception, the following is required:

(a) The date of the measurements.

(b) A diagram of the electrical system identifying the point(s) of measurement.

(c) Building demand measured continuously on the highest-loaded phase of the feeder or service over a thirty-day

period, with demand peak clearly identified. (Peak demand shall be defined as the maximum average demand over a fifteen-minute interval.)

(5) Due to their minimal load requirements, plan review of the following limited energy systems will not be required: Fire alarm, nurse call, intrusion or security alarm, intercom, public address, music, energy management, programmed clock, data, cable television, or telephone.

(6) When a service or feeder is affected five percent or less by the addition or alteration of five or less branch circuits, plan review may be requested from the local inspection office. Permission for such small project plan review shall be granted at the discretion of the electrical inspection field supervisor, the plans examiner supervisor, or the chief electrical inspector.

NEW SECTION

WAC 296-46-155 Wiring methods for designated building occupancies. Wiring methods, equipment and devices for health or personal care, educational and institutional facilities as defined or classified in WAC 296-46-130 and for places of assembly for one hundred or more persons shall comply with Tables 1 and 2 and the notes thereto. For determining the occupant load of places of assembly, the methods of the currently adopted edition of the Uniform Building Code shall be used.

Table 1
Health or Personal Care Facilities
Electrical System - Wiring Methods

| Health or Personal Care Facility Type | Power and Lighting | Emergency Power and Lighting | Limited Energy Systems | Patient Care Areas | Plan Review |
|---|--------------------|------------------------------|------------------------|--------------------|-------------|
| Hospital | 1 | 4 | 1 | 3 | YES |
| Nursing home unit or long-term care unit | 1 | 1 | 1 | 3 | YES |
| Boarding home or assisted living facility | 1 | 1 | 1 | | YES |
| Private alcoholism hospital | 1 | 1 | 1 | 3 | YES |
| Alcoholism treatment facility | 1 | 1 | 1 | | YES |
| Private psychiatric hospital | 1 | 1 | 1 | 3 | YES |
| Maternity home | 1 | 1 | 1 | 3 | YES |

PERMANENT

| Health or Personal Care Facility Type | Power and Lighting | Emergency Power and Lighting | Limited Energy Systems | Patient Care Areas | Plan Review |
|--|--------------------|------------------------------|------------------------|--------------------|-------------|
| Birth center or childbirth center | 1 | 1 | 1 | 3 | NO |
| Ambulatory surgery facility | 1 | 1 | 1 | 3 | YES |
| Hospice care center | 1 | | 1 | | NO |
| Renal hemodialysis clinic | 1 | 1 | 1 | 3 | YES |
| Medical, dental, and chiropractic clinic | 1 | 1 | 1 | 3 | NO |
| Residential treatment facility for psychiatrically impaired children and youth | 1 | 1 | 1 | 3 | YES |
| Adult residential rehabilitation center | 1 | 1 | 1 | | YES |
| Group care facility | 1 | 1 | 1 | | NO |

Table 2

Educational and Institutional Facilities, Places of Assembly or other facilities Electrical System - Wiring Methods

| Educational, Institutional or Other Facility Type | Power and Lighting | Emergency Power and Lighting | Limited Energy Systems | Plan Review Required |
|---|--------------------|------------------------------|------------------------|----------------------|
| Educational | 2 | 2 | 1 | YES |
| Institutional | 2 | 2 | 1 | YES |
| Places of Assembly for 100 or more persons | 1 | 1 | 1 | NO |
| Child day care center | 1 | 1 | 1 | NO |

| Educational, Institutional or Other Facility Type | Power and Lighting | Emergency Power and Lighting | Limited Energy Systems | Plan Review Required |
|--|--------------------|------------------------------|------------------------|----------------------|
| School-age child care center | 1 | 1 | 1 | NO |
| Family child day care home, family child care home, or child day care facility | 1 | 1 | 1 | NO |

Notes to Tables 1 and 2

1. Wiring methods in accordance with the National Electrical Code.
2. Metallic or nonmetallic raceways, MI, MC, or AC cable.
3. Wiring methods in patient care areas shall comply with 1996 NEC article 517-13.
4. Emergency system wiring shall comply with 1996 NEC article 517-30 (c)(3).

AMENDATORY SECTION (Amending WSR 97-24-033, filed 11/25/97, effective 12/29/97)

WAC 296-46-21052 Receptacles ((in dwelling units)). ((For floor receptacle outlets located out of traffic areas, formed or welded metal boxes that are mounted in a substantial manner such as directly to a framing member shall be permitted. An approved metal cover plate that provides protection from debris entering the device shall be used.)) (1) Floor receptacle outlets shall be in compliance with NEC 370-27(b).

(2) Tamper resistant receptacles are required in licensed day care facilities and pediatric or psychiatric patient care areas for 15 or 20 ampere, 125 volt receptacles. Tamper resistant receptacles shall, by construction, limit improper access to energized contacts.

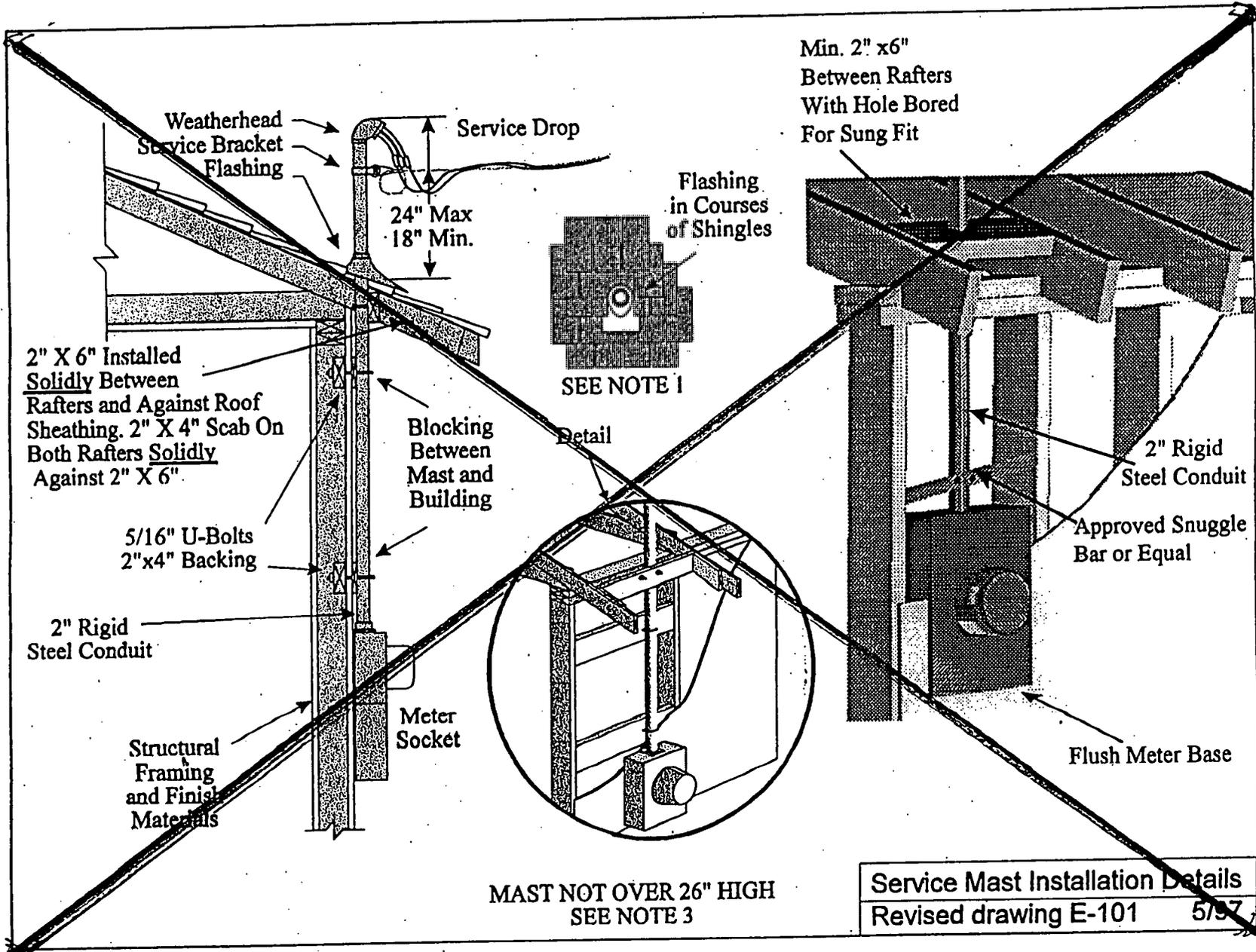
AMENDATORY SECTION (Amending WSR 97-12-016, filed 5/28/97, effective 6/30/97)

WAC 296-46-225 Outside branch circuits and feeders. For the purpose of Article 225-8 (b) of the National Electrical Code, the branch circuit or feeder raceway or cable shall extend no more than 15 feet inside a building or structure. A building supplied by a single feeder, with proper over-current protection where the conductors receive their supply, shall be permitted to exclude from the 15 foot measurement that portion of the feeder run within a crawl space and outside of the building structural elements and insulation envelope.

AMENDATORY SECTION (Amending WSR 97-12-016, filed 5/28/97, effective 6/30/97)

WAC 296-46-23028 Service or other masts. Conduit extended through the roof to provide means of attaching the service drop or other conductors shall be no smaller than 2-inch rigid steel galvanized conduit, shall provide a structur-

PERMANENT

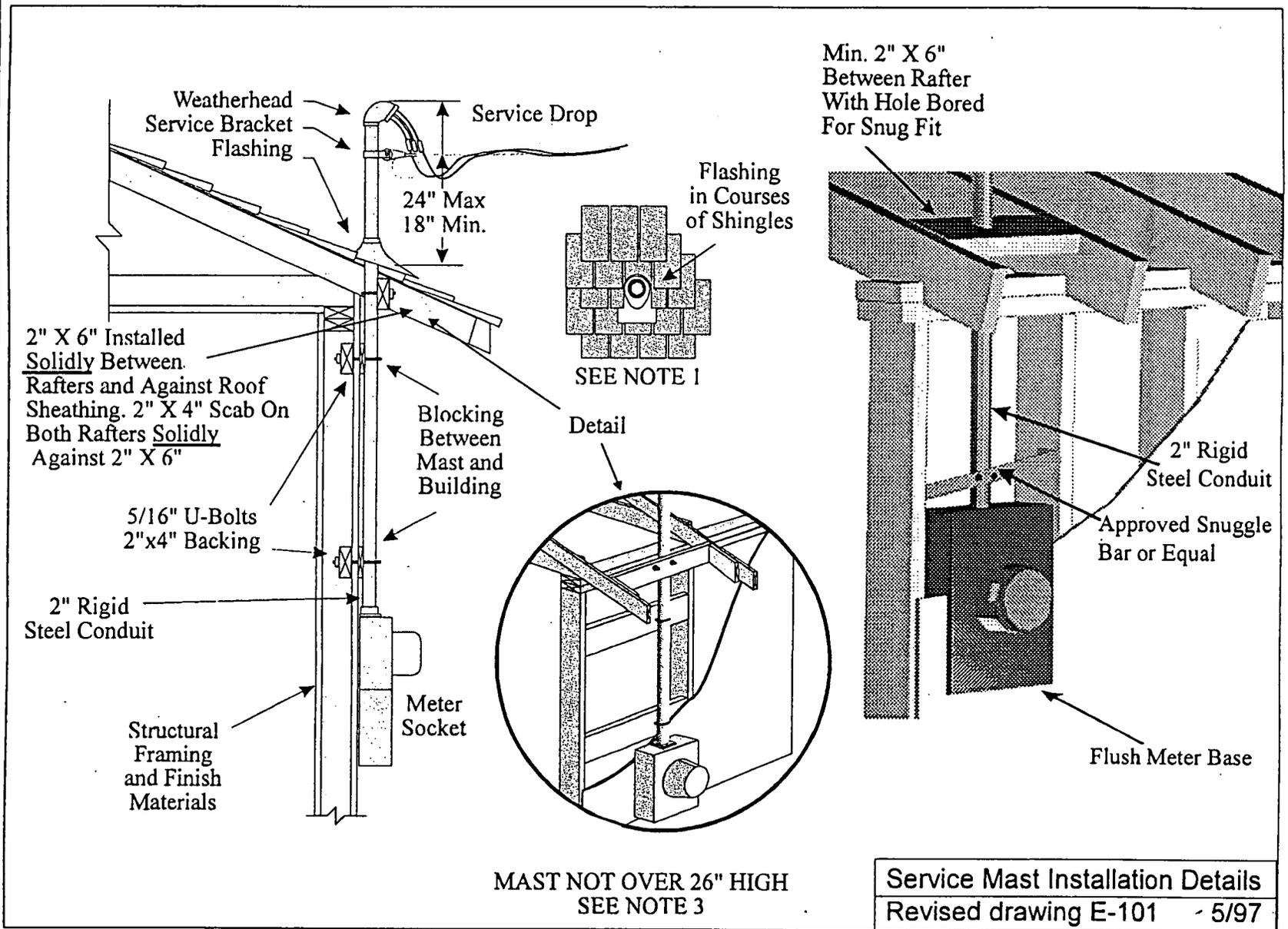


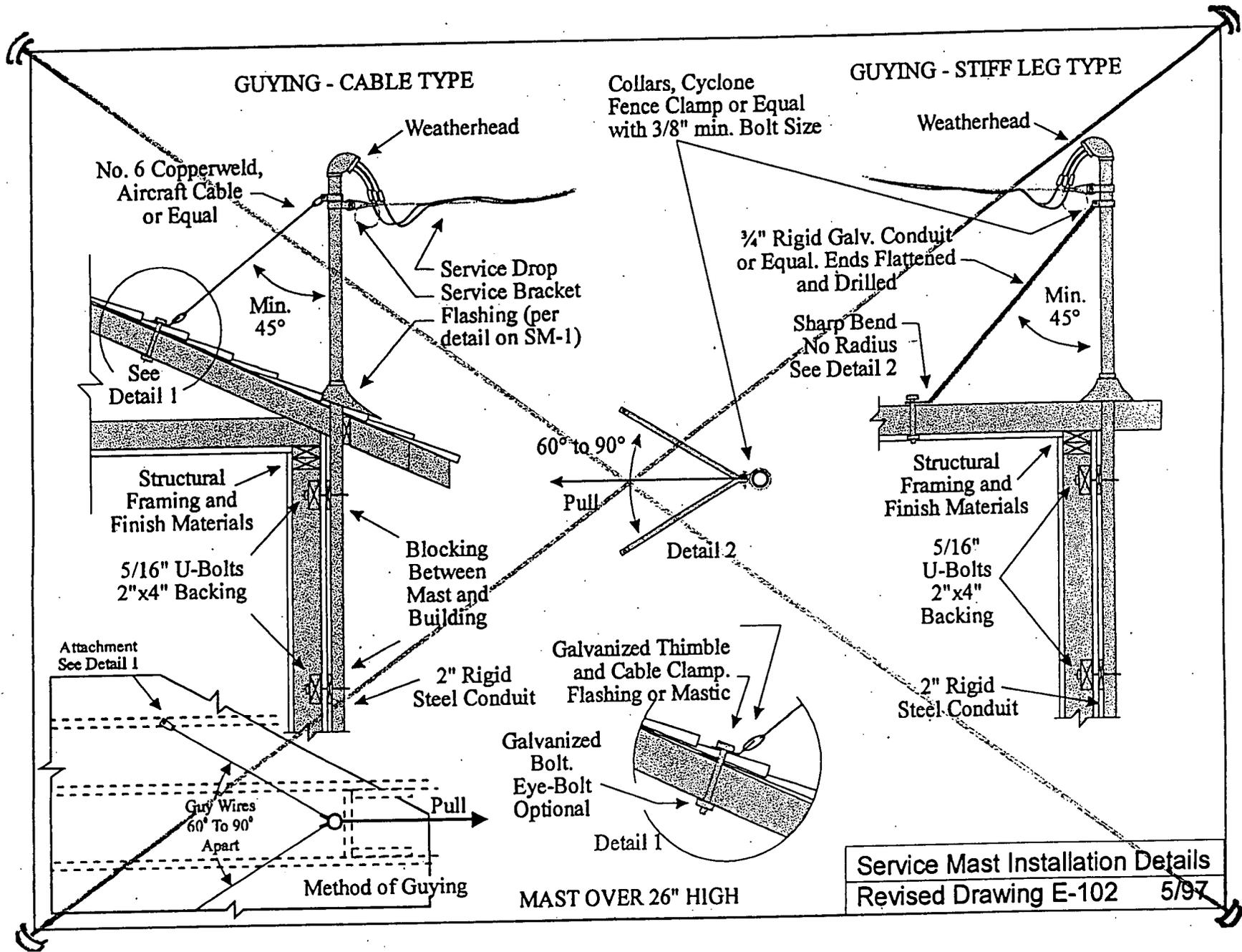
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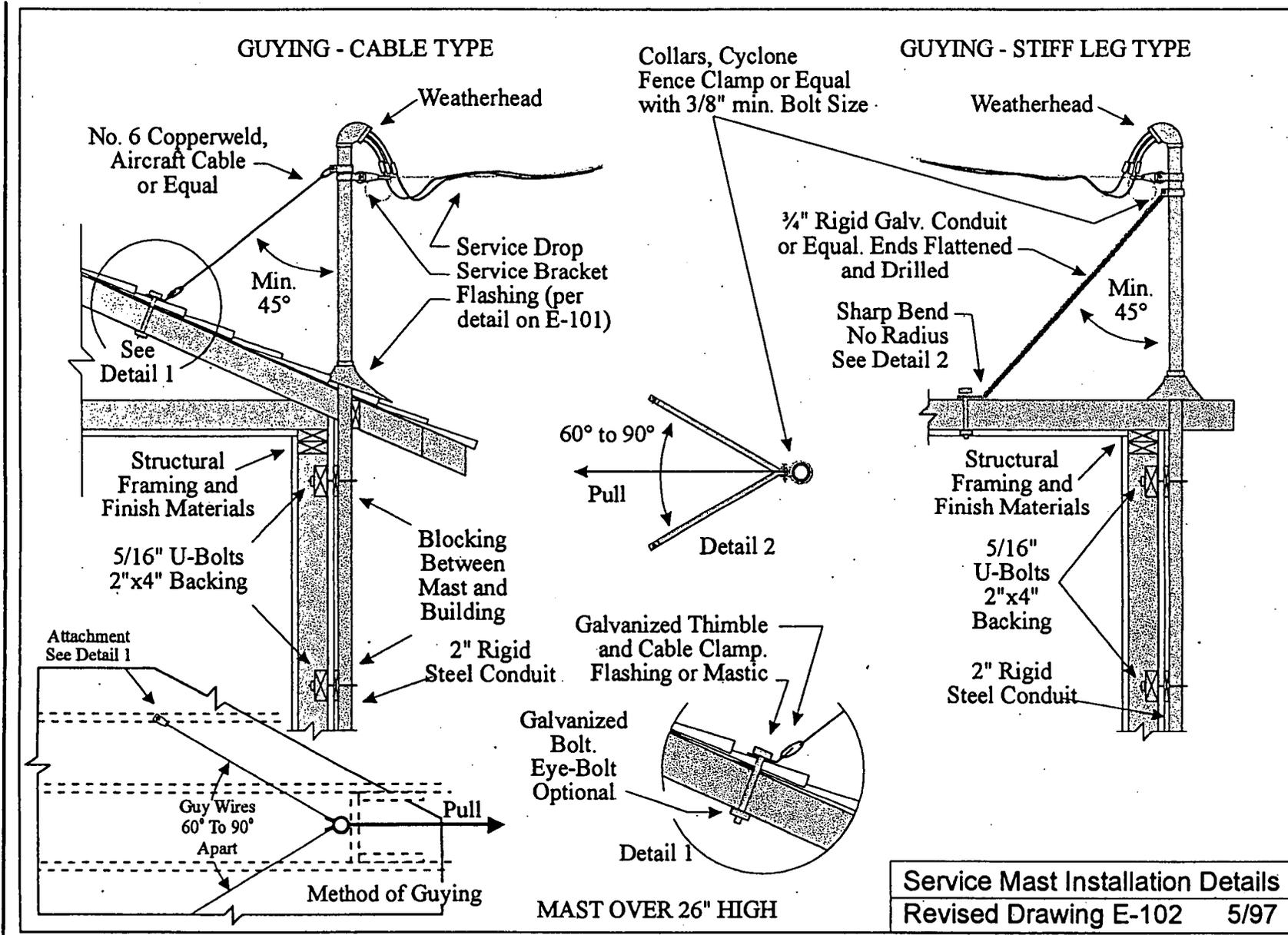
ally sound attachment for the conductors and shall be equipped with a properly installed flashing at the roof line. The installation shall comply with drawings E-101 and/or E-102, or shall provide equivalent strength by other approved means. Masts for altered or relocated installations shall be permitted to comply with drawing E-103.

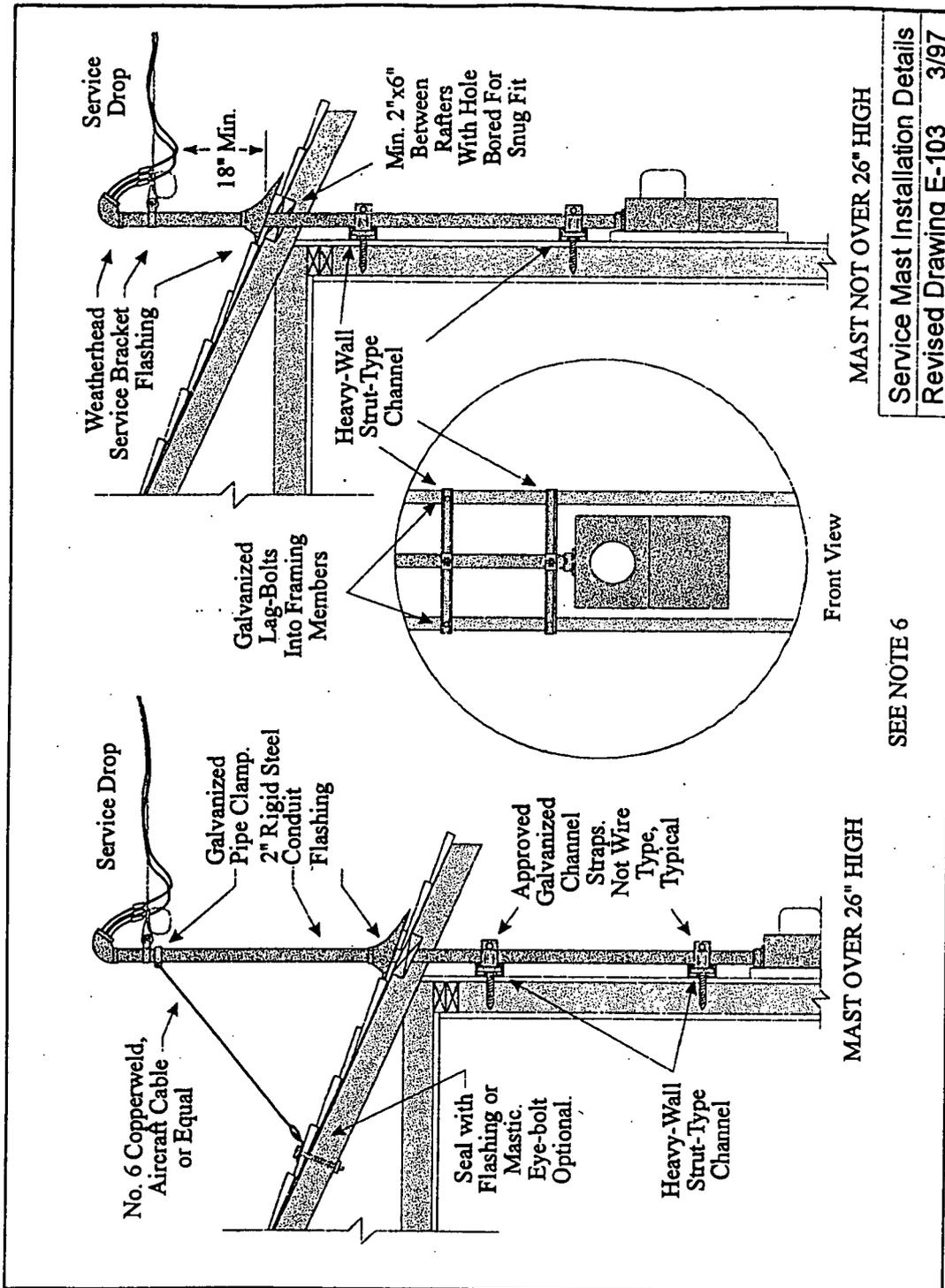




Service Mast Installation Details
 Revised Drawing E-102 5/97

PERMANENT





MAST NOT OVER 26" HIGH

Service Mast Installation Details
Revised Drawing E-103 3/97

Front View

SEE NOTE 6

MAST OVER 26" HIGH

Notes to drawings E-101, E-102, and E-103.

An approved roof flashing shall be installed on each mast where it passes through a roof. Plastic, nonhardening mastic shall be placed between lead-type flashings and the conduit. Neoprene type flashings shall also be permitted to be used.

2. Masts shall be braced, secured, and supported in such a manner that no pressure from the attached conductors will be exerted on a roof flashing, meter base, or other enclosures.
3. Utilization of couplings for a mast are permitted only below the point the mast is braced, secured, or supported.
4. Except as otherwise required by the serving utility, service mast support guys shall be installed if the service drop attaches to the mast

more than 24 inches above the roof line or if the service drop is greater than 100 feet in length from the pole or support. Masts for support of other than service drops shall comply with this requirement as well.

5. Intermediate support masts shall be installed in an approved manner with methods identical or equal to those required for service masts.
6. For altered services, where it is impractical to install U bolt mast supports due to interior walls remaining closed, it shall be permissible to use other alternate mast support methods such as heavy gauge, galvanized, electrical channel material that is secured to two or more wooden studs with 5/16 inch diameter or larger galvanized lag bolts.

AMENDATORY SECTION (Amending WSR 97-12-016, filed 5/28/97, effective 6/30/97)

WAC 296-46-30001 Support of raceways and cables in suspended ceilings. Raceways, cables, and boxes shall be permitted to be supported from Number ((9)) 12 and larger wires under the following conditions:

- (1) Raceways and cables are not larger than 3/4 inch trade size.
- (2) No more than two raceways or cables are supported by a support wire.
- (3) Raceways and cables are secured to the support wires by fittings designed and manufactured for the purpose.
- (4) The support wires are securely fastened to the structural ceiling and to the ceiling grid system.
- (5) The raceways or cables serve equipment that is located within the ceiling cavity or is mounted on or supported by the ceiling grid system.
- (6) Where not prohibited by the building code official.

AMENDATORY SECTION (Amending Order 86-23, filed 8/29/86)

WAC 296-46-348 Electrical metallic tubing. (1) In addition to complying with the provisions of Article 348 of the National Electrical Code, electrical metallic tubing shall not be installed in direct contact with the earth or in concrete on or below grade. See also section 300-6 of the National Electrical Code.

(2) Electrical metallic tubing shall not be installed as the wiring method for service entrance conductors inside a building. Existing electrical metallic tubing, installed prior to October 1984, which is properly grounded and used for service entrance conductors may be permitted to remain if the conduit is installed in a nonaccessible location and of the proper size for the installed conductors.

AMENDATORY SECTION (Amending WSR 93-06-072, filed 3/2/93, effective 4/2/93)

WAC 296-46-495 Electrical work permits and fees.

(1) Where an electrical work permit is required by chapter 19.28 RCW or this chapter, inspections shall not be made, equipment energized, nor services connected unless an electrical work permit is completely and legibly filled out and readily available, and all applicable inspection fees have been paid. The classification or type of facility to be inspected and the scope of the electrical work to be performed shall be clearly shown on the electrical work permit. The address where the inspection is to be made shall be identifiable from

the street, road or highway that serves the premises. Driving directions and/or a legible map must be provided for the inspectors' use.

(2) Except for emergency repairs to existing electrical systems, electrical work permits shall be obtained prior to beginning the installation or alteration. An electrical work permit for emergency repairs to existing electrical systems shall be obtained no later than the next business day.

(3) The electrical work permit application shall be posted on the job site at a conspicuous location prior to beginning electrical work and at all times electrical work is performed.

(4) Electrical work permits shall expire one year after the date of purchase unless electrical work is actively and consistently in progress and inspections requested. Electrical work permits for temporary construction activity shall expire ninety days after suspended construction and no later than one year after purchase. Refunds are not available for expired electrical work permits.

(5) Fees shall be paid in accordance with the inspection fee schedule WAC 296-46-910.

(6) Each person, firm, partnership, corporation, or other entity shall furnish an electrical work permit for the installation, alteration, or other electrical work performed or to be performed by that entity. Each electrical work permit application shall be signed by the electrical contractor's administrator (or designee) or the person, or authorized representative of the firm, partnership, corporation, or other entity that is performing or responsible for the electrical installation or alteration.

(7) An electrical work permit is required for installation, alteration, or maintenance of electrical systems except for replacement of circuit breakers or fuses, for replacement of lamps, snap switches, receptacle outlets or heating elements, replacement of a lighting fixture ballast with an exact same ballast, replacement of contactors, relays, timers, starters, or similar control components or for plug-in appliances or travel trailers.

NEW SECTION

WAC 296-46-50002 On-site sewage disposal systems.

(1) Pumping chambers for sewage, effluent, or grinder pumps in both on-site and septic tank effluent pump (S.T.E.P.) disposal systems shall be considered unclassified when not more than five residential units are connected to the system or when nonresidential systems have residential loading characteristics and all of the following general installations requirements are complied with.

(a) The pumping chamber shall be adequately vented. Venting may be accomplished through the building or structure plumbing vents where adequate or by a direct 2" minimum vent to the atmosphere.

(b) Equipment that in normal operation may cause an arc or spark shall not be installed in any pumping chamber.

(c) Float switches installed in an unclassified location shall be hermetically sealed to prevent the entrance of gases or vapors.

(d) Junction boxes, conduits and fittings installed in the septic atmosphere shall be of the noncorrosive type, installed to prevent the entrance of gases or vapors.

(e) Where a conduit system is installed between the pumping chamber and the control panel, motor disconnect, or power source, an approved sealing fitting shall be installed to prevent the migration of gases or vapors from the pumping chamber, and shall remain accessible.

(f) Wire splices in junction boxes installed in pumping chambers, shall be suitable for wet locations.

(g) Submergence of the pumping motor shall be guaranteed by the design of the pump or by redundant off floats.

(2) Nonresidential loading characteristics shall be certified by a Washington state registered professional engineer, engaged in the business of wastewater management systems design. Documentation that is signed and stamped by the engineer shall be provided to the electrical inspector prior to the inspection.

(3) Any residential or nonresidential system that has building or structure floor drains being discharged into the system shall be classified as Class I Division I.

(4) Pumping chamber access covers shall be permitted to be covered by gravel, light aggregate, or noncohesive granulated soil, and shall be accessible for excavation. Access covers that are buried, shall have their location identified at the electrical panel or other approved prominent location.

(5) Secondary treatment effluent pumping chambers such as sandfilters are unclassified, and require no special wiring methods.

Inspection approval is required prior to covering or concealing any portion of the septic electrical system, including the pump. New septic and effluent tanks containing electrical wires and equipment shall be inspected and approved by the department prior to being loaded with sewage.

AMENDATORY SECTION (Amending WSR 90-19-015, filed 9/10/90, effective 10/11/90)

WAC 296-46-770 Optical fiber cables. Optical fiber cables shall be secured in compliance with Section ((336-15)) 336-18 of the National Electrical Code.

AMENDATORY SECTION (Amending WSR 97-24-033, filed 11/25/97, effective 12/29/97)

WAC 296-46-910 Inspection fees. To calculate the inspection fees, the amperage is based on the conductor ampacity or the overcurrent device rating. The inspection fees shall be calculated from sections (1) through (5) below. However, the total fee shall not be less than the number of progress inspection (one-half hour) units times the progress inspection fee rate from subsection (5) MISCELLANEOUS (k) below.

- (1) RESIDENTIAL
 - (a) Single and two family residential (new construction)
 - (i) First 1300 sq. ft. or less \$((62)) 64.50
 - Each additional 500 sq. ft. or portion of \$((20)) 20.75

Note: Square footage is the area included within the surrounding exterior walls of a building exclusive of any interior courts. (This includes any floor area in an attached garage, basement, or unfinished living space.)

"Inspected with the service" or "inspected at the same time" means all wiring is to be ready for inspection during the initial inspection trip.

- (ii) Each outbuilding or detached garage inspected with the service \$((26)) 27.00
- (iii) Each outbuilding or detached garage inspected separately \$((44)) 42.50
- (iv) Each swimming pool - inspected with the service \$42.50
- (v) Each swimming pool - inspected separately \$64.50
- (vi) Each hot tub, spa, or sauna - inspected with the service \$27.00
- (vii) Each hot tub, spa, or sauna - inspected separately \$42.50
- (viii) Each septic pumping system - inspected with the service \$27.00
- (ix) Each septic pumping system - inspected separately \$42.50
- (b) Multifamily residential and miscellaneous multifamily residential structures, services and feeders (new construction)

Each service and/or feeder

| Service Ampacity | Service | Feeder |
|------------------|---------------|---------|
| 0 to 200 | ((67) \$69.50 | \$20.75 |
| 201 to 400 | ((83) 86.25 | 42.50 |
| 401 to 600 | ((114) 118.50 | 59.25 |
| 601 to 800 | ((146) 151.75 | 81.00 |
| 801 and over | ((208) 216.25 | 162.25 |

- (c) Single family or multifamily altered services including circuits
- (i) Each altered service and/or altered feeder

| Service Ampacity | Service or Feeder |
|------------------|-------------------|
| 0 to 200 | \$((57)) 59.25 |
| 201 to 600 | ((83)) 86.25 |
| over 600 | ((125)) 130.00 |

- (ii) Maintenance or repair of meter or mast (no alterations to service or feeder) \$((31)) 32.25
 - (d) Single or multi-family residential circuits only (no service inspection)
 - (i) 1 to 4 circuits (see note) \$((41)) 42.50
- Except: Water heater load control devices installed in residences as part of an energy conservation program . ((25)) 26.00

The \$((25)) 26.00 permit fee for water heater load control devices will expire on December 31, 2001.

PERMANENT

(ii) Each additional circuit (see Note) 5

Note: ~~((Total fee per panel not to exceed (e)(i) of this subsection Service/Feeder))~~ Altered or added circuit fees are calculated per panelboard. Total cost of the alterations in an individual panel should not exceed the cost of a complete altered service or feeder of the same rating, as shown in subsection (1) RESIDENTIAL (c)(i) (table) above.

(e) Mobile homes~~((s))~~, modular homes, mobile home parks~~((s))~~, and RV parks

- (i) Mobile home or modular home service or feeder only ~~\$(44))~~ 42.50
- (ii) Mobile home service and feeder ~~((67))~~ 69.50
- (iii) Mobile home park sites and RV park sites
- (A) First site service or site feeder ~~((44))~~ 42.50
- (B) Each additional site service; or ~~((a))~~ additional site feeder inspected at the same time as the first service or feeder ~~((26))~~ 27.00

Note: For master service installations, see subsection (2).

(2) COMMERCIAL/INDUSTRIAL

(a) New service~~((s))~~ or feeder~~((s))~~ and additional new feeders inspected at the same time ~~((as service))~~ (includes circuits ~~((included)))~~

| (i) | Service/ Feeder Ampacity | Service/ Feeder | Additional Feeder inspected at the same time |
|-----|--------------------------------|-------------------------------------|--|
| | 0 to 100 | ((67)) <u>69.50</u> | \$(44)) <u>42.50</u> |
| | 101 to 200 | ((83)) <u>86.25</u> | 52)) <u>54.00</u> |
| | 201 to 400 | ((156)) <u>162.25</u> | 62)) <u>64.50</u> |
| | 401 to 600 | ((182)) <u>189.25</u> | 73)) <u>75.75</u> |
| | 601 to 800 | ((235)) <u>244.50</u> | 99)) <u>103.00</u> |
| | 801 to 1000 | ((287)) <u>298.50</u> | 120)) <u>124.75</u> |
| | Over 1000 | ((313)) <u>325.50</u> | 167)) <u>173.75</u> |

Note: For large COMMERCIAL/INDUSTRIAL projects that include multiple feeders, "inspected at the same time" can be interpreted to include additional inspection trips for a single project. The additional inspections must be for electrical work specified on the permit at the time of purchase. The permit fee for such projects shall be calculated from (2) (a) (i) (table) above. However, the total fee shall not be less than the number of progress inspection (one-half hour) units times the progress inspection fee rate from subsection (5) MISCELLANEOUS (k) below.

(ii) Over 600 volts surcharge ~~\$(52))~~ 54.00

(b) Altered services or feeders (no circuits)

| (i) | Service Ampacity | Service/ Feeder |
|-----|---------------------|----------------------------------|
| | 0 to 200 | \$(67)) <u>69.50</u> |
| | 201 to 600 | ((156)) <u>162.25</u> |
| | 601 to 1000 | ((235)) <u>244.50</u> |
| | Over 1000 | ((261)) <u>271.50</u> |

(ii) Over 600 volts surcharge ~~\$(52))~~ 54.00

(iii) Maintenance or repair of meter or mast (no alteration ~~((of))~~ to the service ~~((equipment))~~ or feeder) ~~((57))~~ 59.25

(c) Circuits only

- (i) First five circuits per branch circuit panel ~~\$(52))~~ 54.00
- (ii) Each additional circuit per branch circuit panel 5

Note: ~~((Total fee per panel not to exceed (a)(i) of this subsection service/feeder))~~ Altered/added circuit fees are calculated per panelboard. Total cost of the alterations in a panel (or panels) should not exceed the cost of a new feeder (or feeders) of the same rating, as shown in subsection (2) COMMERCIAL/INDUSTRIAL (a)(i) (table) above.

(3) TEMPORARY SERVICES

Note: Temporary electrical power and lighting installations are intended to be used during the period of construction, remodeling, maintenance, repair, or demolition of buildings, structures, equipment, or similar activities.

Temporary electrical power and lighting installations are allowed during emergencies and for tests, experiments, and developmental work. Temporary electrical power and lighting installations are allowed for a period not to exceed 90 days for Christmas decorative lighting and similar purposes. Temporary wiring shall be removed immediately upon completion of construction or purpose for which the wiring was installed.

(a) Residential ~~\$(36))~~ 37.25

(b) Commercial/industrial

~~((Service or Feeder))~~

| Ampacity | Service or Feeder | Additional Feeder |
|------------|---------------------------------|-------------------|
| 0 to 100 | \$(44)) <u>42.50</u> | <u>20.75</u> |
| 101 to 200 | ((52)) <u>54.00</u> | <u>27.00</u> |
| 201 to 400 | ((62)) <u>64.50</u> | <u>32.25</u> |
| 401 to 600 | ((83)) <u>86.25</u> | <u>42.50</u> |
| Over 600 | ((94)) <u>97.75</u> | <u>48.75</u> |

~~((Each additional feeder inspected at the same time as service or first feeder add 50% of the fee above.))~~

(c) Temporary stage or concert productions

| Ampacity | Service or Feeder | Additional Feeder |
|----------|-------------------|-------------------|
|----------|-------------------|-------------------|

PERMANENT

| | | |
|-------------------|----------------|----------------|
| <u>0 to 100</u> | <u>\$42.50</u> | <u>\$20.75</u> |
| <u>101 to 200</u> | <u>54.00</u> | <u>27.00</u> |
| <u>201 to 400</u> | <u>64.50</u> | <u>32.25</u> |
| <u>401 to 600</u> | <u>86.25</u> | <u>42.50</u> |
| <u>Over 600</u> | <u>97.75</u> | <u>48.75</u> |

Meters installed remote from service equipment: Inspected at same time as service, temporary service or other installations ~~((+0))~~ 10.25

(f) Emergency inspections requested outside normal work hours. Regular fee plus surcharge of ~~\$(78))~~ 81.00

(g) Generators, refer to appropriate residential or commercial new service ~~((#))~~ or feeder section

(h) Annual permit fee for plant location employing regular electrical maintenance staff - Each inspection two hour maximum.

Note: Temporary stage or concert inspections requested outside of normal business hours will be subject to the portal to portal hourly fees in subsection (5) MISCELLANEOUS (m). The fee for such after hours inspections shall be the greater of the fee from (3) TEMPORARY SERVICES (c) (table) or the portal to portal fee.

(4) IRRIGATION MACHINES, PUMPS AND EQUIPMENT
Irrigation machines

- (a) Each tower when inspected at the same time as a service and feeder (per subsection (2) COMMERCIAL/INDUSTRIAL above) ~~5~~ \$5
- (b) Towers - when not inspected at the same time as a service and feeders - ((first 6)) one to six towers ~~((62))~~ 64.50

Each additional tower ~~((per (a) of this subsection))~~ 5

(5) MISCELLANEOUS - commercial/industrial and residential

- (a) Thermostats
 - (i) First thermostat ~~\$(34))~~ 32.25
 - (ii) Each additional thermostat inspected at the same time as the first ((thermostat)) ~~((+0))~~ 10.25

Note: Thermostat is defined as:
(A) A device that interrupts electrical current while performing its function of controlling building, zonal, or room environmental air temperature; or

(B) In the case of environmental air temperature control by the use of sensors which do not interrupt current but rather transmit data to a zonal or central processing unit, "Thermostat" shall be considered to be the circuit extending from the central processing unit to the local controller. At times this local unit could control several zones or rooms individually or in concert.

(b) Low voltage fire alarm and burglar alarm. Includes nurse call, intercom, security systems, and similar low energy circuits and equipment

- (i) First 2500 sq. ft. or less. ~~((Includes nurse call intercom, security systems and similar low energy circuits and equipment))~~ ~~\$(36))~~ 37.25
- (ii) Each additional ~~((500))~~ 2500 sq. ft. or portion thereof ~~((+0))~~ 10.25

~~((Exception: Low voltage fire alarm and burglar alarm for commercial and industrial~~

Each control panel and up to four circuits or zones ~~—\$29~~

Each additional circuit or zone ~~7))~~

- (c) Signs and outline lighting
 - (i) First sign (no service included) ~~\$(34))~~ 32.25
 - (ii) Each additional sign inspected at the same time on the same bldg. or structure ~~((+5))~~ 15.50
- (d) Berth at a marina or dock ~~\$(44))~~ 42.50

Each additional berth inspected at the same time ~~((26))~~ 27.00

- (e) Yard pole, pedestal, or other meter loops only ~~\$(44))~~ 42.50

| | Fee | Inspections |
|---------------------------------|---|-------------|
| 1 to 3 plant electricians | ((1,493)) <u>\$1,553.25</u> | 12 |
| 4 to 6 plant electricians | ((2,987)) <u>3,107.75</u> | 24 |
| 7 to 12 plant electricians | ((4,480)) <u>4,661.25</u> | 36 |
| 13 to 25 plant electricians | ((5,974)) <u>6,215.75</u> | 52 |
| more than 25 plant electricians | ((7,468)) <u>7,770.25</u> | 52 |

- (i) Carnival inspections
 - (i) First field inspection each year
 - (A) Each ride and generator truck ~~\$(+5))~~ 15.50
 - (B) Each remote distribution equipment, concession or gaming show 5
 - (C) ~~((Minimum fee))~~ If the calculated fee for first field inspection of (A) and (B) above is less, the minimum inspection fee shall be: ~~((78))~~ 81.00

- (ii) Subsequent inspections
 - (A) First 10 rides, concessions, generators, remote distribution equipment or gaming show ~~\$(78))~~ 81.00
 - (B) Each additional ride, concession, generator, remote distribution equipment or gaming show 5
 - (iii) Single concession, not part of a carnival \$42.50

- (j) Trip fees
 - (i) Requests by property owners to inspect existing installations ~~\$(62))~~ 64.50
 - (ii) Submitter notifies the department that work is ready for inspection when it is not ready ~~((34))~~ 32.25
 - (iii) Additional inspection required because submitter has provided the wrong address ~~((34))~~ 32.25
 - (iv) More than one additional inspection required to inspect corrections; or for repeated neglect, carelessness, or improperly installed electrical work ~~((34))~~ 32.25
 - (v) Each trip necessary to remove a noncompliance notice ~~((34))~~ 32.25
 - (vi) Corrections have not been made in the prescribed time, unless an exception has been requested and granted ~~((34))~~ 32.25
 - (vii) Installations that are covered or concealed before inspection ~~((34))~~ 32.25

(k) Progress inspections
On partial or progress inspections, each one-half hour ~~\$(34))~~ 32.25

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Note: The fees calculated in main sections (1) through (5) shall apply to all electrical work. This section is intended to be applied to a permit where the permit holder has requested additional inspections beyond the normal number for the type of installation. Additional progress inspections shall be charged at the rate in (k) above.

(l) Plan review fee

- (i) Fee is thirty-~~(five)~~ nine percent of the electrical work permit fee as determined by WAC 296-46-495, plus a plan review submission fee of \$~~((52))~~ 54.00
- (ii) Supplemental submissions of plans per hour or fraction of an hour \$~~((62))~~ 64.50
- (iii) Plan review shipping and handling fee \$15.50

(m) Other inspections

Inspections not covered by above inspection fees shall be charged portal to portal per hour \$~~((62))~~ 64.50

(n) Refund processing fee

All requests for permit fee refunds will be assessed a processing fee \$10.50

(o) Variance request processing fee

This fee is nonrefundable once the transaction has been made \$64.50

AMENDATORY SECTION (Amending WSR 97-24-033, filed 11/25/97, effective 12/29/97)

WAC 296-46-915 Electrical contractor license, administrator certificate and examination, and copy fees.

- (1) General or specialty contractor license (per twenty-four month period) \$~~((208))~~ 216.25
- (2)(a) Administrator certificate examination application (nonrefundable) \$ ~~((26))~~ 27.00
- (b) Administrator first-time examination fee \$62.25
- (c) Administrator re-test examination fee \$72.75
- (3) Administrator original certificate (submitted with application) \$ ~~((62))~~ 64.50
- (4) Administrator certificate renewal (per twenty-four month period) \$ ~~((78))~~ 81.00
- (5) Late renewal of administrator certificate (per twenty-four month period) \$~~((156))~~ 162.25
- (6) Transfer of administrator designation \$ ~~((34))~~ 32.25
- (7) Certified copy of each document (maximum \$~~((44))~~ 45.75 per file) \$ ~~((20))~~ 20.75 first document
\$2 each additional document
- (8) Reinstatement of a general or specialty contractor's license after a suspension \$ ~~((42))~~ 43.50
- (9) Reinstatement of an administrator's certificate after a suspension \$ ~~((42))~~ 43.50
- (10) Refund processing fee
All requests for refunds will be assessed a processing fee \$10.50

Note: Failure to appear for an examination results in forfeiture of the examination fee.

AMENDATORY SECTION (Amending WSR 97-12-016, filed 5/28/97, effective 6/30/97)

WAC 296-46-920 Civil penalty. A person, firm, partnership, corporation or other entity that violates a provision of chapter 19.28 RCW, chapter 296-46 or 296-401 WAC is liable for a civil penalty based upon the following schedule.

| | | |
|--|--------------------------|----------|
| (1) Offering to perform, submitting a bid for, installing or maintaining conductors or equipment that convey or utilize electrical current without having an unexpired, unrevoked and unsuspended electrical contractor license. | First offense: | \$ 500 |
| | Second offense: | \$ 1,000 |
| | Third offense: | \$ 3,000 |
| | Each offense thereafter: | \$ 5,000 |

| | | |
|---|--------------------------|----------------------------------|
| (2) Employing an individual for the purposes of RCW 19.28.510 through 19.28.620 who does not possess a valid certificate of competency or training certificate. | First offense: | \$ ((50)) <u>100</u> |
| | Second offense: | \$ ((100)) <u>350</u> |
| | Each offense thereafter: | \$ ((250)) <u>500</u> |

| | | |
|---|--------------------------|----------------------------------|
| (3) Working as an electrician or electrical trainee in the electrical construction trade without having a valid certificate of competency or electrical training certificate. | First offense: | \$ ((50)) <u>100</u> |
| | Second offense: | \$ ((100)) <u>250</u> |
| | Each offense thereafter: | \$ ((250)) <u>500</u> |

| | | |
|---|--------------------------|----------------------------------|
| (4) Employing electricians and trainees in an improper ratio. | First offense: | \$ ((50)) <u>250</u> |
| | Second offense: | \$ ((100)) <u>350</u> |
| | Each additional offense: | \$ ((250)) <u>500</u> |

| | | |
|---|--------------------------|----------------------------------|
| (5) Failing to provide supervision to an electrical trainee as required by RCW 19.28.510. | First offense: | \$ ((50)) <u>250</u> |
| | Second offense: | \$ ((100)) <u>350</u> |
| | Each additional offense: | \$ ((250)) <u>500</u> |

| | | |
|---|--------------------------|--------|
| (6) Working as an electrical trainee without proper supervision as required by RCW 19.28.510. | First offense: | \$ 50 |
| | Second offense: | \$ 100 |
| | Each additional offense: | \$ 250 |

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(7) Performing electrical installations, alterations or maintenance outside the scope of the firm's specialty electrical contractors license.

| | |
|--------------------------|----------|
| First offense: | \$ 250 |
| Second offense: | \$ 500 |
| Each additional offense: | \$ 1,000 |

(8) Selling or exchanging electrical equipment associated with spas, hot tubs, swimming pools or hydro-massage bathtubs which is not listed and labeled by an approved electrical testing laboratory.

| | |
|--------------------------|----------|
| First offense: | \$ 500 |
| Second offense: | \$ 1,000 |
| Each additional offense: | \$ 2,000 |

Definition: The sale or exchange of electrical components associated with hot tubs, spas, swimming pools or hydromassage bathtubs means: "Sell, offer for sale, advertise, display for sale, dispose of by way of gift, loan, rental, lease, premium, barter or exchange."

(9) Covering or concealing installations prior to inspection.

| | |
|--------------------------|----------|
| First offense: | \$ 500 |
| Second offense: | \$ 1,000 |
| Each additional offense: | \$ 2,000 |

(10) Failing to make corrections within fifteen days of notification by the department. Exception: Where an extension has been requested and granted, this penalty applies to corrections not completed within the extended time period.

| | |
|--------------------------|----------|
| First offense: | \$ 250 |
| Second offense: | \$ 500 |
| Each additional offense: | \$ 1,000 |

(11) Failing to obtain an electrical work permit prior to beginning the installation or alteration. Exception: In cases of emergency repairs to existing electrical systems, this penalty will not be charged if the permit is obtained no later than the business day following completion of the emergency repair.

| | |
|--------------------------|----------|
| First offense: | \$ 250 |
| Homeowner: | \$ 50 |
| Second offense: | \$ 500 |
| Each additional offense: | \$ 1,000 |

(12) Violating RCW 19.28.125(2) duties of the electrical administrator RCW 19.28.125(2)(a) through (f).

| | |
|--------------------------|----------|
| First offense: | \$ 100 |
| Second offense: | \$ 500 |
| Each offense thereafter: | \$ 1,000 |

(13) Violating any of the provisions of chapter 19.28 RCW or chapters 296-46 or 296-401 WAC which are not identified in subsections (1) through (11) of this section.

| | |
|--------------------------|------------------|
| First offense: | \$ ((50)) 250 |
| Second offense: | \$ ((100)) 500 |
| Each additional offense: | \$ ((250)) 1,000 |

(((13))) (14) Each day that a violation occurs will be a separate offense. A violation will be a "second" or "additional" offense only if it occurs within one year from the first violation.

(((14))) (15) In case of continued, repeated or gross violation of the provisions of chapter 19.28 RCW, chapter 296-46 or 296-401 WAC or if property damage or bodily injury occurs as a result of the failure of a person, firm, partnership, corporation, or other entity to comply with chapter 19.28 RCW, the department may double the penalty amounts shown in subsections (1) through (((12))) (13) of this section.

AMENDATORY SECTION (Amending WSR 97-24-033, filed 11/25/97, effective 12/29/97)

WAC 296-46-930 Electrical contractor license and administrator certificate designation. See RCW 19.28.120.

(1) General electrical license and/or administrator's certificate encompasses all phases and all types of electrical installations.

(2) Specialty (limited) electrical licenses and/or administrator's certificates are as follows:

(a) Residential (02): Limited to the wiring of one and two family dwellings, or multifamily dwellings not exceeding three floors above grade. All wiring to be in nonmetallic sheathed cable, except service and/or feeders. This specialty

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does not include wiring commercial occupancies such as motels, hotels, offices, or stores.

(b)(i) Pump and irrigation (03): Limited to the electrical connection of domestic and irrigation water pumps, circular irrigating systems and related pumps and pump houses. This specialty (~~license~~) includes circuits, feeders, controls, and services to supply said pumps.

(ii) Domestic well (03A): Limited to the extension of a branch circuit, which is supplied and installed by others, to pump controllers; pressure switches; alarm sensors; and water pumps which do not exceed 7 1/2 horsepower at 230 volts AC single phase.

(c) Signs (04): Limited to placement and connection of signs and outline lighting, the electrical supply, related controls and associated circuit extensions thereto; and the installation of a maximum 60 ampere, 120/240 volt single phase service to supply power to a remote sign only.

(d) Domestic appliances (05): Limited to the electrical connection of household appliances and the wiring thereto; such as hot water heaters, ranges, dishwashers, clothes dryers, oil and gas furnaces, and similar appliances. This specialty (~~license~~) includes circuits to the appliances; however, it does not include the installation of service and/or feeders or circuits to electric furnaces and heat pump equipment.

(e) Limited energy system (06): Limited to the installation of signaling and power limited circuits and related equipment. (~~Such license~~) This specialty includes the installation of fire protection signaling systems, intrusion alarms, non-utility owned communications systems, and such similar low energy circuits and equipment.

(f)(i) Nonresidential maintenance (07): Limited to maintenance, repair and replacement of electrical equipment and conductors on industrial or commercial premises. This specialty certificate of license does not include maintenance activities in hotel, motel, or dwelling units.

(ii) Nonresidential lighting maintenance and lighting retrofit (07A): Limited to working within the housing of existing nonresidential lighting fixtures for work related to repair, service, maintenance of lighting fixtures and installation of energy efficiency lighting retrofit upgrades. This specialty includes replacement of lamps, ballasts, sockets and the installation of listed lighting retrofit reflectors and kits. All work is limited to the fixture body, except remote located ballasts may be replaced or retrofitted with approved products. This specialty does not include installing new fixtures or branch circuits; moving or relocating existing fixtures; or altering existing branch circuits.

This specialty contractor must employ an administrator who holds a nonresidential lighting maintenance and lighting retrofit administrator certificate; or a nonresidential maintenance administrator; or a general administrator. This specialty contractor must adhere to the ratio requirements for trainee supervision in RCW 19.28.510 for specialty electricians to trainees. A specialty lighting maintenance and retrofit specialty technician is allowed to supervise a maximum of two trainees on the same job site. A contractor must obtain an electrical permit and request inspection for all retrofit installations.

The contractor must have a documented electrical lighting maintenance safety training program for all employees working under this specialty contractor license.

(3) Combination specialty electrical contractor license. The department may issue a combination specialty electrical contractor license to a firm which qualifies for more than one specialty electrical contractor license. The license shall plainly indicate the specialty licenses which are included in the combination electrical contractor license.

(4) Combination specialty electrical administrator certificate. The department may issue a combination specialty administrator certificate to an individual who qualifies for more than one specialty administrators' certificate. The combination specialty administrators' certificate shall plainly indicate the specialty administrators' certificate the holder has qualified for.

AMENDATORY SECTION (Amending Order 86-23, filed 8/29/86)

WAC 296-46-940 Electrical contractor license. (1)

The department shall issue an electrical contractor license to a person, firm, partnership, corporation or other entity that complies with RCW 19.28.120 which shall expire twenty-four months following the date of issue. The department may issue an electrical contractor license for a period greater or less than twenty-four months for the purpose of equalizing the number of electrical contractor licenses which expire each month. The department shall prorate the electrical contractor license fee according to the number of months in the license period. All subsequent licenses shall be issued for a twenty-four month period.

(2) Cash or securities deposit release. A cash or security deposit which has been filed with the department in lieu of a surety bond, shall not be released until one year after the date the electrical contractor notifies the department in writing, that the person, firm, partnership, corporation, or other entity who (which) has been issued the electrical contractor license, has ceased to do business in the state of Washington.

(3) Manufacturers of electrical products shall be allowed to utilize their factory-trained personnel to perform initial calibration, testing, adjustment, modification incidental to the startup and check out of the equipment, or replacement of components within the confines of the specific product, without permit or required licensing, provided: The product has not been previously energized and/or is within the manufacturer's warranty. Modifications, as designated above, shall not include changes to the original intended configuration nor changes or contact with externally field-connected components. The manufacturers will be responsible for obtaining any required reapproval/recertification from the original listing agent.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 296-401-020

Electricians with licenses or practicing the electrical trade at effective date of the act.

| | |
|-----------------|--|
| WAC 296-401-030 | Issuing of temporary permits. |
| WAC 296-401-060 | Specialty certificates. |
| WAC 296-401-075 | Electrical linemens exemption. |
| WAC 296-401-080 | Eligibility for journeyman examination. |
| WAC 296-401-085 | Eligibility for specialty examination. |
| WAC 296-401-087 | Partial credit for experience. |
| WAC 296-401-090 | Status of person who has failed an examination for an electrician certificate of competency. |
| WAC 296-401-100 | Computation of years of employment—Renewal of training certificates. |
| WAC 296-401-110 | Previous experience credit. |
| WAC 296-401-120 | Electrical training certificates. |
| WAC 296-401-150 | Penalties for false statements or material misrepresentation. |
| WAC 296-401-160 | Enforcement. |
| WAC 296-401-163 | Continuing education classes. |
| WAC 296-401-165 | Issuing and renewing an electrician certificate of competency. |
| WAC 296-401-168 | Reciprocal electrician certificates. |
| WAC 296-401-170 | Hearing or appeal procedure. |
| WAC 296-401-175 | Journeyman, specialty and trainee certificate, and examination fees. |
| WAC 296-401-180 | Examination subjects for specialty and journeyman certificates of competency. |

Chapter 296-401A WAC

CERTIFICATION OF COMPETENCY FOR JOURNEYMAN ELECTRICIANS

JOURNEYMAN AND SPECIALTY ELECTRICIANS CERTIFICATES

NEW SECTION

WAC 296-401A-100 Certificate of competency required. *Who can work in the electrical construction trade?*

Those who can work in the electrical construction trade are persons who:

- (1) Possess a current journeyman electrician certificate of competency issued by the department; or
- (2) Possess a current specialty electrician certificate of competency issued by the department; or
- (3) Possess a valid temporary permit; or
- (4) Possess a current electrical trainee certificate and are enrolled in an electrician's apprenticeship program approved

under chapter 49.04 RCW, and are learning the trade under the supervision of a certified journeyman; or

(5) Possess a current electrical trainee certificate and are learning the trade under the supervision of a certified journeyman electrician or certified specialty electrician working in their specialty.

NEW SECTION

WAC 296-401A-105 Original journeyman and specialty electrician certificates of competency. *How do I obtain an original journeyman or specialty electrician certificate of competency?*

(1) The department of labor and industries will issue an original electrician certificate of competency to journeyman or specialty electricians who:

(a) Meet the eligibility requirements listed in RCW 19.28.530, Certificate of competency—Eligibility for examination—Rules; **and**

(b) Successfully pass a certification examination required by RCW 19.28.540, Examination—Contents—Times—Fees—Certification of results; and

(c) Pay the original certificate fee listed in WAC 296-401A-700.

(2) Your initial electrician certificate of competency will expire on your birthdate at least one year, and not more than three years, from the date of original issue. All subsequent certificates shall be issued for a three-year period. The department will prorate the certificate fee according to the number of months or major part of a month in a certificate period.

NEW SECTION

WAC 296-401A-110 Renewal of journeyman or specialty electrician certificates of competency. *How do I renew my journeyman or specialty electrician certificate of competency?*

(1) You must apply for renewal of your journeyman or specialty electrician certificate of competency **before** the expiration date on your certificate. Renewed certificates are valid for three years.

(2) Beginning April 30, 1997, you must pay the renewal fee listed in WAC 296-401A-700, and provide evidence to the department that you have completed at least eight hours of approved continuing education required for each year of your prior certification period. Any portion of a year is equal to one year for continuing education requirements.

(3) When renewing your certificate, you will not be given credit for the exact same continuing education course taken more than once in the three years prior to your renewal date.

(4) If you are applying to renew a certificate that covered a period of two years or more, you must complete an approved continuing education class, of at least eight hours duration, on the latest National Electric Code changes.

PERMANENT

NEW SECTION

WAC 296-401A-120 Late renewal of journeyman and specialty electrician certificates of competency. *May I renew my certificate of competency after the expiration date without reexamination?*

(1) You may renew your electrician certificate within ninety days after the expiration date without reexamination if you pay the late renewal fee listed in WAC 296-401A-700 and provide evidence to the department that you have completed at least eight hours of continuing education each year during the prior certification period.

(2) All applications for renewal received more than ninety days after the expiration date of the certificate require that you pass a competency examination before being recertified.

NEW SECTION

WAC 296-401A-130 Inactive status. *Can I renew my certificate of competency if I have less than the required hours of continuing education per year of my prior certification period?*

If you have not completed the required hours of continuing education, you may apply for renewal before your certificate expires and pay the appropriate renewal fee listed in WAC 296-401A-700. Your renewal certificate will be placed in an inactive status. When your certificate of competency is placed in inactive status, you cannot work as a journeyman or specialty electrician in the electrical construction trade until you provide evidence that you have completed the required hours of continuing education.

NEW SECTION

WAC 296-401A-140 Electrical specialties. *Can I obtain a certificate of competency for an electrical specialty?*

The department issues specialty electricians' certificates of competency in the following areas of electrical work:

(1) **Residential certificate (02):** This certificate limits you to wiring one-family and two-family dwellings, or multi-family dwellings that do not exceed three floors above grade. All residential wiring, except service and feeder wiring, must be nonmetallic sheathed cable. **This certificate does not allow you to wire commercial occupancies such as motels, hotels, offices or stores.**

(2) **Pump and irrigation certificate (03):** This certificate limits you to wiring the electrical connection of domestic water pumps, irrigation pumps, circular irrigating systems and related pumps and pump houses. With this certificate, you may also install the circuits, feeders, controls and services necessary to supply electricity to the pumps.

(3) **Domestic well specialty electrical technician certificate (03A):** This certificate limits you to the installation of materials, wires and equipment providing electrical power, control and operation of domestic water pumping systems. In addition, you are limited to the extension of a branch circuit (which has been supplied and installed by others) to pump controllers, pressure switches, alarm sensors, and water pumps which do not exceed 7 and 1/2 horsepower at 230 volts AC single phase.

Prior to December 1, 1998, you will be eligible to take the domestic well specialty electrician's competency examination if you provide the department with notarized verification of at least four years prior experience installing domestic water systems, including pump installations, under the supervision of a firm engaged in the business of installing domestic water systems.

After December 1, 1998, you will be eligible to take the domestic well specialty electrician's competency examination **only if** you provide the department with notarized verification of two years experience installing domestic pump systems working under the direct supervision of a domestic well specialty technician, a pump and irrigation specialty electrician or a journeyman electrician.

Certification of domestic well specialty electrical technicians shall be according to the provisions of WAC 296-401A-105 (original certification) and WAC 296-401A-110 (renewal of certification).

(4) **Signs and outline lighting certificate (04):** This certificate limits you to placing signs and outline lighting and connecting them to their electrical supply, controls and related circuit extensions. You are further limited to the installation of a maximum 60 ampere, 120/240 volt, single phase service supplying power to a remote sign.

(5) **Domestic appliance certificate (05):** This certificate limits you to electrically connecting and wiring domestic appliances such as hot water heaters, ranges, dishwashers, clothes dryers, oil and gas furnaces and similar appliances. You may also install the circuits to those domestic appliances. However, **you may not** install service or feeder wires or circuits to electrical furnaces and heat pump equipment.

(6) **Limited energy system certificate (06):** This certificate limits you to installing signaling circuits, power limited circuits and related equipment. Examples of such equipment would be fire protection signaling systems, intrusion alarms, nonutility owned communication systems and similar low energy circuits and equipment.

(7) **Nonresidential maintenance certificate (07):** This certificate limits you to maintaining, repairing and replacing electrical equipment and conductors on industrial or commercial premises. **You may not** conduct maintenance activities in hotels, motels or dwelling units.

(8) **Nonresidential lighting maintenance and lighting retrofit technician (07A):** This certificate limits you to working within the housing of existing nonresidential lighting fixtures and limits you to work related to repair, service, maintenance of lighting fixtures and the installation of energy efficiency upgrades. Your work may include the replacement of lamps, ballasts, sockets and the installation of listed lighting retrofit reflectors and kits. Your work must be limited to the fixture body, however, you may replace or retrofit remote located ballasts with approved products. **You may not** install new fixtures or branch circuits, move or relocate existing fixtures, or alter existing branch circuits.

To qualify for this certificate **on or before June 30, 1999,** you must provide proof to the department that you performed electrical lighting maintenance and lighting retrofit installations and you were employed for a minimum of two years by a contractor engaged full-time in the business of nonresidential lighting maintenance and lighting retrofit

work. **After June 30, 1999**, all applicants for this certificate must have a minimum of two years full-time experience under the direct supervision of a nonresidential lighting maintenance and retrofit technician; or a nonresidential maintenance specialty electrician; or a journeyman electrician.

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 296-401A-150 Linemen. *Do I need a certificate of competency if I'm a lineman?*

(1) Electrical linemen employed by a serving electrical utility or employed by a licensed electrical contractor while performing work found in WAC 296-46-935, do not need certificates of competency.

(2) You are eligible for the above lineman's exemption if you carry evidence on your person that you:

(a) Have graduated from a department of labor and industries approved lineman's apprenticeship course; **or**

(b) Are currently registered in a department of labor and industries approved lineman's apprenticeship course **and** are working under the direct supervision of a journeyman electrician or a graduate of a lineman's apprenticeship course approved by the department.

(3) The training you received in the lineman's apprenticeship courses must include training in applicable articles of the currently adopted edition of the National Electrical Code as determined by the department.

NEW SECTION

WAC 296-401A-160 Revocation of certificate of competency. *Can my certificate of competency be revoked?*

(1) The department may revoke any certificate of competency if:

(a) The certificate was obtained through error or fraud; **or**

(b) The certificate holder is judged to be incompetent to work in the electrical construction trade as a journeyman electrician or specialty electrician; **or**

(c) The holder has violated any of the provisions of RCW 19.28.510 through 19.28.620 or any rule adopted under chapter 19.28 RCW.

(2) Before any certificate of competency is revoked, you will be given written notice of the department's intention to do so. Notification will be sent by registered mail to your last known address.

