

JULY 17, 1991

OLYMPIA, WASHINGTON

ISSUE 91-14



IN THIS ISSUE

Accountancy, Board of
Agriculture, Department of
Attorney General, Office of the
Auditor, Office of State
Basic Health Plan
Community Development, Department of
Convention and Trade Center
Criminal Justice Training Commission
Dental Examiners, Board of
Eastern Washington University
Ecology, Department of
Employment Security Department
Environmental Hearings Office
Evergreen State College, The
Fisheries, Department of
Forest Practices Board
Governor's Timber Team
Grays Harbor College
Hardwoods Commission
Health Care Authority
Health, Department of
Higher Education Coordinating Board
Human Rights Commission
Indeterminate Sentence Review Board
Industrial Insurance Appeals, Board of
Insurance Commissioner, Office of
Labor and Industries, Department of
Licensing, Department of
Marine Safety, Office of

Minority and Women's Business Enterprises,
Office of
Natural Resources, Department of
Osteopathic Medicine and Surgery, Board of
Personnel Board
Pharmacy, Board of
Physical Therapy, Board of
Professional Athletic Commission
Public Disclosure Commission
Public Instruction, Superintendent of
Public Works Board
Puget Sound Air Pollution Control Agency
Puget Sound Water Quality Authority
Revenue, Department of
Seattle Community Colleges
Secretary of State
Social and Health Services, Department of
Spokane Community Colleges
Spokane County Air Pollution Control Authority
Tacoma Community College
Transportation Commission
Transportation, Department of
Transportation Improvement Board
University of Washington
Utilities and Transportation Commission
Washington State Patrol
Western Washington University
Whatcom Community College
Wildlife, Department of

(Subject/Agency index at back of issue)
This issue contains documents officially
filed not later than July 3, 1991

CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 34.05 RCW, is available for public inspection during normal office hours. The code reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (206) 753-7470 (SCAN 234-7470).

REPUBLICATION OF OFFICIAL DOCUMENTS

All documents appearing in the Washington State Register are prepared and printed at public expense. There are no restrictions on the republication of official documents appearing in the Washington State Register. All news services are especially encouraged to give wide publicity to all documents printed in the Washington State Register.

CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of July 1991 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

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

The maximum allowable retail installment contract service charge applicable for calendar year 1991 pursuant to RCW 63.14.130(1)(a) is thirteen point seven five percent (13.75%).

The maximum allowable retail installment contract service charge for the purchase of a motor vehicle pursuant to RCW 63.14.130(2)(a) is twelve point zero percent (12.0%) for the third calendar quarter of 1991.

The maximum allowable retail installment contract service charge for the purchase of a vessel pursuant to RCW 63.14.130(3)(a) is twelve point zero percent (12.0%) for the third calendar quarter of 1991.

WASHINGTON STATE REGISTER

(ISSN 0164-6389) is published twice each month by the Statute Law Committee, Office of the Code Reviser, Olympia, WA 98504, pursuant to RCW 34.08.020. Subscription rate is \$161.85 per year, sales tax included, postpaid to points in the United States. Second-class postage paid at Olympia, Washington.

POSTMASTER: SEND ADDRESS CHANGES TO:

WASHINGTON STATE REGISTER
Code Reviser's Office
Legislative Building
Olympia, WA 98504

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

Raymond W. Haman
Chairman, Statute Law Committee

Dennis W. Cooper
Code Reviser

Gary Reid
Chief Assistant Code Reviser

Kerry S. Radcliff
Editor

Joyce Matzen
Subscription Clerk

STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

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

2. PROPOSED, ADOPTED, AND EMERGENCY RULES OF STATE AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION

The three types of rule-making actions taken under the Administrative Procedure Act (chapter 34.05 RCW) may be distinguished by the size and style of type in which they appear.

- (a) **Proposed rules** are those rules pending permanent adoption by an agency and are set forth in eight point type.
- (b) **Adopted rules** have been permanently adopted and are set forth in ten point type.
- (c) **Emergency rules** have been adopted on an emergency basis and are set forth in ten point oblique type.

3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

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

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

4. EXECUTIVE ORDERS, COURT RULES, NOTICES OF PUBLIC MEETINGS

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

5. EFFECTIVE DATE OF RULES

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

6. EDITORIAL CORRECTIONS

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

7. INDEX AND TABLES

A combined subject matter and agency index and a table of WAC sections affected may be found at the end of each issue.

1990 – 1991

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

| Issue No. | Closing Dates ¹ | | | Distribution Date | First Agency Hearing Date ³ |
|-------------------|----------------------------|-----------------------|--|---------------------|--|
| | Non-OTS & 30 p. or more | Non-OTS & 11 to 29 p. | OTS ² or 10 p. max. Non-OTS | | |
| For Inclusion in— | File no later than— | | | Count 20 days from— | For hearing on or after |
| 90-14 | Jun 7 | Jun 21 | Jul 5 | Jul 18 | Aug 7 |
| 90-15 | Jun 20 | Jul 5 | Jul 18 | Aug 1 | Aug 21 |
| 90-16 | Jul 5 | Jul 18 | Aug 1 | Aug 15 | Sep 4 |
| 90-17 | Jul 25 | Aug 8 | Aug 22 | Sep 5 | Sep 25 |
| 90-18 | Aug 8 | Aug 22 | Sep 5 | Sep 19 | Oct 9 |
| 90-19 | Aug 22 | Sep 5 | Sep 19 | Oct 3 | Oct 23 |
| 90-20 | Sep 5 | Sep 19 | Oct 3 | Oct 17 | Nov 6 |
| 90-21 | Sep 26 | Oct 10 | Oct 24 | Nov 7 | Nov 27 |
| 90-22 | Oct 10 | Oct 24 | Nov 7 | Nov 21 | Dec 11 |
| 90-23 | Oct 24 | Nov 7 | Nov 21 | Dec 5 | Dec 25 |
| 90-24 | Nov 7 | Nov 21 | Dec 5 | Dec 19 | Jan 8, 1991 |
| 91-01 | Nov 21 | Dec 5 | Dec 19, 1990 | Jan 2, 1991 | Jan 22 |
| 91-02 | Dec 5 | Dec 19, 1990 | Jan 2, 1991 | Jan 16 | Feb 5 |
| 91-03 | Dec 26, 1990 | Jan 9, 1991 | Jan 23 | Feb 6 | Feb 26 |
| 91-04 | Jan 9 | Jan 23 | Feb 6 | Feb 20 | Mar 12 |
| 91-05 | Jan 23 | Feb 6 | Feb 20 | Mar 6 | Mar 26 |
| 91-06 | Feb 6 | Feb 20 | Mar 6 | Mar 20 | Apr 9 |
| 91-07 | Feb 20 | Mar 6 | Mar 20 | Apr 3 | Apr 23 |
| 91-08 | Mar 6 | Mar 20 | Apr 3 | Apr 17 | May 7 |
| 91-09 | Mar 20 | Apr 3 | Apr 17 | May 1 | May 21 |
| 91-10 | Apr 3 | Apr 17 | May 1 | May 15 | Jun 4 |
| 91-11 | Apr 24 | May 8 | May 22 | Jun 5 | Jun 25 |
| 91-12 | May 8 | May 22 | Jun 5 | Jun 19 | Jul 9 |
| 91-13 | May 22 | Jun 5 | Jun 19 | Jul 3 | Jul 23 |
| 91-14 | Jun 5 | Jun 19 | Jul 3 | Jul 17 | Aug 6 |
| 91-15 | Jun 26 | Jul 10 | Jul 24 | Aug 7 | Aug 27 |
| 91-16 | Jul 10 | Jul 24 | Aug 7 | Aug 21 | Sep 10 |
| 91-17 | Jul 24 | Aug 7 | Aug 21 | Sep 4 | Sep 24 |
| 91-18 | Aug 7 | Aug 21 | Sep 4 | Sep 18 | Oct 8 |
| 91-19 | Aug 21 | Sep 4 | Sep 18 | Oct 2 | Oct 22 |
| 91-20 | Sep 4 | Sep 18 | Oct 2 | Oct 16 | Nov 5 |
| 91-21 | Sep 25 | Oct 9 | Oct 23 | Nov 6 | Nov 26 |
| 91-22 | Oct 9 | Oct 23 | Nov 6 | Nov 20 | Dec 10 |
| 91-23 | Oct 23 | Nov 6 | Nov 20 | Dec 4 | Dec 24 |
| 91-24 | Nov 6 | Nov 20 | Dec 4 | Dec 18 | Jan 7, 1992 |

¹All documents are due at the code reviser's office by 5:00 p.m. on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

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

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

WSR 91-13-038
PERMANENT RULES
BOARD OF
INDUSTRIAL INSURANCE APPEALS

[Filed June 14, 1991, 8:47 a.m.]

Date of Adoption: June 14, 1991.

