Chapter 480-70 WAC

SOLID WASTE AND/OR REFUSE COLLECTION COMPANIES

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

480-70-010 Communications. [Statutory Authority: RCW 80.01.-040. WSR 88-01-115 (Order R-283, Cause No. T-2118), § 480-70-010, filed 12/23/87; Order R-43, § 480-70-010, filed 4/5/73 and 4/18/73; Order R-5, § 480-70-010, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-020 Documents—When filed. [Statutory Authority: RCW 80.01.040. WSR 88-01-115 (Order R-283, Cause No. T-2118), § 480-70-020, filed 12/23/87; Order R-43, § 480-70-020, filed 4/5/73 and 4/18/73; Order R-5, § 480-70-020, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-030 Remittances. [Order R-5, § 480-70-030, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-040 Change of address. [Order R-5, § 480-70-040, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-050 Definitions. [Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-050, filed 1/14/91, effective 2/14/91. Statutory Authority: RCW 80.01.040. WSR 90-13-118 (Order R-321, Docket No. TG-2293), § 480-70-050, filed 6/21/90, effective 7/22/90; Order R-5, § 480-70-050, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.-040.

480-70-055 Adoption by reference defined. [Statutory Authority: RCW 34.05.310, 34.05.356, 80.01.040, 80.04.160 and 80.04.160 [81.04.160]. WSR 99-20-013 (Order R-465, Docket No. A-980247), § 480-70-055, filed 9/24/99, effective 10/25/99. Statutory Authority: RCW 80.01.-040. WSR 94-14-011 (Order R-419, Docket No. TG-940456), § 480-70-055, filed 6/23/94, effective 7/24/94; WSR 93-15-035 (Order R-392, Docket No. T-921165), § 480-70-055, filed 7/13/93, effective 8/13/93; WSR 92-02-081 (Order R-356, Docket No. TG-900482), § 480-70-055, filed 12/31/91, effective 1/31/92.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-060 Licenses. [Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-060, filed 1/14/91, effective 2/14/91; Order R-5, § 480-70-060, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-070 Certificates, no operation without. [Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-070, filed 1/14/91, effective 2/14/91; Order R-5, § 480-70-070, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.-040.

480-70-080 Operation under trade name. [Order R-5, § 480-70-080, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-090 Certificates, must be filed main office. [Order R-5, § 480-70-090, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.-040.

480-70-100 Certificates, secured by false affidavit. [Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-100, filed 1/14/91, effective 2/14/91; Order R-5, § 480-70-100, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-110 Certificate, sale, etc. [Order R-5, § 480-70-110, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-120 Certificates, application for. [Statutory Authority: RCW 80.01.040. WSR 92-24-061 (Order R-382, Docket No. TG-920686), § 480-70-120, filed 11/30/92, effective 12/31/92; WSR 85-20-046 (Order R-240, Cause No. TG-1903), § 480-70-120, filed 9/25/85; Order R-90, § 480-70-120, filed 1/19/77; Order R-5, § 480-70-120, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-130 Temporary certificates, application for. [Statutory Authority: RCW 80.01.040. WSR 91-17-093 (Order R-347, Docket No. TG-901089), § 480-70-130, filed 8/21/91, effective 9/21/91. Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-130, filed 1/14/91, effective 2/14/91; Order R-26, § 480-70-130, filed 5/14/71; Order R-5, § 480-70-130, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-140 Certificates, description, hearing for clarification. [Order R-5, § 480-70-140, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-150 Certificates, applications—Notice to existing carriers. [Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-150, filed 1/14/91, effective 2/14/91; Statutory Authority: RCW 80.01.040. WSR 85-20-046 (Order R-240, Cause No. TG-1903), § 480-70-150, filed 9/25/85; WSR 82-13-089 (Order R-191, Cause No. TG-1575), § 480-70-150, filed 6/23/82; Order R-19, § 480-70-150, filed 5/12/70; Order R-5, § 480-70-150, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-155 Contemporaneous applications. [Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and chapter 34.05 RCW. WSR 91-22-034 (Order R-351, Docket No. A-910835), § 480-70-155, filed 10/30/91, effective 11/30/91.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-160 Certificates, qualifications for. [Order R-5, § 480-70-160, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-166 Canceling certificates. [Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-166, filed 3/23/01, effective 4/23/01.] Repealed by WSR 06-07-100 (Docket No. T-051359, General Order No. R-529), filed 3/15/06, effective 4/15/06. Statutory Authority: RCW 80.01.040(4), 81.04.160.

480-70-170 Certificate, must abide by. [Order R-5, § 480-70-170, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-180 Certificate, sale, etc. [Order R-90, § 480-70-180, filed 1/19/77; Order R-5, § 480-70-180, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01,

effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-190 Miscellaneous fees. [Order R-50, § 480-70-190, filed 8/8/73; Order R-5, § 480-70-190, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-200 Certificates, duplicates. [Order R-5, § 480-70-200, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-210 Certificates, reinstatement. [Order R-5, § 480-70-210, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-220 Application fees forfeited-denied application, no renewal for six months. [Order R-5, § 480-70-220, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-230 Dual operation. [Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-230, filed 1/14/91, effective 2/14/91; Order R-31, § 480-70-230, filed 10/18/71; Order R-5, § 480-70-230, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-240 Tariff, naming rates and charges. [Statutory Authority: RCW 80.01.040. WSR 92-01-052 (Order R-358, Docket No. TG-900715), § 480-70-240, filed 12/11/91, effective 1/11/92; Order R-73, § 480-70-240, filed 6/25/75; Order R-31, § 480-70-240, filed 10/18/71; Order R-5, § 480-70-240, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-245 Agreements to operate certificates. [Order R-31, § 480-70-245, filed 10/18/71.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-250 Insurance. [Statutory Authority: RCW 80.01.040. WSR 94-11-004 (Order R-414, Docket No. TG-940127), § 480-70-250, filed 5/4/94, effective 6/4/94; Order R-5, § 480-70-250, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-260 Insurance endorsement. [Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-260, filed 1/14/91, effective 2/14/91; Order R-5, § 480-70-260, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-270 Insurance termination. [Order R-5, § 480-70-270, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-280 Surety bond. [Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-280, filed 1/14/91, effective 2/14/91; Order R-5, § 480-70-280, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-290 Equipment of motor vehicles. [Order R-5, § 480-70-290, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-300 Motor vehicles, identification. [Order R-5, § 480-70-300, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-310 Motor vehicles, safety, sanitary, inspection. [Order R-5, § 480-70-310, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.-040.

480-70-320 Motor vehicles, safe operation. [Order R-5, § 480-70-320, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-325 Equipment—Inspection—Ordered for repairs. [Statutory Authority: RCW 80.01.040. WSR 92-02-081 (Order R-356, Docket No. TG-900482), § 480-70-325, filed 12/31/91, effective 1/31/92; WSR 90-06-017 (Order R-315, Docket No. TV-2285), § 480-70-325, filed 2/27/90, effective 3/30/90.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-330 Drivers, hours of work. [Statutory Authority: RCW 80.01.040. WSR 92-02-081 (Order R-356, Docket No. TG-900482), § 480-70-330, filed 12/31/91, effective 1/31/92. Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-330, filed 1/14/91, effective 2/14/91. Statutory Authority: RCW 80.01.040. WSR 89-06-021 (Order R-295, Cause No. TV-2225), § 480-70-330, filed 2/23/89; WSR 85-23-002 (Order R-244, Cause No. TV-1913), § 480-70-330, filed 11/7/85. Statutory Authority: RCW 81.77.030. WSR 83-06-015 (Order R-194, Cause No. TG-1686), § 480-70-330, filed 2/23/83. Statutory Authority: RCW 80.01.040 and 81.77.030. WSR 80-11-007 (Order R-145, Cause No. TG-1357), § 480-70-330, filed 8/7/80; Order R-5, § 480-70-330, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-335 Out-of-service criteria. [Statutory Authority: RCW 80.01.040. WSR 92-02-081 (Order R-356, Docket No. TG-900482), § 480-70-335, filed 12/31/91, effective 1/31/92; WSR 90-06-017 (Order R-315, Docket No. TV-2285), § 480-70-335, filed 2/27/90, effective 3/30/90.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-340 Annual fee. [Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-340, filed 1/14/91, effective 2/14/91; Order R-57, § 480-70-340, filed 11/7/73; Order R-5, § 480-70-340, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-350 Accounts—Uniform system adopted—Reports. [Statutory Authority: RCW 80.01.040. WSR 92-03-082 (Order R-367, Docket No. TG-911200), § 480-70-350, filed 1/15/92, effective 2/15/92. Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-350, filed 1/14/91, effective 2/14/91. Statutory Authority: RCW 80.01.040. WSR 90-01-058 (Order R-313, Docket No. U-89-3099-R), § 480-70-350, filed 12/15/89, effective 1/15/90. Statutory Authority: RCW 81.01.040(1) and (4)[80.01.040(1) and (4)]. WSR 81-15-093 (Order R-167, Cause No. TG-1502), § 480-70-350, filed 7/22/81; Order R-31, § 480-70-350, filed 10/18/71; Order R-5, § 480-70-350, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-360 Contracts. [Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-360, filed 1/14/91, effective 2/14/91; Order R-5, § 480-70-360, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012

(Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-370 Disabled motor vehicles—Substitution. [Order R-5, § 480-70-370, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-380 Equipment—Order for repairs. [Order R-5, § 480-70-380, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-390 Discontinuance of service, commission approval required. [Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-390, filed 1/14/91, effective 2/14/91; Order R-5, § 480-70-390, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-400 Driver qualifications, hazardous materials transportation, and equipment safety. [Statutory Authority: RCW 80.01.040. WSR 94-14-011 (Order R-419, Docket No. TG-940456), § 480-70-400, filed 6/23/94, effective 7/24/94; WSR 92-02-081 (Order R-356, Docket No. TG-900482), § 480-70-400, filed 12/31/91, effective 1/31/92. Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-400, filed 1/14/91, effective 2/14/91. Statutory Authority: RCW 80.01.040. WSR 89-06-021 (Order R-295, Cause No. TV-2225), § 480-70-400, filed 2/23/89. Statutory Authority: RCW 81.77.030. WSR 83-06-015 (Order R-194, Cause No. TG-1686), § 480-70-400, filed 2/23/83. Statutory Authority: RCW 80.01.040 and 81.77.030. WSR 82-05-021 (Order R-183, Cause No. TG-1568), § 480-70-400, filed 2/10/82; WSR 81-19-034 (Order R-176, Cause No. TG-1527), § 480-70-400, filed 9/10/81; WSR 81-18-047 (Order R-172, Cause No. TG-1509), § 480-70-400, filed 8/28/81. Statutory Authority: RCW 80.01.040 and 81.77.030. WSR 80-11-007 (Order R-145, Cause No. TG-1357), § 480-70-400, filed 8/7/80; Order R-5, § 480-70-400, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.-040.

480-70-405 Accident reporting. [Statutory Authority: RCW 80.01.-040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-405, filed 1/14/91, effective 2/14/91. Statutory Authority: RCW 80.01.040. WSR 89-06-021 (Order R-295, Cause No. TV-2225), § 480-70-405, filed 2/23/89. Statutory Authority: RCW 80.01.040 and 81.77.030. WSR 80-11-007 (Order R-145, Cause No. TG-1357), § 480-70-405, filed 8/7/80.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-410 General application of rules. [Order R-5, § 480-70-410, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-420 Penalty assessments. [Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-420, filed 1/14/91, effective 2/14/91; Order R-5, § 480-70-420, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-430 Rules, waiver. [Order R-5, § 480-70-430, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-440 Solid waste collection companies statute applicable. [Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-440, filed 1/14/91, effective 2/14/91; Order R-5, § 480-70-440, filed 6/6/69, effective 10/9/69.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-500 Operational requirements. [Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-500, filed 1/14/91, effective 2/14/91. Statutory Authority: RCW 80.01.040. WSR 90-13-118 (Order R-321, Docket No. TG-2293), § 480-70-500, filed 6/21/90, effective 7/22/90.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-510 Training requirements. [Statutory Authority: RCW 80.01.040. WSR 90-13-118 (Order R-321, Docket No. TG-2293), § 480-70-510, filed 6/21/90, effective 7/22/90.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-530 Packaging and containment. [Statutory Authority: RCW 80.01.040. WSR 90-13-118 (Order R-321, Docket No. TG-2293), § 480-70-530, filed 6/21/90, effective 7/22/90.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-540 Transfer of biohazardous or biomedical waste to offsite treatment and disposal facilities. [Statutory Authority: RCW 80.01.040. WSR 90-13-118 (Order R-321, Docket No. TG-2293), § 480-70-540, filed 6/21/90, effective 7/22/90.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-550 Shipping paper requirements. [Statutory Authority: RCW 80.01.040. WSR 90-13-118 (Order R-321, Docket No. TG-2293), § 480-70-550, filed 6/21/90, effective 7/22/90.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-560 Insurance requirements. [Statutory Authority: RCW 80.01.040. WSR 90-13-118 (Order R-321, Docket No. TG-2293), § 480-70-560, filed 6/21/90, effective 7/22/90.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-570 Reporting of accidents. [Statutory Authority: RCW 80.01.040 and chapter 81.77 RCW. WSR 91-03-053 (Order R-335, Docket No. TG-900718), § 480-70-570, filed 1/14/91, effective 2/14/91. Statutory Authority: RCW 80.01.040. WSR 90-13-118 (Order R-321, Docket No. TG-2293), § 480-70-570, filed 6/21/90, effective 7/22/90.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-600 Bidding—Definitions. [Statutory Authority: RCW 80.01.040 and 81.77.150. WSR 90-24-091 (Order R-333, Docket No. TG-2315), § 480-70-600, filed 12/5/90, effective 1/5/91.] Repealed by WSR 92-24-059 (Order R-381, Docket No. TG-920633), filed 11/30/92, effective 12/31/92. Statutory Authority: RCW 80.01.040.

480-70-610 Bidding—Determination of market boundaries and competitiveness. [Statutory Authority: RCW 80.01.040 and 81.77.150. WSR 90-24-091 (Order R-333, Docket No. TG-2315), § 480-70-610, filed 12/5/90, effective 1/5/91.] Repealed by WSR 92-24-059 (Order R-381, Docket No. TG-920633), filed 11/30/92, effective 12/31/92. Statutory Authority: RCW 80.01.040.

480-70-620 Bidding—Petitions. [Statutory Authority: RCW 80.01.-040 and 81.77.150. WSR 90-24-091 (Order R-333, Docket No. TG-2315), § 480-70-620, filed 12/5/90, effective 1/5/91.] Repealed by WSR 92-24-059 (Order R-381, Docket No. TG-920633), filed 11/30/92, effective 12/31/92. Statutory Authority: RCW 80.01.040.

480-70-630 Bidding—Notification of local government. [Statutory Authority: RCW 80.01.040 and 81.77.150. WSR 90-24-091 (Order R-333, Docket No. TG-2315), § 480-70-630, filed 12/5/90, effective 1/5/91.] Repealed by WSR

92-24-059 (Order R-381, Docket No. TG-920633), filed 11/30/92, effective 12/31/92. Statutory Authority: RCW 80.01.040.

480-70-640 Bidding process. [Statutory Authority: RCW 80.01.040 and 81.77.150. WSR 90-24-091 (Order R-333, Docket No. TG-2315), § 480-70-640, filed 12/5/90, effective 1/5/91.] Repealed by WSR 92-24-059 (Order R-381, Docket No. TG-920633), filed 11/30/92, effective 12/31/92. Statutory Authority: RCW 80.01.040.

480-70-700 Availability of information. [Statutory Authority: RCW 80.01.040. WSR 93-20-039 (Order R-397, Docket No. TG-921221), § 480-70-700, filed 9/29/93, effective 1/1/94.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-710 Discontinuance of service. [Statutory Authority: RCW 80.01.040. WSR 93-20-039 (Order R-397, Docket No. TG-921221), § 480-70-710, filed 9/29/93, effective 1/1/94.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-720 Reinstatement of service following discontinuance. [Statutory Authority: RCW 80.01.040. WSR 93-20-039 (Order R-397, Docket No. TG-921221), § 480-70-720, filed 9/29/93, effective 1/1/94.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-730 Refusal of service. [Statutory Authority: RCW 80.01.-040. WSR 93-20-039 (Order R-397, Docket No. TG-921221), § 480-70-730, filed 9/29/93, effective 1/1/94.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.-030 and 80.01.040.

480-70-740 Refusal or discontinuance of service to premises because of former occupant's unpaid account. [Statutory Authority: RCW 80.01.040. WSR 93-20-039 (Order R-397, Docket No. TG-921221), § 480-70-740, filed 9/29/93, effective 1/1/94.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-750 Deposits. [Statutory Authority: RCW 80.01.040. WSR 93-20-039 (Order R-397, Docket No. TG-921221), § 480-70-750, filed 9/29/93, effective 1/1/94.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.-040.

480-70-760 Refunds—Other than deposits. [Statutory Authority: RCW 80.01.040. WSR 93-20-039 (Order R-397, Docket No. TG-921221), § 480-70-760, filed 9/29/93, effective 1/1/94.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-770 Form of bills. [Statutory Authority: RCW 80.01.040. WSR 93-20-039 and 93-22-067 (Order R-397, Docket No. TG-921221), § 480-70-770, filed 9/29/93 and 10/29/93, effective 1/1/94.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-780 Pass through disposal fees. [Statutory Authority: RCW 80.01.040. WSR 93-20-039 and 93-22-067 (Order R-397, Docket No. TG-921221), § 480-70-780, filed 9/29/93 and 10/29/93, effective 1/1/94.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.-040.

480-70-790 Complaints and disputes. [Statutory Authority: RCW 80.01.040. WSR 93-20-039 (Order R-397, Docket No. TG-921221), § 480-70-790, filed 9/29/93, effective 1/1/94.] Repealed by WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), filed 3/23/01, effective 4/23/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040.