The notification will list the allegations against you, and give you the opportunity to request a hearing before the electrical board. The board will conduct the hearing in accordance with chapter 34.05 RCW, The Administrative Procedure Act. At the hearing you may produce witnesses and give testimony. The board will render its decision based upon the testimony and evidence presented in the hearing, and will notify you immediately upon reaching its decision.

QUALIFYING FOR JOURNEYMAN AND SPECIALTY ELECTRICIAN EXAMS

NEW SECTION

WAC 296-401A-200 Qualifying for the journeyman electrician competency examination. *How do I qualify to take the journeyman electrician competency examination?*

You may take the journeyman electrician competency examination if you held a current electrical training certificate while you have:

(1) Been employed, in the electrical construction trade, under the direct supervision of a journeyman electrician for four years (8,000 hours) of which two years must be in industrial or commercial electrical installation and not more than a total of two years in all specialties; **or**

(2) Completed a four-year apprenticeship program in the electrical construction trade that is registered with the state apprenticeship council or the Federal Bureau of Apprenticeship and Training; **or**

(3) Have two years of schooling under the conditions listed in RCW 19.28.530, Certificate of competency—Eligibility for examination—Rules, and two years of work experience in industrial or commercial electrical installations under the direct supervision of a journeyman electrician.

NEW SECTION

WAC 296-401A-210 Qualifying the specialty electrician competency examination. *How do I qualify to take the specialty electrician competency examination?*

You may take the specialty electrician competency examination if you held a current electrical training certificate while you have:

(1) Been employed under the direct supervision of a journeyman electrician or an appropriate specialty electrician for a minimum of two years (4,000 hours); **or**

(2) Completed a two-year apprenticeship program in the electrical construction trade that is registered with the state apprenticeship council or the Federal Bureau of Apprenticeship and Training in the appropriate specialty.

NEW SECTION

WAC 296-401A-220 U.S. military experience. *Can I use my U.S. military service experience to qualify for the journeyman or specialty electrician competency examination?*

(1) Anyone who has worked a minimum of four years in the electrical construction trade while serving in the Armed Forces of the United States may be eligible to take the examination for the certificate of competency as a journeyman electrician.

(2) If you have two or more years training or experience in a specialized electrical field in the Armed Forces of the United States that is similar to, but not identical to, a specialty electrician category listed in WAC 296-401A-140 you will be eligible for one year credit toward a specialty certificate. You must also work one additional nonmilitary year in the appropriate specialty under the direct supervision of a jour-

neyman or specialty electrician to qualify for the specialty electrician's competency examination.

NEW SECTION

WAC 296-401A-230 Experience in another country.
Can I use my journeyman experience in another country to qualify for the competency examination?

(1) If you have a journeyman electrician certificate from a country outside of the United States that requires at least four years of training, you will be eligible for two years credit toward a journeyman certificate.

(2) You must also take two additional years training in the United States under the direct supervision of a journeyman electrician to qualify for the journeyman's competency examination.

JOURNEYMAN AND SPECIALTY ELECTRICIAN EXAM CONTENTS

NEW SECTION

WAC 296-401A-300 Subjects included in the journeyman electrician competency examinations. *What will be included in the examination for journeyman electrician certificates of competency?*

The following subjects are among those that may be included in the examination for a certificate of competency. The list is not exclusive, and the examination may also contain subjects not on the list.

For journeyman electricians:

AC - Generator; three-phase; meters; characteristics of; power in AC circuits (power factor); mathematics of AC circuits.

Air conditioning - Basic.

Blueprints - Surveys and plot plans; floor plans; service and feeders; electrical symbols; elevation views; plan views.

Building wire - Sizes.

Cable trays.

Calculations.

Capacitive reactance.

Capacitor - Types; in series and parallel.

Circuits - Series; parallel; combination; basic; branch; outside branch circuits; calculations.

Conductor - Voltage drop (line loss); grounded.

Conduit - Wiring methods.

DC - Generator; motors; construction of motors; meters.

Definitions.

Electrical units.

Electron theory.

Fastening devices.

Fire alarms - Introduction to; initiating circuits.

Fuses.

Generation - Principles of.

Grounding.

Incandescent lights.

Inductance - Introduction to; reactance.

Insulation - Of wire.

Mathematics - Square root; vectors; figuring percentages.

Motors - Motors vs. generators/CEMF; single phase; capacitor; repulsion; shaded pole; basic principles of AC motors.

Ohms Law.

Power.

Power factor - AC circuits; correction of; problems.

Rectifiers.

Resistance - Of wire.

Rigging.

Safety - Electrical shock.

Services.

Three-wire system.

Tools.

Transformers - Principles of; types; single phase; three-phase connections.

Voltage polarity across a load.

Wiring methods - Conduit; general.

Wiring systems - Less than 600 volts; 480/277 volts; three-phase delta or wye; distribution systems over 600 volts.

Note: Journeyman electrician examinations may also include the subjects listed below for specialty electrician examinations.

NEW SECTION

WAC 296-401A-310 Subjects included in the specialty electrician competency examination. *What will be included in the examination for specialty electrician certificates of competency?*

The following subjects are among those that may be included in the examination for a certificate of competency. The list is not exclusive, and the examination may also contain subjects not on the list.

For specialty electricians:

AC - Meters.

Appliance circuits or controls.

Blueprints - Floor plans; service and feeders.

Cables - Wiring methods.

Calculations.

Circuits - Series; parallel; combination; basic; outside branch.

Conductor - Voltage drop (line loss); grounded; aluminum or copper.

Conduit - Wiring methods.

Electrical signs, circuits, controls, or services.

Electrical units.

First aid.

Fuses.

General lighting.

Grounding of conductors.

Insulation of wire.

Ladder safety.

Limited energy circuits or systems.

Maintenance of electrical systems.

Mathematics - Figuring percentage.

Motor circuits, controls, feeders, or services.

Ohm's Law.

Overcurrent protection.

Resistance of wire.

Services.

Sizes of building wire.

Three-wire system.
Tools.
Transformer - Ratios; single-phase.

NEW SECTION

WAC 296-401A-320 Failure of a competency examination. *What do I do if I fail a competency examination?*

(1) Anyone failing a competency examination may retake the examination by paying the retesting fee listed in WAC 296-401A-700.

(2) Trainees may continue to work in the electrical trade if they have a valid electrical training certificate and work under the direct supervision of a certified journeyman or specialty electrician.

TEMPORARY PERMITS

NEW SECTION

WAC 296-401A-400 Qualifying for a temporary permit to work in Washington when certified in another state. *Can I work as an electrician in Washington if I'm certified in another state?*

(1) If you are certified in another state, the department can issue you one temporary permit in lieu of a certificate of competency if you are coming into Washington state to work in the electrical construction trade. Your temporary permit allows you to work as an electrician during the period of time between filing an application to take the next certification examination and the date you receive your examination results.

(2) To qualify for a temporary permit you must:

(a) Meet the eligibility requirements of RCW 19.28.530 (Certificate of Competency—Eligibility for examination—Rules); **and**

(b) Be currently certified by a governing authority from another state, city, town or other certifying authority; **and**

(c) File an application to take the next certification examination.

(3) If you do not take the competency examination, your temporary permit will expire on the date listed on your permit.

(4) If you fail the examination, the department will issue you a second **final** temporary permit only if you enroll in an approved journeyman electrician refresher course and provide the department with evidence that you have not missed any classes. (The life of this second temporary permit cannot exceed ninety days.) Upon completion of the refresher course, you are eligible to retake the competency examination at the next scheduled time.

(5) If you fail the examination after completing an approved journeyman electrician refresher course, your temporary permit is invalid. Therefore, to continue to work in the electrical trade, you must apply for and receive a training certificate and work under the direct supervision of either a certified journeyman or a specialty electrician working in their specialty.

(6) You will not be issued a temporary permit if you:

(a) Failed the examination on your first attempt and did not enroll in an approved journeyman electrician refresher course; or

(b) Did not furnish the department with the evidence required under RCW 19.28.520 when you applied to take the examination; or

(c) Are an apprentice electrician.

(7) **You will be issued a certificate of competency only if you pass the competency examination.**

RECIPROCAL AGREEMENTS

NEW SECTION

WAC 296-401A-410 Reciprocal agreements between Washington and other states. *What are reciprocal agreements and how are they used?*

The department of labor and industries negotiates agreements with states that have equivalent requirements for certification and licensing of journeyman or specialty electricians. The agreements allow electricians from those states to become certified in Washington state without examination and Washington-certified electricians to become certified in the other states without taking competency examinations. To find out if your state has a reciprocal agreement with the department, contact the electrical section of your local department of labor and industries office.

NEW SECTION

WAC 296-401A-420 Qualifying for reciprocal electrician certificate. *How do I qualify for a reciprocal electrician certificate?*

The department will issue a reciprocal electrician certificate of competency to you if you are coming into the state of Washington from another state and the following conditions are met:

(1) The department has a valid reciprocal agreement with the other state in the journeyman or specialty category requested; **and**

(2) You apply for the reciprocity certificate on the form provided by the department; **and**

(3) You provide evidence that you meet the eligibility requirements listed in RCW 19.28.530, Certificate of competency—Eligibility for examination—Rules; **and**

(4) You obtained a certificate of competency as a journeyman or specialty electrician in the other state **while you resided there**; **and**

(5) You pay the reciprocity fee listed in WAC 296-401A-700.

NEW SECTION

WAC 296-401A-430 Ineligibility for reciprocal electrician certificate. *Who is not eligible for a reciprocal electrician certificate?*

You are **not** eligible for a reciprocal electrician certificate if you:

(1) Do not meet the eligibility requirements listed in WAC 296-401A-420; **or**

(2) Have taken and failed a Washington state electrician competency examination; **or**

(3) Have failed to renew a certificate of competency as required in RCW 19.28.550(1), Certificate of competency—Issuance—Renewal—Continuing education—Fees—Effect.

TRAINING CERTIFICATES

NEW SECTION

WAC 296-401A-500 Renewal of training certificates.

How do I document my training hours to renew my training certificate?

(1) When you renew your electrical training certificate, you must give the department an **accurate** list of the employers you worked for in the electrical trade during the previous year. The list must include the employer's name, the electrical category you worked in, and the number of hours worked in each category for every employer.

(2) You should ask each employer or apprenticeship program director for an accurate list of the hours you worked in the previous year. The employers must provide the list to you within twenty days of your request.

NEW SECTION

WAC 296-401A-510 Computation of training hours.

How are training employment hours computed?

(1) Two thousand (2,000) hours is equal to one year of employment.

(2) If you have completed a four year electrical apprenticeship program that is registered with the state apprenticeship council or the Federal Bureau of Apprenticeship and Training, you will be credited with 8,000 hours (four years) of employment.

NEW SECTION

WAC 296-401A-520 Training certificate levels. Am I

qualified for a higher level of training certificate?

| Training Certificate | Total Hours Worked |
|----------------------|---------------------|
| 1st year | 0 through 2,000 |
| 2nd year | 2,001 through 4,000 |
| 3rd year | 4,001 through 6,000 |
| 4th year | 6,001 or more |

You may apply for the next year's certificate whenever you have worked sufficient hours.

Note: The department will verify the hours submitted with your training certificate application.

NEW SECTION

WAC 296-401A-524 Credit for electrical work experience exempt from certification requirements. Can I receive credit for electrical work experience which is exempt from the certification requirements in RCW 19.28.610 Exemptions from RCW 19.28.510 through 19.28.620?

(1) To receive credit for electrical work experience which is exempt from RCW 19.28.610, you must provide the department with verification from the employer or owner for whom the electrical work was performed.

(2) **Beginning January 1, 1998**, all exempt individuals learning the electrical trade must obtain from the department an electrical certificate and renew it annually in order to receive credit for hours worked in the trade according to WAC 296-401A-500.

NEW SECTION

WAC 296-401A-530 Trainees working without supervision. Can I work as a trainee without supervision?

You will be issued a six-month, nonrenewable unsupervised electrical training certificate that will allow you to work without supervision if you:

- (1) Apply for an unsupervised electrical training certificate; **and**
- (2) Have worked over 7,000 hours; **and**
- (3) Have successfully completed or are currently enrolled in an approved apprenticeship program or an electrical construction trade program in a school approved by the board of community and technical colleges; **and**
- (4) Pay the fee listed in WAC 296-401A-700.

NEW SECTION

WAC 296-401A-540 Who will not be issued training certificates? Electricians certified in other states who are eligible for temporary or reciprocal certificates will not be issued training certificates.

NEW SECTION

WAC 296-401A-545 Audit of trainee hours. Does the department audit my trainee hours?

(1) The department, based upon RCW 19.28.515, Electrical trainee hours—Audit—Rules—Confidentiality, may audit the employment records of the electrical contractor or employer who verified your electrical trainee hours. The time period covered by an audit may be less than one year but will not exceed five years from the date each affidavit verifying your trainee hours is submitted.

(2) Every employer or contractor must keep a record of your employment as a trainee so the department may obtain the information it needs to verify your electrical trainee work experience. Upon the request of the department's auditors or agents, these records must be made available to the department for inspection within seven business days.

(3) Your employer or contractor must maintain time cards or similar records to verify the number of hours you worked as a supervised trainee and the type of electrical work you performed.

(4) Any information obtained from your contractor or employer during the audit under the provisions of RCW 19.28.515 is confidential and is not open to public inspection under chapter 42.17 RCW.

(5) The department's audit may include but will not be limited to the following:

PERMANENT

(a) An audit to determine whether you were employed by the contractor or employer during the period for which your hours were submitted, the actual number of hours you worked and the category of electrical work you performed.

(b) An audit covering a specific time period and examining a contractor's or employer's books and records which may include their reporting of your payroll hours required for industrial insurance, employment security or prevailing wage purposes.

NEW SECTION

WAC 296-401A-550 Penalties for false statements or material misrepresentations. *What may happen if a person makes a false statement on an application or annual statement of hours worked?*

A person who knowingly makes a false statement or material misrepresentation on an application, statement of hours, or signed statement required by the department may be referred to the county prosecutor for criminal prosecution under RCW 9A.72.020, 9A.72.030, and 9A.72.040. The department may also file a civil action under RCW 19.28.620 and may subtract up to 900 hours of employment from a trainee's total hours, if the department determines the trainee has made a false statement or material misrepresentation.

CONTINUING EDUCATION COURSE APPROVAL

NEW SECTION

WAC 296-401A-600 Training course approval. *How are decisions to approve continuing education courses made?*

(1) Each continuing education class, course, or seminar for renewal of an electrician's certificate of competency must be approved by a three-member subcommittee of the electrical board. The chief electrical inspector will be an ex-officio member of this subcommittee.

(2) All applications for approval must be on forms provided by the department, and will be reviewed without testimony. The board will *only* consider information you submit with the application for approval of the continuing education training.

(3) To be considered for approval, continuing education courses must consist of not less than four classroom hours of instruction, and be open to monitoring by a representative of the department and/or the electrical board at no charge.

(4) Approved courses must be based on:

(a) Currently adopted edition of the National Electrical Code; and/or

(b) Currently adopted administrative rules (chapters 296-46 and 296-401A WAC); or

(c) Materials and methods as they pertain to electrical construction, building management systems, electrical maintenance and workplace health and safety.

NEW SECTION

WAC 296-401A-610 Offering continuing education courses. *What happens after the subcommittee approves or*

disapproves my application for continuing education course approval?

You will be notified of the subcommittee's decision within five days of the review of your application.

- **If your continuing education class, course, or seminar is approved,** you may offer the training for up to three years without additional approval. If a new edition of the National Electrical Code is adopted within the three-year period, you must resubmit an application for approval of any code-related class, course, or seminar.
- **If your application is not approved,** the notice will include an explanation of the reasons for rejection. If you disagree with the subcommittee's decision, you may request a reconsideration hearing by the electrical board. Your request must be received by the board forty-five days before a regularly scheduled board meeting. All additional information you want considered must be submitted not less than thirty days before the board hearing.

Note: Continuing education class, course, or seminar hours completed before approval by the subcommittee cannot be used to meet the electrician's certificate requirements.

NEW SECTION

WAC 296-401A-620 Application for continuing education course approval. *What information must a continuing education sponsor provide to have a continuing education course approved?*

(1) The department of labor and industries will provide continuing education approval forms to sponsors upon request. The original completed application for training approval, plus three copies, must be received by the department at least forty-five days before the proposed first class, course, or seminar is offered.

(2) Information on the **application** must include:

(a) Course title, number of classroom instruction hours, and whether the training is open to the public.

(b) Sponsor's name, address, and contact's name and phone number.

(c) Course outline (general description of the training, including specific Electrical Code articles referenced).

(d) Lists of resources (texts, references, visual aids).

(e) Names and qualifications of instructors.

(f) Any additional documentation you want considered.

(g) A copy of the completion certificate or the department's continuing education form that will be used to document:

(i) Each participant's name, address, birthdate, and Social Security number; and

(ii) The course number, location, and date of training; and

(iii) The instructor's name and signature or notarized signature of sponsor.

NEW SECTION

WAC 296-401A-630 Documentation of training course completion. *How is completion of the training course documented?*

ENFORCEMENT

(1) Sponsors must award a certificate or continuing education form to each participant completing the class, course, or seminar. The participants will submit a copy of the certificate or form to the department when they apply for renewal of their electrician's certificates. The department will only accept a copy of the sponsor's certificate or form as evidence that the participant completed the training course.

(2) Following the completion of each approved continuing education, the course sponsors must submit, to the department, a copy of the original attendance sign-in sheet containing the signatures of all class participants. Sponsors offering approved correspondence courses must submit, to the department, a roster of all class participants who successfully complete the course.

(3) The department will not keep submitted copies of the continuing education certificates or forms on file after renewal of the electrician's certificate. We will not accept, nor be responsible for, the original of any completion certificate issued.

FEES

NEW SECTION

WAC 296-401A-700 Fees for certificates of competency, examination and reciprocity. *How much do I pay for a journeyman, specialty, or training certificate, competency examination, or reciprocity?*

When you apply to take a competency examination or to obtain a certificate of competency, you must pay the appropriate fee listed below.

| Type of Certificate | Fee |
|---|-----------|
| (1) Journeyman or specialty electrician certificate renewal (per 36-month period) | \$ 64.50 |
| (2) Late renewal of journeyman or specialty electrician certificate (per 36-month period) | \$ 130.00 |
| (3) Journeyman or specialty electrician examination application (nonrefundable) | \$ 27.00 |
| (4) Journeyman or specialty electrician original certificate | \$ 42.50 |
| (5) Training certificate (expires one year after purchase) | \$ 20.75 |
| (6) Training certificate renewal or update of hours | \$ 20.75 |
| (7) Unsupervised electrical training certificate | \$ 20.75 |
| (8) Journeyman or specialty electrician test or retest | \$ 48.75 |
| (9) Reciprocal journeyman or specialty certificate | \$ 69.50 |
| (10) Reinstatement of journeyman or specialty certificate | \$ 20.75 |
| (11) Continuing education course submittal and approval, per course | \$ 41.50 |
| (12) Continuing education course renewal, per course | \$ 20.75 |
| (13) Refund processing fee | \$ 10.50 |

Note: Failure to appear for an examination results in forfeiture of the examination fee.

NEW SECTION

WAC 296-401A-800 Enforcement. *How do compliance officers and electrical inspectors determine compliance at a job site?*

(1) The department of labor and industries ensures that employers and employees comply with the requirements of chapter 19.28 RCW, Electricians and Electrical Installations, and chapter 296-401A WAC, Certification of Competency for Journeyman Electricians, by inspecting electrical job sites. To do this, inspections are made by the department's compliance officers or electrical inspectors.

(2) The compliance officers or electrical inspectors determine whether:

(a) Each person doing electrical work on the job site has a proper journeyman, specialty, or training certificate; **and**

(b) The ratio of certified journeyman electricians to the certified trainees on the job site is correct; **and**

(c) Each certified trainee is directly supervised by an individual with a journeyman or proper specialty certificate of competency for the type of electrical work being performed.

NEW SECTION

WAC 296-401A-810 Failure to comply with electrician certification law. *What happens if an employer or employee is not complying with the electrician certification laws at the time of inspection?*

(1) If the compliance officer or electrical inspector determines that an employer or employee has violated chapter 19.28 RCW, Electricians and Electrical Installations, or chapter 296-401A WAC, Certification of Competency for Journeyman Electricians, the department will issue a citation that describes the reason for the violation. A cease and desist order may be issued by the compliance officer or electrical inspector if the employer or employee continues to violate the law.

(2) Employers and employees may appeal the citation or cease and desist order by requesting a hearing (see RCW 19.28.620, Violations of RCW 19.28.510 through 19.28.620—Schedule of penalties—Appeal). A request for hearing, however, does not stay the effect of the citation or cease and desist order.

(3) If the employer or employee disobeys the cease and desist order, the department shall apply to superior court for a court order enforcing the cease and desist order. If the employer or employee disobeys the court order, the department shall request the attorney general to apply to the superior court for an order holding the employer or employee in contempt of court.

APPEAL RIGHTS AND HEARINGS

NEW SECTION

WAC 296-401A-900 Appeal rights. *Can I request a hearing or appeal a decision of the department?*

PERMANENT

You may request a formal or informal hearing before the electrical board within twenty days of receipt of any:

- Citation.
- Cease and desist order.
- Suspension or revocation of a training, journeyman, or specialty electrician certificate of competency.
- Denial of an application to take an examination, or reduction of hours as allowed in WAC 296-401A-550.

NEW SECTION

WAC 296-401A-910 Types of appeal hearings. *What is the difference between a formal and an informal appeal?*

The following table summarizes the differences between a formal and an informal hearing:

| Type of Hearing | Hearing Held by | Deposit Required | Results |
|-----------------|--------------------------|------------------|---|
| Informal | Electrical Board | None | Informal Decision |
| Formal | Administrative Law Judge | \$200.00 | Findings of Fact, Conclusions of Law, and Proposed Decision and Order, subject to final acceptance or rejection by the Electrical Board |

NEW SECTION

WAC 296-401A-920 Requesting an informal hearing. *How do I request an informal hearing?*

You may request an informal hearing by the electrical board by writing a letter to the department chief electrical inspector stating the action taken by the department that you wish to appeal. Your letter should also state what you want the department to do as a result of the hearing.

Note: For additional information about appeals before the electrical board, see chapter 296-13 WAC.

NEW SECTION

WAC 296-401A-930 Requesting a formal hearing. *How do I request a formal hearing?*

(1) Write a letter to the department's chief electrical inspector stating the action taken by the department that is being appealed. Also state what you want the department to do as a result of the hearing; **and**

(2) Enclose a certified check in the amount of two hundred dollars made payable to the department of labor and industries.

Note: Formal appeals are conducted as required in the Administrative Procedure Act, chapter 34.05 RCW.

NEW SECTION

WAC 296-401A-935 Hearing deposits. *What happens to my formal hearing deposit?*

(1) Your deposit will be returned to you if the decision of the department is not sustained or upheld.

(2) If the decision of the department is sustained or upheld, your deposit will be used to pay the expenses of hold-

ing the hearing. Any balance remaining after payment of the hearing expenses will be paid into the electrical license fund.

WSR 98-12-043

PERMANENT RULES

DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed May 29, 1998, 12:17 p.m., effective June 30, 1998]

Date of Adoption: May 29, 1998.

Purpose: **Chapter 296-86 WAC, Regulations and fees for freight and passenger elevators, manlifts, material lifts, dumbwaiters, escalators, moving walks, automobile parking elevators, personnel elevators, and other lifting devices**, state-initiated amendments to chapter 296-86 WAC, Regulations and fees for freight and passenger elevators, manlifts, material lifts, dumbwaiters, escalators, moving walks, automobile parking elevators, personnel elevators, and other lifting devices, were adopted to comply with the Administrative Procedure Act (see RCW 34.05.220(5)). Consequently, clear rule-writing techniques were used to rewrite the entire chapter. Following the recommendation of the Office of Code Reviser, chapter 296-86 WAC was repealed in its entirety and replaced with chapter 296-86A WAC, Regulations and fees for all elevators, dumbwaiters, escalators and other lifting devices.

Chapter 296-86A WAC, Regulations and fees for all elevators, dumbwaiters, escalators and other lifting devices, state-initiated clear rule-writing amendments to chapter 296-86A WAC were adopted to:

- Move existing chapter 296-86 WAC requirements into New sections of chapter 296-86A WAC.
- Write all sections of chapter 296-86A WAC in a clear rule-writing style, which means:
 - Remove outdated and redundant language to make the sections easier to read.
 - Use questions for section titles to better describe the information contained in each rule section and to better engage the reader.
 - Use a less formal voice in the rule sections and eliminate the passive voice when possible.
 - Reorganize some rule sections to make them easier to use.

All sections of chapter 296-86A WAC were written in a clear rule-writing style. In addition, all fees in the chapter were increased by 4.05% rounded down to the nearest quarter of a dollar. The 4.05% figure was obtained from the Office of Financial Management and is the maximum allowable fiscal growth rate factor for fiscal year 1998. These state-initiated fee increases are necessary to help offset projected inflationary growth in the elevator program's operating costs for fiscal year 1998. Finally, several new fees were adopted. These fees either cover the cost of program services previously provided without charge or establish annual operating permit fees for new types of conveyances now being used by department customers.

New section WAC 296-86A-010 Do I need a permit to construct, alter or relocate a conveyance?

PERMANENT

Reason for Adopting Rule: State-initiated amendments were adopted to:

- Write the section in a clear rule style.
- Clarify that your construction, alteration or relocation permit can only be renewed if:
 - Your application for renewal is made before your current permit expires; and
 - Your renewal application is approved by the department; and
 - You pay a one-dollar fee for each permit you renew.

New section WAC 296-86A-020 When I apply for my construction, alteration or relocation permit, what permit fees will I have to pay?

Reason for Adopting Rule: State-initiated amendments were adopted to:

- Write the section in a clear rule style.
- Increase permit fees by 4.05% rounded down to the nearest quarter of a dollar.

New section WAC 296-86A-025 When I apply for my material lift installation, alteration or relocation permit, what permit fees will I have to pay?

Reason for Adopting Rule: State-initiated amendments were adopted to:

- Write the section in a clear rule style.
- Increase permit fees by 4.05% rounded down to the nearest quarter of a dollar.

New section WAC 296-86A-028 Are the construction and alteration permit fees that I pay refundable?

Reason for Adopting Rule: State-initiated amendments were adopted to:

- Write the section in a clear rule style.
- Clarify the conditions under which construction and alteration permit fees are refundable.
- Establish a twenty-five dollar processing fee for each refund requested.

New section WAC 296-86A-030 What installation permit fees will I have to pay for personnel and material hoists?

Reason for Adopting Rule: State-initiated amendments were adopted to:

- Write the section in a clear rule style.
- Increase permit fees by 4.05% rounded down to the nearest quarter of a dollar.

New section WAC 296-86A-040 Do I need to submit my plans for new installations and alterations to the department for approval?

Reason for Adopting Rule: State-initiated amendments were adopted to:

- Write the section in a clear rule style.
- Emphasize that you must submit all plans for new installations and major alteration to the department for approval.
- Emphasize that your plans must be in compliance with the latest edition of the American Society of Mechanical Engineers (ASME) A17.1, National Electrical Code (NEC) and applicable Washington Administrative Code (WAC) adopted by the department.

- Delete reference to the American Standard Safety Code for Elevators, Dumbwaiters, Escalators and Moving Walks A17.1.
- Emphasize that all plans you submit "must include all information pertinent to determining whether each installation/alteration complies with all applicable codes."
- Require that a copy of all approved plans must be kept on your job site until the department has witnessed all acceptance tests.
- Emphasize that the department must approve any alterations to approved plans before a final inspection can take place.
- Clarify that plan review fees are nonrefundable.
- Establish a review fee for any plans you submit beyond the two sets required by the department.
- Increase plan review fees by 4.05% rounded down to the nearest quarter of a dollar.

New section WAC 296-86A-060 What annual operating permit fees will I have to pay?

Reason for Adopting Rule: State-initiated amendments were adopted to:

- Write the section in a clear rule style.
- Increase annual operating permit fees by 4.05% rounded down to the nearest quarter of a dollar.
- Establish a fee for roped-hydraulic elevators.
- Establish a fee for limited use/limited-application elevators.
- Establish a fee for special purpose elevators.
- Change "personnel elevator" to "personnel hoist."
- Delete the words "with variance" from "Each private residence elevator installed with variance in other than a private residence."

New section WAC 296-86A-065 Can I replace annual operating permits that have been damaged, lost or stolen?

Reason for Adopting Rule: State-initiated amendments were adopted to:

- Write the section in a clear rule style.
- Clarify the conditions under which a replacement permit can be obtained.
- Establish a five-dollar replacement permit fee for each permit replaced.

New section WAC 296-86A-070 Can I obtain a supplemental inspection from the department?

Reason for Adopting Rule: State-initiated amendments were adopted to:

- Write the section in a clear rule style.
- Increase supplemental inspection fees by 4.05% rounded down to the nearest quarter of a dollar.

New section WAC 296-86A-073 Can I obtain technical services from the department's elevator section?

Reason for Adopting Rule: State-initiated amendments were adopted to:

- Write the section in a clear rule style.
- Provide technical services to the industry.
- Establish a fee for these technical services.
- Emphasize that technical services **do not** include inspections.

New section WAC 296-86A-074 Can I request an inspection outside of the department's normal work hours?

Reason for Adopting Rule: State-initiated amendments were adopted to:

- Write the section in a clear rule style.
- Provide inspection services to the industry outside of normal work hours.
- Define "normal work hours."
- Establish a fee for inspections conducted outside of normal work hours.
- Emphasize that these "outside of normal work hour" inspection fees are in addition to any other fees required for a project.

New section WAC 296-86A-075 Do I pay a fee when my conveyance is inspected?

Reason for Adopting Rule: State-initiated amendments were adopted to:

- Write the section in a clear rule style.
- Clarify the meaning of "reinspection fee" and when such a fee is paid.
- Increase reinspection fees by 4.05% rounded down to the nearest quarter of a dollar.
- Clarify when the department may waive a reinspection fee.

New section WAC 296-86A-080 Is there a fee for inspecting regular elevators used as temporary personnel elevators?

Reason for Adopting Rule: State-initiated amendments were adopted to:

- Write the section in a clear rule style.
- Increase this inspection fee by 4.05% rounded down to the nearest quarter of a dollar.
- Clarify the use of this temporary permit.

Chapter 296-81 WAC, Safety rules governing elevators, dumbwaiters, escalators, and lifting devices—Moving walks:

Amended section WAC 296-81-007 National Elevator Code adopted.

Reason for Adopting Rule: State-initiated amendments were adopted to create this new section adopting the 1996 edition of the American Society of Mechanical Engineers Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks, ASME A17.1 as the standard for elevators, dumbwaiters, escalators and other conveyances installed on or after June 30, 1998.

Citation of Existing Rules Affected by this Order: Amending WAC 296-81-007 National Elevator Code adopted; and repealing WAC 296-86-010 Permits for construction, alteration, relocation of installations, 296-86-020 Construction and alteration fee, 296-86-030 Installation fee for personnel elevators and material hoists, 296-86-040 Submission of plans for new installations, 296-86-050 Fee for checking plans for new installations, 296-86-060 Annual operating permit fees, 296-86-070 Supplemental inspections, 296-86-075 Reinspection fees, 296-86-080 Fee for inspection of regular elevators being used as temporary personnel elevators, and 296-86-090 Material lift installation, alteration and relocation fees.

Statutory Authority for Adoption: Chapter 70.87 RCW.

Adopted under notice filed as WSR 98-07-094 on March 18, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 13, Amended 1, Repealed 10.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 13, Amended 1, Repealed 10.

Effective Date of Rule: June 30, 1998.

May 27, 1998

Gary Moore

Director

REPEALER

The following chapter of the Washington Administrative Code is repealed:

| | |
|----------------|--|
| WAC 296-86-010 | Permits for construction, alteration, relocation of installations. |
| WAC 296-86-020 | Construction and alteration fee. |
| WAC 296-86-030 | Installation fee for personnel elevators and material hoists. |
| WAC 296-86-040 | Submission of plans for new installations. |
| WAC 296-86-050 | Fee for checking plans for new installations. |
| WAC 296-86-060 | Annual operating permit fees. |
| WAC 296-86-070 | Supplemental inspections. |
| WAC 296-86-075 | Reinspection fees. |
| WAC 296-86-080 | Fee for inspection of regular elevators being used as temporary personnel elevators. |
| WAC 296-86-090 | Material lift installation, alteration and relocation fees. |

Chapter 296-86A WAC

REGULATIONS AND FEES FOR ALL ELEVATORS, DUMBWAITERS, ESCALATORS AND OTHER LIFTING DEVICES

NEW SECTION

WAC 296-86A-010 Do I need a permit to construct, alter or relocate a conveyance? (1) You must obtain a permit from the department **before** you begin constructing, altering or relocating any conveyance. To obtain your permit, you

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need to complete the department's permit application and pay a fee. (Consult the appropriate fee schedules in this chapter.) Once your application is approved **and** your fee is paid, your permit will be issued and work on your project can begin.

(2) Your construction and alteration permits are valid for one year from the date of issue. However, construction and alteration permits can be renewed if you:

- (a) Apply for a renewal permit **before** your current permit expires; and
- (b) The department approves your request for a renewal permit; and
- (c) You pay a one-dollar renewal fee to the department for each permit you renew.

(3) You **are not required** to obtain permits and pay fees for the following:

- (a) Repairs and replacement normally necessary for maintenance and made with parts of equivalent materials, strength and design.
- (b) Any conveyance exempted by RCW 70.87.200.

NEW SECTION

WAC 296-86A-020 When I apply for my construction, alteration or relocation permit, what permit fees will I have to pay? The following permit fees apply to all conveyances **except for material lifts**:

| TOTAL COST | FEE |
|---|----------|
| \$250.00 TO AND INCLUDING \$1,000 | \$ 29.50 |
| \$1,001 TO AND INCLUDING \$15,000 | |
| For the first \$1,001 | 41.50 |
| For each additional \$1,000 or fraction thereof | 8.25 |
| \$15,001 TO AND INCLUDING \$100,000 | |
| For first \$15,001 | 158.75 |
| For each additional \$1,000 or fraction thereof | 5.50 |
| OVER \$100,001 | |
| For first \$100,001 | 666.75 |
| For each additional \$1,000 or fraction thereof | 4.50 |

NEW SECTION

WAC 296-86A-025 When I apply for my material lift installation, alteration or relocation permit, what permit fees will I have to pay? The following permit fees apply to the installation, alteration and relocation of material lifts:

| TOTAL COST | FEE |
|---|----------|
| \$250.00 TO AND INCLUDING \$1,000 | \$ 27.00 |
| \$1,001 TO AND INCLUDING \$15,000 | |
| For the first \$1,001 | 37.75 |
| For each additional \$1,000 or fraction thereof | 7.50 |
| \$15,001 TO AND INCLUDING \$100,000 | |

| TOTAL COST | FEE |
|---|--------|
| For first \$15,001 | 144.25 |
| For each additional \$1,000 or fraction thereof | 5.00 |
| OVER \$100,001 | |
| For first \$100,001 | 606.25 |
| For each additional \$1,000 or fraction thereof | 4.00 |

NEW SECTION

WAC 296-86A-028 Are the construction and alteration permit fees that I pay refundable? Your construction and alteration permit fees are refundable **unless your permits have expired. If your permits have expired, no refunds for these permits will be issued to you.** All requests for refunds must be addressed to the elevator section in writing and must identify the specific permits for which refunds are being requested. In those cases where you are entitled to a refund, the department will charge you a twenty-five-dollar processing fee for each refund you request.

NEW SECTION

WAC 296-86A-030 What installation permit fees will I have to pay for personnel and material hoists? For each personnel hoist or material hoist you install, you will have to pay an installation fee of ninety-seven dollars and seventy-five cents.

NEW SECTION

WAC 296-86A-040 Do I need to submit my plans for new installations and alterations to the department for approval? You must submit all new installation plans and plans for major alterations to the department for approval. Your plans must be submitted, in duplicate, to the elevator section **prior** to the start of construction. To be approved, they must comply with the latest edition of the American Society of Mechanical Engineers (ASME) A17.1, National Electrical Code (NEC) and applicable Washington Administrative Codes (WAC) adopted by the department. In addition, your plans must include all information pertinent to determining whether each installation/alteration complies with all applicable codes. Once approved, a copy of your plan must be kept on your job site until all acceptance tests have been witnessed by the department. **Any alterations to your approved plan must be submitted to the department for approval before a final inspection will be conducted.** The nonrefundable fees for reviewing your plans are:

| | |
|---|---------|
| For each installation/major alteration | \$21.50 |
| If more than two sets of plans are submitted, the fee for reviewing each additional set | 21.50 |

NEW SECTION

WAC 296-86A-060 What annual operating permit fees will I have to pay? No annual operating permit will be

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issued to you until you have paid an appropriate fee to the department. The following is a schedule of those fees.

| TYPE OF CONVEYANCE | ANNUAL OPERATING PERMIT FEE |
|---|-----------------------------|
| Each hydraulic elevator | \$ 75.75 |
| Each roped-hydraulic elevator | 97.75 |
| plus \$7.50 for each hoistway opening in excess of two | 7.50 |
| Each cable elevator | 97.75 |
| plus \$7.50 for each hoistway opening in excess of two | 7.50 |
| Each cable elevator traveling more than 25 feet without an opening-\$10.50 for each 25 foot traveled without openings | 10.50 |
| Each limited-use/limited-application elevator | 75.75 |
| Each sidewalk freight elevator | 75.75 |
| Each hand-powered freight elevator | 48.75 |
| Each hand-powered manlift | 48.75 |
| Each inclined elevator in other than a private residence | 97.75 |
| Each belt manlift | 75.75 |
| Each boat launching elevator | 75.75 |
| Each auto parking elevator | 75.75 |
| Each escalator | 75.75 |
| Each moving walk | 75.75 |
| Each dumbwaiter in other than a private residence | 48.75 |
| Each people mover | 65.00 |
| Each stair lift in other than a private residence | 48.75 |
| Each wheelchair lift in other than a private residence | 48.75 |
| Each special purpose elevator | 75.75 |
| Each personnel hoist | 75.75 |
| Each material hoist | 75.75 |
| Each casket lift | 75.75 |
| Each material lift | 65.00 |
| Each inclined stairway chairlift in private residence | 16.00 |
| Each inclined wheelchair lift in a private residence | 21.50 |
| Each vertical wheelchair lift in a private residence | 27.00 |
| Each inclined elevator at a private residence | 75.75 |
| Each dumbwaiter in a private residence | 21.50 |
| Each private residence elevator | 48.75 |

| TYPE OF CONVEYANCE | ANNUAL OPERATING PERMIT FEE |
|---|-----------------------------|
| Each private residence elevator installed in other than a private residence | 75.75 |

NEW SECTION

WAC 296-86A-065 Can I replace annual operating permits that have been damaged, lost or stolen? If you have already paid for a current operating permit under WAC 296-86-060, you may purchase a replacement permit by paying the department's five-dollar replacement permit fee for each permit being replaced. No replacement permit will be issued until this replacement fee has been received by the department.

NEW SECTION

WAC 296-86A-070 Can I obtain a supplemental inspection from the department? Any person, firm, corporation or governmental agency can obtain a supplemental inspection from the department by paying a fee of two hundred eighty dollars per day **plus** the standard per diem and mileage allowance granted to department inspectors.

NEW SECTION

WAC 296-86A-073 Can I obtain technical services from the department's elevator section? You can obtain elevator field technical services from the department by paying a fee of fifty-four dollars per hour plus the standard per diem and mileage allowance granted to department inspectors. These field technical services may include code evaluation, code consultation, plan examination, code interpretation and clarification of technical data relating to the application of the department's conveyance rules. **Field technical services do not include inspections.**

NEW SECTION

WAC 296-86A-074 Can I request an inspection outside of the department's normal work hours? You may request an inspection outside of normal work hours, which are 7:00 a.m. to 5:00 p.m., if an inspector is available and the inspection is authorized by the department. However, the fee for such an inspection is sixty-eight dollars per hour **plus** the standard per diem and mileage allowance granted to department inspectors. This fee is in addition to any other fees required for your project.

NEW SECTION

WAC 296-86A-075 Do I pay a fee when my conveyance is inspected? Not necessarily, some inspections do not require a fee. For example, the initial annual inspection of a conveyance does not require one. Neither does the **initial inspection** of any conveyance constructed, altered or relocated. The following table explains which inspections do require a fee:

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| INSPECTION | FEE |
|---|---------|
| If a conveyance does not pass an initial inspection and a second inspection (reinspection) is required, the fee for each conveyance inspected* | \$75.75 |
| If a third inspection (reinspection) is required, the fee for each conveyance inspected* | 97.75 |

***These "reinspection" fees are in addition to the fees charged under WAC 296-86-020, 296-86-025 and 296-86-030 and must be paid before an annual operating permit will be issued.**

The department may waive reinspection fees when it is not possible to conduct the inspection and the inability to inspect is not the fault of the party requesting and/or paying for the inspection. The department may also waive reinspection fees for reasons of justice and equity which prevent their payment.

NEW SECTION

WAC 296-86A-080 Is there a fee for inspecting regular elevators used as temporary personnel elevators? Yes, the fee for **inspecting and testing** regular elevators used as temporary personnel elevators is sixty-five dollars. This fee is in addition to any other fees required in this chapter.

This sixty-five dollar fee purchases a thirty-day temporary use permit which may be renewed at the discretion of the department. When this temporary use permit is purchased, a notice declaring that the equipment has not been finally approved must be conspicuously posted on the elevator.

AMENDATORY SECTION (Amending WSR 95-04-005, filed 1/18/95, effective 3/1/95)

WAC 296-81-007 National Elevator Code adopted.

(1) The American National Standard Safety Code for Elevators, Dumbwaiters, Escalators and Moving Walks, American National Standards Institute A17.1, as amended or revised through 1971, is adopted as the standards in this state for elevators, dumbwaiters, escalators, and moving walks installed from February 25, 1972, through June 30, 1982.

(2) The American National Standard Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks, ANSI A17.1, 1981 edition, is adopted as the standard for elevators, dumbwaiters, escalators, and moving walks installed on or after July 1, 1982 through January 9, 1986.

(3) The American National Standard Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks, ANSI A17.1, 1984 edition is adopted as the standard for ele-

vators, dumbwaiters, escalators, and moving walks installed on or after January 10, 1986, with the exception of ANSI A17.1, part XIX. For all elevators, dumbwaiters, escalators and moving walks installed on or after November 1, 1988, the requirements of ANSI A17.1, 1984 edition apply, with the exception of ANSI A17.1, part XIX and ANSI A17.1, part II, Rule 211.3b, which is replaced by WAC 296-81-275.

(4) The American National Standard Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks, ANSI A17.1, 1987 edition is adopted as the standard for elevators, dumbwaiters, escalators, and moving walks installed on or after January 1, 1989, with the exception of ANSI A17.1, part XIX, and ANSI A17.1, part II, Rule 211.3b, which is replaced by WAC 296-81-275.

(5) The American National Standard Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks, ANSI A17.1, 1990 Edition is adopted as the standard for elevators, dumbwaiters, escalators, and moving walks installed on or after January 1, 1993, with the exceptions of ANSI A17.1, Part XIX, and ANSI A17.1, Part V, Section 513, which is replaced by chapter 296-94 WAC.

(6) The American National Standard Safety Code For Elevators, Dumbwaiters, Escalators, and Moving Walks, ANSI A17.1, 1993 Edition is adopted as the standard for elevators, dumbwaiters, escalators, and moving walks installed on or after March 1, 1995, with the exceptions of ANSI A17.1, Part XIX, and ANSI A17.1, Part V, Section 513, which is replaced by chapter 296-94 WAC.

(7) The 1996 edition of the American Society of Mechanical Engineers Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks, AMSE A17.1 (formally known as American National Standard, ANSI A17.1) is adopted as the standard for elevators, dumbwaiters, escalators and other conveyances installed on or after June 30, 1998.

WSR 98-12-045

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed May 29, 1998, 1:38 p.m., effective July 1, 1998]

Date of Adoption: May 7, 1998.

Purpose: Repeal of administrative procedure rules currently codified in chapter 196-08 WAC. Said rules would be replaced with new rules in a new chapter 196-09 WAC. Said new rules would correspond to the procedures set forth in the Administrative Procedure Act, chapter 34.05 RCW and chapter 10-08 WAC as well as applicable court rules.

Citation of Existing Rules Affected by this Order: Repealing all of chapter 196-08 WAC containing fifty-seven rules.

Statutory Authority for Adoption: RCW 18.43.035.

Adopted under notice filed as WSR 98-08-078 on March 31, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

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Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 0, Repealed 57.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, Amended 0, Repealed 57.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: July 1, 1998.

May 29, 1998

George A. Twiss

Executive Director

Chapter 196-09 WAC

PRACTICE AND PROCEDURE

NEW SECTION

WAC 196-09-010 Declaration of purpose. This chapter contains rules and procedures for all adjudicative proceedings held by the board in executing its responsibilities under chapter 18.43 RCW. This chapter replaces all rules previously codified in chapter 196-08 WAC.

NEW SECTION

WAC 196-09-020 Adjudicative proceedings. Chapters 34.05 RCW and 10-08 WAC apply to all adjudicative proceedings. The procedures described in Washington superior court civil rules 26 through 32, 34, 36 and 37 also apply.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 196-08-010 Appearance and practice before agency—Who may appear.
- WAC 196-08-040 Appearance and practice before agency—Standards of ethical conduct.
- WAC 196-08-050 Appearance and practice before agency—Appearance by former employee of agency or former member of attorney general's staff.
- WAC 196-08-060 Appearance and practice before agency—Former employee as expert witness.
- WAC 196-08-070 Computation of time.
- WAC 196-08-080 Notice and opportunity for hearing in contested cases.
- WAC 196-08-090 Service of process—By whom served.
- WAC 196-08-100 Service of process—Upon whom served.

- WAC 196-08-110 Service of process—Service upon parties.
- WAC 196-08-120 Service of process—Method of service.
- WAC 196-08-130 Service of process—When service complete.
- WAC 196-08-140 Service of process—Filing with agency.
- WAC 196-08-150 Subpoenas—Form.
- WAC 196-08-160 Subpoenas—Issuance to parties.
- WAC 196-08-170 Subpoenas—Service.
- WAC 196-08-180 Subpoenas—Fees.
- WAC 196-08-190 Subpoenas—Proof of service.
- WAC 196-08-200 Subpoenas—Quashing.
- WAC 196-08-210 Subpoenas—Enforcement.
- WAC 196-08-220 Subpoenas—Geographical scope.
- WAC 196-08-230 Depositions and interrogatories in contested cases—Right to take.
- WAC 196-08-240 Depositions and interrogatories in contested cases—Scope.
- WAC 196-08-250 Depositions and interrogatories in contested cases—Officer before whom taken.
- WAC 196-08-260 Depositions and interrogatories in contested cases—Authorization.
- WAC 196-08-270 Depositions and interrogatories in contested cases—Protection of parties and deponents.
- WAC 196-08-280 Depositions and interrogatories in contested cases—Oral examination and cross-examination.
- WAC 196-08-290 Depositions and interrogatories in contested cases—Recordation.
- WAC 196-08-300 Depositions and interrogatories in contested cases—Signing attestation and return.
- WAC 196-08-310 Depositions and interrogatories in contested cases—Use and effect.
- WAC 196-08-320 Depositions and interrogatories in contested cases—Fees of officers and deponents.
- WAC 196-08-330 Depositions and interrogatories in contested cases—Submission of interrogatories.
- WAC 196-08-340 Depositions and interrogatories in contested cases—Interrogation.
- WAC 196-08-350 Depositions and interrogatories in contested cases—Attestation and return.

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- WAC 196-08-360 Depositions and interrogatories in contested cases—Provisions of deposition rule.
- WAC 196-08-370 Official notice—Matters of law.
- WAC 196-08-380 Official notice—Material facts.
- WAC 196-08-390 Presumptions.
- WAC 196-08-400 Stipulations and admissions of record.
- WAC 196-08-410 Form and content of decisions in contested cases.
- WAC 196-08-420 Definition of issues before hearing.
- WAC 196-08-430 Prehearing conference rule—Authorized.
- WAC 196-08-440 Prehearing conference rule—Record of conference action.
- WAC 196-08-450 Submission of documentary evidence in advance.
- WAC 196-08-460 Excerpts from documentary evidence.
- WAC 196-08-470 Expert or opinion testimony and testimony based on economic and statistical data—Number and qualifications of witnesses.
- WAC 196-08-480 Expert or opinion testimony and testimony based on economic and statistical data—Written sworn statements.
- WAC 196-08-490 Expert or opinion testimony and testimony based on economic and statistical data—Supporting data.
- WAC 196-08-500 Expert or opinion testimony and testimony based on economic and statistical data—Effect of noncompliance with WAC 196-08-470 or 196-08-480.
- WAC 196-08-510 Continuances.
- WAC 196-08-520 Rules of evidence—Admissibility criteria.
- WAC 196-08-530 Rules of evidence—Tentative admission—Exclusion—Discontinuance—Objections.
- WAC 196-08-540 Petitions for rule making, amendment or repeal—Who may petition.
- WAC 196-08-550 Petitions for rule making, amendment or repeal—Requisites.
- WAC 196-08-560 Petitions for rule making, amendment or repeal—Agency must consider.
- WAC 196-08-570 Petitions for rule making, amendment or repeal—Notice of disposition.
- WAC 196-08-580 Declaratory rulings.

WAC 196-08-590 Forms.

WSR 98-12-046

PERMANENT RULES

DEPARTMENT OF LICENSING

(Board of Registration for Professional Engineers and Land Surveyors)

[Filed May 29, 1998, 1:40 p.m., effective July 1, 1998]

Date of Adoption: May 27, 1998.

Purpose: To adopt necessary fee and charge adjustments and new fee and charge categories related to the costs for administering engineering and land surveyor examinations. Fee increase on license renewal for engineers and land surveyors from \$48 to \$50 per year. Removal of language from WAC 196-26-030 that is out-of-date and no longer applicable.

Citation of Existing Rules Affected by this Order: Amending WAC 196-26-020 and 196-26-030.

Statutory Authority for Adoption: RCW 43.24.086, 18.43.050, [18.43.]060, [18.43.]080, [18.43.]100, [18.43.]130, [18.43.]160.

Other Authority: Chapter 247, Laws of 1997.

Adopted under notice filed as WSR 98-09-051 on April 16, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: July 1, 1998.

May 29, 1998
Alan E. Rathbun
Assistant Director

AMENDATORY SECTION (Amending WSR 95-23-013, filed 11/7/95, effective 1/1/96)

WAC 196-26-020 Engineer and land surveyor fees and charges. The following fees and charges shall be assessed by the business and professions division of the department of licensing: Examination charges shall be collected from examination candidates for examinations ordered from the national vendor on their behalf. The charges recovered by the department shall be refunded to the vendor for the costs of purchasing and grading exams.

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| Title of Fee and/or Charge | Amount |
|--|---|
| Engineers: | |
| Professional engineer application, examination, and certificate (\$((60)) 75 exam charge; \$40 agency fee) | ((100.00)) \$ <u>115.00</u> |
| ((Structural engineer application, examination, and certificate | 175.00)) |
| Professional engineer examination retake (\$((60)) 75 exam charge; \$30 agency fee) | ((90.00)) <u>105.00</u> |
| ((Structural exam retake | 160.00)) |
| <u>Structural engineer application, examination, and certificate (Western states)</u> | <u>175.00</u> |
| <u>Structural engineer application and examination (NCEES Structural I) (\$75 exam charge; \$30 agency fee)</u> | <u>105.00</u> |
| <u>Structural engineer application, examination and certificate (NCEES Structural II) (\$150 exam charge; \$55 agency fee)</u> | <u>205.00</u> |
| <u>Structural engineer examination retake: (NCEES Structural I) (\$75 exam charge; \$30 agency fee)</u> | <u>105.00</u> |
| <u>(NCEES Structural II) (\$150 exam charge; \$30 agency fee)</u> | <u>180.00</u> |
| <u>Structural engineer addendum examination (taken after Structural I & II examinations)</u> | <u>50.00</u> |
| <u>Structural engineer addendum retake examination</u> | <u>50.00</u> |
| Comity | 100.00 |
| Replacement certificate | 25.00 |
| Exam (locally prepared) rescore | 50.00 |
| Renewal (per year) | ((48.00)) <u>50.00</u> |
| Late renewal penalty | ((48.00)) <u>50.00</u> |
| Duplicate license | 15.00 |
| Temporary permit | 100.00 |

| | |
|---|-------|
| Engineer in training: | |
| Application, examination, and certificate (\$30 exam charge; \$20 agency fee) | 50.00 |
| Examination retake (\$30 exam charge; \$20 agency fee) | 50.00 |
| Replacement certificate | 25.00 |

| Title of Fee and/or Charge | Amount |
|--|--|
| Land surveyor: | |
| Application, examination, and certificate | 100.00 |
| ((FLS examination retake (\$40 exam charge; \$0 agency fee) | 40.00)) |
| PPLS examination retake | 60.00 |
| Comity | 100.00 |
| Comity exam retake | 60.00 |
| PPLS exam rescore | 50.00 |
| Renewal (per year) | ((48.00)) <u>50.00</u> |
| Late renewal penalty | ((48.00)) <u>50.00</u> |
| Replacement certificate | 25.00 |
| Duplicate license | 15.00 |
| Land surveyor in training (effective April 1, 1996): | |
| Application, examination, and certificate (\$((40)) 65 exam charge; \$10 agency fee) | ((50.00)) <u>75.00</u> |
| Examination retake (\$((40)) 65 exam charge; \$10 agency fee) | ((50.00)) <u>75.00</u> |
| Replacement certificate | 25.00 |
| Engineer corporation, joint stock association and limited liability company: | |
| Certificate of authorization | ((300.00)) <u>150.00</u> |
| Renewal (per year) | 100.00 |
| Duplicate license | 15.00 |
| Replacement certificate | 25.00 |
| ((Engineer partnership: Certification of authorization | 300.00 |
| Renewal (per year) | 100.00 |
| Replacement certificate | 25.00 |
| Duplicate license | 15.00)) |

AMENDATORY SECTION (Amending WSR 91-22-017, filed 10/28/91, effective 11/28/91)

WAC 196-26-030 License renewals. The licenses for those individuals registered as a professional engineer and/or a professional land surveyor shall be renewed every two years. The date of renewal shall be the licensee's birth date. Licensees who fail to pay the prescribed renewal fee within ninety days of the license expiration date will be subject to the late payment penalty fee as set forth in WAC 196-24-060.

~~((Effective with renewals due on July 1, 1991, and continuing through those due on June 30, 1992, the renewal~~

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~~period for engineers and land surveyors will be converted from one to two years. This conversion will be accomplished as follows:~~

~~(1) Current licensees as of July 1, 1991, with a birth date which is an even number shall initially renew for one year. All subsequent renewals shall be for a two-year period.~~

~~(2) Current licensees as of July 1, 1991, with a birth date which is an odd number shall initially renew for a two-year period. All subsequent renewals shall be for a two-year period.)~~

The initial license issued to an individual shall expire on the licensee's next birth date. However, if the licensee's next birth date is within three months of the initial date of licensure, the original license shall expire on his or her second birth date following original licensure. All subsequent renewals shall be for a two-year period.

The certificates of authorization for corporations (~~and partnerships~~), joint stock associations and limited liability companies (LLC) shall be renewed annually. The date of renewal shall be the month and day of receipt of their original license application. ~~((Effective with renewals due on December 31, 1991, corporation and partnership renewals will be converted to the month and day of original application receipt. This conversion will be accomplished as follows:~~

~~(a) Renewal notices issued for payment by December 31, 1991, will include a prorated renewal fee equal to one twelfth of the annual fee for each month until their new renewal date (month and day of original application receipt). For purposes of this conversion, all actively licensed corporations and partnerships will be issued a renewal which will at minimum expire in December 1992 and at maximum expire in November 1993.~~

~~(b) All subsequent renewals shall be for one year.)~~ Failure to pay the prescribed fee by the date of expiration shall cause the certificate to become invalid.

WSR 98-12-047
PERMANENT RULES
BOARD OF ACCOUNTANCY

[Filed May 29, 1998, 3:17 p.m.]

Date of Adoption: April 17, 1998.

Purpose: WAC 4-25-551 requires certified public accountants (CPAs) and CPA firms to respond to an agency inquiry in writing within twenty days of the date the inquiry is posted in the United States mail. With cooperation from the CPAs and CPA firms, the agency can effectively administer chapter 18.04 RCW.

Citation of Existing Rules Affected by this Order: Amending WAC 4-25-551 Must I respond to inquiries from the board?

Statutory Authority for Adoption: RCW 18.04.055.

Adopted under notice filed as WSR 98-01-228 on December 24, 1997.

Changes Other than Editing from Proposed to Adopted Version: Changed "of the postmarked date" to "is posted in the U.S. mail."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal

Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 28, 1998

Cheryl M. Sexton

Confidential Secretary

AMENDATORY SECTION (Amending WSR 93-12-072, filed 5/27/93, effective 7/1/93)

~~WAC 4-25-551 ((Duty to respond to board inquiry.))~~
Must I respond to inquiries from the board? ~~((A licensee shall respond in writing to any communication from the board requesting a response, within twenty days of the mailing of such communications by registered or certified mail, to the last address furnished to the board by the licensee.))~~ All CPAs and CPA firms must respond, in writing, to board communications requesting a response. Your response must be made within twenty days of the date the board's communication is posted in the U.S. mail. Communications from the board to you are directed to the last address you furnished the board.

WSR 98-12-048
PERMANENT RULES
BOARD OF ACCOUNTANCY

[Filed May 29, 1998, 3:19 p.m.]

Date of Adoption: April 17, 1998.

Purpose: WAC 4-25-620 requires Washington certified public accountants (CPAs) to be free of conflicts of interest. This requirement is a rule of professional conduct necessary to establish and maintain high standards of ethics of certified public accountants (CPAs) to protect the public interest.

Citation of Existing Rules Affected by this Order: Amending WAC 4-25-620 When must I comply with the rules of conduct requiring integrity and objectivity?

Statutory Authority for Adoption: RCW 18.04.055(2).

Adopted under notice filed as WSR 98-01-229 on December 24, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

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Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 27, 1998

Cheryl M. Sexton

Confidential Secretary

AMENDATORY SECTION (Amending WSR 93-22-046, filed 10/28/93, effective 11/28/93)

WAC 4-25-620 (~~Integrity and objectivity~~) When must I comply with the rules of conduct requiring integrity and objectivity? ~~((In the performance of professional services a person using the CPA title shall be honest, objective, free of conflicts of interest unless such conflicts are specifically permitted by board rule or professional standards, and shall not misrepresent facts or subordinate his or her judgment to others.))~~ If you use the title CPA when performing professional services you must remain honest and objective. You must not misrepresent facts or subordinate your judgment to others.

Also, you must remain free of conflicts of interest unless such conflicts are specifically permitted by board rule or professional standards. If professional standards differ from board rule, board rule prevails.

WSR 98-12-049

PERMANENT RULES

BOARD OF ACCOUNTANCY

[Filed May 29, 1998, 3:20 p.m.]

Date of Adoption: April 17, 1998.

Purpose: Independence is a rule of professional conduct necessary to establish and maintain high standards of competence and ethics of certified public accountants (CPAs) to protect the public interest.

Citation of Existing Rules Affected by this Order: Amending WAC 4-25-622 Independence.

Statutory Authority for Adoption: RCW 18.04.055(2).

Adopted under notice filed as WSR 98-01-230 on December 24, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 28, 1998

Cheryl M. Sexton

Confidential Secretary

AMENDATORY SECTION (Amending WSR 93-22-046, filed 10/28/93, effective 11/28/93)

WAC 4-25-622 Independence. (1) A CPA in public practice must be independent in the performance of the following:

(a) An audit or review of a financial statement; or

(b) A compilation of ~~((a))~~ historical or prospective financial statement when the CPA's report does not disclose a lack of independence; or

(c) ~~((An examination of prospective financial information.))~~ Other attest engagements when required by board rules or other professional standards such as the statements of standards for attestation engagements.

(2) ~~((Independence shall be considered to be impaired if, for example, there existed any of the following transactions, interests or relationships in connection with reporting on financial statements.))~~ The following specific acts are examples of impairment of independence. The board does not intend this listing to be all inclusive.

(a) During the period of a professional engagement, or at the time of expressing an opinion, a CPA or a CPA's firm:

(i) Had or was committed to acquire any direct or material indirect financial interest in the enterprise.

(ii) Was a trustee of any trust or executor or administrator of any estate if such trust or estate had or was committed to acquire any direct or material indirect financial interest in the enterprise.

(iii) Had any joint closely-held business investment with the enterprise or with any officer, director, or principal stockholder thereof which was material in relation to the CPA's net worth or the net worth of the CPA's firm.

(iv) Had any loan to or from the enterprise or any officer, director, or principal stockholder of the enterprise except under certain circumstances for home mortgages, other secured loans, loans not material to the CPA's net worth, and various personal loans.

(b) During the period covered by the financial statements, during the period of the professional engagement or at the time of expressing an opinion, the CPA or a CPA's firm:

(i) Was connected with the enterprise as a promoter, underwriter, or voting trustee, a director or officer or in any capacity equivalent to that of a member of management or of an employee; or

(ii) Was a trustee for any pension or profit-sharing trust of the enterprise.

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~~((The foregoing examples are not intended to be all inclusive.))~~

WSR 98-12-050
PERMANENT RULES
BOARD OF ACCOUNTANCY

[Filed May 29, 1998, 3:22 p.m.]

Date of Adoption: April 17, 1998.

Purpose: Compliance with standards is a rule of professional conduct necessary to establish and maintain high standards of competence and ethics of certified public accountants (CPAs) to protect the public interest.

Citation of Existing Rules Affected by this Order: Amending WAC 4-25-631 Compliance with standards.

Statutory Authority for Adoption: RCW 18.04.055(6).

Adopted under notice filed as WSR 98-01-232 on December 24, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 28, 1998

Cheryl M. Sexton
 Confidential Secretary

AMENDATORY SECTION (Amending WSR 93-22-046, filed 10/28/93, effective 11/28/93)

WAC 4-25-631 Compliance with standards. A certified public accountant shall exercise due care and professional judgment in order to comply with the pertinent accounting principles, professional standards, regulations, releases and rules (hereinafter referred to as "standards") promulgated by the "appropriate bodies" for each endeavor undertaken. A certified public accountant shall be knowledgeable of federal, state and local law pertinent to the endeavor. If professional standards differ from board rule, board rules prevail.

Such "appropriate bodies" include, but are not limited to, the Securities and Exchange Commission; the Financial Accounting Standards Board; the Governmental Accounting Standards Board; ~~((the American Institute of Certified Public Accountants;))~~ the Internal Revenue Service; federal, state, and local audit, regulatory and tax agencies; the American

Institute of Certified Public Accountants; and recognized educational and industry institutions.

Such "standards" include, but are not limited to:

(1) Regulation SX and the accounting series releases of the Securities and Exchange Commission;

(2) Generally accepted accounting principles and other comprehensive bases of accounting;

(3) Generally accepted auditing, review, compilation, attestation, consulting and peer review standards;

(4) Generally accepted government accounting standards;

(5) Consensus opinions of "appropriate bodies" such as Emerging Issues Task Forces;

(6) Circular 230 of the IRS and "appropriate bodies" guidance with respect to responsibilities in tax practice;

(7) Rules governing practice before regulatory agencies; and

(8) Guidance found in industry publications and textbooks and articles published by recognized accounting professionals or societies.

WSR 98-12-051
PERMANENT RULES
BOARD OF ACCOUNTANCY

[Filed May 29, 1998, 3:23 p.m., effective January 1, 1999]

Date of Adoption: April 17, 1998.

Purpose: WAC 4-25-810 requires continuing professional education to maintain or improve the professional competence of certificate and license holders as a condition to maintain their certificate or license to practice public accounting. With the completion of ethics related courses on a regular basis, certified public accountants (CPAs) will maintain an understanding and awareness of the board's rules and regulations in an ever-changing environment.

Citation of Existing Rules Affected by this Order: Amending WAC 4-25-810 Continuing professional education (CPE)—Who must have CPE.

Statutory Authority for Adoption: RCW 18.04.055(7).

Other Authority: RCW 18.04.215(4).

Adopted under notice filed as WSR 98-01-233 on December 24, 1997.

Changes Other than Editing from Proposed to Adopted Version: Modified to read: ~~((Eight hours))~~ A four-hour course in the subject area of professional ethics ~~((including))~~ with specific application to statutes and regulations governing the practice of public accounting in Washington state shall be required every ~~((six))~~ four years effective January 1, 1999, and beginning with each CPA's next two-year reporting cycle. The hours of professional ethics shall be part of the total requirement for CPE.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: January 1, 1999.

May 28, 1998

Cheryl M. Sexton

Confidential Secretary

AMENDATORY SECTION (Amending WSR 94-02-072, filed 1/4/94, effective 2/4/94)

WAC 4-25-810 Continuing professional education (CPE)—Who must have CPE. The following requirements of CPE apply to the biennial renewal, or initial issue if by reciprocity, of certificates and licenses to practice public accounting pursuant to RCW 18.04.105(8) and 18.04.215(4). Renewal of a license to practice means simultaneous renewal of the license and the certificate. Certificates issued to persons born in even-numbered years are subject to renewal on July 1 of even-numbered years. Certificates issued to persons born in odd-numbered years are subject to renewal on July 1 of odd-numbered years. Each certified public accountant (CPA) shall verify to the board completion of at least eighty hours of CPE during the last two-year period unless the CPA can demonstrate that the failure was due to reasonable cause. Persons who are retired, and persons who are certificate holders, but who do not make any public, professional, commercial, or occupational use of the title CPA shall be deemed to have met the reasonable cause exception provided by RCW 18.04.105(8) and 18.04.215(4). The board may, in particular cases, make exceptions to these requirements for reasons of individual hardship including health, military service, foreign residence, or other reasonable cause.

(1) Hours required.

(a) Public accounting license. A CPA seeking regular biennial renewal of a license, which includes renewal of the certificate, shall show completion of the required hours of CPE during the two calendar-year period preceding renewal, of which no less than thirty-two hours shall be accounting and/or auditing subjects. In a reporting period during which the licensee was not involved at any time in reporting on financial statements, no less than sixteen hours of the eighty-hour requirement shall be accounting and/or auditing subjects. Tax practitioners whose sole relationship to financial statements is the review of the federal income tax provision, related balance sheet accounts and notes are not considered to be involved in reporting on financial statements for purposes of this provision. Of the total requirement of eighty hours, no more than sixteen hours may be in CPE course subjects deemed "nontechnical" by the board in WAC 4-25-811(2)(b). A four-hour course in the subject area of professional ethics with specific application to the practice of public accounting in Washington state shall be required every four years effective January 1, 1999, and beginning with each

CPA's next two-year reporting cycle. The hours of professional ethics shall be part of the total requirement for CPE.