Purpose: To revise the board's rules of practice and procedure by amending WAC 263-12-005, 263-12-007, 263-12-010, 263-12-015, 263-12-016, 263-12-017, 263-12-020, 263-12-045, 263-12-050, 263-12-053, 263-12-056, 263-12-060, 263-12-065, 263-12-070, 263-12-075, 263-12-080, 263-12-090, 263-12-093, 263-12-095, 263-12-115, 263-12-125, 263-12-145, 263-12-150, 263-12-160, 263-12-165 and 263-12-170; and adding WAC 263-12-01501, 263-12-051, 263-12-057, 263-12-058, 263-12-091, 263-12-171, and 263-12-195.

Citation of Existing Rules Affected by this Order: Amending WAC 263-12-005, 263-12-007, 263-12-010, 263-12-015, 263-12-016, 263-12-017, 263-12-020, 263-12-045, 263-12-050, 263-12-053, 263-12-056, 263-12-060, 263-12-065, 263-12-070, 263-12-075, 263-12-080, 263-12-090, 263-12-093, 263-12-095, 263-12-115, 263-12-125, 263-12-145, 263-12-150, 263-12-160, 263-12-165 and 263-12-170; and adding WAC 263-12-01501, 263-12-051, 263-12-057, 263-12-058, 263-12-091, 263-12-171, and 263-12-195.

Statutory Authority for Adoption: RCW 51.52.020.

Pursuant to notice filed as WSR 91-09-062 on April 17, 1991.

Changes Other than Editing from Proposed to Adopted Version: The word "taking" was eliminated from proposed WAC 263-12-115 (10)(a) and (d); the words "on its own motion or at the request of a party" were added to proposed WAC 263-12-145 (2)(b):

Effective Date of Rule: Thirty-one days after filing.

June 14, 1991

Sara T. Harmon
Chairperson

AMENDATORY SECTION (Amending Order 7, filed 4/4/75)

WAC 263-12-005 PURPOSE. The purpose of this chapter is to promulgate rules concerning the board's practice and procedure pursuant to RCW 51.52.020 and to comply with RCW 42.17.250 through ((=)) 42.17.320 ((Initiative 276;)) pertaining to public records.

AMENDATORY SECTION (Amending Order 20, filed 1/10/86)

WAC 263-12-007 APPLICATION OF CHAPTER. Unless otherwise provided ((in this title)), the rules of practice and procedure set forth in this chapter are applicable to appeals filed with the board of industrial insurance appeals ((under: (1) The Industrial Insurance Act, Title 51 RCW, (2) the Washington Industrial Safety and Health Act, chapter 49.17 RCW, and (3) the Crime Victims Compensation Act, chapter 7.68 RCW)).

AMENDATORY SECTION (Amending Order 7, filed 4/4/75)

WAC 263-12-010 FUNCTION AND JURISDICTION. It is the function of the board as an agency to review, hold hearings on, and decide ((att)) appeals filed from orders, decisions or awards of the department of labor and industries ((issued either under the Industrial Insurance Act (Title 51 RCW) or the Crime Victims Compensation Act (chapter 7.68 RCW), and from all citations or penalty assessments issued by the department under the Washington Industrial Safety and Health Act (chapter 49.17 RCW))). The jurisdiction of the board extends to:

(1) appeals arising under the Industrial Insurance Act (Title 51 RCW);

(2) appeals arising under the Crime Victims Compensation Act (chapter 7.68 RCW);

(3) appeals arising under the Washington Industrial Safety and Health Act (chapter 49.17 RCW);

(4) appeals from assessments issued under the Worker and Community Right to Know Act (chapter 49.70 RCW);

(5) appeals arising under chapter 49.26 RCW concerning the denial, suspension or revocation of certificates involving asbestos projects; and

(6) appeals arising under chapter 49.22 RCW concerning safety procedures in late night retail establishments.

AMENDATORY SECTION (Amending Order 20, filed 1/10/86)

WAC 263-12-015 ADMINISTRATION AND ORGANIZATION (1) Composition of the board. The board is an independent agency of the state of Washington composed of three members appointed by the governor. One member is a representative of workers, one member is a representative of employers, and the chairperson, who must be an active member of the Washington State Bar, is the representative of the public. ((Whenever the orderly and expeditious disposition of the workload of the board necessitates, the governor may appoint two pro tem members in addition to the regular members, one of whom shall be a representative of workers and one of whom shall be a representative of employers. The members of the board shall devote their entire time to the duties of the board.))

(2) Location of the board. The headquarters, and principal office of the board, is located at 2430 Chandler Ct. S.W., MS FL-13 ((410 W. Fifth, Capital Center Building)), in Olympia, Washington 98504-2401.

(3) Customary office hours. The customary office hours of the board shall be from 8 a.m. to 5 p.m., Monday through Friday, excluding legal holidays.

(4) ((3)) Formal board meetings. The board shall meet in formal session at its headquarters in Olympia, Washington at 9 a.m. on the first and third Tuesday of each month, and at such other times and places as the board may deem necessary, subject to 24-hour notice as required by law.

(5) ((4)) Staff organization.

(a) The board's headquarters in Olympia is staffed with executive, administrative and clerical personnel.

(b) The board has a staff of industrial appeals judges (~~(, supervised by a chief industrial appeals judge and two assistant chief industrial appeals judge,)~~) who travel throughout the state in the performance of their duties and who have their offices in Olympia and in other areas of the state as is deemed necessary for efficient and cost effective handling of agency business.

(c) The office of the executive secretary of the board is located at the headquarters and principal office of the board.

~~(6) ((5))~~ Communications with the board. All written communications by parties pertaining to a particular case, including notices of appeal, applications, notices of appearance, briefs, memoranda, motions, requests, or petitions for review, shall be filed with the ~~((secretary of the))~~ board at its headquarters in Olympia, Washington. ~~((, except that copies of))~~ A((a))ll correspondence and ((official)) written communications filed with ((the secretary of)) the board pertaining to a particular case, before the entry of a proposed decision and order, should ((must)) be sent to the attention of the industrial appeals judge assigned to the case ((for appropriate action: Correspondence respecting the scheduling of a particular case shall be sent to the industrial appeals judge assigned to that case)). Interlocutory appeals should be sent to the attention of the chief industrial appeals judge. In all other instances written communications shall be directed to the executive secretary of the board. Any written communications with the board concerning an appeal should reference the docket number which was assigned by the board to the appeal, if known. Copies of ((all such)) any written communications filed with the board shall be furnished to all other parties or their representatives of record, and the original shall ((show thereon)) demonstrate compliance with this requirement. All written communications with the board shall be on paper 8 1/2" x 11" in size.

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

NEW SECTION

WAC 263-12-01501 FILING WITH THE BOARD. (1) Filing generally. Unless otherwise provided by statute or these rules any written communication may be filed with the board personally, by mail, or by telephone facsimile.

(2) Filing personally. The filing of a written communication with the board personally is perfected by delivering the written communication to an employee of the board at the board's headquarters in Olympia during customary office hours.

(3) Filing by mail. The filing of a written communication with the board is perfected by mail when the written communication is deposited in the United States mail, properly addressed to the board's headquarters in Olympia and with postage prepaid. Where a statute or rule imposes a time limitation for filing the written communication the party filing the same should include a

certification demonstrating the date filing was perfected as provided under this subsection. Unless evidence is presented to the contrary the date of the United States postal service postmark shall be presumed to be the date the written communication was mailed to the board.

(4) Filing by telephone facsimile. (a) The filing of a written communication with the board by telephone facsimile is perfected when a legible copy of the written communication is reproduced on the board's telephone facsimile equipment in Olympia. The hours of operation of the board's telephone facsimile equipment are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding legal holidays. If a transmission of a written communication commences after these hours of operation the written communication shall be deemed filed on the next succeeding business day.

(b) Any written communication filed with the board by telephone facsimile should be preceded by a cover page identifying the party making the transmission, listing the address, telephone and telephone facsimile number of such party, referencing the appeal to which the written communication relates, and indicating the date of, and the total number of pages included in, such transmission.

(c) No written communication should exceed fifteen pages in length, exclusive of the cover page required by this rule.

(d) The party attempting to file the written communication by telephone facsimile bears the risk that the written communication will not be legibly printed on the board's telephone facsimile equipment due to error in the operation or failure of the equipment being utilized by either the party or the board.

(e) The board may require a party to file an original of any document previously filed by telephone facsimile.

AMENDATORY SECTION (Amending Order 20, filed 1/10/86)

WAC 263-12-016 PUBLIC RECORDS—LOCATION. (1) Public records available. All public records of the board as defined in chapter 42.17 RCW are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310.

(2) General information concerning the board may be obtained at its headquarters, 2430 Chandler Ct. S.W., MS FL-13 ((410 W. Fifth, Capital Center Building)), Olympia, Washington 98504-2401.

(3) Public records officer. The public records officer shall be responsible for the following: The implementation of the board's rules and regulations regarding release of public records, coordinating the staff of the board in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

(4) Indices are available providing identifying information as to the following: (a) Final decisions and orders of the board, including concurring and dissenting opinions; (b) proposed decisions and orders of the board's industrial appeals judges; (c) industrial appeals

judge's handbook; (d) in addition, any indices maintained for intra-agency use are available for public inspection and copying.