480-70-990 Appendix A—Form—Garbage and/or refuse collection companies. [Statutory Authority: RCW 80.01.040. WSR 90-09-015 (Order R-317, Docket No. TG-2296-R), § 480-70-990, filed 4/9/90, effective 5/10/90; Order R-89, Appendix A, pages 3, 4, 6, and 7 (codified as WAC 480-70-990), filed 12/8/76; Order R-73, Appendix A, Pages 1-14, filed 6/25/75; Order R-31, Appendix A, pages 1-14, filed 10/18/71.] Repealed by WSR 92-01-052 (Order R-358, Docket No. TG-900715), filed 12/11/91, effective 1/11/92. Statutory Authority: RCW 80.01.040.

PART I—GENERAL ADMINISTRATIVE RULES

WAC 480-70-001 Purpose of chapter. The legislature has declared that operating as a solid waste collection company in the state of Washington is a business affected with a public interest and that such companies should be regulated. The purpose of these rules is to administer and enforce chapter 81.77 RCW by establishing standards for:

- Public safety;
- Fair practices;
- Just and reasonable charges;
- Nondiscriminatory application of rates;
- Adequate and dependable service;
- Consumer protection; and
- Compliance with statutes, rules and commission orders.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-001, filed 3/23/01, effective 4/23/01.]

WAC 480-70-006 Application. (1) Except for those operations described in WAC 480-70-011, these rules apply to any solid waste collection company in the business of transporting solid waste for collection and/or disposal from points in the state of Washington, for compensation, over the public highways.

(2) Cases of erroneous or doubtful interpretation of these rules by a solid waste collection company or customer are subject to appeal to the commission by any interested and proper party affected.

(3) Upon proper showing of any solid waste collection company, the commission may waive or modify as to that solid waste collection company the provisions of any rule in this chapter except when such provisions are fixed by statute.

(4) No deviation from these rules will be permitted without written authorization by the commission. Violation will be subject to the penalty provisions of chapter 81.04 RCW.

(5) A company in the business of transporting solid waste for collection and/or disposal from points in the state of Washington is not exempt from commission regulation under the provisions of:

(a) The Interstate Commerce Act. Commission regulation of solid waste collection companies includes regulation of the collection and transportation of solid waste between points in the state of Washington and from points in the state of Washington to out-of-state disposal locations; or

(b) The Federal Aviation Administration Authorization Act (FAAAA) of 1994. The FAAAA preempted state regulation of rates, routes and services of property carriers, but did not affect state regulation of solid waste collection companies.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-006, filed 3/23/01, effective 4/23/01.]

WAC 480-70-011 Exempt operations. (1) The following collection and hauling operations are not regulated by the commission:

(a) The operations of a company conducted under a contract for solid waste collection service with a city or town (refer to RCW 81.77.020);

(b) The operations of a city or town that itself provides solid waste collection service (refer to RCW 81.77.020);

(c) The operations of a company conducted under a contract with any county, city or town for the collection or transportation of source-separated recyclable materials from residences (refer to RCW 81.77.130);

(d) The operations of any city or town that itself provides collection and transportation of source-separated recyclable materials from residences (refer to RCW 81.77.130);

(e) The operations of a recycling company or nonprofit entity collecting and transporting recyclable materials from a buy-back center, drop box, or from a commercial or industrial generator of recyclable materials when those recyclable materials are being transported for use other than disposal or incineration, or under agreement with a solid waste collection company (refer to RCW 81.77.140);

(f) The operations of a commercial or industrial generator of commercial recyclable materials in selling, conveying, or arranging for transportation of recyclable materials to a recycler for reuse or reclamation (refer to RCW 81.77.140);

(g) The operations of private carriers who, in their own vehicles, transport solid waste purely as an incidental adjunct to some other established private business owned or operated by them in good faith. This private-carrier exemption does not include persons transporting solid waste from residential sources, such as apartment houses or mobile home parks, in vehicles designed or used primarily for the transport of solid waste;

(h) The operations of carriers using special equipment to transport sewage or cesspool wastes as an incidental part of a septic tank or cesspool cleaning service; or

(i) The operations of carriers transporting loads either from a transfer station to a disposal site or between disposal sites (refer to RCW 36.58.050).

(2) The following collection and hauling operations are not regulated by the commission as solid waste:

(a) The operations of a carrier operating under a permit issued by the commission under chapter 81.80 RCW (motor freight) that occasionally transports to a disposal site, but whose primary business is not the collection of solid waste. This exemption does not apply if the carrier holds itself out to the public as a transporter of solid waste. Examples of this type of operation include, but are not limited to:

(i) A dump truck operator, who as a part of performing dump truck operations in conjunction with building or construction projects, hauls an occasional load to a disposal site; or

(ii) A household goods carrier who transports to a disposal site the used packing materials from a shipment of household goods that the carrier transported.

(b) A carrier collecting or transporting recyclable materials from a drop box or recycling buy-back center, or collecting or transporting recyclable materials by or on behalf of a commercial or industrial generator of recyclable materials to a recycler for use or reclamation. This type of operation is regulated under chapter 81.80 RCW as transportation of general commodities.

(3) A carrier transporting commercially salable earth that is used as fill, road ballast, or aggregate is regulated under chapter 81.80 RCW as a transporter of general commodities.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-011, filed 3/23/01, effective 4/23/01.]

WAC 480-70-016 Determination of authority required to transport specific commodities or provide specific services. (1) Chapter 81.77 RCW is intended to cover operations of carriers whose primary business is transporting solid waste for collection and/or disposal. Persons holding permits issued by the commission under the provisions of chapter 81.80 RCW, whose primary business is not the collection of solid waste, normally will also need to obtain a certificate of public convenience and necessity if they transport solid waste to a disposal site on more than an occasional basis, or if they hold themselves out to the public as providing solid waste collection service.

(2) In some instances carriers may be engaged extensively in both motor freight and solid waste collection operations. In cases where such operations are separable, carriers may be required to hold both a solid waste certificate under the provisions of chapter 81.77 RCW and a motor carrier permit under the provisions of chapter 81.80 RCW in order to provide both services. In each case it is within the discretion of the commission to determine whether a carrier is required to hold both a motor carrier permit and a solid waste certificate.

(3) In some instances, transportation of a specific commodity may be subject to commission regulation under the provisions of chapter 81.80 RCW, or as solid waste under the provisions of chapter 81.77 RCW, depending on the circumstances involved in the transportation of that commodity. For example, if soil is transported to a landfill to become part of the cover of the landfill, the transportation is subject to regulation as a motor carrier under the provisions of chapter 81.80 RCW. However, if the soil is being transported to a landfill merely for disposal, the transporter is subject to regulation as a solid waste collection company under the provisions of chapter 81.77 RCW.

(4) In determining whether operations require a solid waste certificate or a motor carrier permit, the commission will consider factors including, but not limited to:

(a) The intent of the shipper;

(b) The intended destination of the shipment;

(c) The actual destination of the shipment;

(d) Special handling or conditions placed on the shipment by the shipper and/or receiver;

(e) The value of the commodity being transported;

(f) Whether the carrier is primarily engaged in the business of providing solid waste collection or is primarily engaged in the business of providing a service other than the collection of solid waste; and

(g) Whether the carrier holds itself out to the public as a transporter of solid waste.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-016, filed 3/23/01, effective 4/23/01.]

WAC 480-70-021 Additional requirements. (1) These rules do not relieve any solid waste collection company from any of its duties and obligations under the laws of the state of Washington.

(2) The commission retains the authority to impose additional or different requirements on any solid waste collection company in appropriate circumstances, consistent with the requirements of law.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-021, filed 3/23/01, effective 4/23/01.]

WAC 480-70-026 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-026, filed 3/23/01, effective 4/23/01.]

WAC 480-70-031 Resolving disputes about the meaning of these rules. If the interpretation of any rule in this chapter is questioned by a company, a customer, or an applicant, a request for clarification may be filed with the commission.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-031, filed 3/23/01, effective 4/23/01.]

WAC 480-70-036 Rules of practice and procedure. Commission rules governing administrative practices and procedures are in chapter 480-07 WAC. If a rule in this chapter conflicts with a rule in chapter 480-07 WAC, the rule in this chapter applies. Copies of chapter 480-07 WAC are available on request to the commission records center.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 03-24-028 (General Order R-510, Docket No. A-010648), § 480-70-036, filed 11/24/03, effective 1/1/04. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-036, filed 3/23/01, effective 4/23/01.]

WAC 480-70-041 Definitions, general. (See WAC 480-70-226 (Tariffs, definitions used in) for definition of terms used primarily in tariff filings.) Unless the language or context indicates that a different meaning is intended, the following words, terms and phrases mean:

"Affiliated interest" means a person or corporation as defined in RCW 81.16.010.

"Application docket" means a commission publication listing applications requesting operating authority, and commission action taken on applications for temporary authority.

"Biomedical waste" means the following types of waste:

"Animal waste" means waste animal carcasses, body parts, and bedding of animals that are known to be infected with, or that have been inoculated with, human pathogenic microorganisms infectious to humans.

"Biosafety level 4 disease waste" means waste contaminated with blood, excretions, exudates, or secretions from humans or animals who are isolated to protect others from highly communicable infectious diseases that are identified as pathogenic organisms assigned to biosafety level 4 by the Centers for Disease Control, National Institute of Health, *Biosafety in Microbiological and Biomedical Laboratories,* current edition.

"Cultures and stocks" means wastes infectious to humans and includes specimen cultures, cultures and stocks of etiologic agents, wastes from production of biologicals and serums, discarded live and attenuated vaccines, and laboratory waste that has come into contact with cultures and stocks of etiologic agents or blood specimens. Such waste includes, but is not limited to, culture dishes, blood specimen tubes, and devices used to transfer, inoculate, and mix cultures.

"Human blood and blood products" means discarded waste human blood and blood components, and materials containing free-flowing blood and blood products.

"Pathological waste" means waste human source biopsy materials, tissues, and anatomical parts that emanate from surgery, obstetrical procedures, and autopsy. "Pathological waste" does not include teeth, human corpses, remains, and anatomical parts that are intended for interment or cremation.

"Sharps waste" means all hypodermic needles, syringes with needles attached, IV tubing with needles attached, scalpel blades, and lancets that have been removed from the original sterile package.

Note: Certificates issued prior to the effective date of these rules may contain the terms "biohazardous waste" or "infectious waste" in describing services authorized. From the effective date of these rules, those permits shall be understood to allow the transportation of "biomedical waste."

"Biohazardous or biomedical waste generator" means any person, by site, whose act or process produces infectious waste, or whose act first caused an infectious waste to become subject to regulation. In the case where more than one person, e.g., doctors with separate medical practices, are located in the same building, each individual business entity is a separate generator for the purposes of these rules.

"Biohazardous or biomedical waste transporter" means any person who transports infectious waste over the highways in a quantity equal to or exceeding one hundred pounds per month for compensation.

"Biosolids" means municipal sewage sludge that is a primarily organic, semisolid product resulting from the wastewater treatment process.

"Business of transporting solid waste for collection and/or disposal for compensation" means those carriers who are primarily in the specialized business of solid waste for collection and/or disposal.

"Cancellation" means an act by the commission to terminate a solid waste collection company certificate; or an act by a carrier to discontinue the application of a tariff, a tariff supplement, or a tariff item.

"Certificate" means the certificate of public convenience and necessity issued by the Washington utilities and transportation commission under the provisions of chapter 81.77 RCW for the operation of solid waste collection companies.

"Certificated authority" means the territory and services granted by the commission and described in a company's certificate of public convenience and necessity.

"City regulation" means regulation of the operations of a solid waste collection company by a city through issuance of a contract.

"Classes of companies":

"Class A company" means a traditional solid waste collection company with an annual gross operating revenue from regulated, intrastate operations of five million dollars or more.

"Class B company" means a traditional solid waste collection company with an annual gross operating revenue from regulated, intrastate operations of less than five million dollars.

"Class C company" means a solid waste collection company that does not provide traditional residential or commercial solid waste operations. This class includes specialized carriers generally hauling specific waste products for specific customers or providing only on-call or nonscheduled service.

"Classes of service" means either commercial, specialized, drop box, or residential service.

"Company" means a solid waste collection company.

"Commercial authority" means authority to provide solid waste collection service to business, institutional, or industrial generators.

"Commercial recycling service" means transportation of recyclable commodities from a buy-back center, drop box, or from a commercial or industrial generator of recyclable materials when those recyclable materials are being transported for use other than landfill disposal or incineration. Commercial recycling is regulated under chapter 81.80 RCW.

"Commercial service" means solid waste collection service provided to a business, institutional, or industrial generator.

"Commission" means the Washington utilities and transportation commission.

"Common carrier" means any person who transports solid waste by motor vehicle for compensation.

"Construction debris" or **"construction waste"** means solid waste resulting from the building or renovation of buildings, roads and other man-made structures. Construction debris includes, but is not limited to, materials such as plasterboard, cement, dirt, wood, and brush.

"Contract carrier" means a person holding a certificate issued by the commission authorizing transportation of solid waste for collection and/or disposal under special and individual contracts or agreements.

"Control" means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a company, whether through the ownership of voting shares, by contract, or otherwise.

"Demolition waste" or **"demolition debris"** means solid waste resulting from the demolition or razing of buildings, roads and other man-made structures. Demolition waste includes, but is not limited to, concrete, brick, bituminous concrete, wood and masonry, composition roofing and roofing paper, steel, and minor amounts of other metals like copper.

"Disinfect" means to cleanse by destroying harmful microorganisms.

"Disposal site" means the location where any final treatment, utilization, processing, or deposit of solid waste occurs. This term includes, but is not limited to, landfills, transfer stations, and incinerators.

"Dump truck operator" means a carrier holding a permit under chapter 81.80 RCW engaged in the operation of dump trucks and similar vehicles used in the transportation of sand, gravel, dirt, debris, and other similar commodities except solid waste. Dump truck operations are usually conducted during the daytime; are local in character; are somewhat seasonal, especially in connection with building or construction projects; and the value of the commodity transported is usually low.

"Filing" means any application, petition, tariff proposal, annual report, comment, complaint, pleading, or other document submitted to the commission.

"Garbage" means those materials of solid waste that are putrescible.

"Garbage and refuse." Whenever the phrase "garbage and refuse" is used as a qualifying phrase, it means either garbage or refuse, or both garbage and refuse.

"Hazardous waste" means any material that is subject to the Hazardous Waste Manifest Requirements of the U.S. Environmental Protection Agency specified in 40 C.F.R. Part 262.

"Incineration" means to reduce the volume of solid waste by use of an enclosed device using controlled flame combustion.

"Incinerator" means a site where solid waste is reduced in volume by use of an enclosed device using controlled flame combustion.

"Landfill" means a disposal facility or part of a facility at which solid waste is placed in or on land and which is not a land-treatment facility.

"Land-treatment facility" means the site on which the practice of applying dangerous waste onto or incorporating dangerous waste into the soil surface so that it will degrade or decompose takes place. The term does not include applying waste onto or into the soil surface for the purpose of soil sweetening or soil amendment.

"Leachate" means water or other liquid that has been contaminated by dissolved or suspended materials due to contact with solid waste or gases.

"Motor vehicle" means any truck, trailer, semi-trailer, tractor or any self-propelled or motor-driven vehicle used on any public highway of this state for the purpose of transporting solid waste for collection and/or disposal.

"Multiple-family residence" or **"multifamily residence"**means any structure housing two or more dwelling units.

"Multifamily service" means residential service provided to multifamily structures or locations including, but not limited to, duplexes, apartments, mobile home courts, and condominiums.

"Nonputrescible" means not capable of being readily decomposed by microorganisms.

"Occasional" means occurring at irregular and infrequent intervals. The term is qualitative, not quantitative, in that the term applies to services that are only performed from time-to-time, not that the solid waste hauling is only a small part of services offered.

"Packer" means a device or vehicle specially designed to compress loose materials.

"Person" means an individual, firm, corporation, association, partnership, lessee, receiver, trustee, consortium, joint venture, or commercial entity.

"Private carrier" means a person who transports solid waste in the person's own vehicle purely as an incidental adjunct to some other established private business owned or operated by that person in good faith.

EXCEPTION: A person who transports solid waste from residential sources in a vehicle designed or used primarily for the transport of solid waste is not a private carrier.

"Private motor vehicle" means a vehicle owned or operated by a private carrier.

"Private road" means a road not normally available for use by the public.

"Public highway" means every street, road, or highway in this state normally available for use by the public.

"Putrescible" means capable of being readily decomposed by microorganisms.

"Recyclable materials" means materials that are transported for recycling, reprocessing, reclamation, or for any process that extracts or modifies the commodity for reuse or another commercially valuable purpose.

"Recycling" means transforming or remanufacturing materials into usable or marketable materials for use other than landfill disposal or incineration.

"Refuse" means those materials of solid waste that are not putrescible.

"Residence" means the regular dwelling place of an individual or individuals.

"Residential authority" means authority to provide solid waste collection from residences.

"Residential recycling service" means collection of those solid wastes that are separated for recycling or reuse, such as paper, plastic, metals, and glass, that are identified as recyclable materials pursuant to a local comprehensive solid waste plan.

"Residential service" means solid waste collection from residences.

"Sewer sludge" means a semisolid substance consisting of settled sewage solids combined with varying amounts of water and dissolved materials, generated from a wastewater treatment system, that does not meet the requirements of chapter 70.95J RCW, and is transported to a site for disposal.

"Shipping paper" means a shipping order, bill of lading, manifest, or other shipping document serving a similar purpose and containing the information required in WAC 480-70-401 (Payment options).

"Small business" means any company that has fifty or fewer employees.

"Solid waste" or **"solid wastes"** means all putrescible and nonputrescible solid and semisolid wastes including, but not limited to:

- Garbage;
- Rubbish;
- Refuse;
- Swill;
- Ashes;
- Industrial wastes;
- Sewage sludge;
- Demolition and construction wastes;
- Abandoned vehicles or parts of abandoned vehicles; and
- Source-separated recyclable materials collected from single and multifamily residences.

"Solid waste collection" means collecting solid waste from residential or commercial customers and transporting the solid waste, using a motor vehicle, for collection and/or disposal over the highways of the state of Washington for compensation.

"Solid waste collection company" means every common carrier, including a contract carrier, who provides solid waste collection service.

"Source separation" means the separation of different kinds of solid waste at the place where the waste originates.

"Specialized solid waste collection company" means a company providing other than traditional solid waste collection service. Specialized companies generally haul specific waste products for specific customers, provide only on-call or nonscheduled service, or provide accessorial services not normally provided by traditional solid waste collection companies.

