

TRANSMITTAL OF RULES ADOPTED

FROM: WASHINGTON STATE ENERGY OFFICE  
(Name of Agency)

TO: CODE REVISER  
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)  
OLYMPIA 98504

The enclosed rules Permanent rules  , being Order No. 1  
Emergency rules

relating to (Name of rules or description of subject matter)

The disclosure of public documents retained by the Washington State Energy Office.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 7309 ① filed with the code reviser on 12/13/76 ② were regularly adopted as permanent rules of this agency at 000 Cherry, Olympia, on 1/5/77 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be 1/5/77 ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding in the attached administrative order, that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at \_\_\_\_\_ on \_\_\_\_\_ and \_\_\_\_\_ (place) (date) are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.30 RCW have been fulfilled.

Dated this Eighteenth day of January 19 77

STATE OF WASHINGTON  
**FILED**

JAN 18 1977

WASHINGTON STATE ENERGY OFFICE  
(AGENCY)

Kevin M. Ryan  
By Kevin M. Ryan

Assistant Attorney General  
Title

# CODE REVISER'S OFFICE  
DOCKET # 7937 FILE # 1

- ① Notice number as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use no. of last notice)
- ② Stamped date as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use date of last notice)
- ③ Unless a later date is specified in this order or is prescribed in another statute, rules are effective 30 days after filing:

RCW 34.04.040. Leave this space blank except in such special cases.

STATE OF WASHINGTON

RESOLUTION NO. 1  
Administrative Order No. 1  
(Agency) Order Register (WAC 1-12-040)

A RESOLUTION Relating to (permanent) (~~emergency~~) rules of the

WASHINGTON STATE ENERGY OFFICE

BE IT RESOLVED that rules pertaining to

1. Disclosure of public documents retained by the Washington State Energy Office.
2. Establishment of administrative procedures for the issuance of state petroleum allocation orders and appeals therefrom pursuant to the Emergency Petroleum Allocations Act.
3. The establishment of guidelines implementing the Washington Environmental Policy Act of 1971 as it relates to the Washington State Energy Office and to implement the guidelines of the Council on Environmental Policy.

(ALTERNATIVE A. USE ONLY FOR ADOPTION OF PERMANENT RULES.)

after due notices and in meeting open to the public, held at Conference  
Room, Washington State Energy Office, 1000 Cherry on January 5,  
Olympia, Washington  
19 77 as required by chapters 34.04 and 42.30 RCW,

are hereby approved and adopted as (permanent) (~~emergency~~) rules of the

(ALTERNATIVE B. USE ONLY FOR ADOPTION OF EMERGENCY RULES.)

I, \_\_\_\_\_, find further that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

The said rules are therefore adopted as emergency rules to take effect immediately.

(2) This order, after being first recorded in the order register of this agency, shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED January 5, 19 77.

By: \_\_\_\_\_

Kevin M. Ryan  
KEVIN M. RYAN

Assistant Attorney General  
(Title)

NOTICE OF INTENTION TO ADOPT, AMEND, OR REPEAL RULES

(Instructions for completion on back of page)  
(Additional information may be typed on back of page)

(1) Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 42.17.250 (1), that the Washington State Energy Office (name of agency) intends to adopt, amend, or repeal rules concerning: (2) disclosure of public documents retained by the Washington State Energy Office.

(2) (Use only if hearing is to be held) that such agency will at \_\_\_\_\_ (time) \_\_\_\_\_ (day) \_\_\_\_\_ (date) (3) in the \_\_\_\_\_ (place) \_\_\_\_\_ conduct a public hearing relative thereto;

(3) and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Wednesday, January 5, 1977 (time) (day) (date) (4) in the Conference Room, Washington State Energy Office, 1000 Cherry Street. (place)

(4) The authority under which these rules are proposed is: RCW 42.17.250

(5) Interested persons may submit data, views, or arguments to this agency --  
(a)  in writing to be received by this agency prior to January 5, 1977 (date) and/or  
(b)  orally at 10:00 am, Wednesday, January 5, 1977 (time) (day) (date) (3) Conference Room, Washington State Energy Office, 1000 Cherry Street. (place)

(6) The additional notice required by RCW 34.04.025 has been made by mailing copies of this notice to all persons who have made timely request of this agency for advance notice of its rule-making proceedings.

(7) This notice is connected to and continues the matter noticed in Notice Nos. \_\_\_\_\_ filed with the reviser's office on \_\_\_\_\_ (date) (5) .

Keith Sherman  
WASHINGTON STATE ENERGY OFFICE  
(AGENCY)  
Dated: Jan 5, 1977  
By: KEVIN M. RYAN  
Assistant Attorney General  
(TITLE)

STATE OF WASHINGTON  
**FILED**  
DEC 13 1976  
CODE REVISER'S OFFICE  
DOCKET # \_\_\_\_\_ FILE # \_\_\_\_\_  
NOTICE # 7309  
(Do not write in this space)

N.B. These proceedings may require additional notice pursuant to the Open Public Meetings Act of 1971; consult Chapter 42.30 RCW.

HEARING  
DATE & PLACE

WAC 194-10-010 PURPOSE. The purpose of this chapter shall be to ensure compliance by the Washington State Energy Office with the provisions of RCW 42.17, the Public Disclosure Act.

WAC 194-10-020 DEFINITIONS. "Person" includes an individual, partnership joint venture, public or private corporation, association, federal, state or local government entity or agency however constituted.

"Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

"Washington State Energy Office" means the state agency created pursuant to chapter 108, 2nd ex. sess., Laws of 1975-1976. It shall hereinafter be referred to as "office." Where appropriate, the term "office" also refers to the staff and employees of the Washington State Energy Office.

"Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

WAC 194-10-030 DESCRIPTION OF CENTRAL AND FIELD ORGANIZATION. The Washington State Energy Office is a general government agency authorized to serve as the official state agency responsible for coordination of energy-related activities. The office is located at 1000 S. Cherry Street, Olympia, Washington, 98504.

WAC 194-10-040 OPERATIONS AND PROCEDURES. Pursuant to chapter 108, 2nd ex. sess., Laws of 1975-1976, the Energy Office has the responsibility for collection of energy data, analysis of energy data and energy resources, development of contingency plans in cases of energy shortages and emergencies, and advice and support of other state agencies on energy-related matters. The office is advised by the Energy Advisory Council, created and appointed by the Governor.

WAC 194-10-050 PUBLIC RECORDS AVAILABLE. All public records of the office, as defined in WAC 194-10-020 are deemed to be available except as provided by RCW 42.17 or chapter 108, 2nd ex. sess., laws of 1975-1976.

WAC 194-10-060 EXEMPTIONS. Pursuant to section 6(1), chapter 108, 2nd ex. sess., Laws of 1975-1976, any proprietary information obtained from any person which is requested to be kept confidential by the person providing the information is exempt from the provisions of this chapter.

WAC 194-10-070 PUBLIC RECORDS OFFICER. The office's public records shall be in charge of the Public Records Officer designated by the Director of the Washington State Energy Office. The Public Records Officer shall be responsible for the implementation of these rules regarding release of public records and coordination and compliance by staff with the provisions of RCW 42.17.

WAC 194-10-080 OFFICE HOURS. Public records shall be available for inspection and copying during the customary business hours of the office. For the purposes of this chapter, the customary business hours shall be from 8:00 a.m. to noon and from 1:00 p.m. to 5:00 p.m., Monday through Friday, excluding legal holidays.

WAC 194-10-090 REQUESTS FOR PUBLIC RECORDS. Public records may be inspected or copies of such records may be obtained by members of the public upon compliance with the following procedures:

(1) A request shall be made in writing upon a form in substantial compliance with the provisions of WAC 194-10-100. The form shall be available from the office and shall be presented to the Public Records Officer or to any member of the office staff if the Public Records Officer is not available. The request shall include the following information:

- (a) The name of the person requesting the record,
- (b) The time of day and calendar date on which the request was made,
- (c) The nature of the request,
- (d) If the requested matter is indexed, an appropriate index reference,
- (e) If the requested matter is not identifiable by reference to a current index, an appropriate description of the matter requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the Public Records Officer or staff to assist the member of the public in appropriately identifying the matter requested.

(3) Staff members shall make an honest effort to respond to the request within two working days after its receipt.

WAC 194-10-100 ADOPTION OF FORM. The office hereby adopts the following form for use by all persons requesting inspection and/or copies of public records:

\_\_\_\_\_  
Name of Organization, if Applicable

\_\_\_\_\_  
Mailing Address of Applicant

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Date Request Made at Washington State  
Energy Office

\_\_\_\_\_  
Time of Day Request Made

Nature of Request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Identification Reference on Current Index (Please Describe):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Description of Record, or Matter, Requested if Not Identifiable  
by Reference to the Washington State Energy Office Current Index:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Said Records Have Not Been Requested to Provide Access to Lists  
of Individuals for Commercial Purposes.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature (Please Print)

Request: Approved \_\_\_\_\_  
Date

By \_\_\_\_\_  
Public Records Officer

Denied Date \_\_\_\_\_

Reasons for Denial: \_\_\_\_\_  
\_\_\_\_\_

Referred to \_\_\_\_\_

By \_\_\_\_\_  
Date Public Records Officer

WAC 194-10-110 COPYING FEES. No fees are to be charged for inspection of public records. The office will charge a fee not to exceed 25¢ per page of copy for use of the office's copy equipment in cases where no significant staff time is taken up with the request.

WAC 194-10-120 REVIEW OF DENIALS. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by submitting to the Public Records Officer a written request for review. The written request shall specifically refer to the written statement by the Public Records Officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the Public Records Officer shall refer it to the Director of the office. The Director or his designee shall consider the matter and either affirm or reverse such denial. Consultation will be made with the Attorney General's Office regarding the matter under review. The request shall be returned with a final decision within two business days of the date of filing the request for review.

(3) Administrative remedies shall not be considered exhausted until the agency has returned the request for review with a decision or until the close of the second business day following date of filing the request for review, whichever occurs first.

WAC 194-10-130 PROTECTION OF PUBLIC RECORDS. Requests for public records shall be made in the Washington State Energy Office at 1000 S. Cherry Street, Olympia. Public records and a facility for their inspection will be provided by the Public Records Officer. Such records shall not be removed from the place designated for their inspection. Copies shall be made in the office or, if copying facilities are not available, the office will arrange to have copies made subject to the provisions of WAC 194-10-100.

WAC 194-10-140 RECORDS INDEX. The current index and document log of the Washington State Energy Office may be examined at the Washington State Energy Office at 1000 S. Cherry Street, Olympia, during office hours defined in WAC 194-10-080.