(5) No fee will be charged for inspection of public records. Inspection will be during office hours in a space provided by the board and must be accomplished without excessive interference with the essential functions of the agency, and without causing damage or disorganization to said public records.

(6) A fee shall be charged for copies of documents made with the board's equipment in an amount necessary to cover the cost to the agency of providing such service.

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

AMENDATORY SECTION (Amending Order 20, 1/10/86)

WAC 263-12-017 REQUEST FOR PUBLIC RECORDS. (1) In accordance with requirements of chapter 42.17 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied, or copies of such records may be inspected or copied, or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(2) A request shall be made in writing upon a form prescribed by the board which shall be available at its headquarters. The form shall be presented to the public records officer, or to any member of the board's staff, if the public records officer is not available, at the headquarters of the board during customary office hours. ~~((For the purpose of this chapter, the customary office hours shall be from 8 a.m. to 5 p.m., Monday through Friday, excluding legal holidays.))~~

The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The date of which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index; and

(e) If the request matter is not identifiable by reference to the board's current index, and appropriate description of the record requested.

(3) 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 member to whom the request is made to assist the member of the public in appropriately identifying the public record requested.

AMENDATORY SECTION (Amending Order 12, filed 12/2/82)

WAC 263-12-020 APPEARANCES OF PARTIES BEFORE THE BOARD. (1) Who may appear.

(a) In an appeal by an employee or employee representative under the Washington Industrial Safety and

Health Act, the cited employer may enter an appearance as prescribed in subsection (2) below and shall thereafter be deemed a party to the appeal.

(b) In an appeal by an employer, under the Washington Industrial Safety and Health Act, an employee or employee representative may enter an appearance as prescribed in subsection (2) below, and shall thereafter be deemed a party to the appeal.

(c) Any party to any appeal may appear before the board at any conference or hearing held in such appeal, either on the party's own behalf or by an attorney at law or other authorized representative of the party's choosing.

(d) Where the party appears representing himself or herself, he or she may be accompanied, both at conference and at hearing, by a lay person of his or her choosing who shall be permitted to accompany the party into the conference or hearing room and with whom he or she can confer during such procedures.

(e) All parties who appear either at conferences or hearings are entitled to the assistance of the industrial appeals judge presiding over the proceeding. Such assistance shall be given in a fair and impartial manner consistent with the industrial appeals judge's responsibilities to the end that all parties clearly understand the procedure which is to be followed and the issues which are involved in the proceedings. Any party who appears representing himself or herself shall be carefully advised by the industrial appeals judge of the burden of proof required to establish a right to the relief being sought.

(2) Manner of appearance.

(a) Appearances shall be made either by:

(i) Filing a written notice of appearance with the ~~((secretary of the))~~ board containing the name of the party to be represented, and the name and address of the representative; or by

(ii) ~~((Physically))~~ A((a)) appearing at the time and place of a conference or hearing on the appeal, and notifying the industrial appeals judge conducting the same of the party to be represented, and the name and address of the representative.

(b) Copies of every written notice of appearance shall be furnished by the appearing party to all other parties or their representatives of record at the time the original notice is filed with the ~~((secretary of the))~~ board.

(c) All notices and orders shall be served by the board upon such representative in addition to the party represented. Service upon the representative shall constitute service upon the party. Where more than one individual associated with a firm, or organization, including the office of the attorney general, has made an appearance, service under this subsection shall be satisfied by serving the individual who filed the notice of appeal, or who last filed a written notice of appearance or, if no notice of appeal or written notice of appearance has been filed on behalf of the party, the individual who last appeared at any proceeding concerning the appeal.

(3) No formal admission to practice. Duly authorized representatives shall be permitted to appear in proceedings before the board without a formal request or admission to practice before the board.

(4) Withdrawal or substitution of representatives. An attorney or other representative withdrawing from a case shall immediately so notify the ~~((secretary of the))~~ board ~~((, to the industrial appeals judge,))~~ and all parties of record in writing ~~((, or shall state such withdrawal on the record at a conference or hearing))~~. The notice of withdrawal shall comply with the rules applicable to notices of withdrawal filed with the superior court in civil cases. Withdrawal shall be subject to approval by the industrial appeals judge or the executive secretary. Any substitution of an attorney or representative shall be accomplished by written notification to the ~~((secretary of the))~~ board ~~((, to the industrial appeals judge,))~~ and to all parties of record together with the written consent of the prior attorney or representative ~~((, or))~~. ((i)) If such consent cannot be obtained, a written statement of the reason therefor shall be supplied.

(5) Conduct.

(a) All persons appearing as counsel or representatives in proceedings before the board or before its industrial appeals judges shall conform to the standards of ethical conduct required of attorneys before the courts of the state of Washington. If any such person does not conform to such standard, the industrial appeals judge presiding over the proceeding shall, at his or her discretion and depending on all the circumstances, admonish or reprimand such person, or exclude such person from further participation in the proceedings and adjourn the same, or certify the facts to the appropriate superior court for contempt proceedings as provided in RCW 51.52.100, or report the matter to the board, which may, in its discretion, after notice and hearing, take appropriate disciplinary action including, but not limited to, a letter of reprimand, refusal to permit such person to appear in a representative capacity in any proceeding before the board or its industrial appeals judges, or certification of the record to the superior court for contempt proceedings as provided in RCW 51.52.100.

(b) If any person in proceedings before the board disobeys or resists any lawful order or process, or misbehaves during a hearing or so near the place thereof as to obstruct the same, or neglects to produce, after having been ordered so to do, any pertinent book, paper or document, or refuses to appear after having been subpoenaed, or upon appearing refuses to take oath as a witness, or after having the oath refuses to be examined according to law, the industrial appeals judge shall, at his or her discretion and depending on all the circumstances, admonish or reprimand such person, or exclude such person from further participation in the proceedings and adjourn the same, or certify the facts to the appropriate superior court for contempt proceedings as provided in RCW 51.52.100, or report the matter to the board, which may, in its discretion, after notice and hearing, take appropriate disciplinary action including, but not limited to, a letter of reprimand, refusal to permit such person to appear in a representative capacity in any proceeding before the board or its industrial appeals judges, or certification of the record to the superior court for contempt proceedings as provided in RCW 51.52.100.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule

published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 15, filed 12/29/83)

WAC 263-12-045 INDUSTRIAL APPEALS JUDGES. (1) Definition. Whenever used in these rules, the term "industrial appeals judge" shall include any member of the board, the executive secretary, as well as any duly authorized industrial appeals judge assigned to conduct a conference or hearing.

(2) Duties and powers. It shall be the duty of the industrial appeals judge to conduct conferences or hearings in cases assigned to him or her in an impartial and orderly manner. The industrial appeals judge shall have the authority, subject to the other provisions of these rules:

- (a) To administer oaths and affirmations;
- (b) To issue subpoenas on request of any party;
- (c) To rule on all objections and motions including those pertaining to matters of discovery or procedure;
- (d) To rule on all offers of proof and receive relevant evidence;
- (e) To interrogate witnesses called by the parties in an impartial manner to develop any facts deemed necessary to fairly and adequately decide the appeal;
- (f) To secure and present in an impartial manner such evidence, in addition to that presented by the parties, as he or she deems necessary to fairly and equitably decide the appeal, including the obtaining of physical, mental, or vocational examinations or evaluations of workers;
- (g) To take appropriate disciplinary action with respect to representatives of parties appearing before the board;
- (h) To issue orders joining other parties, on motion of any party, or on his or her own motion when it appears that such other parties may have an interest in or may be affected by the proceedings;
- (i) To consolidate appeals for hearing when such consolidation will expedite disposition of the appeals and avoid duplication of testimony and when the rights of the parties will not be prejudiced thereby;
- (j) To take any other action necessary and authorized by these rules and the law.

(3) Substitution of industrial appeals judge. At any time the board or ~~((the))~~ a chief industrial appeals judge or designee may substitute one industrial appeals judge for another in any given appeal.

AMENDATORY SECTION (Amending Order 20, filed 1/10/86)

WAC 263-12-050 APPEALS ARISING UNDER THE INDUSTRIAL INSURANCE ACT—CONDITIONS OF NOTICE OF APPEAL. In cases arising under the Industrial Insurance Act (Title 51 RCW) the jurisdiction of the board shall be invoked by filing a written notice of appeal, which shall contain where applicable:

- (1) The name and address of the appealing party and of the party's representative, if any;
- (2) The name and address of the injured worker;

(3) The name and address of the worker's employer at the time the injury (~~(or occupational disease)~~) occurred;

(4) In the case of occupational disease, the name and address of all employers in whose employment the worker was allegedly exposed to conditions that gave rise to the occupational disease;

(5) The time when and the place where the injury occurred or the occupational disease arose;

(6) The nature of the injury or occupational disease;

(7) A statement identifying the date and content of the department order, decision or award being appealed ~~((from;))~~. This requirement may be satisfied by attaching a copy of the order, decision or award;

(8) The grounds upon which the appealing party considers such order, decision or award to be unjust or unlawful;

(9) A statement of facts in full detail in support of each ground stated;

(10) The ~~((relief sought, including the))~~ specific nature and extent ~~((thereof))~~ of the relief sought;

(11) In the case of an appeal ~~((s))~~ from a notice of assessment arising under chapter 51.48 RCW, a statement setting forth with particularity the reason for the ~~((employer's))~~ appeal and the amounts, if any, that the ~~((employer))~~ party admits are due;

(12) The place, most convenient to the appealing party and said party's witnesses, where board proceedings are requested to be held;

(13) A statement that the person signing the notice of appeal has read it and that to the best of his or her knowledge or information and belief the contents thereof are true. A notice of appeal may be signed by the appealing party or by the party's representative.