"State" means the state of Washington.

"Subsidiary" means any company in which the solid waste company owns directly or indirectly five percent or more of the voting securities, unless the solid waste company demonstrates it does not have control.

"Suspension" means an act by the commission to temporarily withhold a solid waste collection company's certificated authority; or an act by the commission to withhold approval of a company's tariff filing.

"Tariff" means a document issued by a company, and approved by the commission, containing the services provided, the rates and charges the company bills its customers for those services, and the rules describing how the rates and charges apply.

"Tariff service territory" means a company-defined geographic division of its certificated authority in which a specific tariff applies.

"Third-party waste broker" means a person or company acting on behalf of a generator of solid waste, usually an industrial or commercial generator, to arrange for collection and/or disposal of solid waste.

"Traditional solid waste collection company" means a company engaged in collecting and removing solid waste and recyclable materials from private homes, and/or removing solid waste from commercial establishments, industrial facilities, and other sites. Solid waste is normally picked up on a daily, weekly, or other regular basis. Drivers are usually assigned designated routes to collect curbside residential solid waste or transport cans or containers for commercial businesses. Unless the company's certificate is restricted against doing so, a traditional solid waste collection company may also perform specialized solid waste collection service.

"Transfer station" means a staffed, fixed supplemental facility used by persons and route collection vehicles to deposit solid wastes into transfer trailers for transportation to a disposal site. The definition does not usually include detachable containers. However, in counties with a population of less than seventy thousand, and in any county with a population of from one hundred twenty-five thousand to less

than two hundred ten thousand that is located east of the crest of the Cascade mountain range, if detachable containers are securely fenced, staffed by an attendant during all hours when the detachable container is open to the public, and tipping fees that cover the cost of providing the containers and the use of the facility are charged, then such detachable containers constitute a transfer station. (Refer to RCW 36.58.-030.)

"Treatment" means incineration, sterilization, or other method, technique, or process that changes the character or composition of a biomedical waste so as to minimize the risk of transmitting an infectious disease by making it noninfectious. Any waste, except sharps, that has been treated is not considered biohazardous or biomedical waste, and may be considered to be solid waste for purposes and handling.

"Vehicle" means every device capable of transporting solid waste on a public highway. The term "vehicle" does not include devices moved by human or animal power or used exclusively on stationary rails or tracks.

"Yard waste" or **"yard debris"** means plant material commonly created in the course of maintaining yards and gardens and through horticulture, gardening, landscaping, or similar activities. Yard waste includes, but is not limited to, grass clippings, leaves, branches, brush, weeds, flowers, roots, windfall fruit, and vegetable garden debris.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-70-041, filed 2/28/05, effective 3/31/05. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-041, filed 3/23/01, effective 4/23/01.]

WAC 480-70-046 Change of address or telephone number. A company must notify the commission in writing of any change in physical business address, business mailing address or business telephone number. This notice must be filed at least ten days before the effective date of the change by letter, telefacsimile, or email.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-046, filed 3/23/01, effective 4/23/01.]

WAC 480-70-051 Exemptions from rules in chapter 480-70 WAC. The commission may grant an exemption from the provisions of any rule in this chapter in the same manner and consistent with the standards and according to the procedures set forth in WAC 480-07-110 (Exceptions from and modifications to the rules in this chapter; special rules).

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-70-051, filed 2/28/05, effective 3/31/05. Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 03-24-028 (General Order R-510, Docket No. A-010648), § 480-70-051, filed 11/24/03, effective 1/1/04. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-051, filed 3/23/01, effective 4/23/01.]

WAC 480-70-056 Mapping. (1) **Software and scale compatibility.** The commission uses geographic information system (GIS) software to track certificated authorities. When required by this chapter to file a map, a company must file that map in one of the methods described in (a) and (b) of this section.

(a) **Electronic maps.** A company may file an electronic map that is compatible with the commission's hardware and software. Before filing its map electronically, a company must contact the commission to determine whether its mapping software is compatible with that used by the commission.

(b) **Paper maps.** A company may file a paper map using United States Geological Survey (USGS) maps at a scale of 1:250,000 to show certificate boundaries. The commission may require maps at a scale of 1:24,000 to clearly resolve any inconsistencies. USGS maps are available through the Washington state department of natural resources and various private vendors.

(2) **Map detail.** Any map submitted to the commission must:

(a) Clearly show townships, ranges, streets, county lines, and any other feature described in the certificate;

(b) Be clearly labeled to identify the features described in the certificate;

(c) Have a north arrow;

(d) Have a map legend briefly describing the features on the map;

(e) Have a scale bar showing the distance on the map equal to a defined number of feet, miles or other unit; and

(f) Have a title box that includes the company's name as shown on the company's certificate, the company's registered trade name, the identification number of the company tariff to which the map applies, and a contact name and phone number.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-056, filed 3/23/01, effective 4/23/01.]

WAC 480-70-061 Records retention. (1) **General provisions.** A company must keep all business records and reports for at least three years following the date those documents are created unless otherwise specified in these rules or unless a longer retention period is required by another governmental body.

(2) **Retention schedule table.** The following schedule shows periods that companies must preserve various records.

	Type of Record:	Retention Period:
1.	**Corporate and General Records:**	
A.	Incorporation and reorganization records including:	
(a)	Charter or certificate of incorporation and amendments;	
(b)	Legal documents related to mergers, consolidations, reorganization, receiverships and similar actions that affect the identity or organization of the company	Refer to Note 1

	Type of Record:	Retention Period:
B.	Minutes of directors, executive committees, stockholders and other corporate meetings	Refer to Note 1
2.	**Original certificate . . . .**	Until cancellation
3.	**Contracts and agreements:**	
(a)	Service contracts (management, accounting, financial or legal services)	Until expiration or termination plus three years
(b)	Contracts with employees and employee groups	Until termination plus one year
(c)	General contracts, leases and agreements	Until termination plus one year
4.	**Capital stock records . . . .**	Refer to Note 1
5.	**Long-term debt records:**	
(a)	Bond indentures, underwritings, mortgages, and other long-term credit agreements	Until redemption plus three years
(b)	Registered bonds and debenture ledgers	Refer to Note 1
(c)	Stubs or similar records of bonds or other long-term debt issued	Refer to Note 1
6.	**Ledgers:**	
(a)	General and subsidiary ledgers and indexes	Until discontinuance of use plus three years
(b)	Balance sheets and trial balance sheets of general and subsidiary ledgers . . .	Three years
7.	**Journals:**	
(a)	General journals	Until discontinuance of use plus three years
(b)	Subsidiary journals and any supporting data necessary to explain journal entries . .	Three years
8.	**Cash books:**	
(a)	General cash books	Until discontinuance of use plus three years
(b)	Subsidiary cash books	Three years

Note 1: Records referring to this note should be maintained as determined by the designated company records supervisory official. In determining the length of time to retain these records, companies should consider the record retention requirements of the Internal Revenue Service, Securities and Exchange Commission, state and local jurisdictions, and other regulatory agencies.

(3) **Customer service records.** A company must maintain complete and accurate customer service records for all customers served.

(a) Customer service records must be kept on file in the general office of the company for at least three years.

(b) Customer service records must be kept in alphabetical, service address, or service route order.

(c) Customer service records must show at least the following information:

(i) The name and service address of the customer;

(ii) The billing address of the customer, if different than the service address;

(iii) Categories and quantity of service provided, including extra services as they are provided;

(iv) Information required to provide, on customer request, a detailed description of the amount billed the customer;

(v) Amounts billed;

(vi) Amounts collected; and

(vii) Balance due.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-061, filed 3/23/01, effective 4/23/01.]

PART II—ACCOUNTING REQUIREMENTS, REPORTING REQUIREMENTS AND REGULATORY FEES

WAC 480-70-066 Accounting requirements. (1) The commission publishes a uniform system of accounts (USOA) for solid waste collection companies. The commission supplies copies of the USOA on request.

(a) The USOA defines accounting, financial, and other procedures the commission uses to determine if rates are fair, just, reasonable, and sufficient.

(b) The USOA contains accounting definitions, listings, and explanations of balance sheet and income statement accounts.

(2) The commission recommends companies maintain their financial and accounting records in concurrence with the USOA. Regardless of what accounting system a company uses, the company must maintain its books and records in a manner sufficient to complete the commission-issued annual report form, using figures that reconcile with the USOA.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-066, filed 3/23/01, effective 4/23/01.]

WAC 480-70-071 Reporting requirements. (1) **Annual reports.** An annual report is an end-of-the-year summary of financial and operational activity that each regulated company is required to file with the commission.

(a) Each year the commission provides an annual report form and instructions to each company at its address of record. Failure to receive the form does not relieve a company of its obligation to complete and file its annual report. A company that does not receive an annual report form must contact the commission to request a copy of the form.

(b) A company must file a complete, accurate annual report showing all requested information by May 1 of the succeeding year. Information provided on the annual report

must agree with source documents maintained at company offices.

(c) The commission may grant an extension of time allowing the company to file its annual report after the May 1 due date if the commission receives a request for extension before May 1.

(d) The commission may issue penalty assessments or take action to suspend or cancel a certificate if a company fails to file its required annual report.

(e) A company selling, canceling, transferring, or in some other manner discontinuing operations must submit an annual report for that portion of the year in which the company operated.

(2) **Other reports.** The commission may require a company to file periodic or other special reports.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-071, filed 3/23/01, effective 4/23/01.]

WAC 480-70-076 Regulatory fees. A regulatory fee is an annual assessment paid by each company to cover the costs of regulating the solid waste industry.

(1) The maximum regulatory fee is set by statute at one percent of gross intrastate operating revenue.

(a) The maximum regulatory fee is assessed each year, unless the commission issues an order establishing the regulatory fee at an amount less than the statutory maximum.

(b) The minimum regulatory fee that a solid waste collection company must pay is twenty dollars.

(c) The twenty dollar minimum regulatory fee is waived for any solid waste collection company with less than two thousand dollars in gross intrastate operating revenue.

(2) A company must pay its regulatory fee by May 1 of each year.

(3) The commission does not grant extensions for payment of regulatory fees.

(4) If a company does not pay its regulatory fee by May 1, the commission will assess an automatic late fee of two percent of the amount due, plus one percent interest for each month the fee remains unpaid.

(5) The commission may take action to suspend or cancel a certificate, if a company fails to pay its regulatory fee.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 2003 c 296. WSR 04-05-031 (Docket No. A-031232, General Order No. R-512), § 480-70-076, filed 2/11/04, effective 3/13/04. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-076, filed 3/23/01, effective 4/23/01.]

WAC 480-70-077 Transferring cash or assuming obligations. (1) At least five business days, as defined in WAC 480-07-120 (Office hours), before a Class A company, whose corporate credit/issuer rating is not in one of the four highest rating categories of either Standard & Poor's L.L.C. or Moody's Investors Service, Inc., or its subsidiary transfers cash to any of its affiliated interests or subsidiaries or assumes an obligation or liability of any of its affiliated interests or any of its subsidiaries, the company must report to the commission an estimate of the amount to be transferred and the terms of the transaction when the transaction will exceed thresholds as described in (a) or (b) of this subsection.

(a) The company must report if the cumulative transactions to a subsidiary or affiliated interest for the prior twelve months exceed a threshold of five percent, which is based on the prior calendar year gross operating revenue from Washington intrastate operations subject to commission jurisdiction.

(b) When the threshold in (a) of this subsection has been reached, the company must report each subsequent transaction exceeding a threshold of one percent for the prior twelve-month period, which is based on the prior calendar year gross operating revenue from Washington intrastate operations subject to commission jurisdiction.

(2) The reporting requirements in subsection (1) of this section do not include payments for:

(a) Federal and state taxes;

(b) Goods, services, or commodities;

(c) Transactions, attributed to the regulated entity, previously approved or ordered by the commission, other regulatory agencies, or the court; or

(d) Dividends to the extent the level of such dividends over a twelve-month period does not exceed the larger of:

(i) Net income during such period; or

(ii) The average level of dividends over the preceding three years; or

(e) Sweep or cash management accounts used to transfer funds to or from a subsidiary or affiliate as part of the customary and routine cash management functions between or among the utility and its subsidiary or affiliate.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-70-077, filed 2/28/05, effective 3/31/05.]

WAC 480-70-078 Affiliated interest—Contracts or arrangements. Prior to the effective date of any contract or arrangement described in RCW 81.16.020, each solid waste collection company must file a verified copy or a verified summary, if unwritten, of contracts or arrangements, except for transactions provided at tariff rates, with affiliated interests. Prior to the effective date of any modification or amendment, the company must file verified copies of the modifications or amendments to the contracts or arrangements. If the contract or arrangement is unwritten, the company must file a verified summary of any modification or amendment. The commission may institute an investigation and disapprove the contract or arrangement if the commission finds the company has failed to prove that it is reasonable and consistent with the public interest.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-70-078, filed 2/28/05, effective 3/31/05.]

WAC 480-70-079 Affiliated interest and subsidiary transactions report. (1) By June 1 of each year each Class A company must file a report summarizing all transactions that occurred between the company and its affiliated interests, except for transactions provided at tariff rates, and the company and its subsidiaries, during the period January 1 through December 31 of the preceding year.

(2) The information required in this subsection must be for total company and for total state of Washington. The

report must include a corporate organization chart of the company and its affiliated interests and subsidiaries.

(3) When total transactions with an affiliated interest or a subsidiary are less than one hundred thousand dollars for the reporting period, the company must provide the name of the affiliated interest or subsidiary participating in the transactions and the total dollar amounts of the transactions. When total transactions with an affiliated interest or subsidiary equal or exceed one hundred thousand dollars for the reporting period, the company must provide:

(a) A balance sheet and income statement for such affiliated interest;

(b) A description of the products or services provided to or from the company and each such affiliated interest or subsidiary;

(c) A description of the pricing basis or costing method, and procedures for allocating costs for such products or services, and the amount and accounts charged during the year;

(d) A description of the terms of any loans between the company and each such affiliated interest or subsidiary and a listing of the year-end loan amounts and maximum loan amounts outstanding during the year;

(e) A description of the terms and total amount of any obligation or liability assumed by the company for each such affiliated interest or subsidiary;

(f) A description of the activities of each such affiliated interest or subsidiary with which the company has transactions; and

(g) A list of all common officers and directors between the solid waste company and each such affiliated interest or subsidiary, along with their titles in each organization.

(4) The company is obligated to file verified copies of affiliated interest contracts and arrangements as stated in WAC 480-70-078 (Affiliated interests—Contracts or arrangements).

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160 and 34.05.353. WSR 05-06-051 (Docket No. A-021178 and TO-030288, General Order No. R-518), § 480-70-079, filed 2/28/05, effective 3/31/05.]

PART III—CERTIFICATES

WAC 480-70-081 Certificates, general. (1) **Certificate required.** A person must have a certificate of public convenience and necessity from the commission before operating as a solid waste collection company in the state of Washington.

(2) **Company name.** The company name is the name of the certificate holder.

(a) A company electing to conduct operations under a trade name must first register the trade name with the commission.

(b) A company must conduct all operations under the company name or a registered trade name. The term "operations" includes, but is not limited to: Collection, billing, advertising, and identifying vehicles.

(3) **Display.** A company must keep the original of its certificate on file at its main office subject to inspection by any customer, law enforcement officer, commission compliance officer, or other authorized commission representative who asks to see it.

(4) **Replacement.** The commission will replace a lost or destroyed original certificate at no charge.

(5) **Description of certificated authority.** When a company's certificated authority is described using boundaries such as streets, avenues, roads, highways, townships, ranges or other descriptions, those descriptions or boundaries are established in the certificate as they existed at the time the commission granted the authority.

(6) **Operating within certificated authority.**

(a) A company must operate strictly within the authority described in its certificate.

(b) The commission may institute administrative sanctions against a company operating outside its certificated authority. Refer to WAC 480-70-216 for information regarding administrative sanctions.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-081, filed 3/23/01, effective 4/23/01.]

WAC 480-70-086 Certificates, application fees. (1) The purpose of application filing fees is to partially cover handling and processing expenses.

(2) The commission establishes the following fees for application filings:

Certificate applications, including applications for new authority, extension of existing authority, transfer of authority, lease of authority, and reinstatement of canceled authority	$ 200
Temporary certificate applications, including applications for new temporary authority, temporary authority to operate pending a commission decision on a concurrently filed certificate application, and applications for expedited temporary	$ 25
Name change applications, including applications for change of corporate name, change of trade name, additional or new trade name, and change of surname of an individual owner or partner	$ 35
Mortgage applications, including requests for permission to mortgage or otherwise encumber a certificate	$ 35

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-086, filed 3/23/01, effective 4/23/01.]

WAC 480-70-091 Certificates, applications. (1) A company must submit its application for certificated authority on forms provided by the commission.

(2) Applications must include all requested information, attachments, signed statements, and filing fees.

(a) The commission may reject or defer consideration of an application until the applicant provides all required information;

(b) The commission may reject or defer consideration of an application until the applicant pays any outstanding fees or penalties; or

(c) The commission may reject or dismiss an application if it includes false, misleading, or incomplete information.

(3) A certificate application must include, but is not limited to:

(a) A complete description of the proposed service and the line, route, or service territory using boundaries such as streets, avenues, roads, highways, townships, ranges, city limits, county boundaries, or other geographic descriptions;

(b) A map of the proposed line, route, or service territory that meets the standards described in WAC 480-70-056;

(c) If contract carrier authority is requested, a copy of each contract under which service will be performed;

(d) A statement of the applicant's assets and liabilities;

(e) A proposed tariff;

(f) A statement of conditions that justify the proposed service;

(g) An equipment list; and

(h) A statement of the applicant's transportation or solid waste industry experience, including knowledge of motor carrier driver and equipment safety requirements.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-091, filed 3/23/01, effective 4/23/01.]

WAC 480-70-096 Certificates, acquisition of control. (1) **Notice required.** Any person acquiring control of a solid waste collection company through acquisition of the stock of that company must notify the commission in writing within thirty days of the acquisition.

(2) **Content of notice.** Notice may be accomplished by filing a letter with the commission. The letter must include at least the following information:

(a) The name, registered trade names, and certificate number of the acquired company.