(b) Certificate only. A CPA, who holds a certificate but whose activities do not require a license to practice public accounting, is required to show completion of not less than eighty hours of CPE to renew the certificate under RCW 18.04.105(8) which contribute to the CPA's professional competency, meet the criteria for courses set forth in WAC 4-25-811(1) and can be classified into one of the categories of WAC 4-25-811(2)(a) or (b). The courses must include a minimum of eight hours of accounting and/or auditing subjects for each biennial reporting period. A four-hour course in the subject area of professional ethics with specific application to the practice of public accounting in Washington state shall be required every four years effective January 1, 1999, and beginning with each CPA's next two-year reporting cycle. The hours of professional ethics shall be part of the total requirement for CPE.

(2) Renewal of lapsed certificates or licenses and reciprocity. A CPA who has previously held a license and certificate who has failed to renew timely, shall satisfy the requirements of subsection (1)(a) of this section. A CPA who held a license under the reciprocity provisions of RCW 18.04.180, shall, for the purposes of satisfying the CPE requirements, make the same showing as prescribed in subsection (1)(a) of this section at the time of application. A CPA who holds a certificate and no license who has failed to renew timely, shall satisfy the requirements of subsection (1)(b) of this section.

(3) Renewal of initial certificate or license and certificate. A CPA seeking to renew an initial certificate or license and certificate issued less than two years but more than one year prior to the renewal must show completion of at least forty hours of such CPE during the calendar year preceding the application. A CPA seeking to renew an initial certificate or license and certificate issued less than one year prior to the renewal will not be required to demonstrate completion of any hours of CPE for the first renewal, subject to the provisions of subsection (2) of this section as it pertains to certificates or licenses granted through reciprocity.

WSR 98-12-052

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed May 29, 1998, 3:25 p.m., effective July 1, 1998]

Date of Adoption: May 7, 1998.

Purpose: To provide clear, concise language describing the requirements to become licensed as a professional engineer.

Citation of Existing Rules Affected by this Order: Repealing WAC 196-12-060, 196-12-085, 196-24-030, 196-24-040 and 196-24-050; and amending WAC 196-12-010, 196-12-020, 196-12-030, 196-12-050, and 196-24-105.

Statutory Authority for Adoption: RCW 18.43.035.

Adopted under notice filed as WSR 98-08-105 on April 1, 1998.

Changes Other than Editing from Proposed to Adopted Version: WAC 196-12-020 (2)(g), delete the entire sentence

and insert the words "Effectively communicating recommendations and conclusions."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 5, Repealed 5.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 5, Repealed 5.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: July 1, 1998.

May 29, 1998

George A. Twiss

Executive Director

AMENDATORY SECTION (Amending Order PM 738, filed 5/27/88)

WAC 196-12-010 Applications. A professional engineer (PE) applicant must have passed the first stage examination (the fundamentals-of-engineering (FE) examination) and be enrolled as an engineer-in-training (EIT), or qualify to waive the FE examination in accordance with WAC 196-12-050, before he or she can take the second stage (PE) examination. If the applicant has at least eight years of qualifying engineering experience, the PE examination may be applied for at the same time that he or she applies for the FE examination. The PE application may also be submitted before the results of the FE examination have been received, provided the application is submitted at least four months before the second stage examination date.

All applications ((shall be sent to the registrar of the board;)) must be completed on forms provided by the board and filed with the executive director at the board's ((official)) address((, on forms provided by the board)). The deadline for ((receipt of)) properly completed applications ((properly filled out and)) accompanied by the ((application)) appropriate fee and charge as listed in WAC 196-26-020 is four months ((before)) prior to the date of the examination. ((Verification of the applicant's claimed experience must be in the board office three months before the date of the examination.)) Late applications ((received after the deadline)) will be ((held for consideration)) considered for a later examination. ((Lack of verification of experience will also cause the application to be held for a later examination. Those who have previously taken the examination and failed or those who qualified and did not appear for the examination are required to notify the board office in writing three months before the next examination which they intend to take.)) Supporting documents such as college transcripts and experience verification forms must be submitted in a timely manner in order for the board to meet examination preparation dead-

lines. An applicant will be notified what documents are missing, and a date set by the board by which those documents must be received. Failure to have the missing documents sent to the board by the defined deadline will result in the applicant being delayed until a later examination.

To reschedule the taking of an examination, a written request accompanied by the applicable fee and charge as listed in WAC 196-26-020 is required at least three months prior to the examination date. Once an application has been approved, no further application is required.

AMENDATORY SECTION (Amending WSR 92-01-101, filed 12/17/91, effective 1/17/92)

WAC 196-12-020 Experience records. ~~(((1) Evaluation of records: The basic requirement for registration as a professional engineer is a specific record of eight years or more of approved experience in engineering work of a professional grade. The provisions of the law are that any experience by college study, as defined below, must be substantiated by an official transcript, the supplying of which is the responsibility of the applicant.~~

~~(a) Graduation in an approved engineering college curriculum of four years is equivalent to four years of the required experience.~~

~~(b) Satisfactory completion of each year of such an approved engineering curriculum is equivalent to one year of experience.~~

~~(c) Graduation in a program in engineering technology approved by the accreditation board for engineering and technology (ABET) is equivalent to three years of required experience. Satisfactory completion of each year of such an approved program is equivalent to three-fourths of one year of experience.~~

~~(d) Graduation in a program in engineering technology from a non-ABET approved curricula, however approved by the board, is equivalent to two years of required experience. Satisfactory completion of each year of such a program is equivalent to one-half of one year of experience.~~

~~(e) Satisfactory completion of each year of a non-approved curriculum in engineering may be granted up to a maximum of one-half of one year of experience. Coursework in such a program must be equivalent to that of an approved curriculum to grant maximum experience credit.~~

~~(f) Graduation in a curriculum other than engineering will be evaluated by the board.~~

~~(g) Postgraduate study in engineering may be given credit up to one year. A postgraduate degree must be obtained to be granted maximum experience credit.~~

~~(h) Applicants having engineering degrees from countries other than the United States or Canada may be required to have their transcripts evaluated by a transcript evaluation service approved by the board. This evaluation will be performed at the applicant's expense, and the applicant will be responsible for submitting all the necessary information to the evaluation service. The board shall not take any action on an application until the report from the evaluation service and all other documents are received.~~

~~(i) The board may approve engineering degree programs from countries other than the United States and Canada. A~~

listing of said approved programs will be maintained in the board office. Graduation from such an approved program will exempt the applicant from utilizing the transcript evaluation service.

(2) ~~Colleges recognized by the board: All student's credits from curricula approved by the accreditation board for engineering and technology are accepted. In the state of Washington student's credits from other curricula than those approved by the accreditation board for engineering and technology may be accepted at the discretion of the board.~~

(3) ~~In evaluating the work experience required to qualify for registration, the following criteria will be used:~~

~~(a) In the normal educational sequence, experience gained between semesters or quarters will not be considered as professional experience.~~

~~(b) In situations where the experience/educational track is intermixed with a degree attained late in the sequence, educational achievement will not be counted in addition to work experience in determining total experience. However, professional work experience will not necessarily be considered as starting subsequent to graduation but will be evaluated in total with consideration given to progression in level of technical complexity and responsibility.~~

~~(c) Where a degree is not attained, but at least three years of education in an approved curriculum has been completed prior to a work experience track, the education will be considered in conjunction with the work experience in determining the total years of experience.~~

~~(d) Engineering teaching of a character satisfactory to the board may be recognized as professional level experience up to a maximum of two years.~~

~~(e) Any work experience gained in a situation which violates the provisions of chapter 18.43 RCW or Title 196 WAC will not be credited towards the statutory experience requirement.~~

~~(f) The statutory experience requirement to qualify for examination must be completed sixty days prior to the date of examination. Furthermore, the applicant is to provide the necessary verification of said experience up to the sixty day limit.~~

~~(4) An applicant must have passed the first stage of the examination and be enrolled as an E.I.T. in accordance with WAC 196-12-050 before applying for the second stage or branch examination.)) The law requires eight years of experience in engineering work of a character satisfactory to the board and passing the fundamentals-of-engineering examination to be eligible for the second stage (PE) engineer examination. These eight years must be of broad based, progressive experience to include gaining knowledge and comprehension of engineering subjects and applying engineering principles. The eight years of experience must be completed sixty days prior to the date of the examination.~~

The board shall evaluate all experience, which includes education, on a case-by-case basis and approve such experience as appropriate. The board will use the following criteria in evaluating an applicant's experience record:

(1) Education experience will be based on transcripts. Therefore, any transcripts not previously sent to the board's office should be submitted for maximum experience credit.

Education may be approved as experience based on the following:

(a) Graduation with a baccalaureate degree in engineering approved by the engineer accreditation commission (EAC) of the accreditation board for engineering and technology (ABET) shall be equivalent to four years of required experience. Satisfactory completion of each year of such an approved engineering curriculum is equivalent to one year of experience.

(b) Graduation with a baccalaureate degree in a program in engineering technology approved by the technology accreditation commission (TAC) of the accreditation board for engineering and technology (ABET) is equivalent to three years of required experience. Satisfactory completion of each year of such an approved program is equivalent to three-fourths of one year of experience.

(c) Graduation in an approved four year non-ABET accredited engineering curriculum will be given a maximum of three years of experience.

(d) A maximum of one year may be granted for post-graduate engineering courses approved by the board for those applicants having earned degrees in accordance with (a), (b) or (c) of this subsection.

(e) A nonengineering bachelor of science program can be given a maximum of two years of experience. If the degree is followed by a master of science in engineering from a school that has an ABET accredited undergraduate program in the same discipline as the master's degree, a maximum of four years of experience may be granted for this combination of education.

(f) Graduation with an associate degree in engineering from an approved curriculum may be equivalent of up to two years of required experience.

(g) Education gained in a piecemeal fashion over time where no degree is conferred will be granted up to a maximum of two years of experience. For the purpose of this subsection, education in a "piecemeal fashion" means: One or two classes taken at a time, often at different schools; seminars; workshops; and classes taken through industry and the military. In order to determine the appropriate amount of experience, this type of education will be compared to college coursework in a baccalaureate of engineering technology degree program.

(h) The board may approve engineering degree programs from other countries.

(i) A number of foreign degree programs are included in mutual recognition agreements entered into by ABET with other accrediting authorities. Applicants with a degree from one of these programs will be evaluated in accordance with (a) and (b) of this subsection. A list of those approved mutual recognition degree programs is maintained in the board office.

(ii) Applicants having engineering degrees from programs in countries that are not on the mutual recognition list will be required to have their transcripts evaluated by a transcript evaluation service approved by the board. This evaluation will be performed at the applicant's expense, and the applicant will be responsible for submitting all necessary information to the evaluation service. If the evaluation service says that the foreign degree is equivalent to an ABET

accredited degree, experience will be granted in accordance with (a) or (b) of this subsection. If the evaluation says that the foreign degree is not equivalent to an ABET accredited degree, then a maximum of three years of experience may be granted in accordance with (c) of this subsection.

(iii) An applicant with an undergraduate foreign degree from a program that is not on the mutual recognition list, can waive the requirement for a degree evaluation if they have a master of science in engineering from a school that has an ABET accredited undergraduate engineering degree program in the same discipline as the master's degree. A maximum of four years of experience can be granted for this combination of education.

(i) Any other education will be taken into account and evaluated on its merits.

(j) Work experience gained between semesters or quarters or during summers while enrolled in an approved curriculum will be considered as part of the educational process. The board grants one year of experience for a year of approved education including any associated work experience within that year.

(2) Work experience will be approved based on a demonstration of competency and progressive responsibility in the analysis, synthesis and evaluation of engineering concepts and data, under the direct supervision of a person authorized by chapter 18.43 RCW or other applicable statute to practice engineering. Under the general guidance and direct supervision of an authorized professional, the applicant must be in a position of making independent judgments and decisions in the following experience areas:

(a) Formulating conclusions and recommendations;

(b) Identifying design and/or project objectives;

(c) Identifying possible alternative methods and concepts;

(d) Defining performance specifications and functional requirements;

(e) Solving engineering problems;

(f) Interacting with professionals from other areas of practice;

(g) Effectively communicating recommendations and conclusions;

(h) Demonstrating an understanding and concern for energy/environmental considerations, and sustainability of resources.

(3) The branch of structural engineering requires specialized work experience to protect the public safety. To be eligible to take the structural principle and practice examination, an applicant must have eight years of progressive responsibility in structural engineering experience documented in the application in accordance with subsection (2) of this section. This experience must be supervised by a licensed professional engineer in the branch of structural engineering or a licensed professional engineer with significant structural engineering work experience. Up to five years of this experience may be gained through education in accordance with subsection (1) of this section. In order to be granted the fifth year, a postgraduate degree in engineering with a concentration of structural courses must be obtained from a school that has an ABET accredited undergraduate program in engineering.

(4) Engineering teaching character may be considered satisfactory experience up to a maximum of two years.

(5) Applied research is considered satisfactory experience when it meets the following conditions:

(a) The research must be conducted under the guidance or supervision of a licensed engineer. For the purposes of this subsection, guidance or supervision means being cognizant of all applicable aspects of the work and a reviewer of all applicable reporting documentation.

(b) The principle result(s) of the research are in a published report or a recognized engineering journal article in which the applicant is the first author or the work is adequately documented and available to the board upon request.

(6) For military engineering experience to be considered acceptable, it should be similar to engineering experience that would be gained in a nonmilitary environment as defined in subsection (2) of this section, and such experience must be verified.

(7) Any work experience gained without the supervision of a professional engineer authorized to practice under chapter 18.43 RCW or an individual authorized by another statute to practice engineering, or any work experience gained in any other situation which violates the provisions of chapter 18.43 RCW or Title 196 WAC will not be counted toward the statutory experience requirement.

AMENDATORY SECTION (Amending WSR 93-01-081, filed 12/15/92, effective 1/15/93)

WAC 196-12-030 Examinations. (1) ((The examination is given in 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 in order to take the branch examination:

(b) Applicants enrolled as an EIT in any other state, 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 will be exempt from taking 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.)) Except as provided in WAC 196-12-050, to become licensed as a professional engineer the candidate must pass two stages of examination. The first stage is the fundamentals-of-engineering examination. The second stage examination consists of multiple parts including the principles and practice (branch) examination and law and ethics examination. The law and ethics exam is a take-home examination covering chapter 18.43 RCW and Title 196 WAC. The fundamentals-of-engineering examination must be passed, or waived in accordance with WAC 196-12-050, before taking the second stage examination.

Examinations are given at times and places designated by the board. The schedule of future examinations and examination syllabi may be obtained from the board office. Examinees will 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. If one examination part is failed, only that examination part must be retaken.

(2) If a professional engineer holding a current registration in the state of Washington wants to become licensed in multiple branches of engineering, an additional principle and practice examination must be taken in each branch.

(3) The branch of structural engineering requires a more exhaustive principle and practice examination to protect the public safety. In addition to the stage 1 fundamentals-of-engineering examination, to become licensed as a professional engineer in the branch of structural engineering, the candidate must pass the stage 2 examination comprised of all parts of the principles and practice of structural engineering examination, including a demonstration of competency in structural engineering issues important to Washington state, and the law and ethics examination.

(4) Except for the law and ethics examination, an exam part may be reviewed if it is failed. Examinees who achieve a passing score will not be permitted to review their examination. The purpose of examination review is to permit the examinee an opportunity to review his or her exam in order to identify areas of poor performance. This is not an opportunity to take notes for future reference.

Failing examinees may review their examination (test booklet, answer sheet and/or solution pamphlet and answer key) during a period of time prescribed by the board. Examinees who fail to review their exam during the prescribed time will not be scheduled for an examination review. The examination review guidelines are as follows:

(a) An examinee can review his or her examination one time only. An appointment for this review must be arranged in advance with board staff.

(b) All examination reviews will be in the presence of a member of board staff. No one may accompany the examinee during the examination review, except where persons with disability require assistance. In that case, the need for assistance must be conveyed to staff when the review appointment is made.

(c) For examinations having machine scored answer sheets, the examinee will be allowed to review a copy of his or her answer sheet, not the original.

(d) Each reviewer will be given a review sheet that they can take with them following the review. This review sheet will include the problem number, problem subject matter, score achieved for each problem and total score. Reviewers will not be permitted to add further information to the review sheet.

(e) Scratch paper and writing instruments will be provided during the examination review. However, scratch paper may not be removed from the review area.

(5) Individuals may appeal to have their examination rescored only at the time they review their exam. Multiple choice questions are not appealable. Essay (free response) type questions may be appealed if the reviewer can demonstrate, in writing, sufficient technical justification that their solution deserves reconsideration.

The required fee for rescoring must be paid at the time the rescore request is made. The results of the rescore are final and no additional administrative appeals are available.

NEW SECTION

WAC 196-12-045 Comity registration of applicants qualified in other jurisdictions. (1) Applicants for registration as a professional engineer by comity must meet the following criteria:

(a) The applicant must complete an application on forms provided by the board and filed with the executive director at the board's address accompanied by the appropriate fee and charge pursuant to WAC 196-26-020.

(b) The applicant's qualifications must meet the requirements of chapter 18.43 RCW and this chapter.

(c) The applicant is in good standing with the licensing agency in a 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 juris-

diction of most recent practice if different from the jurisdiction of original registration.

(d) The applicant has been qualified by written examinations determined by the board to adequately test the fundamentals and principles and practice of engineering.

(2) The applicant will be required to pass the law and ethics examination and may be required to take and pass state specific examinations to demonstrate competency in issues specific to Washington.

(3) The original application for comity may be for multiple branches of engineering provided that the applicant has passed an examination in each branch equivalent to the examination given in the state of Washington. Licenses will be issued only in the branches of engineering offered by the board. Additional branches may be added at a later time; however, this will require submitting a new application and fee.

AMENDATORY SECTION (Amending WSR 93-01-081, filed 12/15/92, effective 1/15/93)

WAC 196-12-050 ((Evaluation of candidates for engineering licenses.)) **Waiving the fundamentals of engineering examination.** (((1) A candidate who is enrolled as an E.I.T. is required to write both the examination in the branch approved by the board and the law examination to obtain licensure.

((2) Candidates who have had) An applicant who has at least twelve years of experience satisfactory to the board ((and hold)) as identified in WAC 196-12-020(2) after obtaining a baccalaureate degree in an approved engineering curriculum as defined in WAC 196-12-020 (1)(a) and (h)(i) and (ii), may request that the stage 1 fundamentals of engineering (FE) examination be waived and that ((they be permitted)) permission be granted 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)) take the stage 2 examination (principles and practice and law and ethics) only: *Provided*, That the applicant has not failed the FE examination within the last ten years.

The opportunity to waive the stage 1 examination is based on the premise that the demonstration of a solid experience record is a better measure of engineering competency than the passage of the stage 1 examination at this point in the applicant's career. It is the board's discretion, based on information provided in the application, as to whether to grant a waiver.

Teaching experience is not limited to two years for the purposes of qualifying for this waiver.

The applicant should take note that a license granted based on waiving the fundamentals exam may not be accepted by other licensing jurisdictions.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 196-12-060

Persons enrolled as E.I.T.s.

WAC 196-12-085

Corporation or joint stock associations.

AMENDATORY SECTION (Amending WSR 93-01-081, filed 12/15/92, effective 1/15/93)

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.)) (1) Except for the law and ethics examination, an exam part may be reviewed if it is failed. Examinees who achieve a passing score will not be permitted to review their examination. The purpose of examination review is to permit the examinee an opportunity to review his or her exam in order to identify areas of poor performance. This is not an opportunity to take notes for future reference.~~

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)) The examination review guidelines are as follows:~~

~~(a) An examinee shall be able to review his/her examination one time only. This review shall be arranged in advance by appointment with ((office)) board staff.~~

~~((2)) (b) All examination reviews shall be conducted in the presence of a member of the ((office)) board 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)) (c) For examinations ((consisting of)) having 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.)) (d) Each reviewer will be given a review sheet that they can take with them following the review. This review sheet will include the problem number, problem subject matter, score achieved for~~

each problem and total score. Reviewers will not be permitted to add further information to this review sheet.

(e) Scratch paper and writing instruments will be provided during the examination review. However, scratch paper may not be removed from the review area.

(2) Individuals may appeal to have their examination rescored only at the time they review their exam. Multiple choice questions are not appealable. Essay (free response) type questions may be appealed if the reviewer can demonstrate, in writing, sufficient technical justification that their solution deserves reconsideration. The required fee for rescoring must be paid at the time the rescore request is made. The results of the rescore are final, and no additional appeals are available.

REPEALER

The following sections of the Washington Administrative Code are repealed:

| | |
|----------------|---------------|
| WAC 196-24-030 | Comity. |
| WAC 196-24-040 | Applications. |
| WAC 196-24-050 | Examinations. |

WSR 98-12-053

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed May 29, 1998, 3:27 p.m., effective July 1, 1998]

Date of Adoption: May 7, 1998.

Purpose: To implement the provisions of legislation enacted in 1997 (chapter 247, Laws of 1997) as codified in RCW 18.43.130 Excepted services—Fees, effective July 1, 1998.

Statutory Authority for Adoption: RCW 18.43.035, 18.43.130.

Adopted under notice filed as WSR 98-08-106 on April 1, 1998.

Changes Other than Editing from Proposed to Adopted Version: WAC 196-25-005, last sentence of last paragraph. Delete the words "as a professional engineer or professional land surveyor or both under." Before the word chapter, insert "pursuant to" and after RCW, add "for each profession for which services are offered."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 7, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 7, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Mak-

ing: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: July 1, 1998.

May 29, 1998

George A. Twiss

Executive Director

Chapter 196-25 WAC

BUSINESS PRACTICES

NEW SECTION

WAC 196-25-001 Purpose. The purpose of this chapter is to implement that part of chapter 18.43 RCW related to corporations and limited liability companies offering engineering and land surveying services, as enacted by the 1997 legislature.

NEW SECTION

WAC 196-25-002 Definitions. Board. The Washington state board of registration for professional engineers and land surveyors.

Professional engineer. A person registered by the board under chapter 18.43 RCW to practice engineering in this state.

Professional land surveyor. A person registered by the board under chapter 18.43 RCW to practice land surveying in this state.

Business. A corporation, joint stock association or limited liability company that is practicing or offering to practice, engineering or land surveying or both in this state.

Designee. A currently registered professional engineer designated by the business to be in responsible charge of engineering activities for the business in this state, OR, a currently registered professional land surveyor designated by the business to be in responsible charge of land surveying activities for the business in this state.

Certificate of authorization. A certificate issued by the board, pursuant to chapter 18.43 RCW, to a business authorizing it to practice engineering or land surveying or both in this state. (Note: This is a different certificate than the certificate of authorization that may be filed with the secretary of state.)

NEW SECTION

WAC 196-25-005 Businesses that must be authorized by the board. Except for professional service (PS) corporations and professional service limited liability companies (PLLC's), all corporations, joint stock associations and limited liability companies (LLC's) that offer engineering or land surveying services must apply to the board for a certificate of authorization to practice engineering or land surveying or both in the state of Washington.

Effective July 1, 1998, engineering partnerships currently registered with the board will no longer be required to pay an annual renewal fee. Also effective July 1, partnerships and limited liability partnerships offering engineering and/or

land surveying services will not be required to apply for a certificate of authorization from the board. However, the partnership must employ at least one person currently registered pursuant to chapter 18.43 RCW for each profession for which services are offered.

NEW SECTION

WAC 196-25-010 Applications. All applications must be completed on forms provided by the board and filed with the executive director at the board's address and be accompanied by the appropriate fee as listed in WAC 196-26-020.

NEW SECTION

WAC 196-25-020 Corporations or joint stock associations. (1) The following will be submitted with the application for a certificate of authorization: A certified copy of a resolution of the board of directors; identification of the designee(s); an affidavit signed by the designee(s); a copy of the certificate of incorporation or certificate of authorization as filed with the secretary of state; and, a copy of the corporation's current Washington business license.

(2) The resolution of the board of directors of the corporation designating person(s) must also provide full authority to the designee to make all final engineering or land surveying decisions respectfully on behalf of the corporation for work performed by the corporation in this state.

The resolution must further state that the bylaws of the corporation shall be amended in accordance with RCW 18.43.130 (8)(c) pertaining to engineering or land surveying decisions made by the designee.

NEW SECTION

WAC 196-25-030 Limited liability companies. (1) The following must be submitted with the application for a certificate of authorization: A certified copy of a resolution by the company manager or managers; identification of the designee(s); an affidavit signed by the designee(s); a copy of the certificate of formation as filed with the secretary of state; and, a copy of the company's current business license.

(2) The resolution by the limited liability company manager or managers designating person(s), must also provide full authority to the designee to make all final engineering or land surveying decisions respectfully on behalf of the company for work performed by the company in the state of Washington. The resolution must further state that the limited liability company agreement shall be amended in accordance with RCW 18.43.130 (10)(b) pertaining to engineering or land surveying decisions made by the designee.

NEW SECTION

WAC 196-25-040 Provisions pertaining to both corporations and limited liability companies. (1) If the business offers both engineering and land surveying services, there must be a designee for each profession. If a person is licensed in both engineering and land surveying, that person may be designated for both professions.

(2) An affidavit must be signed by the designee(s) stating that he or she knows they have been designated by the business as being responsible for the engineering and/or land surveying activities in the state of Washington.

(3) The designated engineer and/or designated land surveyor must be an employee of the business.

(4) No person may be the designated engineer or designated land surveyor at more than one business at any one time.

(5) If there is a change in the designee(s), the business must notify the board in writing within thirty days of the effective date of the change and submit a new affidavit.

(6) If the business changes its name, the business must submit a copy of its amended certificate of authority or amended certificate of incorporation (for corporations) or a copy of the certificate of amendment (for LLC's), as filed with the secretary of state within thirty days of the filing.

(7) At the time of renewal, a copy of the business' business license must be submitted to insure that the company is registered with the secretary of state and has a current uniform business identification (UBI) number.

(8) The filing of the resolution shall not relieve the business of any responsibility or liability imposed upon it by law or by contract. Any business that is certified under chapter 18.43 RCW and this chapter is subject to the authority of the board as provided in RCW 18.43.035, 18.43.105, 18.43.110, and 18.43.120.

WSR 98-12-054

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Adult Services Administration)

[Filed May 29, 1998, 3:55 p.m., effective July 1, 1998]

Date of Adoption: May 29, 1998.

Purpose: To comply with statutory requirements regarding special care, resident rights, and resident assessment, in adult family homes.

Citation of Existing Rules Affected by this Order: Amending WAC 388-76-590, 388-76-600, 388-76-610, and 388-76-615.

Statutory Authority for Adoption: RCW 70.128.040, 70.128.060, chapter 70.129 RCW, chapter 272, Laws of 1998.

Adopted under notice filed as WSR 98-04-032 on January 29, 1998.

Changes Other than Editing from Proposed to Adopted Version: The final rules note statutory authority for rule making regarding specialty adult family homes.

The final rules are broken into numerous rules for ease of use and clarity. New section numbers were added. All of the proposed rules were amended to make them easier to understand.

The only changes to the rules, other than editing, were to lessen or clarify requirements when possible while still maintaining legislative requirements.

PERMANENT

WAC 388-76-561 Adult family home licensing designations, the department will not implement its proposal to designate "basic," "experienced" and "registered nurse," and their combinations, for adult family home licensing at this time, but will further study this issue.

WAC 388-76-590 Specialty adult family homes, many requirements included in the previous version were deleted from this section, with an emphasis placed on achieving outcomes for residents.

WAC 388-76-600 General resident rights, resident rights rules were amended to disclose the caregivers' primary responsibilities and availability, in addition to experience, training, and education. Several additions were made in order to update this section to reflect recent changes in statute, and to more clearly convey statutory requirements.

WAC 388-76-610 Resident assessment, several additions were made in order to update this section to reflect recent changes in statute, and to more clearly convey statutory requirements.

WAC 388-76-615 Negotiated care plan, the rules on the negotiated care plan have been amended to clearly define the differences between the negotiated care plan and the preliminary service plan.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 4, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 36, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 36, Amended 4, Repealed 0.

Effective Date of Rule: July 1, 1998.

May 29, 1998

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 98-13 issue of the Register.

WSR 98-12-055

PERMANENT RULES

BOARD OF ACCOUNTANCY

[Filed May 29, 1998, 4:03 p.m.]

Date of Adoption: April 24, 1998.

Purpose: To clarify the prohibition against certified public accountants (CPAs), engaged in the practice of public accounting, paying or receiving commissions, referral fees, and/or contingent fees except to allow CPAs, engaged in the practice of public accounting, to accept contingent fees in very restricted situations; to require CPAs, not in the practice

of public accounting but using the CPA title, to make full disclosure when compensated by commission, referral fee, or contingent fee.

Citation of Existing Rules Affected by this Order: New section WAC 4-25-626; and repealing WAC 4-25-625 and 4-25-627 [see WSR 98-12-056].

Statutory Authority for Adoption: RCW 18.04.055(2).

Adopted under notice filed as WSR 98-01-231 on December 24, 1997.

Changes Other than Editing from Proposed to Adopted Version: 1. Presented the rule in a clear writing style for easier understanding (included a change in the title of the rule—from Compensation to Can I accept commission, referral, or contingent fees?

2. Added language from the Uniform Accountancy Act (UAA) regarding referral fees: "Any licensee who accepts a referral fee for recommending or referring any service of a licensee to any person or entity or who pays a referral fee to obtain a client shall disclose such acceptance or payment in advance to the client."

3. Added language to allow a licensee in public practice to accept a contingent fee for tax services which will receive substantive consideration by tax authorities provided to a client during that client's attest engagement or during the period covered by the respective attest report.

4. Added language to prohibit a licensee in public practice from accepting a contingent fee for preparation of amended tax returns in addition to original tax returns.

5. Added language to require a licensee to disclose all contingent fee arrangements in advance of client acceptance.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 1, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 28, 1998

Cheryl M. Sexton
Confidential Secretary

NEW SECTION

WAC 4-25-626 Can I accept commission, referral, or contingent fees? (1) Commissions and referral fees are compensation arrangements where:

(a) The primary contractual relationship for the product or service is not between the client and CPA;

(b) The CPA is not primarily responsible to the client for the performance or reliability of the product or service;

(c) The CPA adds no significant value to the product or service; or

(d) A third party instead of the client pays the CPA for the products or services.

(2) A CPA who is not in public practice but using the title CPA may accept commission, referral, and contingent fees. However, the CPA must disclose in writing to the client the nature, source and amount of the commission, referral or contingent fee.

(3) The following parameters define the limited circumstances in which a licensee in public practice may be compensated on a commission or referral fee basis. This rule does not apply to compensation set by courts, judicial proceedings, public authorities or governmental agencies.

(a) A licensee in public practice may not enter into compensation arrangements for attest services that in any way tend to bias or give the appearance of tending to bias the results of attest services or the licensee's report.

(b) A licensee in public practice may not accept a commission or referral fee, as defined in subsection (1) of this section, for the sale or referral to a client of products or services of others.

(c) Any licensee who accepts a referral fee for recommending or referring any service of a licensee to any person or entity or who pays a referral fee to obtain a client shall disclose such acceptance or payment in advance to the client.

(4) A licensee in public practice may not accept a contingent fee for:

(a) Attest services;

(b) Other services, except for tax services which will receive substantive consideration by tax authorities, provided to a client during that client's attest engagement or during the period covered by the respective attest report;

(c) An arrangement meeting any of the definitions of commissions and referral fees in subsection (1) of this section;

(d) An arrangement that violates federal laws or the laws or regulations of Washington state or its municipalities; or

(e) Preparation of original or amended tax returns (a licensee may accept a contingent fee in situations where the licensee reasonably expects the finding or results, on which the contingent fee is based, will receive substantive consideration by tax authorities);

(f) For services other than those in (a) through (e) of this subsection, a licensee in public practice may perform professional services for a fee which is contingent on the findings or results of the professional services with the following restrictions:

(i) If the situation involves adverse party(ies) and the licensee expects the findings or results will receive substantive consideration by the adverse party(ies) or their agent(s), the licensee must:

(A) Obtain a written agreement from the client stating the client will provide to the licensee the name(s) and address(es) of the adverse party(ies) or the primary agent(s) of the adverse party(ies); and

(B) Provide prompt written notification to the adverse party(ies) or their agent(s) of the licensee's role as the client's advisor and recommend the adverse party(ies) or their agent(s) seek their own advisor.

- (ii) All contingent fee arrangements must:
 - (A) Be disclosed in advance of client acceptance;
 - (B) Be in writing;
 - (C) Include the method of calculating the fee;
 - (D) Specify the licensee's role as the client's advisor; and
 - (E) Be available to the board or other regulatory agencies upon request.

WSR 98-12-056
PERMANENT RULES
BOARD OF ACCOUNTANCY

[Filed May 29, 1998, 4:05 p.m.]

Date of Adoption: April 24, 1998.

Purpose: To repeal sections of chapter 4-25 WAC that were consolidated and recodified (WAC 4-25-626).

Citation of Existing Rules Affected by this Order: Repealing WAC 4-25-625 and 4-25-627.

Statutory Authority for Adoption: RCW 18.04.055(2).

Adopted under notice filed as WSR 98-01-234 on December 24, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 2.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 2.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 2.

Effective Date of Rule: Thirty-one days after filing.

May 28, 1998

Cheryl M. Sexton

Confidential Secretary

REPEALER

The following sections of the Washington Administrative Code are repealed:

| | |
|----------|-------------------------------|
| 4-25-625 | Commissions and referral fees |
| 4-25-627 | Contingent fees |

WSR 98-12-058
PERMANENT RULES
DEPARTMENT OF AGRICULTURE

[Filed May 29, 1998, 4:53 p.m.]

Date of Adoption: May 29, 1998.

PERMANENT

Purpose: The purpose of this rule is to adjust the grain inspection fee schedule relative to overtime, hourly rates, and charges per hundredweight within the fiscal growth rate factors allowable under Initiative 601. Improvements were made to the format and layout of the document as well.

Citation of Existing Rules Affected by this Order: Amending 5 [WAC 16-212-030, 16-212-060, 16-212-070, 16-212-080, and 16-212-082].

Statutory Authority for Adoption: RCW 22.09.790.

Adopted under notice filed as WSR 98-07-106 on March 18, 1998.

Changes Other than Editing from Proposed to Adopted Version: Overtime and hourly rates will be increased by the fiscal growth rate factor for fiscal year 1998 only. Weekly averaging will not be eliminated.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 5, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 5, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 5, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 29, 1998

James M. Jesernig
Director

AMENDATORY SECTION (Amending Order 5040, filed 4/20/94, effective 5/21/94)

WAC 16-212-030 General provisions for hourly charges.

(1) Straight time, rate per hour ~~(\$24.50)~~ **\$25.49**

This hourly rate ~~(shall be applied on any job where the fee is)~~ will be applied in any situation where the fees generated are not sufficient to provide revenue (of \$24.50 per hour) equivalent to the published hourly rate, per employee, including applicable supervisory and clerical hours, and where no other hourly rate (or), fee, guarantee of expenses or contractual agreement exists or is specified in (the) this schedule of fees and charges. Whenever the lot size or workload is not of sufficient size to generate (\$24.50 per hour) revenue equivalent to the published hourly rate, per employee, an additional fee shall be assessed so that total revenue generated is equal to the (\$24.50 rate:) published hourly rate, per employee: Provided, That such revenue insufficiency may be established on the basis of the average hourly revenue generated at the worksite over the Monday through Sunday work week, upon written request of the

applicant for service. In the absence of such request, fees shall be assessed on a daily basis.

(2) Overtime, and night shift rate per hour ~~(\$6.40)~~ **\$6.65**

Whenever a service is requested before or after regularly scheduled working hours, Monday through Friday, or anytime on Saturdays, Sundays or holidays, a fee of ~~(\$6.40)~~ **\$6.65 per hour, per employee, including applicable supervisory and clerical hours,** shall be charged in addition to the regular inspection and weighing fees.

(a) Requests for service on Saturdays, Sundays, or holidays, or for work shifts other than ~~((8:00 a.m. to 5:00 p.m.))~~ the inspection office's established standard workday hours, Monday through Friday, must be received by the inspection office no later than ((4:00 p.m.)) two hours prior to the inspection office's established daily closing time of the last regularly scheduled working day prior to the requested service. When the request is not received ((by 4:00 p.m.)) within the established time frames, service will be provided where personnel are available, but an additional fee of ~~(\$4.25)~~ **\$4.42 per hour, per employee, will be assessed for ((that shift)) the hours of the requested service.**

(b) Requests for service which ~~((is))~~ are beyond the scope or volume normally provided at an inspection site must be received by the inspection office no later than ~~((4:00 p.m.))~~ two hours prior to the inspection office's established daily closing time of the last regularly scheduled working day prior to the date of the requested service in order for the department to guarantee to have adequate staff available to perform the service.

(c) Whenever an employee is ~~((called from home after regular working))~~ notified after leaving the worksite to return to a worksite after the inspection office's established standard workday hours, or on a Saturday, Sunday or holiday, ((a minimum of)) two additional hours ~~((shall))~~ per employee, will be charged at the rate of (((\$10.70 per hour)) \$11.10 per hour and added to other fees charged.

(d) Scheduled night shifts.

~~((At all designated inspection points, for night shifts, Monday through Friday (usually from 6:00 p.m. to 3:00 a.m.) that are, or will be, continuous for a period of one month or longer, with only an occasional work stoppage, additional overtime fees per hour will not apply.))~~

(i) The department ~~((shall))~~ must be given at least seven calendar days notice, in writing, to establish a scheduled night shift. If the full seven-day notice is not given, a fee of ~~(\$6.40)~~ **\$6.65 per hour, per employee ((shall)) will be assessed until the seven day notice period has elapsed.**

(ii) The department shall be given at least twenty-one calendar days' notice, in writing, of cancellation of any scheduled night shift operation. If ~~((such))~~ the full twenty-one day notice is not given, a fee of ~~(\$6.40)~~ **\$6.65 per hour, per employee, ((shall)) will be assessed for each hour under the regular night shift schedule that would have been worked until the twenty-one day notice period has elapsed.**

(3) Standby rate per hour ~~(\$26.80)~~ **\$27.85**

Whenever a service is requested before or after ~~((working hours))~~ the inspection office's established standard workday, Monday through Friday or anytime on Saturdays, Sundays or holidays, and service cannot be performed through no fault of the department, ((a minimum of)) four hours at the standby rate of ~~(\$26.80)~~ **\$27.85 per hour, per employee, shall be charged. Additional charges at the standby rate per hour, per employee shall be assessed for all hours over four that continue to be staffed at the request of the applicant.**

PERMANENT

Whenever a service is requested before or after working hours, Monday through Friday or anytime on a Saturday, Sunday or holiday, and a cancellation of ~~((such))~~ the request is not received ((by 4:00 p.m.)) two hours prior to the inspection office's established daily closing time of the last regularly scheduled working day prior to the requested service, the four hour standby charge ~~((shall))~~ per employee, will be ((applied)) assessed.

(4) Guarantee of expense. When a service is requested that requires assignment of personnel at a facility where the volume of work at the established fees ~~((may))~~ is not ((be)) adequate to pay the cost of providing the service, a guarantee of the expense of providing the service ~~((may be))~~ is required. These facilities may enter into agreement with the department at guaranteed staffing levels and negotiated minimum hours and unit fees.

(5) Official commercial inspection services may be provided, on-site, at the applicant's request. When appropriate space, equipment and security can be provided, the program is able to provide appropriate licensed personnel, and a guarantee of expense can be negotiated.

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 typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 5040, filed 4/20/94, effective 5/21/94)

WAC 16-212-060 Official inspection and/or weighing fees under the United States Grain Standards Act.

(1) Combination inspection and weighing fees. Ships, barges, unit trains and transfers of bulk grain.

- (a) From vessel to elevator, per ton \$ 0.128
- (b) Bin transfers, per ton \$ 0.128
- (c) From elevator to vessel, per ton \$ 0.128
- (d) From railcars of a unit train, sampled by diverter samplers, batch weighed and inspected under the subplot inspection plan in units of not less than five cars, per ton \$ 0.128

(2) Inspection only of railroad boxcars, open hopper type cars, original inspection. Sampling only services are available at the inspection only rates shown in this fee schedule.

(a) ~~((When))~~ Carlots sampled by United States Department of Agriculture approved ~~((mechanical belt, spout or leg))~~ diverter type mechanical samplers, per car ((batch grades up to a maximum of 5 car units are charged at the per car rate)) \$ 15.50

Batch grades may contain up to the maximum number of cars allowable under Federal Grain Inspection Service regulations/instructions. The per car sampling charge will be assessed for each car included in the batch grade.

(b) When sampled by United States Department of Agriculture approved grain trier, original and subsequent original inspections, per car \$ 24.50

(3) Inspection only of trucks, per truck . . . \$ 15.00

(4) Reinspections of railroad boxcars, open-type cars, covered hopper-type cars, ship subplot samples, barge lots, truck lots, and submitted samples.

(a) When based on an official file sample, per reinspection \$ 9.00

(b) When based on a new sample, for railcars, only, per reinspection \$ 24.00

(c) When based on a new sample, for trucks, per reinspection \$ 15.00

(d) FGIS approved per factor reinspections will be provided at the applicable file sample or new sample rate listed in this section.

(5) Submitted samples,

(b) Standardized grains, except canola per inspection \$ 7.50

(b) Canola, per inspection \$ 13.75

(6) Fees for laboratory determination of erucic acid, and/or glucosinolate, and/or oil content of canola, identical to the fees assessed by the Federal Grain Inspection Service.

(7) Factor analysis and/or certification.

(a) Nongrade determining factors added to existing certificates, or requested on ship subplot analyses, that do not affect the grade: per factor \$ 2.50

~~((Provided, That on))~~ Submitted sample certificates of grade for ((wheat and)) barley may show, on request, dockage to the nearest one-tenth percent ((will be shown in remarks section and, for wheat)) without additional charge. Submitted sample certificates of grade for wheat may show, on request, foreign material ((shown on the factor line, when it is not a grading)) when it is not a grade determining factor, without additional charge.

(b) Factor certification only (maximum of ~~((two factors))~~ one factor), per certificate ~~((\$ 3.00))~~ \$ 2.50

(i) Additional factors added to a factor certificate, per factor \$ 2.50

(A maximum of \$7.50 will be charged for ~~((grading factors only))~~ factor only certification.)

(ii) When submitted samples are not of sufficient size to provide official grade analysis, obtainable factors will be provided, upon request of the applicant, at the factor only rate.

(8) Official ~~((NIRR or NIRT protein))~~ analysis of constituents (protein, oil, etc.) by near-infrared transmittance.

(a) ~~((Protein and/or oil analysis))~~ Official constituent analysis of wheat, soybeans, or other FGIS approved commodities when in conjunction with official inspection for grade, per test \$ 6.25

(b) ~~((Protein and/or oil only))~~ Official constituent analysis of wheat, soybeans, or other FGIS approved commodities when not in conjunction with official inspection for grade, per test \$ 8.50

When based on official sample (including new sample reinspection) add the applicable sampling charges.

(c) ~~((Protein and/or oil only))~~ Official constituent analysis of wheat, soybeans, or other FGIS approved commodities: Submitted sample or reinspection based on official file sample \$ 8.50

(9) Inspection of ~~((soaked))~~ bagged grain ((at inspection points)), per cwt ~~((\$ 0.06))~~ \$0.0624 effective June 30, 1998; \$0.065 effective July 1, 1998.

PERMANENT

(10) Checkloading (~~((sacked))~~) bagged grain, per ((employee-hour)) hour, per employee . . . ((~~\$-24.50~~) \$25.49

(11) Waxy corn determination, on request, per determination \$ 12.75

(12) (~~(Aflatoxin testing fees)~~) FGIS approved mycotoxin testing.

(a) Screening or quantitative testing determinations, based on official sample, except thin layer chromatography, per test \$ 37.50

(b) Submitted samples, screening or quantitative determinations, except thin layer chromatography, per test ((~~\$-24.50~~)) \$25.49

(c) Reinspection, based on official file, screening or quantitative, except thin layer chromatography, per test ((~~\$-24.50~~)) \$25.49

(d) Reinspection, based on a new sample, screening or quantitative, except thin layer chromatography, per test \$ 37.50

(e) Thin layer chromatography determinations will be assessed at a rate identical with the fees charged by the Federal Grain Inspection Service

(13) Stowage examinations - ships, barges, or vessels.

(a) Per stowage space (~~(and/or)~~) or tank, or return to stowage space or tank, per examination \$ 24.00

(b) Initial inspection, minimum charge . . . \$120.00

(c) Subsequent inspections, minimum charge \$ 72.00

(d) (~~(Stowage examinations will be made on ships or vessels at anchor in midstream when requested.~~)

(i) ~~It is the responsibility of the applicant to provide safe transportation by licensed tug or water taxi to and from the vessel.~~

(ii) ~~A minimum of two hours of regular time at \$24.50 per hour (one inspector) for general cargo vessels and a minimum of four hours of regular time at \$24.50 per hour (two inspectors) shall be charged for tankers in addition to the established inspection fee.~~

(iii) ~~Inspections can only be made at the convenience of the grain inspection office, during daylight hours, under safe working conditions, when weather conditions permit.~~

(iv) ~~Inspections can only be made within the area of the designated tidewater grain inspection office.~~

(v) ~~A ship's or vessel's officer or company agent shall accompany the licensed shiphold inspector(s).)~~

Travel time, two hour minimum, per hour, per employee \$25.49

Note: Stowage examinations may be conducted on vessels at anchor, at the convenience of the designated grain inspection area office, on request. Inspections at anchor will be made during daylight hours only, and only under safe working and weather conditions. The applicant is responsible for providing safe transportation to and from the vessel by licensed tug or water taxi. Two vessel or ship's agent representatives will be provided to accompany each inspector providing stowage exam services. Tanker inspections may require additional inspection personnel. When appropriate, hourly and/or minimum charges listed in the fee schedule will be assessed to the inspection and travel time charges shown in this section.

(e) A minimum of four hours per inspector at the applicable overtime rate shall also be assessed on Saturdays, Sundays, or holidays.

(14) Other stowage examinations.

(a) Sea van-type containers (when checkloading is not required) \$ 8.10

(b) Railroad cars, trucks and other containers, not in conjunctions with loading, per container \$ 8.10

(15) (~~(Checktesting of diverters and mechanical samplers, per employee-hour \$-24.50~~) Diverter-type samples, per hour, per employee . . . \$25.49

(16) Ship samples:

(a) Ship composite samples.

(i) Initial set of samples to applicant (maximum of three samples) no charge

(ii) Additional samples or samples at the request of other interested parties, per sample (two sample minimum when not requested with initial set) \$ 5.25

(~~b) Ship samples on a subplot basis, per sample \$-5.25~~)

(17) Weighing services.

(a) Class X weighing services.

(i) From railroad boxcars, open or covered hopper-type cars (without inspection required) or vessels to elevator (grain only), per ton \$ 0.107

(ii) From elevator to boxcars, open or covered hopper-type cars, barges (without inspection) required) or vessels (without inspection, grain only), per ton \$ 0.107

(iii) Bin transfers (grain only), per ton \$ 0.107

(iv) Trucks, per truck or weight lot \$ 7.50

(b) Class Y weighing services, per ((~~employee-hour \$-24.50~~) hour, per employee \$ 25.49

(c) Checkweighing of (~~(sacked grain, per employee-hour))~~ bagged grain, per hour, per employee . . . \$25.49

(d) Scale certification/checktesting of official weighing scales.

(i) Weights and measures scale specialist, per employee-hour \$ 33.75

(ii) Grain inspection personnel, per ((~~employee-hour \$-24.50~~) hour, per employee \$ 25.49

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 typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 5040, filed 4/20/94, effective 5/21/94)

WAC 16-212-070 Official services under the Agricultural Marketing Act of 1946.

(1) Inspection or analysis of graded and nongraded commodities.

PERMANENT

PERMANENT

(a) Inspection of bagged commodities at inspection points, per cwt ~~(\$ 0.06)~~
\$0.0624 effective June 30, 1998; \$0.065 effective July 1, 1998.

(b) Bulk commodity inspection at inspection points, per ton \$ 0.30

(c) Minimum charge for bulk or bagged commodities (one hour) ~~(\$ 24.50)~~ \$25.49

(d) Submitted sample inspection, per sample \$ 13.75

(2) Weighing and combination inspection/weighing services for bulk commodities.

(a) Weighing only, other than grain, per ton \$ 0.117

(b) Combination inspection/weighing of bulk commodities under federal grade standards, state standards, or for factor determinations, per ton \$ 0.128

(c) Weigh grain by-products into portable containers including fitness examination of the container, weigh and sample the by-product (thirty ton maximum) \$ 15.00

(3) Factor analysis.

(a) Moisture only \$ 5.25

(b) Additional factors, the determination of which are not required to establish grade, or otherwise not required by regulation, added to an existing certificate, per factor \$ 2.50

(c) Certification, factor only (maximum two factors), per certificate \$ 3.00

(d) Additional factors added to factor certificate, per factor \$ 2.50

(A maximum of \$13.75 will be charged for grading factors only.)

(e) Analysis of rapeseed (~~for official factor~~), mustard seed, confectionary sunflower seed, safflower seed, or other commodities with established FGIS factor only inspection procedures, per certificate \$ 13.75

(f) (~~If official inspection is required for rapeseed, the applicable sampling only fee shall be assessed in addition to the factor analysis fee.~~)

Sampling only fees identified in subsection (4)(a) and (b) of this section will be assessed in addition to the factor analysis fees for rapeseed, mustard seed, confectionary sunflower seed, safflower seed, or other commodities with established FGIS factor only inspection procedures when official sampling is requested.

(4) Sampling only, bulk commodities.

(a) Trucks or containers, per carrier \$ 15.00

(b) Boxcars, open or covered hopper-type cars, per car \$ 24.00

(5) Processed commodity and defense personnel support center (DPSC) inspection fees.

(a) Per ~~(employee hour, two hour minimum \$ 24.50)~~
hour per employee, two hour minimum, \$ 25.49

(b) In addition to the charges, if any, for sampling and other requested service, a fee will be assessed for each laboratory analysis or test identical with the amount charged by the Federal Grain Inspection Service for laboratory tests per-

formed under authority of the Agricultural Marketing Act and for any postage or other costs of mailing not included in these fees.

(6) Sanitation inspections,

(a) Initial inspection no charge

(b) Reinspections, four hour minimum, per ~~(employee hour \$ 24.50)~~
hour, per employee \$ 25.49

(7) Stowage examinations under the Agricultural Marketing Act (~~shall be subject to the rates, restrictions, and conditions cited in~~) will be provided as per WAC 16-212-060 (13) and (14).

(8) Mycotoxin testing fees.

(a) Screening or quantitative testing determinations, except thin layer chromatography, per test \$ 37.50

(b) Thin layer chromatography determinations will be assessed a rate identical with the fees charged by the Federal Grain Inspection Service.

(9) Falling numbers determinations, per determination \$ 12.75

Liquefaction number, per determination \$ 0.50

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 typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 5040, filed 4/20/94, effective 5/21/94)

WAC 16-212-080 Miscellaneous fees.

(1) Mailing of samples shall be charged at the actual mailing costs, minimum charge \$ 2.00

(2) Fees for pickup of samples on routes established by the department, per sample \$ 0.60

(3) Fees for services performed at places other than established grain and commodity inspection points.

(a) Travel time, per employee, will be charged at the applicable straight time or overtime rate from office to inspection point and return.

(b) (~~Car mileage will be charged at the current published department of general administration rates (WAC 82-28-080), except where suitable transportation is provided by the applicant.~~) Mileage will be charged at the current general administration private vehicle mileage reimbursement rate, except where suitable transportation is provided by the applicant. Mileage is assessed on a per call, door to door basis and will be charged in addition to all other inspection fees, hourly rates and applicable charges.

(c) If the travel is of sufficient duration to require payment of subsistence or per diem to the employee, an amount equal to the established subsistence and/or per diem rate (WAC 82-28-040 and 82-28-050) shall be assessed, except where applicable subsistence and lodging are furnished, or paid, by the applicant.

(d) Incidental costs of telephone, mailing, etc. shall be at the actual cost

(e) Facsimile transmissions, per page \$ 1.00

(4) Certificate charges for certificates under the United States Grain Standards Act or the Agricultural Marketing Act of 1946.

(a) Divided original certificates, per certificate \$ 1.50

(b) Extra copies of inspection, protein, weight, falling number, commodity or aflatoxin certificates, per copy \$ 3.00

(5) Phytosanitary certificates

(a) When performed in conjunction with official inspection, per certificate \$ 6.75

(b) When performed without official inspection, add sampling fee, per hour ((~~_____ \$24.50~~)), per employee \$25.49

(6) Timely payment. Payment of fees and charges is due within thirty days after the date of the statement.

(a) If payment is not received within thirty days, service may be withheld until the delinquent account is paid; or

(b) In the case of such delinquent accounts, cash payment for subsequent service may be required; and

(c) A penalty of twelve percent per annum shall be assessed on the delinquent account balance.

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 5040, filed 4/20/94, effective 5/21/94)

WAC 16-212-082 Fees for services performed under state regulation. (1) ~~((Inspection of cultivated buckwheat and safflower under Washington state standards shall be at the rate applicable of the same type of sample under the fees for services under the United States Grain Standards Act.))~~ Inspection of commodities under state of Washington standards or other state, national, or international standards or criteria specified by the applicant, except as noted in this section.

(a) Cultivated buckwheat, safflower, submitted sample inspection for factors or grade, per sample \$7.50

(b) Rapeseed (except Canola), other commodities not listed above, inspection under Washington state standards or other specified standards or criteria, submitted sample inspection for factors or grade, per sample. \$13.50

(c) Sampling only fees will be assessed at the rates shown in WAC 16-212-070 (4)(a) and (b) and will be assessed in addition to the sample inspection fee when lot inspection is requested.

(d) Inspection of bagged commodities per cwt \$0.0624 effective June 30, 1998; \$0.065 effective July 1, 1998.

(e) Combination inspection and weighing fees assessed at the rates shown in WAC 16-212-060 (1)(a), (b), (c), and (d).

(2) Cracked corn, corn screenings, and mixed grain screenings (~~shall~~) will be inspected and/or weighed (~~under the tonnage rate applicable for standardized grains a per~~) at applicable rates shown in WAC 16-212-060.

(3) Unofficial (~~(NIRR or NIRT)~~) protein analysis, per unit \$ 6.25))

analysis of constituents (protein, oil, etc.) by near-infrared transmittance provided at the applicable rates shown in WAC 16-212-060.

~~(4) ((Rapeseed (except canola) inspection under state standards:~~

~~(a) Submitted sample for factors or grade; per sample \$ 13.75~~

~~(b) When sampled by official personnel, add applicable sampling only fee.~~

~~(c) Export inspection and weighing in bulk; per ton \$ 0.128~~

~~(d) Inspection of bagged rapeseed, per owt . . . \$ 0.06~~

~~(e) Fees for laboratory determination of crucic acid and/or glucosinolate and/or oil content will be identical to the fees assessed by the Federal Grain Inspection Service.))~~ Fees for laboratory analysis of commodities covered by this section, or for the analysis of constituents or conditions of grains or commodities inspected under WAC 16-212-060 or 16-212-070 not provided for in the official standards will be assessed at the current rates established by the federal, state or private laboratory providing the analysis. These fees will be assessed in addition to all other inspection and sampling fees, hourly rates and applicable charges.

Note: This fee is applied in addition to the inspection fee for grading under state standards.

(5) For other laboratory analysis not identified herein, a fee will be assessed for each test or analysis identical with the amount charged by USDA or Washington state agency laboratories.

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 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 98-12-062
PERMANENT RULES
DEPARTMENT OF TRANSPORTATION

[Order 178—Filed June 1, 1998, 8:25 a.m.]

Date of Adoption: May 29, 1998.

Purpose: Establishes new sections WAC 468-510-010 High occupancy vehicles and 468-510-020 Left lane restrictions.

Statutory Authority for Adoption: Chapters 34.05 and 34.08 RCW.

Adopted under notice filed as WSR 98-08-030 on March 23, 1998.

Changes Other than Editing from Proposed to Adopted Version: Added to WAC 468-510-020 (2)(a)(ii): Class B motor homes, commonly called conversion vans, without a motor vehicle or trailer in tow.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

PERMANENT

Recently Enacted State Statutes: New 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 2, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 29, 1998

Gerald E. Smith

Deputy Secretary, Operations

Chapter 468-510 WAC

LANE USE RESTRICTIONS

NEW SECTION

WAC 468-510-010 High occupancy vehicles (HOVs).

Pursuant to RCW 46.61.165 and 47.52.025, the department has reserved portions of interstate highways, state highways, and ramps, as HOV lanes for the exclusive use of public transportation vehicles or private motor vehicles with the number of occupants specified on signs. Motor vehicles authorized to use HOV lanes are:

(1) Rubber tired municipal transit vehicles conforming to RCW 46.04.355.

(2) Buses with a carrying capacity of sixteen or more persons, including the operator.

(3) Motorcycles conforming to RCW 46.04.330.

(4) Recreational vehicles with the number of occupants specified on signs.

(5) All other vehicles with the number of occupants specified on signs, except that trucks in excess of 10,000 lb. G.V.W. are prohibited from the use of HOV lanes regardless of the number of occupants. Tow trucks that would be otherwise prohibited because of weight or number of occupants may use HOV lanes when en route to an emergency on a specific roadway or roadside.

NEW SECTION

WAC 468-510-020 Left lane restrictions. (1) RCW 46.61.100(3) mandates that no vehicle towing a trailer or no vehicle or combination over 10,000 lb. may use the left lane of limited access roadways having three or more lanes in one direction, and that a high occupancy vehicle (HOV) lane is not considered the left hand lane of a roadway. Within this section, 10,000 lb. means 10,000 lb. gross vehicle weight (G.V.W.).

(2) RCW 46.61.100(3) further mandates that the department, in consultation with the Washington state patrol, shall adopt rules specifying those circumstances where it is permissible for other vehicles to use the left lane in case of emer-

gency or to facilitate the orderly flow of traffic, and those segments of limited access highways exempt from the subsection due to the operational characteristics of the roadway.

(a) For the types of vehicles specified, and under the circumstances enumerated in (a)(i) through (vii) of this subsection, the left lane prohibition described in subsection (1) of this section does not apply to:

(i) Motorcycles towing trailers.

(ii) Class B motor homes, commonly called conversion vans, without a motor vehicle or trailer in tow.

(iii) Tow trucks weighing over 10,000 lb. G.V.W. when en route to an emergency on a specific roadway or roadside.

(iv) Fire trucks or emergency care vehicles weighing over 10,000 lb. G.V.W. when en route to an emergency.

(v) Any vehicle towing a trailer or vehicle or combination weighing over 10,000 lb. G.V.W. when one or more of the lanes are blocked because of an accident, other incident, or highway maintenance or construction activities.

(vi) Any vehicle authorized to use a HOV lane that would otherwise be prohibited from the left lane within two miles approaching the beginning of a HOV lane or following the terminus of a HOV lane.

(vii) Any department of transportation vehicle towing a trailer or weighing over 10,000 lb. G.V.W. when conducting official business within the left lane.

(b) On the roadway portions enumerated in (b)(i) through (viii) of this subsection, the left lane prohibition described in subsection (1) of this section does not apply:

(i) On northbound and southbound Interstate 5 in the Vancouver vicinity, from the Washington/Oregon state line to exit 3 at Main Street.

(ii) On northbound Interstate 5 in the Vancouver vicinity, from the confluence of Interstate 205 to exit 9 at 179th Street.

(iii) On southbound Interstate 5 in the Vancouver vicinity, from exit 9 at 179th Street to exit 7 at Interstate 205.

(iv) On northbound Interstate 5 in the Seattle/Everett vicinity, from exit 154A at I-405 to exit 194 at SR 529.

(v) On southbound Interstate 5 in the Seattle/Everett vicinity, from exit 189 at SR 526 to exit 154A at I-405.

(vi) On eastbound and westbound Interstate 90 in the Seattle vicinity, from exit 2A and 2B respectively at Interstate 5 to exit 10A at Interstate 405.

(vii) On eastbound and westbound Interstate 182 in the Tri-cities vicinity, from exit 4 to exit 12A.

(viii) On northbound and southbound Interstate 205 in the Vancouver vicinity, from the Washington/Oregon state line to the termini of the three lane sections about one-half mile south of exit 32.

(c) On the roadway portions enumerated in (c)(i) and (ii) of this subsection, the left lane prohibition described in subsection (1) of this section does not apply to any vehicle, except trucks over 10,000 lb. G.V.W., when using the left lane for passing to facilitate the orderly flow of traffic:

(i) On southbound Interstate 5 in the Southcenter vicinity, from exit 154A at I-405 to exit 151 at South 200th Street.

(ii) On southbound Interstate 5 in the Tacoma vicinity, from exit 135 at SR 167 to exit 130 at South 56th Street.

WSR 98-12-063**PERMANENT RULES****DEPARTMENT OF TRANSPORTATION**

[Order 177—Filed June 1, 1998, 8:29 a.m., effective June 1, 1998]

Date of Adoption: May 29, 1998.

Purpose: Brings current practices into compliance with rule. Current practices were initiated for safety to the motorist public and to reduce interference with traffic during high volume periods.

Citation of Existing Rules Affected by this Order: Amending WAC 468-38-260.

Statutory Authority for Adoption: RCW 46.44.090.

Adopted under notice filed as WSR 98-08-090 on April 1, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule:

CONCISE EXPLANATORY STATEMENT

1. Identify reasons for adopting rule: In the interest of public safety, the department had adopted a practice contrary to the preemergency amended rule. The emergency revision brought the rule and practice into alignment.

2. Describe differences between text of proposed rule as published in the Register and text of rule as adopted (other than editing changes) stating reasons for differences: The preemergency rule prohibited over-dimensional moves at night. At the time the rule was developed, it was believed that visibility of the move was the primary reason for restricting them to daylight hours only. Subsequently, visibility has been determined to be a nonissue due to lighting and escort vehicle requirements. It is now believed that greater public safety can be achieved by scheduling certain moves during low traffic volume hours, particularly late at night or early morning during hours of darkness. This is reserved for extremely large loads where there is a specified route and a specified time window.

3. Summarize all comments received regarding the proposed rule and respond to comments by category or subject matter, indicating how the final rule reflects agency consideration of the comments, or why it fails to do so: This revision was unanimously recommended by a process improvement team reviewing the motor carrier services permitting processes. Included on the team were representatives from the Washington State Patrol and the motor carrier industry.

The rule has been in place on an emergency basis since January 30, 1998. There have been no negative or otherwise opposing comments from the public, or any other source, regarding the rule implementation, or its subsequent permanent adoption.

4. Describe any remaining public opposition to the rule: None known.

5. Documentation pertaining to this rule have been furnished to the rules coordinator for inclusion in the rule-making docket: Yes.

Effective Date of Rule: June 1, 1998.

May 29, 1998

Gerald E. Smith

Deputy Secretary, Operations

AMENDATORY SECTION (Amending Order 132, filed 11/2/92, effective 12/3/92)

WAC 468-38-260 Night-time movements. Vehicles or combinations operating under special motor vehicle permits that are overweight and/or overdimensional (~~(, not exceeding ten feet wide or one hundred feet long, and of legal height)~~) may be permitted to move at night on state highways ~~((during normal atmospheric conditions)), subject to department preferred hours/routes of travel, and in compliance with published curfew restrictions. "Night-time movement approved" must be stated on the permit.~~ Night means one-half hour after sunset to one-half hour before sunrise. Those oversize loads that are allowed to move at night shall have lighting equipment as required by the Code of Federal Regulations, Title 49, part 393.11. No movements shall be made when visibility is reduced to less than ~~((one thousand)) five hundred~~ feet or when hazardous roadway conditions exist ~~(including, but not limited to: Snow, ice, mud slide, wind or water flooding over roadway)~~. It shall be the responsibility of the permittee to discontinue movement and remove the unit from the highway when any of the above conditions exist which could create an unsafe movement.

WSR 98-12-064**PERMANENT RULES****DEPARTMENT OF LICENSING**

(Business and Professions Division)

[Filed June 1, 1998, 10:58 a.m.]

Date of Adoption: May 28, 1998.

Purpose: WAC 308-12-326 Architect fees, informs interested persons of the fees charged by the Department of Licensing for services and licensing provided. The fees are adopted in administrative code to provide for public involvement in setting the amount and types of fees.

Citation of Existing Rules Affected by this Order: Amending WAC 308-12-326 Architect fees.

Statutory Authority for Adoption: RCW 43.24.086 Fee policy for professions, occupations, and businesses—Determination by rule.

Adopted under notice filed as WSR 98-09-057 on April 17, 1998.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 28, 1998

Alan F. Rathbun
Assistant Director

AMENDATORY SECTION (Amending WSR 97-13-095, filed 6/18/97, effective 7/19/97)

WAC 308-12-326 Architect fees. The following fees shall be charged by the business and professions division of the department of licensing:

| Title of Fee | Fee |
|--------------------------------------|-------------------------------------|
| Examination application | \$100.00 |
| Reciprocity application | ((364.00)) <u>378.00</u> |
| Initial registration | ((140.00)) <u>145.00</u> |
| Oral examination | 50.00 |
| Registration renewal (3 years) | ((140.00)) <u>145.00</u> |
| Late renewal | ((46.00)) <u>48.00</u> |
| Certificate replacement | 15.00 |
| Duplicate license | 15.00 |
| Certification | ((26.00)) <u>27.00</u> |
| Corporations: | |
| Certificate of authorization | ((260.00)) <u>270.00</u> |
| Certificate of authorization renewal | ((130.00)) <u>135.00</u> |

WSR 98-12-068
PERMANENT RULES
DEPARTMENT OF HEALTH

[Filed June 1, 1998, 3:08 p.m.]

Date of Adoption: May 15, 1998.

Purpose: Creates "harvester" as a new classification of commercial shellfish license with a fee of \$250.

Citation of Existing Rules Affected by this Order: Amending WAC 246-282-990.

Statutory Authority for Adoption: RCW 43.20B.020.

Other Authority: RCW 69.30.030.

Adopted under notice filed as WSR 98-08-118 on April 1, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 29, 1998

Bruce Miyahara
Secretary

AMENDATORY SECTION (Amending WSR 97-12-031, filed 5/30/97, effective 6/30/97)

WAC 246-282-990 Shellfish program certification fees. (1) Annual certificate fees (~~shall be~~) are:

| Type of Operation | Annual Fee |
|---|---------------|
| <u>Harvester</u> | <u>\$250.</u> |
| Shellstock Shipper | |
| 0 - 49 Acres | \$260. |
| 50 or greater Acres | \$415. |
| Shucker-Packer | |
| Plants with floor space < 2000 sq. ft. | \$470. |
| Plants with floor space > 2000 sq. ft. and < 5000 sq. ft. | \$570. |
| Plants with floor space > 5000 sq. ft. | \$1,040. |

(2) Type of operations are defined as follows:

(a) "Shellstock shipper" shall mean shippers growing, harvesting, buying, or selling shellstock. Shellstock shippers are not authorized to shuck shellfish or to repack shucked shellfish.

(b) "Shucker-packer" shall mean shippers shucking and packing shellfish. A shucker-packer may act as a shellstock dealer.