NEW SECTION

WAC 263-12-051 APPEALS ARISING UNDER THE WORKER AND COMMUNITY RIGHT TO KNOW ACT—CONTENTS OF NOTICE OF APPEAL. In cases arising from an assessment under the Worker and Community Right to Know Act (chapter 49.70 RCW) the notice of appeal shall contain such information as would be required under WAC 263-12-050 for cases involving an appeal from a notice of assessment arising under chapter 51.48 RCW.

AMENDATORY SECTION (Amending Order 11, filed 1/18/82)

WAC 263-12-053 APPEALS ARISING UNDER THE CRIME VICTIMS COMPENSATION ACT—CONTENTS OF NOTICE OF APPEAL. In cases arising under the Crime Victims Compensation Act (chapter 7.68 RCW), the jurisdiction of the board shall be invoked by filing a written notice of appeal which shall contain where applicable:

(1) The name and address of the appealing party and his or her representative, if any;

(2) The time when and the place where the criminal act occurred, and the name and address of the alleged perpetrator of the crime, if known;

(3) The place, most convenient to the appealing party and his or her witnesses, where board proceedings are requested to be held;

(4) The nature of the injury;

(5) A statement identifying the date and content ~~((The date))~~ of the department order, decision or award being appealed. ~~((from;))~~ This requirement may be satisfied by attaching a copy of the order, decision or award;

(6) The grounds upon which the appealing party considers such order, decision or award to be unjust or unlawful;

(7) A statement of facts in full detail in support of each ground stated;

(8) The ~~((relief sought, including the))~~ specific nature and extent ~~((thereof;))~~ of the relief sought;

(9) A statement that the person signing the notice of appeal has read it and that to the best of his or her knowledge, or information and belief the contents thereof are true. A notice of appeal may be signed by the party or by his or her representative.

AMENDATORY SECTION (Amending Order 20, filed 1/10/86)

WAC 263-12-056 APPEALS ARISING UNDER THE WASHINGTON INDUSTRIAL SAFETY AND HEALTH ACT—CONTENTS OF NOTICE OF APPEAL. In cases arising under the Washington Industrial Safety and Health Act (chapter 49.17 RCW), the notice of appeal when filed with the board shall be in writing and shall contain where applicable:

(1) The name and address of the appealing party and of the party's representative, if any;

(2) A statement identifying the citation, penalty assessment, or notice of abatement date appealed from;

(3) The grounds upon which the appealing party considers such citation, penalty assessment, or abatement date to be incorrect or improper;

(4) The name and address of the representative of any labor union representing any employee who was or who may be affected by the safety violation or violations alleged to have occurred;

(5) A statement certifying compliance with WAC 263-12-057;

~~((4))~~ (6) A notice of appeal may be signed by the party or by the party's representative.

NEW SECTION

WAC 263-12-057 APPEALS ARISING UNDER THE WASHINGTON INDUSTRIAL SAFETY AND HEALTH ACT — NOTICE TO INTERESTED EMPLOYEES. In the case of any appeal by an employer filed with the board, or transmitted to the board by the department, concerning an alleged violation of the Washington Industrial Safety and Health Act, the employer shall give notice of such appeal to its employees by either providing copies of the appeal to each employee member of the employer's safety committee or by posting a copy of the appeal in a conspicuous place at the work site at which the alleged violation occurred. Any posting shall remain during the pendency of the

appeal. The employer shall attach to the front of such copies an additional notice advising interested employees that an appeal has been filed with the board and that any employee or group of employees who wish to participate in the appeal may do so by contacting the board. Such notice shall include the address of the board. The employer shall file with the board a certificate of proof of compliance with this section either at the time of filing the appeal with the board or within fourteen days of receipt of the board's notice acknowledging receipt of the appeal, whichever is sooner. If notice as required by this section is not possible the employer shall advise the board, within the time limits above described, of the reasons why notice cannot be accomplished. If the board accepts the impossibility of the required notice it will prescribe the terms and conditions of a substitute notice procedure reasonably calculated to give notice to affected employees.

NEW SECTION

WAC 263-12-058 APPEALS ARISING UNDER CHAPTER 49.26 RCW AND CHAPTER 49.22 RCW—CONTENTS OF NOTICE OF APPEAL. In cases arising under chapter 49.26 RCW concerning the denial, suspension or revocation of certificates involving asbestos projects or chapter 49.22 RCW concerning alleged violations of safety procedures in late night retail establishments, the notice of appeal shall contain such information as would be required under WAC 263-12-056 for cases arising under the Washington Industrial Safety and Health Act. The notice of appeal in cases arising under chapter 49.26 RCW shall contain a statement identifying the certification decision which is being appealed and the grounds upon which the appealing party considers such decision to be incorrect or improper.

AMENDATORY SECTION (Amending Order 20, filed 1/10/86)

WAC 263-12-060 FILING APPEALS—~~((PRO-
CEDURES))~~LIMITATION OF TIME. (1) In cases arising under the Industrial Insurance Act, ~~((other than appeals from notice of assessment filed pursuant to chapter 51.48 RCW,))~~ the Worker and Community Right to Know Act, or the Crime Victims Compensation Act, the notice of appeal shall be filed within sixty days from the date the copy of the order, decision or award of the department was ~~((communicated to))~~ received by the appealing party((-)), except as follows:

(a) an appeal from a notice of assessment, filed pursuant to RCW 51.48.131, shall be filed within thirty days from the date the notice of assessment was served;

(b) an appeal from an order or decision making demand for repayment of sums paid to a provider of medical, dental, vocational or other health services shall be filed within twenty days from the date the order or decision was received by the provider;

~~((The original and one copy of the notice of appeal shall be filed, by mail or otherwise, with the secretary of the board at its headquarters, and one copy shall be~~

~~filed, by mail or otherwise, with the director of the department of labor and industries.))~~

~~((2) Appeals from notice of assessment arising under chapter 51.48 RCW shall be filed within thirty days from the date the notice of assessment was served upon the employer. The original and one copy of the notice of appeal shall be filed, by mail or delivered in person, to the secretary of the board of industrial insurance appeals at its headquarters and to the director of the department of labor and industries.))~~

~~((3))~~ (2) As required by the provisions of RCW 49.17.140~~((3))~~, an appeal from a citation, abatement period or penalty assessment under the Washington Industrial Safety and Health Act is initiated by giving the director of the department of labor and industries notice of intent to appeal within fifteen working days from the date of notification of such citation, abatement period or penalty assessment. If the director does not reassume jurisdiction over the matter ~~((as))~~ to which notice of intent to appeal is given, ~~((there))~~ the department shall ((be)) promptly transmit~~((ted))~~ the notice of intent to appeal together with the department's record in the matter to the ~~((secretary of the))~~ board, whereupon the matter shall be deemed an appeal before the board. If the director reassumes jurisdiction pursuant to a notice of intent to appeal, there shall be, within ~~((fifteen))~~ thirty working days of such reassumption, a further determinative order issued in the matter. Any appeal from such further determinative order must be made directly to the board ~~((by filing a written notice of appeal, by mail or otherwise, with the secretary of the board)),~~ with a copy filed~~((, by mail or otherwise,))~~ with the director of the department, within fifteen working days from the date of notification of such further determinative order.

(3) Appeals from certification decisions under chapter 49.26 RCW or citation, abatement period or penalty assessments under chapter 49.22 RCW shall be filed in the manner and within the time allowed for filing appeals under RCW 49.17.140 and WAC 263-12-060(2).

(4) The ~~((secretary of the))~~ board shall forthwith acknowledge receipt of any appeal filed with the board and the board's stamp placed thereon shall be prima facie evidence of the date of receipt. The board may thereafter require additional copies to be filed.

AMENDATORY SECTION (Amending Order 11, filed 1/18/82)

WAC 263-12-065 DISPOSITION ON DEPARTMENT RECORD. In cases arising under the Industrial Insurance Act, the Worker and Community Right to Know Act, and the Crime Victims Compensation Act, the board may, within the times prescribed by RCW 51.52.090, enter an order making final disposition of an appeal based solely upon review of the notice of appeal and the record of the department in the case, as follows:

(1) If the notice of appeal raises no issue or issues of fact and the board finds that the department properly and lawfully decided all matters raised therein, the board may deny the appeal and ~~((confirm))~~ affirm the department's decision or award; or

(2) If the department's record sustains the contention of the appealing party, the board may allow the relief asked in such appeal.

(3) If the appeal is brought prior to the taking of appealable action or issuance of an appealable order, decision or award by the department, the board may deny the appeal and return the matter to the department without prejudice to the right of any party to appeal from any further order, decision or award of the department.