(b) The date of acquisition.

(c) The names of the majority stockholders and the percent of stock each holds.

(d) The name, address, telephone number, telefacsimile number, and email address of a contact person within the company to whom questions may be directed.

(e) The location (mailing address and physical address) where books and records of the acquired company will be retained.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-096, filed 3/23/01, effective 4/23/01.]

WAC 480-70-101 Certificates, initiating service. Filing an application for certificated authority does not authorize the applicant to start solid waste collection operations in the territory, or of the commodity, described in the application. The commission must grant authority and issue a certificate before a company may begin service in that territory.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-101, filed 3/23/01, effective 4/23/01.]

WAC 480-70-106 Certificates, application docket, protests, and intervention. (1) **Application docket.** The application docket is a notice of pending certificate applications published by the commission. The application docket is mailed to each existing certificate holder and to any other interested person. It includes notice of certificate applications for:

(a) New authority;

(b) Extension of existing authority;

(c) Transfer of authority;

(d) Lease of authority; and

(e) Reinstatement of authority when a city discontinues self-hauling or contracting for solid waste collection.

(2) **Protests.** A certificate holder may file a protest to an application on the docket. A solid waste collection organization, association, or conference may file a protest on behalf of existing certificate holders, specifying the names of the persons or companies in whose interest the protest is filed.

(a) **Form of protests.** Protests must:

(i) Be filed within thirty days of the date the commission mailed the application docket notice;

(ii) Be filed according to the provisions of WAC 480-07-370;

(iii) Specify the reasons for protest; and

(iv) Specify the protestant's interest in the proceeding.

(b) **Failure to file protest on time.** A person who is eligible to file a protest but fails to do so within the thirty-day protest period may not in any way participate further in the proceeding, unless that person can show that the commission did not provide proper notice of the pending application.

(3) **Intervention.** Any person, other than the applicant and protestants to an application, who desires to appear and participate, and who does not desire to broaden the issues of the proceeding, may petition in writing to be an intervenor. Refer to chapter 480-07 WAC for information on intervention.

(4) **Applications not subject to the docket and protest provisions of this rule.** This rule does not apply to:

(a) Applications to reinstate a certificate canceled for cause under the provisions of WAC 480-70-166, when those applications are filed within thirty days of the cancellation date;

(b) Applications for expedited temporary authority;

(c) Applications for temporary certificated authority;

(d) Applications for name change; or

(e) Applications to mortgage a certificate.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 03-24-028 (General Order R-510, Docket No. A-010648), § 480-70-106, filed 11/24/03, effective 1/1/04. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-106, filed 3/23/01, effective 4/23/01.]

WAC 480-70-111 Certificates, overlapping applications. (1) The commission may consolidate applications for certificated authority for joint consideration if:

(a) The authority requested in the applications overlaps in whole or in part; and

(b) The subsequent application was filed within thirty days of the mailing date of the application docket notice of the original application.

(2) Applications for overlapping authority not filed within thirty days after the initial application docket notice will be decided after the conclusion of proceedings resolving the initial application and any other application qualifying for joint consideration.

(3) When applications consolidated by the commission for joint consideration also contain requests for territory or services not overlapping that requested in the other application, and the nonoverlapping services or territory may be appropriately severed, the commission may decide the nonoverlapping portions of the application separately from the portions that do overlap.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-111, filed 3/23/01, effective 4/23/01.]

WAC 480-70-116 Certificates, sale, lease, assignment, transfer or mortgage. (1) A company must obtain commission approval before it may sell, assign, lease, transfer, or mortgage its certificate, or any portion of the operating authority described in its certificate.

(2) To obtain commission approval for sale, assignment, lease, transfer or mortgage, all parties to the transaction must file a joint application with the commission.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-116, filed 3/23/01, effective 4/23/01.]

WAC 480-70-121 Certificates, name change. (1) A company must file a name change application to:

(a) Change its corporate name;

(b) Change its trade name;

(c) Add a trade name to a certificate; or

(d) Change the surname of an individual owner or partner to reflect a change resulting from marriage or other legal action.

(2) When filing a name change application, the applicant must include:

(a) The application fee required by WAC 480-70-086;

(b) Copies of any corporate minutes authorizing the name change; and

(c) Proof that the new name is properly registered with the department of licensing, office of the secretary of state, or other agencies, as may be required.

(3) If a name change results from a change in ownership, including addition or deletion of a partner, the company must file an application to transfer the certificate pursuant to the provisions of WAC 480-70-116.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-121, filed 3/23/01, effective 4/23/01.]

WAC 480-70-126 Certificates, refiling of application prohibited for six months. (1) A person whose application has been denied after hearing may not refile the application for a period of six months from the date of the final order denying the application.

(2) A person whose application has been dismissed for failure to appear at a hearing, or who has been found to be in default, may not refile the application for a period of six months from the date of the final order dismissing the application.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-126, filed 3/23/01, effective 4/23/01.]

WAC 480-70-131 Certificates, temporary. (1) **Requirements.** Temporary certificate applications must meet the requirements of WAC 480-70-091.

(2) **Public interest.** The commission may grant a temporary certificate after determining that granting the requested authority is consistent with the public interest. In determining if the requested temporary authority is consistent with the public interest, the commission will consider factors including, but not limited to:

(a) The fitness of the applicant.

(b) The immediate or urgent need for the requested service due to circumstances such as, but not limited to:

(i) An emergency rendering it impossible for the existing company to provide service;

(ii) Commission action suspending or canceling the authority of the existing company; or

(iii) Lack of service.

(c) Whether the requested service is currently available from an existing company serving the territory; and

(d) Any other circumstances indicating that a grant of temporary authority is consistent with the public interest.

(3) **Shipper support statements required.** Applicants for temporary certificates must include signed and sworn support statements from one or more potential customers identifying all pertinent facts relating to need for the proposed service.

(4) **Commission investigation of applications.** Before granting or denying an application for temporary authority, the commission will conduct an investigation to examine the facts relating to the need for the proposed service.

(5) **Special terms, conditions, and limitations.** The commission may impose special terms, conditions, and limitations in connection with the grant of any temporary certificate. For example, the commission may limit temporary authority to provide service to only those commercial customers whose support statements are submitted with an application.

(6) **Length of service allowed under temporary certificate.** The commission may issue a temporary certificate effective for a period:

(a) Of up to one hundred eighty days when the area or service territory is not contained in another company's certificate;

(b) Of up to one hundred twenty days when the area or service territory is contained in another company's certificate; or

(c) That continues until the commission grants, denies, or dismisses a parallel certificate application for permanent authority, or until the temporary certificate is otherwise canceled, whichever happens first. The permanent certificate application must be filed within thirty days of the temporary certificate application or within thirty days of the order granting the temporary certificate.

(7) **Docketing.** The commission will publish the following on its application docket:

(a) Temporary certificates granted, including any terms and conditions attached to the grant of such authorities; and

(b) A list of all applications for temporary certificated authority that the commission considered and denied.

(8) **Protests.** An existing company may file a protest opposing a temporary certificate, if the area or service terri-

tory granted is contained in the existing company's certificate. A solid waste collection organization, association, or conference may file a protest on behalf of existing companies, specifying the names of the individuals or companies in whose interests the protest is filed. Protests must:

(a) Be filed with the commission in writing within twenty days after the date the commission mails the application docket;

(b) Contain a statement of the specific grounds on which the protest is made;

(c) Contain a statement of the protestant's interest in the proceeding;

(d) Be served on the applicant; and

(e) Be served on the applicant's representative, if one is stated in the notice.

(9) **Disposition of protests.** The commission may grant or deny a protest without hearing.

(10) **Brief adjudicative proceedings.** The commission may order a brief adjudicative proceeding on its own motion or at the request of a party.

(11) **Intervention.** Any person, other than the applicant and protestants to an application, who desires to appear and participate, and who does not desire to broaden the issues of the proceeding, may petition in writing to be an intervenor. Refer to chapter 480-07 WAC for information on intervention.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 03-24-028 (General Order R-510, Docket No. A-010648), § 480-70-131, filed 11/24/03, effective 1/1/04. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-131, filed 3/23/01, effective 4/23/01.]

WAC 480-70-136 Certificates, temporary, expedited application. The commission may grant temporary authority using an expedited application process to meet an immediate or urgent need for service if it determines that doing so would be consistent with the public interest. Authority granted under these provisions is known as "expedited temporary authority" or an "ETA."

(1) **Determining public interest.** The commission will consider the following factors in determining whether granting expedited temporary authority is consistent with the public interest:

(a) A showing of an immediate or urgent need for the requested service due to circumstances such as, but not limited to:

(i) An emergency rendering it impossible for the existing company to provide service;

(ii) Commission action suspending or canceling the authority of the existing company; or

(iii) Lack of service.

(b) The presence or lack of available service capable of meeting the need; and

(c) Any other circumstances indicating that the grant of the expedited temporary authority is consistent with the public interest.

(2) **Restrictions and limitations on expedited temporary authority.**

(a) The commission may grant expedited temporary authority for periods of not more than thirty days.

(b) The commission may limit expedited temporary authority to providing service to the specific customer or customers supporting the application.

(c) The commission may further limit expedited temporary authority to service within a specific county, a specific city, a specific geographical area, a specific route, or a specific site.

(3) **Application for expedited temporary authority.** A company applying for expedited temporary authority must submit at least the following:

(a) An application on a form provided by the commission.

(b) Sworn statements from a customer or customers setting forth all pertinent facts relating to the need for service.

(c) Proof that the applicant holds insurance coverage in the amounts, and meeting the provisions, of WAC 480-70-181. Proof may consist of an insurance policy or a certificate of insurance.

(d) An application fee of twenty-five dollars.

(e) A statement that the company will comply with all applicable safety regulations including, but not limited to, those regulations relating to driver qualifications, hours of service, equipment safety, and drug and alcohol testing.

(4) **Commission investigation of applications.** Before granting or denying an application for temporary authority, the commission will conduct an investigation to examine the facts relating to the need for the proposed service.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-136, filed 3/23/01, effective 4/23/01.]

WAC 480-70-141 City service and cancellation of certificated authority. (1) **City service.** To the extent solid waste collection service is provided within the limits of a city or town, it must be provided by:

(a) A solid waste collection company regulated by the commission operating under a commission-issued certificate authorizing such service; or

(b) A city or town that self-hauls or contracts for service, exempt from commission regulation under the exemption for cities in RCW 81.77.020.

(2) **City service—Cancellation of certificated authority and termination of commission regulation.**

(a) The commission will cancel the affected certificated authority and cease regulation in the affected area on the date that a city or town commences service as specified in its notice to the commission unless (b) of this subsection applies.

(b) If a city or town commences service before notifying the commission in writing, the commission will not cancel the affected certificated authority and cease regulation in the affected area until the date of receipt of the city's or town's written notice.

(3) **Company responsibilities.** When entering into a contract with a city or town to provide solid waste collection services, a regulated company must advise the commission within thirty days of the date of the agreement if the area to be served is contained in the company's certificated authority. Notice must include a cover letter, a copy of the executed agreement, and a map of the affected area. The map submitted must meet the standards defined in WAC 480-70-056.

(4) **Compensation for canceled certificated authority.** A company must notify the commission in writing within thirty days of a city or town purchasing or condemning all or a portion of its certificated authority. Notice must include a cover letter and a copy of the relevant document such as an ordinance, resolution, franchise, or contract.

(5) **City service discontinued.** When a city notifies the commission of its decision to discontinue providing solid waste collection service to the extent solid waste collection service is provided within the limits of a city or town:

(a) Except to the extent set forth in subsection (4) of this section, the previously canceled certificated authority will be reinstated, and a new or revised certificate will be issued to the previous certificate holder or its successor if the previous certificate holder, or its successor, petitions for reinstatement and:

(i) Prior certificated authority was canceled by city annexation or incorporation; or

(ii) Prior certificated authority was canceled by commencement of city service under RCW 80.77.020.

(b) The commission will consider all applications for new certificated authority if the previous certificated authority was purchased or condemned.

(c) The commission will consider applications for new certificated authority if no previous certificate holder exists.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-141, filed 3/23/01, effective 4/23/01.]

WAC 480-70-146 Contracts. Contracts accompanying applications for contract certificated authority must be original or duplicate original contracts. They must be mutually binding on both the shipper and company, entered into in good faith, and include:

(1) The starting and ending dates of the agreement;

(2) The route or area in which service will be provided;

(3) The kind and minimum quantity of the commodities to be transported (the minimum quantity must be an amount sufficient to allow operation of the company's equipment at a profit);

(4) The rates agreed on by the parties;

(5) A description of the process for terminating the contract before the stated expiration date, that specifies that at least five days' notice must be given to the commission and to both parties before the termination process may be implemented; and

(6) A provision stating that the contract is subject to the authority of the commission to fix or amend just, fair, and reasonable classifications, rules, and minimum rates and charges for solid waste collection service.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-146, filed 3/23/01, effective 4/23/01.]

WAC 480-70-151 Service agreements between companies. (1) A company may enter into an agreement to allow another company to operate in its territory when the first company:

(a) Holds exclusive traditional authority for solid waste collection service in the territory to be served; and

(b) Lacks suitable equipment to adequately serve its customers, or is unable to provide service on a temporary basis due to situations such as, but not limited to, road closures, temporary weight limitations, or other temporary restrictions imposed by local jurisdictions.

(2) The commission must approve the agreement before any service is provided. To apply for commission approval, the companies must jointly file a copy of the written agreement at least fifteen days before the proposed effective date of the agreement. Companies may request the fifteen-day approval period be waived in the case of an emergency.

(3) The agreement filed with the commission must clearly state:

(a) The first company will bill customers for service provided by the second company at rates and charges contained in the first company's filed tariff.

(b) The first company will pay the second company for providing service in compliance with terms stated in the agreement.

(c) The beginning and ending dates of the agreement.

(d) A provision for early termination of the agreement that includes at least five days' notice to the commission and to each party.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-151, filed 3/23/01, effective 4/23/01.]

WAC 480-70-156 Contracts or service agreements with third-party waste brokers. A company providing solid waste service under a contract or agreement with a third-party waste broker must comply with the laws of the state of Washington, commission rules and policies relating to solid waste collection and/or disposal, and the provisions contained in the company's filed, approved tariffs.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-156, filed 3/23/01, effective 4/23/01.]

WAC 480-70-161 Suspending and canceling certificates. (1) **Cause for suspension.** The commission may suspend a certificate for cause. Cause includes, but is not limited to:

(a) Failure to maintain evidence of required liability insurance coverage for all areas of a company's operations;

(b) Failure to file an annual report or pay required regulatory fees;

(c) Failure to comply with the rates and rules contained in the company's filed tariff;

(d) Failure or refusal to comply with operating standards that protect the public health, safety or welfare;

(e) Allowing others to operate under a company's certificated authority without having first obtained commission approval; or

(f) Operating in a manner that violates the rights of customers and/or constitutes an unfair or deceptive business practice.

(2) **Cause for cancellation.** The commission may cancel a certificate for cause. Cause includes, but is not limited to:

(a) Operating without proper insurance;

(b) Failure to file an annual report or pay required regulatory fees;

(c) Failure to correct within the time specified in a suspension order all conditions listed in the suspension order that led to the certificate's suspension;

(d) Continued violations of applicable laws and rules affecting the public health, safety, or welfare when the commission has reason to believe the company will not comply with those laws and rules following a specified period of suspension;

(e) Repeated failure or refusal to comply with applicable laws and rules pertaining to operations of solid waste collection companies;

(f) Failure to supply requested information needed by the commission in the performance of its regulatory functions;

(g) Submission of false, misleading, or inaccurate information; or

(h) Allowing others to operate under a company's certificated authority without having first obtained commission approval.

(3) **Notice of pending suspension and cancellation.** When the commission believes cause exists to suspend or cancel a certificate, it will issue a notice to the company of the commission's intention to suspend or cancel the authority.

(4) **Contest of suspension and cancellation.** A company may contest the pending suspension and/or cancellation of its certificate by requesting a hearing or brief adjudicative proceeding within ten days following the date of the notice.

[Statutory Authority: RCW 80.01.040(4), 81.04.160. WSR 06-07-100 (Docket No. T-051359, General Order No. R-529), § 480-70-161, filed 3/15/06, effective 4/15/06. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-161, filed 3/23/01, effective 4/23/01.]

WAC 480-70-171 Certificates, reinstatement. (1) The commission may reinstate a certificate canceled for cause under provisions of WAC 480-70-166 if the company:

(a) Corrects all conditions leading to the cancellation; and

(b) Files a certificate application to reinstate authority with proper application fee within thirty days of the cancellation service date.

(2) The commission may reinstate a certificate, or any portion of the operating authority contained in a certificate, canceled by city annexation or incorporation under the conditions specified in WAC 480-70-141.

(3) The commission may reinstate a certificate suspended under the provisions of WAC 480-70-161 if the company satisfies the terms of the suspension and all conditions leading to the suspension are corrected.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-171, filed 3/23/01, effective 4/23/01.]

WAC 480-70-176 Certificates, discontinuance of operations. (1) A company must not discontinue operations authorized under its certificate without prior approval from the commission.

(2) A company requesting commission approval to discontinue operations must give at least ten days' written notice to its customers, officials of cities and counties where affected customers reside, and the commission.

(3) A request for approval to discontinue operations must contain at least the following:

(a) The name, telephone number, mailing address, telefacsimile number (if any) and email address (if any) of a contact person;

(b) An explanation of the company's reasons for requesting approval to discontinue operations;

(c) A statement of the number of customers, by class of service provided, who will lose service if the commission grants the requested approval to discontinue operations; and

(d) An explanation of options available to the customers who will lose service. For example: Names of landfills and/or transfer stations to which the customer may self-haul or the names of companies with overlapping certificates.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-176, filed 3/23/01, effective 4/23/01.]

PART IV—INSURANCE

WAC 480-70-181 Public liability and property damage insurance. (1) **Insurance coverage.** A company must have public liability and property damage insurance covering each motor vehicle it operates in the state of Washington.

(a) The insurance policy must be written by an insurance company authorized to write insurance in the state of Washington.

