

WAC 332-08-355 Oil and gas drilling—Burden of proof. Who has the burden of proof? Unless otherwise ordered by the presiding officer or required by law, the burden of proof in adjudicative proceedings relating to department determinations under the Oil and Gas Conservation Act, chapter 78.52 RCW, shall be:

(1) On a person challenging the department's decision approving or disapproving an application for an oil and gas permit or permit renewal under chapter 78.52 RCW;

(2) On a person seeking the imposition of any other order of the department; and

(3) On the department to support an enforcement action, such as a suspension, civil penalty, or cancellation of the permit.

[Statutory Authority: RCW 34.05.220. WSR 08-16-095, § 332-08-355, filed 8/5/08, effective 9/5/08.]