AMENDATORY SECTION (Amending Order 7, filed 4/4/75)

WAC 263-12-070 GRANTING THE APPEAL. If the appeal is not disposed of pursuant to WAC 263-12-065, the appeal shall be granted and proceedings scheduled. The (~~secretary of the~~) board shall forthwith notify all interested parties of the receipt and granting of the appeal, and shall forward a copy thereof to the other interested parties. If the board takes no action upon the appeal within the (~~statutory period~~) time allowed by RCW 51.52.090, it shall be deemed to have been granted.

AMENDATORY SECTION (Amending Order 7, filed 4/4/75)

WAC 263-12-075 CROSS APPEALS. Within twenty days of receipt of notification of granting an appeal in cases arising under the Industrial Insurance Act, the worker or the employer, as the case may be, may file a cross appeal with the (~~secretary of the~~) board from the order of the department from which the original appeal was taken. The contents of such cross appeal (~~and the number and manner of filing of copies thereof~~) shall be in accord with the applicable portions of WAC 263-12-050 (~~and 263-12-060~~).

AMENDATORY SECTION (Amending Order 12, filed 12/2/82)

WAC 263-12-080 CORRECTION AND AMENDMENT OF NOTICE. If any notice of appeal is found by the board to be defective or insufficient, the board may require the party filing said notice of appeal to correct, clarify or amend the same to conform to the requirements of the statute and the board's rules. The board may refuse to schedule any conference or hearing thereon until compliance with such requirement, or may issue an order providing for the denial or dismissal of such appeal upon failure to comply within a specified time.

Any party may amend his notice of appeal on such terms as the industrial appeals judge may prescribe, and the industrial appeals judge may, when deemed necessary, in justice to all parties, require correction, clarification or amendment of a notice of appeal before allowing any hearing thereon to proceed, or may issue an order requiring such correction, clarification or amendment to be made within a specified time, and if such requirement is not complied with, the board may dismiss the appeal.

AMENDATORY SECTION (Amending Order 12, filed 12/2/82)

WAC 263-12-090 CONFERENCES—NOTICE OF CONFERENCES. (~~Upon the granting of an appeal it shall be assigned to an industrial appeals judge~~) Once an appeal has been granted, it shall be assigned to an industrial appeals judge with direction to conduct a settlement conference or a conference to schedule the appeal for hearing (~~with directions to conduct all conference and hearing proceedings in the case~~). If a conference is scheduled in a case, it shall be upon written notice to all parties specifying the industrial appeals judge assigned to hear the case as well as the time and place set for such conference, and such notice shall be mailed not less than seven days prior to the date of the conference, unless such notice is waived by all parties. The industrial appeals judge assigned to conduct hearings in an appeal or his or her designee shall conduct the conference at which hearings are scheduled.

NEW SECTION

WAC 263-12-091 AFFIDAVITS OF PREJUDICE. Affidavits of prejudice against an industrial appeals judge assigned to conduct hearings in an appeal are subject to the provisions of RCW 4.12.050, except that such affidavit must be filed within thirty days of receipt of the notice of assignment of the appeal to the industrial appeals judge or prior to the assigned industrial appeals judge holding any proceeding in the appeal, whichever occurs sooner.

AMENDATORY SECTION (Amending Order 12, filed 12/2/82)

WAC 263-12-093 CONFERENCES—DISPOSITION OF APPEALS BY AGREEMENT. (1) If an agreement concerning final disposition of any appeal is reached by all the parties present or represented at a conference, an order shall be issued in conformity therewith, providing the board finds said agreement is in accordance with the law and the facts.

In industrial insurance cases, if an agreement concerning final disposition of the appeal is reached by the employer and worker or beneficiary at a conference at which the department is represented, and no objection thereto is interposed by the department, an order shall be issued in conformity therewith, providing the board finds that said agreement is in accordance with the law and the facts. If an objection is interposed by the department on the ground that said agreement is not in accordance with the law or the facts, a hearing shall be scheduled.

In cases involving the Washington Industrial Safety and Health Act, an agreement concerning final disposition of the appeal among the parties must include regardless of other substantive provisions covered by the agreement: (a) A statement reciting the abatement date for the violations involved, and (b) a statement confirming that the penalty assessment for contested and non-contested violations has been paid or will be paid.

Where all parties concur in the disposition of an appeal but the industrial appeals judge is not satisfied that

the agreement is in conformity with the facts and the law or that the board has jurisdiction or authority to order the relief sought, the industrial appeals judge may require such evidence or documentation as is deemed necessary to adequately support the agreement in fact and/or in law.

All agreements reached at a conference concerning final disposition of the appeal shall be stated on the record by the industrial appeals judge and the parties shall indicate their concurrence on the record.

(2) Ordinarily an agreement concerning final disposition of an appeal will be accepted only at a conference attended by all agreeing parties. The industrial appeals judge may, however, in his or her discretion accept the agreement for submission to the board in the absence of one or more of the parties from the conference, or without holding a conference. In such cases the agreement shall be confirmed in writing by the parties to the agreement not in attendance at a conference, except that the written confirmation of a party to the agreement not in attendance at a conference will not be required where the industrial appeals judge is satisfied of the concurrence of the party or that the party received notice of the conference and chose not to appear.

In the event concurrence of all affected employees or employee groups cannot be obtained in cases involving agreements for final disposition of appeals under the Washington Industrial Safety and Health Act, a copy of the proposed agreement shall be posted by the employer at each establishment to which the agreement applies in a conspicuous place or places where notices to employees are customarily posted. The agreement shall be posted for ten days before it is submitted to the board for entry of the final order. The manner of posting shall be in accordance with WAC 296-350-400 (4) and (5). If an objection to the agreement is interposed by affected employees or employee groups prior to entry of the final order of the board, further proceedings shall be scheduled.

(3) The parties present at a conference may agree to a vocational evaluation or a further medical examination of a worker or crime victim, including further evaluative or diagnostic tests, except such as require hospitalization, by medical or vocational experts acceptable to them, or to be selected by the industrial appeals judge(;;). In the event the parties agree that an order on agreement of parties or proposed decision and order may be issued based on the report of vocational evaluation or medical examination, ((in which event)) the industrial appeals judge may arrange for evaluation or examination and the board will pay reasonable and necessary expenses involved. Upon receipt by the board, copies of the report of such examination or evaluation will be distributed to all parties represented at the conference and further appropriate proceedings will be scheduled or an order on agreement of parties or proposed decision and order issued.

AMENDATORY SECTION (Amending Order 12, filed 12/2/82)

WAC 263-12-095 CONFERENCE PROCEDURES ~~((WHERE AGREEMENT CONCERNING~~

~~FINAL DISPOSITION OF APPEAL IS NOT REACHED BY THE PARTIES)).~~ (1) Scheduling information. If no agreement is reached by the parties as to the final disposition of an appeal, the industrial appeals judge presiding at a settlement conference may direct that the appeal be assigned to an industrial appeals judge for the purpose of scheduling and conducting a hearing in the appeal. Any industrial appeals judge assigned to conduct proceedings in an appeal, or his or her designee may ((thereupon proceed to)) elicit from the parties such information as is necessary and helpful to the orderly scheduling of hearing proceedings and as may aid in expediting the final disposition of the appeal. ~~((For this purpose, where indicated;))~~

(2) Pre-hearing matters. At any proceeding a stipulation of facts may be obtained to show the board's jurisdiction in the matter. In addition, agreement as to the issues of law and fact presented and the simplification or limitation thereof may be obtained. The industrial appeals judge may also determine the necessity of amendments to the notice of appeal or other pleadings; determine the possibility of obtaining admissions of facts and authenticity of documents which will avoid unnecessary proof, the admissibility of exhibits, a stipulation as to all or part of the facts in the case, the limitation of the number of witnesses, and the exchange of medical and vocational reports and other relevant documents; receive and rule on motions pertaining to pre-hearing discovery including motions by a party for a vocational evaluation of a claimant which may be granted upon a showing of surprise which ordinary prudence could not have guarded against or upon an equivalent showing of circumstances constituting good cause and upon notice to all parties of the time, place, manner, conditions, and scope of the evaluation and the person or persons by whom it is to be made, provided that the industrial appeals judge shall impose all conditions necessary to avoid delay and prejudice in the timely completion of the appeal; obtain information as to the number of expert and lay witnesses expected to be called by the parties and their names when possible, the place or places where hearings will be required, the approximate time necessary for the presentation of the evidence of the respective parties, and all other information which may aid in the prompt disposition of the appeal.

(3) ~~((2))~~ Statement on the record of results of conferences. The results of such conference proceedings shall be stated on the record ~~((by the industrial appeals judge))~~ and the statement shall include, where applicable, agreements concerning issues, admissions, stipulations, witnesses, time and location of hearings, the issues remaining to be determined, and other matters that may expedite the hearing proceedings. The statement of agreement and issues, and rulings of the industrial appeals judge, shall control the subsequent course of the proceedings, subject to modification to prevent manifest injustice.