(b) The insurance policy must include the Uniform Motor Carrier Bodily Injury and Property Damage Liability Endorsement (Form F).

(c) If a company operates without the required insurance coverage, the commission may take immediate compliance action as described in WAC 480-70-161 and WAC 480-70-166.

(2) **Insurance limits.** The minimum limits of required public liability and property damage insurance for motor vehicles operated by companies are:

Vehicles that:	Must have bodily injury and property damage insurance or bond with the following minimum limits:
Have Gross Vehicle Weight Rating (GVWR) less than 10,000 pounds	$300,000 combined single limit coverage
Have GVWR 10,000 pounds or more	$750,000 combined single limit coverage
Transport quantities of biomedical waste not subject to federal regulation	$1,000,000 combined single limit coverage
Transport quantities of hazardous or biomedical waste that are subject to federal regulation	The federal minimum combined single limit coverage

(3) **Insurance filings.** A company must file and maintain a Uniform Motor Carrier Bodily Injury Property Damage Certificate of Insurance (Form E) as a condition of being issued and maintaining a certificate.

(a) The Form E is a standard motor carrier insurance form recognized by the insurance industry and is normally filed with the commission by an insurance company rather than an insurance agent.

(b) The Form E must be issued in the company name exactly as it appears on the company's certificate or application for certificate.

(c) The Form E filing must remain in effect until canceled by a Notice of Cancellation (Form K). The Form K must be filed with the commission by the insurance company not less than thirty days before the cancellation effective date.

(d) A company may file a Uniform Motor Carrier Bodily Injury and Property Damage Liability Surety Bond (Form G) instead of the Form E.

(4) **Insurance binders.** The commission will accept an insurance certificate or binder for up to sixty days.

(a) An insurance certificate or binder may be canceled by written notice filed with the commission at least ten days before the cancellation effective date.

(b) An insurance certificate or binder must be replaced by a Form E within sixty days of filing, or before the expiration date, whichever occurs first.

(c) Insurance certificates or binders must show:

(i) The commission as the named insurance certificate holder;

(ii) The company name, exactly as it appears on the company's certificate or application for a certificate, as the insured;

(iii) The insurance company name;

(iv) The insurance policy number;

(v) The insurance policy effective and expiration dates; and

(vi) The insurance limits of coverage.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-181, filed 3/23/01, effective 4/23/01.]

WAC 480-70-186 Insurance cancellation. If a company's insurance filing is canceled, and a new filing that provides continuous coverage is not filed before the cancellation effective date, the commission may:

(1) Dismiss a company's application for a certificate;

(2) Suspend a company's certificate under the provisions of WAC 480-70-161;

(3) Cancel a company's certificate under the provisions of WAC 480-70-166.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-186, filed 3/23/01, effective 4/23/01.]

PART V—EQUIPMENT AND DRIVERS

WAC 480-70-191 Vehicle licensing. A company must ensure that each vehicle it operates is in compliance with all appropriate state vehicle licensing laws, commission rules, and commission orders.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-191, filed 3/23/01, effective 4/23/01.]

WAC 480-70-196 Commercial vehicle defined. For the purposes of the rules in Part 5—Equipment and Drivers, "commercial motor vehicle" means any self-propelled or towed motor vehicle used on a highway when the vehicle:

(1) Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of ten thousand and one pounds or more, whichever is greater; or

(2) Is used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 C.F.R., subtitle B, chapter I, subchapter C.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-196, filed 3/23/01, effective 4/23/01.]

WAC 480-70-201 Vehicle and driver safety requirements. (1) Companies must comply with all state and local laws and rules governing vehicle and driver safety. Companies must also comply with the parts of Title 49, Code of Federal Regulations (49 C.F.R.) shown in the following chart, that are adopted by reference. Information about 49 C.F.R. regarding the version adopted and where to obtain copies is set out in WAC 480-70-999.

49 C.F.R. Part Adopted:		Portions Not Adopted:	
Part 40 -	Procedures for Transportation Workplace Drug and Alcohol Testing Programs	n/a	
Part 379 -	Preservation of Records	n/a	
Part 380 -	Special Training Requirements	n/a	
Part 382 -	Controlled Substance and Alcohol Use and Testing	n/a	
Part 383 -	Commercial Driver's License Standards; Requirements and Penalties	n/a	
Part 385 -	Safety Fitness Procedures	n/a	
Part 390 -	Safety Regulations, General	(1)	The terms "motor vehicle," "commercial motor vehicle," and "private vehicle" are not adopted. Instead, where those terms are used in Title 49 C.F.R., they shall have the meanings assigned to them in WAC 480-70-041 (private vehicle) and WAC 480-70-196 (commercial motor vehicle).
		(2)	Whenever the term "director" is used in Title 49 C.F.R., it shall mean the commission.

49 C.F.R. Part Adopted:		Portions Not Adopted:
Part 391 -	Qualification of Drivers	(1) A driver who operates exclusively within the state of Washington is not subject to the provisions of Part 391.49 (waiver of certain physical defects), if that driver has obtained from the Washington department of licensing a driver's license with endorsements and restrictions allowing operation of the motor vehicle being driven. (2) A driver who operates exclusively within the state of Washington is not subject to the provisions of Part 391.11(b)(1) (general qualifications - age). A driver operating exclusively within the state of Washington may drive a motor vehicle if he or she is at least eighteen years of age.
Part 392 -	Driving of Motor Vehicles	n/a
Part 393 -	Parts and Accessories Necessary for Safe Operation	n/a
Part 395 -	Hours of Service of Drivers	n/a
Part 396 -	Inspection, Repair, and Maintenance	n/a
Part 397 -	Transportation of Hazardous Materials, Driving and Parking Rules	n/a

(2) Companies must:

(a) Maintain all motor vehicles in a safe and sanitary condition;

(b) Ensure that vehicles are free of defects likely to result in an accident or breakdown; and

(c) Make vehicles available for inspection by commission representatives.

(3) The commission will place out-of-service any motor vehicle having safety defects identified in the *North American Uniform Out-Of-Service Criteria*. Information about the *North American Uniform Out-of-Service Criteria* regarding the version adopted and where to obtain copies is set out in WAC 480-70-999. A company must not operate any vehicle placed out-of-service until after proper repairs have been completed.

(4) The commission will place out-of-service any driver meeting criteria identified in the *North American Uniform Out-Of-Service Criteria*. A company must not allow a driver who has been placed out-of-service to operate a motor vehicle until such time as the conditions causing the driver to be placed out-of-service have been corrected.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.353. WSR 11-04-041 (Docket A-101466, General Order R-562), § 480-70-201, filed 1/25/11, effective 2/25/11. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-201, filed 3/23/01, effective 4/23/01.]

WAC 480-70-206 Motor vehicle identification. A company must ensure that all motor vehicles operated, including leased, substitute or emergency vehicles, display the certificate holder's name (or registered trade name) and certificate number on each side of the vehicle. All identifications must be clearly legible. All identifications, except those displayed on leased or substitute vehicles, must be permanent.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-206, filed 3/23/01, effective 4/23/01.]

WAC 480-70-211 Leasing vehicles. (1) A company operating a leased vehicle must have a written lease agreement with the owner of the vehicle.

(2) It is the company's responsibility to ensure that:

(a) A copy of the lease is carried in each leased vehicle;

(b) A copy of the lease is kept in the company's files during the effective period of the lease and for at least one year after the lease expires;

(c) A copy of the lease is provided to the owner of the leased vehicle;

(d) The company has complete possession, control, and use of the motor vehicle during the period of the lease;

(e) The leased motor vehicle is properly insured as specified in WAC 480-70-181;

(f) The leased vehicle is properly identified as specified in WAC 480-70-206;

(g) The leased vehicle is operated in compliance with all safety laws and rules, including those regarding vehicle inspection, records, and maintenance; and

(h) The terms of the lease are followed.

(3) If a company leases a vehicle with a driver, the company must also ensure that:

(a) The driver of the leased motor vehicle is on the company's payroll during the lease period;

(b) The driver operates in compliance with all driver qualification, safety and hours of service laws and rules;

(c) The driver is subject to the company's alcohol and controlled substance policies; and

(d) The company maintains appropriate files and paperwork on the driver for a period of at least one year following the expiration of the lease.

(4) The company and the owner of the leased vehicle must specify in the lease who is responsible for all expenses relating to the leased motor vehicle. The lease must contain all information shown in the following sample lease form. If a company uses an alternate form, the company must ensure the alternate form contains all information requested on the sample.

Illustration of motor vehicle lease form:

EQUIPMENT LEASE

A copy of this lease must be carried in the leased vehicle. Copies must also be maintained in the files of both parties for the length of the lease plus one year following the expiration of the lease.

Name and address of company leasing vehicle (lessee):		G certificate number:
Name and address of party from whom the vehicle is being leased (lessor):		G certificate number, if any:
Vehicle make and year:	Vehicle Serial Number:	Vehicle License Number:

The lease will become effective at . . . . . (time) on . . . . . (date), and will continue until . . . . . (date) unless canceled in writing before that date.

Compensation that will be paid to owner of vehicle (lessor): $ . . . . . per . . . . . .

If lease also includes driver, compensation for driver: $ . . . . . per . . . . . .

Lessee/Lessor Expense Agreement

Place an "x" or a checkmark next to each item indicating whether the lessee or lessor is responsible for the listed expense.

Item	Lessee	Lessor	Item	Lessee	Lessor
Vehicle Licensing Fees			Equipment Rental Taxes		
Toll and Ferry Charges			Fuel and Oil		
Vehicle Loan Payments			Vehicle Maintenance		
Parts & Tires			Major Vehicle Repairs		
Insurance, Comprehensive			Minor Vehicle Repairs		
Insurance, Theft			Other (explain):		
Insurance, Fire			Other (explain):		

Under the terms of this lease, the lessee must:

- Have complete possession, control and use of the vehicle during the lease period;
- Be in complete control of all operations;
- Provide liability and property damage insurance;
- Ensure that the driver of the leased vehicle is an employee of the lessee;
- Ensure that the vehicle is properly identified;
- Comply with all safety regulations; and
- Bill and collect proper tariff rates and charges.

The parties signing this lease certify that the information shown above is true and correct, that the provisions of the lease will be enforced by both parties, and that all operations conducted with the leased equipment will be conducted in compliance with applicable laws and rules.

Lessee Signature/Title . . . . . date signed . . . . . .

Lessor Signature/Title . . . . . date signed . . . . . .

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-211, filed 3/23/01, effective 4/23/01.]

PART VI—COMPLIANCE

WAC 480-70-216 Commission compliance policy. (1) The commission is authorized to administer and enforce laws and rules relating to solid waste collection companies. The commission delegates authority to the commission staff to inspect equipment, drivers, records, files, accounts, books, and documents. The commission also delegates to its staff authority to arrest without warrant or to issue citations to any person found violating this chapter in the presence of its staff.

(2) The commission encourages voluntary compliance with statutes, rules, and commission orders.

(3) The commission will enforce statutes, rules, and commission orders through:

(a) A program emphasizing education and technical assistance.

(b) A compliance program including:

(i) Investigation and resolution of complaints;

(ii) Safety compliance reviews of drivers and equipment;

(iii) Economic compliance audits including, but not limited to, rates, charges, and billing practices;

(iv) Coordinated roadside enforcement; and

(v) Cooperative agreements with other agencies to enable effective enforcement and appropriate use of resources.

(4) Where necessary to ensure compliance with statutes, rules, and commission orders, the commission will pursue:

(a) Administrative actions that the commission believes will best ensure future compliance by the violating company, including, but not limited to, warnings, sanctions, or penalty assessments under the provisions of chapter 81.04 RCW;

(b) Suspension or cancellation of a company's certificate:

(i) When the commission believes education and penalties have not been, or will not be, effective to secure compliance;

(ii) For willful violations of legal requirements; or

(iii) For serious actions including, but not limited to, misrepresentation;

(c) Enforcement action against violators based on information collected by commission staff; or

(d) Proceedings in district and superior court.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-216, filed 3/23/01, effective 4/23/01.]

WAC 480-70-221 Sanctions for operating without a valid certificate. (1) **Operations without a certificate.**

(a) A company that operates as a solid waste collection company without a certificate from the commission is subject to citation if observed or contacted by a representative of the commission or other law enforcement agency.

(b) If the commission receives information that a solid waste collection company is operating without a certificate, and a commission representative or other law enforcement agency has not observed those operations, the commission may:

(i) Issue a citation through the court; or

(ii) Contact the solid waste collection company and provide education and technical assistance concerning applicable regulations. This includes supplying the company with a copy of the applicable laws, rules, and certificate application forms.

(c) If the solid waste collection company continues to operate without a certificate after commission education and technical assistance is offered, the commission may institute an administrative proceeding to classify the company pursuant to RCW 81.04.510. If, as a result of that proceeding, the commission formally classifies the company as a solid waste collection company operating without the required certificate, the commission will issue a cease and desist order pursuant to RCW 81.04.510.

(d) If a company operates in violation of a commission order, the commission may impose penalties and/or take legal action in court.

(2) **Operating while certificate is suspended.** A company that operates after the commission suspends the company's certificate is subject to:

(a) Misdemeanor or gross misdemeanor citations, for which the company must appear in district court;

(b) Monetary penalty assessments or other commission administrative actions; or

(c) Commission proceedings to cancel the company's certificate.

(3) **Operating after certificate is canceled.** A company that continues to operate after the commission cancels the company's certificate is subject to:

(a) Misdemeanor or gross misdemeanor citations, for which the company must appear in district court; and

(b) Enforcement proceedings in superior court.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-221, filed 3/23/01, effective 4/23/01.]

PART VII—TARIFFS, RATES, AND RATE FILINGS

WAC 480-70-226 Tariffs, definitions used in. (See WAC 480-70-041 for definition of general solid waste terms.) Unless the language or context indicates that a different meaning is intended, the following words, terms and phrases have the following meanings:

"Bale" means material compressed by machine and securely tarped or banded.

"Bulky materials" means empty carriers, cartons, boxes, crates, etc., or materials offered for disposal, all of which may be readily handled without shoveling.

"Commercial billing" means solid waste collection service:

Billed to a commercial customer; or

Billed to, and paid for, by a property manager or owner rather than a residential tenant.

"Compacted material" means material which has been compressed by any mechanical device either before or after it is placed in the receptacle handled by the collector.

"Loose material" means material not set out in bags or receptacles, including materials which must be shoveled.

"Pass-through fee" means a fee collected by a solid waste collection company on behalf of a third party when the fee is billed directly to the customer without markup or markdown.

"Permanent service" means container and drop-box service provided at the customer's request for a period of more than ninety days.

"Rate" means a price per unit or per service. A rate is multiplied times the number of units transported or the number of times a service is performed to determine a charge.

"Rate design" and **"rate structure"** mean the relationship between rates charged for different solid waste service options offered to customers within the same class (residential, commercial or drop box). Neither of the terms includes setting specific rates for specific services.

"Residential billing" means solid waste collection service billed to and paid for by the resident.

"Solid waste receptacle" includes the following items, with the following meanings:

• **"Automated cart"** means a cart designed to be picked up and emptied by mechanical means. The specific type and size are to be defined in rate items.

• **"Can"** means a receptacle made of durable, corrosion-resistant, nonabsorbent material that is watertight, and has a close-fitting cover and two handles. A can holds more than twenty gallons, but not more than thirty-two gallons or four cubic feet. The maximum weight of an empty and filled can will be established in each company's tariff.

• **"Cart"** means a wheeled plastic container. A cart may also be referred to as a toter. If supplied by a customer, a cart must be compatible with the collector's equipment. The size and type of cart that is compatible will be established in each company's tariff.

• **"Container"** means a detachable receptacle (normally designed to hold at least a cubic yard of solid waste) from which materials are collected by mechanically lifting the receptacle and emptying the contents into the company's vehicle.

• **"Drop box"** means a detachable receptacle used to provide solid waste collection service by the receptacle being placed on the collector's vehicle by mechanical means and transported to a disposal site.

• **"Drum"** means a metal or plastic container of approximately fifty-gallon capacity, generally used for oils or solvents. The maximum weight allowed in a drum will be established in each company's tariff.

• **"Litter receptacle"** means a container not over sixty-gallon capacity, generally placed in shopping centers and along streets or highways for litter. The maximum weight allowed in a litter receptacle will be established in each company's tariff.

• **"Micro-mini can"** means a can made of durable, corrosion-resistant, nonabsorbent material that is watertight and has a close-fitting cover. A micro-mini can may not hold more than ten gallons. The maximum weight allowed in a micro-mini can will be established in each company's tariff.

• **"Mini can"** means a can made of durable, corrosion resistant, nonabsorbent material that is watertight and has a close-fitting cover. A mini can may not hold more than twenty gallons. The maximum weight allowed in a mini can will be established in each company's tariff.

• **"Recycling bin or container"** means a bin or container designed or designated for the collection of recyclables. The size and type of recycling bin or container will be established in each company's tariff.

• **"Toter"** means a wheeled plastic container. A toter may also be referred to as a cart. If supplied by customer, a toter must be compatible with the collector's equipment. The size and type of toter that is compatible will be established in each company's tariff.

• **"Unit"** means a receptacle made of durable, corrosion-resistant, nonabsorbent material, that is watertight, and has a close-fitting cover and two handles. A unit holds more than twenty gallons, but not more than thirty-two gallons or four cubic feet. The maximum weight of an empty and filled unit will be established in each company's tariff.

Where agreed on between the company and the customer, and where allowable under local ordinance, a box, carton, cardboard barrel or other suitable container may be substituted for a solid waste can, for a single pick-up that includes removal of the container, if it meets the size and weight limits established in the carrier's tariff.

• **"Yardwaste bin or container"** means a bin or container specifically designed or designated for the collection of yardwaste. Each carrier's tariff will refer to a specific type of yardwaste bin or container to be used by customers in a service area. The type, size, weight, etc., of this type of bin or container will often be set by local government plans or ordinances.

"Special pick-up" means a pick-up requested by the customer at a time other than the regularly scheduled pick-up time, but which does not involve the special dispatch of a truck. If a special dispatch is required, the company will assess time rates established in the company's tariff.

"Temporary service" means providing container or drop-box service at the customer's request, for a period of ninety days or less.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-226, filed 3/23/01, effective 4/23/01.]