(c) "Harvester" means a commercial shellfish operation with activities limited to harvesting shellstock, and shipping and selling it within Washington state to shellfish dealers licensed by the department. Harvesters do not shuck shellfish; repack shucked shellfish; repack shellstock; or store

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shellstock in any location other than the approved growing area where the shellstock was harvested.

(3) "Export certificate" means a certificate issued by the department to a licensed shucker-packer or shellstock shipper for use in the foreign export of a lot or shipment of shellfish. The fee for each export certificate shall be \$10.

WSR 98-12-091

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed June 2, 1998, 2:46 p.m.]

Date of Adoption: June 2, 1998.

Purpose: To add Skagit County to the existing apple maggot quarantine area.

Citation of Existing Rules Affected by this Order: Amending WAC 16-470-100.

Statutory Authority for Adoption: RCW 17.24.041.

Adopted under notice filed as WSR 98-08-108 on April 1, 1998.

Changes Other than Editing from Proposed to Adopted Version: At this time we will not adopt proposed amendments to WAC 16-470-120 as originally planned.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 1, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

June 2, 1998

James M. Jesernig
Director

AMENDATORY SECTION (Amending WSR 97-09-098, filed 4/23/97, effective 5/24/97)

WAC 16-470-100 Quarantine—Apple maggot and plum curculio—Area under order. (1) The following areas are declared by the director to be under quarantine for apple maggot:

(a) Exterior quarantine. All states or foreign countries where apple maggot is established, including but not limited to the states of North Dakota, South Dakota, Nebraska, Oklahoma, and Texas, and all states east thereof including the District of Columbia, and the states of Idaho, Oregon, Utah, and California, and any other areas where apple maggot is established.

(b) Interior quarantine. The entire counties of Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Klickitat, Lewis, Mason, Pacific, Pierce, Snohomish, Spokane, Skagit, Skamania, Thurston and Wahkiakum, and any other counties where apple maggot is established.

(c) Regional area quarantine. When mutually agreed upon, and formally accepted by the directors of the Washington state department of agriculture and Oregon state department of agriculture the following shall apply: In Oregon state the counties of Wasco and Hood River and in Washington state the counties of Skamania and Klickitat will be considered a single production area. Commercial fruit produced in these counties may move freely throughout this production area unless regulatory measures as prescribed in WAC 16-470-120 are implemented.

(2) The following areas are declared by the director to be under quarantine for plum curculio: Utah, and, in the eastern United States, all states and districts east of and including the states of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas, and any other areas where plum curculio is established.

(3) The following definitions shall apply to WAC 16-470-100 through 16-470-120:

(a) "Apple maggot (*Rhagoletis pomonella*)" means a dipterous insect belonging to the family Tephritidae which in the larval stage lives within fruit of its host plants with potential for causing extensive damage to fruit of certain crops.

(b) "Established" means present in a country, state, county or other area, multiplying and expected to continue.

(c) "Plum curculio (*Conotrachelus nenuphar*)" means a coleopterous insect of the family Curculionidae which in the larval stage lives within the fruit of its host plants with potential for causing extensive damage to fruit of certain crops.

(d) "Threatened with infestation" means that any life stage of apple maggot or plum curculio has been found within one-half mile of production site including any portion of an orchard outside or beyond the one-half mile boundary if any portion of the orchard is within the one-half mile area.

WSR 98-12-099

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed June 3, 1998, 10:00 a.m.]

Date of Adoption: June 3, 1998.

Purpose: To meet the criteria set forth in Governor Locke's Executive Order 97-02; and to clarify the requirements for application for vehicle ownership.

Citation of Existing Rules Affected by this Order: Repealing 3 [WAC 308-56A-005, 308-56A-080 and 308-56A-085]; and amending 7 [WAC 308-56A-010, 308-56A-015, 308-56A-020, 308-56A-021, 308-56A-022, 308-56A-023, and 308-56A-090].

Statutory Authority for Adoption: RCW 46.01.110.

Other Authority: RCW 46.12.101.

Adopted under notice filed as WSR 98-08-049 on March 26, 1998.

Changes Other than Editing from Proposed to Adopted Version: Minor modifications have been made based upon written testimony submitted by some stakeholders.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 7, Repealed 3.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 7, Repealed 3; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

June 3, 1998

John Swannack

Deputy Director

for Evelyn P. Yenson

AMENDATORY SECTION (Amending WSR 92-15-024, filed 7/6/92, effective 8/6/92)

WAC 308-56A-010 Title purpose only. (~~Certificates of title may be issued without certificates of registration including but not limited to the following vehicles:~~) The department may issue a certificate of ownership for a vehicle without a certificate of registration for:

- (1) Vehicles required to display valid vehicle number license plates prior to operating on the public highway pursuant to chapter 46.16 RCW;
- (2) Farm tractors or farm equipment;
- (3) Off-road vehicles (ORV) whether or not required to obtain an ORV use permit;
- (4) Golf carts and dune buggies whether or not equipped for legal highway use;
- (5) Off highway equipment that may be moved upon public highways by special permits.

AMENDATORY SECTION (Amending Order MV 208, filed 7/31/74)

WAC 308-56A-015 No title issued. (~~Vehicles may be registered without issuing a Washington certificate of title. Such registration will be accepted when:~~)

(1) An out-of-state secured party will not release an out-of-state title;

(2) A nonresident is required to register his/her vehicle in this state but is also required to maintain his/her home state title and registration;) The department may register vehicles without issuing Washington certificates of ownership when:

(1) A secured party will not surrender an out-of-state certificate of ownership; or

(2) Registration is required in Washington state and title and registration are required by another state.

AMENDATORY SECTION (Amending Order MV 208, filed 7/31/74)

WAC 308-56A-020 Application for title required.

~~(An application for certificate of title is required:~~

~~(1) Whenever the ownership of a vehicle changes;~~

~~(2) When there is a legal change of name of the registered or legal owner of a vehicle;~~

~~(3) When there is a change of name of a business entity owning a vehicle; provided that, an application is not required for each vehicle when a financial institution which is the legal owner of a number of vehicles merges with or is sold to another institution and continues to do business in the name of the surviving institution, if the department is notified in writing of the merger or sale.~~

~~(4) When a proprietorship or partnership forms a corporation whether or not a business name is changed;~~

~~(5) When a proprietorship or partnership purchases a corporation which will no longer be operated as a corporation whether or not the business name is changed;~~

~~(6) Whenever there is no outstanding secured obligation and no commitment to make advances and incur obligations or otherwise give value;~~

~~(7) Whenever a vehicle has been reported destroyed by an insurance company and the owner wishes to operate it on the public highways;~~

~~(8) Whenever a vehicle has been assembled;~~

~~(9) Whenever a glider kit has been installed;~~

~~(10) Whenever a replacement engine has been installed in a motorcycle;~~

~~(11) Whenever there has been a structural change in the vehicle;~~

~~(12) Whenever the vehicle identification number has changed;~~

~~(13) Whenever a former nonresident owner of a vehicle requiring a certificate of title becomes a Washington resident as defined in chapter 308-92 WAC as now or hereafter amended;~~

~~(14) Whenever a second legal owner is to be added to the certificate of title. The application shall show the address of only the first named legal owner;~~

~~(15) Whenever the engine of a vehicle has been changed or modified to accept a fuel other than that shown on the outstanding title.)~~ An application for certificate of ownership is required when:

(1) A person purchases a new vehicle;

(2) There is a change of ownership due to:

(a) Sale;

(b) Gift;

(c) Inheritance;

(d) Trade;

(e) Addition or deletion of a registered owner;

(f) Proprietorship, partnership or individuals forming a corporation, whether or not the business name is changing;

(g) Proprietorship, partnership or individuals purchasing a corporation which will no longer be operated as a corporation, whether or not the business name is changed;

(h) Court order; or

(i) Repossession.

(3) There is a name change of:

(a) The registered owner;

(b) The lienholder; or

(c) A business entity as shown on the current certificate of ownership.

(4) There is no change in the registered owner of the vehicle but the title needs to be reissued because:

(a) A lien has been satisfied and the lienholder's name needs to be removed;

(b) A lienholder's name needs to be added. If a secondary lienholder is being added, the address of only the primary lienholder will be recorded;

(c) There is a change in lienholders;

(d) The vehicle is assembled or has had a glider kit installed;

(e) The vehicle is a motorcycle and the engine has been replaced;

(f) There has been a structural change, as defined in WAC 308-56A-150 (1)(E), in the vehicle, other than changing the bed of a truck; or

(g) The vehicle identification number needs to be corrected.

(5) The vehicle has been reported destroyed by an insurance company. Title procedures are in WAC 308-56A-460.

(6) The vehicle has been reported destroyed by the owner, or a wrecker and is subsequently sold and licensed.

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.

AMENDATORY SECTION (Amending Order TL/RG/36, filed 10/9/87)

WAC 308-56A-021 Assessment ~~((of))~~ **criteria for vehicle fee** ~~((for late application for title)).~~ ~~((When ownership of a Washington titled vehicle changes, the purchaser or transferee must complete and submit to the department or to a vehicle licensing agent an application for certificate of title and license registration within fifteen days after the date of delivery of the vehicle. Penalty fees will be assessed for late application under the following circumstances:~~

~~(1) Documents submitted for application for new title indicate more than 15 days have elapsed since date of delivery of the vehicle;~~

~~(2) Someone other than the first purchaser shown is making application (unless verification is provided that he/she acquired the vehicle less than 16 days prior to application for title;~~

~~(3) The date of delivery is declared to be 15 days prior to date of application. An affidavit of delivery is required when:~~

~~(a) Conflicting dates appear on supporting documents;~~

~~(b) Dates on title or supporting documents have been altered;~~

~~(c) No evidence of the date of delivery is present; or,~~

~~(d) An undated title is presented;~~

~~(4) Partial ownership has changed more than fifteen days previously.~~

When a divorce settlement or other legal action affecting ownership of the vehicle takes place after the date that the title is signed off, the date of the final legal action may be used as the date from which penalty fees are computed.)) (1) Penalty fees are assessed beginning on the 16th day from the date of sale as shown on the certificate of ownership, except when:

(a) There is a court order awarding ownership in the vehicle, the department uses the effective date of the court order;

(b) The vehicle was delivered after the date indicated on the supporting documents;

(c) There are conflicting dates on supporting documents;

(d) There is no date on the certificate of ownership or other supporting documents; or

(e) The date on the certificate of ownership has been altered.

(2) Subsection (1)(a) through (e) of this section require the applicant to sign an affidavit attesting to the actual date of delivery.

AMENDATORY SECTION (Amending Order TL/RG/36, filed 10/9/87)

WAC 308-56A-022 Conditions under which penalty fees are not assessed. Penalty fees are not assessed for late application for title under the following conditions:

(1) The vehicle is not motorized;

(2) The vehicle is sold by a Washington dealer (dealer report of sale box on the application is completed);

~~((2))~~ (3) A ~~((prior))~~ Washington record cannot be found;

~~((3))~~ (4) Department of licensing records indicate the vehicle ~~((was totaled by an insurance company or reported))~~ has been destroyed ~~((by a wrecking yard));~~

~~((4))~~ (5) The vehicle is being titled as home made or assembled for the first time;

~~((5))~~ (6) The vehicle is acquired ~~((by inheritance or community property from the owner of record))~~ as a result of:

(a) Inheritance or community property;

(b) Divorce settlement;

(c) Other legal action affecting ownership of the vehicle;

or

(d) Partial ownership change.

AMENDATORY SECTION (Amending Order TL/RG/36, filed 10/9/87)

WAC 308-56A-023 Conditions under which penalty fees may be waived. ~~((Penalty fees for late application for certificate of title and license registration may be waived when the department is presented with proof satisfactory to the department that the delay in submitting the application was due to reasons beyond the control of the purchaser, including one or more of the following circumstances:~~

~~(1) A request by the department of licensing for additional required supporting documents;~~

~~(2) Extended hospitalization or illness of the purchaser;~~

~~(3) Failure of a legal owner to release his/her/their interest;~~

~~(4) Department, auditor, agent, or subagent error;~~

~~(5) Incarceration of the purchaser by a judiciary system;~~

~~(6) A seller's report of sale filed by purchaser thinking it transferred title;~~

~~(7) Other reasons which the director may determine are valid.)) (1) In addition to circumstances identified in RCW~~

46.12.101, the department may waive the penalty fee for late application for certificate of ownership when:

- (a) The purchaser is incarcerated by a judiciary system;
- (b) The purchaser files a seller's report of sale thinking they have filed an application to transfer certificate of ownership;
- (c) The director determines other reasons are valid; or
- (d) A purchaser fails to transfer ownership prior to selling it and the applicant can prove he/she has purchased the vehicle within fifteen days of making application.

(2) If the date of sale does not represent the date of delivery, and the customer declares that the date of delivery is within fifteen days prior to date of application for one of the following reasons, the department may waive the penalty fee with a signed affidavit:

- (a) Conflicting dates appear on supporting documents;
- (b) Dates on title or supporting documents have been altered;
- (c) No evidence of the date of delivery is present; or
- (d) An undated title is presented.

AMENDATORY SECTION (Amending WSR 96-03-047, filed 1/11/96, effective 2/11/96)

WAC 308-56A-090 Disclosure of individual vehicle owner names and addresses. ~~((+))~~ Any business entity requesting the name or address of a vehicle owner pursuant to RCW 46.12.380 shall ~~((complete))~~ submit a completed form provided by the department and furnish verification of its identity as a business entity. For purposes of this section, acceptable verification includes:

- ~~((a) A copy of the requesting entity's unexpired Washington master business license; or~~
- ~~(b) For businesses not authorized to do business in this state, a copy of its unexpired business license issued by the out-of-state jurisdiction where the business entity is authorized to do business.~~

~~(2) A business entity requesting names or addresses of individual vehicle owners on a continuing basis may execute an agreement with the department giving their full business name and the purpose for requesting the information. If the purpose for the information is not contrary to RCW 46.12.380, the information may be provided without separate written requests for disclosure of owner's name or address on each vehicle of interest.)~~ (1) Licensed Washington businesses shall provide a copy of their current Washington master business license; or

(2) Businesses not required to be licensed in this state shall provide their Federal Employer Identification Number on their official letterhead with a notarized signature of the owner or their authorized representative; or

(3) Out-of-state businesses not licensed in Washington shall provide:

- (a) A copy of their current business license issued by the out-of-state jurisdiction where the business entity is authorized to do business; or
- (b) Their Federal Employer Identification Number on their official letterhead with a notarized signature of the owner or their authorized representative.

(4) In addition to the requirements in subsections (1), (2) and (3) of this section:

- (a) An attorney shall also provide a copy of their bar card; and
- (b) A private investigator shall also provide a copy of their private investigator's license.
- (5) A business entity which has entered into a written agreement with the department need not provide a separate written request for each inquiry.

REPEALER

The following sections of the Washington Administrative Code are repealed:

| | |
|-----------------|---|
| WAC 308-56A-005 | Title required. |
| WAC 308-56A-080 | Refusal by department to release title. |
| WAC 308-56A-085 | Error in title issued by department. |

PERMANENT

WSR 98-12-018

EMERGENCY RULES

DEPARTMENT OF AGRICULTURE

[Filed May 27, 1998, 11:50 a.m., effective June 11, 1998]

Date of Adoption: May 27, 1998.

Purpose: To describe the requirements for registration of commercial fertilizers, including the methods to use for analysis of metals and specifying the metals information which must be submitted with the registration application; to describe the methods for determining maximum use rates for plant nutrients; to set the Washington application rates; to express the Washington standards for metals in pounds per acre per year; to describe how the department will determine if a commercial fertilizer meets or exceeds the metals standards; and to describe a violation of the rules.

Citation of Existing Rules Affected by this Order: Amending WAC 16-200-695, 16-200-705, and 16-200-708.

Statutory Authority for Adoption: RCW 15.54.325, 15.54.330, 15.54.370, 15.54.800.

Under 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; and 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: The 1998 legislature passed SSB 6474 which amends chapter 15.54 RCW, the commercial fertilizer registration law, and adopts standards for maximum acceptable cumulative metals additions to soil. This new law requires persons who register commercial fertilizers in Washington to disclose the levels of nine metals which may be present in a commercial fertilizer. It takes effect on June 11, 1998. Under chapter 15.54 RCW, the 1998 annual commercial fertilizer registration period begins on July 1, 1998. These emergency rules adopt the methods for metals analysis and reporting which will enable the fertilizer industry to analyze their products for these nine metals and report the results for the 1998 registration.

The emergency rules also set the Washington application rates and express the Washington standards for metals in pounds per acre per year to enable the industry and the department to determine if a commercial fertilizer meets or exceeds the Washington standards for metals.

These emergency rules are required for the preservation of the general welfare and are in the public interest because they will enable the department to implement and enforce the requirements in SSB 6474 in a timely manner against commercial fertilizers which do not meet Washington standards.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 4, Amended 3, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 4, Amended 3, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: June 11, 1998.

May 27, 1998

James M. Jesernig

Director

AMENDATORY SECTION (Amending Order 2066, filed 12/7/90, effective 1/7/91)

WAC 16-200-695 Definitions. The definitions set forth in this section shall apply throughout this chapter unless context otherwise requires:

(1) "Organic" means a material containing carbon and one or more elements (other than hydrogen and oxygen) essential for plant growth. When the term "organic" is utilized in the label or labeling of any commercial fertilizer, it shall be qualified as either "synthetic organic" or "natural organic," with the percentage of each specified.

(2) "Natural organic" means a material derived from either plant or animal products containing carbon and one or more elements (other than hydrogen and oxygen) essential for plant growth.

(3) "Synthetic organic" means a material that is manufactured chemically (by synthesis) from its elements and other chemicals, containing carbon and one or more elements (other than hydrogen and oxygen) essential for plant growth.

(4) "Unit" means one percent (by weight) of a ton.

(5) "AOAC" means the association of official analytical chemists.

(6) "Commercial fertilizer" means any substance containing one or more recognized plant nutrients and which is used for its plant nutrient content and/or which is designated for use or claimed to have value in promoting plant growth, and shall include limes, gypsum, and manipulated animal and vegetable manures. It shall not include unmanipulated animal and vegetable manures and other products exempted by the department by rules.

(7) "Fertigation" means a method of applying commercial fertilizers with irrigation water to fertilize land or plants.

(8) "Fertilizer component" means a commercial fertilizer ingredient containing one or more recognized plant nutrients which is incorporated in the commercial fertilizer for its plant nutrient value.

(9) "Maximum acceptable cumulative metals additions to soil" means the amount of metals that can be added to soil over a 45-year period of time without exceeding the Canadian Standards which have been adopted in RCW 15.54.800(3) as Washington Standards for metals.

AMENDATORY SECTION (Amending Order 2066, filed 12/7/90, effective 1/7/91)

WAC 16-200-705 Purpose. The following sections concerning the protection of ground water, labeling requirements and examination of fertilizer minerals and limes (WAC 16-200-708 through 16-200-742) are established in this chapter under the authority of the Commercial Fertilizer Act, chapter 15.54 RCW.

This chapter also describes the requirements for registration of commercial fertilizers, including the information which must be submitted as part of the registration application, the analysis methods which must be used, the maximum use rates the department will use to determine whether a commercial fertilizer may be registered, the Washington Standards for metals and the acts which are unlawful under this chapter.

NEW SECTION

WAC 16-200-7061 What information must I include with my registration application concerning metals? (1) You are required to submit the following metals information with your registration application:

- (a) Total concentration of each metal reported in parts per million (PPM) which is equivalent to milligrams of metal per kilogram of fertilizer (mg/kg), or micrograms per gram;
- (b) Copy of the laboratory report on metals analysis;
- (c) Method of analysis;
- (d) Method of sample preparation; and
- (e) Minimum detection limits for each method used.

(2) The department may request quality assurance and quality control documentation for analytical procedures and/or for the laboratory which performed the analyses.

(3) The analytical data and maximum use rate will be used to determine if a commercial fertilizer meets or exceeds the Washington standards for metals.

NEW SECTION

WAC 16-200-7062 What method must I use to analyze the metals contained in my commercial fertilizer? (1) You must prepare and analyze your commercial fertilizer for the total concentration of each of the following nine metals using one or more of the EPA methods listed in Table 1. All methods are described in the U.S. Environmental Protection Agency's SW-846.

Table 1. Acceptable Analysis Methods for Metals Contained in SW-846.

| Metal | Inductively Coupled Plasma (ICP) | Atomic Absorption | Inductively Coupled Plasma Mass Spectroscopy (ICP/MS) |
|--------------------|----------------------------------|-------------------|---|
| Arsenic (As) | 6010, 6010A, 6010B | 7060A, 7061A | 6020 |
| Cadmium (Cd) | 6010, 6010A, 6010B | 7131A | 6020 |
| Cobalt (Co) | 6010, 6010A, 6010B | 7201 | 6020 |
| Lead (Pb) | 6010, 6010A, 6010B | 7420, 7421 | 6020 |
| Molybdenum (Mo) | 6010, 6010A, 6010B | 7480 | 6020 |
| Nickel (Ni) | 6010, 6010A, 6010B | 7520, 7521 | 6020 |
| Selenium (Se) | 6010, 6010A, 6010B | 7740, 7741A | 6020 |
| Zinc (Zn) | 6010, 6010A, 6010B | 7951 | 6020 |
| Mercury (Hg) | | 7470A, 7471A | |
| Sample Preparation | 3050B | | 3050B |

Copies of SW-846 Third Edition and all associated updates are available from: The Government Printing Office, Superintendent of Documents, Washington, DC 20402, (202) 512-1800, and from the Department of Commerce, National Technical Information Center, 5285 Port Royal Road, Springfield, VA 22161, (703) 487-4650 or 800-553-NTIS.

(2) Other analysis methods for total concentration of each metal may be used only under the following conditions:

(a) You must submit a request to the department, in writing, detailing the sample preparation and analysis methods, minimum detection limits and quality assurance and quality control documentation.

(b) The department, after reviewing the request, may approve the analysis method only if the capability of the method meets or exceeds the sensitivity and accuracy of the applicable method listed in the Table 1.

NEW SECTION

WAC 16-200-7063 How will the department determine the maximum use rate for my commercial fertilizer?

(1) To determine the maximum use rate for a commercial fertilizer, the department will use the commercial fertilizer label directions for use. If specific label directions for use are not available, the department will use the following Washington Application Rates to determine the maximum use rate of the commercial fertilizer.

| Nutrient | 4 Yr. Cumulative Total (lbs./acre) |
|-----------------------|------------------------------------|
| Nitrogen (N) | 1600 |
| Phosphorous (as P2O5) | 700 |
| Potassium (as K2O) | 300 |

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| Nutrient | 4 Yr. Cumulative Total (lbs./acre) |
|-------------------------|---------------------------------------|
| Boron (B) | 12 |
| Calcium (Ca) | 800 |
| Chlorine (Cl) | 300 |
| Copper (Cu) | 10 |
| Iron (Fe) | 80 |
| Magnesium (Mg) | 400 |
| Manganese (Mn) | 40 |
| Molybdenum (Mo) | 4 |
| Sulfur (S) | 300 |
| Zinc (Zn) | 30 |
| Lime (CaCO3 equivalent) | 12,000 |
| Gypsum (CaSO4) | 12,000 |

(2) To ensure that the maximum acceptable cumulative metals additions to soil are not exceeded, the department will assume the commercial fertilizer will be applied at the maximum rate as stated on the label or established in this rule.

NEW SECTION

WAC 16-200-7064 What are the Washington standards for metals? (1) The standards for metals in Washington are the maximum acceptable annual metals additions to soils adopted in RCW 15.54.800 and are presented in Table 2. Because the Canadian standards contained in the Canadian Trade Memorandum T-4-93 dated August 1996 are based on long-term (45-year) cumulative metals additions to soils, the maximum acceptable annual metals additions to soils are determined by dividing the Canadian standards by 45. The Washington standards are expressed as pounds per acre per year.

Table 2. Washington Standards For Metals.

| Metals | Lbs./acre/yr. |
|-----------------|---------------|
| Arsenic (As) | .297 |
| Cadmium (Cd) | .079 |
| Cobalt (Co) | .594 |
| Mercury (Hg) | .019 |
| Molybdenum (Mo) | .079 |
| Nickel (Ni) | .713 |
| Lead (Pb) | 1.981 |
| Selenium (Se) | .055 |
| Zinc (Zn) | 7.329 |

(2) To be registered with the department and distributed in Washington, a commercial fertilizer must not exceed the above standards. Because cobalt (Co), molybdenum (Mo), and zinc (Zn) are also plant nutrients, higher concentrations than those presented in the table may be permitted. Commercial fertilizers which contain cobalt (Co), molybdenum (Mo), and/or zinc (Zn) concentrations may be registered and dis-

tributed in Washington if those metals are used as plant nutrients and those metals meet all applicable minimum guarantees and labeling requirements of chapter 15.54 RCW and the rules adopted thereunder.

(3) If a commercial fertilizer contains cobalt (Co), molybdenum (Mo), or zinc (Zn) and any one or more of those metals are not intended to be used as a plant nutrient, then the non-plant nutrient metals must meet the Standards shown in Table 2.

AMENDATORY SECTION (Amending Order 2066, filed 12/7/90, effective 1/7/91)

WAC 16-200-708 Unlawful acts. (1) It shall be unlawful for any person to refuse or neglect to comply with the provisions of the applicable sections of chapter 15.54 RCW, the rules adopted thereunder, or any lawful order of the department.

(2) It is unlawful to distribute a commercial fertilizer in Washington that exceeds the standards for non-nutritive substances established in RCW 15.54.800(3). The department will determine if a commercial fertilizer exceeds the standards by using the maximum use rates and by either:

(a) Comparing data submitted by the registrant to the standards established in WAC 16-200-7064; or

(b) Comparing the results of the analysis of an official sample to the standards established in WAC 16-200-7064. Official samples will be analyzed by the methods set forth in these rules.

**WSR 98-12-026
EMERGENCY RULES
FOREST PRACTICES BOARD**

[Filed May 28, 1998, 9:36 a.m.]

Date of Adoption: May 13, 1998. The Forest Practices Board adopted this emergency rule on May 13, 1998. Soon after the meeting, it was determined that a change needed to be made to the language adopted in WAC 222-30-040(2). The board held a special meeting via conference call on May 27, 1998, and adopted the revised version of WAC 222-30-040(2).

Purpose: To modify forest practices rules to provide greater protection for threatened and endangered salmonids that have been listed by the federal government. This is a procedural rule that classifies forest practices in mapped areas as Class IV-Special, requiring additional environmental review.

Citation of Existing Rules Affected by this Order: Amending WAC 222-10-040, 222-16-010, 222-16-050, 222-16-080, 222-24-050 and 222-30-040; and new sections WAC 222-16-088, 222-10-020, and 222-10-043.

Statutory Authority for Adoption: RCW 76.09.040 and chapter 34.05 RCW.

Under 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

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notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest; and 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:

The Forest Practices Board is required by rule to identify those forest practices that have the potential for a substantial impact on the environment with regard to newly listed threatened or endangered species (WAC 222-16-080(3)).

This emergency rule applies to the following listed species: Upper Columbia Steelhead - endangered - August 1997; Snake River Steelhead - threatened - August 1997; and Lower Columbia Steelhead - threatened - March 1998.

What the Rule Does: The emergency rule provides protection to these listed species by setting State Environmental Policy Act (SEPA) triggers that would classify certain forest practices activities within the listed areas as Class IV-Special. This class of forest practice must receive additional review under SEPA prior to approval. If a declaration of significance is made under SEPA, an environmental impact statement may be required

The emergency rule also provides SEPA guidance for the landowner to use in preparing a complete application and for the department to use in reviewing the forest practices application.

The "salmonid listed areas" map identifies the geographic areas to which the rule applies. These are the Evolutionarily Significant Units (ESUs) identified by the National Marine Fisheries Service (NMFS) when they listed these salmonids. If an when additional listings occur, the board can consider adopting an updated map.

Road maintenance and abandonment plans are required for certain forest practices within the listed areas. Stream temperature provisions also apply in the ESUs for some non-fish-bearing streams.

This emergency rule applies to COMPLETED FOREST PRACTICES APPLICATIONS submitted on or after the effective date of the rule.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; **Federal Rules or Standards:** New 0, Amended 0, Repealed 0; or **Recently Enacted State Statutes:** New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 3, Amended 6, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; **Pilot Rule Making:** New 0, Amended 0, Repealed 0; or **Other Alternative Rule Making:** New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

May 27, 1998

Jennifer M. Belcher
Commissioner of Public Lands

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 98-13 issue of the Register.

WSR 98-12-027
EMERGENCY RULES
FOREST PRACTICES BOARD

[Filed May 28, 1998, 9:38 a.m.]

Date of Adoption: May 13, 1998.

Purpose: To modify forest practices rules that define Type 2 and 3 waters in WAC 222-16-030, and define requirements for the Forest Practices Board manual.

Citation of Existing Rules Affected by this Order: Amending WAC 222-12-090 and 222-16-030.

Statutory Authority for Adoption: RCW 76.09.040 and chapter 34.05 RCW.

Under 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: New data has shown that the physical characteristics of streams, as defined in the current forest practices rules, are no longer accurate. This emergency rule updates those physical characteristics based on current knowledge so that appropriate resource protection can be provided to fish habitat and water quality.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; **Federal Rules or Standards:** New 0, Amended 0, Repealed 0; or **Recently Enacted State Statutes:** New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; **Pilot Rule Making:** New 0, Amended 0, Repealed 0; or **Other Alternative Rule Making:** New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

May 27, 1998

Jennifer M. Belcher
Commissioner of Public Lands

AMENDATORY SECTION (Amending WSR 97-15-105 [97-24-091], filed 7/21/97 [12/3/97], effective 8/21/97 [1/3/98])

WAC 222-12-090 Forest practices board manual. When approved by the board the manual serves as an advisory technical supplement to these forest practices regulations. The department, in cooperation with the departments of

fisheries, wildlife, agriculture, ecology, and such other agencies, affected Indian tribes, or interested parties as may have appropriate expertise, is directed to prepare, and submit to the board for approval, revisions to the forest practices board manual. The manual shall include:

(1) **Method for determination of adequate shade requirements on streams** needed for use with WAC 222-30-040.

(2) **The standard methods** for measuring channel width, stream gradient and flow which are used in the water typing criteria WAC 222-16-030.

(3) **A chart** for establishing recommended permanent culvert sizes and associated data.

(4) **Guidelines** for clearing slash and debris from Type 4 and 5 Waters.

(5) **Guidelines** for landing location and construction.

(6) **Guidelines** for determining acceptable stocking levels.

(7) **Guidelines** for calculating average widths of riparian management zones.

(8) **Guidelines** for wetland delineation.

(9) **Guidelines** for wetland replacement or substitution.

(10) A list of nonnative wetland plant species.

(11) The standard methodology, which shall specify the quantitative methods, indices of resource conditions, and definitions, for conducting watershed analysis under chapter 222-22 WAC. The department, in consultation with Timber/Fish/Wildlife's Cooperative Monitoring, Evaluation and Research Committee (CMER), may make minor modifications to the version of the standard methodology approved by the board. Substantial amendments to the standard methodology requires approval by the board.

(12) A list of special concerns related to aerial application of pesticides developed under WAC 222-16-070(3).

(13) **Guidelines for determining fish use for the purpose of typing waters under WAC 222-16-030.**

(14) **Survey protocol for marbled murrelets.** The Pacific seabird survey protocol in effect March 1, 1997, shall be used when surveying for marbled murrelets in a stand. Surveys conducted before the effective date of this rule are valid if they were conducted in substantial compliance with generally accepted survey protocols in effect at the beginning of the season in which they were conducted.

(15) The department shall, in consultation with the department of fish and wildlife, develop **platform protocols** for use by applicants in estimating the number of platforms, and by the department in reviewing and classifying forest practices under WAC 222-16-050. These protocols shall include:

(a) A sampling method to determine platforms per acre in the field;

(b) A method to predict the number of platforms per acre based on information measurable from typical forest inventories. The method shall be derived from regression models or other accepted statistical methodology, and incorporate the best available data; and

(c) Other methods determined to be reliable by the department, in consultation with the department of fish and wildlife.

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 WSR 97-24-091, filed 12/3/97, effective 1/3/98)

WAC 222-16-030 Water typing system. *The department in cooperation with the departments of fish and wildlife, and ecology, and in consultation with affected Indian tribes shall classify streams, lakes and ponds and prepare stream classification maps showing the location of Type 1, 2, 3 and 4 Waters within the various forested areas of the state. Such maps shall be available for public inspection at region offices of the department. The waters will be classified using the following criteria. If a dispute arises concerning a water type the department shall make available informal conferences, which shall include the departments of fish and wildlife, and ecology, and affected Indian tribes and those contesting the adopted water types. These conferences shall be established under procedures established in WAC 222-46-020.

***(1) "Type 1 Water"** means all waters, within their ordinary high-water mark, as inventoried as "shorelines of the state" under chapter 90.58 RCW and the rules promulgated pursuant to chapter 90.58 RCW, but not including those waters' associated wetlands as defined in chapter 90.58 RCW.

***(2) "Type 2 Water"** shall mean segments of natural waters which are not classified as Type 1 Water and have a high fish, wildlife, or human use. These are segments of natural waters and periodically inundated areas of their associated wetlands, which:

(a) Are diverted for domestic use by more than 100 residential or camping units or by a public accommodation facility licensed to serve more than 100 persons, where such diversion is determined by the department to be a valid appropriation of water and the only practical water source for such users. Such waters shall be considered to be Type 2 Water upstream from the point of such diversion for 1,500 feet or until the drainage area is reduced by 50 percent, whichever is less;

(b) Are diverted for use by federal, state, tribal or private fish hatcheries. Such waters shall be considered Type 2 Water upstream from the point of diversion for 1,500 feet and tributaries if highly significant for protection of downstream water quality. The department may allow additional harvest beyond the requirements of Type 2 Water designation provided the department determines after a landowner-requested on-site assessment by the department of fish and wildlife, department of ecology, the affected tribes and interested parties that:

(i) The management practices proposed by the landowner will adequately protect water quality for the fish hatchery; and

(ii) Such additional harvest meets the requirements of the water type designation that would apply in the absence of the hatchery;

(c) Are within a federal, state, local, or private campground having more than 30 camping units: *Provided*, That the water shall not be considered to enter a campground until it reaches the boundary of the park lands available for public use and comes within 100 feet of a camping unit, trail or other park improvement;

((e)) (d) Are used by substantial numbers of anadromous or resident game fish for spawning, rearing or migration. Waters having the following characteristics are presumed to have highly significant fish populations:

(i) Stream segments having a defined channel 20 feet or greater in width between the ordinary high-water marks and having a gradient of less than 4 percent.

(ii) Lakes, ponds, or impoundments having a surface area of 1 acre or greater at seasonal low water; or

((d)) (e) Are used by salmonids for off-channel habitat. These areas are critical to the maintenance of optimum survival of juvenile salmonids. This habitat shall be identified based on the following criteria:

(i) The site must be connected to a stream bearing salmonids and accessible during some period of the year; and

(ii) The off-channel water must be accessible to juvenile salmonids through a drainage with less than a 5% gradient.

* (3) "Type 3 Water" shall mean segments of natural waters which are not classified as Type 1 or 2 Water and have a moderate to slight fish, wildlife, and human use. These are segments of natural waters and periodically inundated areas of their associated wetlands which:

(a) Are diverted for domestic use by more than 10 residential or camping units or by a public accommodation facility licensed to serve more than 10 persons, where such diversion is determined by the department to be a valid appropriation of water and the only practical water source for such users. Such waters shall be considered to be Type 3 Water upstream from the point of such diversion for 1,500 feet or until the drainage area is reduced by 50 percent, whichever is less;

(b) Are used by significant numbers of anadromous or resident game fish for spawning, rearing or migration. Guidelines for determining fish use are described in the Forest Practices Board Manual. If fish use has not been determined:

(i) Waters having the following characteristics are presumed to have significant anadromous or resident game fish use:

((f)) (A) Stream segments having a defined channel of ((5)) 2 feet or greater in width between the ordinary high-water marks in Western Washington; or 3 feet or greater in width between the ordinary high-water marks in Eastern Washington; and having a gradient ((of less than 12)) 16 percent ((and not upstream of a falls of more than 10 vertical feet)) or less;

(B) Stream segments having a defined channel of 2 feet or greater in width between the ordinary high-water marks in Western Washington; or 3 feet or greater in width between the ordinary high-water marks in Eastern Washington; and having a gradient greater than 16 percent and less than or equal to 20 percent; and having greater than 50 acres in contributing basin size in Western Washington; or greater than 175 acres in contributing basin size in Eastern Washington based on hydrographic boundaries;

(ii) The department shall waive or modify the characteristics in (i) above where:

(A) Waters have confirmed, long term, naturally occurring water quality parameters incapable of supporting anadromous or resident game fish;

(B) Snowmelt streams have short flow cycles that do not support successful life history phases of anadromous or resident game fish. These streams typically have no flow in the winter months and discontinue flow by June 1; or

(C) Sufficient information about a geographic region is available to support a departure from the characteristics in (i), as determined in consultation with the department of fish and wildlife, department of ecology, affected tribes and interested parties.

((g)) (iii) Ponds or impoundments having a surface area of less than 1 acre at seasonal low water and having an outlet to an anadromous fish stream.

((e) ~~Are used by significant numbers of resident game fish. Waters with the following characteristics are presumed to have significant resident game fish use:~~

(i) ~~Stream segments having a defined channel of 10 feet or greater in width between the ordinary high-water marks; and a summer low flow greater than 0.3 cubic feet per second; and a gradient of less than 12 percent.~~

((h)) (iv) For resident game fish ponds or impoundments having a surface area greater than 0.5 acre at seasonal low water; or

((d)) (c) Are highly significant for protection of downstream water quality. Tributaries which contribute greater than 20 percent of the flow to a Type 1 or 2 Water are presumed to be significant for 1,500 feet from their confluence with the Type 1 or 2 Water or until their drainage area is less than 50 percent of their drainage area at the point of confluence, whichever is less.

* (4) "Type 4 Water" classification shall be applied to segments of natural waters which are not classified as Type 1, 2 or 3, and for the purpose of protecting water quality downstream are classified as Type 4 Water upstream until the channel width becomes less than 2 feet in width between the ordinary high-water marks. Their significance lies in their influence on water quality downstream in Type 1, 2, and 3 Waters. These may be perennial or intermittent.

* (5) "Type 5 Water" classification shall be applied to all natural waters not classified as Type 1, 2, 3 or 4; including streams with or without well-defined channels, areas of perennial or intermittent seepage, ponds, natural sinks and drainageways having short periods of spring or storm runoff.

* (6) For purposes of this section:

(a) "Residential unit" means a home, apartment, residential condominium unit or mobile home, serving as the principal place of residence.

(b) "Camping unit" means an area intended and used for:

(i) Overnight camping or picnicking by the public containing at least a fireplace, picnic table and access to water and sanitary facilities; or

(ii) A permanent home or condominium unit or mobile home not qualifying as a "residential unit" because of part time occupancy.

(c) "Resident game fish" means game fish as described in the Washington game code that spend their life cycle in

fresh water. Steelhead, searun cutthroat and Dolly Varden trout are anadromous game fish and should not be confused with resident game fish.

(d) "Public accommodation facility" means a business establishment open to and licensed to serve the public, such as a restaurant, tavern, motel or hotel.

(e) "Natural waters" only excludes water conveyance systems which are artificially constructed and actively maintained for irrigation.

(f) "Seasonal low flow" and "seasonal low water" mean the conditions of the 7-day, 2-year low water situation, as measured or estimated by accepted hydrologic techniques recognized by the department.

(g) "Channel width and gradient" means a measurement over a representative section of at least 500 linear feet with at least 10 evenly spaced measurement points along the normal stream channel but excluding unusually wide areas of negligible gradient such as marshy or swampy areas, beaver ponds and impoundments. Channel gradient may be determined utilizing stream profiles plotted from United States geological survey topographic maps.

(h) "Intermittent streams" means those segments of streams that normally go dry.

**WSR 98-12-059
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 98-90—Filed May 29, 1998, 4:55 p.m., effective May 30, 1998, 12:01 a.m.]

Date of Adoption: May 28, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57-29000V.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: Returns to the Icicle River are projected to have harvestable numbers of salmon available for sport and tribal fisheries. Based on current returns to Leavenworth Fish Hatchery, the escapement need is projected to be achieved.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: May 30, 1998, 12:01 a.m.

May 28, 1998

Larry Peck

for Bern Shanks

Director

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. May 29, 1998:

WAC 220-57-29000V Icicle River. (98-86)

**WSR 98-12-060
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 98-88—Filed May 29, 1998, 4:58 p.m., effective June 1, 1998, 12:01 a.m.]

Date of Adoption: May 28, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57-31500E; and amending WAC 220-57-315.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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 rule matches daily and season limits with other tributary fisheries in the area between Bonneville and The Dalles Dam. This rule is consistent with state/tribal negotiations that have occurred with the Yakama Indian Nation. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

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Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: June 1, 1998, 12:01 a.m.

May 28, 1998

Larry Peck
for Bern Shanks
Director

NEW SECTION

WAC 220-57-31500E Klickitat River. Notwithstanding the provisions of WAC 220-57-315, effective 12:01 a.m. June 1 through July 31, 1998:

(1) Daily limit of one salmon.

(2) An aggregate of no more than four salmon may be retained in the combined tributaries between Bonneville Dam and the Dalles Dam from June 1 through July 31, 1998.

(3) Release adult chinook salmon upstream from the No. 5 fishway.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. July 31, 1998:

WAC 220-57-31500E Klickitat River

**WSR 98-12-061
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 98-92—Filed May 29, 1998, 5:00 p.m.]

Date of Adoption: May 29, 1998.

Purpose: Subsistence fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-33-01000Z; and amending WAC 220-33-010.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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 Tongue Point fishery was intended to harvest spring chinook returning from net pen releases. Chinook catches to date are far below season expectations. Sturgeon harvest in this fishery was intended to be incidental to salmon, but has exceeded the salmon catch to date. The remaining portion of the fishery is canceled due to lack of salmon available for harvest. The Blind Slough select fishery remains open. This rule is consistent with actions of the Columbia River Compact hearing of May 29, 1998.

There is insufficient time to promulgate permanent regulations.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

May 29, 1998

Evan Jacoby
for Bern Shanks
Director

NEW SECTION

WAC 220-33-01000A Columbia River gillnet seasons below Bonneville-select area commercial fisheries. Notwithstanding the provisions of WAC 220-33-010, WAC 220-33-020, and WAC 220-33-030, it is unlawful for a person to take or possess salmon, shad, and sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, and 1E except during the times and conditions listed:

Blind Slough Select Area

Area: Open waters extend from the mouth of Gnat Creek located approximately 1/2 mile upstream of the county road bridge downstream to markers at the mouth of Blind Slough. Concurrent waters extend downstream of the railroad bridge. Oregon state waters extend upstream of the railroad bridge and require an Oregon license.

Dates: 7 P.M. Wednesdays to 5 A.M. Thursdays
7 P.M. Thursdays to 5 A.M. Fridays
Immediately to June 12, 1998

Gear: 8 inch maximum mesh 50 fathoms maximum length no weight restriction on lead line

For the Blind Slough Select Area the following miscellaneous regulation applies:

Transportation or possession of fish outside of the fishing area when the mainstem is closed is unlawful unless by licensed buyer. Fishers may transport their catch out of the fishing area with a permit issued by an authorized agency employee after examining the catch.

REPEALER

The following section of the Washington Administrative Code is repealed:

EMERGENCY

WAC 220-33-01000Z Columbia River gillnet seasons below Bonneville select area commercial fisheries. (98-41)

**WSR 98-12-075
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 98-93—Filed June 2, 1998, 8:16 a.m., effective June 3, 1998, 9:00 a.m.]

Date of Adoption: June 1, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-32500T; and amending WAC 220-56-310, 220-56-315, 220-56-320, 220-56-325, and 220-56-330.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: Stock assessment has shown there is sufficient shrimp available for additional recreational harvest. Recreational harvest scheduling has been agreed to under the shellfish subproceeding in *United States v. Washington*. There is insufficient time to promulgate permanent rules and still allow for a recreational fishery.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: June 3, 1998, 9:00 a.m.

June 1, 1998

Larry Peck
for Bern Shanks
Director

NEW SECTION

WAC 220-56-32500T Shrimp and crab—Hood Canal. Notwithstanding the provisions of WAC 220-56-310, WAC 220-56-315, WAC 220-56-320, WAC 220-56-325 and

WAC 220-56-330, effective June 3, 1998 until further notice it is unlawful to fish for or possess shrimp from those waters of Hood Canal south of the Hood Canal floating bridge except as provided for in this section:

(1) Fishing for shrimp is allowed between 9:00 a.m. and 1:00 p.m. on the following dates: June 3, 1998; June 4, 1998.

(2) No shrimp fisher may use more than one shrimp pot on any one day. All shrimp pots must conform to the Hood Canal shrimp pot requirements set forth in WAC 220-56-320(4). It shall be unlawful for the owner/operator of any boat to have on board or to fish more than four shrimp pots at any time from one boat. A boat is defined as a vessel in the water from which shrimp pots are set and pulled. No shrimp fishers may leave shrimp fishing gear in the water after 1:00 p.m. June 4, 1998.

(3) All unattended shrimp gear must be marked with a buoy, and the buoy must conform with the requirements and be marked as provided for in WAC 220-56-320(1). It is unlawful to have more than one shrimp pot attached to one line.

(4) It is unlawful for any one person to take in any one day more than eighty shrimp. The first eighty shrimp taken must be retained. After the eightieth shrimp has been retained by a fisher, the fisher must stop fishing and release all additional shrimp immediately to the water unharmed.

(5) The use of all crab pot gear is prohibited. No crab fisher may use more than two ring nets or two star traps, or more than one ring net and one star trap. No crab fisher may set or pull ring nets or star traps between one hour after official sunset to one hour before official sunrise.

(6) All unattended crab gear must be marked with a buoy, and the buoy must conform with the requirements and be marked as provided for in WAC 220-56-320(1).

REPEALER

The following section of the Washington Administrative Code is repealed effective 1:01 p.m. June 4, 1998:

WAC 220-56-32500T Shrimp and crab—Hood Canal.

**WSR 98-12-076
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 98-94—Filed June 2, 1998, 8:20 a.m.]

Date of Adoption: June 1, 1998.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-24-02000F; and amending WAC 220-24-020.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: A harvestable quota of chinook salmon is available for troll fishermen. This regulation is adopted at the recommendation of the Pacific Fisheries Management Council and is consistent with federal law. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

June 1, 1998
Larry Peck
for Bern Shanks
Director

NEW SECTION

WAC 220-24-02000H Commercial salmon troll. Notwithstanding the provisions of WAC 220-24-010, 220-24-020 and WAC 220-24-030, effective immediately until further notice it is unlawful to fish for or possess salmon taken for commercial purposes with troll gear from those waters west of the Bonilla-Tatoosh line, the Pacific Ocean and waters west of the Buoy 10 Line at the mouth of the Columbia River from the U.S. - Canada border to Cape Falcon, Oregon except as provided for in this section:

(1) Effective 12:01 a.m., June 2, 1998 through 11:59 p.m. June 4, 1998 it is lawful to fish for and possess salmon except coho salmon taken from these waters, except for Washington waters in a closed control zone at the mouth of the Columbia River, described as those waters inside a line projected six miles due west from North Head along 46°18'00" N latitude to 124°13'18" W longitude, then southerly along a line 167° true to 46°11'06" N latitude and 124°11'00" W (the Columbia River Buoy) then northeast along the red buoy line to the tip of the south jetty.

(2) No vessel may land or possess more than 50 chinook for the entire three day open period. Vessels may land and deliver more than once but must not total more than 50 chinook.

(2) All salmon taken during this fishery must be sold within 48 hours of each closing.

(3) Lawful terminal gear is restricted to lawful troll gear with single point, single shank barbless hooks.

(4) No chinook salmon smaller than 28 inches in total length may be taken or retained in the fishery provided for herein. Except that frozen salmon taken in this fishery may be landed pursuant to WAC 220-20-015.

(5) It is unlawful to fish for or possess salmon taken for commercial purposes with gear other than troll gear.

(6) It is unlawful to land salmon taken south of Cape Falcon in any port north of Cape Falcon, except when the waters north of Cape Falcon are closed. It is unlawful to land chinook taken south of Cape Falcon that are less than 26 inches in length.

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 effective 11:59 p.m. June 1, 1998:

WAC 220-24-02000F Commercial salmon troll.
(98-87)

**WSR 98-12-077
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 98-95—Filed June 2, 1998, 8:23 a.m.]

Date of Adoption: June 1, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-56-330.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: There is a harvestable surplus of Dungeness crab in Catch Record Card Areas 7 and 8. Test fishing data indicates the majority of crab in these areas are in a hardshell condition and crab pot fishing at this time will not result in wastage or resource damage. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

EMERGENCY

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.
 Effective Date of Rule: Immediately.

June 1, 1998
 Larry Peck
 for Bern Shanks
 Director

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.
 Effective Date of Rule: Immediately.

June 2, 1998
 Bern Shanks
 Director

NEW SECTION

WAC 220-56-33000F Crab—Areas and seasons. Notwithstanding the provisions of WAC 220-56-330, effective 12:01 a.m. June 2, 1998 until further notice, it is lawful to fish for and possess crab taken for personal use with shellfish pot gear in all waters of Catch Record Card Area 7 within San Juan County and all waters of Catch Record Card Area 8.

**WSR 98-12-085
 EMERGENCY RULES
 DEPARTMENT OF
 FISH AND WILDLIFE**

[Order 98-96—Filed June 2, 1998, 11:58 a.m.]

Date of Adoption: June 2, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57-31900Q and 232-28-61900H; and amending WAC 220-57-319 and 232-28-619.

Statutory Authority for Adoption: RCW 75.08.080 and 77.12.040.

Under 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 spring chinook escapement goal at the Lewis River Hatchery is projected to be achieved. There are harvestable numbers of spring chinook available. Game fish closure was in effect to protect salmon, and is no longer warranted. Game fish closure on the Cowlitz River during times and areas of high salmon concentrations and abundance. Selective fishery regulations in the upper Kalama River protect wild summer steelhead. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 0, Repealed 2.

NEW SECTION

WAC 220-57-31900R Lewis River. Notwithstanding the provisions of WAC 220-57-319, effective 12:01 a.m. June 2, 1998 through July 31, 1998 is it lawful to fish for and possess salmon in those waters of the Lewis River from Merwin Dam downstream to the mouth. Daily limit is six salmon of which two may be adults. Minimum size is 12 inches in length.

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 effective 11:59 p.m. June 1, 1998:

WAC 220-57-31900Q Lewis River. (98-26)

NEW SECTION

WAC 232-28-61900P Regional exceptions to permanent game fish rules. Notwithstanding the provisions of WAC 232-28-619:

1) Effective 12:01 a.m. June 2, through July 31, 1998, it is lawful to fish for game fish in waters of the North Fork Lewis River from Johnson Creek upstream to Colvin Creek.

2) Effective immediately through June 15, 1998, it is unlawful to fish for game fish from the south side of the Cowlitz River from the Barrier Dam to a line from the mouth of Mill Creek to a boundary marker on the opposite shore.

3) Effective immediately until further notice, in those waters of the Kalama River from 1,000 feet above the fishway at the Kalama Falls Hatchery upstream to Summers Creek, selective fishery regulations are in effect for all species.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. June 1, 1998:

WAC 220-28-61900H Regional exceptions to permanent game fish rules. (98-30)

Reviser's note: The section above appears as filed by the agency pursuant to RCW 34.08.040; however, the reference to WAC 220-28-61900H is probably intended to be WAC 232-28-61900H.

EMERGENCY

WSR 98-12-097
EMERGENCY RULES
DEPARTMENT OF TRANSPORTATION

[Filed June 3, 1998, 9:12 a.m.]

Date of Adoption: June 2, 1998.

Purpose: Brings current practices into compliance with rule. Current practices were initiated for safety to the motoring public and to reduce interference with traffic during high volume periods.

Citation of Existing Rules Affected by this Order: Amending WAC 468-38-070 and 468-38-071.

Statutory Authority for Adoption: RCW 46.44.090.

Under 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: Previous amendment to WAC 468-38-070, adding an exemption for overheight movement of empty apple bins and hay, was in error and created an inconsistency in rule with WAC 468-38-071. The current amendment places the exemption in the correct rule (WAC 468-38-071) and eliminates text referencing "preapproved routes" which has been determined to be a hardship on agency permit issuers, a reduction in safety, and reduced timeliness in receiving permits.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 2, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Effective Date of Rule: Immediately.

June 3, 1998

Gerald E. Smith

Deputy Secretary, Operations

AMENDATORY SECTION (Amending Order 172, filed 4/10/98, effective 5/11/98)

WAC 468-38-070 Maximums for special permits—Nonreducible. (1) Overwidth: 14 feet on any two-lane highway; 20 feet on any multiple-lane highway where a physical barrier serving as a median divider separates the oncoming and opposing traffic lanes; 32 feet on any multiple-lane undivided highway.

The regulations on movement of buildings are in WAC 468-38-360.

(2) Overheight: A load over 14 feet high must be moved by permit, but the permittee is to be governed by the clearance of overhead obstructions such as bridges, underpasses, wires, overhead signs and other objects. The issuance of a permit does not insure the route to be free of low overhead structures. It is the responsibility of the permittee to check the proposed route and detour when necessary. County or city road detours for this purpose require authorization from respective jurisdictions. ~~((Vehicles hauling empty apple bins, or ranchers hauling their own hay for their own livestock, may be issued permits to haul these respective loads up to 15 feet high on preapproved routes within a three-county area.))~~

(3) Overlength: The permit will allow movement on routes on which the permittee can negotiate curves, interchanges, entrance and exit roadways and other obstacles. In all instances the general safety of the public is considered paramount.

(4) Overweight: 22,000 pounds on a single axle; 43,000 pounds on tandem axles. (RCW 46.44.091)

AMENDATORY SECTION (Amending WSR 96-23-003, filed 11/7/96, effective 12/8/96)

WAC 468-38-071 Maximums for special permits—Reducible. (1) Overlength: Permits for reducible loads shall not exceed 56 feet for a single trailer and 68 feet for double trailers. Measurement for a single trailer will be from the front of the trailer, or load, to the rear of the trailer, or load, whichever provides the greater distance up to 56 feet. Measurement for double trailers will be from the front of the first trailer, or load, to the rear of the second trailer, or load, whichever provides the greatest distance up to 68 feet. A log truck pulling a pole-trailer, trailer combination, carrying two distinct and separate loads will be treated as a tractor-semi-trailer-trailer (doubles). Measurement for the log truck, pole-trailer, trailer combination will be from the front of the first bunk on the truck to the rear of the second trailer, or load, whichever provides the greatest distance up to 68 feet. Measurements shall not include nonload carrying devices designed for the safe and efficient operation of the semitrailer or trailer; for example: External refrigeration unit, resilient bumper, and aerodynamic shells.

(2) Overheight: ~~((Vehicles hauling empty apple bins may be issued permits to haul such bins up to 14 feet 10 inches high.))~~ A vehicle, or vehicle combination, hauling empty apple bins, or in use by ranchers hauling hay from their own fields for use with their own livestock, may be issued a permit, for vehicle and load, not to exceed fifteen feet high, measured from a level road bed. This permit may be used in conjunction with the overlength permit described in subsection (1) of this section.

WSR 98-12-001

**NOTICE OF PUBLIC MEETINGS
ENERGY FACILITY SITE
EVALUATION COUNCIL**

[Memorandum—May 20, 1998]

**NOTICE OF CHANGE OF PUBLIC MEETING DATES
ENERGY FACILITY SITE EVALUATION COUNCIL**

Effective July 21, 1998, the semimonthly meetings of the Executive Committee of the Energy Facility Site Evaluation Council (the council) are changed to the Tuesdays following the first and third Mondays of each month, beginning at 8:30 a.m.

Until July 21, the council's meetings are as follows:

| | | |
|-------------------------|-----------------------------|---------------------------------|
| June 1 - 1st Monday | Executive Committee meeting | No change |
| June 8 - 2nd Monday | Council meeting | Cancelled at WSR 98-10-070 |
| June 15 - 3rd Monday | Executive Committee meeting | Cancelled |
| | Council meeting | Rescheduled at WSR 98-10-070 |
| July 6 - 1st Monday | Executive Committee meeting | No change |
| July 13 - 2nd Monday | Council meeting | No change |
| July 20 - 3rd Monday | Executive Committee meeting | Cancelled |

The council's 1998 meeting schedule, published at WSR 97-11-086 and amended at WSR 98-10-070, remains the same in all other respects.

WSR 98-12-003

**NOTICE OF PUBLIC MEETINGS
GOVERNOR'S TASK FORCE
ON SCHOOL-TO-WORK TRANSITION**

[Memorandum—May 19, 1998]

THE GOVERNOR'S TASK FORCE ON SCHOOL-TO-WORK TRANSITION

QUARTERLY MEETING
June 11, 1998
2:00 p.m. to 5:00 p.m.

In The World Trade Center's Main Conference Room
Sea-Tac Airport

(The main conference room is located above the Continental Airline ticketing counter on the south end of the main terminal on the Mezzanine level)

The task force will discuss plans and act on strategies for the 4th and 5th years of the grant.

The meeting site is barrier free. People needing special accommodations, please call Gena Anderson at least ten days in advance at (360) 586-4530.

WSR 98-12-006

**NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGES**

[Memorandum—May 18, 1998]

The Seattle Community College District board of trustees will have a special meeting - executive session - on Thursday, May 21, 1998, from 6:30 p.m. to 9:30 p.m., scheduled to take place at the Seattle Community College District, Siegal Center, 1500 Harvard, Seattle, WA 98122.

WSR 98-12-009

**NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE LIBRARY**

[Memorandum—May 22, 1998]

WSL COMMISSION QUARTERLY BUSINESS MEETING

The Washington State Library Commission is scheduled to meet as listed below:

DATE: Thursday, June 4, 1998
TIME: 10:00 a.m. to noon
SUBJECT: WSL Commission Quarterly Business Meeting
LOCATION: John Cherberg Building Hearing Room #2 Olympia, WA 98504

DATE: Friday, June 12, 1998
TIME: 10:00 to noon
SUBJECT: WSL Commission Workshop
LOCATION: Washington State Library Olympia, WA

For additional information, please do not hesitate to contact Cathy M. Stussy at (360) 753-2914, FAX (360) 586-7575 or INTERNET cstussy@statelib.wa.gov.

WSR 98-12-014

**NOTICE OF PUBLIC MEETINGS
SOUTH PUGET SOUND
COMMUNITY COLLEGE**

[Memorandum—May 20, 1998]

At their May 14, 1998, regular meeting, the board of trustees of Community College District 24 adopted the attached regular meeting schedule for the 1998-99 college year.

**Regular Meeting Schedule
1998-99**

| DATE | TIME |
|------------------------------|------------|
| July - August, 1998 | No Meeting |
| Thursday, September 10, 1998 | 3:00 p.m. |
| Thursday, October 8, 1998 | 3:00 p.m. |
| Thursday, November 12, 1998 | 3:00 p.m. |

MISC.

| | |
|-----------------------------|-----------|
| Thursday, December 10, 1998 | 3:00 p.m. |
| Thursday, January 14, 1999 | 3:00 p.m. |
| Thursday, February 11, 1999 | 3:00 p.m. |
| Thursday, March 11, 1999 | 3:00 p.m. |
| Thursday, April 8, 1999 | 3:00 p.m. |
| Thursday, May 13, 1999 | 3:00 p.m. |
| Thursday, June 10, 1999 | 3:00 p.m. |

WSR 98-12-019

ATTORNEY GENERAL OPINION

Cite as: AGO 1998 No. 7
[May 12, 1998]

AIR POLLUTION CONTROL AUTHORITIES - CITIES AND TOWNS - COUNTIES - AIR - Selection of member of air pollution control authority who represents largest city in county.

1. When an air pollution control authority is comprised of a single county, the member representing the largest city in the county is not required to be an elected official or an employee of the city.
2. When an air pollution control authority is comprised of a single county, the city selection committee is not obligated to select, as the representative on the authority of the largest city in the county, a person nominated or designated by the city's mayor or city council.

The Honorable Lisa Brown
State Senator, 3rd District
P.O. Box 40482
Olympia, WA 98504-0482

WSR 98-12-024

ATTORNEY GENERAL'S OFFICE

[Filed May 27, 1998, 4:20 p.m.]

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION
WASHINGTON ATTORNEY GENERAL**

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by June 10, 1998. This is not the due date by which comments must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by June 10, 1998, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (360) 753-2678, or by writing to the Solicitor General, Office of the Attorney Gen-

eral, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested; information about the Attorney General's Opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

The Attorney General's Office seeks public input on the following opinion request(s).

**98-05-03 Request by Senator Stephen Johnson
State Senator, 47th District**

- 1) **Does RCW 74.09.240(3) prohibit a physician from referring a Medicaid patient for designated health services to a free-standing ASC jointly owned by a hospital and physician if federal law permits referral for Medicare purposes?**
- 2) **Does RCW 74.09.240 (3)(a) or (3)(d) incorporate exceptions the Stark law adopted by federal regulation?**
- 3) **Does DSHS have authority to promulgate rules that adopt exceptions to the federal Stark law as set forth in federal regulations?**

WSR 98-12-025

**NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE LIBRARY**

[Memorandum—May 27, 1998]

**WSL COMMISSION QUARTERLY BUSINESS MEETING
*REVISION FOR JUNE 4, 1998, MEETING**

The Washington State Library Commission is scheduled to meet as listed below:

DATE: Thursday, June 4, 1998
 TIME: 10:00 a.m.
 SUBJECT: WSL Commission Quarterly Business Meeting
 LOCATION: *VIA Telephone Conference Call

For additional information, please do not hesitate to contact Cathy M. Stussy at (360) 753-2914, FAX (360) 586-7575 or INTERNET cstussy@statelib.wa.gov.

WSR 98-12-029

**NOTICE OF PUBLIC MEETINGS
COMMISSION ON
ASIAN PACIFIC AMERICAN AFFAIRS**

[Memorandum—May 26, 1998]

Please be advised that our next board of commissioners' meeting originally scheduled for Saturday, June 27, has been changed. A new meeting date has been scheduled for Saturday, August 22, at Mukogawa in Spokane, Washington.

MISC.

If you have any questions, please call (360) 753-7053.

WSR 98-12-057
DEPARTMENT OF ECOLOGY

[Filed May 29, 1998, 4:12 p.m.]

Hearing Notice

Proposed Air Quality Permit for WSU's Infectious Medical
 Waste/ Low-level Radioactive Waste/Pathological Waste
 Incinerator

Background: Washington State University (WSU) has proposed to install an infectious medical waste/low-level radioactive waste/pathological waste incinerator on Dairy Road, north of the existing compost facility, on the southeast portion of the WSU Campus in Pullman. A final environmental impact statement was released November 5, 1996. In it, WSU selected the preferred action that consists of constructing a new incinerator with emissions control equipment. The Washington state air quality permit is required before incinerator construction and operations can begin.

The Department of Ecology has proposed a draft air quality permit for WSU's infectious medical waste/low-level radioactive waste/pathological waste incinerator. Notice of the air quality permit proposal was published in the Moscow-Pullman Daily News on March 16, 1998. The department has determined that significant public interest in this proposed action exists, and therefore a public hearing will be held.

The Public Hearing:

When: Wednesday, June 24, 1998 at 6:00 p.m.
 Where: WSU Bustad Hall-Room 145
 Corner of Stadium & Grimes Way
 Pullman, Washington

Before taking formal testimony, ecology representatives will explain the project and the applicable air quality regulations and answer questions about the air quality permit. Discussion or comments on other pending or required permits, or on the State Environmental Policy Act (SEPA) actions prior to this proposal are not appropriate at this hearing.

Opportunity to Comment: You may submit written or oral testimony at the public hearing on June 24th. You may also submit written comments provided that they are post-marked on or before June 26, 1998 to Department of Ecology, Attn: Gerald Scheibner, Air Quality Program, 4601 North Monroe, Suite 202, Spokane, WA 99205-1295.

No final decision will be made until the public comment period has ended and any comments received have been considered.

The Air Quality Permit Process: Washington law requires proposed new sources of air pollutants to apply for and receive an air quality permit (notice of construction approval order) prior to construction. WSU has applied to ecology for this permit.

An order of approval must be issued if the department determines that the project will comply with all applicable emission standards, employ best available control technology for all pollutants emitted, and not cause or contribute to a vio-

lation of any ambient air quality standard. The department has determined that the project, if constructed and operated according to the permit, can satisfy these requirements.

The department's order of approval must contain conditions that are necessary to assure compliance with applicable air quality requirements. The proposed permit contains the following conditions on the incinerator that the department believes will ensure compliance with applicable standards:

- "Throughput Limits," categorized by type of waste to be incinerated and annual hours of operations
- Emission limits and associated testing
- Air pollution control device operating parameters
- Emission control monitoring instrumentation
- Preparation of a site specific operation and maintenance manual
- Initial notifications and submittals
- Monitoring, recordkeeping and reporting
- Specific and general conditions

For More Information: Greg Ryan, Air Quality Engineer, (509) 625-5196; Gerald Scheibner, Air Quality Engineer, (509) 625-5195; and Karen Wood, Air Quality Education/Outreach, (509) 456-5010.

Review Copies Available: Documents pertaining to this proposed action are available for public viewing at Department of Ecology, Eastern Regional Office, 4601 North Monroe, Spokane, WA; and Pullman Public Works Department, S.E. 325 Paradise, Pullman, WA.

If you have special accommodation needs, please call Karen Wood at (509) 456-5010 (voice) or (509) 458-2055 (TDD) or (509) 456-6175 (FAX) at least ten days before the hearing you wish to attend.

WSR 98-12-094

INSURANCE COMMISSIONER'S OFFICE

[Filed June 3, 1998, 8:16 a.m.]

No. G 98 - 22

NOTICE OF HEARING

In the matter of the merger of GREAT NORTHERN INSURED ANNUITY CORPORATION with and into GENERAL ELECTRIC CAPITAL ASSURANCE COMPANY

TO: John W. Attey, Vice President
 GE Financial Assurance
 7125 West Jefferson Avenue, Suite 200
 Lakewood, Colorado 80235

G. S. Stiff, President
 Great Northern Insured Annuity Corporation
 General Electric Capital Assurance Company
 601 Union Street, Suite 1400
 Seattle, Washington 98101

Jane Boisseau
 LeBoeuf, Lamb, Greene & MacRae
 125 West 55th Street
 New York, New York 10019-5389

MISC.

Great Northern Insured Annuity Corporation (GNIAC) is a domestic Washington life and disability insurance company. It is a wholly owned subsidiary of General Electric Capital Assurance Company (GECAC). The ultimate controlling person of GNIAC is General Electric Company. As of December 31, 1997, GNIAC reported assets of \$6,678,976,266 and a surplus of \$494,036,242.