(4) ~~((3))~~ Failure to supply information. If any party fails to supply ~~((the industrial appeals judge))~~ the information reasonably necessary to schedule the hearing in a case, the board or the industrial appeals judge may suspend setting a hearing pending receipt of the required

information, or may impose such conditions upon the presentation of evidence by the defaulting party as may be deemed appropriate.

(5) ~~((4))~~ Admissibility of matters disclosed at conference. If no agreement of the parties is reached resolving all issues presented, no offers of settlement, admissions, or statements made by any party shall be admissible at any subsequent proceeding unless they are independently admissible therein.

AMENDATORY SECTION (Amending Order 17, filed 3/30/84)

WAC 263-12-115 PROCEDURES AT HEARINGS. (1) Industrial appeals judge. All hearings shall be conducted by an industrial appeals judge who shall conduct the hearing in an orderly manner and rule on all procedural matters, objections and motions.

(2) Order of presentation of evidence.

(a) In any appeal under either the Industrial Insurance Act, the Worker and Community Right to Know Act or the Crime Victims Compensation Act, the appealing party shall initially introduce all evidence in his or her case-in-chief except that in an appeal from an order of the department that alleges fraud the department or self-insured employer shall initially introduce all evidence in its case-in-chief.

(b) In all appeals ~~((under))~~ subject to the provisions of the Washington Industrial Safety and Health Act, the department shall initially introduce all evidence in its case-in-chief.

(c) After the party with the initial burden has presented his or her case-in-chief, the other parties may then introduce the evidence necessary to their cases-in-chief. In the event there is more than one other party, they may either present their cases-in-chief successively or may join in their presentation. Rebuttal evidence shall be received in the same order.

Witnesses may be called out of turn in contravention of this rule only by agreement of all parties.

(3) Objections and motions to strike. Objections to the admission or exclusion of evidence shall be in short form, stating the legal grounds of objection relied upon. Extended argument or debate shall not be permitted.

(4) Rulings. The industrial appeals judge on objection or on his or her own motion shall exclude all irrelevant or unduly repetitious evidence and all rulings upon objections to the admissibility of evidence shall be made in accordance with rules of evidence applicable in the superior courts of this state.

(5) Interlocutory appeals to the board - Confidentiality of trade secrets. A direct appeal to the board shall be allowed as a matter of right from any ruling of an industrial appeals judge adverse to the employer concerning the confidentiality of trade secrets in appeals under the Washington Industrial Safety and Health Act.

(6) ~~((Interlocutory review by the chief industrial appeals judge.))~~ Interlocutory review by a chief industrial appeals judge.

(a) Except as provided in WAC 263-12-115(5) interlocutory rulings of the industrial appeals judge are not

subject to direct review by the board. A party to an appeal may within five working days of receiving an adverse ruling from an industrial appeals judge request a review of such ruling by a ~~((the))~~ chief industrial appeals judge or his or her designee. Such request for review shall be in writing and shall be accompanied by an affidavit in support thereof setting forth the grounds therefor, including the reasons for the necessity of an immediate review during the course of conference or hearing proceedings. Within ten working days of receipt of the written request, the chief industrial appeals judge, or designee, may decline to review the ruling based upon the written request and supporting affidavit; or, after such review as he or she deems appropriate, may either affirm or reverse the ruling, or refer the matter to the industrial appeals judge for further consideration.

(b) Failure to request review of an interlocutory ruling shall not constitute a waiver of the party's objection, nor shall an unfavorable response to the request preclude a party from subsequently renewing the objection whenever appropriate.

(c) No conference or hearing shall be interrupted for the purpose of filing a request for review of the industrial appeals judge's rulings; nor shall any scheduled proceedings be canceled pending a response to the request.

(7) Recessed hearings. Where, for good cause, all parties to an appeal are unable to present all their evidence at the time and place originally set for hearing, the industrial appeals judge may recess the hearing to the same or a different location so as to insure that all parties have reasonable opportunity to present their respective cases. No written "notice of hearing" shall be required as to any recessed hearing.

(8) Failure to present evidence when due. If any party is due to present certain evidence at a hearing or recessed hearing and, for any reason on its part, fails to appear and present ~~((thereat all of))~~ such evidence, the industrial appeals judge may conclude the hearing and issue a proposed decision and order on the record, or recess or set over the proceedings ~~((to))~~ for further hearing for the receipt of such evidence.

(9) Evidence by deposition. When a hearing is recessed or set over pursuant to WAC 263-12-115 (7) or (8), or if a party volunteers or desires to take the testimony of any witness in a proceeding by deposition, or if the admission of evidence cannot otherwise be accomplished in a reasonably timely manner, the industrial appeals judge may permit or require the perpetuation of testimony by deposition regardless of the witness' availability to testify at the hearing or at a future recessed hearing. Such ruling may only be given after the industrial appeals judge gives due consideration to: (a) The complexity of the issues raised by the appeal, (b) the desirability of having the witness' testimony presented at a hearing, (c) the costs incurred by the parties in complying with the ruling, and (d) the fairness to the parties in complying with the ruling. The industrial appeals judge may require that depositions be taken and published within prescribed time limits, with each party bearing its own costs, which time limits may be extended by the industrial appeals judge for good cause.

(10) Procedure at deposition. Unless the parties stipulate or the industrial appeals judge determines otherwise, all depositions permitted to be taken for the perpetuation of testimony shall be taken subject to the following conditions: (a) that all motions and objections, whether to form or otherwise, shall be raised at the time of the deposition, and if not raised at such time shall be deemed waived; (b) that all exhibits shall be marked and identified at the time of the deposition and, if offered into evidence, appended to the deposition; (c) that the deposition be published, without necessity of further conference or hearing, at the time it is received by the industrial appeals judge; (d) that all motions and objections raised at the time of the deposition shall be ruled upon by the industrial appeals judge in the proposed decision and order; and (e) that the deposition may be appended to the record as part of the transcript, and not as an exhibit, without the necessity of being re-typed into the record.

(11) ~~((10))~~ Offers of proof in colloquy. When an objection to a question is sustained an offer of proof in question and answer form shall be permitted unless the question is clearly objectionable on any theory of the case.

AMENDATORY SECTION (Amending Order 20, filed 1/10/86)

WAC 263-12-125 APPLICABILITY OF COURT RULES. Insofar as applicable, and not in conflict with these rules, the statutes and rules regarding procedures in civil cases in the superior courts of this state shall be followed. ~~(- Provided, That affidavits of prejudice against an industrial appeals judge in the manner set forth in RCW 4.12.050 must be filed with the board prior to the first proceeding before the industrial appeals judge to whom the case is assigned to conduct hearings).~~

AMENDATORY SECTION (Amending Order 20, filed 1/10/86)

WAC 263-12-145 PETITION FOR REVIEW. (1) Time for filing. Within twenty days ~~(- or such further period as the board may allow on written application of a party, filed within twenty days)~~ from the date of communication of the proposed decision and order to the parties or their representatives of record, any party aggrieved thereby may file with the ~~((secretary of the))~~ board ~~((at Olympia, Washington,))~~ a written petition for review ~~((with copies thereof served on all other parties)).~~ ~~((The date such petition for review is placed in the mail or personally delivered to the board's offices in Olympia shall be the date upon which filing is perfected.))~~ In the event such petition for review is filed, the failure of any party not aggrieved by the proposed decision and order to file a petition for review shall not be deemed a waiver by such party of any objections or irregularities disclosed by the record.

(2) Extensions of time. The board may extend the time for filing a petition for review on application of a party filed within twenty days from the date of communication of the proposed decision and order to the parties or their representatives of record. Such extension of

time, if granted, will apply to all parties to the appeal. Further extensions of time beyond any initial extension may be allowed only if (a) an application for further extension is filed within twenty days from the date of communication of the proposed decision and order to the parties or their representatives of record or (b) the board, on its own motion or at the request of a party, acts to further extend the time for filing a petition for review before the prior extended time for filing a petition for review has expired.

~~((2))~~ (3) Contents. Such petition for review shall set forth in detail the grounds therefor and the party or parties filing the same shall be deemed to have waived all objections or irregularities not specifically set forth therein. A general objection to findings of fact on the ground that the weight of evidence is to the contrary shall not be considered sufficient compliance, unless the objection shall refer to the evidence relied upon in support thereof. If legal issues are involved, the petition for review shall set forth the legal theory relied upon and citation of authority and/or argument in support thereof. In order to facilitate preparation of such petition for review in sufficient detail, the board shall, on request of any party, serve upon said party a copy of the transcript of testimony and other proceedings at the hearing, provided that such party sign an acknowledgement that receipt thereof shall constitute compliance by the board, in the event of an appeal to superior court, with ~~((that portion of RCW 51.52.110))~~ any statute requiring service on said party of a certified copy of the testimony ~~((in industrial insurance cases)).~~

With respect to rulings concerning admission or exclusion of evidence, a general objection to all such rulings adverse to the party shall be considered adequate compliance with this rule.