WAC 480-70-231 Tariffs, general. (1) **Solid waste tariffs no longer subject to chapter 480-149 WAC.** As of the effective date of these rules, solid waste collection companies are not subject to the provisions of the commission's Tariff Circular No. 6 (chapter 480-149 WAC). They are instead subject to the requirements of this chapter.

(2) **Additional regulatory requirements.** Companies are also subject to additional rules regarding rate filings contained in chapter 480-07 WAC.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 03-24-028 (General Order R-510, Docket No. A-010648), § 480-70-231, filed 11/24/03, effective 1/1/04. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-231, filed 3/23/01, effective 4/23/01.]

WAC 480-70-236 Tariffs, all companies must file tariffs and must comply with the provisions of approved tariffs. (1) No company may provide solid waste collection service until it files, and the commission approves, a tariff.

(2) No company may assess rates and charges for solid waste collection service that are higher, lower, or different from those contained in its approved tariff.

(3) No company may accept a payment for service provided that is higher, lower, or different from the rates and charges contained in its approved tariff.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-236, filed 3/23/01, effective 4/23/01.]

WAC 480-70-241 Tariffs, content. A company must file with the commission a tariff showing all rates and charges it will charge its customers, together with rules that govern how rates and charges will be assessed. The tariff must contain, but is not limited to:

(1) A title page;

(2) A rules section;

(3) A rates section; and

(4) A map.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-241, filed 3/23/01, effective 4/23/01.]

WAC 480-70-246 Tariffs, posting. (1) A company must maintain a copy of its current approved tariff in its offices.

(2) The tariff maintained in company offices must be available for inspection on request by customers.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-246, filed 3/23/01, effective 4/23/01.]

WAC 480-70-251 Tariffs, rates and charges, general. (1) Rates and charges must cover a complete service, including disposal, unless a separate charge for disposal is specifically named in the tariff.

(2) Rates and charges must be stated by unit and billing method. For example: Dollars and cents per can, per trip, per hour, per service, per week, per month, or other.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-251, filed 3/23/01, effective 4/23/01.]

WAC 480-70-256 Tariffs, rejection. The commission will reject tariffs that:

(1) Do not contain all required information, including, but not limited to, that required by WAC 480-07-520;

(2) Do not comply with format rules;

(3) Are not accompanied by required maps;

(4) Reflect retroactive rate treatment;

(5) Are not filed in accordance with the notice requirements shown in WAC 480-70-261 through 480-70-276; or

(6) Contain provisions that conflict with state statutes or commission rules.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 03-24-028 (General Order R-510, Docket No. A-010648), § 480-70-256, filed 11/24/03, effective 1/1/04. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-256, filed 3/23/01, effective 4/23/01.]

WAC 480-70-261 Tariffs requiring one-day notice to the commission. The commission may approve on one-day notice:

(1) Initial tariff filings that accompany applications for certificated authority;

(2) Tariff adoptions filed under the provisions of WAC 480-70-321; and

(3) Tariff filings whose only purpose is to add a new service option or a service level which has not been previously included in the company's tariff, if that service option or service level is requested by a customer.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-261, filed 3/23/01, effective 4/23/01.]

WAC 480-70-262 Tariffs requiring seven-day notice to the commission. A company must provide at least seven calendar-days' notice to the commission on filings whose only purpose is:

(1) To implement decreases in rates or charges; or

(2) To add a new service option or service level that has not been previously included in the company's tariff.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-262, filed 3/23/01, effective 4/23/01.]

WAC 480-70-266 Tariffs requiring forty-five-day notice to the commission. A company must provide at least forty-five calendar-days' notice to the commission on any filing that will result in an increase in rates or charges to customers.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-266, filed 3/23/01, effective 4/23/01.]

WAC 480-70-271 Customer notice requirements. A company must provide notice to its customers at least once, either before (see subsection (1) of this section) or after (see subsection (2) of this section) final commission action, depending on the type of filing.

(1) **Customer notice before commission action.**

(a) **Thirty days' customer notice requirement.** A company must provide each affected customer a notice at least thirty days before the requested effective date when a company proposes to (see exceptions in subsection (2) of this section):

(i) Increase recurring monthly rates;

(ii) File a general rate case;

(iii) Institute a charge for a service that was formerly provided without charge; or

(iv) Restrict access to services (e.g., discontinue a service or limit access to service by imposing a new usage level on existing services).

(b) **Who must receive a notice.** A company must provide a customer notice to:

(i) Each customer that will be affected by the company's proposal;

(ii) County commissioners or council members in all counties where affected customers reside;

(iii) The senior officials of affected cities (e.g., mayor or city manager) where affected customers reside; and

(iv) The commission's designee for public affairs.

(c) **Content of notice.** The customer notice must contain, at a minimum:

(i) The date the notice is issued;

(ii) The company's name and address;

(iii) A clear explanation of the reason(s) the company has requested the rate change (e.g., increase in labor costs, recovery of new plant investment, or increased office expenses, such as, postage, and customer billing);

(iv) For services the company proposes to change, a comparison of current and proposed rates that, at a minimum, must include:

(A) The minimum volume of service offered (e.g., mini can service);

(B) The four most used services, or if fewer than four services are offered in the customer class, all services (e.g., one-can, two-can, etc.);

(C) How often the rates will be billed (for example, monthly, bimonthly or quarterly);

(D) Separately stated rates for recycling service, yard-waste service, and solid waste service, if applicable;

(E) If a service is not listed in the notice, but the rates are affected, the company must list a range of percentage increases (e.g., five to ten percent increase), and explain how a customer can get more information, if needed, by listing a toll-free telephone number;

(v) The requested effective date and, if different, the implementation date;

(vi) An explanation that the commission has authority to set final rates that may vary from the company's request, depending on the results of the commission's investigation;

(vii) A description of how customers may contact the company toll-free if they have questions or need additional information about the proposal; and

(viii) Public involvement language. A company may choose from (A) commission-suggested language, or (B) company-developed language.

(A) Commission-suggested language:

If you would like to comment on this proposal, it is important for you to do so now. Comments may be submitted in writing or presented at the commission's open public meeting. If you have questions, or you would like to be added to the mailing list for this case, you may contact the Washington Utilities and Transportation Commission at P.O. Box 47250, Olympia, WA 98504-7250; 1-800-562-6150; comments@wutc.wa.gov; or 360-664-3604 (telefacsimile).

(B) Company-developed language must provide:

• A brief explanation of how to participate in the commission's process by attending an open meeting, writing a letter, email (comments@wutc.wa.gov) or telefacsimile; and

• How to contact the commission for information about the process or notification of the scheduled open meeting date, providing the commission's mailing address, and toll-free telephone number (1-800-562-6150).

(d) **Notice methods permitted.**

(i) Notice may be provided by bill insert, bill message, message printed on the back of the billing envelope, separate mailing, or by can tag.

(ii) A company may use separate customer notices for its residential customers and commercial customers as long as each affected customer receives notice.

(2) **Customer notice after final commission action.**

(a) **Notice required.** Each affected customer must receive notice on or with the first bill after the final commission decision when a company increases rates for:

(i) Nonrecurring charges (e.g., late payment fees, NSF fees, one-time charge, etc.);

(ii) Local taxes;

(iii) Disposal fee increases;

(iv) Fuel surcharges;

(v) Credits or refunds; and

(vi) Commodity credits and charges.

(b) **Who must receive notice.** In addition to each affected customer, a company must provide notice to:

(i) County commissioners or council members in all counties where affected customers reside;

(ii) The senior officials of affected cities (e.g., mayor or city manager) where affected customers reside; and

(iii) The commission's designee for public affairs.

(c) **Content of the notice.** At a minimum, the notice provided after final commission action must include:

(i) The effective date;

(ii) A clear description of changes to rates and services; and

(iii) A toll-free company contact number where customers may seek additional information.

(d) **Methods of notice permitted.** Notice may be provided by bill insert, bill message, message printed on the back of the billing envelope, separate mailing, or by can tag.

(3) **Commission assistance on the customer notice.** The commission's public affairs section is available to:

(a) Assist companies with customer notice questions;

(b) Review draft customer notice language; and

(c) Offer suggestions on draft customer notice language. If a company would like assistance, the company must submit the notice for review at least two working days before the planned notice printing date.

(4) **Other customer notice.** The commission may require additional notification to customers other than described in this rule when the commission is holding a public hearing in a contested case, or when the effect of a company's proposal may have a significant impact on:

(a) Customer rates;

(b) Access to services; or

(c) When the commission determines that additional customer education is needed.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-271, filed 3/23/01, effective 4/23/01.]

WAC 480-70-276 Tariffs, less than statutory notice handling. The commission may allow tariff filings to become effective with less notice than is shown in WAC 480-70-262 and 480-70-271 when there is an emergency or when merit is shown. This process is known as "less than statutory notice" (LSN) handling. A company filing for LSN handling may use an LSN form supplied by the commission, or a letter containing at least the following information:

(1) Company identification information:

(a) Name and registered trade name;

(b) Certificate number;

(c) Address;

(d) Telephone number, email address, and telefacsimile number; and

(e) Name and telephone number of a person to contact regarding the filing;

(2) Tariff identification information:

(a) Number of the tariff being amended;

(b) Identifying number and title of the tariff item(s) being amended; and

(c) Number of the tariff page being amended;

(3) Concise description of the provisions being proposed;

(4) Reason(s) for requesting LSN handling; and

(5) Effective date requested.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-276, filed 3/23/01, effective 4/23/01.]

WAC 480-70-281 Tariffs, format and size requirements. A company must file tariffs meeting the following criteria:

(1) Tariffs must be on forms available from the commission or on comparable forms approved by the commission.

(a) Tariffs submitted on forms other than those obtained from the commission must conform to the commission-prescribed item numbering format. For example:

Subject the item addresses	Must be in tariff item number:
Definition of terms	Item 20
Residential rates	Item 100
Disposal site rates	Item 230

(b) A complete list of item numbers is shown in the commission's tariff form.

(2) Tariffs must be filed in loose-leaf format.

(3) Tariffs must be typed or mechanically printed (not handwritten) using at least ten-point type.

(4) Tariffs must be printed on eight and one-half inch by eleven inch paper, with margins of at least one-half inch on each side.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-281, filed 3/23/01, effective 4/23/01.]

WAC 480-70-286 Tariffs, changes must be identified. Each change in rates, charges, or rules must be clearly identified by using one of the following methods:

(1) By printing the appropriate code symbol immediately to the left of the material being changed. Approved symbols are:

Code Symbol	Used to indicate:
(R)	reductions in rates or charges
(A)	increases in rates or charges
(C)	changes resulting in neither increases nor decreases
(N)	new rates, services or rules

(2) By printing a notice in distinctive type at the location defined in the following table:

If the changes affect:	The notation must state:	The notation must be printed:
All rates and charges on a tariff page or on a tariff supplement page.	All rates and charges on this page are . . . . . (Company would state in the blank the nature of the changes, using one of following terms: • Increases • Decreases; or • Wording changes resulting in neither increases nor decreases.)	In the top margin of the page.
All rates and charges in a tariff.	All rates and charges on this page are . . . . . (Company would state in the blank the nature of the changes, using one of following terms: • Increases • Decreases; or • Wording changes resulting in neither increases nor decreases.)	In the top margin of each page.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-286, filed 3/23/01, effective 4/23/01.]

WAC 480-70-291 Tariffs, title pages. The title page of every tariff must show at least the following:

(1) The certificate name of the company, its certificate number, and all trade names filed with the commission that the tariff applies to;

(2) An identifying tariff number;

(3) The number of any tariff being canceled by the tariff to which the title page applies (canceling a tariff also cancels all supplements applying to that tariff);

(4) The types of services covered by the tariff;

(5) A clear description of the territory in which the tariff applies;

(6) The date the tariff is issued and date it becomes effective;

(7) The name, title, telephone number, telefacsimile number (if any), and mailing address of the person who files the tariff; and

(8) A box that is at least three-fourths of an inch in height, spans from margin to margin and is labeled "for official use only."

Illustration of tariff title page:

Original Title Page

Tariff No. 2

Cancels

Tariff No. 1

of

John Doe's Sanitation Company, Inc.
d/b/a
John's Garbage and Recycle

Certificate No. 1999

Naming rates for the transportation and disposal of
solid waste and, if noted, recycling and yardwaste collection.

In the following described territory:

Any County

Issued by:

John Jones, President
1234 East Easy Street

For official use only

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-291, filed 3/23/01, effective 4/23/01.]

WAC 480-70-296 Tariffs, page format. All pages in a tariff, except the title page, must include the following:
(1) A page header that includes:
(a) The identifying number of the tariff;
(b) A page number;
(c) A revision number;
(d) The name of the company filing the tariff; and
(e) Any applicable registered trade name.
(2) A page footer that includes:
(a) The name of the person filing the tariff;
(b) The date the page is issued;
(c) The date the page becomes effective; and
(d) A box that is at least three-fourths of an inch in height, spans from margin to margin and is labeled "for official use only."

Illustration of tariff page:

Tariff No. 2	2nd Revised Page 18
Company Name: John Doe's Sanitation Co., Inc. d/b/a John's Garbage and Recycle	
Issued by: John Jones, President Issue Date:	Effective Date: . . . . .
(For Official Use Only)	

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-296, filed 3/23/01, effective 4/23/01.]

WAC 480-70-301 Tariffs, maps. A company must file a map with its tariff that clearly identifies the company's entire certificated authority area. If a company divides its authorized certificate area into tariff service territories, then the company must also file a map showing each of the tariff service territory divisions. The maps must meet the specifications in WAC 480-70-056.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-301, filed 3/23/01, effective 4/23/01.]

WAC 480-70-306 Tariffs, rules. (1) Tariff rules must be stated in clear language.

(2) A rule that applies to only a specific rate or charge must be included in the same tariff item as the applicable rate or charge.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-306, filed 3/23/01, effective 4/23/01.]

WAC 480-70-311 Tariffs, changes. Companies may change filed tariffs by one of two methods:

(1) Issuing revised pages to the tariff. A revised page must have the same page number as the page it cancels. For example: "1st revised page 1" cancels "Original page 1."

(2) Issuing complete new tariffs. Each of the pages in a new tariff must be identified as an original page. For example: "Original Page 1," "Original Page 2," and so on.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-311, filed 3/23/01, effective 4/23/01.]

WAC 480-70-316 Tariffs, supplements. (1) Companies may issue tariff supplements to reflect situations such as gas price fluctuations, city or county taxes, or county surcharges imposed under the provisions of RCW 36.58.045.

(2) Companies may not issue tariff supplements to make general rate increases.

(3) Supplements are subject to all applicable rules and procedures including transmittal letters, notice to customers and the commission, and proper tariff format. The commission will provide sample tariff supplement forms on request.

(4) Supplements to a tariff must be numbered consecutively. If a newly filed supplement cancels a previous supplement(s), that information must be clearly shown on the new supplement. For example: "Supplement 6 cancels Supplements 4 and 5."

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-316, filed 3/23/01, effective 4/23/01.]

WAC 480-70-321 Tariffs, filings after name change or change in ownership. (1) When a company changes the name on its certificate it must file a tariff in the new name of the company or adopt the existing filed tariff.

(2) When a company leases, transfers, or acquires a portion of the certificated authority of another company, it must file a new tariff reflecting the same rates as the prior company.

(3) When a company obtains operating control of another company, it must file a new tariff at the same rate levels as the prior company or adopt the existing filed tariff of the prior company.

(4) A company filing a tariff to comply with subsections (1), (2), and (3) of this section cannot raise rates in that filing. A separate rate increase filing must be made.

(5) To adopt existing filed tariffs, the company must file with the commission an adoption-of-tariff form, that must read as follows:

Illustration of adoption form:

Tariff No. . . . . .

. . . . . adopts,

(Name of new company and registered trade name of new company)

all tariffs and supplements to the tariffs, filed with the Washington Utilities and Transportation Commission by

. . . . . .

(Insert here name of prior company)

before the date of its (new company) acquired possession of that (prior) company.

ISSUED BY:

. . . . . .

(Printed name and title of person filing adoption notice)

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-321, filed 3/23/01, effective 4/23/01.]

WAC 480-70-326 Tariffs, filing procedures. (1) **Method of filing.** A company may submit tariff filings to the commission in person, by mail, or by telefacsimile. If a company files by telefacsimile, a hard copy must be mailed on the same day as the telefacsimile transmission.

(2) **Transmittal letter.** A company must file two copies of a transmittal letter with each tariff filing submitted to the commission. The commission will stamp one copy of the letter and return it to the company as acknowledgment that the filing was received.

(a) The transmittal letter must include at least the following:

(i) The name, certificate number, and trade names of the company;

(ii) A description of each proposed change and a brief statement of the reason for each change;

(iii) The dollar and percentage amounts that revenue will change if the filing is approved by the commission;

(iv) The percentage amount that rates will change if approved by the commission;

(v) A contact person's name, mailing address, telephone number, telefacsimile number (if any), and email address (if any); and

(vi) A statement that the company mailed a copy of the transmittal letter to the chair of the county commission or county council of each county affected by the filing.

(b) The transmittal letter accompanying a filing that increases rates or charges must also include the date customer notice was, or will be, mailed or delivered to all affected customers.

(3) **Additional documents required.**

(a) **Filing due to governmental, or other entity, action.** If the tariff filing results from action of another entity or governmental body, the company must file documentation of that action. For example: Ordinances, resolutions, and disposal site fee increase or decrease notices.

(b) **Tariff filed by agent.** If the tariff filing is made by a person other than an owner, partner, or corporate officer, the company must include with its tariff filing a statement granting authority for that person to file on behalf of the company. The statement must be signed by an owner, partner, or corporate officer, and may be incorporated into the transmittal letter accompanying the filing.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-326, filed 3/23/01, effective 4/23/01.]

WAC 480-70-331 Tariffs, approval. Receipt by the commission of a tariff filing does not mean that the provisions of the filing are approved. Companies may not implement provisions contained in tariff filings until the commission approves the filing or until the provisions become effective by operation of law.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-331, filed 3/23/01, effective 4/23/01.]

WAC 480-70-336 Tariffs, free and reduced rates. (1) A company wishing to provide service at free and reduced rates under the provisions of RCW 81.28.080, must first publish those rates in its filed tariff.