GECAC is a domestic Delaware life and disability insurance company. GECAC holds a Washington Certificate of Authority authorizing it to transact life and disability insurance business in this state. GECAC is a wholly owned subsidiary of GNA Corporation. The ultimate controlling person of GECAC is General Electric Company. As of December 31, 1997, GECAC reported assets of \$9,940,941,275 and a surplus of \$2,324,070,298.

GECAC has announced its intention to merge GNIAC into GECAC.

A merger involving a domestic Washington insurance company is controlled by RCW 48.31.010. Pursuant to RCW 48.31.010 (1)(a), a proposed Plan of Merger was submitted to the Insurance Commissioner together with proposed Articles of Merger on May 5, 1998, by Jane Boisseau of LeBoeuf, Lamb, Greene, & MacRae, the applicant's outside counsel.

YOU ARE HEREBY NOTIFIED a hearing will be held on Tuesday, June 30, 1998, in the conference room of the Insurance Commissioner's Office, 420 Golf Club Road, Lacey, Washington 98503, commencing at 11:30 am to consider the proposed merger of GNIAC into GECAC.

The hearing will be held under the authority granted the Commissioner by Chapter 48.04 RCW and RCW 48.31.010 (1)(b). RCW 48.31.010 (1)(b) prescribes the standards upon which approval of a proposed merger shall be evaluated.

The Commissioner has not taken, and will not take, any position on this matter prior to entry of the hearing order.

All parties may be represented at the hearing. They may examine witnesses and fully respond and present evidence and argument on all issues involved, as required by the Administrative Procedure Act. The hearing will be governed by the Administrative Procedure Act, Chapter 34.05 RCW, and the model rules of procedure contained in Chapter 10-08 WAC. A party who fails to attend or participate in any stage of the proceeding may be held in default in accordance with Chapter 34.05 RCW.

The Commissioner will be represented by James E. Tompkins, Assistant Deputy Commissioner, and Dennis Julnes, Chief Financial Analyst.

Assistant Deputy Commissioner John B. Woodall has been designated to hear and determine this matter. His address is Office of the Insurance Commissioner, Post Office Box 40259, Olympia, Washington 98504-0259. His telephone number is (360) 407-0535.

ENTERED AT OLYMPIA, WASHINGTON, this 1st day of June, 1998.

Deborah Sen
Insurance Commissioner
By: John B. Woodall
Assistant Deputy Commissioner
for Company Supervision

WSR 98-12-100
NOTICE OF PUBLIC MEETINGS
BATES TECHNICAL COLLEGE

[Memorandum—May 29, 1998]

The board of trustees for Bates Technical College is canceling its regular meeting date on June 17, 1998, and will hold a special meeting on June 29, 1998.

All meetings of the board are held at Bates Technical College, 1101 South Yakima Avenue, Tacoma, WA 98405, in the Clyde Hupp Board Room commencing at 3:00 p.m.

WSR 98-12-101
DEPARTMENT OF ECOLOGY

[Filed June 3, 1998, 10:45 a.m.]

STATE OF WASHINGTON
REQUEST FOR PUBLIC COMMENT

Designation of Areas for Ozone and Particulate Matter
Under the New National Ambient Air Quality Standards
(NAAQS)

On July 18, 1997, the United States Environmental Protection Agency (EPA) promulgated new and revised National Ambient Air Quality Standards for ozone and particulate matter air pollution. The federal Clean Air Act provides the state of Washington the opportunity to recommend designating areas "attainment," "nonattainment," or "unclassifiable" to EPA as a result of the new standards.

The Washington State Department of Ecology (ecology) is seeking public comment on options for designating areas of the state under the revised air quality standards. Ecology is collecting comments and suggestions on ways to address the following:

- Designating areas under the new 8-hour ozone standard.
- Revoking existing designations under the standard promulgated in 1987 for particulate matter 10 microns or smaller in size (PM₁₀).
- Transitioning to and designating areas under the revised PM₁₀ standard promulgated in 1997.

A public hearing on options for addressing these issues is scheduled for Wednesday, July 1, 1998 at 2:00 p.m. in Auditorium Room 34 at the Department of Ecology Headquarters Building, 300 Desmond Drive, Lacey, WA 98504-7600. Comments submitted to the Department of Ecology at the

above address, Attention Doug Schneider, by 5:00 p.m. July 10, 1998, will be considered.

For more information, please contact Doug Schneider, (360) 407-6874. If you have special accommodation needs, please call Tami Dahlgren, (360) 407-6830 (voice), or (360) 407-6006 (TDD only). Ecology is an equal opportunity and affirmative action employer.

WSR 98-12-104

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed June 3, 1998, 11:36 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: CN 173 Financial Institution Data Matches.

Subject: DCS data matches with financial institutions.

Effective date: May 6, 1998.

Document Description: Explains to staff how DCS is implementing federally required data matches with financial institutions.

To receive a copy of the interpretive or policy statement, contact Stephanie Schiller, Division of Child Support, P.O. Box 9162, Olympia, WA 98507-9162, phone (360) 586-3293, TDD (360) 753-9122, FAX (360) 586-3274, e-mail sschille@dshs.wa.gov.

April 30, 1998

Stephanie E. Schiller

WSR 98-12-105

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed June 3, 1998, 11:38 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: CN 172 Family Violence.

Subject: Child support and family violence.

Effective Date: May 6, 1998.

Document Description: Explains policy and procedural changes involved in the federal welfare reform law changing how DCS responds when a party reports family violence.

To receive a copy of the interpretive or policy statement, contact Stephanie Schiller, Division of Child Support, P.O. Box 9162, Olympia, WA 98507-9162, phone (360) 586-3293, TDD (360) 753-9122, FAX (360) 586-3274, e-mail sschille@dshs.wa.gov.

April 30, 1998

Stephanie E. Schiller

WSR 98-12-108

INSURANCE COMMISSIONER'S OFFICE

[Filed June 3, 1998, 11:52 a.m.]

No. G 98 - 23

NOTICE OF HEARING

In the matter of the acquisition of EAGLE PACIFIC INSURANCE COMPANY.

TO: John K. Conway, General Counsel
Lumbermen's Mutual Casualty Company
One Kemper Drive
Long Grove, Illinois 60049

William M. Wood
Carney Badley Smith & Spellman
701 - 5th Avenue, Suite 2200
Seattle, Washington 98104

Dennis J. Specht
Services Group of America, Inc.
4025 Delridge Way, S.W.
Seattle, Washington 98106

Jeffrey L. Gingold
Lane Powell Spears Lubersky
1420 - 5th Avenue, Suite 4100
Seattle, Washington 98101-2338

Eagle Pacific Insurance Company (Eagle Pacific) is a domestic Washington property and casualty insurance company. Eagle Pacific is a member of Eagle Insurance Group. The ultimate controlling person of Eagle Insurance Group is Services Group of America, Inc.

Lumbermens Mutual Casualty Company (Lumbermens) has announced its intention to acquire Eagle Pacific. Lumbermen's is a domestic Illinois property and casualty insurance company. Lumbermens has held a Certificate of Authority authorizing it to transact property and casualty insurance business in Washington since 1919. Lumbermens is the controlling person of a group of property and casualty insurance companies known as Kemper Insurance Companies.

The acquisition of a domestic Washington insurance company is controlled by Chapter 48.31B RCW. Pursuant to RCW 48.31B.015 and WAC 284-18-910, a Form "A" submission has been made by Lumbermens. The Form "A" was deemed complete June 1, 1998. The determination that the Form "A" was complete begins the 60 day period within which the Insurance Commissioner must hold a hearing and decide whether to approve the change of control of Eagle Pacific.

YOU ARE HEREBY NOTIFIED that a hearing will be held commencing Wednesday, July 8, 1998, at 10:00 a.m. in the Company Supervision Conference Room of Lacey Financial Plaza, 420 Golf Club Road, Lacey, Washington, 98503, to consider the proposed acquisition of Eagle Pacific.

The hearing will be held under the authority granted the Commissioner by Chapter 48.04 RCW and RCW 48.31B.015. RCW 48.31B.015 lists the findings which must be made before approval can be given to any proposed acquisition of control over a Washington domestic insurer.

MISC.

The basic facts relied upon are those set forth in the Form "A" filed with the Commissioner. The complete Form "A" will be made part of the record of the hearing.

The Commissioner has not taken, and will not take, any position on this matter prior to entry of the hearing order.

All parties may be represented at the hearing. They may examine witnesses and fully respond and present evidence and argument on all issues involved, as required by the Administrative Procedure Act. The hearing will be governed by the Administrative Procedure Act, Chapter 34.05 RCW, and the model rules of procedure contained in Chapter 10-08 WAC. A party who fails to attend or participate in any stage of the proceeding may be held in default in accordance with Chapter 34.05 RCW.

The Commissioner will be represented by Dennis Julnes, Chief Financial Analyst, and James E. Tompkins, Assistant Deputy Commissioner.

Assistant Deputy Commissioner John B. Woodall will hear and determine this matter. His address is Office of the Insurance Commissioner, Post Office Box 40259, Olympia, Washington 98504-0259. His telephone number is (360) 407-0535.

ENTERED AT OLYMPIA, WASHINGTON, this 3rd day of June, 1998.

Deborah Senn
Insurance Commissioner
By: John B. Woodall
Assistant Deputy Commissioner
for Company Supervision

MISC.

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:
 -C = Continuance of previous proposal
 -E = Emergency action
 -P = Proposed action
 -S = Supplemental notice
 -W = Withdrawal of proposed action
 -XA = Expedited adoption
 -XR = Expedited repeal
 Note: These filings will appear in a special section of Issue 98-09
 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.

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| 4-25 | AMD-C | 98-05-020 | 16-168-080 | AMD | 98-03-089 | 16-333-225 | REP-XR | 98-07-108 |
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| 16-573-010 | NEW | 98-04-093 | 51-11-0527 | AMD | 98-03-003 | 51-26-1301 | REP | 98-02-055 |
| 16-573-020 | NEW | 98-04-093 | 51-11-0530 | AMD | 98-03-003 | 51-26-1800 | REP | 98-02-055 |
| 16-573-030 | NEW | 98-04-093 | 51-11-0541 | AMD | 98-03-003 | 51-26-1801 | REP | 98-02-055 |
| 16-573-040 | NEW | 98-04-093 | 51-11-0602 | AMD | 98-03-003 | 51-26-1802 | REP | 98-02-055 |
| 16-573-041 | NEW | 98-04-093 | 51-11-0606 | REP | 98-03-003 | 51-26-1803 | REP | 98-02-055 |
| 16-573-050 | NEW | 98-04-093 | 51-11-0607 | REP | 98-03-003 | 51-26-1804 | REP | 98-02-055 |
| 16-573-060 | NEW | 98-04-093 | 51-11-0608 | REP | 98-03-003 | 51-26-1810 | REP | 98-02-055 |
| 16-573-070 | NEW | 98-04-093 | 51-11-0625 | AMD | 98-03-003 | 51-26-1820 | REP | 98-02-055 |
| 16-573-080 | NEW | 98-04-093 | 51-11-0626 | AMD | 98-03-003 | 51-26-1830 | REP | 98-02-055 |
| 16-575 | PREP | 98-06-096 | 51-11-0627 | AMD | 98-03-003 | 51-26-1840 | REP | 98-02-055 |
| 16-600-020 | REP-XR | 98-08-019 | 51-11-0628 | AMD | 98-03-003 | 51-26-1845 | REP | 98-02-055 |
| 16-657 | PREP | 98-07-068 | 51-11-0629 | AMD | 98-03-003 | 51-26-2200 | REP | 98-02-055 |
| 16-657-040 | AMD-P | 98-10-120 | 51-11-0630 | AMD | 98-03-003 | 51-26-2300 | REP | 98-02-055 |
| 16-659 | PREP | 98-07-067 | 51-11-0701 | AMD | 98-03-003 | 51-26-2301 | REP | 98-02-055 |
| 16-659-001 | REP-P | 98-10-119 | 51-11-0800 | AMD | 98-03-003 | 51-27-001 | REP | 98-02-055 |
| 16-659-002 | NEW-P | 98-10-119 | 51-11-1002 | AMD | 98-03-003 | 51-27-002 | REP | 98-02-055 |
| 16-659-010 | AMD-P | 98-10-119 | 51-11-1003 | AMD | 98-03-003 | 51-27-003 | REP | 98-02-055 |
| 16-662 | PREP | 98-07-069 | 51-11-1004 | AMD | 98-03-003 | 51-27-004 | REP | 98-02-055 |
| 16-662-105 | AMD-P | 98-10-118 | 51-11-1005 | AMD | 98-03-003 | 51-27-008 | REP | 98-02-055 |
| 16-662-115 | AMD-P | 98-10-118 | 51-11-1006 | AMD | 98-03-003 | 51-30-001 | REP | 98-02-054 |
| 16-675-030 | AMD-P | 98-09-099 | 51-11-1007 | AMD | 98-03-003 | 51-30-002 | REP | 98-02-054 |
| 16-675-030 | AMD | 98-12-030 | 51-11-1008 | AMD | 98-03-003 | 51-30-003 | REP | 98-02-054 |
| 16-675-040 | AMD-P | 98-09-099 | 51-11-1009 | AMD | 98-03-003 | 51-30-004 | REP | 98-02-054 |
| 16-675-040 | AMD | 98-12-030 | 51-11-1010 | REP | 98-03-003 | 51-30-005 | REP | 98-02-054 |
| 16-750 | PREP | 98-12-069 | 51-11-1120 | AMD | 98-03-003 | 51-30-007 | REP | 98-02-054 |
| 16-752 | PREP | 98-04-077 | 51-11-1130 | AMD | 98-03-003 | 51-30-008 | REP | 98-02-054 |
| 16-752-610 | AMD-P | 98-08-109 | 51-11-1132 | AMD | 98-03-003 | 51-30-009 | REP | 98-02-054 |
| 25-18-010 | REP | 98-05-027 | 51-11-1133 | AMD | 98-03-003 | 51-30-0100 | REP | 98-02-054 |
| 25-18-020 | REP | 98-05-027 | 51-11-1210 | AMD | 98-03-003 | 51-30-0104 | REP | 98-02-054 |
| 25-18-030 | REP | 98-05-027 | 51-11-1310 | AMD-W | 98-05-064 | 51-30-0200 | REP | 98-02-054 |
| 25-18-040 | REP | 98-05-027 | 51-11-1312 | AMD | 98-03-003 | 51-30-0204 | REP | 98-02-054 |
| 25-18-050 | REP | 98-05-027 | 51-11-1322 | AMD-W | 98-05-064 | 51-30-0207 | REP | 98-02-054 |
| 25-18-060 | REP | 98-05-027 | 51-11-1323 | AMD | 98-03-003 | 51-30-0217 | REP | 98-02-054 |
| 25-18-070 | REP | 98-05-027 | 51-11-1331 | AMD | 98-03-003 | 51-30-0220 | REP | 98-02-054 |
| 25-18-080 | REP | 98-05-027 | 51-11-1334 | AMD | 98-03-003 | 51-30-0300 | REP | 98-02-054 |
| 25-18-090 | REP | 98-05-027 | 51-11-1411 | AMD | 98-03-003 | 51-30-0302 | REP | 98-02-054 |
| 25-18-100 | REP | 98-05-027 | 51-11-1412 | AMD | 98-03-003 | 51-30-0304 | REP | 98-02-054 |
| 25-18-110 | REP | 98-05-027 | 51-11-1414 | AMD | 98-03-003 | 51-30-0305 | REP | 98-02-054 |
| 25-18-120 | REP | 98-05-027 | 51-11-1421 | AMD | 98-03-003 | 51-30-0307 | REP | 98-02-054 |
| 25-18-130 | REP | 98-05-027 | 51-11-1422 | AMD | 98-03-003 | 51-30-0310 | REP | 98-02-054 |
| 25-36-010 | REP | 98-05-027 | 51-11-1423 | AMD | 98-03-003 | 51-30-0313 | REP | 98-02-054 |
| 25-36-020 | REP | 98-05-027 | 51-11-1433 | AMD | 98-03-003 | 51-30-0400 | REP | 98-02-054 |
| 25-36-030 | REP | 98-05-027 | 51-11-1452 | AMD | 98-03-003 | 51-30-0403 | REP | 98-02-054 |
| 25-36-040 | REP | 98-05-027 | 51-11-1454 | AMD | 98-03-003 | 51-30-0405 | REP | 98-02-054 |
| 25-36-050 | REP | 98-05-027 | 51-11-1512 | AMD | 98-03-003 | 51-30-0500 | REP | 98-02-054 |
| 25-36-060 | REP | 98-05-027 | 51-11-1530 | AMD | 98-03-003 | 51-30-0510 | REP | 98-02-054 |

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| WAC # | ACTION | WSR # | WAC # | ACTION | WSR # | WAC # | ACTION | WSR # |
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| 51-40-1007 | NEW | 98-02-054 | 51-44-001 | NEW | 98-02-053 | 51-46-0604 | NEW | 98-02-055 |
| 51-40-1091 | NEW | 98-02-054 | 51-44-002 | NEW | 98-02-053 | 51-46-0608 | NEW | 98-02-055 |
| 51-40-1100 | NEW | 98-02-054 | 51-44-003 | NEW | 98-02-053 | 51-46-0609 | NEW | 98-02-055 |
| 51-40-1101 | NEW | 98-02-054 | 51-44-007 | NEW | 98-02-053 | 51-46-0610 | NEW | 98-02-055 |
| 51-40-1102 | NEW | 98-02-054 | 51-44-008 | NEW | 98-02-053 | 51-46-0700 | NEW | 98-02-055 |
| 51-40-1103 | NEW | 98-02-054 | 51-44-0103 | NEW | 98-02-053 | 51-46-0701 | NEW | 98-02-055 |
| 51-40-1104 | NEW | 98-02-054 | 51-44-0200 | NEW | 98-02-053 | 51-46-0704 | NEW | 98-02-055 |
| 51-40-1105 | NEW | 98-02-054 | 51-44-0900 | NEW | 98-02-053 | 51-46-0710 | NEW | 98-02-055 |
| 51-40-1106 | NEW | 98-02-054 | 51-44-1003 | NEW | 98-02-053 | 51-46-0713 | NEW | 98-02-055 |
| 51-40-1107 | NEW | 98-02-054 | 51-44-1007 | NEW | 98-02-053 | 51-46-0793 | NEW | 98-02-055 |
| 51-40-1108 | NEW | 98-02-054 | 51-44-10210 | NEW | 98-02-053 | 51-46-0800 | NEW | 98-02-055 |
| 51-40-1109 | NEW | 98-02-054 | 51-44-1109 | NEW | 98-02-053 | 51-46-0810 | NEW | 98-02-055 |
| 51-40-1110 | NEW | 98-02-054 | 51-44-2500 | NEW | 98-02-053 | 51-46-0814 | NEW | 98-02-055 |
| 51-40-1111 | NEW | 98-02-054 | 51-44-5200 | NEW | 98-02-053 | 51-46-0815 | NEW | 98-02-055 |
| 51-40-1112 | NEW | 98-02-054 | 51-44-6100 | NEW | 98-02-053 | 51-46-0900 | NEW | 98-02-055 |
| 51-40-1113 | NEW | 98-02-054 | 51-44-6300 | NEW | 98-02-053 | 51-46-0903 | NEW | 98-02-055 |
| 51-40-1114 | NEW | 98-02-054 | 51-44-7404 | NEW | 98-02-053 | 51-46-1000 | NEW | 98-02-055 |
| 51-40-1191 | NEW | 98-02-054 | 51-44-7802 | NEW | 98-02-053 | 51-46-1003 | NEW | 98-02-055 |
| 51-40-1192 | NEW | 98-02-054 | 51-44-7900 | NEW | 98-02-053 | 51-46-1012 | NEW | 98-02-055 |
| 51-40-1193 | NEW | 98-02-054 | 51-44-8000 | NEW | 98-02-053 | 51-46-1300 | NEW | 98-02-055 |
| 51-40-1194 | NEW | 98-02-054 | 51-45-001 | NEW | 98-02-053 | 51-46-1301 | NEW | 98-02-055 |
| 51-40-1195 | NEW | 98-02-054 | 51-45-002 | NEW | 98-02-053 | 51-46-1302 | NEW | 98-02-055 |
| 51-40-1196 | NEW | 98-02-054 | 51-45-003 | NEW | 98-02-053 | 51-46-1303 | NEW | 98-02-055 |
| 51-40-1203 | NEW | 98-02-054 | 51-45-007 | NEW | 98-02-053 | 51-46-1304 | NEW | 98-02-055 |
| 51-40-1506 | NEW-W | 98-05-065 | 51-45-008 | NEW | 98-02-053 | 51-46-1305 | NEW | 98-02-055 |
| 51-40-1616 | NEW | 98-02-054 | 51-45-80400 | NEW | 98-02-053 | 51-46-1400 | NEW | 98-02-055 |
| 51-40-1702 | NEW | 98-02-054 | 51-46-001 | NEW | 98-02-055 | 51-46-1401 | NEW | 98-02-055 |
| 51-40-1909 | NEW | 98-02-054 | 51-46-002 | NEW | 98-02-055 | 51-46-1491 | NEW | 98-02-055 |
| 51-40-23110 | NEW | 98-02-054 | 51-46-003 | NEW | 98-02-055 | 51-46-97120 | NEW | 98-02-055 |
| 51-40-2406 | NEW | 98-02-054 | 51-46-007 | NEW | 98-02-055 | 51-46-97121 | NEW | 98-02-055 |
| 51-40-2900 | NEW | 98-02-054 | 51-46-008 | NEW | 98-02-055 | 51-46-97122 | NEW | 98-02-055 |
| 51-40-2929 | NEW | 98-02-054 | 51-46-0100 | NEW | 98-02-055 | 51-46-97123 | NEW | 98-02-055 |
| 51-40-3004 | NEW | 98-02-054 | 51-46-0101 | NEW | 98-02-055 | 51-46-97124 | NEW | 98-02-055 |
| 51-40-3102 | NEW | 98-02-054 | 51-46-0102 | NEW | 98-02-055 | 51-46-97125 | NEW | 98-02-055 |
| 51-40-31200 | NEW | 98-02-054 | 51-46-0103 | NEW | 98-02-055 | 51-46-97126 | NEW | 98-02-055 |
| 51-40-3404 | NEW | 98-02-054 | 51-46-0200 | NEW | 98-02-055 | 51-46-97127 | NEW | 98-02-055 |
| 51-40-93115 | NEW | 98-02-054 | 51-46-0205 | NEW | 98-02-055 | 51-46-97128 | NEW | 98-02-055 |
| 51-40-93116 | NEW | 98-02-054 | 51-46-0215 | NEW | 98-02-055 | 51-46-97129 | NEW | 98-02-055 |
| 51-40-93117 | NEW | 98-02-054 | 51-46-0218 | NEW | 98-02-055 | 51-47-001 | NEW | 98-02-055 |
| 51-40-93118 | NEW | 98-02-054 | 51-46-0300 | NEW | 98-02-055 | 51-47-002 | NEW | 98-02-055 |
| 51-40-93119 | NEW | 98-02-054 | 51-46-0301 | NEW | 98-02-055 | 51-47-003 | NEW | 98-02-055 |
| 51-40-93120 | NEW | 98-02-054 | 51-46-0310 | NEW | 98-02-055 | 51-47-007 | NEW | 98-02-055 |
| 51-42-001 | NEW | 98-02-056 | 51-46-0311 | NEW | 98-02-055 | 51-47-008 | NEW | 98-02-055 |
| 51-42-002 | NEW | 98-02-056 | 51-46-0313 | NEW | 98-02-055 | 82-50-021 | AMD-P | 98-09-084 |
| 51-42-003 | NEW | 98-02-056 | 51-46-0314 | NEW | 98-02-055 | 98-70-010 | PREP | 98-11-039 |
| 51-42-004 | NEW | 98-02-056 | 51-46-0316 | NEW | 98-02-055 | 118-40-010 | AMD | 98-07-028 |
| 51-42-005 | NEW | 98-02-056 | 51-46-0392 | NEW | 98-02-055 | 118-40-020 | AMD | 98-07-028 |
| 51-42-007 | NEW | 98-02-056 | 51-46-0400 | NEW | 98-02-055 | 118-40-030 | AMD | 98-07-028 |
| 51-42-008 | NEW | 98-02-056 | 51-46-0402 | NEW | 98-02-055 | 118-40-040 | AMD | 98-07-028 |
| 51-42-0200 | NEW | 98-02-056 | 51-46-0412 | NEW | 98-02-055 | 118-40-050 | AMD | 98-07-028 |
| 51-42-0223 | NEW | 98-02-056 | 51-46-0413 | NEW | 98-02-055 | 118-40-060 | AMD | 98-07-028 |
| 51-42-0303 | NEW | 98-02-056 | 51-46-0500 | NEW | 98-02-055 | 118-40-070 | AMD | 98-07-028 |
| 51-42-0504 | NEW | 98-02-056 | 51-46-0501 | NEW | 98-02-055 | 118-40-080 | AMD | 98-07-028 |
| 51-42-0600 | NEW | 98-02-056 | 51-46-0502 | NEW | 98-02-055 | 118-40-090 | REP | 98-07-028 |
| 51-42-0601 | NEW | 98-02-056 | 51-46-0505 | NEW | 98-02-055 | 118-40-100 | REP | 98-07-028 |
| 51-42-0605 | NEW | 98-02-056 | 51-46-0507 | NEW | 98-02-055 | 118-40-150 | AMD | 98-07-028 |
| 51-42-0901 | NEW | 98-02-056 | 51-46-0509 | NEW | 98-02-055 | 118-40-160 | AMD | 98-07-028 |
| 51-42-1000 | NEW | 98-02-056 | 51-46-0512 | NEW | 98-02-055 | 118-40-170 | AMD | 98-07-028 |
| 51-42-1002 | NEW | 98-02-056 | 51-46-0513 | NEW | 98-02-055 | 118-40-180 | AMD | 98-07-028 |
| 51-42-1004 | NEW | 98-02-056 | 51-46-0514 | NEW | 98-02-055 | 118-40-190 | REP | 98-07-028 |
| 51-42-1005 | NEW | 98-02-056 | 51-46-0515 | NEW | 98-02-055 | 118-40-300 | AMD | 98-07-028 |
| 51-42-1100 | NEW | 98-02-056 | 51-46-0516 | NEW | 98-02-055 | 118-40-400 | AMD | 98-07-028 |
| 51-42-1101 | NEW | 98-02-056 | 51-46-0517 | NEW | 98-02-055 | 131-08 | AMD-C | 98-07-059 |
| 51-42-1102 | NEW | 98-02-056 | 51-46-0518 | NEW | 98-02-055 | 131-08-005 | AMD-P | 98-06-071 |
| 51-42-1103 | NEW | 98-02-056 | 51-46-0519 | NEW | 98-02-055 | 131-08-005 | AMD-P | 98-10-074 |
| 51-42-1104 | NEW | 98-02-056 | 51-46-0520 | NEW | 98-02-055 | 131-08-007 | AMD-P | 98-06-071 |
| 51-42-1105 | NEW | 98-02-056 | 51-46-0521 | NEW | 98-02-055 | 131-08-007 | AMD-P | 98-10-074 |
| 51-42-1106 | NEW | 98-02-056 | 51-46-0522 | NEW | 98-02-055 | 131-08-008 | AMD-P | 98-06-071 |
| 51-42-1107 | NEW | 98-02-056 | 51-46-0523 | NEW | 98-02-055 | 131-08-008 | AMD-P | 98-10-074 |
| 51-42-1108 | NEW | 98-02-056 | 51-46-0524 | NEW | 98-02-055 | 131-12 | AMD-C | 98-07-059 |
| 51-42-1311 | NEW | 98-02-056 | 51-46-0525 | NEW | 98-02-055 | 131-12-020 | AMD-P | 98-06-069 |
| 51-42-1312 | NEW | 98-02-056 | 51-46-0600 | NEW | 98-02-055 | 131-12-030 | AMD-P | 98-06-069 |

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| 131-12-040 | AMD-P | 98-06-069 | 131-46-050 | REP-P | 98-06-070 | 132B-120-210 | NEW-P | 98-05-049 |
| 131-12-041 | AMD-P | 98-06-069 | 131-46-055 | REP-P | 98-06-070 | 132B-120-210 | NEW | 98-09-012 |
| 131-16 | AMD-C | 98-08-028 | 131-46-060 | REP-P | 98-06-070 | 132B-120-220 | NEW-P | 98-05-049 |
| 131-16-010 | AMD-P | 98-06-075 | 131-46-065 | REP-P | 98-06-070 | 132B-120-220 | NEW | 98-09-012 |
| 131-16-010 | AMD-E | 98-09-044 | 131-46-070 | REP-P | 98-06-070 | 132E-16 | PREP | 98-11-098 |
| 131-16-011 | AMD-P | 98-06-075 | 131-46-075 | REP-P | 98-06-070 | 132H-160-052 | AMD | 98-03-044 |
| 131-16-011 | AMD-E | 98-09-044 | 131-46-080 | REP-P | 98-06-070 | 132N-300 | PREP | 98-09-032 |
| 131-16-015 | REP-P | 98-06-075 | 131-46-085 | REP-P | 98-06-070 | 132P-33 | PREP | 98-07-007 |
| 131-16-021 | AMD-P | 98-06-075 | 131-46-090 | REP-P | 98-06-070 | 136-130-030 | AMD-P | 98-05-036 |
| 131-16-021 | AMD-E | 98-09-044 | 131-46-095 | REP-P | 98-06-070 | 136-130-030 | AMD-W | 98-06-044 |
| 131-16-031 | AMD-P | 98-06-075 | 131-46-105 | REP-P | 98-06-070 | 136-130-030 | AMD-P | 98-06-045 |
| 131-16-031 | AMD-E | 98-09-044 | 131-46-110 | REP-P | 98-06-070 | 136-130-030 | AMD | 98-09-070 |
| 131-16-040 | REP-P | 98-06-075 | 131-46-115 | REP-P | 98-06-070 | 136-130-040 | AMD-P | 98-05-036 |
| 131-16-045 | AMD-P | 98-06-075 | 131-46-120 | REP-P | 98-06-070 | 136-130-040 | AMD-W | 98-06-044 |
| 131-16-045 | AMD-E | 98-09-044 | 131-46-125 | REP-P | 98-06-070 | 136-130-040 | AMD-P | 98-06-045 |
| 131-16-050 | AMD-P | 98-06-075 | 131-47-020 | AMD-P | 98-10-043 | 136-130-040 | AMD | 98-09-070 |
| 131-16-050 | AMD-E | 98-09-044 | 131-47-025 | AMD-P | 98-10-043 | 136-161-070 | AMD-P | 98-05-036 |
| 131-16-055 | AMD-P | 98-06-075 | 131-47-045 | AMD-P | 98-10-043 | 136-161-070 | AMD-W | 98-06-044 |
| 131-16-055 | AMD-E | 98-09-044 | 131-47-050 | AMD-P | 98-10-043 | 136-161-070 | AMD-P | 98-06-045 |
| 131-16-056 | AMD-P | 98-06-075 | 131-47-055 | AMD-P | 98-10-043 | 136-161-070 | AMD | 98-09-070 |
| 131-16-056 | AMD-E | 98-09-044 | 131-47-090 | AMD-P | 98-10-043 | 136-161-080 | AMD-P | 98-05-036 |
| 131-16-060 | REP-P | 98-06-075 | 131-47-095 | AMD-P | 98-10-043 | 136-161-080 | AMD-W | 98-06-044 |
| 131-16-061 | AMD-E | 98-09-044 | 131-47-110 | AMD-P | 98-10-043 | 136-161-080 | AMD-P | 98-06-045 |
| 131-16-061 | AMD-P | 98-06-075 | 131-47-115 | REP-P | 98-10-043 | 136-161-080 | AMD | 98-09-070 |
| 131-16-062 | REP-P | 98-06-075 | 131-47-120 | REP-P | 98-10-043 | 136-161-090 | AMD-P | 98-05-036 |
| 131-16-065 | REP-P | 98-06-075 | 131-47-125 | AMD-P | 98-10-043 | 136-161-090 | AMD-W | 98-06-044 |
| 131-16-066 | REP-P | 98-06-075 | 131-47-130 | AMD-P | 98-10-043 | 136-161-090 | AMD-P | 98-06-045 |
| 131-16-080 | AMD-P | 98-10-113 | 131-47-135 | AMD-P | 98-10-043 | 136-161-090 | AMD | 98-09-070 |
| 131-16-210 | REP-P | 98-10-113 | 131-47-140 | AMD-P | 98-10-043 | 136-200-040 | AMD-P | 98-05-036 |
| 131-16-220 | REP-P | 98-10-113 | 131-47-145 | AMD-P | 98-10-043 | 136-200-040 | AMD-W | 98-06-044 |
| 131-16-400 | AMD-P | 98-10-113 | 131-47-150 | AMD-P | 98-10-043 | 136-200-040 | AMD-P | 98-06-045 |
| 131-16-450 | AMD-P | 98-10-046 | 131-48-010 | AMD-P | 98-10-045 | 136-200-040 | AMD | 98-09-070 |
| 131-24 | AMD-C | 98-07-059 | 131-48-040 | AMD-P | 98-10-045 | 136-210-030 | AMD-P | 98-05-036 |
| 131-24-010 | AMD-P | 98-06-073 | 131-48-060 | AMD-P | 98-10-045 | 136-210-030 | AMD-W | 98-06-044 |
| 131-24-020 | AMD-P | 98-06-073 | 131-48-100 | AMD-P | 98-10-045 | 136-210-030 | AMD-P | 98-06-045 |
| 131-24-030 | AMD-P | 98-06-073 | 131-276-010 | AMD-P | 98-10-111 | 136-210-030 | AMD | 98-09-070 |
| 131-24-040 | REP-P | 98-06-073 | 131-276-020 | AMD-P | 98-10-111 | 136-220-020 | AMD-P | 98-05-036 |
| 131-28 | AMD-C | 98-07-059 | 131-276-040 | AMD-P | 98-10-111 | 136-220-020 | AMD-W | 98-06-044 |
| 131-28-005 | NEW-P | 98-06-072 | 131-276-060 | AMD-P | 98-10-111 | 136-220-020 | AMD-P | 98-06-045 |
| 131-28-015 | AMD-P | 98-10-047 | 131-276-070 | AMD-P | 98-10-111 | 136-220-020 | AMD | 98-09-070 |
| 131-28-025 | AMD-P | 98-06-072 | 131-276-990 | AMD-P | 98-10-111 | 136-220-030 | AMD-P | 98-05-036 |
| 131-28-02501 | AMD-P | 98-06-072 | 132B-120-010 | AMD-P | 98-05-049 | 136-220-030 | AMD-W | 98-06-044 |
| 131-28-02501 | AMD-P | 98-10-047 | 132B-120-010 | AMD | 98-09-012 | 136-220-030 | AMD-P | 98-06-045 |
| 131-28-026 | AMD-P | 98-06-072 | 132B-120-020 | AMD-P | 98-05-049 | 136-220-030 | AMD | 98-09-070 |
| 131-28-027 | AMD-P | 98-06-072 | 132B-120-020 | AMD | 98-09-012 | 137-28-150 | AMD | 98-04-086 |
| 131-28-045 | AMD-P | 98-06-072 | 132B-120-030 | AMD-P | 98-05-049 | 137-28-190 | AMD | 98-04-086 |
| 131-28-080 | REP-P | 98-06-072 | 132B-120-030 | AMD | 98-09-012 | 137-100-001 | AMD-P | 98-02-074 |
| 131-28-085 | REP-P | 98-06-072 | 132B-120-040 | AMD-P | 98-05-049 | 137-100-010 | AMD-P | 98-02-074 |
| 131-28-090 | REP-P | 98-06-072 | 132B-120-040 | AMD | 98-09-012 | 137-100-020 | AMD-P | 98-02-074 |
| 131-32-010 | AMD-P | 98-10-044 | 132B-120-055 | NEW-P | 98-05-049 | 137-100-030 | AMD-P | 98-02-074 |
| 131-32-020 | AMD-P | 98-10-044 | 132B-120-055 | NEW | 98-09-012 | 137-100-040 | NEW-P | 98-02-074 |
| 131-32-030 | AMD-P | 98-10-112 | 132B-120-065 | NEW-P | 98-05-049 | 162-22-010 | AMD | 98-08-035 |
| 131-32-035 | AMD-P | 98-10-112 | 132B-120-065 | NEW | 98-09-012 | 162-22-020 | AMD | 98-08-035 |
| 131-36 | AMD-P | 98-06-074 | 132B-120-075 | NEW-P | 98-05-049 | 162-22-030 | AMD | 98-08-035 |
| 131-36 | AMD-C | 98-07-059 | 132B-120-075 | NEW | 98-09-012 | 162-22-040 | AMD | 98-08-035 |
| 131-36-010 | AMD-P | 98-06-074 | 132B-120-080 | AMD-P | 98-05-049 | 162-22-050 | AMD | 98-08-035 |
| 131-36-050 | AMD-P | 98-06-074 | 132B-120-080 | AMD | 98-09-012 | 162-22-060 | AMD | 98-08-035 |
| 131-36-055 | NEW-P | 98-06-074 | 132B-120-085 | NEW-P | 98-05-049 | 162-22-070 | AMD | 98-08-035 |
| 131-36-100 | AMD-P | 98-06-074 | 132B-120-085 | NEW | 98-09-012 | 162-22-080 | AMD | 98-08-035 |
| 131-36-150 | AMD-P | 98-06-074 | 132B-120-120 | AMD-P | 98-05-049 | 162-22-090 | AMD | 98-08-035 |
| 131-36-200 | AMD-P | 98-06-074 | 132B-120-120 | AMD | 98-09-012 | 162-22-100 | NEW | 98-08-035 |
| 131-36-250 | AMD-P | 98-06-074 | 132B-120-130 | AMD-P | 98-05-049 | 162-26 | AMD | 98-08-035 |
| 131-36-300 | AMD-P | 98-06-074 | 132B-120-130 | AMD | 98-09-012 | 162-26-010 | AMD | 98-08-035 |
| 131-40-010 | AMD-P | 98-10-114 | 132B-120-135 | NEW-P | 98-05-049 | 162-26-020 | AMD | 98-08-035 |
| 131-46 | REP-C | 98-07-059 | 132B-120-135 | NEW | 98-09-012 | 162-26-030 | AMD | 98-08-035 |
| 131-46-020 | REP-P | 98-06-070 | 132B-120-170 | AMD-P | 98-05-049 | 162-26-040 | AMD | 98-08-035 |
| 131-46-025 | REP-P | 98-06-070 | 132B-120-170 | AMD | 98-09-012 | 162-26-050 | AMD | 98-08-035 |
| 131-46-027 | REP-P | 98-06-070 | 132B-120-180 | AMD-P | 98-05-049 | 162-26-060 | AMD | 98-08-035 |
| 131-46-029 | REP-P | 98-06-070 | 132B-120-180 | AMD | 98-09-012 | 162-26-070 | AMD | 98-08-035 |
| 131-46-030 | REP-P | 98-06-070 | 132B-120-190 | AMD-P | 98-05-049 | 162-26-080 | AMD | 98-08-035 |
| 131-46-035 | REP-P | 98-06-070 | 132B-120-190 | AMD | 98-09-012 | 162-26-090 | AMD | 98-08-035 |
| 131-46-040 | REP-P | 98-06-070 | 132B-120-200 | AMD-P | 98-05-049 | 162-26-100 | AMD | 98-08-035 |
| 131-46-045 | REP-P | 98-06-070 | 132B-120-200 | AMD | 98-09-012 | 162-26-110 | AMD | 98-08-035 |

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| 162-26-130 | AMD | 98-08-035 | 173-160-231 | NEW | 98-08-032 | 173-162-120 | AMD-W | 98-08-093 |
| 162-26-140 | AMD | 98-08-035 | 173-160-235 | REP | 98-08-032 | 173-162-127 | NEW-W | 98-08-093 |
| 162-36-001 | AMD | 98-08-035 | 173-160-241 | NEW | 98-08-032 | 173-162-130 | AMD-W | 98-08-093 |
| 162-36-005 | AMD | 98-08-035 | 173-160-245 | REP | 98-08-032 | 173-162-140 | AMD | 98-08-031 |
| 162-36-010 | AMD | 98-08-035 | 173-160-251 | NEW | 98-08-032 | 173-162-165 | NEW-W | 98-08-093 |
| 162-36-020 | AMD | 98-08-035 | 173-160-255 | REP | 98-08-032 | 173-162-170 | REP | 98-08-031 |
| 162-38 | AMD | 98-08-035 | 173-160-261 | NEW | 98-08-032 | 173-162-190 | AMD | 98-08-031 |
| 162-38-010 | AMD | 98-08-035 | 173-160-265 | REP | 98-08-032 | 173-162-200 | AMD | 98-08-031 |
| 162-38-040 | AMD | 98-08-035 | 173-160-271 | NEW | 98-08-032 | 173-162-210 | AMD | 98-08-031 |
| 162-38-050 | AMD | 98-08-035 | 173-160-275 | REP | 98-08-032 | 173-202-020 | AMD-XA | 98-03-071 |
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| 162-38-100 | AMD | 98-08-035 | 173-160-285 | REP | 98-08-032 | 173-202-020 | AMD-W | 98-04-069 |
| 162-38-120 | AMD | 98-08-035 | 173-160-291 | NEW | 98-08-032 | 173-202-020 | AMD | 98-07-026 |
| 162-38-130 | NEW | 98-08-035 | 173-160-295 | REP | 98-08-032 | 173-202-020 | AMD-E | 98-07-103 |
| 173-03-010 | AMD-XA | 98-11-099 | 173-160-301 | NEW | 98-08-032 | 173-202-020 | AMD | 98-08-058 |
| 173-03-020 | AMD-XA | 98-11-099 | 173-160-305 | REP | 98-08-032 | 173-224-030 | AMD | 98-03-046 |
| 173-03-030 | AMD-XA | 98-11-099 | 173-160-311 | NEW | 98-08-032 | 173-224-040 | AMD | 98-03-046 |
| 173-03-040 | AMD-XA | 98-11-099 | 173-160-315 | REP | 98-08-032 | 173-224-050 | AMD | 98-03-046 |
| 173-03-050 | AMD-XA | 98-11-099 | 173-160-321 | NEW | 98-08-032 | 173-224-017 | AMD | 98-03-018 |
| 173-03-060 | AMD-XA | 98-11-099 | 173-160-325 | REP | 98-08-032 | 173-303-040 | AMD | 98-03-018 |
| 173-03-070 | AMD-XA | 98-11-099 | 173-160-331 | NEW | 98-08-032 | 173-303-045 | AMD | 98-03-018 |
| 173-03-080 | AMD-XA | 98-11-099 | 173-160-335 | REP | 98-08-032 | 173-303-070 | AMD | 98-03-018 |
| 173-03-090 | AMD-XA | 98-11-099 | 173-160-341 | NEW | 98-08-032 | 173-303-071 | AMD | 98-03-018 |
| 173-03-100 | AMD-XA | 98-11-099 | 173-160-345 | REP | 98-08-032 | 173-303-073 | AMD | 98-03-018 |
| 173-20-640 | AMD | 98-09-098 | 173-160-351 | NEW | 98-08-032 | 173-303-077 | AMD | 98-03-018 |
| 173-98 | PREP | 98-12-044 | 173-160-355 | REP | 98-08-032 | 173-303-081 | AMD | 98-03-018 |
| 173-152 | NEW-C | 98-04-019 | 173-160-361 | NEW | 98-08-032 | 173-303-082 | AMD | 98-03-018 |
| 173-152-010 | NEW-E | 98-04-018 | 173-160-365 | REP | 98-08-032 | 173-303-090 | AMD | 98-03-018 |
| 173-152-010 | NEW | 98-06-042 | 173-160-371 | NEW | 98-08-032 | 173-303-100 | AMD | 98-03-018 |
| 173-152-020 | NEW-E | 98-04-018 | 173-160-375 | REP | 98-08-032 | 173-303-104 | AMD | 98-03-018 |
| 173-152-020 | NEW | 98-06-042 | 173-160-381 | NEW | 98-08-032 | 173-303-110 | AMD | 98-03-018 |
| 173-152-025 | NEW-E | 98-04-018 | 173-160-385 | REP | 98-08-032 | 173-303-120 | AMD | 98-03-018 |
| 173-152-030 | NEW | 98-06-042 | 173-160-390 | NEW | 98-08-032 | 173-303-140 | AMD | 98-03-018 |
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| 173-152-040 | NEW | 98-06-042 | 173-160-400 | NEW | 98-08-032 | 173-303-160 | AMD | 98-03-018 |
| 173-152-050 | NEW-E | 98-04-018 | 173-160-405 | REP | 98-08-032 | 173-303-180 | AMD | 98-03-018 |
| 173-152-050 | NEW | 98-06-042 | 173-160-406 | NEW | 98-08-032 | 173-303-201 | AMD | 98-03-018 |
| 173-160 | AMD-C | 98-04-020 | 173-160-410 | NEW | 98-08-032 | 173-303-210 | AMD | 98-03-018 |
| 173-160-010 | AMD | 98-08-032 | 173-160-415 | REP | 98-08-032 | 173-303-230 | AMD | 98-03-018 |
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| 173-160-020 | REP-XR | 98-08-061 | 173-160-425 | REP | 98-08-032 | 173-303-282 | AMD | 98-03-018 |
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| 173-160-040 | AMD | 98-08-032 | 173-160-435 | REP | 98-08-032 | 173-303-335 | AMD-W | 98-05-062 |
| 173-160-050 | AMD | 98-08-032 | 173-160-440 | NEW | 98-08-032 | 173-303-350 | AMD | 98-03-018 |
| 173-160-055 | REP | 98-08-032 | 173-160-445 | REP | 98-08-032 | 173-303-380 | AMD | 98-03-018 |
| 173-160-061 | NEW | 98-08-032 | 173-160-450 | NEW | 98-08-032 | 173-303-395 | AMD | 98-03-018 |
| 173-160-065 | REP | 98-08-032 | 173-160-455 | REP | 98-08-032 | 173-303-400 | AMD | 98-03-018 |
| 173-160-071 | NEW | 98-08-032 | 173-160-460 | NEW | 98-08-032 | 173-303-505 | AMD | 98-03-018 |
| 173-160-075 | REP | 98-08-032 | 173-160-465 | REP | 98-08-032 | 173-303-520 | AMD | 98-03-018 |
| 173-160-085 | REP | 98-08-032 | 173-160-475 | REP | 98-08-032 | 173-303-522 | NEW | 98-03-018 |
| 173-160-095 | REP | 98-08-032 | 173-160-500 | REP | 98-08-032 | 173-303-573 | NEW | 98-03-018 |
| 173-160-101 | NEW | 98-08-032 | 173-160-510 | REP | 98-08-032 | 173-303-600 | AMD | 98-03-018 |
| 173-160-105 | REP | 98-08-032 | 173-160-520 | REP | 98-08-032 | 173-303-610 | AMD | 98-03-018 |
| 173-160-106 | NEW | 98-08-032 | 173-160-530 | REP | 98-08-032 | 173-303-620 | AMD | 98-03-018 |
| 173-160-111 | NEW | 98-08-032 | 173-160-540 | REP | 98-08-032 | 173-303-655 | AMD-W | 98-05-062 |
| 173-160-115 | REP | 98-08-032 | 173-160-550 | REP | 98-08-032 | 173-303-665 | AMD | 98-03-018 |
| 173-160-121 | NEW | 98-08-032 | 173-160-560 | REP | 98-08-032 | 173-303-675 | AMD | 98-03-018 |
| 173-160-125 | REP | 98-08-032 | 173-160-990 | NEW | 98-08-032 | 173-303-800 | AMD | 98-03-018 |
| 173-160-131 | NEW | 98-08-032 | 173-162 | AMD-C | 98-04-020 | 173-303-802 | AMD | 98-03-018 |
| 173-160-135 | REP | 98-08-032 | 173-162-010 | AMD | 98-08-031 | 173-303-804 | AMD | 98-03-018 |
| 173-160-141 | NEW | 98-08-032 | 173-162-020 | AMD | 98-08-031 | 173-303-805 | AMD | 98-03-018 |
| 173-160-151 | NEW | 98-08-032 | 173-162-025 | NEW | 98-08-031 | 173-303-806 | AMD | 98-03-018 |
| 173-160-161 | NEW | 98-08-032 | 173-162-030 | AMD | 98-08-031 | 173-303-807 | AMD | 98-03-018 |
| 173-160-171 | NEW | 98-08-032 | 173-162-040 | AMD | 98-08-031 | 173-303-810 | AMD | 98-03-018 |
| 173-160-181 | NEW | 98-08-032 | 173-162-050 | AMD | 98-08-031 | 173-303-815 | AMD | 98-03-018 |
| 173-160-191 | NEW | 98-08-032 | 173-162-055 | NEW | 98-08-031 | 173-303-830 | AMD | 98-03-018 |
| 173-160-201 | NEW | 98-08-032 | 173-162-060 | AMD | 98-08-031 | 173-303-840 | AMD | 98-03-018 |
| 173-160-201 | NEW-E | 98-10-033 | 173-162-070 | AMD | 98-08-031 | 173-303-900 | AMD | 98-03-018 |
| 173-160-205 | REP | 98-08-032 | 173-162-075 | NEW | 98-08-031 | 173-303-910 | AMD | 98-03-018 |
| 173-160-211 | NEW | 98-08-032 | 173-162-080 | AMD | 98-08-031 | 173-303-9903 | AMD | 98-03-018 |
| 173-160-215 | REP | 98-08-032 | 173-162-085 | NEW | 98-08-031 | 173-303-9904 | AMD | 98-03-018 |
| 173-160-221 | NEW | 98-08-032 | 173-162-095 | NEW | 98-08-031 | 173-303-9905 | AMD | 98-03-018 |

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| 173-308-020 | NEW | 98-05-101 | 173-806-185 | AMD-P | 98-12-092 | 180-59-160 | REP | 98-05-007 |
| 173-308-030 | NEW | 98-05-101 | 173-806-190 | AMD-P | 98-12-092 | 180-59-165 | REP | 98-05-007 |
| 173-308-040 | NEW | 98-05-101 | 180-16-002 | AMD-P | 98-04-088 | 180-78A | PREP | 98-06-030 |
| 173-308-050 | NEW | 98-05-101 | 180-16-002 | AMD | 98-08-039 | 180-78A-165 | AMD | 98-05-022 |
| 173-308-060 | NEW | 98-05-101 | 180-16-180 | REP-P | 98-04-088 | 180-79A-117 | AMD | 98-05-024 |
| 173-308-070 | NEW | 98-05-101 | 180-16-180 | REP | 98-08-039 | 180-79A-220 | AMD-P | 98-04-089 |
| 173-308-080 | NEW | 98-05-101 | 180-18-010 | AMD | 98-05-001 | 180-79A-220 | AMD | 98-08-068 |
| 173-308-090 | NEW | 98-05-101 | 180-22-150 | AMD | 98-05-003 | 180-79A-340 | AMD | 98-05-023 |
| 173-308-100 | NEW | 98-05-101 | 180-25 | PREP | 98-06-007 | 180-79A-420 | PREP | 98-04-087 |
| 173-308-110 | NEW | 98-05-101 | 180-26 | PREP | 98-06-006 | 180-79A-420 | AMD-P | 98-10-102 |
| 173-308-120 | NEW | 98-05-101 | 180-27 | PREP | 98-06-005 | 180-79A-422 | PREP | 98-04-087 |
| 173-308-130 | NEW | 98-05-101 | 180-29 | PREP | 98-06-004 | 180-79A-422 | AMD-P | 98-10-102 |
| 173-308-140 | NEW | 98-05-101 | 180-30 | PREP | 98-06-001 | 180-79A-433 | AMD-P | 98-10-103 |
| 173-308-150 | NEW | 98-05-101 | 180-31 | PREP | 98-06-003 | 180-85-100 | AMD | 98-05-024 |
| 173-308-160 | NEW | 98-05-101 | 180-32 | PREP | 98-06-002 | 180-87 | PREP | 98-08-038 |
| 173-308-170 | NEW | 98-05-101 | 180-33 | PREP | 98-06-008 | 180-90-125 | PREP | 98-10-024 |
| 173-308-180 | NEW | 98-05-101 | 180-33-025 | AMD | 98-09-052 | 182-25-010 | AMD | 98-07-002 |
| 173-308-190 | NEW | 98-05-101 | 180-34-010 | AMD | 98-05-002 | 182-25-010 | AMD-XA | 98-10-086 |
| 173-308-200 | NEW | 98-05-101 | 180-34-015 | REP | 98-05-002 | 182-25-020 | AMD | 98-07-002 |
| 173-308-210 | NEW | 98-05-101 | 180-34-020 | REP | 98-05-002 | 182-25-030 | AMD | 98-07-002 |
| 173-308-220 | NEW | 98-05-101 | 180-34-025 | REP | 98-05-002 | 182-25-040 | AMD | 98-07-002 |
| 173-308-230 | NEW | 98-05-101 | 180-36-007 | NEW | 98-05-021 | 182-25-070 | AMD | 98-07-002 |
| 173-308-240 | NEW | 98-05-101 | 180-39-025 | AMD | 98-05-004 | 182-25-080 | AMD | 98-07-002 |
| 173-308-250 | NEW | 98-05-101 | 180-39-027 | REP | 98-05-004 | 182-25-090 | AMD | 98-07-002 |
| 173-308-260 | NEW | 98-05-101 | 180-39-028 | REP | 98-05-004 | 182-25-100 | AMD | 98-07-002 |
| 173-308-270 | NEW | 98-05-101 | 180-39-030 | REP | 98-05-004 | 182-25-105 | AMD | 98-07-002 |
| 173-308-275 | NEW | 98-05-101 | 180-39-035 | REP | 98-05-004 | 182-25-105 | AMD | 98-07-002 |
| 173-308-280 | NEW | 98-05-101 | 180-51-050 | PREP | 98-06-028 | 192-12-030 | AMD-P | 98-09-106 |
| 173-308-290 | NEW | 98-05-101 | 180-56-003 | REP | 98-05-005 | 192-12-040 | AMD-P | 98-09-105 |
| 173-308-295 | NEW | 98-05-101 | 180-58-010 | REP | 98-05-006 | 192-12-041 | AMD-P | 98-09-105 |
| 173-308-300 | NEW | 98-05-101 | 180-58-015 | REP | 98-05-006 | 192-12-042 | AMD-P | 98-09-105 |
| 173-308-310 | NEW | 98-05-101 | 180-58-020 | REP | 98-05-006 | 192-12-141 | AMD | 98-06-097 |
| 173-308-320 | NEW | 98-05-101 | 180-58-030 | REP | 98-05-006 | 192-16-051 | PREP | 98-08-072 |
| 173-308-900 | NEW | 98-05-101 | 180-58-040 | REP | 98-05-006 | 192-16-052 | PREP | 98-08-072 |
| 173-360-190 | AMD-XA | 98-10-091 | 180-58-045 | REP | 98-05-006 | 192-16-057 | PREP | 98-08-072 |
| 173-400 | PREP | 98-06-090 | 180-58-055 | REP | 98-05-006 | 192-18-010 | REP-XR | 98-07-023 |
| 173-400-060 | AMD-P | 98-10-034 | 180-58-065 | REP | 98-05-006 | 192-18-012 | REP-XR | 98-07-023 |
| 173-400-070 | AMD-P | 98-10-034 | 180-58-075 | REP | 98-05-006 | 192-18-020 | REP-XR | 98-07-023 |
| 173-400-075 | AMD-P | 98-10-034 | 180-58-085 | REP | 98-05-006 | 192-18-030 | REP-XR | 98-07-023 |
| 173-400-105 | AMD-P | 98-10-034 | 180-58-090 | REP | 98-05-006 | 192-18-040 | REP-XR | 98-07-023 |
| 173-400-110 | AMD-P | 98-10-034 | 180-58-090 | REP | 98-05-006 | 192-18-050 | REP-XR | 98-07-023 |
| 173-400-115 | AMD-P | 98-09-097 | 180-59-005 | REP | 98-05-007 | 192-18-060 | REP-XR | 98-07-023 |
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| 173-430-030 | AMD-P | 98-08-079 | 180-59-015 | REP | 98-05-007 | 192-20-010 | REP-XR | 98-07-024 |
| 173-430-030 | AMD | 98-12-016 | 180-59-020 | REP | 98-05-007 | 192-23-018 | AMD | 98-06-097 |
| 173-430-040 | AMD-P | 98-08-079 | 180-59-025 | REP | 98-05-007 | 192-32 | AMD | 98-05-042 |
| 173-430-040 | AMD | 98-12-016 | 180-59-030 | REP | 98-05-007 | 192-32-001 | REP | 98-05-042 |
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| 173-430-045 | NEW | 98-12-016 | 180-59-035 | REP | 98-05-007 | 192-32-015 | REP | 98-05-042 |
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| 173-460-060 | AMD-P | 98-10-034 | 180-59-040 | REP | 98-05-007 | 192-32-035 | AMD | 98-05-042 |
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| 173-490-203 | REP | 98-04-061 | 180-59-047 | REP | 98-05-007 | 192-32-050 | AMD | 98-05-042 |
| 173-531A-060 | AMD | 98-08-062 | 180-59-050 | REP | 98-05-007 | 192-32-055 | AMD | 98-05-042 |
| 173-563-015 | REP | 98-08-062 | 180-59-055 | REP | 98-05-007 | 192-32-065 | AMD | 98-05-042 |
| 173-563-020 | AMD | 98-08-062 | 180-59-060 | REP | 98-05-007 | 192-32-075 | AMD | 98-05-042 |
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| 173-806-030 | AMD-P | 98-12-092 | 180-59-070 | REP | 98-05-007 | 192-32-095 | AMD | 98-05-042 |
| 173-806-050 | AMD-P | 98-12-092 | 180-59-075 | REP | 98-05-007 | 192-32-100 | NEW | 98-05-042 |
| 173-806-053 | AMD-P | 98-12-092 | 180-59-080 | REP | 98-05-007 | 192-32-105 | AMD | 98-05-042 |
| 173-806-055 | REP-P | 98-12-092 | 180-59-090 | REP | 98-05-007 | 192-32-115 | AMD | 98-05-042 |
| 173-806-058 | AMD-P | 98-12-092 | 180-59-095 | REP | 98-05-007 | 192-32-120 | REP | 98-05-042 |
| 173-806-065 | AMD-P | 98-12-092 | 180-59-100 | REP | 98-05-007 | 192-32-125 | REP | 98-05-042 |
| 173-806-090 | AMD-P | 98-12-092 | 180-59-105 | REP | 98-05-007 | 192-32-130 | NEW | 98-05-042 |
| 173-806-100 | AMD-P | 98-12-092 | 180-59-110 | REP | 98-05-007 | 192-32-135 | NEW | 98-05-042 |
| 173-806-128 | AMD-P | 98-12-092 | 180-59-115 | REP | 98-05-007 | 192-33-005 | NEW | 98-05-042 |
| 173-806-130 | AMD-P | 98-12-092 | 180-59-120 | REP | 98-05-007 | 192-33-006 | NEW | 98-05-042 |
| 173-806-132 | NEW-P | 98-12-092 | 180-59-125 | REP | 98-05-007 | 194-10-010 | REP | 98-05-027 |
| 173-806-150 | AMD-P | 98-12-092 | 180-59-130 | REP | 98-05-007 | 194-10-020 | REP | 98-05-027 |
| 173-806-160 | AMD-P | 98-12-092 | 180-59-135 | REP | 98-05-007 | 194-10-030 | REP | 98-05-027 |
| 173-806-170 | AMD-P | 98-12-092 | 180-59-140 | REP | 98-05-007 | 194-10-040 | REP | 98-05-027 |
| 173-806-175 | AMD-P | 98-12-092 | 180-59-145 | REP | 98-05-007 | 194-10-050 | REP | 98-05-027 |
| | | | 180-59-150 | REP | 98-05-007 | 194-10-060 | REP | 98-05-027 |

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| WAC # | ACTION | WSR # | WAC # | ACTION | WSR # | WAC # | ACTION | WSR # |
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| 194-10-070 | REP | 98-05-027 | 196-08-350 | REP-P | 98-08-078 | 196-24-050 | REP | 98-12-052 |
| 194-10-080 | REP | 98-05-027 | 196-08-350 | REP | 98-12-045 | 196-24-105 | AMD-P | 98-08-105 |
| 194-10-090 | REP | 98-05-027 | 196-08-360 | REP-P | 98-08-078 | 196-24-105 | AMD | 98-12-052 |
| 194-10-100 | REP | 98-05-027 | 196-08-360 | REP | 98-12-045 | 196-25-001 | NEW-P | 98-08-106 |
| 194-10-110 | REP | 98-05-027 | 196-08-370 | REP-P | 98-08-078 | 196-25-001 | NEW | 98-12-053 |
| 194-10-120 | REP | 98-05-027 | 196-08-370 | REP | 98-12-045 | 196-25-002 | NEW-P | 98-08-106 |
| 194-10-130 | REP | 98-05-027 | 196-08-380 | REP-P | 98-08-078 | 196-25-002 | NEW | 98-12-053 |
| 194-10-140 | REP | 98-05-027 | 196-08-380 | REP | 98-12-045 | 196-25-005 | NEW-P | 98-08-106 |
| 196-04 | PREP | 98-11-025 | 196-08-390 | REP-P | 98-08-078 | 196-25-005 | NEW | 98-12-053 |
| 196-08-010 | REP-P | 98-08-078 | 196-08-390 | REP | 98-12-045 | 196-25-010 | NEW-P | 98-08-106 |
| 196-08-010 | REP | 98-12-045 | 196-08-400 | REP-P | 98-08-078 | 196-25-010 | NEW | 98-12-053 |
| 196-08-040 | REP-P | 98-08-078 | 196-08-400 | REP | 98-12-045 | 196-25-020 | NEW-P | 98-08-106 |
| 196-08-040 | REP | 98-12-045 | 196-08-410 | REP-P | 98-08-078 | 196-25-020 | NEW | 98-12-053 |
| 196-08-050 | REP-P | 98-08-078 | 196-08-410 | REP | 98-12-045 | 196-25-030 | NEW-P | 98-08-106 |
| 196-08-050 | REP | 98-12-045 | 196-08-420 | REP-P | 98-08-078 | 196-25-030 | NEW | 98-12-053 |
| 196-08-060 | REP-P | 98-08-078 | 196-08-420 | REP | 98-12-045 | 196-25-040 | NEW-P | 98-08-106 |
| 196-08-060 | REP | 98-12-045 | 196-08-430 | REP-P | 98-08-078 | 196-25-040 | NEW | 98-12-053 |
| 196-08-070 | REP-P | 98-08-078 | 196-08-430 | REP | 98-12-045 | 196-26-020 | AMD-P | 98-09-051 |
| 196-08-070 | REP | 98-12-045 | 196-08-440 | REP-P | 98-08-078 | 196-26-020 | AMD | 98-12-046 |
| 196-08-080 | REP-P | 98-08-078 | 196-08-440 | REP | 98-12-045 | 196-26-030 | AMD-P | 98-09-051 |
| 196-08-080 | REP | 98-12-045 | 196-08-450 | REP-P | 98-08-078 | 196-26-030 | AMD | 98-12-046 |
| 196-08-090 | REP-P | 98-08-078 | 196-08-450 | REP | 98-12-045 | 197-11-680 | AMD | 98-06-092 |
| 196-08-090 | REP | 98-12-045 | 196-08-460 | REP-P | 98-08-078 | 204-10-020 | AMD | 98-04-053 |
| 196-08-100 | REP-P | 98-08-078 | 196-08-460 | REP | 98-12-045 | 204-10-020 | PREP | 98-11-036 |
| 196-08-100 | REP | 98-12-045 | 196-08-470 | REP-P | 98-08-078 | 204-10-070 | AMD | 98-04-053 |
| 196-08-110 | REP-P | 98-08-078 | 196-08-470 | REP | 98-12-045 | 204-10-090 | AMD | 98-04-053 |
| 196-08-110 | REP | 98-12-045 | 196-08-480 | REP-P | 98-08-078 | 204-10-100 | REP | 98-04-053 |
| 196-08-120 | REP-P | 98-08-078 | 196-08-480 | REP | 98-12-045 | 204-10-110 | REP | 98-04-053 |
| 196-08-120 | REP | 98-12-045 | 196-08-490 | REP-P | 98-08-078 | 204-10-130 | REP | 98-04-053 |
| 196-08-130 | REP-P | 98-08-078 | 196-08-490 | REP | 98-12-045 | 204-10-140 | REP | 98-04-053 |
| 196-08-130 | REP | 98-12-045 | 196-08-500 | REP-P | 98-08-078 | 204-10-150 | REP | 98-04-053 |
| 196-08-140 | REP-P | 98-08-078 | 196-08-500 | REP | 98-12-045 | 204-24-050 | PREP | 98-11-035 |
| 196-08-140 | REP | 98-12-045 | 196-08-510 | REP-P | 98-08-078 | 204-72-030 | AMD | 98-04-054 |
| 196-08-150 | REP-P | 98-08-078 | 196-08-510 | REP | 98-12-045 | 204-72-040 | AMD | 98-04-054 |
| 196-08-150 | REP | 98-12-045 | 196-08-520 | REP-P | 98-08-078 | 204-90-030 | AMD | 98-04-052 |
| 196-08-160 | REP-P | 98-08-078 | 196-08-520 | REP | 98-12-045 | 204-90-040 | AMD | 98-04-052 |
| 196-08-160 | REP | 98-12-045 | 196-08-530 | REP-P | 98-08-078 | 204-90-070 | AMD | 98-04-052 |
| 196-08-170 | REP-P | 98-08-078 | 196-08-530 | REP | 98-12-045 | 204-90-120 | AMD | 98-04-052 |
| 196-08-170 | REP | 98-12-045 | 196-08-540 | REP-P | 98-08-078 | 204-90-140 | AMD | 98-04-052 |
| 196-08-180 | REP-P | 98-08-078 | 196-08-540 | REP | 98-12-045 | 208-444-010 | AMD | 98-10-072 |
| 196-08-180 | REP | 98-12-045 | 196-08-550 | REP-P | 98-08-078 | 208-444-020 | AMD | 98-10-072 |
| 196-08-190 | REP-P | 98-08-078 | 196-08-550 | REP | 98-12-045 | 208-444-030 | AMD | 98-10-072 |
| 196-08-190 | REP | 98-12-045 | 196-08-560 | REP-P | 98-08-078 | 208-444-040 | AMD | 98-10-072 |
| 196-08-200 | REP-P | 98-08-078 | 196-08-560 | REP | 98-12-045 | 208-444-050 | AMD | 98-10-072 |
| 196-08-200 | REP | 98-12-045 | 196-08-570 | REP-P | 98-08-078 | 212-17-185 | AMD | 98-04-007 |
| 196-08-210 | REP-P | 98-08-078 | 196-08-570 | REP | 98-12-045 | 212-17-190 | REP-XR | 98-07-019 |
| 196-08-210 | REP | 98-12-045 | 196-08-580 | REP-P | 98-08-078 | 212-17-195 | REP-XR | 98-07-019 |
| 196-08-220 | REP-P | 98-08-078 | 196-08-580 | REP | 98-12-045 | 212-17-200 | REP-XR | 98-07-019 |
| 196-08-220 | REP | 98-12-045 | 196-08-590 | REP-P | 98-08-078 | 212-17-205 | REP-XR | 98-07-019 |
| 196-08-230 | REP-P | 98-08-078 | 196-08-590 | REP | 98-12-045 | 212-17-210 | REP-XR | 98-07-019 |
| 196-08-230 | REP | 98-12-045 | 196-09-010 | NEW-P | 98-08-078 | 212-17-215 | REP-XR | 98-07-019 |
| 196-08-240 | REP-P | 98-08-078 | 196-09-010 | NEW | 98-12-045 | 212-17-21503 | NEW | 98-04-007 |
| 196-08-240 | REP | 98-12-045 | 196-09-020 | NEW-P | 98-08-078 | 212-17-21505 | NEW | 98-04-007 |
| 196-08-250 | REP-P | 98-08-078 | 196-09-020 | NEW | 98-12-045 | 212-17-21507 | NEW | 98-04-007 |
| 196-08-250 | REP | 98-12-045 | 196-12-010 | AMD-P | 98-08-105 | 212-17-21509 | NEW | 98-04-007 |
| 196-08-260 | REP-P | 98-08-078 | 196-12-010 | AMD | 98-12-052 | 212-17-21511 | NEW | 98-04-007 |
| 196-08-260 | REP | 98-12-045 | 196-12-020 | AMD-P | 98-08-105 | 212-17-21513 | NEW | 98-04-007 |
| 196-08-270 | REP-P | 98-08-078 | 196-12-020 | AMD | 98-12-052 | 212-17-21515 | NEW | 98-04-007 |
| 196-08-270 | REP | 98-12-045 | 196-12-030 | AMD-P | 98-08-105 | 212-17-21517 | NEW | 98-04-007 |
| 196-08-280 | REP-P | 98-08-078 | 196-12-030 | AMD | 98-12-052 | 212-17-21519 | NEW | 98-04-007 |
| 196-08-280 | REP | 98-12-045 | 196-12-045 | NEW-P | 98-08-105 | 220-12-010 | AMD | 98-06-031 |
| 196-08-290 | REP-P | 98-08-078 | 196-12-045 | NEW | 98-12-052 | 220-12-020 | AMD | 98-06-031 |
| 196-08-290 | REP | 98-12-045 | 196-12-050 | AMD-P | 98-08-105 | 220-16-002 | NEW-P | 98-11-086 |
| 196-08-300 | REP-P | 98-08-078 | 196-12-050 | AMD | 98-12-052 | 220-16-005 | NEW-P | 98-11-086 |
| 196-08-300 | REP | 98-12-045 | 196-12-060 | REP-P | 98-08-105 | 220-16-440 | AMD | 98-06-031 |
| 196-08-310 | REP-P | 98-08-078 | 196-12-060 | REP | 98-12-052 | 220-16-475 | NEW | 98-06-031 |
| 196-08-310 | REP | 98-12-045 | 196-12-085 | REP-P | 98-08-105 | 220-16-480 | NEW-P | 98-09-089 |
| 196-08-320 | REP-P | 98-08-078 | 196-12-085 | REP | 98-12-052 | 220-16-480 | NEW-W | 98-11-049 |
| 196-08-320 | REP | 98-12-045 | 196-24-030 | REP-P | 98-08-105 | 220-16-490 | NEW-P | 98-09-089 |
| 196-08-330 | REP-P | 98-08-078 | 196-24-030 | REP | 98-12-052 | 220-16-490 | NEW-W | 98-11-049 |
| 196-08-330 | REP | 98-12-045 | 196-24-040 | REP-P | 98-08-105 | 220-16-500 | NEW-W | 98-11-049 |
| 196-08-340 | REP-P | 98-08-078 | 196-24-040 | REP | 98-12-052 | 220-16-510 | NEW-W | 98-11-049 |
| 196-08-340 | REP | 98-12-045 | 196-24-050 | REP-P | 98-08-105 | 220-16-520 | NEW-W | 98-11-049 |