~~((3))~~ (4) Action by board on petition for review. Within twenty days after receipt of a petition for review, the board shall enter an order either denying the petition for review, in which case the proposed decision and order shall become the final order of the board, or granting the petition for review, in which case the board shall within one hundred and eighty days from the date ~~((a))~~ the petition for review ~~((is))~~ was filed issue a final decision and order based upon its review of the record or any part thereof deemed necessary: Provided, That if a petition for review is not acted upon by the board within twenty days from the date it is filed, it shall be deemed to have been granted.

Any party may, within ten days of receipt of the board's order granting review, submit a reply to the petition for review, a written brief, or a statement of position regarding the matters to which objections were made, or the board may, on its own motion, require the parties to submit written briefs or statements of position or to appear and present oral argument regarding the matters to which objections were made, within such time and on such terms as may be prescribed. In such instances, copies of the transcript of testimony and other proceedings at the hearing shall be furnished to any party requesting same, and this shall be deemed compliance with ~~((RCW 51.52.110 in industrial insurance cases))~~ any statute requiring service on said party of a certified

copy of the testimony in the event of an appeal to superior court.

After review of the record, the board may set aside the proposed decision and order and remand the appeal to the hearing process, with instructions to the industrial appeals judge to whom the appeal is assigned on remand, to schedule a further hearing for the purpose of presenting such evidence in addition to that contained in the record as the board deems necessary to decide the appeal fairly and equitably. In the exercise of this power, a physical or mental examination of a worker or victim of crime by medical experts or evaluation by an expert vocational consultant may be ordered to be conducted at the board's expense. Any evidence presented by the industrial appeals judge shall be presented in an impartial manner, and shall be received subject to full opportunity for cross-examination by all parties. If a party desires to present rebuttal evidence to any evidence so presented, he must make application therefor immediately following the conclusion of such evidence. Such application will be granted by recessing the hearing to a time and place for taking such rebuttal evidence. Following the completion of the further hearing ordered by the board, the industrial appeals judge shall enter a proposed decision and order based upon the entire record.

If an objection is made to a ruling or rulings of an industrial appeals judge sustaining an objection to admissibility of evidence, or denying a recess for the presentation of further evidence, or denying a motion for a physical or mental examination or vocational evaluation of a worker or victim of crime, and the board determines that said ruling or rulings were erroneous, the board may return the case to the industrial appeals judge with appropriate instructions, and a further proposed decision and order shall be issued by the industrial appeals judge after the additional evidence shall have been received.

AMENDATORY SECTION (Amending Order 20, filed 1/10/86)

WAC 263-12-150 FINALITY OF PROPOSED DECISIONS AND ORDERS. (1) Where no petition for review is filed. In the event no petition for review is filed as provided herein by any party, the proposed decision and order of the industrial appeals judge shall be adopted by the board and become the decision and order of the board, and no appeal may be taken therefrom to the courts.

(2) Proposed decision and order deemed adopted without formal action. If an order adopting the proposed decision and order is not formally signed by the board on the day following the date the petition for review of the proposed decision and order is due, said proposed decision and order shall be deemed adopted by the board and become the decision and order of the board, and no appeal may be taken therefrom to the courts.

(3) Order adopting proposed decision and order—delay in mailing to parties. To permit adequate time for postal delivery of petitions for review or requests for extension of time to file petitions for review which have been filed by mail pursuant to RCW 51.52.104 and WAC 263-12-01501(3), the board will delay the mailing of its order adopting the proposed decision and order

to all parties until three days after the date the petition is due. Notwithstanding the date of mailing of the order adopting the proposed decision and order, such order shall be effective immediately following the last day permitted for filing a petition for review.

(4) Setting aside final order due to delayed postal delivery. If, after entry or mailing of the order adopting proposed decision and order, a petition for review or a request for extension of time to file a petition for review is received which bears evidence of mailing within the time permitted for filing such petition or request for extension, the board will set aside the order adopting the proposed decision and order and consider the petition or request for extension as one timely filed.

AMENDATORY SECTION (Amending Order 15, filed 12/29/83)

WAC 263-12-160 FINAL DECISIONS FAVORING WORKERS OR BENEFICIARIES—RETENTION OF JURISDICTION TO FIX INTEREST DUE. (1) Qualifying appeals. A worker or beneficiary who prevails in his or her own appeal regarding a claim for temporary total disability or in any appeal by the employer shall be paid simple interest at the rate of twelve percent per annum on the unpaid amount of the award after deducting the amount of attorney's fees.

(2) Retention of jurisdiction to enter order for payment of interest. In a qualifying appeal the board will retain jurisdiction after issuance of its final order for the purpose of entering an order fixing the amount of interest to be paid by the party having the obligation to pay the amount of the award as a result of the board's final order. In the event a further appeal is taken to superior court from the final order of the board, the board will retain jurisdiction to fix interest only if directed to fix interest by order or judgment of the court or if the appeal to superior court is dismissed without a decision on the merits of the appeal.

(3) Party who may be obligated to pay award to transmit interest fixing information. In those cases where the board determines that interest ((is to be paid)) may be payable pursuant to RCW 51.52.135, the department or self-insurer, as the case may be, shall notify the board in writing of the amount of ((the)) any award paid ((as a result of the board's final order)) subsequent to the date of the department order under appeal, the date of payment of the award, and any other information necessary for the board to calculate and fix the interest ((to be paid)) which may be due on such award. In cases involving payment of compensation for temporary total disability the department or self-insurer shall notify the board of the monthly rate or rates at which payments are made and the periods to which the rate or rates apply.

(4) Attorneys to notify board of amount of fees. The attorney or attorneys of record for a worker or beneficiary in a qualifying appeal shall upon the request of the board provide a written statement indicating the dollar amount of fees charged to the worker or beneficiary for services rendered in obtaining or securing the award in qualifying appeals under RCW 51.52.135. Such statement shall be provided by a date specified in the board's

request, but in no case later than thirty days from the date of payment by the department or self-insurer of the award paid as a result of the board's final order. In the event that the attorney or attorneys of record do not provide the board with the requisite statement within the time specified, the amount of fees paid to the attorney or attorneys will be deemed to be equal to thirty percent of the award paid as a result of the board's final order.

(5) Fixing of interest and entry of order. Upon receipt of all required information, interest will be calculated by the board at twelve percent per annum from the date of the department order granting the award in an appeal by the employer or the date of the department order denying payment of the award in a qualifying appeal by a worker or beneficiary. Thereafter, the board will enter an order fixing the amount of interest to be paid by the party having the obligation to pay the award as a result of the board's final order. Such interest shall be paid in full to the worker or beneficiary and is not subject to any claim for attorney's fees.

AMENDATORY SECTION (Amending Order 11, filed 1/18/82)

WAC 263-12-165 ATTORNEY'S FEES. (1) Applications for attorney's fees. The board shall fix a reasonable attorney fee to be paid by the worker, crime victim or beneficiary for services rendered before the board if written application therefor is made by the attorney, worker, crime victim or beneficiary, as provided in RCW 51.52.120, within one year after the board's final decision and order (~~or in the event of a superior court appeal within one year from the date judgment becomes final~~) is communicated to the party making the application. If such application for fixing of a fee is made by the attorney, it shall set forth therein the monetary amount which the attorney considers reasonable for all services rendered before the board in an appeal. (~~In all instances,~~) ((t)) The board shall afford to all parties affected a minimum of ten days in which to submit comments and material information which may be helpful to the board in setting a fair and reasonable fee.

(2) Fee fixing criteria. All attorney fees fixed by the board, where application therefor has been made, shall be established in accordance with the following general principles:

(a) Only one fee shall be fixed for legal services in any one appeal regardless of the number of attorneys representing the worker, crime victim or beneficiary, except that in cases of multiple beneficiaries represented by one or multiple attorneys the board has the discretion to set more than one attorney fee if so requested.

(b) The board shall defer fixing a fee until such time as information, which it deems sufficient upon which to base a fee, is available.

(c) A fee shall be fixed only in those cases where the attorney's services are instrumental in securing additional benefits to the worker, crime victim or beneficiary or in sustaining the worker's or beneficiary's right to benefits upon an appeal by another party.

(d) Where increased compensation is obtained, the fee may be fixed without regard to any medical benefits secured.

(e) In setting all fees, the following factors shall be carefully considered and weighed:

(i) Nature of the appeal.

(ii) Novelty and complexity of the issues presented or other unusual circumstances.

(iii) Time and labor expended.

(iv) Skill and diligence in conducting the case.

(v) Extent and nature of the relief. In computing the extent of additional benefits, or the retention of benefits awarded by the department, the cost to the worker, crime victim or beneficiary of the litigation, i.e., medical examination and witness fees, shall be first deducted and the net benefits considered.

(vi) The amount of accrued time-loss payments as a result of proceedings before the board.

(vii) The prevalent practice of charging contingency fees in cases before the board.

(viii) The worker's or crime victim's circumstances and the remedial social purposes of the Industrial Insurance Act and of the Crime Victims Compensation Act, which are intended to provide sure and adequate relief to injured workers and crime victims and their families.

(f) In those cases where the payment of accumulated benefits is insufficient to allow payment of the fee set and allow the worker, crime victim or beneficiary to retain a reasonable monetary amount, the board may also set the schedule and manner in which such fee shall be payable.