(2) A company may publish free and reduced rates for collection services provided:

(a) To the United States, state, county, and municipal governments or municipal corporations;

(b) For charitable purposes; or

(c) To specific customer classes, as approved by the commission.

(3) If a company chooses to provide service at free or reduced rates, the company must publish in its tariff:

(a) The name of the customer or a detailed description of a customer class;

(b) The service provided; and

(c) The applicable rate(s), amount of reduction (such as, twenty percent), or if free, "$0.00" or "no charge."

(4) The company's owners or stockholders are responsible for the revenue not collected by providing service at free or reduced rates. Ratepayers will not subsidize the revenue a company donates by providing service at free and reduced rates.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-336, filed 3/23/01, effective 4/23/01.]

WAC 480-70-339 Tariffs, suspension by the commission. (1) The commission may, on receiving a complaint or protest, or on its own motion, suspend tariff rates, tariff charges, or tariff rules as provided in RCW 81.04.130.

(2) The commission will not take action to suspend a tariff, or any part of a tariff, based on a complaint or protest unless the complaint or protest is filed in compliance with the commission's rules of practice and procedure as set out in chapter 480-07 WAC.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 03-24-028 (General Order R-510, Docket No. A-010648), § 480-70-339, filed 11/24/03, effective 1/1/04. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-339, filed 3/23/01, effective 4/23/01.]

WAC 480-70-341 Pass-through disposal fees. (1) A company must charge its customers the disposal fees contained in the company's lawfully filed tariffs applicable to the disposal site actually used for disposal, and not those of any other site.

(2) A company must not charge its drop-box customers disposal fees that exceed the actual cost to the company.

(3) A company must track fees charged at any disposal sites used and change its filed tariff as necessary to accurately reflect those fees.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-341, filed 3/23/01, effective 4/23/01.]

WAC 480-70-346 Rates, general rate increases and fuel cost update. A company filing a rate change based on changes in general operating expenses must update the test period fuel costs using actual fuel costs for the most recent twelve-month period.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-346, filed 3/23/01, effective 4/23/01.]

WAC 480-70-351 Rates, recycling programs, credits, or charges. (1) **Programs to encourage recycling.** The commission encourages solid waste collection companies to develop programs intended to increase recycling. The commission will, among other things, consider whether a proposed program:

(a) Provides an incentive to the party who controls the actions or behaviors that the program intends to change;

(b) Defines measurable outcomes reasonably attributable to the proposed program; and

(c) May have any unintended results or consequences.

(2) **Recycling credits or charges.** Companies that estimate the revenue from the sale of recyclable materials collected in residential curbside programs as part of a deferred accounting program to return recycling revenues or charges to customers must use the most recent twelve-month historical period to estimate the revenue for the next twelve months.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-351, filed 3/23/01, effective 4/23/01.]

PART VIII—CONSUMER RULES

WAC 480-70-361 Availability of information. (1) **Company information.** A company that provides traditional solid waste service must maintain a business office and must, at least once a year, notify its customers of its:

(a) Regular business hours. Regular business hours must include at least four hours each day between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays;

(b) Toll-free business telephone number; and

(c) Mailing address.

(2) **Messaging.** A company must have voice mail, an answering machine, or answering service to receive calls when company personnel are unavailable.

(3) **Responding to customer inquiries.**

(a) A company must respond to urgent messages within twenty-four hours and to all others within forty-eight hours, excluding weekends and holidays.

(b) A company must acknowledge and respond to a customer's written inquiry within two weeks of receipt.

(4) **Notice of change in address or phone number.** A company must advise current customers of any change in its address or telephone number at least ten days before the effective date.

(5) **Notice of change in pick-up date.** When a company changes the pick-up date for its certificate area, or a portion of its certificate area, the company must notify all customers in the affected area of that change. Notice may be made via mail, personal contact, or by a notice being affixed to the customer's solid waste can at least seven days before implementation of the new pick-up schedule.

(6) **Consumer brochure.** A company must provide a copy of the commission's consumer brochure to each new applicant for service, and must once a year notify its current customers of the availability of the brochure and how to obtain a copy. A company may copy the commission's brochure and may add appropriate company-specific information.

(7) **Program information.**

The commission requires that each new applicant for service, and, at least once a year the company's current customers, must receive a list, brochure, newsletter or similar document that describes available solid waste and recycling services:

(a) **Material requirements defined.** Materials may be provided by local government solid waste divisions or solid waste coordinators directly to the public, or to the solid waste companies for delivery. This information may include reference to available local commercial recycling service options, service levels, and to methods for reducing solid waste. If such materials are not available, or if they do not include the information described in (a)(i) and (ii) of this subsection, companies must provide materials. Materials prepared by a company must describe:

(i) All service options and service levels available to the customer through the company; and

(ii) Company methods and programs available to recycle and reduce solid waste. This information may contain reference to nonregulated commercial recycling services also provided by the certificated company.

(b) **Delivery options defined.**

(i) If local government solid waste divisions or solid waste coordinators provide materials to the company, the company must distribute those materials to the company's customers.

(ii) If local government solid waste divisions or solid waste coordinators do not provide information to the company, the company's obligations under the provisions of (a) of this subsection may be satisfied if the local government solid waste divisions or solid waste coordinators distribute the information as part of the local government's solid waste, recycling, and waste reduction educational activities.

(iii) If required materials are not distributed by solid waste divisions or solid waste coordinators as part of educational activities or the solid waste divisions or solid waste coordinators do not provide the information to the companies for distribution, the company must provide the materials described in (a) of this subsection.

(8) **Information that must be available for review in company office.** A company must make the following items available to customers for review at all times the company's business office is open. The company must notify its customers, either in its consumer brochure, a newsletter, or similar document that the items are available for customer review and state the location at which they are available for that review.

(a) The commission's solid waste rules, chapter 480-70 WAC;

(b) The company's current rates and regulations (tariff);

(c) The company's current certificate;

(d) The commission's consumer brochure; and

(e) A map of the company's service territory.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-361, filed 3/23/01, effective 4/23/01.]

WAC 480-70-366 Refusal of service. (1) A company must not refuse service to an applicant or cancel service to a customer when there are unpaid bills from a prior customer at

the same premises unless the company has objective evidence that the applicant is acting on behalf of the prior customer with the intent to avoid payment.

(2) A company may refuse service to an applicant or cancel service to a customer when:

(a) The customer has not complied with state, county, or municipal regulations concerning the service.

(b) In the company's judgment, providing the service would be hazardous, unsafe, or dangerous to persons or property.

(c) In the company's judgment, driveways or roads are improperly constructed or maintained, do not have adequate turn arounds, or have other unsafe conditions.

(d) The customer has an overdue bill from the company for the same class of service at the same or a different location, and satisfactory arrangements for payment of the overdue unpaid bill have not been made. For purposes of this rule, class of service means residential service or commercial service.

(e) The customer requests service at a location where there currently resides a former customer who has an overdue bill from the company for the same class of service at the same location, and satisfactory arrangements for payment of the overdue bill have not been made.

(f) The customer has obtained or retained service from the company by dishonest or fraudulent means, for the purpose of avoiding debts, including, but not limited to:

(i) False statement of credit references or employment;

(ii) False statement of present or prior premises address;

(iii) Use of an alias or false name; or

(iv) Rotation of service among roommates or persons living together.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-366, filed 3/23/01, effective 4/23/01.]

WAC 480-70-371 Service cancellation, customer. A company may require that its customers give advance notice to cancel service, but may not require more than three business days' notice. A company may continue to bill for service at approved tariff rates until the company receives notice or until the company realizes that the customer has vacated the property.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-371, filed 3/23/01, effective 4/23/01.]

WAC 480-70-376 Service cancellation, company. (1)**Reasons.** If a company has properly notified a customer as provided in subsection (2) of this section, the company may cancel a customer's service when:

(a) The customer:

(i) Has a delinquent bill (as defined in WAC 480-70-396);

(ii) Fails to keep any agreed-upon payment arrangement;

(iii) Abandons the premises;

(iv) Violates rules, service agreements or approved tariffs; or

(v) Fails to comply with state, county, or municipal regulations concerning the service;

(b) The company:

(i) Believes it would be hazardous, unsafe or dangerous to persons or property to provide service;

(ii) Believes that driveways or roads are improperly constructed or maintained, do not have adequate turn arounds, or have other unsafe conditions; or

(iii) Has evidence that the customer, for the purpose of avoiding debts, obtained service by dishonest or fraudulent means.

(2) **Notice required.** A company is not required to notify a customer before cancellation if the cancellation is due to danger to life or property, dishonest or fraudulent use, or violation of a law requiring immediate cancellation. In all other instances, a company shall not cancel service until it meets the following notice requirements.

(a) Before a company cancels service it must provide two cancellation notices to the customer. The notices must meet the criteria shown in the following table:

The first notice:	The second notice:
1. Must be mailed to the billing address.	1. Must be made at least twenty-four hours before the cancellation date and time specified in the first required notice.
2. Must contain at least the following:	2. Must allow the customer until 5:00 p.m. of the following business day to comply.
• A cancellation date and time. The date and time must be not less than eight business days after the date the notice is mailed if mailed in the state of Washington. The date and time must be not less than 11 business days if mailed from outside the state of Washington.	3. Must be made by one of the following: **By telephone.** A company must call the customer. If the company representative is unable to speak with the customer on the first attempt, at least one additional attempt must be made. If a customer has provided the company with a business or message telephone number, the second attempt may be made to that number. **By personal delivery.** A company providing notice by personal delivery must make at least one attempt to contact the customer. The company may personally deliver notice by placing a written notice or tag on the customer's solid waste can, container or drop box or on the primary residence door.
• All pertinent information about the reason for the cancellation.	
• All pertinent information about how to correct the reason for cancellation.	4. Must contain at least the following:
• The company's name, address and toll-free telephone number by which to contact the company to discuss the pending cancellation.	• A cancellation date and time. • All pertinent information about the reason for the cancellation. • All pertinent information about how to correct the reason for cancellation. • The company's name, address and toll-free telephone number to contact the company to discuss the pending cancellation.
3. The company must maintain a written record of all cancellation notices issued.	

The first notice:	The second notice:
	5. The company must maintain a record of attempts made to contact the customer. The record must show: • The telephone number called; • The date and time the call was made; and • The result of the call. For example: Left a message, no answer, line busy, etc.

(3) **Notice expiration.**

(a) **No mutually agreed-upon arrangements.** Cancellation notices expire ten business days after the first day that the company may discontinue service. If the company does not cancel service within ten business days, the notice process must start over.

(b) **Mutually agreed-upon arrangements made.** Cancellation notices do not expire if mutually agreed-upon arrangements have been made and confirmed in writing by the company. A company may cancel service without further notice if the customer fails to keep the agreed-upon arrangements.

(4) **No cancellation while customer is pursuing a dispute.** If the customer pays all undisputed amounts when due, and corrects any conditions posing a danger to health, safety or property, a company must not cancel service while:

(a) The customer is pursuing any remedy or appeal provided by these rules;

(b) The customer is attempting to resolve a complaint with the company's representatives; or

(c) The customer is attempting to resolve a complaint with the commission's consumer affairs section staff.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-376, filed 3/23/01, effective 4/23/01.]

WAC 480-70-381 Reinstatement of service following cancellation. A company must reinstate service on the next scheduled pick-up date, unless asked not to do so by the customer, when:

(1) The responsible party corrects the causes of cancellation;

(2) The customer pays all proper charges due or makes satisfactory payment arrangements; or

(3) The commission or its staff directs reinstatement pending resolution of a dispute.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-381, filed 3/23/01, effective 4/23/01.]

WAC 480-70-386 Complaints. (1) **Company responsibility.**

(a) **Complaints from customer.** When a company receives a complaint from a customer or an applicant for service, it must:

(i) Acknowledge the complaint;

(ii) Investigate promptly;

(iii) Report the results of the investigation to the complainant;

(iv) Take corrective action, if warranted, as soon as appropriate under the circumstances;

(v) Inform the complainant that the decision may be appealed to a higher level representative of the company, if any;

(vi) Inform the complainant, if still dissatisfied after speaking with the higher level representative, of the commission's availability for review of the complaint; and

(vii) Provide the complainant with the commission's address and toll-free telephone number.

(b) **Complaint referred by commission.** When commission consumer affairs staff refer an informal complaint to the company, the company must:

(i) Investigate and report the results to the commission consumer affairs staff within two business days (the commission consumer affairs staff may grant an extension of time for responding to the complaint if requested and warranted);

(ii) Keep the commission consumer affairs staff informed of progress toward the solution; and

(iii) Inform the commission consumer affairs staff of the final result.

(c) **Complaint record.** A company must keep a record of all complaints concerning service or rates for at least one year. The record of complaints and rates must be made readily available for commission review. The record must contain:

(i) The complainant's name and address;

(ii) Date and nature of the complaint;

(iii) Action taken; and

(iv) Final result.

(2) **Complaints to commission.** Applicants, customers, or their representatives may file with the commission either:

(a) An informal complaint against the company under the provisions of WAC 480-07-910; or

(b) A formal complaint against the company under the provisions of WAC 480-07-370.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 03-24-028 (General Order R-510, Docket No. A-010648), § 480-70-386, filed 11/24/03, effective 1/1/04. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-386, filed 3/23/01, effective 4/23/01.]

WAC 480-70-391 Credits as compensation in consumer complaints or problems. Companies may offer customers a credit on the customers' bills for:

(1) A missed collection, regardless of the reason the collection was missed; or

(2) As compensation for service quality problems, billing problems, or other problems experienced by the customer.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-391, filed 3/23/01, effective 4/23/01.]

WAC 480-70-396 Billing. (1) **Billing period.** A company may bill its customers for one, two, or three months of service.

(2) **Advance billing and payment delinquency dates.** The following chart defines the maximum period allowed for advance billing and the date when a bill may be considered delinquent:

Billing period	Maximum advance billing period allowed	Delinquency date
One month's service (monthly)	No advance billing allowed	May not be less than twenty-one days after the date the bill is mailed
Two months' service	One month advanced billing allowed	May not be until the last day of the second month
Three months' service	Two months' advance billing allowed	May not be until the last day of the third month

(3) Bills issued to customers must clearly show the company's name and applicable registered trade name, business address, and toll-free telephone number where a customer may contact the company. Bills must also show:

(a) Account information, including:

(i) The customer's name, service address, and billing address;

(ii) Company customer identification number, if any;

(iii) The billing period;

(iv) The date the bill was mailed;

(v) The date payment is due; and

(vi) The date the bill becomes delinquent;

(b) Rate information, including:

(i) The percentage amount or minimum charge for late payments (may not exceed one percent of the unpaid balance or one dollar, whichever is greater);

(ii) All rates or charges billed to the customer, shown as separate line items on the bill (for example: Service and size of container; yardwaste service and size of container; recycling service and recycling commodity adjustment);

(iii) Other tariffed services (for example: Drive-in charges, carry-out charges, and occasional extras); and

(iv) The percentage rate and dollar amount of any government tax or fee imposed on the company and passed on directly to customers;

(c) Other information as may be directed by the commission.

(4) With the consent of the customer, a company may provide regular billings in electronic form if the bill meets all the requirements of this rule. The company must maintain a record of the customer's consent, and the customer may change from electronic to printed billing upon request.

(5) If a customer initiates or terminates solid waste service within a month, monthly rates and charges must be prorated based on the number of pick-ups actually provided.

(6) The commission may allow consolidated billing for regulated and nonregulated activities.

(a) A consolidated billing must:

(i) Disclose nonregulated activity as a separate line item; and

(ii) Include a telephone number where the customer may contact the company providing the nonregulated activity.

(b) If a customer makes partial payment, a company must apply the payment to the regulated solid waste charges first.

(c) A company may not discontinue solid waste service if the customer does not pay for nonregulated services, but has paid in full for regulated solid waste service.

[Statutory Authority: RCW 81.04.160 and 80.01.040. WSR 04-22-040 (General Order No. R-515, Docket No. TG-041349), § 480-70-396, filed 10/27/04, effective 11/27/04. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-396, filed 3/23/01, effective 4/23/01.]

WAC 480-70-401 Payment options. Companies must, at a minimum, allow the following methods of payment: Cash, certified funds (e.g., cashier check or money order), and personal checks.

Upon written notice to a customer, companies may refuse to accept personal checks when that customer has tendered two or more nonsufficient-funds checks within the last twelve months.

[Statutory Authority: RCW 81.04.160 and 80.01.040. WSR 04-22-040 (General Order No. R-515, Docket No. TG-041349), § 480-70-401, filed 10/27/04, effective 11/27/04. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-401, filed 3/23/01, effective 4/23/01.]

WAC 480-70-406 Refunds. (1) When there has been a transaction that results in a credit being due the customer, the following apply:

(a) If the amount due is five dollars or less, an adjustment must be shown on the next regular bill.

(b) If the amount due is more than five dollars, the customer may accept an adjustment to the account or request a refund. If the customer elects to have an adjustment made, it must show on the next regular billing. If the customer chooses to receive a refund, the company must issue a check within thirty days of the request.

(2) **Overcharges.** Once a company becomes aware that it has overcharged a customer, it must provide a refund or bill adjustment credit to the customer. The customer must be given a choice as to which option is preferred. The refund or credit must be the amount overcharged in the three years before the date of discovery.

(3) **Prepayments.** If a customer has paid service fees in advance, service is discontinued during the prebilled period, and the customer is due a refund, the following apply:

(a) A company must honor all requests for refunds of the unused portion of prepayments.

(b) If the customer provides a forwarding address to the company or one can be obtained from the U.S. Post Office, the company must issue a refund check no more than thirty days following the customer's request.

(c) If the customer cannot be located or did not provide a forwarding address and the U.S. Post Office cannot furnish a forwarding address, the amount may be presumed to be abandoned and is subject to the Uniform Unclaimed Property Act after one year.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-406, filed 3/23/01, effective 4/23/01.]

WAC 480-70-411 Establishing credit and deposits. Prepayments made to secure temporary drop-box service are not subject to the provisions of this rule. Refer to WAC 480-70-416 for provisions related to prepayments.