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| WAC # | ACTION | WSR # | WAC # | ACTION | WSR # | WAC # | ACTION | WSR # |
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| 220-16-530 | NEW-W | 98-11-049 | 220-47-410 | AMD-P | 98-11-086 | 220-56-265 | AMD | 98-06-031 |
| 220-16-540 | NEW-W | 98-11-049 | 220-47-411 | AMD-P | 98-11-086 | 220-56-270 | AMD | 98-06-031 |
| 220-16-550 | NEW | 98-06-031 | 220-47-427 | AMD-P | 98-11-086 | 220-56-27000B | NEW-E | 98-04-045 |
| 220-16-550 | AMD-P | 98-11-086 | 220-47-428 | AMD-P | 98-11-086 | 220-56-27200A | NEW-E | 98-08-045 |
| 220-16-560 | NEW-W | 98-11-049 | 220-48-005 | AMD | 98-05-043 | 220-56-27200A | REP-E | 98-08-045 |
| 220-16-570 | NEW-W | 98-11-049 | 220-48-00500G | NEW-E | 98-02-039 | 220-56-275 | AMD | 98-06-031 |
| 220-16-580 | NEW-W | 98-11-049 | 220-48-013 | AMD | 98-05-043 | 220-56-285 | AMD | 98-06-031 |
| 220-16-590 | NEW | 98-06-031 | 220-48-013 | AMD-P | 98-09-087 | 220-56-28500N | NEW-E | 98-06-039 |
| 220-16-600 | NEW-W | 98-11-049 | 220-48-015 | AMD | 98-05-043 | 220-56-28500N | REP-E | 98-06-039 |
| 220-16-610 | NEW | 98-06-031 | 220-48-019 | AMD | 98-05-043 | 220-56-28500P | NEW-E | 98-07-011 |
| 220-16-620 | NEW-W | 98-11-049 | 220-48-032 | AMD | 98-05-043 | 220-56-28500Q | NEW-E | 98-09-055 |
| 220-16-630 | NEW-W | 98-11-049 | 220-48-042 | AMD | 98-05-043 | 220-56-295 | AMD | 98-06-031 |
| 220-16-640 | NEW-W | 98-11-049 | 220-48-052 | AMD | 98-05-043 | 220-56-307 | AMD | 98-06-031 |
| 220-16-650 | NEW-W | 98-11-049 | 220-48-071 | AMD | 98-05-043 | 220-56-310 | AMD | 98-06-031 |
| 220-16-660 | NEW-W | 98-11-049 | 220-49-005 | AMD | 98-05-043 | 220-56-31000Q | NEW-E | 98-09-014 |
| 220-16-670 | NEW-W | 98-11-049 | 220-49-011 | AMD | 98-05-043 | 220-56-315 | AMD | 98-06-031 |
| 220-16-680 | NEW-W | 98-11-049 | 220-49-012 | AMD | 98-05-043 | 220-56-320 | AMD | 98-06-031 |
| 220-16-690 | NEW-W | 98-11-049 | 220-49-013 | AMD | 98-05-043 | 220-56-325 | AMD | 98-06-031 |
| 220-16-700 | NEW | 98-06-031 | 220-49-014 | AMD | 98-05-043 | 220-56-32500R | NEW-E | 98-10-097 |
| 220-16-710 | NEW | 98-06-031 | 220-49-017 | AMD | 98-05-043 | 220-56-32500R | REP-E | 98-10-097 |
| 220-16-720 | NEW | 98-06-031 | 220-49-020 | AMD | 98-05-043 | 220-56-32500S | NEW-E | 98-11-087 |
| 220-20-010 | AMD | 98-06-031 | 220-49-02000K | NEW-E | 98-08-045 | 220-56-32500T | NEW-E | 98-12-075 |
| 220-20-010 | AMD-P | 98-09-089 | 220-49-02000K | REP-E | 98-08-045 | 220-56-32500T | REP-E | 98-12-075 |
| 220-20-010 | AMD-P | 98-11-086 | 220-49-021 | AMD | 98-05-043 | 220-56-330 | AMD | 98-06-031 |
| 220-20-01000A | NEW-E | 98-05-014 | 220-49-024 | AMD | 98-05-043 | 220-56-33000F | NEW-E | 98-12-077 |
| 220-20-01000A | REP-E | 98-05-014 | 220-49-056 | AMD | 98-05-043 | 220-56-335 | AMD | 98-06-031 |
| 220-20-01000B | NEW-E | 98-08-046 | 220-52-03000L | NEW-E | 98-07-055 | 220-56-350 | AMD | 98-06-031 |
| 220-20-015 | AMD-P | 98-09-089 | 220-52-03000L | REP-E | 98-07-055 | 220-56-35000R | NEW-E | 98-03-070 |
| 220-20-020 | AMD-P | 98-09-089 | 220-52-040 | AMD | 98-05-043 | 220-56-35000R | REP-E | 98-09-015 |
| 220-20-025 | AMD-P | 98-09-089 | 220-52-04000G | NEW-E | 98-04-034 | 220-56-35000S | NEW-E | 98-09-015 |
| 220-22-410 | AMD | 98-05-043 | 220-52-046 | AMD | 98-05-043 | 220-56-36000T | NEW-E | 98-05-034 |
| 220-24-02000E | NEW-E | 98-10-031 | 220-52-04600A | NEW-E | 98-05-025 | 220-56-36000T | REP-E | 98-05-034 |
| 220-24-02000E | REP-E | 98-11-020 | 220-52-04600A | REP-E | 98-07-054 | 220-56-36000U | NEW-E | 98-09-028 |
| 220-24-02000F | NEW-E | 98-11-020 | 220-52-04600B | NEW-E | 98-07-054 | 220-56-36000U | REP-E | 98-09-028 |
| 220-24-02000F | REP-E | 98-12-076 | 220-52-04600Z | NEW-E | 98-04-034 | 220-56-36000V | NEW-E | 98-09-095 |
| 220-24-02000G | NEW-E | 98-11-085 | 220-52-04600Z | REP-E | 98-05-025 | 220-56-36000V | REP-E | 98-09-095 |
| 220-24-02000H | NEW-E | 98-12-076 | 220-52-05000A | NEW-E | 98-09-002 | 220-56-380 | AMD | 98-06-031 |
| 220-32-05100D | NEW-E | 98-04-056 | 220-52-05000A | REP-E | 98-10-059 | 220-56-38000L | NEW-E | 98-03-070 |
| 220-32-05100D | REP-E | 98-04-056 | 220-52-05000B | NEW-E | 98-10-059 | 220-56-385 | AMD | 98-06-031 |
| 220-32-05100D | REP-E | 98-04-068 | 220-52-07300A | NEW-E | 98-04-035 | 220-57-120 | AMD-P | 98-11-086 |
| 220-32-05100E | NEW-E | 98-04-068 | 220-52-07300A | REP-E | 98-05-045 | 220-57-130 | AMD-P | 98-11-086 |
| 220-32-05100E | REP-E | 98-04-068 | 220-52-07300B | NEW-E | 98-05-045 | 220-57-13000V | NEW-E | 98-10-061 |
| 220-32-05100E | REP-E | 98-07-057 | 220-52-07300V | REP-E | 98-02-041 | 220-57-13500U | NEW-E | 98-10-061 |
| 220-32-05500M | NEW-E | 98-09-022 | 220-52-07300W | NEW-E | 98-02-041 | 220-57-137 | AMD-P | 98-11-086 |
| 220-32-05500M | REP-E | 98-09-022 | 220-52-07300W | REP-E | 98-03-001 | 220-57-140 | AMD-P | 98-11-086 |
| 220-32-05500N | NEW-E | 98-11-041 | 220-52-07300X | NEW-E | 98-03-001 | 220-57-14000T | NEW-E | 98-10-061 |
| 220-32-05500N | REP-E | 98-11-041 | 220-52-07300X | REP-E | 98-03-058 | 220-57-155 | AMD-P | 98-11-086 |
| 220-32-05700X | NEW-E | 98-04-006 | 220-52-07300Y | NEW-E | 98-03-058 | 220-57-15500E | NEW-E | 98-10-061 |
| 220-32-05700X | REP-E | 98-04-006 | 220-52-07300Y | REP-E | 98-04-010 | 220-57-160 | AMD | 98-06-031 |
| 220-32-05700Y | NEW-E | 98-08-027 | 220-52-07300Z | NEW-E | 98-04-010 | 220-57-160 | AMD-P | 98-11-086 |
| 220-33-01000A | NEW-E | 98-12-061 | 220-52-07300Z | REP-E | 98-04-035 | 220-57-16000K | NEW-E | 98-06-038 |
| 220-33-01000Z | NEW-E | 98-08-046 | 220-56-100 | AMD | 98-06-031 | 220-57-16000L | NEW-E | 98-09-005 |
| 220-33-01000Z | REP-E | 98-08-046 | 220-56-105 | AMD | 98-06-031 | 220-57-16000M | NEW-E | 98-10-030 |
| 220-33-01000Z | REP-E | 98-12-061 | 220-56-115 | AMD | 98-06-031 | 220-57-16000M | REP-E | 98-10-030 |
| 220-33-03000L | NEW-E | 98-08-046 | 220-56-124 | AMD-P | 98-11-086 | 220-57-175 | AMD-P | 98-11-086 |
| 220-33-03000L | REP-E | 98-08-046 | 220-56-12400D | NEW-E | 98-10-060 | 220-57-175 | AMD | 98-06-031 |
| 220-33-04000E | REP-E | 98-04-067 | 220-56-126 | AMD-P | 98-11-086 | 220-57-17500I | NEW-E | 98-06-037 |
| 220-33-04000F | NEW-E | 98-04-067 | 220-56-128 | AMD | 98-06-031 | 220-57-187 | AMD-P | 98-11-086 |
| 220-36-021 | AMD-P | 98-11-086 | 220-56-128 | AMD-P | 98-11-086 | 220-57-190 | AMD | 98-06-031 |
| 220-36-023 | AMD-P | 98-11-086 | 220-56-145 | AMD | 98-06-031 | 220-57-19000B | NEW-E | 98-10-060 |
| 220-40-021 | AMD-P | 98-11-086 | 220-56-180 | AMD | 98-06-031 | 220-57-195 | AMD-P | 98-11-086 |
| 220-40-027 | AMD-P | 98-11-086 | 220-56-190 | AMD-P | 98-11-086 | 220-57-200 | AMD-P | 98-11-086 |
| 220-44-030 | AMD | 98-05-043 | 220-56-191 | AMD | 98-06-031 | 220-57-20000M | NEW-E | 98-10-061 |
| 220-44-050 | AMD | 98-05-043 | 220-56-191 | AMD-P | 98-11-086 | 220-57-235 | AMD | 98-06-031 |
| 220-44-050 | AMD-XA | 98-09-080 | 220-56-19100B | NEW-E | 98-10-060 | 220-57-235 | AMD-P | 98-11-086 |
| 220-44-050000L | REP-E | 98-10-059 | 220-56-195 | AMD-P | 98-11-086 | 220-57-240 | AMD | 98-06-031 |
| 220-44-050000M | NEW-E | 98-10-059 | 220-56-19500A | NEW-E | 98-10-060 | 220-57-250 | AMD-P | 98-11-086 |
| 220-44-080 | AMD | 98-05-043 | 220-56-199 | AMD-P | 98-11-086 | 220-57-255 | AMD-P | 98-11-086 |
| 220-47-304 | AMD-P | 98-11-086 | 220-56-205 | AMD-P | 98-11-086 | 220-57-270 | AMD-P | 98-11-086 |
| 220-47-307 | AMD-P | 98-11-086 | 220-56-235 | AMD-P | 98-09-086 | 220-57-27000F | NEW-E | 98-10-061 |
| 220-47-311 | AMD-P | 98-11-086 | 220-56-240 | AMD | 98-06-031 | 220-57-290 | AMD | 98-06-031 |
| 220-47-326 | REP-P | 98-11-086 | 220-56-255 | AMD | 98-06-031 | 220-57-290 | AMD-P | 98-11-086 |
| 220-47-401 | AMD-P | 98-11-086 | 220-56-262 | NEW | 98-06-031 | 220-57-29000V | NEW-E | 98-11-040 |

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| 220-57-29000V | REP-E | 98-12-059 | 222-12-090 | AMD-C | 98-12-028 | 232-28-02201 | AMD-P | 98-05-082 |
| 220-57-310 | AMD | 98-06-031 | 222-16-010 | AMD | 98-07-047 | 232-28-02201 | AMD | 98-10-015 |
| 220-57-310 | AMD-P | 98-11-086 | 222-16-010 | AMD-E | 98-12-026 | 232-28-02202 | AMD-P | 98-05-081 |
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| 220-57-315 | AMD-P | 98-11-086 | 222-16-030 | AMD-E | 98-07-046 | 232-28-02203 | AMD-P | 98-05-099 |
| 220-57-31500E | NEW-E | 98-12-060 | 222-16-030 | AMD-E | 98-12-027 | 232-28-02203 | AMD | 98-10-016 |
| 220-57-31500E | REP-E | 98-12-060 | 222-16-030 | AMD-C | 98-12-028 | 232-28-02204 | AMD-P | 98-05-098 |
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| 220-57-31900Q | NEW-E | 98-06-037 | 222-16-088 | AMD-E | 98-12-026 | 232-28-02205 | AMD | 98-10-012 |
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| 220-57-31900R | NEW-E | 98-12-085 | 222-20-040 | AMD | 98-07-047 | 232-28-02206 | AMD | 98-10-011 |
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| 220-57-340 | AMD-P | 98-11-086 | 222-24-050 | AMD-E | 98-12-026 | 232-28-02210 | REP | 98-10-019 |
| 220-57-350 | AMD | 98-06-031 | 222-30-040 | AMD-E | 98-12-026 | 232-28-02220 | AMD-P | 98-05-091 |
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| 220-57-365 | AMD-P | 98-11-086 | 224-12-090 | AMD-S | 98-10-094 | 232-28-02230 | REP | 98-10-019 |
| 220-57-385 | AMD-P | 98-11-086 | 230-02-205 | AMD-P | 98-04-022 | 232-28-02240 | AMD-P | 98-05-090 |
| 220-57-38500B | NEW-E | 98-10-061 | 230-02-208 | NEW-P | 98-10-066 | 232-28-02240 | AMD | 98-10-020 |
| 220-57-405 | AMD-P | 98-11-086 | 230-02-415 | AMD | 98-04-023 | 232-28-02250 | REP-P | 98-05-086 |
| 220-57-40500A | NEW-E | 98-10-060 | 230-02-425 | NEW | 98-04-023 | 232-28-02250 | REP | 98-10-019 |
| 220-57-425 | AMD-P | 98-11-086 | 230-02-464 | AMD-P | 98-10-049 | 232-28-02260 | REP-P | 98-05-086 |
| 220-57-430 | AMD-P | 98-11-086 | 230-04-119 | AMD-P | 98-10-066 | 232-28-02260 | REP | 98-10-019 |
| 220-57-432 | NEW-P | 98-11-086 | 230-04-124 | AMD-P | 98-10-066 | 232-28-02270 | REP-P | 98-05-086 |
| 220-57-435 | AMD-P | 98-11-086 | 230-04-133 | AMD-P | 98-10-066 | 232-28-02270 | REP | 98-10-019 |
| 220-57-450 | AMD-P | 98-11-086 | 230-08-017 | NEW-P | 98-10-066 | 232-28-240 | REP-P | 98-05-086 |
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| 220-57-455 | AMD-P | 98-11-086 | 230-08-025 | AMD-P | 98-10-066 | 232-28-242 | REP-P | 98-05-086 |
| 220-57-460 | AMD-P | 98-11-086 | 230-08-026 | NEW-P | 98-10-066 | 232-28-242 | REP | 98-10-019 |
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| 220-88A-07000R | REP-E | 98-10-032 | 230-30-070 | AMD-W | 98-10-081 | 232-28-272 | NEW-P | 98-05-095 |
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| 220-88A-07000T | REP-E | 98-10-096 | 230-30-106 | AMD-P | 98-09-058 | 232-28-274 | NEW-P | 98-05-092 |
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| 220-88A-07000V | NEW-E | 98-11-007 | 230-30-225 | NEW | 98-10-067 | 232-28-280 | NEW | 98-10-010 |
| 220-88A-07000V | REP-E | 98-11-105 | 232-12-002 | NEW | 98-12-005 | 232-28-281 | NEW-P | 98-05-188 |
| 220-88A-07000W | NEW-E | 98-11-105 | 232-12-002 | NEW-P | 98-10-098 | 232-28-281 | NEW | 98-10-003 |
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| 220-95-022 | AMD-P | 98-10-100 | 232-12-047 | AMD-P | 98-05-094 | 232-28-61900C | NEW-E | 98-03-057 |
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| 232-28-61900J | REP-E | 98-07-031 | 246-235-080 | AMD-P | 98-09-108 | 246-310-397 | AMD-XA | 98-12-067 |
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| 232-28-61900M | NEW-E | 98-07-056 | 246-235-093 | NEW-P | 98-09-108 | 246-310-610 | AMD-XA | 98-05-057 |
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| 232-28-61900O | NEW-E | 98-10-030 | 246-235-097 | NEW-P | 98-09-108 | 246-312 | AMD-P | 98-09-111 |
| 232-28-61900P | REP-E | 98-10-030 | 246-235-100 | AMD-P | 98-09-108 | 246-312-020 | NEW-P | 98-09-111 |
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| 232-28-61900T | REP-E | 98-06-041 | 246-239-010 | AMD-P | 98-09-108 | 246-312-050 | NEW-P | 98-09-111 |
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| 232-28-61900V | REP-E | 98-06-035 | 246-239-025 | AMD-P | 98-09-108 | 246-312-070 | NEW-P | 98-09-111 |
| 236-11-010 | AMD-XA | 98-07-110 | 246-239-040 | AMD-P | 98-09-108 | 246-312-080 | NEW-P | 98-09-111 |
| 236-11-020 | REP-XA | 98-07-110 | 246-239-055 | NEW-P | 98-09-108 | 246-312-090 | NEW-P | 98-09-111 |
| 236-11-040 | REP-XA | 98-07-110 | 246-240-010 | AMD-P | 98-09-108 | 246-312-100 | NEW-P | 98-09-111 |
| 236-11-050 | AMD-XA | 98-07-110 | 246-240-015 | AMD-P | 98-09-108 | 246-312-110 | NEW-P | 98-09-111 |
| 236-11-070 | REP-XA | 98-07-110 | 246-240-020 | AMD-P | 98-09-108 | 246-312-120 | NEW-P | 98-09-111 |
| 236-11-080 | AMD-XA | 98-07-110 | 246-240-025 | NEW-P | 98-09-108 | 246-316-990 | AMD-E | 98-04-090 |
| 236-11-090 | REP-XA | 98-07-110 | 246-240-050 | AMD-P | 98-09-108 | 246-318-990 | AMD-P | 98-09-109 |
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| 246-12-010 | NEW | 98-05-060 | 246-249-090 | AMD | 98-09-117 | 246-336-990 | AMD-P | 98-09-112 |
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| 246-12-090 | NEW | 98-05-060 | 246-254-080 | AMD-P | 98-07-080 | 246-358-650 | NEW-E | 98-11-001 |
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| 246-12-270 | NEW | 98-05-060 | 246-310-050 | AMD-XA | 98-05-057 | 246-810-022 | REP | 98-05-060 |
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| 246-817-150 | AMD | 98-05-060 | 246-836-990 | AMD-W | 98-05-058 | 246-853-990 | AMD | 98-05-060 |
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| 246-824-073 | AMD | 98-05-060 | 246-840-110 | REP | 98-05-060 | 246-863-070 | AMD | 98-05-060 |
| 246-824-074 | NEW | 98-05-060 | 246-840-111 | NEW | 98-05-060 | 246-863-080 | AMD | 98-05-060 |
| 246-824-075 | AMD | 98-05-060 | 246-840-115 | REP | 98-05-060 | 246-863-090 | AMD | 98-05-060 |
| 246-824-170 | AMD | 98-05-060 | 246-840-120 | AMD | 98-05-060 | 246-863-120 | AMD | 98-05-060 |
| 246-824-990 | AMD | 98-05-060 | 246-840-340 | AMD | 98-05-060 | 246-869-050 | REP | 98-05-060 |
| 246-824-995 | NEW | 98-05-060 | 246-840-350 | AMD | 98-05-060 | 246-869-220 | PREP | 98-11-065 |
| 246-826-050 | AMD | 98-05-060 | 246-840-360 | AMD | 98-05-060 | 246-879-070 | AMD | 98-05-060 |
| 246-826-230 | AMD | 98-05-060 | 246-840-365 | AMD | 98-05-060 | 246-883-050 | REP-XR | 98-07-088 |
| 246-826-990 | AMD | 98-05-060 | 246-840-410 | AMD | 98-05-060 | 246-887-020 | AMD | 98-05-060 |
| 246-826-995 | NEW-W | 98-05-059 | 246-840-440 | AMD | 98-05-060 | 246-887-170 | AMD | 98-02-084 |
| 246-828-005 | AMD | 98-06-079 | 246-840-450 | AMD | 98-05-060 | 246-901-065 | AMD | 98-05-060 |
| 246-828-005 | REP-XR | 98-08-112 | 246-840-730 | PREP | 98-09-115 | 246-901-120 | AMD | 98-05-060 |
| 246-828-015 | REP-XR | 98-08-113 | 246-840-985 | NEW-C | 98-08-116 | 246-904 | PREP | 98-04-037 |
| 246-828-020 | AMD-P | 98-07-084 | 246-840-985 | NEW-W | 98-09-040 | 246-907-020 | REP | 98-05-060 |
| 246-828-025 | NEW-P | 98-07-083 | 246-840-990 | AMD | 98-05-060 | 246-907-030 | AMD | 98-05-060 |
| 246-828-030 | AMD | 98-06-079 | 246-840-990 | PREP | 98-10-108 | 246-907-030 | AMD-P | 98-07-086 |
| 246-828-050 | REP | 98-05-060 | 246-841-520 | NEW | 98-05-060 | 246-907-030 | AMD | 98-10-052 |
| 246-828-075 | AMD | 98-06-079 | 246-841-610 | AMD | 98-05-060 | 246-907-995 | NEW | 98-05-060 |
| 246-828-080 | AMD | 98-06-079 | 246-841-990 | AMD | 98-05-060 | 246-915-010 | AMD | 98-05-060 |
| 246-828-090 | AMD | 98-06-079 | 246-843-150 | AMD | 98-05-060 | 246-915-050 | AMD | 98-05-060 |
| 246-828-095 | NEW-P | 98-08-117 | 246-843-155 | REP | 98-05-060 | 246-915-060 | REP | 98-05-060 |
| 246-828-100 | AMD | 98-06-079 | 246-843-160 | REP | 98-05-060 | 246-915-085 | AMD | 98-05-060 |
| 246-828-105 | NEW-P | 98-08-117 | 246-843-162 | AMD | 98-05-060 | 246-915-110 | AMD | 98-05-060 |
| 246-828-270 | AMD | 98-06-079 | 246-843-180 | AMD | 98-05-060 | 246-915-990 | AMD | 98-05-060 |
| 246-828-280 | AMD | 98-06-079 | 246-843-230 | AMD | 98-05-060 | 246-918-006 | REP | 98-05-060 |
| 246-828-295 | AMD-W | 98-05-058 | 246-843-250 | REP | 98-05-060 | 246-918-008 | REP | 98-09-118 |
| 246-828-295 | AMD | 98-05-060 | 246-843-320 | REP | 98-05-060 | 246-918-009 | REP | 98-09-118 |
| 246-828-300 | AMD-W | 98-05-058 | 246-843-330 | AMD | 98-05-060 | 246-918-080 | AMD | 98-05-060 |
| 246-828-300 | AMD | 98-05-060 | 246-843-990 | AMD | 98-05-060 | 246-918-081 | NEW | 98-05-060 |
| 246-828-320 | AMD | 98-06-079 | 246-845-100 | REP | 98-05-060 | 246-918-085 | REP | 98-05-060 |
| 246-828-330 | AMD | 98-06-079 | 246-845-990 | AMD | 98-05-060 | 246-918-160 | REP | 98-09-119 |
| 246-828-340 | AMD | 98-06-079 | 246-845-990 | PREP | 98-09-116 | 246-918-170 | AMD | 98-05-060 |
| 246-828-350 | AMD | 98-06-079 | 246-847-055 | AMD | 98-05-060 | 246-918-180 | AMD | 98-05-060 |
| 246-828-370 | AMD-W | 98-05-058 | 246-847-060 | REP | 98-05-060 | 246-918-990 | AMD | 98-05-060 |
| 246-828-370 | AMD | 98-05-060 | 246-847-065 | AMD | 98-05-060 | 246-919-030 | REP | 98-05-060 |
| 246-828-510 | AMD | 98-05-060 | 246-847-068 | AMD | 98-05-060 | 246-919-305 | REP | 98-05-060 |
| 246-828-520 | REP | 98-05-060 | 246-847-070 | AMD | 98-05-060 | 246-919-380 | AMD | 98-05-060 |
| 246-828-530 | AMD | 98-05-060 | 246-847-190 | AMD | 98-05-060 | 246-919-400 | REP | 98-05-060 |
| 246-828-540 | REP | 98-05-060 | 246-847-200 | REP | 98-05-060 | 246-919-410 | REP | 98-05-060 |
| 246-828-560 | REP | 98-05-060 | 246-847-990 | AMD | 98-05-060 | 246-919-420 | REP | 98-05-060 |
| 246-828-990 | AMD | 98-05-060 | 246-849-110 | AMD | 98-05-060 | 246-919-430 | AMD | 98-05-060 |
| 246-830-035 | AMD | 98-05-060 | 246-849-210 | AMD | 98-05-060 | 246-919-440 | REP | 98-05-060 |
| 246-830-050 | REP | 98-05-060 | 246-849-220 | AMD | 98-05-060 | 246-919-460 | AMD | 98-05-060 |
| 246-830-460 | AMD | 98-05-060 | 246-849-260 | AMD | 98-05-060 | 246-919-480 | AMD | 98-05-060 |
| 246-830-465 | REP | 98-05-060 | 246-849-990 | AMD | 98-05-060 | 246-919-500 | REP | 98-09-118 |
| 246-830-470 | REP | 98-05-060 | 246-849-995 | NEW | 98-05-060 | 246-919-510 | REP | 98-09-118 |
| 246-830-480 | REP | 98-05-060 | 246-851-020 | REP | 98-05-060 | 246-919-990 | AMD | 98-05-060 |
| 246-830-990 | AMD | 98-05-060 | 246-851-090 | AMD | 98-05-060 | 246-922-070 | AMD | 98-05-060 |
| 246-834-060 | AMD | 98-05-060 | 246-851-100 | REP | 98-05-060 | 246-922-275 | REP | 98-05-060 |
| 246-834-060 | PREP | 98-11-064 | 246-851-220 | REP | 98-05-060 | 246-922-280 | REP | 98-05-060 |
| 246-834-065 | AMD | 98-05-060 | 246-851-240 | REP | 98-05-060 | 246-922-285 | NEW | 98-05-060 |
| 246-834-070 | PREP | 98-11-064 | 246-851-430 | AMD | 98-05-060 | 246-922-290 | AMD | 98-05-060 |
| 246-834-080 | PREP | 98-11-064 | 246-851-510 | REP | 98-05-060 | 246-922-295 | AMD | 98-05-060 |
| 246-834-170 | AMD | 98-05-060 | 246-851-990 | AMD | 98-05-060 | 246-922-300 | AMD | 98-05-060 |
| 246-834-200 | AMD | 98-05-060 | 246-853-040 | REP | 98-05-060 | 246-922-320 | REP | 98-05-060 |
| 246-834-260 | AMD | 98-05-060 | 246-853-045 | AMD | 98-05-060 | 246-922-990 | AMD | 98-05-060 |
| 246-834-400 | NEW | 98-05-060 | 246-853-060 | AMD | 98-05-060 | 246-922-995 | NEW | 98-05-060 |
| 246-834-500 | REP | 98-05-060 | 246-853-080 | AMD | 98-05-060 | 246-924-110 | AMD | 98-05-060 |
| 246-834-990 | AMD-P | 98-07-085 | 246-853-210 | AMD | 98-05-060 | 246-924-120 | REP | 98-05-060 |
| 246-834-990 | AMD | 98-11-069 | 246-853-230 | AMD | 98-05-060 | 246-924-230 | AMD | 98-05-060 |

Table of WAC Sections Affected

| WAC # | ACTION | WSR # | WAC # | ACTION | WSR # | WAC # | ACTION | WSR # |
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| 246-924-290 | REP | 98-05-060 | 250-10-020 | REP | 98-08-006 | 255-01-020 | NEW | 98-07-071 |
| 246-924-320 | REP | 98-05-060 | 250-10-022 | REP | 98-08-006 | 255-01-030 | NEW-P | 98-04-060 |
| 246-924-490 | REP | 98-05-060 | 250-10-026 | REP | 98-08-006 | 255-01-030 | NEW | 98-07-071 |
| 246-924-500 | AMD | 98-05-060 | 250-10-028 | REP | 98-08-006 | 255-01-040 | NEW-P | 98-04-060 |
| 246-924-990 | AMD | 98-05-060 | 250-10-030 | REP | 98-08-006 | 255-01-040 | NEW | 98-07-071 |
| 246-926-160 | REP | 98-05-060 | 250-10-040 | REP | 98-08-006 | 255-01-050 | NEW-P | 98-04-060 |
| 246-926-170 | AMD | 98-05-060 | 250-10-050 | REP | 98-08-006 | 255-01-050 | NEW | 98-07-071 |
| 246-926-200 | AMD | 98-05-060 | 250-10-060 | REP | 98-08-006 | 255-01-060 | NEW-P | 98-04-060 |
| 246-926-990 | AMD | 98-05-060 | 250-10-070 | REP | 98-08-006 | 255-01-060 | NEW | 98-07-071 |
| 246-926-995 | NEW-W | 98-05-059 | 250-10-080 | REP | 98-08-006 | 255-01-070 | NEW-P | 98-04-060 |
| 246-928 | PREP | 98-08-114 | 250-10-090 | REP | 98-08-006 | 255-01-070 | NEW | 98-07-071 |
| 246-928-090 | REP | 98-05-060 | 250-10-100 | REP | 98-08-006 | 255-01-080 | NEW-P | 98-04-060 |
| 246-928-190 | AMD | 98-05-060 | 250-10-110 | REP | 98-08-006 | 255-01-080 | NEW | 98-07-071 |
| 246-928-990 | AMD | 98-05-060 | 250-10-120 | REP | 98-08-006 | 255-01-090 | NEW-P | 98-04-060 |
| 246-930-020 | AMD | 98-05-060 | 250-10-130 | REP | 98-08-006 | 255-01-090 | NEW | 98-07-071 |
| 246-930-400 | REP | 98-05-060 | 250-10-140 | REP | 98-08-006 | 255-01-100 | NEW-P | 98-04-060 |
| 246-930-410 | AMD | 98-05-060 | 250-10-150 | REP | 98-08-006 | 255-01-100 | NEW | 98-07-071 |
| 246-930-420 | AMD | 98-05-060 | 250-10-160 | REP | 98-08-006 | 255-01-110 | NEW-P | 98-04-060 |
| 246-930-430 | REP | 98-05-060 | 250-10-170 | REP | 98-08-006 | 255-01-110 | NEW | 98-07-071 |
| 246-930-431 | NEW | 98-05-060 | 250-12-010 | REP | 98-08-008 | 255-01-120 | NEW-P | 98-04-060 |
| 246-930-990 | AMD | 98-05-060 | 250-12-020 | REP | 98-08-008 | 255-01-120 | NEW | 98-07-071 |
| 246-930-995 | NEW | 98-05-060 | 250-12-030 | REP | 98-08-008 | 255-01-130 | NEW-P | 98-04-060 |
| 246-933-180 | REP | 98-05-060 | 250-12-040 | REP | 98-08-008 | 255-01-130 | NEW | 98-07-071 |
| 246-933-305 | AMD | 98-05-060 | 250-12-050 | REP | 98-08-008 | 255-01-140 | NEW-P | 98-04-060 |
| 246-933-420 | AMD | 98-05-060 | 250-12-060 | REP | 98-08-008 | 255-01-140 | NEW | 98-07-071 |
| 246-933-430 | REP | 98-05-060 | 250-12-070 | REP | 98-08-008 | 255-02-010 | NEW-P | 98-04-059 |
| 246-933-470 | REP | 98-05-060 | 250-16-001 | REP | 98-08-007 | 255-02-010 | NEW | 98-11-005 |
| 246-933-480 | AMD | 98-05-060 | 250-16-010 | REP | 98-08-007 | 255-02-020 | NEW-P | 98-04-059 |
| 246-933-990 | AMD | 98-05-060 | 250-16-020 | REP | 98-08-007 | 255-02-020 | NEW | 98-11-005 |
| 246-935-130 | AMD | 98-05-060 | 250-16-030 | REP | 98-08-007 | 255-02-030 | NEW-P | 98-04-059 |
| 246-935-990 | AMD | 98-05-060 | 250-16-040 | REP | 98-08-007 | 255-02-030 | NEW | 98-11-005 |
| 246-937-050 | AMD | 98-05-060 | 250-16-050 | REP | 98-08-007 | 255-02-040 | NEW-P | 98-04-059 |
| 246-937-080 | AMD | 98-05-060 | 250-16-060 | REP | 98-08-007 | 255-02-040 | NEW | 98-11-005 |
| 246-937-990 | AMD | 98-05-060 | 250-18-020 | AMD | 98-08-004 | 255-02-050 | NEW-P | 98-04-059 |
| 246-976-470 | REP | 98-04-038 | 250-18-060 | AMD | 98-08-004 | 255-02-050 | NEW | 98-11-005 |
| 246-976-475 | REP | 98-04-038 | 250-55-010 | REP | 98-08-009 | 255-02-060 | NEW-P | 98-04-059 |
| 246-976-480 | REP | 98-04-038 | 250-55-020 | REP | 98-08-009 | 255-02-060 | NEW | 98-11-005 |
| 246-976-485 | NEW | 98-04-038 | 250-55-030 | REP | 98-08-009 | 255-02-070 | NEW-P | 98-04-059 |
| 246-976-490 | NEW | 98-04-038 | 250-55-040 | REP | 98-08-009 | 255-02-070 | NEW | 98-11-005 |
| 246-976-500 | AMD | 98-04-038 | 250-55-050 | REP | 98-08-009 | 255-02-080 | NEW-P | 98-04-059 |
| 246-976-510 | AMD | 98-04-038 | 250-55-060 | REP | 98-08-009 | 255-02-080 | NEW | 98-11-005 |
| 246-976-520 | AMD | 98-04-038 | 250-55-070 | REP | 98-08-009 | 255-02-090 | NEW-P | 98-04-059 |
| 246-976-550 | AMD | 98-04-038 | 250-55-080 | REP | 98-08-009 | 255-02-090 | NEW | 98-11-005 |
| 246-976-560 | AMD | 98-04-038 | 250-55-090 | REP | 98-08-009 | 255-02-100 | NEW-P | 98-04-059 |
| 246-976-570 | AMD | 98-04-038 | 250-55-100 | REP | 98-08-009 | 255-02-100 | NEW | 98-11-005 |
| 246-976-600 | AMD | 98-04-038 | 250-55-110 | REP | 98-08-009 | 255-02-110 | NEW-P | 98-04-059 |
| 246-976-610 | AMD | 98-04-038 | 250-55-120 | REP | 98-08-009 | 255-02-110 | NEW | 98-11-005 |
| 246-976-615 | NEW | 98-04-038 | 250-55-130 | REP | 98-08-009 | 260-24-560 | PREP | 98-10-110 |
| 246-976-620 | NEW | 98-04-038 | 250-55-140 | REP | 98-08-009 | 260-32-180 | AMD | 98-07-070 |
| 246-976-640 | AMD | 98-04-038 | 250-55-150 | REP | 98-08-009 | 260-32-360 | REP | 98-07-070 |
| 246-976-650 | AMD | 98-04-038 | 250-55-160 | REP | 98-08-009 | 275-25 | PREP | 98-09-092 |
| 246-976-680 | AMD | 98-04-038 | 250-55-170 | REP | 98-08-009 | 275-26 | PREP | 98-09-092 |
| 246-976-690 | AMD | 98-04-038 | 250-55-180 | REP | 98-08-009 | 275-27 | PREP | 98-09-092 |
| 246-976-720 | AMD | 98-04-038 | 250-55-190 | REP | 98-08-009 | 275-27-020 | PREP | 98-10-040 |
| 246-976-730 | AMD | 98-04-038 | 250-55-200 | REP | 98-08-009 | 275-27-030 | PREP | 98-09-094 |
| 246-976-740 | AMD | 98-04-038 | 250-55-210 | REP | 98-08-009 | 275-27-180 | PREP | 98-10-040 |
| 246-976-770 | AMD | 98-04-038 | 250-55-220 | REP | 98-08-009 | 275-27-182 | PREP | 98-10-040 |
| 246-976-780 | AMD | 98-04-038 | 250-61-060 | AMD-XA | 98-08-001 | 275-27-185 | PREP | 98-10-040 |
| 246-976-790 | AMD | 98-04-038 | 250-61-090 | AMD-XA | 98-08-002 | 275-27-190 | PREP | 98-10-040 |
| 246-976-810 | AMD | 98-04-038 | 250-61-150 | REP | 98-08-005 | 275-27-195 | PREP | 98-10-040 |
| 246-976-820 | AMD | 98-04-038 | 250-71-050 | AMD | 98-08-003 | 275-27-200 | PREP | 98-10-040 |
| 246-976-822 | NEW | 98-04-038 | 251-04-170 | NEW-C | 98-06-014 | 275-27-205 | PREP | 98-10-040 |
| 246-976-830 | AMD | 98-04-038 | 251-04-170 | NEW | 98-08-024 | 275-27-210 | PREP | 98-10-040 |
| 246-976-840 | AMD | 98-04-038 | 251-10-030 | AMD | 98-03-051 | 275-27-212 | PREP | 98-10-040 |
| 246-976-850 | AMD | 98-04-038 | 251-19-100 | AMD-C | 98-06-015 | 275-27-810 | PREP | 98-09-094 |
| 246-976-860 | AMD | 98-04-038 | 251-19-100 | AMD | 98-08-026 | 275-27-820 | PREP | 98-09-094 |
| 246-976-870 | NEW | 98-04-038 | 251-19-105 | AMD-C | 98-06-013 | 275-31 | PREP | 98-09-092 |
| 246-976-880 | REP | 98-04-038 | 251-19-105 | AMD | 98-08-025 | 275-38 | PREP | 98-09-092 |
| 246-976-881 | NEW | 98-04-038 | 251-19-154 | NEW-P | 98-09-067 | 275-41 | PREP | 98-09-092 |
| 246-976-885 | AMD | 98-04-038 | 251-22-127 | NEW-P | 98-10-121 | 275-46-010 | PREP | 98-10-125 |
| 246-976-890 | AMD | 98-04-038 | 255-01-010 | NEW-P | 98-04-060 | 275-46-020 | PREP | 98-10-125 |
| 246-976-935 | NEW | 98-05-035 | 255-01-010 | NEW | 98-07-071 | 275-46-060 | PREP | 98-10-125 |
| 250-10-010 | REP | 98-08-006 | 255-01-020 | NEW-P | 98-04-060 | 275-46-070 | PREP | 98-10-125 |

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| WAC # | ACTION | WSR # | WAC # | ACTION | WSR # | WAC # | ACTION | WSR # |
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| 275-59 | PREP | 98-10-105 | 284-23-645 | NEW | 98-05-026 | 284-43-955 | NEW | 98-04-011 |
| 284-01-050 | NEW | 98-04-063 | 284-23-650 | AMD | 98-05-026 | 284-44 | REP-C | 98-02-063 |
| 284-05-040 | AMD-XA | 98-07-105 | 284-23-660 | AMD | 98-05-026 | 284-44 | REP-C | 98-03-004 |
| 284-05-040 | AMD | 98-11-089 | 284-23-690 | AMD | 98-05-026 | 284-44-100 | REP | 98-04-011 |
| 284-05-060 | AMD-XA | 98-07-105 | 284-23-710 | AMD | 98-05-026 | 284-44-110 | REP | 98-04-011 |
| 284-05-060 | AMD | 98-11-089 | 284-23-730 | AMD | 98-05-026 | 284-44-120 | REP | 98-04-011 |
| 284-05-070 | REP-XA | 98-07-105 | 284-24 | PREP | 98-05-102 | 284-44-130 | REP | 98-04-011 |
| 284-05-070 | REP | 98-11-089 | 284-24-065 | PREP | 98-04-081 | 284-44-140 | REP | 98-04-011 |
| 284-10 | REP-C | 98-03-004 | 284-28-001 | REP-XA | 98-07-065 | 284-44-150 | REP | 98-04-011 |
| 284-10-010 | REP | 98-04-005 | 284-28-001 | REP | 98-11-088 | 284-44-160 | REP | 98-04-011 |
| 284-10-015 | REP | 98-04-005 | 284-36A-010 | AMD-XA | 98-04-085 | 284-44-190 | REP | 98-04-011 |
| 284-10-020 | REP | 98-04-005 | 284-36A-010 | AMD | 98-09-016 | 284-44-200 | REP | 98-04-011 |
| 284-10-030 | REP | 98-04-005 | 284-36A-020 | AMD-XA | 98-04-085 | 284-44-210 | REP | 98-04-011 |
| 284-10-050 | REP | 98-04-005 | 284-36A-020 | AMD | 98-09-016 | 284-44-220 | REP | 98-04-011 |
| 284-10-060 | REP | 98-04-005 | 284-36A-025 | AMD-XA | 98-04-085 | 284-44-240 | REP | 98-04-005 |
| 284-10-070 | REP | 98-04-005 | 284-36A-025 | AMD | 98-09-016 | 284-44-360 | REP-XA | 98-07-065 |
| 284-10-090 | REP | 98-04-005 | 284-36A-030 | REP-XA | 98-04-085 | 284-44-360 | REP | 98-11-088 |
| 284-10-140 | REP | 98-04-005 | 284-36A-030 | REP | 98-09-016 | 284-44-410 | REP | 98-04-005 |
| 284-17-135 | REP | 98-06-022 | 284-36A-040 | NEW-XA | 98-04-085 | 284-46 | REP-C | 98-03-004 |
| 284-17-220 | AMD-XA | 98-07-104 | 284-36A-040 | NEW | 98-09-016 | 284-46-020 | REP | 98-04-005 |
| 284-17-220 | AMD | 98-11-090 | 284-36A-045 | NEW-XA | 98-04-085 | 284-46-575 | REP | 98-04-005 |
| 284-17-300 | REP-XA | 98-04-084 | 284-36A-045 | NEW | 98-09-016 | 284-50-435 | REP-XA | 98-07-065 |
| 284-17-300 | REP | 98-09-041 | 284-36A-050 | NEW-XA | 98-04-085 | 284-50-435 | REP | 98-11-088 |
| 284-17-570 | REP-XA | 98-07-065 | 284-36A-050 | NEW | 98-09-016 | 284-51-180 | REP-XA | 98-04-084 |
| 284-17-570 | REP | 98-11-088 | 284-36A-055 | NEW-XA | 98-04-085 | 284-51-180 | REP | 98-09-041 |
| 284-19-010 | AMD-XA | 98-08-097 | 284-36A-055 | NEW | 98-09-016 | 284-58-010 | AMD-XA | 98-08-098 |
| 284-19-020 | AMD-XA | 98-08-097 | 284-36A-060 | NEW-XA | 98-04-085 | 284-58-020 | AMD-XA | 98-08-098 |
| 284-19-030 | REP-XA | 98-08-097 | 284-36A-060 | NEW | 98-09-016 | 284-58-040 | REP-XA | 98-04-084 |
| 284-19-040 | AMD-XA | 98-08-097 | 284-36A-065 | NEW-XA | 98-04-085 | 284-58-040 | REP | 98-09-041 |
| 284-19-050 | AMD-XA | 98-08-097 | 284-36A-065 | NEW | 98-09-016 | 284-58-050 | REP-XA | 98-04-084 |
| 284-19-060 | AMD-XA | 98-08-097 | 284-43 | AMD-C | 98-02-063 | 284-58-050 | REP | 98-09-041 |
| 284-19-070 | AMD-XA | 98-08-097 | 284-43 | AMD-C | 98-03-004 | 284-58-060 | REP-XA | 98-04-084 |
| 284-19-080 | AMD-XA | 98-08-097 | 284-43 | AMD | 98-04-005 | 284-58-060 | REP | 98-09-041 |
| 284-19-090 | AMD-XA | 98-08-097 | 284-43-040 | REP | 98-04-005 | 284-58-250 | AMD-XA | 98-08-098 |
| 284-19-100 | AMD-XA | 98-08-097 | 284-43-100 | REP | 98-04-005 | 284-58-260 | AMD-XA | 98-08-098 |
| 284-19-110 | AMD-XA | 98-08-097 | 284-43-110 | NEW | 98-04-005 | 284-58-270 | REP-XA | 98-08-098 |
| 284-19-120 | AMD-XA | 98-08-097 | 284-43-120 | NEW | 98-04-005 | 284-58-280 | REP-XA | 98-08-098 |
| 284-19-130 | AMD-XA | 98-08-097 | 284-43-130 | NEW | 98-04-005 | 284-74-010 | AMD | 98-05-069 |
| 284-19-140 | AMD-XA | 98-08-097 | 284-43-200 | NEW | 98-04-005 | 284-74-020 | NEW | 98-05-069 |
| 284-19-150 | AMD-XA | 98-08-097 | 284-43-210 | NEW | 98-04-005 | 286-04-010 | AMD-P | 98-04-079 |
| 284-19-160 | AMD-XA | 98-08-097 | 284-43-220 | NEW | 98-04-005 | 286-04-010 | AMD | 98-08-014 |
| 284-19-170 | AMD-XA | 98-08-097 | 284-43-250 | NEW | 98-04-005 | 286-04-060 | AMD-P | 98-04-079 |
| 284-19-180 | AMD-XA | 98-08-097 | 284-43-300 | NEW | 98-04-005 | 286-04-060 | AMD | 98-08-014 |
| 284-23 | AMD-C | 98-02-062 | 284-43-310 | NEW | 98-04-005 | 286-06-065 | AMD-P | 97-04-079 |
| 284-23 | AMD-C | 98-03-076 | 284-43-320 | NEW | 98-04-005 | 286-06-065 | AMD | 98-08-014 |
| 284-23 | AMD-C | 98-07-062 | 284-43-330 | NEW | 98-04-005 | 286-13-030 | AMD-P | 98-04-079 |
| 284-23-120 | REP-XA | 98-07-065 | 284-43-340 | NEW | 98-04-005 | 286-13-030 | AMD | 98-08-014 |
| 284-23-120 | REP | 98-11-088 | 284-43-400 | NEW-W | 98-10-082 | 286-13-040 | AMD-P | 98-04-079 |
| 284-23-130 | REP-XA | 98-07-065 | 284-43-410 | NEW-W | 98-10-082 | 286-13-040 | AMD | 98-08-014 |
| 284-23-130 | REP | 98-11-088 | 284-43-420 | NEW-W | 98-10-082 | 286-13-045 | AMD-P | 98-04-079 |
| 284-23-200 | AMD-P | 98-04-083 | 284-43-610 | NEW-W | 98-10-082 | 286-13-045 | AMD | 98-08-014 |
| 284-23-200 | AMD | 98-11-003 | 284-43-620 | NEW-W | 98-10-082 | 286-13-070 | AMD-P | 98-04-079 |
| 284-23-210 | AMD-P | 98-04-083 | 284-43-630 | NEW-W | 98-10-082 | 286-13-070 | AMD | 98-08-014 |
| 284-23-210 | AMD | 98-11-003 | 284-43-640 | NEW-W | 98-10-082 | 286-13-085 | AMD-P | 98-04-079 |
| 284-23-220 | AMD-P | 98-04-083 | 284-43-650 | NEW-W | 98-10-082 | 286-13-085 | AMD | 98-08-014 |
| 284-23-220 | AMD | 98-11-003 | 284-43-700 | NEW | 98-04-005 | 286-13-100 | AMD-P | 98-04-079 |
| 284-23-230 | AMD-P | 98-04-083 | 284-43-710 | NEW | 98-04-005 | 286-13-100 | AMD | 98-08-014 |
| 284-23-230 | AMD | 98-11-003 | 284-43-720 | NEW | 98-04-005 | 286-26-020 | AMD-P | 98-04-079 |
| 284-23-235 | NEW-P | 98-04-083 | 284-43-730 | NEW | 98-04-005 | 286-26-020 | AMD | 98-08-014 |
| 284-23-235 | NEW | 98-11-003 | 284-43-800 | NEW | 98-04-005 | 286-26-110 | AMD-P | 98-04-079 |
| 284-23-240 | AMD-P | 98-04-083 | 284-43-900 | NEW | 98-04-011 | 286-26-110 | AMD | 98-08-014 |
| 284-23-240 | AMD | 98-11-003 | 284-43-905 | NEW | 98-04-011 | 286-27-040 | AMD-P | 98-04-079 |
| 284-23-250 | AMD-P | 98-04-083 | 284-43-910 | NEW | 98-04-011 | 286-27-040 | AMD | 98-08-014 |
| 284-23-250 | AMD | 98-11-003 | 284-43-915 | NEW | 98-04-011 | 286-27-055 | AMD-P | 98-04-079 |
| 284-23-260 | REP-P | 98-04-083 | 284-43-920 | NEW | 98-04-011 | 286-27-055 | AMD | 98-08-014 |
| 284-23-260 | REP | 98-11-003 | 284-43-925 | NEW | 98-04-011 | 286-27-065 | AMD-P | 98-04-079 |
| 284-23-270 | REP-P | 98-04-083 | 284-43-930 | NEW | 98-04-011 | 286-27-065 | AMD | 98-08-014 |
| 284-23-270 | REP | 98-11-003 | 284-43-930 | AMD-XA | 98-07-105 | 286-27-075 | AMD-P | 98-04-079 |
| 284-23-380 | REP-XA | 98-07-065 | 284-43-930 | AMD | 98-11-089 | 286-27-075 | AMD | 98-08-014 |
| 284-23-380 | REP | 98-11-088 | 284-43-935 | NEW | 98-04-011 | 286-30-050 | NEW-P | 98-04-079 |
| 284-23-610 | AMD | 98-05-026 | 284-43-940 | NEW | 98-04-011 | 286-30-050 | NEW | 98-08-014 |
| 284-23-620 | AMD | 98-05-026 | 284-43-945 | NEW | 98-04-011 | 286-35-060 | AMD-P | 98-04-079 |
| 284-23-640 | AMD | 98-05-026 | 284-43-950 | NEW | 98-04-011 | 286-35-060 | AMD | 98-08-014 |

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| 296-17-71301 | AMD-P | 98-12-079 | 296-17-779 | AMD-P | 98-12-079 | 296-44-04109 | REP | 98-07-009 |
| 296-17-714 | AMD-P | 98-12-079 | 296-17-870 | AMD-P | 98-12-079 | 296-44-04125 | REP | 98-07-009 |
| 296-17-715 | AMD-P | 98-12-079 | 296-17-895 | AMD-P | 98-12-079 | 296-44-04129 | REP | 98-07-009 |
| 296-17-716 | AMD-P | 98-12-079 | 296-20-03004 | REP-XR | 98-08-101 | 296-44-04135 | REP | 98-07-009 |
| 296-17-717 | AMD-P | 98-12-079 | 296-20-135 | AMD-P | 98-05-100 | 296-44-051 | REP | 98-07-009 |
| 296-17-718 | AMD-P | 98-12-079 | 296-20-135 | AMD | 98-09-125 | 296-44-05105 | REP | 98-07-009 |
| 296-17-719 | AMD-P | 98-12-079 | 296-23-220 | AMD-P | 98-05-100 | 296-44-05109 | REP | 98-07-009 |
| 296-17-721 | REP-P | 98-12-079 | 296-23-220 | AMD | 98-09-125 | 296-44-05115 | REP | 98-07-009 |
| 296-17-722 | AMD-P | 98-12-079 | 296-23-230 | AMD-P | 98-05-100 | 296-44-05119 | REP | 98-07-009 |
| 296-17-72201 | NEW-P | 98-12-079 | 296-23-230 | AMD | 98-09-125 | 296-44-05125 | REP | 98-07-009 |
| 296-17-72202 | NEW-P | 98-12-079 | 296-24 | PREP | 98-08-104 | 296-44-05129 | REP | 98-07-009 |
| 296-17-723 | AMD-P | 98-12-079 | 296-24 | PREP | 98-11-075 | 296-44-05131 | REP | 98-07-009 |
| 296-17-724 | AMD-P | 98-12-079 | 296-24 | PREP | 98-12-083 | 296-44-05135 | REP | 98-07-009 |
| 296-17-725 | AMD-P | 98-12-079 | 296-24-060 | REP | 98-06-061 | 296-44-05141 | REP | 98-07-009 |
| 296-17-726 | AMD-P | 98-12-079 | 296-24-061 | NEW | 98-06-061 | 296-44-065 | REP | 98-07-009 |
| 296-17-727 | AMD-P | 98-12-079 | 296-24-06105 | NEW | 98-06-061 | 296-44-06505 | REP | 98-07-009 |
| 296-17-729 | AMD-P | 98-12-079 | 296-24-06110 | NEW | 98-06-061 | 296-44-06511 | REP | 98-07-009 |
| 296-17-730 | AMD-P | 98-12-079 | 296-24-06115 | NEW | 98-06-061 | 296-44-06517 | REP | 98-07-009 |
| 296-17-73105 | AMD-P | 98-12-079 | 296-24-06120 | NEW | 98-06-061 | 296-44-074 | REP | 98-07-009 |
| 296-17-73106 | AMD-P | 98-12-079 | 296-24-06125 | NEW | 98-06-061 | 296-44-07405 | REP | 98-07-009 |
| 296-17-73107 | AMD-P | 98-12-079 | 296-24-06130 | NEW | 98-06-061 | 296-44-07411 | REP | 98-07-009 |
| 296-17-73108 | AMD-P | 98-12-079 | 296-24-06135 | NEW | 98-06-061 | 296-44-07417 | REP | 98-07-009 |
| 296-17-73111 | AMD-P | 98-12-079 | 296-24-06140 | NEW | 98-06-061 | 296-44-07427 | REP | 98-07-009 |
| 296-17-735 | AMD-P | 98-12-079 | 296-24-06145 | NEW | 98-06-061 | 296-44-07433 | REP | 98-07-009 |
| 296-17-736 | AMD-P | 98-12-079 | 296-24-06150 | NEW | 98-06-061 | 296-44-07439 | REP | 98-07-009 |
| 296-17-737 | AMD-P | 98-12-079 | 296-24-06155 | NEW | 98-06-061 | 296-44-086 | REP | 98-07-009 |
| 296-17-738 | AMD-P | 98-12-079 | 296-24-06160 | NEW | 98-06-061 | 296-44-08605 | REP | 98-07-009 |
| 296-17-739 | AMD-P | 98-12-079 | 296-24-065 | REP | 98-06-061 | 296-44-08611 | REP | 98-07-009 |
| 296-17-740 | AMD-P | 98-12-079 | 296-24-067 | REP | 98-06-061 | 296-44-08619 | REP | 98-07-009 |
| 296-17-741 | AMD-P | 98-12-079 | 296-24-070 | REP | 98-06-061 | 296-44-098 | REP | 98-07-009 |
| 296-17-742 | AMD-P | 98-12-079 | 296-24-205 | AMD | 98-10-073 | 296-44-09805 | REP | 98-07-009 |
| 296-17-743 | AMD-P | 98-12-079 | 296-24-20501 | AMD | 98-10-073 | 296-44-09811 | REP | 98-07-009 |
| 296-17-744 | AMD-P | 98-12-079 | 296-24-20503 | AMD | 98-10-073 | 296-44-09819 | REP | 98-07-009 |
| 296-17-745 | AMD-P | 98-12-079 | 296-24-20505 | AMD | 98-10-073 | 296-44-09826 | REP | 98-07-009 |
| 296-17-746 | AMD-P | 98-12-079 | 296-24-20507 | AMD | 98-10-073 | 296-44-110 | REP | 98-07-009 |
| 296-17-747 | AMD-P | 98-12-079 | 296-24-20509 | AMD | 98-10-073 | 296-44-11005 | REP | 98-07-009 |
| 296-17-748 | AMD-P | 98-12-079 | 296-24-20511 | AMD | 98-10-073 | 296-44-11021 | REP | 98-07-009 |
| 296-17-749 | AMD-P | 98-12-079 | 296-24-20513 | AMD | 98-10-073 | 296-44-11029 | REP | 98-07-009 |
| 296-17-750 | AMD-P | 98-12-079 | 296-24-20515 | AMD | 98-10-073 | 296-44-11035 | REP | 98-07-009 |
| 296-17-751 | AMD-P | 98-12-079 | 296-24-20517 | AMD | 98-10-073 | 296-44-11041 | REP | 98-07-009 |
| 296-17-752 | AMD-P | 98-12-079 | 296-24-20519 | AMD | 98-10-073 | 296-44-125 | REP | 98-07-009 |
| 296-17-753 | AMD-P | 98-12-079 | 296-24-20521 | AMD | 98-10-073 | 296-44-12505 | REP | 98-07-009 |
| 296-17-75301 | AMD-P | 98-12-079 | 296-24-20523 | AMD | 98-10-073 | 296-44-12515 | REP | 98-07-009 |
| 296-17-75303 | NEW-P | 98-12-079 | 296-24-20525 | AMD | 98-10-073 | 296-44-134 | REP | 98-07-009 |
| 296-17-754 | AMD-P | 98-12-079 | 296-24-20527 | AMD | 98-10-073 | 296-44-13405 | REP | 98-07-009 |
| 296-17-755 | AMD-P | 98-12-079 | 296-24-20529 | AMD | 98-10-073 | 296-44-13415 | REP | 98-07-009 |
| 296-17-756 | AMD-P | 98-12-079 | 296-24-20531 | AMD | 98-10-073 | 296-44-13421 | REP | 98-07-009 |
| 296-17-757 | AMD-P | 98-12-079 | 296-24-20533 | AMD | 98-10-073 | 296-44-13431 | REP | 98-07-009 |
| 296-17-758 | AMD-P | 98-12-079 | 296-27 | PREP | 98-12-081 | 296-44-170 | REP | 98-07-009 |
| 296-17-759 | AMD-P | 98-12-079 | 296-30-050 | REP-XR | 98-08-100 | 296-44-17005 | REP | 98-07-009 |
| 296-17-760 | AMD-P | 98-12-079 | 296-44-005 | REP | 98-07-009 | 296-44-17017 | REP | 98-07-009 |
| 296-17-761 | AMD-P | 98-12-079 | 296-44-010 | REP | 98-07-009 | 296-44-17029 | REP | 98-07-009 |
| 296-17-762 | AMD-P | 98-12-079 | 296-44-011 | REP | 98-07-009 | 296-44-182 | REP | 98-07-009 |
| 296-17-76201 | AMD-P | 98-12-079 | 296-44-013 | REP | 98-07-009 | 296-44-18205 | REP | 98-07-009 |
| 296-17-76202 | AMD-P | 98-12-079 | 296-44-015 | REP | 98-07-009 | 296-44-18225 | REP | 98-07-009 |
| 296-17-76203 | AMD-P | 98-12-079 | 296-44-016 | REP | 98-07-009 | 296-44-18239 | REP | 98-07-009 |
| 296-17-76204 | AMD-P | 98-12-079 | 296-44-017 | REP | 98-07-009 | 296-44-18250 | REP | 98-07-009 |
| 296-17-76205 | AMD-P | 98-12-079 | 296-44-023 | REP | 98-07-009 | 296-44-18261 | REP | 98-07-009 |
| 296-17-76206 | AMD-P | 98-12-079 | 296-44-02301 | REP | 98-07-009 | 296-44-18273 | REP | 98-07-009 |
| 296-17-76207 | AMD-P | 98-12-079 | 296-44-02305 | REP | 98-07-009 | 296-44-194 | REP | 98-07-009 |
| 296-17-76208 | AMD-P | 98-12-079 | 296-44-02309 | REP | 98-07-009 | 296-44-19405 | REP | 98-07-009 |
| 296-17-76209 | AMD-P | 98-12-079 | 296-44-02315 | REP | 98-07-009 | 296-44-19421 | REP | 98-07-009 |
| 296-17-76210 | AMD-P | 98-12-079 | 296-44-02319 | REP | 98-07-009 | 296-44-19433 | REP | 98-07-009 |
| 296-17-76211 | AMD-P | 98-12-079 | 296-44-02323 | REP | 98-07-009 | 296-44-212 | REP | 98-07-009 |
| 296-17-76212 | AMD-P | 98-12-079 | 296-44-02329 | REP | 98-07-009 | 296-44-21209 | REP | 98-07-009 |
| 296-17-763 | AMD-P | 98-12-079 | 296-44-02335 | REP | 98-07-009 | 296-44-21221 | REP | 98-07-009 |
| 296-17-764 | AMD-P | 98-12-079 | 296-44-02349 | REP | 98-07-009 | 296-44-21230 | REP | 98-07-009 |
| 296-17-765 | AMD-P | 98-12-079 | 296-44-025 | REP | 98-07-009 | 296-44-21241 | REP | 98-07-009 |
| 296-17-766 | AMD-P | 98-12-079 | 296-44-035 | REP | 98-07-009 | 296-44-21253 | REP | 98-07-009 |
| 296-17-772 | AMD-P | 98-12-079 | 296-44-03505 | REP | 98-07-009 | 296-44-21265 | REP | 98-07-009 |
| 296-17-773 | AMD-P | 98-12-079 | 296-44-03509 | REP | 98-07-009 | 296-44-21273 | REP | 98-07-009 |
| 296-17-777 | AMD-P | 98-12-079 | 296-44-041 | REP | 98-07-009 | | | |

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| 296-45-66005 | REP | 98-07-009 | 296-86-070 | REP-P | 98-07-094 | 296-150C-1758 | NEW-P | 98-07-095 |
| 296-45-66007 | REP | 98-07-009 | 296-86-070 | REP | 98-12-043 | 296-150C-1759 | NEW-P | 98-07-095 |
| 296-45-66009 | REP | 98-07-009 | 296-86-075 | REP-P | 98-07-094 | 296-150C-1760 | NEW-P | 98-07-095 |
| 296-45-66011 | REP | 98-07-009 | 296-86-075 | REP | 98-12-043 | 296-150C-3000 | AMD-P | 98-07-096 |
| 296-45-67543 | AMD-W | 98-07-008 | 296-86-080 | REP-P | 98-07-094 | 296-150C-3000 | AMD | 98-12-041 |
| 296-45-680 | REP | 98-07-009 | 296-86-080 | REP | 98-12-043 | 296-150F-0020 | AMD-P | 98-07-095 |
| 296-45-690 | REP | 98-07-009 | 296-86-090 | REP-P | 98-07-094 | 296-150F-0130 | NEW-P | 98-07-095 |
| 296-45-695 | REP | 98-07-009 | 296-86-090 | REP | 98-12-043 | 296-150F-0200 | AMD-P | 98-07-095 |
| 296-45-700 | REP | 98-07-009 | 296-86A-010 | NEW-P | 98-07-094 | 296-150F-0210 | AMD-P | 98-07-095 |
| 296-45-900 | NEW | 98-07-009 | 296-86A-010 | NEW | 98-12-043 | 296-150F-0460 | AMD-P | 98-07-095 |
| 296-45-901 | NEW | 98-07-009 | 296-86A-020 | NEW-P | 98-07-094 | 296-150F-0500 | AMD-P | 98-07-095 |
| 296-45-903 | NEW | 98-07-009 | 296-86A-020 | NEW | 98-12-043 | 296-150F-3000 | AMD-P | 98-07-096 |
| 296-45-905 | NEW | 98-07-009 | 296-86A-025 | NEW-P | 98-07-094 | 296-150F-3000 | AMD | 98-12-041 |
| 296-46-100 | NEW-P | 98-07-097 | 296-86A-025 | NEW | 98-12-043 | 296-150M-0020 | AMD-P | 98-07-095 |
| 296-46-100 | NEW | 98-12-042 | 296-86A-028 | NEW-P | 98-07-094 | 296-150M-0306 | NEW-P | 98-07-095 |
| 296-46-140 | AMD-P | 98-07-097 | 296-86A-028 | NEW | 98-12-043 | 296-150M-0307 | NEW-P | 98-07-095 |
| 296-46-140 | AMD | 98-12-042 | 296-86A-030 | NEW-P | 98-07-094 | 296-150M-0310 | AMD-P | 98-07-095 |
| 296-46-155 | NEW-P | 98-07-097 | 296-86A-030 | NEW | 98-12-043 | 296-150M-0331 | NEW-P | 98-07-095 |
| 296-46-155 | NEW | 98-12-042 | 296-86A-040 | NEW-P | 98-07-094 | 296-150M-0400 | AMD-P | 98-07-095 |
| 296-46-21052 | AMD-P | 98-07-097 | 296-86A-040 | NEW | 98-12-043 | 296-150M-0600 | AMD-P | 98-07-095 |
| 296-46-21052 | AMD | 98-12-042 | 296-86A-060 | NEW-P | 98-07-094 | 296-150M-0610 | AMD-P | 98-07-095 |
| 296-46-225 | AMD-P | 98-07-097 | 296-86A-060 | NEW | 98-12-043 | 296-150M-0620 | AMD-P | 98-07-095 |
| 296-46-225 | AMD | 98-12-042 | 296-86A-065 | NEW-P | 98-07-094 | 296-150M-0640 | AMD-P | 98-07-095 |
| 296-46-23028 | AMD-P | 98-07-097 | 296-86A-065 | NEW | 98-12-043 | 296-150M-0660 | AMD-P | 98-07-095 |
| 296-46-23028 | AMD | 98-12-042 | 296-86A-070 | NEW-P | 98-07-094 | 296-150M-0700 | REP-P | 98-07-095 |
| 296-46-30001 | AMD-P | 98-07-097 | 296-86A-070 | NEW | 98-12-043 | 296-150M-0710 | REP-P | 98-07-095 |
| 296-46-30001 | AMD | 98-12-042 | 296-86A-073 | NEW-P | 98-07-094 | 296-150M-0730 | REP-P | 98-07-095 |
| 296-46-348 | AMD-P | 98-07-097 | 296-86A-073 | NEW | 98-12-043 | 296-150M-3000 | AMD-P | 98-07-096 |
| 296-46-348 | AMD | 98-12-042 | 296-86A-074 | NEW-P | 98-07-094 | 296-150M-3000 | AMD | 98-12-041 |
| 296-46-495 | AMD-P | 98-07-097 | 296-86A-074 | NEW | 98-12-043 | 296-150P-3000 | AMD-P | 98-07-096 |
| 296-46-495 | AMD | 98-12-042 | 296-86A-075 | NEW-P | 98-07-094 | 296-150P-3000 | AMD | 98-12-041 |
| 296-46-50002 | NEW-P | 98-07-097 | 296-86A-075 | NEW | 98-12-043 | 296-150R-3000 | AMD-P | 98-07-096 |
| 296-46-50002 | NEW | 98-12-042 | 296-86A-080 | NEW-P | 98-07-094 | 296-150R-3000 | AMD | 98-12-041 |
| 296-46-770 | AMD-P | 98-07-097 | 296-86A-080 | NEW | 98-12-043 | 296-155 | PREP | 98-08-104 |
| 296-46-770 | AMD | 98-12-042 | 296-104 | PREP | 98-09-065 | 296-155-229 | NEW-P | 98-05-073 |
| 296-46-910 | AMD-P | 98-07-097 | 296-104-700 | AMD-P | 98-04-017 | 296-155-24525 | AMD | 98-05-046 |
| 296-46-910 | AMD | 98-12-042 | 296-104-700 | AMD | 98-09-064 | 296-155-330 | AMD-P | 98-05-073 |
| 296-46-915 | AMD-P | 98-07-097 | 296-124-010 | REP-XR | 98-07-093 | 296-155-481 | AMD | 98-05-046 |
| 296-46-915 | AMD | 98-12-042 | 296-124-020 | REP-XR | 98-07-093 | 296-155-482 | NEW | 98-05-046 |
| 296-46-920 | AMD-P | 98-07-097 | 296-124-021 | REP-XR | 98-07-093 | 296-155-483 | AMD | 98-05-046 |
| 296-46-920 | AMD | 98-12-042 | 296-124-022 | REP-XR | 98-07-093 | 296-155-484 | NEW | 98-05-046 |
| 296-46-930 | AMD-P | 98-07-097 | 296-124-040 | REP-XR | 98-07-093 | 296-155-485 | AMD | 98-05-046 |
| 296-46-930 | AMD | 98-12-042 | 296-124-050 | REP-XR | 98-07-093 | 296-155-48503 | REP | 98-05-046 |
| 296-46-940 | AMD-P | 98-07-097 | 296-125 | PREP | 98-02-079 | 296-155-48504 | REP | 98-05-046 |
| 296-46-940 | AMD | 98-12-042 | 296-126-098 | REP-XR | 98-08-103 | 296-155-48505 | REP | 98-05-046 |
| 296-52-489 | AMD-XA | 98-12-103 | 296-150C-0020 | AMD-P | 98-07-095 | 296-155-48506 | REP | 98-05-046 |
| 296-56 | PREP | 98-08-104 | 296-150C-0310 | AMD-P | 98-07-095 | 296-155-48507 | REP | 98-05-046 |
| 296-56 | PREP | 98-12-080 | 296-150C-0320 | AMD-P | 98-07-095 | 296-155-48508 | REP | 98-05-046 |
| 296-62 | PREP | 98-08-104 | 296-150C-0410 | AMD-P | 98-07-095 | 296-155-48509 | REP | 98-05-046 |
| 296-62 | PREP | 98-12-082 | 296-150C-0460 | AMD-P | 98-07-095 | 296-155-48510 | REP | 98-05-046 |
| 296-62 | PREP | 98-12-084 | 296-150C-0500 | AMD-P | 98-07-095 | 296-155-48511 | REP | 98-05-046 |
| 296-62-07477 | AMD-P | 98-05-061 | 296-150C-0560 | AMD-P | 98-07-095 | 296-155-48512 | REP | 98-05-046 |
| 296-62-07477 | AMD | 98-10-029 | 296-150C-0800 | AMD-P | 98-07-095 | 296-155-48513 | REP | 98-05-046 |
| 296-62-07515 | AMD-P | 98-05-061 | 296-150C-0820 | AMD-P | 98-07-095 | 296-155-48514 | REP | 98-05-046 |
| 296-62-07515 | AMD-E | 98-10-028 | 296-150C-0960 | AMD-P | 98-07-095 | 296-155-48515 | REP | 98-05-046 |
| 296-62-07515 | AMD | 98-10-029 | 296-150C-0980 | REP-P | 98-07-095 | 296-155-48516 | REP | 98-05-046 |
| 296-65 | PREP | 98-08-104 | 296-150C-1080 | AMD-P | 98-07-095 | 296-155-48517 | REP | 98-05-046 |
| 296-78 | PREP | 98-08-104 | 296-150C-1170 | AMD-P | 98-07-095 | 296-155-48518 | REP | 98-05-046 |
| 296-81 | PREP | 98-02-080 | 296-150C-1303 | NEW-P | 98-07-095 | 296-155-48519 | REP | 98-05-046 |
| 296-81-007 | AMD-P | 98-07-094 | 296-150C-1580 | AMD-P | 98-07-095 | 296-155-48523 | REP | 98-05-046 |
| 296-81-007 | AMD | 98-12-043 | 296-150C-1590 | AMD-P | 98-07-095 | 296-155-48525 | REP | 98-05-046 |
| 296-86-010 | REP-P | 98-07-094 | 296-150C-1600 | AMD-P | 98-07-095 | 296-155-48527 | REP | 98-05-046 |
| 296-86-010 | REP | 98-12-043 | 296-150C-1720 | AMD-P | 98-07-095 | 296-155-48529 | REP | 98-05-046 |
| 296-86-020 | REP-P | 98-07-094 | 296-150C-1730 | AMD-P | 98-07-095 | 296-155-48531 | REP | 98-05-046 |
| 296-86-020 | REP | 98-12-043 | 296-150C-1740 | AMD-P | 98-07-095 | 296-155-48533 | REP | 98-05-046 |
| 296-86-030 | REP-P | 98-07-094 | 296-150C-1750 | NEW-P | 98-07-095 | 296-155-48536 | REP | 98-05-046 |
| 296-86-030 | REP | 98-12-043 | 296-150C-1751 | NEW-P | 98-07-095 | 296-155-487 | NEW | 98-05-046 |
| 296-86-040 | REP-P | 98-07-094 | 296-150C-1752 | NEW-P | 98-07-095 | 296-155-488 | NEW | 98-05-046 |
| 296-86-040 | REP | 98-12-043 | 296-150C-1753 | NEW-P | 98-07-095 | 296-155-489 | NEW | 98-05-046 |
| 296-86-050 | REP-P | 98-07-094 | 296-150C-1754 | NEW-P | 98-07-095 | 296-155-490 | NEW | 98-05-046 |
| 296-86-050 | REP | 98-12-043 | 296-150C-1755 | NEW-P | 98-07-095 | 296-155-493 | NEW | 98-05-046 |
| 296-86-060 | REP-P | 98-07-094 | 296-150C-1756 | NEW-P | 98-07-095 | 296-155-494 | NEW | 98-05-046 |

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| 296-155-496 | NEW | 98-05-046 | 296-401A-100 | NEW-P | 98-07-097 | 296-401A-920 | NEW | 98-12-042 |
| 296-155-497 | NEW | 98-05-046 | 296-401A-100 | NEW | 98-12-042 | 296-401A-930 | NEW-P | 98-07-097 |
| 296-155-498 | NEW | 98-05-046 | 296-401A-105 | NEW-P | 98-07-097 | 296-401A-930 | NEW | 98-12-042 |
| 296-155-528 | NEW | 98-05-046 | 296-401A-105 | NEW | 98-12-042 | 296-401A-935 | NEW-P | 98-07-097 |
| 296-155-605 | AMD | 98-05-046 | 296-401A-110 | NEW-P | 98-07-097 | 296-401A-935 | NEW | 98-12-042 |
| 296-155-615 | AMD | 98-05-046 | 296-401A-110 | NEW | 98-12-042 | 308-04-010 | PREP | 98-03-023 |
| 296-155-683 | AMD | 98-05-046 | 296-401A-120 | NEW-P | 98-07-097 | 308-04-010 | AMD-P | 98-06-080 |
| 296-155-688 | AMD | 98-05-046 | 296-401A-120 | NEW | 98-12-042 | 308-04-010 | AMD-W | 98-07-018 |
| 296-155-689 | AMD | 98-05-046 | 296-401A-130 | NEW-P | 98-07-097 | 308-04-020 | PREP | 98-03-023 |
| 296-155-700 | AMD | 98-05-046 | 296-401A-130 | NEW | 98-12-042 | 308-04-020 | AMD-P | 98-06-080 |
| 296-155-730 | AMD | 98-05-046 | 296-401A-140 | NEW-P | 98-07-097 | 308-04-020 | AMD-W | 98-07-018 |
| 296-200A-900 | AMD-P | 98-07-096 | 296-401A-140 | NEW | 98-12-042 | 308-12-025 | PREP | 98-06-047 |
| 296-200A-900 | AMD | 98-12-041 | 296-401A-150 | NEW-P | 98-07-097 | 308-12-326 | PREP | 98-05-012 |
| 296-301-020 | AMD | 98-10-073 | 296-401A-150 | NEW | 98-12-042 | 308-12-326 | AMD-P | 98-09-057 |
| 296-305 | PREP | 98-11-075 | 296-401A-160 | NEW-P | 98-07-097 | 308-12-326 | AMD | 98-12-064 |
| 296-307 | PREP | 98-04-094 | 296-401A-160 | NEW | 98-12-042 | 308-56A-005 | PREP | 98-03-024 |
| 296-307 | PREP | 98-10-035 | 296-401A-200 | NEW-P | 98-07-097 | 308-56A-005 | REP-P | 98-08-049 |
| 296-400A | PREP | 98-06-043 | 296-401A-200 | NEW | 98-12-042 | 308-56A-005 | REP | 98-12-099 |
| 296-400A-005 | AMD-P | 98-09-124 | 296-401A-210 | NEW-P | 98-07-097 | 308-56A-010 | PREP | 98-03-024 |
| 296-400A-021 | NEW-P | 98-09-124 | 296-401A-210 | NEW | 98-12-042 | 308-56A-010 | AMD-P | 98-08-049 |
| 296-400A-025 | NEW-P | 98-09-124 | 296-401A-220 | NEW-P | 98-07-097 | 308-56A-010 | AMD | 98-12-099 |
| 296-400A-026 | NEW-P | 98-09-124 | 296-401A-220 | NEW | 98-12-042 | 308-56A-015 | PREP | 98-03-024 |
| 296-400A-027 | NEW-P | 98-09-124 | 296-401A-230 | NEW-P | 98-07-097 | 308-56A-015 | AMD-P | 98-08-049 |
| 296-400A-030 | AMD-P | 98-09-124 | 296-401A-230 | NEW | 98-12-042 | 308-56A-015 | AMD | 98-12-099 |
| 296-400A-031 | AMD-P | 98-09-124 | 296-401A-300 | NEW-P | 98-07-097 | 308-56A-020 | PREP | 98-03-024 |
| 296-400A-035 | AMD-P | 98-09-124 | 296-401A-300 | NEW | 98-12-042 | 308-56A-020 | AMD-P | 98-08-049 |
| 296-400A-045 | AMD-P | 98-07-096 | 296-401A-310 | NEW-P | 98-07-097 | 308-56A-020 | AMD | 98-12-099 |
| 296-400A-045 | AMD-P | 98-09-124 | 296-401A-310 | NEW | 98-12-042 | 308-56A-021 | PREP | 98-03-024 |
| 296-400A-045 | AMD | 98-12-041 | 296-401A-320 | NEW-P | 98-07-097 | 308-56A-021 | AMD-P | 98-08-049 |
| 296-400A-030 | AMD-P | 98-09-124 | 296-401A-320 | NEW | 98-12-042 | 308-56A-021 | AMD | 98-12-099 |
| 296-400A-070 | AMD-P | 98-09-124 | 296-401A-400 | NEW-P | 98-07-097 | 308-56A-022 | PREP | 98-03-024 |
| 296-400A-110 | AMD-P | 98-09-124 | 296-401A-400 | NEW | 98-12-042 | 308-56A-022 | AMD-P | 98-08-049 |
| 296-400A-120 | AMD-P | 98-09-124 | 296-401A-410 | NEW-P | 98-07-097 | 308-56A-022 | AMD | 98-12-099 |
| 296-400A-140 | AMD-P | 98-09-124 | 296-401A-410 | NEW | 98-12-042 | 308-56A-023 | PREP | 98-03-024 |
| 296-400A-300 | AMD-P | 98-09-124 | 296-401A-420 | NEW-P | 98-07-097 | 308-56A-023 | AMD-P | 98-08-049 |
| 296-401-020 | REP-P | 98-07-097 | 296-401A-420 | NEW | 98-12-042 | 308-56A-023 | AMD | 98-12-099 |
| 296-401-020 | REP | 98-12-042 | 296-401A-430 | NEW-P | 98-07-097 | 308-56A-080 | PREP | 98-03-024 |
| 296-401-030 | REP-P | 98-07-097 | 296-401A-430 | NEW | 98-12-042 | 308-56A-080 | REP-P | 98-08-049 |
| 296-401-030 | REP | 98-12-042 | 296-401A-500 | NEW-P | 98-07-097 | 308-56A-080 | REP | 98-12-099 |
| 296-401-060 | REP-P | 98-07-097 | 296-401A-500 | NEW | 98-12-042 | 308-56A-085 | PREP | 98-03-024 |
| 296-401-060 | REP | 98-12-042 | 296-401A-510 | NEW-P | 98-07-097 | 308-56A-085 | REP-P | 98-08-049 |
| 296-401-075 | REP-P | 98-07-097 | 296-401A-510 | NEW | 98-12-042 | 308-56A-085 | REP | 98-12-099 |
| 296-401-075 | REP | 98-12-042 | 296-401A-520 | NEW-P | 98-07-097 | 308-56A-090 | PREP | 98-03-024 |
| 296-401-080 | REP-P | 98-07-097 | 296-401A-520 | NEW | 98-12-042 | 308-56A-090 | AMD-P | 98-08-049 |
| 296-401-080 | REP | 98-12-042 | 296-401A-524 | NEW-P | 98-07-097 | 308-56A-090 | AMD | 98-12-099 |
| 296-401-085 | REP-P | 98-07-097 | 296-401A-524 | NEW | 98-12-042 | 308-66 | PREP | 98-10-071 |
| 296-401-085 | REP | 98-12-042 | 296-401A-530 | NEW-P | 98-07-097 | 308-93-010 | AMD-E | 98-09-001 |
| 296-401-087 | REP-P | 98-07-097 | 296-401A-530 | NEW | 98-12-042 | 308-93-050 | AMD-E | 98-09-001 |
| 296-401-087 | REP | 98-12-042 | 296-401A-540 | NEW-P | 98-07-097 | 308-93-055 | NEW-E | 98-09-001 |
| 296-401-090 | REP-P | 98-07-097 | 296-401A-540 | NEW | 98-12-042 | 308-93-056 | NEW-E | 98-09-001 |
| 296-401-090 | REP | 98-12-042 | 296-401A-545 | NEW-P | 98-07-097 | 308-93-060 | PREP | 98-03-026 |
| 296-401-100 | REP-P | 98-07-097 | 296-401A-545 | NEW | 98-12-042 | 308-93-070 | PREP | 98-03-026 |
| 296-401-100 | REP | 98-12-042 | 296-401A-550 | NEW-P | 98-07-097 | 308-93-071 | PREP | 98-03-026 |
| 296-401-110 | REP-P | 98-07-097 | 296-401A-550 | NEW | 98-12-042 | 308-93-073 | PREP | 98-03-026 |
| 296-401-110 | REP | 98-12-042 | 296-401A-600 | NEW-P | 98-07-097 | 308-93-074 | PREP | 98-03-026 |
| 296-401-120 | REP-P | 98-07-097 | 296-401A-600 | NEW | 98-12-042 | 308-93-075 | PREP | 98-03-026 |
| 296-401-120 | REP | 98-12-042 | 296-401A-610 | NEW-P | 98-07-097 | 308-93-078 | PREP | 98-03-026 |
| 296-401-150 | REP-P | 98-07-097 | 296-401A-610 | NEW | 98-12-042 | 308-93-079 | PREP | 98-03-026 |
| 296-401-150 | REP | 98-12-042 | 296-401A-620 | NEW-P | 98-07-097 | 308-93-080 | PREP | 98-03-026 |
| 296-401-160 | REP-P | 98-07-097 | 296-401A-620 | NEW | 98-12-042 | 308-93-085 | PREP | 98-03-026 |
| 296-401-160 | REP | 98-12-042 | 296-401A-630 | NEW-P | 98-07-097 | 308-93-110 | PREP | 98-03-027 |
| 296-401-163 | REP-P | 98-07-097 | 296-401A-630 | NEW | 98-12-042 | 308-93-120 | PREP | 98-03-027 |
| 296-401-163 | REP | 98-12-042 | 296-401A-700 | NEW-P | 98-07-097 | 308-93-180 | PREP | 98-03-027 |
| 296-401-165 | REP-P | 98-07-097 | 296-401A-700 | NEW | 98-12-042 | 308-93-190 | PREP | 98-03-027 |
| 296-401-165 | REP | 98-12-042 | 296-401A-800 | NEW-P | 98-07-097 | 308-93-200 | PREP | 98-03-027 |
| 296-401-168 | REP-P | 98-07-097 | 296-401A-800 | NEW | 98-12-042 | 308-93-210 | PREP | 98-03-027 |
| 296-401-168 | REP | 98-12-042 | 296-401A-810 | NEW-P | 98-07-097 | 308-93-215 | PREP | 98-03-027 |
| 296-401-170 | REP-P | 98-07-097 | 296-401A-810 | NEW | 98-12-042 | 308-93-220 | PREP | 98-03-027 |
| 296-401-170 | REP | 98-12-042 | 296-401A-900 | NEW-P | 98-07-097 | 308-93-230 | PREP | 98-03-027 |
| 296-401-175 | REP-P | 98-07-097 | 296-401A-900 | NEW | 98-12-042 | 308-93-241 | PREP | 98-03-025 |
| 296-401-175 | REP | 98-12-042 | 296-401A-910 | NEW-P | 98-07-097 | 308-93-241 | AMD-P | 98-12-072 |
| 296-401-180 | REP-P | 98-07-097 | 296-401A-910 | NEW | 98-12-042 | 308-93-242 | PREP | 98-03-025 |
| 296-401-180 | REP | 98-12-042 | 296-401A-920 | NEW-P | 98-07-097 | 308-93-242 | AMD-P | 98-12-072 |

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| 308-93-243 | PREP | 98-03-025 | 308-96A-085 | AMD-P | 98-12-073 | 314-16-220 | REP-XA | 98-12-090 |
| 308-93-243 | AMD-P | 98-12-072 | 308-96A-090 | PREP | 98-03-022 | 314-16-230 | AMD-XA | 98-12-090 |
| 308-93-244 | PREP | 98-03-025 | 308-96A-090 | AMD-P | 98-12-073 | 314-16-240 | AMD-XA | 98-12-090 |
| 308-93-244 | AMD-P | 98-12-072 | 308-96A-095 | PREP | 98-03-022 | 314-16-250 | AMD-XA | 98-12-090 |
| 308-93-245 | PREP | 98-03-025 | 308-96A-095 | AMD-P | 98-12-073 | 314-18-030 | AMD-XA | 98-12-090 |
| 308-93-245 | AMD-P | 98-12-072 | 308-96A-097 | PREP | 98-03-022 | 314-18-040 | AMD-XA | 98-12-090 |
| 308-93-285 | PREP | 98-03-026 | 308-96A-097 | AMD-P | 98-12-073 | 314-18-060 | AMD-XA | 98-12-090 |
| 308-93-290 | PREP | 98-03-027 | 308-96A-175 | AMD-P | 98-04-071 | 314-20-005 | AMD-XA | 98-12-090 |
| 308-93-295 | PREP | 98-03-027 | 308-96A-175 | AMD | 98-09-024 | 314-20-010 | AMD-XA | 98-12-090 |
| 308-93-300 | PREP | 98-03-026 | 308-96A-176 | AMD-P | 98-04-071 | 314-20-015 | AMD-XA | 98-12-090 |
| 308-93-330 | PREP | 98-03-026 | 308-96A-176 | AMD | 98-09-024 | 314-20-020 | AMD-XA | 98-12-090 |
| 308-93-350 | PREP | 98-03-026 | 308-96A-180 | PREP | 98-03-021 | 314-20-030 | AMD-XA | 98-12-090 |
| 308-93-360 | PREP | 98-03-026 | 308-96A-260 | PREP | 98-03-021 | 314-20-050 | AMD-XA | 98-12-090 |
| 308-93-420 | PREP | 98-03-026 | 308-96A-295 | PREP | 98-03-021 | 314-20-060 | AMD-XA | 98-12-090 |
| 308-93-430 | REP-P | 98-05-068 | 308-96A-300 | PREP | 98-03-021 | 314-20-070 | AMD-XA | 98-12-090 |
| 308-93-430 | REP | 98-09-023 | 308-96A-306 | PREP | 98-09-038 | 314-20-080 | AMD-XA | 98-12-090 |
| 308-93-440 | AMD-P | 98-05-068 | 308-96A-310 | PREP | 98-09-038 | 314-20-090 | AMD-XA | 98-12-090 |
| 308-93-440 | AMD | 98-09-023 | 308-96A-315 | PREP | 98-09-038 | 314-20-100 | AMD-XA | 98-12-090 |
| 308-93-450 | AMD-P | 98-05-068 | 308-96A-320 | PREP | 98-09-038 | 314-20-105 | AMD-XA | 98-12-090 |
| 308-93-450 | AMD | 98-09-023 | 308-96A-325 | PREP | 98-09-038 | 314-22-010 | REP-XA | 98-12-090 |
| 308-93-460 | AMD-P | 98-05-068 | 308-96A-330 | PREP | 98-09-038 | 314-24 | AMD-XA | 98-12-090 |
| 308-93-460 | AMD | 98-09-023 | 308-96A-335 | PREP | 98-09-038 | 314-24-006 | AMD-XA | 98-12-090 |
| 308-93-470 | AMD-P | 98-05-068 | 308-96A-340 | AMD-P | 98-04-014 | 314-24-040 | AMD-XA | 98-12-090 |
| 308-93-470 | AMD | 98-09-023 | 308-96A-341 | NEW-P | 98-04-014 | 314-24-080 | AMD-XA | 98-12-090 |
| 308-93-480 | REP-P | 98-05-068 | 308-125-120 | AMD-P | 98-12-066 | 314-24-095 | AMD-XA | 98-12-090 |
| 308-93-480 | REP | 98-09-023 | 308-125-200 | AMD-E | 98-10-064 | 314-24-105 | AMD-XA | 98-12-090 |
| 308-93-620 | PREP | 98-03-026 | 308-125-200 | AMD-P | 98-12-065 | 314-24-110 | AMD-XA | 98-12-090 |
| 308-93-630 | PREP | 98-03-026 | 308-170-040 | REP-XR | 98-07-020 | 314-24-120 | AMD-XA | 98-12-090 |
| 308-93-640 | PREP | 98-03-026 | 308-170-050 | REP-XR | 98-07-020 | 314-24-130 | AMD-XA | 98-12-090 |
| 308-93-640 | AMD-E | 98-09-001 | 308-300-310 | REP | 98-03-055 | 314-24-140 | AMD-XA | 98-12-090 |
| 308-94-030 | AMD-P | 98-04-072 | 308-312-010 | NEW | 98-03-055 | 314-24-150 | AMD-XA | 98-12-090 |
| 308-94-030 | AMD | 98-08-070 | 308-312-020 | NEW | 98-03-055 | 314-24-160 | AMD-XA | 98-12-090 |
| 308-94-040 | REP-P | 98-04-072 | 308-312-030 | NEW | 98-03-055 | 314-24-170 | AMD-XA | 98-12-090 |
| 308-94-040 | REP | 98-08-070 | 308-312-040 | NEW | 98-03-055 | 314-24-180 | AMD-XA | 98-12-090 |
| 308-94-050 | AMD-P | 98-04-072 | 308-312-050 | NEW | 98-03-055 | 314-24-190 | AMD-XA | 98-12-090 |
| 308-94-050 | AMD | 98-08-070 | 308-312-060 | NEW | 98-03-055 | 314-24-200 | AMD-XA | 98-12-090 |
| 308-94-070 | REP-P | 98-04-072 | 308-312-080 | NEW | 98-03-055 | 314-24-210 | AMD-XA | 98-12-090 |
| 308-94-070 | REP | 98-08-070 | 308-312-090 | NEW-W | 98-03-054 | 314-24-220 | AMD-XA | 98-12-090 |
| 308-94-080 | AMD-P | 98-04-072 | 308-312-100 | NEW | 98-03-055 | 314-24-230 | AMD-XA | 98-12-090 |
| 308-94-080 | AMD | 98-08-070 | 314-12-005 | NEW-P | 98-09-060 | 314-24-250 | AMD-XA | 98-12-090 |
| 308-94-090 | REP-P | 98-04-072 | 314-12-025 | AMD-XA | 98-12-090 | 314-25-010 | AMD-XA | 98-12-090 |
| 308-94-090 | REP | 98-08-070 | 314-12-130 | AMD-XA | 98-12-090 | 314-25-020 | AMD-XA | 98-12-090 |
| 308-94-100 | AMD-P | 98-04-072 | 314-12-135 | AMD-XA | 98-12-090 | 314-25-030 | AMD-XA | 98-12-090 |
| 308-94-100 | AMD | 98-08-070 | 314-12-140 | AMD-XA | 98-12-090 | 314-25-040 | AMD-XA | 98-12-090 |
| 308-94-110 | REP-P | 98-04-072 | 314-12-141 | AMD-XA | 98-12-090 | 314-26-010 | AMD-XA | 98-12-090 |
| 308-94-110 | REP | 98-08-070 | 314-12-145 | AMD-XA | 98-12-090 | 314-27-010 | AMD-XA | 98-12-090 |
| 308-96A-005 | PREP | 98-03-021 | 314-12-170 | PREP | 98-12-088 | 314-30-010 | AMD-XA | 98-12-090 |
| 308-96A-010 | PREP | 98-03-021 | 314-12-200 | NEW-P | 98-05-103 | 314-37-010 | AMD-XA | 98-12-090 |
| 308-96A-015 | PREP | 98-03-021 | 314-14-160 | PREP | 98-12-089 | 314-44-005 | AMD-XA | 98-12-090 |
| 308-96A-021 | PREP | 98-03-021 | 314-15-010 | AMD-XA | 98-12-090 | 314-45-010 | AMD-XA | 98-12-090 |
| 308-96A-025 | PREP | 98-03-021 | 314-15-020 | AMD-XA | 98-12-090 | 314-52-005 | AMD-XA | 98-12-090 |
| 308-96A-026 | PREP | 98-03-021 | 314-15-030 | AMD-XA | 98-12-090 | 314-52-010 | AMD-XA | 98-12-090 |
| 308-96A-035 | PREP | 98-03-021 | 314-15-040 | AMD-XA | 98-12-090 | 314-52-040 | AMD-XA | 98-12-090 |
| 308-96A-040 | PREP | 98-03-021 | 314-15-050 | AMD-XA | 98-12-090 | 314-52-070 | AMD-XA | 98-12-090 |
| 308-96A-065 | AMD-P | 98-04-071 | 314-16-020 | AMD-XA | 98-12-090 | 314-52-080 | AMD-XA | 98-12-090 |
| 308-96A-065 | AMD | 98-09-024 | 314-16-025 | AMD-XA | 98-12-090 | 314-52-085 | AMD-XA | 98-12-090 |
| 308-96A-066 | AMD-P | 98-04-071 | 314-16-040 | AMD-XA | 98-12-090 | 314-52-090 | AMD-XA | 98-12-090 |
| 308-96A-066 | AMD | 98-09-024 | 314-16-050 | AMD-XA | 98-12-090 | 314-52-110 | AMD-XA | 98-12-090 |
| 308-96A-067 | NEW-P | 98-04-071 | 314-16-070 | AMD-XA | 98-12-090 | 314-52-113 | AMD-XA | 98-12-090 |
| 308-96A-067 | NEW | 98-09-024 | 314-16-075 | AMD-XA | 98-12-090 | 314-52-115 | AMD-XA | 98-12-090 |
| 308-96A-068 | NEW-P | 98-04-071 | 314-16-090 | AMD-XA | 98-12-090 | 314-60-040 | AMD-P | 98-09-061 |
| 308-96A-068 | NEW | 98-09-024 | 314-16-110 | AMD-XA | 98-12-090 | 314-64-08001 | NEW-P | 98-02-069 |
| 308-96A-070 | AMD-P | 98-04-071 | 314-16-115 | AMD-XA | 98-12-090 | 314-64-08001 | NEW | 98-08-041 |
| 308-96A-070 | AMD | 98-09-024 | 314-16-150 | AMD-XA | 98-12-090 | 314-70-010 | AMD-XA | 98-12-090 |
| 308-96A-071 | AMD-P | 98-04-071 | 314-16-160 | AMD-XA | 98-12-090 | 314-70-020 | AMD-XA | 98-12-090 |
| 308-96A-071 | AMD | 98-09-024 | 314-16-190 | AMD-XA | 98-12-090 | 314-70-030 | AMD-XA | 98-12-090 |
| 308-96A-073 | AMD-P | 98-04-071 | 314-16-195 | AMD-XA | 98-12-090 | 314-70-040 | AMD-XA | 98-12-090 |
| 308-96A-073 | AMD | 98-09-024 | 314-16-196 | AMD-XA | 98-12-090 | 314-70-080 | AMD-XA | 98-12-090 |
| 308-96A-074 | AMD-P | 98-04-071 | 314-16-197 | AMD-XA | 98-12-090 | 315-02-030 | AMD-P | 98-04-073 |
| 308-96A-074 | AMD | 98-09-024 | 314-16-199 | AMD-XA | 98-12-090 | 315-02-030 | AMD | 98-08-067 |
| 308-96A-080 | PREP | 98-03-022 | 314-16-200 | AMD-XA | 98-12-090 | 315-02-040 | AMD-P | 98-04-073 |
| 308-96A-080 | AMD-P | 98-12-073 | 314-16-205 | AMD-XA | 98-12-090 | 315-02-040 | AMD | 98-08-067 |
| 308-96A-085 | PREP | 98-03-022 | 314-16-210 | AMD-XA | 98-12-090 | 315-02-060 | AMD-P | 98-04-073 |

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| 315-02-070 | AMD-P | 98-04-073 | 315-36-020 | NEW-S | 98-12-093 | 352-32-165 | AMD | 98-04-065 |
| 315-02-070 | AMD | 98-08-067 | 315-36-030 | NEW-P | 98-04-073 | 352-32-170 | AMD | 98-04-065 |
| 315-02-080 | AMD-P | 98-04-073 | 315-36-030 | NEW-C | 98-08-064 | 352-32-195 | AMD | 98-04-065 |
| 315-02-080 | AMD | 98-08-067 | 315-36-030 | NEW-S | 98-12-093 | 352-32-200 | AMD | 98-04-065 |
| 315-02-170 | REP-P | 98-04-073 | 315-36-040 | NEW-P | 98-04-073 | 352-32-210 | AMD | 98-04-065 |
| 315-02-170 | REP | 98-08-067 | 315-36-040 | NEW-C | 98-08-064 | 352-32-215 | NEW | 98-04-065 |
| 315-02-180 | REP-P | 98-04-073 | 315-36-040 | NEW-S | 98-12-093 | 352-32-25001 | AMD | 98-04-065 |
| 315-02-180 | REP | 98-08-067 | 315-36-050 | NEW-P | 98-04-073 | 352-32-25002 | AMD | 98-04-065 |
| 315-02-220 | AMD-P | 98-04-073 | 315-36-050 | NEW-C | 98-08-064 | 352-32-251 | AMD | 98-04-065 |
| 315-02-220 | AMD | 98-08-067 | 315-36-050 | NEW-S | 98-12-093 | 352-32-252 | AMD | 98-04-065 |
| 315-04 | PREP | 98-12-033 | 315-36-060 | NEW-P | 98-04-073 | 352-32-300 | AMD | 98-04-065 |
| 315-04-180 | AMD-P | 98-08-065 | 315-36-060 | NEW-C | 98-08-064 | 352-32-330 | AMD | 98-04-065 |
| 315-04-180 | AMD | 98-11-091 | 315-36-060 | NEW-S | 98-12-093 | 352-60-020 | AMD-P | 98-03-086 |
| 315-06-123 | PREP | 98-03-074 | 315-36-070 | NEW-P | 98-04-073 | 352-60-020 | AMD | 98-07-022 |
| 315-06-123 | AMD-P | 98-09-103 | 315-36-070 | NEW-C | 98-08-064 | 352-60-140 | NEW-P | 98-03-086 |
| 315-10 | PREP | 98-07-089 | 315-36-070 | NEW-S | 98-12-093 | 352-60-140 | NEW | 98-07-022 |
| 315-10 | PREP | 98-08-066 | 315-36-080 | NEW-P | 98-04-073 | 352-76 | AMD-P | 98-03-090 |
| 315-10-010 | AMD-P | 98-04-073 | 315-36-080 | NEW-C | 98-08-064 | 352-76 | AMD | 98-07-021 |
| 315-10-010 | AMD | 98-08-067 | 315-36-080 | NEW-S | 98-12-093 | 352-76-010 | AMD-P | 98-03-090 |
| 315-10-020 | AMD-P | 98-04-073 | 315-36-090 | NEW-P | 98-04-073 | 352-76-010 | AMD | 98-07-021 |
| 315-10-020 | AMD | 98-08-067 | 315-36-090 | NEW-C | 98-08-064 | 352-76-020 | AMD-P | 98-03-090 |
| 315-10-023 | NEW-P | 98-04-073 | 315-36-090 | NEW-S | 98-12-093 | 352-76-020 | AMD | 98-07-021 |
| 315-10-023 | NEW | 98-08-067 | 315-36-100 | NEW-P | 98-04-073 | 352-76-030 | AMD-P | 98-03-090 |
| 315-10-024 | NEW-P | 98-04-073 | 315-36-100 | NEW-C | 98-08-064 | 352-76-030 | AMD | 98-07-021 |
| 315-10-024 | NEW | 98-08-067 | 315-36-100 | NEW-S | 98-12-093 | 352-76-040 | AMD-P | 98-03-090 |
| 315-10-025 | AMD-P | 98-04-073 | 315-36-110 | NEW-P | 98-04-073 | 352-76-040 | AMD | 98-07-021 |
| 315-10-025 | AMD | 98-08-067 | 315-36-110 | NEW-C | 98-08-064 | 352-76-050 | AMD-P | 98-03-090 |
| 315-10-030 | AMD-P | 98-04-073 | 315-36-110 | NEW-S | 98-12-093 | 352-76-050 | AMD | 98-07-021 |
| 315-10-030 | AMD | 98-08-067 | 315-36-120 | NEW-P | 98-04-073 | 352-76-060 | AMD-P | 98-03-090 |
| 315-11A | PREP | 98-08-066 | 315-36-120 | NEW-C | 98-08-064 | 352-76-060 | AMD | 98-07-021 |
| 315-11A-137 | REP-XR | 98-07-090 | 315-36-120 | NEW-S | 98-12-093 | 352-76-070 | AMD-P | 98-03-090 |
| 315-11A-138 | REP-XR | 98-07-090 | 315-36-130 | NEW-P | 98-04-073 | 352-76-070 | AMD | 98-07-021 |
| 315-11A-139 | REP-XR | 98-07-090 | 315-36-130 | NEW-C | 98-08-064 | 352-76-075 | NEW-P | 98-03-090 |
| 315-11A-140 | REP-XR | 98-07-090 | 315-36-130 | NEW-S | 98-12-093 | 352-76-075 | NEW | 98-07-021 |
| 315-11A-141 | REP-XR | 98-07-090 | 315-36-140 | NEW-P | 98-04-073 | 352-76-080 | AMD-P | 98-03-090 |
| 315-11A-142 | REP-XR | 98-07-090 | 315-36-140 | NEW-C | 98-08-064 | 352-76-080 | AMD | 98-07-021 |
| 315-11A-143 | REP-XR | 98-07-090 | 315-36-140 | NEW-S | 98-12-093 | 356-05-390 | AMD | 98-06-012 |
| 315-11A-144 | REP-XR | 98-07-090 | 315-36-150 | NEW-P | 98-04-073 | 356-06-120 | NEW-C | 98-06-014 |
| 315-11A-145 | REP-XR | 98-07-090 | 315-36-150 | NEW-C | 98-08-064 | 356-06-120 | NEW | 98-08-024 |
| 315-11A-146 | REP-XR | 98-07-090 | 315-36-150 | NEW-S | 98-12-093 | 356-15-060 | AMD | 98-03-052 |
| 315-11A-147 | REP-XR | 98-07-090 | 317-01-010 | REP | 98-03-073 | 356-15-060 | AMD-P | 98-06-062 |
| 315-11A-148 | REP-XR | 98-07-090 | 317-01-020 | REP | 98-03-073 | 356-15-060 | AMD | 98-09-066 |
| 315-11A-149 | REP-XR | 98-07-090 | 317-01-030 | REP | 98-03-073 | 356-18-075 | NEW-P | 98-10-121 |
| 315-11A-150 | REP-XR | 98-07-090 | 317-02-010 | REP | 98-03-073 | 356-26-110 | AMD-P | 98-10-122 |
| 315-11A-151 | REP-XR | 98-07-090 | 317-02-020 | REP | 98-03-073 | 363-116-082 | PREP | 98-10-092 |
| 315-11A-152 | REP-XR | 98-07-090 | 317-02-030 | REP | 98-03-073 | 363-116-185 | AMD-P | 98-10-093 |
| 315-11A-153 | REP-XR | 98-07-090 | 317-02-040 | REP | 98-03-073 | 363-116-300 | AMD-P | 98-08-071 |
| 315-11A-154 | REP-XR | 98-07-090 | 317-02-050 | REP | 98-03-073 | 363-116-300 | AMD | 98-12-008 |
| 315-11A-155 | REP-XR | 98-07-090 | 317-02-060 | REP | 98-03-073 | 365-06-010 | REP | 98-05-027 |
| 315-11A-156 | REP-XR | 98-07-090 | 317-02-070 | REP | 98-03-073 | 365-06-020 | REP | 98-05-027 |
| 315-11A-157 | REP-XR | 98-07-090 | 317-02-080 | REP | 98-03-073 | 365-60-010 | REP | 98-05-027 |
| 315-11A-158 | REP-XR | 98-07-090 | 317-02-090 | REP | 98-03-073 | 365-60-020 | REP | 98-05-027 |
| 315-11A-159 | REP-XR | 98-07-090 | 317-02-100 | REP | 98-03-073 | 365-110 | PREP | 98-09-096 |
| 315-11A-160 | REP-XR | 98-07-090 | 317-02-110 | REP | 98-03-073 | 372-32-010 | PREP | 98-08-060 |
| 315-11A-161 | REP-XR | 98-07-090 | 317-02-120 | REP | 98-03-073 | 381-10-120 | AMD-XA | 98-09-047 |
| 315-11A-162 | REP-XR | 98-07-090 | 317-03-010 | REP | 98-03-073 | 381-10-120 | AMD-W | 98-11-071 |
| 315-11A-163 | REP-XR | 98-07-090 | 317-03-020 | REP | 98-03-073 | 381-10-120 | AMD-XA | 98-11-072 |
| 315-11A-164 | REP-XR | 98-07-090 | 326-30-041 | PREP | 98-11-093 | 381-10-170 | AMD-XA | 98-09-047 |
| 315-11A-207 | AMD | 98-03-075 | 332-24-205 | AMD | 98-11-047 | 381-10-170 | AMD-W | 98-11-071 |
| 315-11A-215 | NEW | 98-03-075 | 332-24-221 | AMD-P | 98-09-046 | 381-10-170 | AMD-XA | 98-11-072 |
| 315-11A-216 | NEW | 98-03-075 | 352-32-010 | AMD | 98-04-065 | 381-20-050 | AMD-XA | 98-09-047 |
| 315-11A-217 | NEW | 98-03-075 | 352-32-01001 | NEW | 98-04-065 | 381-20-050 | AMD-W | 98-11-071 |
| 315-30 | PREP | 98-07-089 | 352-32-030 | AMD | 98-04-065 | 381-20-050 | AMD-XA | 98-11-072 |
| 315-30 | PREP | 98-12-033 | 352-32-037 | AMD | 98-04-065 | 381-20-090 | AMD-XA | 98-09-047 |
| 315-33A-060 | PREP | 98-09-102 | 352-32-045 | AMD | 98-04-065 | 381-20-090 | AMD-W | 98-11-071 |
| 315-34-055 | AMD-P | 98-05-070 | 352-32-047 | AMD | 98-04-065 | 381-20-090 | AMD-XA | 98-11-072 |
| 315-34-055 | AMD | 98-08-063 | 352-32-075 | AMD | 98-04-065 | 381-20-100 | AMD-XA | 98-09-047 |
| 315-34-060 | PREP | 98-09-102 | 352-32-080 | AMD | 98-04-065 | 381-20-100 | AMD-W | 98-11-071 |
| 315-36-010 | NEW-P | 98-04-073 | 352-32-085 | AMD | 98-04-065 | 381-20-100 | AMD-XA | 98-11-072 |
| 315-36-010 | NEW-C | 98-08-064 | 352-32-120 | AMD | 98-04-065 | 381-30-050 | AMD | 98-09-045 |
| 315-36-010 | NEW-S | 98-12-093 | 352-32-130 | AMD | 98-04-065 | 381-40-030 | AMD | 98-09-045 |
| 315-36-020 | NEW-P | 98-04-073 | 352-32-140 | AMD | 98-04-065 | 381-40-040 | AMD | 98-09-045 |

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| 381-40-080 | AMD | 98-09-045 | 388-49-040 | REP-P | 98-11-084 | 388-49-570 | REP-P | 98-11-084 |
| 381-40-140 | AMD | 98-09-045 | 388-49-050 | REP-P | 98-11-084 | 388-49-580 | REP-P | 98-04-039 |
| 381-60-090 | AMD | 98-09-045 | 388-49-060 | REP-P | 98-11-084 | 388-49-580 | REP-E | 98-04-040 |
| 381-60-160 | AMD | 98-09-045 | 388-49-070 | REP-P | 98-11-084 | 388-49-580 | AMD | 98-10-025 |
| 381-60-180 | AMD | 98-09-045 | 388-49-080 | REP-P | 98-11-084 | 388-49-580 | REP-P | 98-11-084 |
| 381-70-030 | AMD | 98-09-045 | 388-49-090 | REP-P | 98-11-084 | 388-49-590 | REP-P | 98-11-084 |
| 381-70-410 | AMD | 98-09-045 | 388-49-100 | REP-P | 98-11-084 | 388-49-600 | REP-P | 98-11-084 |
| 381-80-050 | AMD | 98-09-045 | 388-49-110 | REP-P | 98-11-084 | 388-49-610 | REP-P | 98-11-084 |
| 388-11-205 | PREP | 98-03-078 | 388-49-120 | REP-P | 98-11-084 | 388-49-620 | REP-P | 98-11-084 |
| 388-14-045 | PREP | 98-12-106 | 388-49-150 | REP-P | 98-11-084 | 388-49-630 | REP-P | 98-11-084 |
| 388-14-200 | AMD-E | 98-04-027 | 388-49-160 | REP-P | 98-11-084 | 388-49-640 | REP-P | 98-11-084 |
| 388-14-200 | AMD-S | 98-06-067 | 388-49-170 | REP-P | 98-11-084 | 388-49-650 | REP-P | 98-11-084 |
| 388-14-200 | AMD | 98-10-042 | 388-49-180 | REP-P | 98-11-084 | 388-49-660 | REP-P | 98-11-084 |
| 388-14-201 | NEW-E | 98-04-027 | 388-49-190 | REP-P | 98-11-084 | 388-49-670 | REP-P | 98-11-084 |
| 388-14-201 | NEW-S | 98-06-067 | 388-49-200 | REP-P | 98-11-084 | 388-49-680 | REP-P | 98-11-084 |
| 388-14-201 | NEW | 98-10-042 | 388-49-210 | REP-P | 98-11-084 | 388-49-690 | REP-P | 98-11-084 |
| 388-14-202 | NEW-E | 98-04-027 | 388-49-220 | REP-P | 98-11-084 | 388-49-700 | REP-P | 98-11-084 |
| 388-14-202 | NEW-S | 98-06-067 | 388-49-230 | REP-P | 98-11-084 | 388-55-006 | REP-P | 98-11-084 |
| 388-14-202 | NEW | 98-10-042 | 388-49-240 | REP-P | 98-11-084 | 388-55-008 | REP-P | 98-11-084 |
| 388-14-270 | AMD-E | 98-04-027 | 388-49-250 | REP-P | 98-11-084 | 388-55-010 | REP-P | 98-11-084 |
| 388-14-270 | AMD-S | 98-06-067 | 388-49-260 | REP-P | 98-11-084 | 388-55-020 | REP-P | 98-11-084 |
| 388-14-270 | AMD | 98-10-042 | 388-49-270 | REP-P | 98-11-084 | 388-55-030 | REP-P | 98-11-084 |
| 388-14-385 | AMD-P | 98-05-078 | 388-49-280 | REP-P | 98-11-084 | 388-55-040 | REP-P | 98-11-084 |
| 388-14-386 | NEW-P | 98-05-078 | 388-49-290 | REP-P | 98-11-084 | 388-55-050 | REP-P | 98-11-084 |
| 388-14-387 | NEW-P | 98-05-078 | 388-49-300 | REP-P | 98-11-084 | 388-55-060 | REP-P | 98-11-084 |
| 388-14-388 | NEW-P | 98-05-078 | 388-49-310 | REP-P | 98-11-084 | 388-61-001 | AMD | 98-07-040 |
| 388-14-500 | AMD-P | 98-05-079 | 388-49-320 | REP-P | 98-11-084 | 388-73 | PREP | 98-08-084 |
| 388-15-030 | REP-P | 98-03-082 | 388-49-330 | REP-P | 98-11-084 | 388-76-540 | AMD-S | 98-02-077 |
| 388-15-030 | REP | 98-07-041 | 388-49-340 | REP-P | 98-11-084 | 388-76-540 | AMD | 98-11-095 |
| 388-15-194 | PREP | 98-07-051 | 388-49-350 | REP-P | 98-11-084 | 388-76-550 | AMD-S | 98-02-077 |
| 388-15-201 | NEW | 98-04-026 | 388-49-355 | REP-P | 98-11-084 | 388-76-550 | AMD | 98-11-095 |
| 388-15-201 | AMD-E | 98-09-042 | 388-49-360 | AMD-W | 98-06-076 | 388-76-560 | AMD-S | 98-02-077 |
| 388-15-201 | PREP | 98-11-032 | 388-49-360 | REP-P | 98-11-084 | 388-76-560 | AMD | 98-11-095 |
| 388-15-202 | PREP | 98-11-031 | 388-49-362 | REP-P | 98-11-084 | 388-76-561 | NEW-S | 98-04-032 |
| 388-15-207 | PREP | 98-11-031 | 388-49-364 | REP-P | 98-11-084 | 388-76-570 | AMD-S | 98-02-077 |
| 388-15-209 | AMD | 98-04-026 | 388-49-366 | REP-P | 98-11-084 | 388-76-570 | AMD | 98-11-095 |
| 388-15-209 | AMD-E | 98-09-042 | 388-49-368 | REP-P | 98-11-084 | 388-76-590 | AMD-S | 98-04-032 |
| 388-15-209 | PREP | 98-11-032 | 388-49-369 | REP-P | 98-11-084 | 388-76-590 | AMD-W | 98-08-091 |
| 388-15-214 | PREP | 98-11-031 | 388-49-370 | REP-P | 98-11-084 | 388-76-590 | AMD | 98-12-054 |
| 388-15-215 | PREP | 98-11-031 | 388-49-380 | AMD-W | 98-06-076 | 388-76-59000 | NEW | 98-12-054 |
| 388-15-216 | REP-XR | 98-08-073 | 388-49-380 | REP-P | 98-11-084 | 388-76-59010 | NEW | 98-12-054 |
| 388-15-216 | PREP | 98-11-032 | 388-49-385 | AMD-W | 98-06-076 | 388-76-59020 | NEW | 98-12-054 |
| 388-15-219 | PREP | 98-11-031 | 388-49-385 | REP-P | 98-11-084 | 388-76-59050 | NEW | 98-12-054 |
| 388-15-222 | AMD | 98-04-026 | 388-49-390 | REP-P | 98-11-084 | 388-76-59060 | NEW | 98-12-054 |
| 388-15-222 | AMD-E | 98-09-042 | 388-49-400 | REP-P | 98-11-084 | 388-76-59070 | NEW | 98-12-054 |
| 388-15-222 | PREP | 98-11-032 | 388-49-410 | REP-P | 98-11-084 | 388-76-59080 | NEW | 98-12-054 |
| 388-15-300 | REP | 98-02-058 | 388-49-420 | REP-P | 98-11-084 | 388-76-59090 | NEW | 98-12-054 |
| 388-15-310 | REP | 98-02-058 | 388-49-430 | REP-P | 98-11-084 | 388-76-59100 | NEW | 98-12-054 |
| 388-15-320 | REP | 98-02-058 | 388-49-440 | REP-P | 98-11-084 | 388-76-59110 | NEW | 98-12-054 |
| 388-15-330 | REP | 98-02-058 | 388-49-450 | REP-P | 98-11-084 | 388-76-59120 | NEW | 98-12-054 |
| 388-15-600 | PREP | 98-11-031 | 388-49-460 | REP-P | 98-11-084 | 388-76-595 | AMD-S | 98-02-077 |
| 388-15-610 | AMD | 98-04-026 | 388-49-470 | REP-P | 98-11-084 | 388-76-595 | AMD | 98-11-095 |
| 388-15-610 | AMD-E | 98-09-042 | 388-49-480 | REP-P | 98-11-084 | 388-76-600 | AMD-S | 98-04-032 |
| 388-15-610 | PREP | 98-11-032 | 388-49-485 | REP-P | 98-11-084 | 388-76-600 | AMD | 98-12-054 |
| 388-15-620 | PREP | 98-11-031 | 388-49-490 | REP-P | 98-11-084 | 388-76-60000 | NEW | 98-12-054 |
| 388-15-630 | PREP | 98-11-031 | 388-49-500 | REP-P | 98-11-084 | 388-76-60010 | NEW | 98-12-054 |
| 388-15-830 | AMD | 98-04-026 | 388-49-505 | REP-P | 98-11-084 | 388-76-60020 | NEW | 98-12-054 |
| 388-15-830 | AMD-E | 98-09-042 | 388-49-510 | AMD | 98-03-049 | 388-76-60030 | NEW | 98-12-054 |
| 388-15-830 | PREP | 98-11-032 | 388-49-510 | REP-P | 98-11-084 | 388-76-60040 | NEW | 98-12-054 |
| 388-15-880 | AMD | 98-04-026 | 388-49-515 | REP-P | 98-11-084 | 388-76-60050 | NEW | 98-12-054 |
| 388-15-880 | PREP | 98-11-031 | 388-49-520 | REP-P | 98-11-084 | 388-76-60060 | NEW | 98-12-054 |
| 388-15-890 | AMD | 98-04-026 | 388-49-535 | REP-P | 98-11-084 | 388-76-60070 | NEW | 98-12-054 |
| 388-15-890 | AMD-E | 98-09-042 | 388-49-550 | AMD-P | 98-04-039 | 388-76-605 | AMD-S | 98-02-077 |
| 388-15-890 | PREP | 98-11-031 | 388-49-550 | AMD-E | 98-04-040 | 388-76-605 | AMD | 98-11-095 |
| 388-15-890 | PREP | 98-11-032 | 388-49-550 | AMD | 98-10-025 | 388-76-610 | AMD-S | 98-04-032 |
| 388-15-895 | NEW | 98-04-026 | 388-49-550 | REP-P | 98-11-084 | 388-76-610 | AMD-W | 98-08-091 |
| 388-15-895 | AMD-E | 98-09-042 | 388-49-560 | REP-P | 98-04-039 | 388-76-610 | AMD | 98-12-054 |
| 388-15-895 | PREP | 98-11-032 | 388-49-560 | REP-E | 98-04-040 | 388-76-61000 | NEW | 98-12-054 |
| 388-31 | PREP | 98-06-088 | 388-49-560 | AMD | 98-10-025 | 388-76-61010 | NEW | 98-12-054 |
| 388-49-010 | REP-P | 98-11-084 | 388-49-560 | REP-P | 98-11-084 | 388-76-61020 | NEW | 98-12-054 |
| 388-49-015 | REP-P | 98-11-084 | 388-49-570 | REP-P | 98-04-039 | 388-76-61030 | NEW | 98-12-054 |
| 388-49-020 | REP-P | 98-11-084 | 388-49-570 | REP-E | 98-04-040 | 388-76-61040 | NEW | 98-12-054 |

Table of WAC Sections Affected

| WAC # | ACTION | WSR # | WAC # | ACTION | WSR # | WAC # | ACTION | WSR # |
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| 388-76-61050 | NEW | 98-12-054 | 388-210-1010 | REP-P | 98-11-084 | 388-215-1550 | REP-P | 98-11-084 |
| 388-76-61060 | NEW | 98-12-054 | 388-210-1020 | REP-P | 98-11-084 | 388-215-1560 | REP-P | 98-11-084 |
| 388-76-61070 | NEW | 98-12-054 | 388-210-1050 | REP-P | 98-11-084 | 388-215-1570 | REP-P | 98-11-084 |
| 388-76-61080 | NEW | 98-12-054 | 388-210-1100 | REP-P | 98-11-084 | 388-215-1600 | REP-P | 98-11-084 |
| 388-76-615 | AMD-S | 98-04-032 | 388-210-1200 | REP-P | 98-11-084 | 388-215-1610 | REP-P | 98-11-084 |
| 388-76-615 | AMD | 98-12-054 | 388-210-1220 | REP-P | 98-11-084 | 388-215-1620 | REP-P | 98-11-084 |
| 388-76-61500 | NEW | 98-12-054 | 388-210-1230 | REP-P | 98-11-084 | 388-215-1630 | REP-P | 98-11-084 |
| 388-76-61510 | NEW | 98-12-054 | 388-210-1250 | REP-P | 98-11-084 | 388-215-1650 | REP-P | 98-11-084 |
| 388-76-61520 | NEW | 98-12-054 | 388-210-1300 | REP-P | 98-11-084 | 388-215-1660 | REP-P | 98-11-084 |
| 388-76-61530 | NEW | 98-12-054 | 388-210-1310 | REP-P | 98-11-084 | 388-215-1670 | REP-P | 98-11-084 |
| 388-76-61540 | NEW | 98-12-054 | 388-210-1320 | REP-P | 98-11-084 | 388-216-2000 | REP-P | 98-11-084 |
| 388-76-61550 | NEW | 98-12-054 | 388-210-1330 | REP-P | 98-11-084 | 388-216-2050 | REP-P | 98-11-084 |
| 388-76-61560 | NEW | 98-12-054 | 388-210-1340 | REP-P | 98-11-084 | 388-216-2075 | REP-P | 98-11-084 |
| 388-76-61570 | NEW | 98-12-054 | 388-210-1350 | REP-P | 98-11-084 | 388-216-2100 | REP-P | 98-11-084 |
| 388-76-620 | AMD-S | 98-02-077 | 388-210-1400 | REP-P | 98-11-084 | 388-216-2150 | REP-P | 98-11-084 |
| 388-76-620 | AMD | 98-11-095 | 388-210-1410 | REP-P | 98-11-084 | 388-216-2200 | REP-P | 98-11-084 |
| 388-76-635 | AMD-S | 98-02-077 | 388-210-1420 | REP-P | 98-11-084 | 388-216-2250 | REP-P | 98-11-084 |
| 388-76-635 | AMD | 98-11-095 | 388-212-1000 | REP-P | 98-11-084 | 388-216-2300 | REP-P | 98-11-084 |
| 388-76-640 | AMD-W | 98-08-091 | 388-212-1050 | REP-P | 98-11-084 | 388-216-2350 | REP-P | 98-11-084 |
| 388-76-655 | AMD-S | 98-02-077 | 388-212-1100 | REP-P | 98-11-084 | 388-216-2450 | REP-P | 98-11-084 |
| 388-76-655 | AMD | 98-11-095 | 388-212-1140 | REP-P | 98-11-084 | 388-216-2500 | REP-P | 98-11-084 |
| 388-76-660 | AMD-S | 98-02-077 | 388-212-1150 | REP-P | 98-11-084 | 388-216-2550 | REP-P | 98-11-084 |
| 388-76-660 | AMD | 98-11-095 | 388-212-1200 | REP-P | 98-11-084 | 388-216-2560 | REP-P | 98-11-084 |
| 388-76-665 | AMD-S | 98-02-077 | 388-212-1250 | REP-P | 98-11-084 | 388-216-2570 | REP-P | 98-11-084 |
| 388-76-665 | AMD | 98-11-095 | 388-215-1000 | REP-P | 98-11-084 | 388-216-2580 | REP-P | 98-11-084 |
| 388-76-670 | AMD-S | 98-02-077 | 388-215-1010 | REP-P | 98-11-084 | 388-216-2590 | REP-P | 98-11-084 |
| 388-76-670 | AMD | 98-11-095 | 388-215-1025 | REP-P | 98-11-084 | 388-216-2600 | REP-P | 98-11-084 |
| 388-76-675 | AMD-S | 98-02-077 | 388-215-1050 | REP-P | 98-11-084 | 388-216-2650 | REP-P | 98-11-084 |
| 388-76-675 | AMD | 98-11-095 | 388-215-1060 | REP-P | 98-11-084 | 388-216-2800 | REP-P | 98-11-084 |
| 388-76-680 | AMD-S | 98-02-077 | 388-215-1070 | REP-P | 98-11-084 | 388-216-2850 | REP-P | 98-11-084 |
| 388-76-680 | AMD | 98-11-095 | 388-215-1080 | REP-P | 98-11-084 | 388-216-2900 | REP-P | 98-11-084 |
| 388-76-685 | AMD-S | 98-02-077 | 388-215-1100 | REP-P | 98-11-084 | 388-216-3000 | REP-P | 98-11-084 |
| 388-76-685 | AMD | 98-11-095 | 388-215-1110 | REP-P | 98-11-084 | 388-217-3000 | REP-P | 98-11-084 |
| 388-76-690 | AMD-S | 98-02-077 | 388-215-1115 | REP-P | 98-11-084 | 388-217-3050 | REP-P | 98-11-084 |
| 388-76-690 | AMD | 98-11-095 | 388-215-1120 | REP-P | 98-11-084 | 388-217-3100 | REP-P | 98-11-084 |
| 388-76-695 | AMD-S | 98-02-077 | 388-215-1130 | REP-P | 98-11-084 | 388-217-3150 | REP-P | 98-11-084 |
| 388-76-695 | AMD | 98-11-095 | 388-215-1140 | REP-P | 98-11-084 | 388-217-3200 | REP-P | 98-11-084 |
| 388-76-705 | AMD-S | 98-02-077 | 388-215-1150 | REP-P | 98-11-084 | 388-217-3250 | REP-P | 98-11-084 |
| 388-76-705 | AMD | 98-11-095 | 388-215-1160 | REP-P | 98-11-084 | 388-217-3300 | REP-P | 98-11-084 |
| 388-76-765 | AMD-W | 98-08-091 | 388-215-1170 | REP-P | 98-11-084 | 388-217-3350 | REP-P | 98-11-084 |
| 388-79 | NEW-C | 98-05-053 | 388-215-1225 | REP-P | 98-11-084 | 388-218-1010 | REP-P | 98-11-084 |
| 388-79-010 | NEW-P | 98-03-085 | 388-215-1230 | REP-P | 98-11-084 | 388-218-1050 | REP-P | 98-11-084 |
| 388-79-010 | NEW | 98-10-055 | 388-215-1245 | REP-P | 98-11-084 | 388-218-1100 | REP-P | 98-11-084 |
| 388-79-020 | NEW-P | 98-03-085 | 388-215-1300 | REP-P | 98-11-084 | 388-218-1110 | REP-P | 98-11-084 |
| 388-79-020 | NEW | 98-10-055 | 388-215-1320 | REP-P | 98-11-084 | 388-218-1120 | REP-P | 98-11-084 |
| 388-79-030 | NEW-P | 98-03-085 | 388-215-1325 | REP-P | 98-11-084 | 388-218-1130 | REP-P | 98-11-084 |
| 388-79-030 | NEW | 98-10-055 | 388-215-1330 | REP-P | 98-11-084 | 388-218-1140 | REP-P | 98-11-084 |
| 388-79-040 | NEW-P | 98-03-085 | 388-215-1335 | REP-P | 98-11-084 | 388-218-1200 | REP-P | 98-11-084 |
| 388-79-040 | NEW | 98-10-055 | 388-215-1340 | REP-P | 98-11-084 | 388-218-1210 | REP-P | 98-11-084 |
| 388-86 | PREP | 98-10-106 | 388-215-1345 | REP-P | 98-11-084 | 388-218-1220 | REP-P | 98-11-084 |
| 388-86-027 | AMD-P | 98-11-084 | 388-215-1350 | REP-P | 98-11-084 | 388-218-1230 | REP-P | 98-11-084 |
| 388-87 | PREP | 98-10-106 | 388-215-1355 | REP-P | 98-11-084 | 388-218-1300 | REP-P | 98-11-084 |
| 388-96 | PREP | 98-03-077 | 388-215-1360 | REP-P | 98-11-084 | 388-218-1310 | REP-P | 98-11-084 |
| 388-96 | PREP | 98-06-066 | 388-215-1365 | REP-P | 98-11-084 | 388-218-1320 | REP-P | 98-11-084 |
| 388-96-718 | NEW-E | 98-11-094 | 388-215-1370 | REP-P | 98-11-084 | 388-218-1330 | REP-P | 98-11-084 |
| 388-97 | PREP | 98-06-089 | 388-215-1375 | REP-P | 98-11-084 | 388-218-1340 | REP-P | 98-11-084 |
| 388-150-180 | PREP | 98-02-057 | 388-215-1380 | REP-P | 98-11-084 | 388-218-1350 | REP-P | 98-11-084 |
| 388-150-190 | PREP | 98-02-057 | 388-215-1385 | REP-P | 98-11-084 | 388-218-1360 | REP-P | 98-11-084 |
| 388-150-200 | PREP | 98-02-057 | 388-215-1390 | REP-P | 98-11-084 | 388-218-1390 | NEW-P | 98-07-100 |
| 388-150-470 | PREP | 98-02-057 | 388-215-1400 | REP-P | 98-11-084 | 388-218-1390 | NEW | 98-10-041 |
| 388-151 | PREP | 98-10-104 | 388-215-1410 | REP-P | 98-11-084 | 388-218-1390 | REP-P | 98-11-084 |
| 388-151-180 | PREP | 98-02-057 | 388-215-1420 | REP-P | 98-11-084 | 388-218-1400 | REP-P | 98-11-084 |
| 388-151-190 | PREP | 98-02-057 | 388-215-1430 | REP-P | 98-11-084 | 388-218-1410 | REP-P | 98-11-084 |
| 388-151-200 | PREP | 98-02-057 | 388-215-1440 | REP-P | 98-11-084 | 388-218-1430 | REP-P | 98-11-084 |
| 388-151-470 | PREP | 98-02-057 | 388-215-1450 | REP-P | 98-11-084 | 388-218-1440 | REP-P | 98-11-084 |
| 388-155-180 | PREP | 98-02-057 | 388-215-1460 | REP-P | 98-11-084 | 388-218-1470 | REP-P | 98-11-084 |
| 388-155-190 | PREP | 98-02-057 | 388-215-1470 | REP-P | 98-11-084 | 388-218-1500 | REP-P | 98-11-084 |
| 388-155-200 | PREP | 98-02-057 | 388-215-1480 | REP-P | 98-11-084 | 388-218-1510 | REP-P | 98-11-084 |
| 388-155-470 | PREP | 98-02-057 | 388-215-1490 | REP-P | 98-11-084 | 388-218-1520 | REP-P | 98-11-084 |
| 388-160 | PREP | 98-08-084 | 388-215-1500 | REP-P | 98-11-084 | 388-218-1530 | REP-P | 98-11-084 |
| 388-200-1100 | REP-P | 98-11-084 | 388-215-1510 | REP-P | 98-11-084 | 388-218-1540 | REP-P | 98-11-084 |
| 388-200-1150 | REP-P | 98-11-084 | 388-215-1520 | REP-P | 98-11-084 | 388-218-1600 | REP-P | 98-11-084 |
| 388-210-1000 | REP-P | 98-11-084 | 388-215-1540 | REP-P | 98-11-084 | 388-218-1605 | REP-P | 98-11-084 |