(1) **Establishing credit - Residential service.** A company may not collect a security deposit if an applicant for residential service can establish satisfactory credit by any one of the following:

(a) The applicant had prior service with the company or another solid waste collection company for at least six of the twelve months before the application date and:

(i) Service was not canceled for nonpayment;

(ii) The customer received no more than one delinquency notice; and

(iii) References with the other company (if applicable) can quickly and easily be checked. The company may request that the references from the previous company be in writing.

(b) The applicant had consecutive employment during the prior twelve months with no more than two employers and is currently employed or has a regular source of income.

(c) The applicant owns or has a legal interest in the premises being served.

(d) The applicant can furnish a satisfactory guarantor who will be responsible for payment of solid waste bills in the event of cancellation or default by the customer, in a specified amount, not to exceed the amount of the cash deposit required.

(e) The applicant personally produces at the company's business office two major credit cards, or other credit references that the company can quickly and easily check, that demonstrate a satisfactory payment history.

(2) **Establishing credit - Commercial service.** A company may require an applicant for commercial service to demonstrate that the applicant is a satisfactory credit risk by reasonable means appropriate under the circumstances.

(3) **Deposit requirements.** A company may require a deposit if:

(a) The applicant has failed to establish a satisfactory credit history as outlined in subsections (1) and (2) of this section;

(b) The applicant's service from another solid waste company was canceled for failure to pay amounts owing when due during the twelve months before the application date;

(c) The applicant has an unpaid, overdue balance owing for similar service from the solid waste company to which application is being made or from any other solid waste company;

(d) Two or more delinquency notices have been served on the applicant by any solid waste company during the prior twelve months; or

(e) The application is for beginning or continuing service to a residence where a prior customer still lives and owes a past due bill to the company.

(4) **Deposit amount.** Deposits required for a customer or location must not exceed:

(a) Two-twelfths of the estimated annual billings for companies billing monthly;

(b) Three-twelfths of estimated annual billings for companies billing bimonthly;

(c) Four-twelfths of estimated annual billings for companies billing trimonthly.

(5) **Transfer of deposit.** When a customer moves to a new address within the company's service territory, the deposit plus accrued interest, less any outstanding past-due balance owing from the old address, must be transferred to the new address or refunded.

(6) **Interest on deposits.** Companies that collect customer deposits must pay interest on those deposits calculated:

(a) For each calendar year, at the rate for the one-year Treasury Constant Maturity calculated by the U.S. Treasury, as published in the Federal Reserve's Statistical Release H.15 on January 15 of that year. If January 15 falls on a nonbusiness day, the company will use the rate posted on the next following business day; and

(b) From the date of deposit to the date of refund or when applied directly to the customer's account.

(7) **Deposit payment arrangements.** The company must allow an applicant or customer the option of paying fifty percent of the deposit prior to service, and paying the remaining balance in equal amounts over the next two months, on the dates mutually agreed upon between the applicant or customer and the company. The company and applicant or customer may make other mutually acceptable deposit payment arrangements.

(8) **Receipt for deposit.** A company must furnish a receipt to each applicant or customer for the amount deposited.

(9) **When refund of deposits is required.** A company must refund deposits plus accrued interest when there has been satisfactory payment, as defined in (a) of this subsection, or when service is terminated.

(a) **"Satisfactory payment"** means a customer has paid for service for twelve consecutive months in a prompt and satisfactory manner as evidenced by the following:

(i) The company has not started a cancellation process against the customer; and

(ii) The company has sent no more than two delinquency notices to the customer.

(b) **Termination of service.** When service is terminated, the company must return to the customer the deposit amount plus accrued interest, less any amounts due the company by the customer.

(10) **How deposits are refunded.** The company must refund any deposit plus accrued interest, as indicated by the customer at the time of deposit, or as modified by the customer on a later date, one of the following methods:

(a) A check issued and mailed to the customer no later than fifteen days following completion of twelve months of satisfactory payment, as described above; or

(b) A credit applied to the customer's account for service beginning in the thirteenth month.

(11) **Additional deposit.** If a deposit or additional deposit amount is required after the service is established, the reasons must be specified to the customer in writing. Any request for a deposit or additional deposit amount must comply with the standards outlined in subsections (1) and (2) of this section. If the original deposit was secured by a guarantor and the guarantor does not agree to be responsible for the additional deposit amount, the customer will be held responsible for paying the additional deposit.

[Statutory Authority: RCW 80.01.040, 80.04.160, and 81.04.160. WSR 02-21-066 (Docket No. A-020405, General Order No. R-504), § 480-70-411, filed 10/16/02, effective 1/1/03. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-411, filed 3/23/01, effective 4/23/01.]

WAC 480-70-416 Prepayments, temporary container and drop-box service. A company may require its temporary commercial service customers to prepay either:

(1) An amount not exceeding the estimated total due for delivery of the container or drop box, plus rent for the first month, plus pick-up charges and disposal fees for one month; or

(2) Fifty percent of the estimated total that will apply over the length of the service agreement.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-416, filed 3/23/01, effective 4/23/01.]

WAC 480-70-421 Fair use of customer information. (1) Customer information includes the customer's name, address, telephone number, service level, credit and deposit information, and billing history.

(2) Companies must use customer information only for:

(a) Providing and billing for services the customer requests;

(b) Marketing new services or options to its customers; or

(c) Providing information to its customers.

(3) Any sale or release of customer information without the written permission of the customer is prohibited. The only exceptions to this rule are:

(a) Release of information to the commission to investigate or resolve complaints filed with the commission by a customer;

(b) Sharing nonpayment information with agencies the company engages to act as the company's agent in pursuing collection of past due accounts; and

(c) Release of information of a former customer for purposes of WAC 480-70-411 (1)(a).

(4) Companies are allowed to collect and release customer information in aggregate form if the aggregated information does not allow any specific customer to be identified.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-421, filed 3/23/01, effective 4/23/01.]

PART IX—BIOMEDICAL WASTE RULES

WAC 480-70-426 Biomedical waste, purpose. It is a matter of statewide concern that biomedical waste be handled in a manner that protects the health, safety, and welfare of the public, the environment, and the workers who handle the waste.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-426, filed 3/23/01, effective 4/23/01.]

WAC 480-70-431 Biomedical waste, adoption of federal regulations. (1) Companies transporting biomedical waste must comply with all federal, state and local laws and rules governing such transportation. Companies must also comply with Parts 171 through 180 of Title 49, Code of Federal Regulations (49 C.F.R.), that are adopted by reference. Information about 49 C.F.R. regarding the version adopted and where to obtain copies is set out in WAC 480-70-999.

(2) Any company transporting waste, that meets either federal or state criteria as biomedical waste, must handle and transport that waste according to the appropriate requirements of the federal hazardous materials regulations and the additional requirements in these rules.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.353. WSR 12-05-063 (Docket A-111722, General Order R-564), § 480-70-431, filed 2/15/12, effective 3/17/12. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-021 (Docket No. TG-990161, General Order No. R-479), § 480-70-431, filed 3/23/01, effective 4/23/01.]

WAC 480-70-436 Biomedical waste, operational requirements. (1) A company collecting, transporting and disposing of biomedical waste as defined in WAC 480-70-041 must prepare and maintain a biomedical waste operating plan.

(2) A company must keep the biomedical waste operating plan:

(a) On file in the company's main office; and

(b) A copy must be carried in each motor vehicle used in transportation of biomedical waste.

(3) The biomedical waste operating plan must include provisions ensuring that:

(a) Biomedical waste is kept separate from any other solid waste until treatment or disposal;

(b) Only authorized and properly trained persons collect, transport, and dispose of biomedical waste;

(c) Unauthorized persons are prevented from having access to, or contact with, biomedical waste;

(d) Any motor vehicle used to collect, transport or dispose of biomedical waste is properly decontaminated;

(e) Employees are provided and required to use clean gloves and uniforms, and any other necessary protective clothing when collecting, transporting, and disposing of biomedical waste; and

(f) Appropriate methods are available to decontaminate any person exposed to biomedical waste during collection, transportation, and disposal.

(4) The biomedical waste operating plan must also include alternative storage, treatment and disposal sites in case of an accident or unavailability of the primary storage, treatment, or disposal site.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-436, filed 3/23/01, effective 4/23/01.]

WAC 480-70-441 Biomedical waste, training requirements. (1) Any person involved in collection, transportation, and disposal of biomedical waste must be adequately trained. A company involved in collection, transportation, and disposal of biomedical waste must:

(a) Develop, publish and maintain an employee training plan;

(b) Ensure that company employees are properly trained; and

(c) Certify that company employees are properly trained.

(2) The employee training plan must be kept on file in the company's main office, available for inspection by the commission, its authorized representatives, and customers.

(3) The employee training plan must include the following training elements:

(a) Safe operation of motor vehicles and motor vehicle equipment inspection procedures;

(b) Safe collection, transport and disposal of biomedical waste;

(c) Information on health risks associated with the collection, transport and disposal of biomedical waste;

(d) Emergency procedures for spills of biomedical waste, rupture of containers, and equipment failure;

(e) Notification procedures following a biomedical waste spill or repackaging of biomedical waste;

(f) Packaging and labeling requirements;

(g) Personal hygiene practices;

(h) Use of protective clothing and equipment;

(i) Contamination control procedures for vehicles and equipment; and

(j) Shipping-paper requirements.

(4) A company must maintain a file of certificates on each person trained. A suggested sample form for the certificate of employee training is:

CERTIFICATE OF EMPLOYEE TRAINING

Name of Carrier: . . . . . .

Driver's Name: . . . . . .

Operator's Driver's CDL/License No.: . . . . . .

Dates of Training: . . . . . .

Signature of driver acknowledging completion of training program:

Driver: . . . . . Date: . . . . . .

I certify under penalty of perjury under the laws of the state of Washington that the employee named above received training in proper collection, transportation, and disposal of biomedical waste:

Signature/Title: . . . . . Date: . . . . . .

County where signed: . . . . . .

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-441, filed 3/23/01, effective 4/23/01.]

WAC 480-70-446 Biomedical waste, cooperative agreements. The commission may enter into cooperative agreements with other state or local agencies, such as the department of labor and industries or the department of health, to review biomedical waste operating or training plans for compliance.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-446, filed 3/23/01, effective 4/23/01.]

WAC 480-70-451 Biomedical waste, packaging and containment. (1) Biomedical waste, except for sharps waste (refer to subsection (2) of this section), must be contained in bags or lined containers that are impervious to moisture and that will not rip, tear, leak, or burst under normal conditions of transportation. If bags are used, they must be properly secured to prevent leakage during handling and transportation.

(2) Containers used for sharps waste (refer to WAC 480-70-041) must:

(a) Be impervious to moisture;

(b) Not rip, tear, leak, or burst under normal conditions of transportation;

(c) Be rigid and puncture-resistant; and

(d) Be labeled in accordance with applicable federal standards.

(3) A company transporting biomedical waste contained in bags or disposable containers must place the bags or disposable containers inside tightly covered pails, cartons, drums, or portable bins. The containment system, that may be any color, must be:

(a) Leak-resistant;

(b) In good repair; and

(c) Labeled in accordance with applicable federal standards.

(4) Reusable containers for biomedical waste must be thoroughly washed and decontaminated each time they are emptied.

(5) Packaging and containers marked or labeled as containing biomedical waste may not be used to ship or transport waste that does not meet the definition of biomedical waste.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-451, filed 3/23/01, effective 4/23/01.]

WAC 480-70-456 Biomedical waste, transfer to off-site treatment and disposal facilities. A company must transport biomedical waste to a facility that meets all local, state, and federal environmental regulations for treatment, storage, and disposal.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-456, filed 3/23/01, effective 4/23/01.]

WAC 480-70-461 Biomedical waste, compaction not allowed. A company must not compact biomedical waste or any material in a container labeled as containing biomedical waste.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-461, filed 3/23/01, effective 4/23/01.]

WAC 480-70-466 Biomedical waste, vehicle requirements. (1) A company that transports biomedical waste must ensure that all motor vehicles used to transport biomedical waste are equipped with cargo compartments that:

(a) Can be secured to limit access at all times, except by company personnel during loading and unloading;

(b) Are fully enclosed;

(c) Are leak-proof;

(d) Are made of nonporous material impervious to biomedical waste; and

(e) Are physically separated from the driver's compartment.

(2) A company may substitute a motor vehicle with a detachable cargo box that meets all the requirements of subsection (1) of this section.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-466, filed 3/23/01, effective 4/23/01.]

WAC 480-70-471 Biomedical waste, shipping-paper requirements. (1) A company collecting or transporting biomedical waste must issue a shipping paper for each shipment transported. The shipping paper must comply with the requirements of 49 C.F.R. Part 172. The shipping paper must contain at least the following information:

(a) Name and address of the generator of the biomedical waste;

(b) Name of the person representing the generator from whom delivery is accepted;

(c) Name of the company transporting the biomedical waste;

(d) Date and time of collection;

(e) Destination, naming final treatment, storage and disposal destination;

(f) The general type and quantity of biomedical waste collected by the company;

(g) A signature by a representative of the generator of biomedical waste, acknowledging delivery and compliance with all applicable federal, state and local rules regarding packaging and containment; and

(h) A signature by a representative of the company transporting the biomedical waste, acknowledging receipt.

(2) A legible copy of the shipping paper must accompany the shipment. At the destination, the shipping paper must be signed by a representative of the facility accepting the biomedical waste for treatment, storage or disposal, acknowledging acceptance.

(3) A copy of the shipping paper of each shipment must be kept on file by the company at its main office for three years. The shipping paper must be available for inspection by the commission or its authorized representatives.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-471, filed 3/23/01, effective 4/23/01.]

WAC 480-70-476 Biomedical waste, inspections. (1) Any shipment of waste meeting the criteria for biomedical waste is subject to inspection by commission staff and by those state, county, and local government personnel charged with the enforcement of laws and ordinances relating to the transport of biomedical waste.

(2) All companies that transport biomedical waste must give authorized persons, as defined in subsection (1) of this section, a reasonable opportunity to inspect containers and motor vehicles, to review shipping papers, and to inspect other places incidental to the transportation of biomedical waste.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-476, filed 3/23/01, effective 4/23/01.]

PART X—HAZARDOUS WASTE RULES

WAC 480-70-481 Hazardous waste, purpose. It is a matter of statewide concern that hazardous waste be handled in a manner that protects the health, safety, and welfare of the public, the environment, and the workers who handle the waste.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-481, filed 3/23/01, effective 4/23/01.]

WAC 480-70-486 Hazardous waste, adoption of federal regulations. (1) Companies transporting hazardous waste must comply with all federal, state and local laws and rules governing such transportation. Companies must also comply with Parts 171 through 180 of Title 49, Code of Federal Regulations (49 C.F.R.) that are adopted by reference. Information about 49 C.F.R. regarding the version adopted and where to obtain copies is set out in WAC 480-70-999.

(2) Any company transporting waste that meets either federal or state criteria as hazardous waste must handle and transport that waste according to the appropriate requirements of the federal hazardous materials regulations and the additional requirements in these rules.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.353. WSR 12-05-063 (Docket A-111722, General Order R-564), § 480-70-486, filed 2/15/12, effective 3/17/12. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-486, filed 3/23/01, effective 4/23/01.]

PART XI—ADOPTION BY REFERENCE

WAC 480-70-999 Adoption by reference. In this chapter, the commission adopts by reference all, or portions of, regulations and standards identified below. They are available for inspection at the commission branch of the Washington state library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) **The *North American Standard Out-of-Service Criteria*** is published by the Commercial Vehicle Safety Alliance (CVSA).

(a) The commission adopts the version in effect on April 1, 2015.

(b) This publication is referenced in WAC 480-70-201 (Vehicle and driver safety requirements).

(c) The *North American Out-of-Service Criteria* is a copyrighted document. Copies are available from CVSA.

(2) **Title 40 Code of Federal Regulations,** cited as 40 C.F.R., including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on October 6, 2015.

(b) This publication is referenced in WAC 480-70-041 (Definitions, general).

(c) Copies of Title 40 Code of Federal Regulations are available from the U.S. Government Online Bookstore, http://bookstore.gpo.gov/, and from various third-party vendors.

(3) **Title 49 Code of Federal Regulations,** cited as 49 C.F.R., including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on October 6, 2015.

(b) This publication is referenced in WAC 480-70-201 (Vehicle and driver safety requirements), WAC 480-70-431 (Biomedical waste, adoption of federal regulations), and WAC 480-70-486 (Hazardous waste, adoption of federal regulations).

(c) Copies of Title 49 Code of Federal Regulation*s* are available from the U.S. Government Online Bookstore, http://bookstore.gpo.gov/, and from various third-party vendors.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.353. WSR 16-05-035 (Docket A-151884, General Order R-585), § 480-70-999, filed 2/9/16, effective 3/11/16; WSR 15-06-048 (Docket A-143302, General Order R-579), § 480-70-999, filed 3/2/15, effective 4/2/15; WSR 14-05-001 (Docket A-131761, General Order R-574), § 480-70-999, filed 2/5/14, effective 3/8/14; WSR 13-05-023 (Docket A-121496, General Order R-569), § 480-70-999, filed 2/11/13, effective 3/14/13; WSR 12-05-063 (Docket A-111722, General Order R-564), § 480-70-999, filed 2/15/12, effective 3/17/12; WSR 11-04-041 (Docket A-101466, General Order R-562), § 480-70-999, filed 1/25/11, effective 2/25/11; WSR 09-01-171 (Docket A-081419, General Order R-554), § 480-70-999, filed 12/23/08, effective 1/23/09; WSR 06-17-087 (Docket A-060475, General Order No. R-537), § 480-70-999, filed 8/14/06, effective 9/14/06; WSR 05-21-022 (Docket No. A-050271, General Order No. R-521), § 480-70-999, filed 10/10/05, effective 11/10/05; WSR 04-01-152 (General Order No. R-511, Docket No. A-030852), § 480-70-999, filed 12/22/03, effective 1/22/04; WSR 02-18-033 (Docket No. A-020379, General Order No. R-501), § 480-70-999, filed 8/26/02, effective 9/26/02. Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310. WSR 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-70-999, filed 9/28/01, effective 10/29/01. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-999, filed 3/23/01, effective 4/23/01.]