Table of WAC Sections Affected

| WAC # | ACTION | WSR # | WAC # | ACTION | WSR # | WAC # | ACTION | WSR # |
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| 388-218-1610 | REP-P | 98-11-084 | 388-233-0080 | REP-P | 98-11-084 | 388-265-1100 | REP-P | 98-11-084 |
| 388-218-1620 | REP-P | 98-11-084 | 388-233-0090 | REP-P | 98-11-084 | 388-265-1150 | AMD-P | 98-11-074 |
| 388-218-1630 | REP-P | 98-11-084 | 388-233-0100 | REP-P | 98-11-084 | 388-265-1155 | NEW-P | 98-11-074 |
| 388-218-1640 | REP-P | 98-11-084 | 388-235 | PREP | 98-07-038 | 388-265-1200 | AMD-P | 98-11-074 |
| 388-218-1650 | REP-P | 98-11-084 | 388-235-0010 | REP-P | 98-11-084 | 388-265-1250 | AMD-P | 98-11-074 |
| 388-218-1660 | REP-P | 98-11-084 | 388-235-0020 | REP-P | 98-11-084 | 388-265-1275 | AMD-P | 98-11-074 |
| 388-218-1670 | REP-P | 98-11-084 | 388-235-0030 | REP-P | 98-11-084 | 388-265-1300 | AMD-P | 98-11-074 |
| 388-218-1680 | REP-P | 98-11-084 | 388-235-0040 | REP-P | 98-11-084 | 388-265-1375 | NEW-P | 98-11-074 |
| 388-218-1690 | REP-P | 98-11-084 | 388-235-0050 | REP-P | 98-11-084 | 388-265-1400 | REP-P | 98-11-074 |
| 388-218-1695 | REP-P | 98-11-084 | 388-235-0060 | REP-P | 98-11-084 | 388-265-1450 | AMD-P | 98-11-074 |
| 388-218-1700 | REP-P | 98-03-084 | 388-235-0070 | REP-P | 98-11-084 | 388-265-1500 | AMD-P | 98-11-074 |
| 388-218-1700 | REP | 98-06-056 | 388-235-0080 | REP-P | 98-11-084 | 388-265-1550 | REP-P | 98-11-074 |
| 388-218-1710 | REP-P | 98-11-084 | 388-235-0090 | REP-P | 98-11-084 | 388-265-1550 | REP-P | 98-11-084 |
| 388-218-1720 | REP-P | 98-11-084 | 388-235-0100 | REP-P | 98-11-084 | 388-265-1600 | AMD-P | 98-11-074 |
| 388-218-1735 | REP-P | 98-11-084 | 388-235-0110 | REP-P | 98-11-084 | 388-265-1700 | REP-P | 98-11-074 |
| 388-218-1740 | REP-P | 98-11-084 | 388-235-2000 | REP-P | 98-11-084 | 388-265-1700 | REP-P | 98-11-084 |
| 388-218-1800 | REP-P | 98-03-084 | 388-235-3000 | REP-P | 98-11-084 | 388-265-1800 | REP-P | 98-11-084 |
| 388-218-1800 | REP | 98-06-056 | 388-235-4000 | REP-P | 98-11-084 | 388-265-1850 | REP-P | 98-11-084 |
| 388-218-1810 | REP-P | 98-11-084 | 388-245-1000 | REP-P | 98-11-084 | 388-265-1900 | REP-P | 98-11-084 |
| 388-218-1820 | REP-P | 98-11-084 | 388-245-1150 | AMD | 98-04-015 | 388-265-1950 | REP-P | 98-11-084 |
| 388-218-1830 | REP-P | 98-11-084 | 388-245-1150 | REP-P | 98-11-084 | 388-265-2000 | REP-P | 98-11-084 |
| 388-218-1900 | REP-P | 98-11-084 | 388-245-1160 | REP-P | 98-11-084 | 388-270-1005 | REP-P | 98-11-084 |
| 388-218-1910 | REP-P | 98-11-084 | 388-245-1170 | REP-P | 98-11-084 | 388-270-1010 | REP-P | 98-11-084 |
| 388-218-1920 | REP-P | 98-11-084 | 388-245-1210 | REP-P | 98-11-084 | 388-270-1025 | REP-P | 98-11-084 |
| 388-218-1930 | REP-P | 98-11-084 | 388-245-1300 | REP-P | 98-11-084 | 388-270-1075 | REP-P | 98-11-084 |
| 388-218-1940 | REP-P | 98-03-084 | 388-245-1310 | REP-P | 98-11-084 | 388-270-1100 | REP-P | 98-11-084 |
| 388-218-1940 | REP | 98-06-056 | 388-245-1315 | REP-P | 98-11-084 | 388-270-1110 | REP-P | 98-11-084 |
| 388-219-0100 | REP-P | 98-11-084 | 388-245-1320 | REP-P | 98-11-084 | 388-270-1125 | REP-P | 98-11-084 |
| 388-219-0200 | REP-P | 98-11-084 | 388-245-1350 | REP-P | 98-11-084 | 388-270-1150 | REP-P | 98-11-084 |
| 388-219-1000 | REP-P | 98-11-084 | 388-245-1400 | REP-P | 98-11-084 | 388-270-1200 | REP-P | 98-11-084 |
| 388-219-1100 | REP-P | 98-11-084 | 388-245-1410 | REP-P | 98-11-084 | 388-270-1250 | REP-P | 98-11-084 |
| 388-219-1500 | REP-P | 98-11-084 | 388-245-1500 | REP-P | 98-11-084 | 388-270-1300 | REP-P | 98-11-084 |
| 388-219-1600 | REP-P | 98-11-084 | 388-245-1510 | AMD | 98-04-016 | 388-270-1400 | REP-P | 98-11-084 |
| 388-219-1700 | REP-P | 98-11-084 | 388-245-1510 | REP-P | 98-11-084 | 388-270-1500 | REP-P | 98-11-084 |
| 388-219-2000 | REP-P | 98-11-084 | 388-245-1520 | REP-P | 98-11-084 | 388-270-1550 | REP-P | 98-11-084 |
| 388-219-2500 | REP-P | 98-11-084 | 388-245-1600 | REP-P | 98-11-084 | 388-270-1600 | REP-P | 98-11-084 |
| 388-219-2600 | REP-P | 98-11-084 | 388-245-1610 | REP-P | 98-11-084 | 388-275 | PREP | 98-07-036 |
| 388-219-3000 | REP-P | 98-11-084 | 388-245-1700 | REP-P | 98-11-084 | 388-275-0020 | REP-P | 98-11-084 |
| 388-219-3500 | REP-P | 98-11-084 | 388-245-1710 | REP-P | 98-11-084 | 388-275-0030 | REP-P | 98-11-084 |
| 388-220-0001 | REP-P | 98-11-084 | 388-245-1715 | REP-P | 98-11-084 | 388-275-0050 | REP-P | 98-11-084 |
| 388-220-0030 | REP-P | 98-11-084 | 388-245-1720 | REP-P | 98-11-084 | 388-275-0060 | REP-P | 98-11-084 |
| 388-220-0050 | NEW | 98-08-036 | 388-245-1730 | REP-P | 98-11-084 | 388-275-0070 | REP-P | 98-11-084 |
| 388-220-0050 | REP-P | 98-11-084 | 388-245-1740 | REP-P | 98-11-084 | 388-275-0090 | REP-P | 98-11-084 |
| 388-225-0010 | REP-P | 98-11-084 | 388-245-2010 | REP-P | 98-11-084 | 388-280 | PREP | 98-07-037 |
| 388-225-0020 | REP-P | 98-11-084 | 388-245-2020 | REP-P | 98-11-084 | 388-290 | PREP | 98-08-075 |
| 388-225-0050 | REP-P | 98-11-084 | 388-245-2030 | REP-P | 98-11-084 | 388-290-010 | AMD-P | 98-03-083 |
| 388-225-0060 | REP-P | 98-11-084 | 388-245-2040 | REP-P | 98-11-084 | 388-290-010 | AMD | 98-08-021 |
| 388-225-0070 | REP-P | 98-11-084 | 388-245-2050 | REP-P | 98-11-084 | 388-290-020 | AMD-P | 98-03-083 |
| 388-225-0080 | REP-P | 98-11-084 | 388-250-1010 | REP-P | 98-11-084 | 388-290-020 | AMD | 98-08-021 |
| 388-225-0090 | REP-P | 98-11-084 | 388-250-1050 | REP-P | 98-11-084 | 388-290-025 | AMD-P | 98-03-083 |
| 388-225-0100 | REP-P | 98-11-084 | 388-250-1100 | REP-P | 98-11-084 | 388-290-025 | AMD | 98-08-021 |
| 388-225-0120 | REP-P | 98-11-084 | 388-250-1150 | REP-P | 98-11-084 | 388-290-035 | AMD-P | 98-03-083 |
| 388-225-0150 | REP-P | 98-11-084 | 388-250-1200 | REP-P | 98-11-084 | 388-290-035 | AMD | 98-08-021 |
| 388-225-0160 | REP-P | 98-11-084 | 388-250-1225 | REP-P | 98-11-084 | 388-290-050 | AMD-P | 98-03-083 |
| 388-225-0170 | REP-P | 98-11-084 | 388-250-1250 | AMD | 98-08-037 | 388-290-050 | AMD | 98-08-021 |
| 388-225-0180 | REP-P | 98-11-084 | 388-250-1250 | REP-P | 98-11-084 | 388-290-055 | PREP | 98-08-075 |
| 388-225-0190 | REP-P | 98-11-084 | 388-250-1300 | REP-P | 98-11-084 | 388-290-090 | AMD-P | 98-03-083 |
| 388-230-0010 | REP-P | 98-11-084 | 388-250-1310 | REP-P | 98-11-084 | 388-290-090 | AMD | 98-08-021 |
| 388-230-0030 | REP-P | 98-11-084 | 388-250-1350 | REP-P | 98-11-084 | 388-290-090 | PREP | 98-08-075 |
| 388-230-0050 | REP-P | 98-11-084 | 388-250-1400 | REP-P | 98-11-084 | 388-310-1300 | NEW-S | 98-03-080 |
| 388-230-0060 | REP-P | 98-11-084 | 388-250-1450 | REP-P | 98-11-084 | 388-310-1300 | NEW-S | 98-07-042 |
| 388-230-0080 | REP-P | 98-11-084 | 388-250-1500 | REP-P | 98-11-084 | 388-310-1300 | NEW | 98-10-054 |
| 388-230-0090 | REP-P | 98-11-084 | 388-250-1550 | REP-P | 98-11-084 | 388-320-340 | REP-P | 98-08-076 |
| 388-230-0110 | REP-P | 98-11-084 | 388-250-1600 | REP-P | 98-11-084 | 388-320-340 | REP | 98-11-034 |
| 388-230-0120 | REP-P | 98-11-084 | 388-250-1650 | REP-P | 98-11-084 | 388-400-0005 | NEW-P | 98-11-084 |
| 388-230-0140 | REP-P | 98-11-084 | 388-250-1700 | AMD | 98-06-057 | 388-400-0010 | NEW-P | 98-11-084 |
| 388-233-0010 | REP-P | 98-11-084 | 388-250-1700 | REP-P | 98-11-084 | 388-400-0015 | NEW-P | 98-11-084 |
| 388-233-0020 | REP-P | 98-11-084 | 388-250-1750 | REP-P | 98-11-084 | 388-400-0020 | NEW-P | 98-11-084 |
| 388-233-0030 | REP-P | 98-11-084 | 388-255-1350 | REP-P | 98-11-084 | 388-400-0025 | NEW-P | 98-11-084 |
| 388-233-0040 | REP-P | 98-11-084 | 388-255-1400 | REP-P | 98-11-084 | 388-400-0030 | NEW-P | 98-11-084 |
| 388-233-0050 | REP-P | 98-11-084 | 388-265 | PREP | 98-07-099 | 388-400-0035 | NEW-P | 98-11-084 |
| 388-233-0060 | REP-P | 98-11-084 | 388-265-1010 | REP-P | 98-11-084 | 388-400-0040 | NEW-P | 98-11-084 |
| 388-233-0070 | REP-P | 98-11-084 | 388-265-1050 | REP-P | 98-11-084 | 388-404-0005 | NEW-P | 98-11-084 |

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Table of WAC Sections Affected

| WAC # | ACTION | WSR # | WAC # | ACTION | WSR # | WAC # | ACTION | WSR # |
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| 388-478-0010 | NEW-P | 98-11-084 | 388-513-1350 | AMD-P | 98-08-082 | 388-555-1000 | NEW-E | 98-07-052 |
| 388-478-0015 | NEW-P | 98-11-084 | 388-513-1350 | AMD-E | 98-08-087 | 388-555-1000 | NEW-S | 98-10-107 |
| 388-478-0020 | NEW-P | 98-11-084 | 388-513-1350 | AMD | 98-11-033 | 388-555-1050 | NEW-P | 98-07-050 |
| 388-478-0025 | NEW-P | 98-11-084 | 388-513-1380 | AMD-P | 98-03-085 | 388-555-1050 | NEW-E | 98-07-052 |
| 388-478-0030 | NEW-P | 98-11-084 | 388-513-1380 | AMD-C | 98-05-053 | 388-555-1050 | NEW-S | 98-10-107 |
| 388-478-0035 | NEW-P | 98-11-084 | 388-513-1380 | AMD | 98-08-077 | 388-555-1100 | NEW-P | 98-07-050 |
| 388-478-0040 | NEW-P | 98-11-084 | 388-515 | PREP | 98-10-106 | 388-555-1100 | NEW-E | 98-07-052 |
| 388-478-0045 | NEW-P | 98-11-084 | 388-515-1505 | PREP | 98-05-051 | 388-555-1100 | NEW-S | 98-10-107 |
| 388-478-0050 | NEW-P | 98-11-084 | 388-517 | PREP | 98-04-066 | 388-555-1150 | NEW-P | 98-07-050 |
| 388-478-0055 | NEW-P | 98-11-084 | 388-517 | PREP | 98-10-106 | 388-555-1150 | NEW-E | 98-07-052 |
| 388-478-0060 | NEW-P | 98-11-084 | 388-517-0300 | NEW-P | 98-11-084 | 388-555-1150 | NEW-S | 98-10-107 |
| 388-478-0065 | NEW-P | 98-11-084 | 388-517-1710 | AMD-P | 98-08-083 | 388-555-1200 | NEW-P | 98-07-050 |
| 388-478-0070 | NEW-P | 98-11-084 | 388-517-1710 | AMD-E | 98-08-086 | 388-555-1200 | NEW-E | 98-07-052 |
| 388-478-0075 | NEW-P | 98-11-084 | 388-517-1710 | AMD | 98-11-073 | 388-555-1200 | NEW-S | 98-10-107 |
| 388-478-0080 | NEW-P | 98-11-084 | 388-517-1715 | AMD-P | 98-08-083 | 388-555-1250 | NEW-P | 98-07-050 |
| 388-478-0085 | NEW-P | 98-11-084 | 388-517-1715 | AMD-E | 98-08-086 | 388-555-1250 | NEW-E | 98-07-052 |
| 388-480-0001 | NEW-P | 98-11-084 | 388-517-1715 | AMD | 98-11-073 | 388-555-1250 | NEW-S | 98-10-107 |
| 388-482-0005 | NEW-P | 98-11-084 | 388-517-1720 | REP-P | 98-08-083 | 388-555-1300 | NEW-P | 98-07-050 |
| 388-484-0005 | NEW-P | 98-11-084 | 388-517-1720 | REP-E | 98-08-086 | 388-555-1300 | NEW-E | 98-07-052 |
| 388-486-0005 | NEW-P | 98-11-084 | 388-517-1720 | REP | 98-11-073 | 388-555-1300 | NEW-S | 98-10-107 |
| 388-486-0010 | NEW-P | 98-11-084 | 388-517-1730 | AMD-P | 98-08-083 | 388-555-1350 | NEW-P | 98-07-050 |
| 388-488-0005 | NEW-P | 98-11-084 | 388-517-1730 | AMD-E | 98-08-086 | 388-555-1350 | NEW-E | 98-07-052 |
| 388-488-0010 | NEW-P | 98-11-084 | 388-517-1730 | AMD | 98-11-073 | 388-555-1350 | NEW-S | 98-10-107 |
| 388-490-0005 | NEW-P | 98-11-084 | 388-517-1740 | REP-P | 98-08-083 | 388-555-1400 | NEW-P | 98-07-050 |
| 388-500 | PREP | 98-10-106 | 388-517-1740 | REP-E | 98-08-086 | 388-555-1400 | NEW-E | 98-07-052 |
| 388-500-0005 | AMD-P | 98-08-081 | 388-517-1740 | REP | 98-11-073 | 388-555-1400 | NEW-S | 98-10-107 |
| 388-500-0005 | AMD-E | 98-08-088 | 388-517-1750 | AMD-P | 98-08-083 | 388-555-1450 | NEW-S | 98-10-107 |
| 388-501 | PREP | 98-10-106 | 388-517-1750 | AMD-E | 98-08-086 | 390-05-400 | AMD-P | 98-05-107 |
| 388-501-0135 | AMD-P | 98-11-084 | 388-517-1750 | AMD | 98-11-073 | 390-05-400 | AMD | 98-08-069 |
| 388-503 | PREP | 98-10-106 | 388-517-1760 | REP-P | 98-08-083 | 390-13-100 | PREP | 98-06-051 |
| 388-503-0310 | AMD-P | 98-08-081 | 388-517-1760 | REP-E | 98-08-086 | 390-13-100 | AMD-P | 98-09-021 |
| 388-503-0310 | AMD-E | 98-08-088 | 388-517-1760 | REP | 98-11-073 | 390-13-100 | AMD | 98-12-038 |
| 388-503-0505 | NEW-P | 98-11-084 | 388-517-1770 | NEW-P | 98-08-083 | 390-16-200 | PREP | 98-06-052 |
| 388-503-0510 | NEW-P | 98-11-084 | 388-517-1770 | NEW-E | 98-08-086 | 390-16-200 | REP-P | 98-09-020 |
| 388-503-0515 | NEW-P | 98-11-084 | 388-517-1770 | NEW | 98-11-073 | 390-16-200 | REP | 98-12-036 |
| 388-503-0520 | NEW-P | 98-11-084 | 388-518 | PREP | 98-10-106 | 390-16-207 | PREP | 98-06-053 |
| 388-504 | PREP | 98-10-106 | 388-519 | PREP | 98-10-106 | 390-16-207 | AMD-P | 98-09-019 |
| 388-505 | PREP | 98-10-106 | 388-519-0100 | NEW-P | 98-11-084 | 390-16-207 | AMD | 98-12-034 |
| 388-505-0110 | NEW-P | 98-11-084 | 388-519-0110 | NEW-P | 98-11-084 | 390-17-205 | PREP | 98-06-054 |
| 388-505-0210 | NEW-P | 98-11-084 | 388-519-0120 | NEW-P | 98-11-084 | 390-17-205 | REP-P | 98-09-018 |
| 388-505-0220 | NEW-P | 98-11-084 | 388-521 | PREP | 98-10-106 | 390-17-205 | REP | 98-12-035 |
| 388-505-0520 | AMD-P | 98-08-081 | 388-521-2160 | AMD-P | 98-08-083 | 390-17-400 | PREP | 98-03-072 |
| 388-505-0520 | AMD-E | 98-08-088 | 388-521-2160 | AMD-E | 98-08-086 | 390-17-405 | PREP | 98-06-055 |
| 388-505-0540 | AMD-P | 98-11-084 | 388-521-2160 | AMD | 98-11-073 | 390-17-405 | AMD-P | 98-09-017 |
| 388-506 | PREP | 98-10-106 | 388-522 | PREP | 98-10-106 | 390-17-405 | AMD | 98-12-037 |
| 388-507 | PREP | 98-10-106 | 388-523 | PREP | 98-10-106 | 391-08 | PREP | 98-04-049 |
| 388-507-0710 | AMD-P | 98-08-082 | 388-523-0100 | NEW-P | 98-11-084 | 391-08-001 | AMD-P | 98-10-101 |
| 388-507-0710 | AMD-E | 98-08-087 | 388-523-2305 | PREP | 98-03-079 | 391-08-100 | AMD-P | 98-10-101 |
| 388-507-0710 | AMD | 98-11-033 | 388-523-2305 | AMD-P | 98-08-081 | 391-08-120 | AMD-P | 98-10-101 |
| 388-507-0740 | AMD-P | 98-08-081 | 388-523-2305 | AMD-E | 98-08-088 | 391-08-180 | AMD-P | 98-10-101 |
| 388-507-0740 | AMD-E | 98-08-088 | 388-524 | PREP | 98-10-106 | 391-08-230 | AMD-P | 98-10-101 |
| 388-508 | PREP | 98-10-106 | 388-525 | PREP | 98-10-106 | 391-08-300 | AMD-P | 98-10-101 |
| 388-508-0805 | PREP | 98-07-039 | 388-526 | PREP | 98-10-106 | 391-08-310 | AMD-P | 98-10-101 |
| 388-508-0805 | AMD-E | 98-08-085 | 388-527 | PREP | 98-10-106 | 391-08-315 | AMD-P | 98-10-101 |
| 388-509 | PREP | 98-10-106 | 388-528 | PREP | 98-10-106 | 391-08-520 | NEW-P | 98-10-101 |
| 388-509-0920 | PREP | 98-07-039 | 388-529 | PREP | 98-10-106 | 391-08-630 | AMD-P | 98-10-101 |
| 388-509-0920 | AMD-E | 98-08-085 | 388-529-0100 | NEW-P | 98-11-084 | 391-08-640 | NEW-P | 98-10-101 |
| 388-509-0960 | PREP | 98-07-039 | 388-529-0200 | NEW-P | 98-11-084 | 391-08-800 | AMD-P | 98-10-101 |
| 388-509-0960 | AMD-E | 98-08-085 | 388-529-2960 | AMD | 98-04-004 | 391-08-810 | AMD-P | 98-10-101 |
| 388-510 | PREP | 98-10-106 | 388-530-1600 | AMD-P | 98-05-054 | 391-25 | PREP | 98-04-049 |
| 388-510-1005 | NEW-P | 98-08-081 | 388-535 | PREP | 98-08-074 | 391-25-050 | AMD-P | 98-10-101 |
| 388-510-1005 | NEW-E | 98-08-088 | 388-538 | PREP | 98-10-106 | 391-25-090 | AMD-P | 98-10-101 |
| 388-510-1020 | AMD-P | 98-08-081 | 388-538-060 | AMD-P | 98-11-084 | 391-25-110 | AMD-P | 98-10-101 |
| 388-510-1020 | AMD-E | 98-08-088 | 388-538-080 | AMD-P | 98-11-084 | 391-25-190 | AMD-P | 98-10-101 |
| 388-511 | PREP | 98-10-106 | 388-538-095 | AMD-P | 98-11-084 | 391-25-210 | AMD-P | 98-10-101 |
| 388-511-1160 | AMD | 98-04-031 | 388-538-130 | AMD-P | 98-11-084 | 391-25-220 | AMD-P | 98-10-101 |
| 388-512 | PREP | 98-10-106 | 388-540-005 | AMD-P | 98-02-059 | 391-25-230 | AMD-P | 98-10-101 |
| 388-512-1275 | AMD | 98-04-004 | 388-540-005 | AMD | 98-06-025 | 391-25-250 | AMD-P | 98-10-101 |
| 388-512-1280 | REP | 98-04-004 | 388-540-030 | AMD-P | 98-02-059 | 391-25-270 | AMD-P | 98-10-101 |
| 388-513 | PREP | 98-10-106 | 388-540-030 | AMD | 98-06-025 | 391-25-350 | AMD-P | 98-10-101 |
| 388-513-1315 | AMD | 98-04-003 | 388-540-060 | AMD-P | 98-02-059 | 391-25-370 | AMD-P | 98-10-101 |
| 388-513-1340 | PREP | 98-05-052 | 388-540-060 | AMD | 98-06-025 | 391-25-390 | AMD-P | 98-10-101 |
| 388-513-1345 | PREP | 98-05-052 | 388-555-1000 | NEW-P | 98-07-050 | 391-25-391 | AMD-P | 98-10-101 |

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| 391-25-410 | AMD-P | 98-10-101 | 392-139-122 | REP | 98-08-096 | 392-139-661 | NEW-P | 98-05-040 |
| 391-25-450 | AMD-P | 98-10-101 | 392-139-126 | REP-P | 98-05-040 | 392-139-661 | NEW | 98-08-096 |
| 391-25-590 | AMD-P | 98-10-101 | 392-139-126 | REP | 98-08-096 | 392-139-670 | AMD-P | 98-05-040 |
| 391-25-630 | AMD-P | 98-10-101 | 392-139-128 | REP-P | 98-05-040 | 392-139-670 | AMD | 98-08-096 |
| 391-25-650 | AMD-P | 98-10-101 | 392-139-128 | REP | 98-08-096 | 392-139-676 | AMD-P | 98-05-040 |
| 391-25-660 | NEW-P | 98-10-101 | 392-139-129 | REP-P | 98-05-040 | 392-139-676 | AMD | 98-08-096 |
| 391-25-670 | AMD-P | 98-10-101 | 392-139-129 | REP | 98-08-096 | 392-139-680 | REP-P | 98-05-040 |
| 391-35 | PREP | 98-04-049 | 392-139-130 | REP-P | 98-05-040 | 392-139-680 | REP | 98-08-096 |
| 391-35-030 | AMD-P | 98-10-101 | 392-139-130 | REP | 98-08-096 | 392-139-681 | REP-P | 98-05-040 |
| 391-35-170 | AMD-P | 98-10-101 | 392-139-132 | REP-P | 98-05-040 | 392-139-681 | REP | 98-08-096 |
| 391-35-190 | AMD-P | 98-10-101 | 392-139-132 | REP | 98-08-096 | 392-139-685 | REP-P | 98-05-040 |
| 391-35-210 | AMD-P | 98-10-101 | 392-139-134 | REP-P | 98-05-040 | 392-139-685 | REP | 98-08-096 |
| 391-35-230 | REP-P | 98-10-101 | 392-139-134 | REP | 98-08-096 | 392-139-690 | REP-P | 98-05-040 |
| 391-35-250 | AMD-P | 98-10-101 | 392-139-150 | REP-P | 98-05-040 | 392-139-690 | REP | 98-08-096 |
| 391-45 | PREP | 98-04-049 | 392-139-150 | REP | 98-08-096 | 392-139-691 | REP-P | 98-05-040 |
| 391-45-030 | AMD-P | 98-10-101 | 392-139-152 | REP-P | 98-05-040 | 392-139-691 | REP | 98-08-096 |
| 391-45-110 | AMD-P | 98-10-101 | 392-139-152 | REP | 98-08-096 | 392-140-601 | AMD-P | 98-04-036 |
| 391-45-190 | AMD-P | 98-10-101 | 392-139-154 | REP-P | 98-05-040 | 392-140-601 | AMD | 98-08-013 |
| 391-45-250 | AMD-P | 98-10-101 | 392-139-154 | REP | 98-08-096 | 392-140-602 | AMD-P | 98-04-036 |
| 391-45-290 | AMD-P | 98-10-101 | 392-139-156 | REP-P | 98-05-040 | 392-140-602 | AMD | 98-08-013 |
| 391-45-310 | AMD-P | 98-10-101 | 392-139-156 | REP | 98-08-096 | 392-140-605 | AMD-P | 98-04-036 |
| 391-45-330 | AMD-P | 98-10-101 | 392-139-158 | REP-P | 98-05-040 | 392-140-605 | AMD | 98-08-013 |
| 391-45-350 | AMD-P | 98-10-101 | 392-139-158 | REP | 98-08-096 | 392-140-616 | AMD-P | 98-04-036 |
| 391-45-370 | REP-P | 98-10-101 | 392-139-160 | REP-P | 98-05-040 | 392-140-616 | AMD | 98-08-013 |
| 391-45-390 | AMD-P | 98-10-101 | 392-139-160 | REP | 98-08-096 | 392-140-625 | AMD-P | 98-04-036 |
| 391-45-430 | AMD-P | 98-10-101 | 392-139-162 | REP-P | 98-05-040 | 392-140-625 | AMD | 98-08-013 |
| 391-55 | PREP | 98-04-049 | 392-139-162 | REP | 98-08-096 | 392-140-630 | NEW-P | 98-04-036 |
| 391-55-245 | AMD-P | 98-10-101 | 392-139-164 | REP-P | 98-05-040 | 392-140-630 | NEW | 98-08-013 |
| 391-55-345 | AMD-P | 98-10-101 | 392-139-164 | REP | 98-08-096 | 392-140-640 | AMD-P | 98-04-036 |
| 391-95 | PREP | 98-04-049 | 392-139-168 | REP-P | 98-05-040 | 392-140-640 | AMD | 98-08-013 |
| 391-95-070 | AMD-P | 98-10-101 | 392-139-168 | REP | 98-08-096 | 392-140-656 | AMD-P | 98-04-036 |
| 391-95-090 | AMD-P | 98-10-101 | 392-139-170 | REP-P | 98-05-040 | 392-140-656 | AMD | 98-08-013 |
| 391-95-150 | AMD-P | 98-10-101 | 392-139-170 | REP | 98-08-096 | 392-140-660 | AMD-P | 98-04-036 |
| 391-95-230 | AMD-P | 98-10-101 | 392-139-172 | REP-P | 98-05-040 | 392-140-660 | AMD | 98-08-013 |
| 391-95-250 | AMD-P | 98-10-101 | 392-139-172 | REP | 98-08-096 | 392-140-665 | AMD-P | 98-04-036 |
| 391-95-260 | AMD-P | 98-10-101 | 392-139-174 | REP-P | 98-05-040 | 392-140-665 | AMD | 98-08-013 |
| 391-95-270 | AMD-P | 98-10-101 | 392-139-174 | REP | 98-08-096 | 392-140-675 | AMD-P | 98-04-036 |
| 391-95-280 | REP-P | 98-10-101 | 392-139-176 | REP-P | 98-05-040 | 392-140-675 | AMD | 98-08-013 |
| 391-95-290 | AMD-P | 98-10-101 | 392-139-176 | REP | 98-08-096 | 392-140-680 | AMD-P | 98-04-036 |
| 392-115-005 | AMD | 98-05-008 | 392-139-178 | REP-P | 98-05-040 | 392-140-680 | AMD | 98-08-013 |
| 392-115-010 | AMD | 98-05-008 | 392-139-178 | REP | 98-08-096 | 392-140-685 | AMD-P | 98-04-036 |
| 392-115-015 | AMD | 98-05-008 | 392-139-180 | REP-P | 98-05-040 | 392-140-685 | AMD | 98-08-013 |
| 392-115-020 | AMD | 98-05-008 | 392-139-180 | REP | 98-08-096 | 392-140-700 | NEW-P | 98-03-067 |
| 392-115-025 | AMD | 98-05-008 | 392-139-182 | REP-P | 98-05-040 | 392-140-700 | NEW | 98-07-061 |
| 392-115-045 | AMD | 98-05-008 | 392-139-182 | REP | 98-08-096 | 392-140-701 | NEW-P | 98-03-067 |
| 392-115-050 | AMD | 98-05-008 | 392-139-184 | REP-P | 98-05-040 | 392-140-701 | NEW | 98-07-061 |
| 392-115-055 | AMD | 98-05-008 | 392-139-184 | REP | 98-08-096 | 392-140-702 | NEW-P | 98-03-067 |
| 392-115-060 | AMD | 98-05-008 | 392-139-186 | REP-P | 98-05-040 | 392-140-702 | NEW | 98-07-061 |
| 392-115-065 | AMD | 98-05-008 | 392-139-186 | REP | 98-08-096 | 392-140-710 | NEW-P | 98-03-067 |
| 392-115-085 | AMD | 98-05-008 | 392-139-215 | AMD-P | 98-05-040 | 392-140-710 | NEW | 98-07-061 |
| 392-115-090 | AMD | 98-05-008 | 392-139-215 | AMD | 98-08-096 | 392-140-711 | NEW-P | 98-03-067 |
| 392-115-110 | AMD | 98-05-008 | 392-139-310 | AMD-P | 98-05-040 | 392-140-711 | NEW | 98-07-061 |
| 392-115-115 | AMD | 98-05-008 | 392-139-310 | AMD | 98-08-096 | 392-140-712 | NEW-P | 98-03-067 |
| 392-115-120 | AMD | 98-05-008 | 392-139-320 | AMD-P | 98-05-040 | 392-140-712 | NEW | 98-07-061 |
| 392-115-125 | AMD | 98-05-008 | 392-139-320 | AMD | 98-08-096 | 392-140-713 | NEW-P | 98-03-067 |
| 392-115-130 | AMD | 98-05-008 | 392-139-611 | REP-P | 98-05-040 | 392-140-713 | NEW | 98-07-061 |
| 392-115-151 | NEW | 98-05-008 | 392-139-611 | REP | 98-08-096 | 392-140-714 | NEW-P | 98-03-067 |
| 392-115-155 | AMD | 98-05-008 | 392-139-616 | REP-P | 98-05-040 | 392-140-714 | NEW | 98-07-061 |
| 392-121-124 | NEW-P | 98-03-066 | 392-139-616 | REP | 98-08-096 | 392-140-715 | NEW-P | 98-03-067 |
| 392-121-124 | NEW | 98-07-060 | 392-139-620 | AMD-P | 98-05-040 | 392-140-715 | NEW | 98-07-061 |
| 392-121-138 | AMD-P | 98-03-066 | 392-139-620 | AMD | 98-08-096 | 392-140-716 | NEW-P | 98-03-067 |
| 392-121-138 | AMD | 98-07-060 | 392-139-621 | REP-P | 98-05-040 | 392-140-716 | NEW | 98-07-061 |
| 392-121-182 | AMD-W | 98-04-070 | 392-139-621 | REP | 98-08-096 | 392-140-720 | NEW-P | 98-03-067 |
| 392-126 | PREP | 98-05-038 | 392-139-622 | NEW-P | 98-05-040 | 392-140-720 | NEW | 98-07-061 |
| 392-134-005 | AMD-W | 98-04-070 | 392-139-622 | NEW | 98-08-096 | 392-140-721 | NEW-P | 98-03-067 |
| 392-134-010 | AMD-W | 98-04-070 | 392-139-623 | NEW-P | 98-05-040 | 392-140-721 | NEW | 98-07-061 |
| 392-134-020 | AMD-W | 98-04-070 | 392-139-623 | NEW | 98-08-096 | 392-140-722 | NEW-P | 98-03-067 |
| 392-134-025 | AMD-W | 98-04-070 | 392-139-625 | AMD-P | 98-05-040 | 392-140-722 | NEW | 98-07-061 |
| 392-139-007 | AMD-P | 98-05-040 | 392-139-625 | AMD | 98-08-096 | 392-140-723 | NEW-P | 98-03-067 |
| 392-139-007 | AMD | 98-08-096 | 392-139-626 | REP-P | 98-05-040 | 392-140-723 | NEW | 98-07-061 |
| 392-139-120 | REP-P | 98-05-040 | 392-139-626 | REP | 98-08-096 | 392-140-724 | NEW-P | 98-03-067 |
| 392-139-120 | REP | 98-08-096 | 392-139-660 | AMD-P | 98-05-040 | 392-140-724 | NEW | 98-07-061 |
| 392-139-122 | REP-P | 98-05-040 | 392-139-660 | AMD | 98-08-096 | 392-140-725 | NEW-P | 98-03-067 |

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| 392-140-725 | NEW | 98-07-061 | 399-30-020 | AMD-P | 98-07-033 | 434-57-080 | DECOD | 98-08-010 |
| 392-140-726 | NEW-P | 98-03-067 | 399-30-030 | AMD-P | 98-07-033 | 434-57-090 | DECOD | 98-08-010 |
| 392-140-726 | NEW | 98-07-061 | 399-30-045 | AMD-P | 98-07-033 | 434-57-100 | DECOD | 98-08-010 |
| 392-140-727 | NEW-P | 98-03-067 | 399-30-060 | AMD-P | 98-07-033 | 434-57-120 | DECOD | 98-08-010 |
| 392-140-727 | NEW | 98-07-061 | 399-30-065 | AMD-P | 98-07-033 | 434-57-130 | DECOD | 98-08-010 |
| 392-140-728 | NEW-P | 98-03-067 | 415-108-010 | AMD | 98-09-059 | 434-57-150 | DECOD | 98-08-010 |
| 392-140-728 | NEW | 98-07-061 | 415-108-0110 | NEW | 98-09-059 | 434-60-010 | DECOD | 98-08-010 |
| 392-140-730 | NEW-P | 98-03-067 | 415-108-0111 | NEW | 98-09-059 | 434-60-020 | DECOD | 98-08-010 |
| 392-140-730 | NEW | 98-07-061 | 415-108-441 | NEW | 98-09-059 | 434-60-030 | DECOD | 98-08-010 |
| 392-140-731 | NEW-P | 98-03-067 | 415-108-443 | NEW | 98-09-059 | 434-60-040 | DECOD | 98-08-010 |
| 392-140-731 | NEW | 98-07-061 | 415-108-445 | NEW | 98-09-059 | 434-60-050 | DECOD | 98-08-010 |
| 392-140-732 | NEW-P | 98-03-067 | 415-108-450 | REP | 98-09-059 | 434-60-060 | DECOD | 98-08-010 |
| 392-140-732 | NEW | 98-07-061 | 415-108-451 | NEW | 98-09-059 | 434-60-070 | DECOD | 98-08-010 |
| 392-140-733 | NEW-P | 98-03-067 | 415-108-453 | NEW | 98-09-059 | 434-60-080 | DECOD | 98-08-010 |
| 392-140-733 | NEW | 98-07-061 | 415-108-455 | NEW | 98-09-059 | 434-60-090 | DECOD | 98-08-010 |
| 392-140-735 | NEW-P | 98-03-067 | 415-108-456 | NEW | 98-09-059 | 434-60-100 | DECOD | 98-08-010 |
| 392-140-735 | NEW | 98-07-061 | 415-108-457 | NEW | 98-09-059 | 434-60-110 | DECOD | 98-08-010 |
| 392-140-736 | NEW-P | 98-03-067 | 415-108-458 | NEW | 98-09-059 | 434-60-120 | DECOD | 98-08-010 |
| 392-140-736 | NEW | 98-07-061 | 415-108-459 | NEW | 98-09-059 | 434-60-130 | DECOD | 98-08-010 |
| 392-140-740 | NEW-P | 98-03-067 | 415-108-460 | REP | 98-09-059 | 434-60-140 | DECOD | 98-08-010 |
| 392-140-740 | NEW | 98-07-061 | 415-108-463 | NEW | 98-09-059 | 434-60-150 | DECOD | 98-08-010 |
| 392-140-741 | NEW-P | 98-03-067 | 415-108-464 | NEW | 98-09-059 | 434-60-160 | DECOD | 98-08-010 |
| 392-140-741 | NEW | 98-07-061 | 415-108-465 | NEW | 98-09-059 | 434-60-170 | DECOD | 98-08-010 |
| 392-140-742 | NEW-P | 98-03-067 | 415-108-466 | NEW | 98-09-059 | 434-60-180 | DECOD | 98-08-010 |
| 392-140-742 | NEW | 98-07-061 | 415-108-467 | NEW | 98-09-059 | 434-60-190 | DECOD | 98-08-010 |
| 392-140-743 | NEW-P | 98-03-067 | 415-108-468 | NEW | 98-09-059 | 434-60-200 | DECOD | 98-08-010 |
| 392-140-743 | NEW | 98-07-061 | 415-108-469 | NEW | 98-09-059 | 434-60-210 | DECOD | 98-08-010 |
| 392-140-744 | NEW-P | 98-03-067 | 415-108-475 | NEW | 98-09-059 | 434-60-215 | DECOD | 98-08-010 |
| 392-140-744 | NEW | 98-07-061 | 415-108-477 | NEW | 98-09-059 | 434-60-220 | DECOD | 98-08-010 |
| 392-140-745 | NEW-P | 98-03-067 | 415-108-479 | NEW | 98-09-059 | 434-60-230 | DECOD | 98-08-010 |
| 392-140-745 | NEW | 98-07-061 | 415-108-482 | NEW | 98-09-059 | 434-60-240 | DECOD | 98-08-010 |
| 392-140-746 | NEW-P | 98-03-067 | 415-108-483 | NEW | 98-09-059 | 434-60-250 | DECOD | 98-08-010 |
| 392-140-746 | NEW | 98-07-061 | 415-108-484 | NEW | 98-09-059 | 434-60-260 | DECOD | 98-08-010 |
| 392-140-747 | NEW-P | 98-03-067 | 415-108-487 | NEW | 98-09-059 | 434-60-270 | DECOD | 98-08-010 |
| 392-140-747 | NEW | 98-07-061 | 415-108-488 | NEW | 98-09-059 | 434-60-280 | DECOD | 98-08-010 |
| 392-140-800 | NEW | 98-04-080 | 415-108-490 | REP | 98-09-059 | 434-60-290 | DECOD | 98-08-010 |
| 392-140-802 | NEW | 98-04-080 | 415-108-491 | NEW | 98-09-059 | 434-60-300 | DECOD | 98-08-010 |
| 392-140-804 | NEW | 98-04-080 | 415-112-445 | AMD | 98-09-059 | 434-60-310 | DECOD | 98-08-010 |
| 392-140-806 | NEW | 98-04-080 | 415-112-4608 | AMD | 98-09-059 | 434-60-320 | DECOD | 98-08-010 |
| 392-140-808 | NEW | 98-04-080 | 415-112-4609 | AMD | 98-09-059 | 434-60-330 | DECOD | 98-08-010 |
| 392-140-810 | NEW | 98-04-080 | 434-08-010 | DECOD | 98-08-010 | 434-60-340 | DECOD | 98-08-010 |
| 392-140-812 | NEW | 98-04-080 | 434-08-020 | DECOD | 98-08-010 | 434-60-350 | DECOD | 98-08-010 |
| 392-140-814 | NEW | 98-04-080 | 434-08-030 | DECOD | 98-08-010 | 434-69-005 | DECOD | 98-08-010 |
| 392-140-816 | NEW | 98-04-080 | 434-08-040 | DECOD | 98-08-010 | 434-69-010 | DECOD | 98-08-010 |
| 392-140-818 | NEW | 98-04-080 | 434-08-050 | DECOD | 98-08-010 | 434-69-020 | DECOD | 98-08-010 |
| 392-140-820 | NEW | 98-04-080 | 434-08-060 | DECOD | 98-08-010 | 434-69-030 | DECOD | 98-08-010 |
| 392-140-822 | NEW | 98-04-080 | 434-08-070 | DECOD | 98-08-010 | 434-69-040 | DECOD | 98-08-010 |
| 392-140-824 | NEW | 98-04-080 | 434-08-080 | DECOD | 98-08-010 | 434-69-050 | DECOD | 98-08-010 |
| 392-140-826 | NEW | 98-04-080 | 434-08-090 | DECOD | 98-08-010 | 434-69-060 | DECOD | 98-08-010 |
| 392-140-828 | NEW | 98-04-080 | 434-24-065 | DECOD | 98-08-010 | 434-69-070 | DECOD | 98-08-010 |
| 392-140-830 | NEW | 98-04-080 | 434-26-005 | DECOD | 98-08-010 | 434-69-080 | DECOD | 98-08-010 |
| 392-140-832 | NEW | 98-04-080 | 434-26-010 | DECOD | 98-08-010 | 434-80-010 | DECOD | 98-08-010 |
| 392-140-834 | NEW | 98-04-080 | 434-26-015 | DECOD | 98-08-010 | 434-80-020 | DECOD | 98-08-010 |
| 392-140-836 | NEW | 98-04-080 | 434-26-020 | DECOD | 98-08-010 | 434-80-030 | DECOD | 98-08-010 |
| 392-141 | PREP | 98-09-091 | 434-26-025 | DECOD | 98-08-010 | 434-80-040 | DECOD | 98-08-010 |
| 392-170-035 | AMD | 98-12-002 | 434-26-030 | DECOD | 98-08-010 | 434-80-050 | DECOD | 98-08-010 |
| 392-170-036 | NEW | 98-12-002 | 434-26-035 | DECOD | 98-08-010 | 434-80-060 | DECOD | 98-08-010 |
| 392-170-037 | NEW | 98-12-002 | 434-26-040 | DECOD | 98-08-010 | 434-80-070 | DECOD | 98-08-010 |
| 392-170-038 | NEW | 98-12-002 | 434-26-045 | DECOD | 98-08-010 | 434-81-010 | DECOD | 98-08-010 |
| 392-170-042 | NEW | 98-12-002 | 434-26-050 | DECOD | 98-08-010 | 434-81-020 | DECOD | 98-08-010 |
| 392-170-047 | NEW | 98-12-002 | 434-26-055 | DECOD | 98-08-010 | 434-81-030 | DECOD | 98-08-010 |
| 392-170-050 | AMD | 98-12-002 | 434-26-060 | DECOD | 98-08-010 | 434-81-040 | DECOD | 98-08-010 |
| 392-170-078 | NEW | 98-12-002 | 434-26-065 | DECOD | 98-08-010 | 434-81-050 | DECOD | 98-08-010 |
| 392-170-080 | AMD | 98-12-002 | 434-26-900 | DECOD | 98-08-010 | 434-81-060 | DECOD | 98-08-010 |
| 392-170-090 | AMD | 98-12-002 | 434-30-150 | AMD | 98-03-033 | 434-81-070 | DECOD | 98-08-010 |
| 392-172 | PREP | 98-05-039 | 434-30-150 | DECOD | 98-03-033 | 434-81-080 | DECOD | 98-08-010 |
| 392-182-020 | AMD | 98-04-025 | 434-32-010 | DECOD | 98-08-010 | 434-81-090 | DECOD | 98-08-010 |
| 399-10-010 | AMD-P | 98-07-033 | 434-57-010 | DECOD | 98-08-010 | 434-81-100 | DECOD | 98-08-010 |
| 399-10-030 | AMD-P | 98-07-033 | 434-57-020 | DECOD | 98-08-010 | 434-91-010 | DECOD | 98-08-010 |
| 399-20-060 | AMD-P | 98-07-033 | 434-57-030 | DECOD | 98-08-010 | 434-91-020 | DECOD | 98-08-010 |
| 399-20-070 | AMD-P | 98-07-033 | 434-57-040 | DECOD | 98-08-010 | 434-91-030 | DECOD | 98-08-010 |
| 399-20-100 | AMD-P | 98-07-033 | 434-57-050 | DECOD | 98-08-010 | 434-91-040 | DECOD | 98-08-010 |
| 399-20-120 | AMD-P | 98-07-033 | 434-57-070 | DECOD | 98-08-010 | 434-91-050 | DECOD | 98-08-010 |

Table of WAC Sections Affected

| WAC # | ACTION | WSR # | WAC # | ACTION | WSR # | WAC # | ACTION | WSR # |
|-------------|--------|-----------|-------------|--------|-----------|-------------|--------|-----------|
| 434-91-060 | DECOD | 98-08-010 | 434-260-290 | RECOD | 98-08-010 | 434-381-100 | RECOD | 98-08-010 |
| 434-91-070 | DECOD | 98-08-010 | 434-260-300 | RECOD | 98-08-010 | 440-26-010 | PREP | 98-09-093 |
| 434-91-080 | DECOD | 98-08-010 | 434-260-310 | RECOD | 98-08-010 | 440-26-210 | PREP | 98-09-093 |
| 434-91-090 | DECOD | 98-08-010 | 434-260-320 | RECOD | 98-08-010 | 440-26-215 | PREP | 98-09-093 |
| 434-91-100 | DECOD | 98-08-010 | 434-260-330 | RECOD | 98-08-010 | 446-20-610 | PREP | 98-11-037 |
| 434-91-110 | DECOD | 98-08-010 | 434-260-340 | RECOD | 98-08-010 | 458-12-245 | REP-XR | 98-08-018 |
| 434-91-120 | DECOD | 98-08-010 | 434-260-350 | RECOD | 98-08-010 | 458-16-050 | REP-XR | 98-08-018 |
| 434-91-130 | DECOD | 98-08-010 | 434-291-010 | RECOD | 98-08-010 | 458-16-110 | PREP | 98-07-016 |
| 434-91-140 | DECOD | 98-08-010 | 434-291-020 | RECOD | 98-08-010 | 458-16-111 | PREP | 98-07-016 |
| 434-91-150 | DECOD | 98-08-010 | 434-291-030 | RECOD | 98-08-010 | 458-16-165 | PREP | 98-07-016 |
| 434-91-160 | DECOD | 98-08-010 | 434-291-040 | RECOD | 98-08-010 | 458-16-300 | PREP | 98-07-016 |
| 434-91-170 | DECOD | 98-08-010 | 434-291-050 | RECOD | 98-08-010 | 458-16-310 | PREP | 98-07-016 |
| 434-208-010 | RECOD | 98-08-010 | 434-291-060 | RECOD | 98-08-010 | 458-20-104 | AMD-E | 98-02-046 |
| 434-208-020 | RECOD | 98-08-010 | 434-291-070 | RECOD | 98-08-010 | 458-20-104 | AMD-XA | 98-10-123 |
| 434-208-030 | RECOD | 98-08-010 | 434-291-080 | RECOD | 98-08-010 | 458-20-104 | AMD-E | 98-11-006 |
| 434-208-040 | RECOD | 98-08-010 | 434-291-090 | RECOD | 98-08-010 | 458-20-183 | PREP | 98-05-031 |
| 434-208-050 | RECOD | 98-08-010 | 434-291-100 | RECOD | 98-08-010 | 458-20-192 | PREP | 98-07-066 |
| 434-208-060 | RECOD | 98-08-010 | 434-291-110 | RECOD | 98-08-010 | 458-20-192 | PREP | 98-09-036 |
| 434-208-070 | RECOD | 98-08-010 | 434-291-120 | RECOD | 98-08-010 | 458-20-216 | PREP | 98-11-083 |
| 434-208-080 | RECOD | 98-08-010 | 434-291-130 | RECOD | 98-08-010 | 458-20-259 | AMD-XA | 98-12-004 |
| 434-208-090 | RECOD | 98-08-010 | 434-291-140 | RECOD | 98-08-010 | 458-40-660 | PREP | 98-05-074 |
| 434-230-030 | AMD | 98-03-033 | 434-291-150 | RECOD | 98-08-010 | 458-40-660 | AMD-P | 98-10-124 |
| 434-230-150 | RECOD | 98-03-033 | 434-291-160 | RECOD | 98-08-010 | 458-50-095 | PREP | 98-07-015 |
| 434-230-160 | AMD | 98-03-033 | 434-291-170 | RECOD | 98-08-010 | 460-32A-400 | PREP | 98-07-101 |
| 434-236-090 | AMD | 98-03-033 | 434-324-035 | AMD | 98-03-033 | 460-44A-050 | PREP | 98-07-102 |
| 434-236-170 | AMD | 98-03-033 | 434-324-050 | AMD | 98-03-033 | 460-44A-500 | AMD-P | 98-08-055 |
| 434-240-190 | AMD | 98-03-033 | 434-324-060 | AMD | 98-03-033 | 460-44A-500 | AMD | 98-11-014 |
| 434-240-230 | AMD | 98-03-033 | 434-324-065 | RECOD | 98-08-010 | 460-44A-501 | AMD-P | 98-08-055 |
| 434-240-235 | NEW | 98-03-033 | 434-324-085 | AMD | 98-03-033 | 460-44A-501 | AMD | 98-11-014 |
| 434-240-320 | NEW | 98-03-033 | 434-324-095 | AMD | 98-03-033 | 460-44A-502 | AMD-P | 98-08-055 |
| 434-253-050 | AMD | 98-03-033 | 434-324-105 | AMD | 98-03-033 | 460-44A-502 | AMD | 98-11-014 |
| 434-253-110 | AMD | 98-03-033 | 434-324-120 | AMD | 98-03-033 | 460-44A-503 | AMD-P | 98-08-055 |
| 434-257-010 | RECOD | 98-08-010 | 434-324-130 | AMD | 98-03-033 | 460-44A-503 | AMD | 98-11-014 |
| 434-257-020 | RECOD | 98-08-010 | 434-326-005 | RECOD | 98-08-010 | 460-44A-504 | AMD-P | 98-08-055 |
| 434-257-030 | RECOD | 98-08-010 | 434-326-010 | RECOD | 98-08-010 | 460-44A-504 | PREP | 98-09-001 |
| 434-257-040 | RECOD | 98-08-010 | 434-326-015 | RECOD | 98-08-010 | 460-44A-504 | AMD | 98-11-014 |
| 434-257-050 | RECOD | 98-08-010 | 434-326-020 | RECOD | 98-08-010 | 460-44A-506 | AMD-P | 98-08-055 |
| 434-257-070 | RECOD | 98-08-010 | 434-326-025 | RECOD | 98-08-010 | 460-44A-506 | AMD | 98-11-014 |
| 434-257-080 | RECOD | 98-08-010 | 434-326-030 | RECOD | 98-08-010 | 460-44A-508 | AMD-P | 98-08-055 |
| 434-257-090 | RECOD | 98-08-010 | 434-326-035 | RECOD | 98-08-010 | 460-44A-508 | AMD | 98-11-014 |
| 434-257-100 | RECOD | 98-08-010 | 434-326-040 | RECOD | 98-08-010 | 463-54-070 | AMD-W | 98-08-092 |
| 434-257-120 | RECOD | 98-08-010 | 434-326-045 | RECOD | 98-08-010 | 468-38-070 | AMD-P | 98-06-016 |
| 434-257-130 | RECOD | 98-08-010 | 434-326-050 | RECOD | 98-08-010 | 468-38-070 | AMD | 98-09-029 |
| 434-257-150 | RECOD | 98-08-010 | 434-326-055 | RECOD | 98-08-010 | 468-38-070 | AMD-E | 98-12-097 |
| 434-260-010 | RECOD | 98-08-010 | 434-326-060 | RECOD | 98-08-010 | 468-38-071 | AMD-E | 98-12-097 |
| 434-260-020 | RECOD | 98-08-010 | 434-326-065 | RECOD | 98-08-010 | 468-38-110 | PREP | 98-06-023 |
| 434-260-030 | RECOD | 98-08-010 | 434-326-900 | RECOD | 98-08-010 | 468-38-110 | AMD-P | 98-10-038 |
| 434-260-040 | RECOD | 98-08-010 | 434-332-010 | RECOD | 98-08-010 | 468-38-120 | AMD-E | 98-08-057 |
| 434-260-050 | RECOD | 98-08-010 | 434-369-005 | RECOD | 98-08-010 | 468-38-120 | PREP | 98-08-089 |
| 434-260-060 | RECOD | 98-08-010 | 434-369-010 | RECOD | 98-08-010 | 468-38-120 | AMD-P | 98-12-096 |
| 434-260-070 | RECOD | 98-08-010 | 434-369-020 | RECOD | 98-08-010 | 468-38-160 | AMD-E | 98-09-090 |
| 434-260-080 | RECOD | 98-08-010 | 434-369-030 | RECOD | 98-08-010 | 468-38-160 | PREP | 98-10-037 |
| 434-260-090 | RECOD | 98-08-010 | 434-369-040 | RECOD | 98-08-010 | 468-38-260 | PREP | 98-04-043 |
| 434-260-100 | RECOD | 98-08-010 | 434-369-050 | RECOD | 98-08-010 | 468-38-260 | AMD-E | 98-04-045 |
| 434-260-110 | RECOD | 98-08-010 | 434-369-060 | RECOD | 98-08-010 | 468-38-260 | AMD-P | 98-08-090 |
| 434-260-120 | RECOD | 98-08-010 | 434-369-070 | RECOD | 98-08-010 | 468-38-260 | AMD | 98-12-063 |
| 434-260-130 | RECOD | 98-08-010 | 434-369-080 | RECOD | 98-08-010 | 468-58 | PREP | 98-10-089 |
| 434-260-140 | RECOD | 98-08-010 | 434-380-010 | RECOD | 98-08-010 | 468-51 | PREP | 98-07-049 |
| 434-260-150 | RECOD | 98-08-010 | 434-380-020 | RECOD | 98-08-010 | 468-52 | PREP | 98-07-048 |
| 434-260-160 | RECOD | 98-08-010 | 434-380-030 | RECOD | 98-08-010 | 468-54 | PREP | 98-05-037 |
| 434-260-170 | RECOD | 98-08-010 | 434-380-040 | RECOD | 98-08-010 | 468-58 | PREP | 98-10-089 |
| 434-260-180 | RECOD | 98-08-010 | 434-380-050 | RECOD | 98-08-010 | 468-72-050 | PREP | 98-12-095 |
| 434-260-190 | RECOD | 98-08-010 | 434-380-060 | RECOD | 98-08-010 | 468-82 | PREP | 98-03-032 |
| 434-260-200 | RECOD | 98-08-010 | 434-380-070 | RECOD | 98-08-010 | 468-82-010 | REP-P | 98-07-004 |
| 434-260-210 | RECOD | 98-08-010 | 434-381-010 | RECOD | 98-08-010 | 468-82-010 | REP | 98-11-044 |
| 434-260-215 | RECOD | 98-08-010 | 434-381-020 | RECOD | 98-08-010 | 468-82-015 | REP-P | 98-07-004 |
| 434-260-220 | RECOD | 98-08-010 | 434-381-030 | RECOD | 98-08-010 | 468-82-015 | REP | 98-11-044 |
| 434-260-230 | RECOD | 98-08-010 | 434-381-040 | RECOD | 98-08-010 | 468-82-110 | REP-P | 98-07-004 |
| 434-260-240 | RECOD | 98-08-010 | 434-381-050 | RECOD | 98-08-010 | 468-82-110 | REP | 98-11-044 |
| 434-260-250 | RECOD | 98-08-010 | 434-381-060 | RECOD | 98-08-010 | 468-82-120 | REP-P | 98-07-004 |
| 434-260-260 | RECOD | 98-08-010 | 434-381-070 | RECOD | 98-08-010 | 468-82-120 | REP | 98-11-044 |
| 434-260-270 | RECOD | 98-08-010 | 434-381-080 | RECOD | 98-08-010 | 468-82-200 | REP-P | 98-07-004 |
| 434-260-280 | RECOD | 98-08-010 | 434-381-090 | RECOD | 98-08-010 | 468-82-200 | REP | 98-11-044 |

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Table of WAC Sections Affected

| WAC # | ACTION | WSR # | WAC # | ACTION | WSR # | WAC # | ACTION | WSR # |
|-------------|--------|-----------|--------------|--------|-----------|------------|--------|-----------|
| 468-84 | PREP | 98-03-030 | 468-400-010 | NEW-E | 98-03-059 | 516-56-030 | REP-P | 98-05-048 |
| 468-84-010 | REP-P | 98-07-005 | 468-400-010 | NEW | 98-06-029 | 516-56-040 | REP-P | 98-05-048 |
| 468-84-010 | REP | 98-11-045 | 468-400-020 | NEW-E | 98-03-009 | 516-56-050 | REP-P | 98-05-048 |
| 468-84-015 | REP-P | 98-07-005 | 468-400-020 | NEW-P | 98-03-059 | 516-56-060 | REP-P | 98-05-048 |
| 468-84-015 | REP | 98-11-045 | 468-400-020 | NEW | 98-06-029 | 516-56-070 | REP-P | 98-05-048 |
| 468-84-110 | REP-P | 98-07-005 | 468-400-030 | NEW-E | 98-03-009 | 516-56-080 | REP-P | 98-05-048 |
| 468-84-110 | REP | 98-11-045 | 468-400-030 | NEW-P | 98-03-059 | 516-56-090 | REP-P | 98-05-048 |
| 468-84-120 | REP-P | 98-07-005 | 468-400-030 | NEW | 98-06-029 | | | |
| 468-84-120 | REP | 98-11-045 | 468-400-040 | NEW-E | 98-03-009 | | | |
| 468-84-130 | REP-P | 98-07-005 | 468-400-040 | NEW-P | 98-03-059 | | | |
| 468-84-130 | REP | 98-11-045 | 468-400-040 | NEW | 98-06-029 | | | |
| 468-84-135 | REP-P | 98-07-005 | 468-510 | PREP | 98-04-044 | | | |
| 468-84-135 | REP | 98-11-045 | 468-510-010 | NEW-P | 98-08-030 | | | |
| 468-84-200 | REP-P | 98-07-005 | 468-510-010 | NEW | 98-12-062 | | | |
| 468-84-200 | REP | 98-11-045 | 468-510-020 | NEW-P | 98-08-030 | | | |
| 468-84-210 | REP-P | 98-07-005 | 468-510-020 | NEW | 98-12-062 | | | |
| 468-84-210 | REP | 98-11-045 | 478-160-015 | AMD-P | 98-05-066 | | | |
| 468-84-220 | REP-P | 98-07-005 | 478-160-015 | AMD | 98-10-048 | | | |
| 468-84-220 | REP | 98-11-045 | 478-160-095 | AMD-P | 98-05-066 | | | |
| 468-84-230 | REP-P | 98-07-005 | 478-160-095 | AMD | 98-10-048 | | | |
| 468-84-230 | REP | 98-11-045 | 478-160-110 | AMD-P | 98-05-066 | | | |
| 468-84-240 | REP-P | 98-07-005 | 478-160-110 | AMD | 98-10-048 | | | |
| 468-84-240 | REP | 98-11-045 | 478-160-120 | REP-P | 98-05-066 | | | |
| 468-84-250 | REP-P | 98-07-005 | 478-160-120 | REP | 98-10-048 | | | |
| 468-84-250 | REP | 98-11-045 | 478-160-142 | NEW-P | 98-05-066 | | | |
| 468-84-260 | REP-P | 98-07-005 | 478-160-142 | NEW | 98-10-048 | | | |
| 468-84-260 | REP | 98-11-045 | 478-160-143 | NEW-P | 98-05-066 | | | |
| 468-84-300 | REP-P | 98-07-005 | 478-160-143 | NEW | 98-10-048 | | | |
| 468-84-300 | REP | 98-11-045 | 478-160-150 | AMD-P | 98-05-066 | | | |
| 468-84-310 | REP-P | 98-07-005 | 478-160-150 | AMD | 98-10-048 | | | |
| 468-84-310 | REP | 98-11-045 | 478-160-246 | AMD-P | 98-05-066 | | | |
| 468-84-320 | REP-P | 98-07-005 | 478-160-246 | AMD | 98-10-048 | | | |
| 468-84-320 | REP | 98-11-045 | 478-160-270 | AMD-P | 98-05-066 | | | |
| 468-85 | PREP | 98-03-031 | 478-160-270 | AMD | 98-10-048 | | | |
| 468-85-010 | AMD-P | 98-07-006 | 478-160-275 | AMD-P | 98-05-066 | | | |
| 468-85-010 | AMD | 98-11-046 | 478-160-275 | AMD | 98-10-048 | | | |
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| schools and libraries, rates | PERM | 98-04-028 | | |
| subscriber rates, calling areas | PROP | 98-03-011 | | |
| | PROP | 98-12-071 | | |
| telephone assistance program | PREP | 98-09-033 | | |
| | PROP | 98-12-070 | | |
| Transportation services | | | | |
| limousines | PERM | 98-02-004 | | |
| Water companies | | | | |
| rules review | PREP | 98-05-056 | | |
| WALLA WALLA COMMUNITY COLLEGE | | | | |
| Meetings | MISC | 98-01-087 | | |
| | MISC | 98-01-095 | | |
| | MISC | 98-09-035 | | |
| | MISC | 98-11-051 | | |
| WASHINGTON STATE HISTORICAL SOCIETY | | | | |
| Capital projects fund | PROP | 98-04-059 | | |
| | PERM | 98-11-005 | | |
| Meetings | MISC | 98-01-089 | | |
| | MISC | 98-05-018 | | |
| Public records, availability | PROP | 98-04-060 | | |
| | PERM | 98-07-071 | | |
| WASHINGTON STATE LIBRARY | | | | |
| Library commission meetings | MISC | 98-04-008 | | |
| | MISC | 98-04-048 | | |
| | MISC | 98-06-034 | | |
| | MISC | 98-09-025 | | |
| WASHINGTON STATE PATROL | | | | |
| Background checks | PREP | 98-11-037 | | |
| Fire protection policy board meetings | MISC | 98-01-214 | | |
| | MISC | 98-02-025 | | |
| | MISC | 98-04-013 | | |
| Fireworks retail sale | PERM | 98-04-007 | | |
| | EXRE | 98-07-019 | | |
| Kidnapping offender registration | PERM | 98-01-021 | | |
| Motor vehicles | | | | |
| lamp standards | PERM | 98-04-054 | | |
| lighting device standards | PERM | 98-04-053 | | |
| | PREP | 98-11-036 | | |
| | PERM | 98-01-060 | | |
| sound level measurement | | | | |
| special built vehicles, construction and equipment | PERM | 98-04-052 | | |
| tire chains use | PREP | 98-11-035 | | |
| WENATCHEE VALLEY COLLEGE | | | | |
| Meetings | MISC | 98-01-105 | | |
| WESTERN WASHINGTON UNIVERSITY | | | | |
| Housing and dining | PREP | 98-01-011 | | |
| | PROP | 98-05-048 | | |
| WHATCOM COMMUNITY COLLEGE | | | | |
| Meetings | MISC | 98-04-030 | | |
| | MISC | 98-08-033 | | |
| | MISC | 98-08-048 | | |
| WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD | | | | |
| Meetings | MISC | 98-01-216 | | |
| | MISC | 98-06-068 | | |
| | MISC | 98-09-007 | | |
| | MISC | 98-10-036 | | |
| | MISC | 98-10-085 | | |
| | MISC | 98-11-054 | | |
| YAKIMA VALLEY COMMUNITY COLLEGE | | | | |
| Meetings | MISC | 98-01-040 | | |
| Student rights and responsibilities | PREP | 98-07-007 | | |