(3) Amount of fees.

(a) Where additional compensation for permanent partial disability, loss of earning power, or total temporary disability is obtained as a result of settlement of the appeal on agreement of the parties prior to presentation of testimony, a fee of from 10 to 25 per cent of the increased compensation due the worker, crime victim or beneficiary on the date of the board's order on agreement of the parties and by reason thereof shall be fixed after considering all factors.

(b) Where additional compensation for permanent partial disability, loss of earning power or total temporary disability is obtained after the presentation of testimony, a fee of from 10 to 30 per cent of the increased compensation shall be fixed after considering all factors.

(c) Where no additional compensation is obtained, but the worker or crime victim is relieved of the payment for medical benefits, a fee of from 10 to 25 percent of the amount the worker or crime victim is so relieved of paying shall be fixed after considering all factors.

(d) Where permanent total disability (pension) benefits are obtained for the worker or crime victim, or death benefits are obtained for survivors of a deceased worker or crime victim, 10 percent of the first \$40,000.00 of the pension reserve shall constitute the usual fee, which may be decreased or increased after weighing all factors: Provided, That in no case shall a fee in excess of \$8,000.00 be fixed.

(e) Where indeterminate additional compensation is obtained because the claimant is successful in establishing a proper claim for benefits which was previously rejected or for which responsibility was denied, a fee in accordance with the preceding principles and factors shall be fixed.

(f) Where, upon an appeal by a party other than the worker or his beneficiary, the right to receive the benefits awarded by the department is affirmed, a fee in accordance with the preceding principles and factors shall be fixed.

(4) Excess fee unlawful. Where the board, pursuant to written application by an attorney, worker, crime victim or beneficiary, fixes a reasonable fee for the services of the attorney in proceedings before this board, it is unlawful for the attorney to charge or receive any fee for such services in excess of that fee so fixed, per RCW 51.52.132.

AMENDATORY SECTION (Amending Order 20, filed 1/10/86)

WAC 263-12-170 APPEALS TO SUPERIOR COURT—CERTIFICATION OF RECORD. Upon receipt of a copy of notice of appeal to superior court from a board order, served upon the board by the appealing party pursuant to RCW 51.52.110, 7.68.110, 51.48.131, 34.05.542 or 49.17.150, the executive secretary or his or her designee shall certify the record made before the board to the court pursuant to the provisions of RCW 51.52.110, 7.68.110, 51.48.131, (~~34.04.130~~) 34.05.566 or 49.17.150. Copies of such record (except ~~(the)~~ non-reproducible exhibits) shall be furnished to all parties to the proceedings before the board.

NEW SECTION

WAC 263-12-171 APPEALS TO SUPERIOR COURT—SERVICE OF FINAL COURT ORDER OR JUDGMENT ON THE BOARD. In all cases in which a party has appealed to the superior court from a decision of the board, or from superior court to any appellate court, the prevailing party in such appeal shall promptly forward to the board a conformed copy of the final order, judgment or decision of the court.

NEW SECTION

WAC 263-12-195 SIGNIFICANT DECISIONS.

(1) The board's publication "Significant Decisions," prepared pursuant to RCW 51.52.160, contains the decisions or orders of the board which it considers to have an analysis or decision of substantial importance to the board in carrying out its duties. Together with the indices of decision maintained pursuant to WAC 263-12-016(4), "Significant Decisions" shall serve as the index required by RCW 42.17.260 (4)(b) and (c).

(2) The board selects the decisions or orders to be included in "Significant Decisions" based on recommendations from staff and the public. Generally, a decision or order is considered "significant" only if it provides a legal analysis or interpretation not found in existing case law, or applies settled law to unusual facts. Decisions or orders may be included which demonstrate the application of a settled legal principle to varying fact situations or which reflect the further development of, or continued adherence to, a legal principle previously recognized by the board. Nominations of decisions or orders for inclusion in "Significant Decisions" should be submitted in writing to the executive secretary.

(3) "Significant Decisions" consists of microfilmed copies of the decisions and orders identified as significant and headnotes summarizing the proposition or propositions for which the board considers the decisions or orders "significant." Indices are also provided to identify each decision or order by name and by subject. Permanent revisions and additions to "Significant Decisions" are prepared annually. A cumulative supplement is prepared annually between permanent updates and is provided to subscribers of "Significant Decisions." The cumulative supplement contains decisions or orders identified by the board as "significant" in the interim between permanent updates.

(4) Copies of "Significant Decisions" and permanent updates are available to the public at cost. Requests for information concerning the purchase of "Significant Decisions" should be directed to the executive secretary.

WSR 91-14-001
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
 [Order 2089—Filed June 20, 1991, 12:25 p.m.]

Date of Adoption: June 20, 1991.

Purpose: To revise standards and tolerances for the production of certified seed, and increase fees for industry requested services.

Citation of Existing Rules Affected by this Order: Amending chapter 16-316 WAC.

Statutory Authority for Adoption: Chapter 15.49 RCW.

Pursuant to notice filed as WSR 91-10-082 on April 30, 1991.

Changes Other than Editing from Proposed to Adopted Version: Five varieties of grass added to the list of grass varieties eligible in WAC 16-316-800.

Effective Date of Rule: Thirty-one days after filing.

June 20, 1991
 Mike Schwisow
 Deputy Director
 for C. Alan Pettibone
 Director

AMENDATORY SECTION (Amending Order 2041, filed 6/5/90, effective 7/6/90)

WAC 16-316-620 STANDARDS. Seed standards for sod quality grass seed are as follows:

| Variety | Mini- mum Purity | Mini- mum Germin- ation | Maxi- mum* Other Crop | Maxi- mum- ** Weed |
|---------------------------------------|------------------------|----------------------------------|--------------------------------|-----------------------------|
| Merion Kentucky Bluegrass | 95% | 80% | 0.1% | .02% |
| Other varieties of Kentucky Bluegrass | 97% | 80% | 0.1% | .02% |
| Red Fescue | 98% | 90% | 0.1% | .02% |

| Variety | Minimum Purity | Minimum Germination | Maximum* Other Crop | Maximum** Weed |
|-----------------|----------------------------|---------------------|---------------------|----------------|
| Chewings Fescue | 98% | 90% | 0.1% | .02% |
| Tall Fescue | ((98.5)) 98% | 85% | 0.1% | .02% |

*Must be free of ryegrass, orchardgrass, timothy, bentgrass, big bluegrass, black medic, Poa trivialis, brome, reed canarygrass, tall fescue, clover, meadow foxtail and Canby bluegrass. Maximum allowable Canada bluegrass .02%. When the base sample is one of these kinds, the species will not be considered a contaminant (i.e., tall fescue in tall fescue).

**Must be free of dock, chickweed, crabgrass, plantain, short-awn foxtail, ~~((black medic;))~~ annual bluegrass, velvetgrass, Rattail fescue and prohibited noxious weed seeds.

AMENDATORY SECTION (Amending Order 2041, filed 6/5/90, effective 7/6/90)

WAC 16-316-622 RYEGRASS STANDARDS. Seed standards for sod quality ryegrass seed are as follows:

| Variety | Minimum Purity | Minimum Germination | Maximum* Other Crop | Maximum*** Weed |
|------------|----------------|---------------------|---------------------|-----------------|
| Ryegrass** | 98% | 90% | 0.10% | .02% |

*Must be free of orchardgrass, timothy, bentgrass, big bluegrass, Poa trivialis, brome, rattail fescue, reed canarygrass, tall fescue, clover and meadow foxtail. Maximum allowable Canada bluegrass 0.02%.

**Maximum fluorescence levels as determined by breeder or variety owner.

***Must be free of dock, chickweed, crabgrass, plantain, black medic, annual bluegrass, velvetgrass, short-awn foxtail, and prohibited noxious weed seeds. An additional 0.07% of bromus spp. will be allowed.

AMENDATORY SECTION (Amending Order 2041, filed 6/5/90, effective 7/6/90)

WAC 16-316-715 MISCELLANEOUS FIELD AND SEED INSPECTION STANDARDS. (1) The field inspection will be made:

- (a) For field pea – when seedcrop is in full bloom;
- (b) For lentil – when seedcrop is in full bloom;
- (c) For soybean – when seedcrop is in full bloom and/or of mature color;
- (d) For sorghum – when seedcrop is in full bloom, and optionally again when seedcrop begins to show mature color;
- (e) For small grains – when seedcrop is fully headed and of mature color.

(2) Any condition or practice which permits or causes contamination of the seedcrop, such as failure to prevent seed formation in bindweeds, Canada thistle or jointed goatgrass, or excess weeds, or mechanical field mixing, shall be cause for rejection upon inspection for field standards. Fields rejected for jointed goatgrass at first inspection are not eligible for reinspection and shall remain ineligible for any ~~((future))~~ production of certified

classes of small grain seed until ~~((such time))~~ a reclamation ~~((program is developed))~~ procedure, as specified in subsection (3) of this section has been completed. Fields rejected for other causes will remain eligible for reinspection.

(3) The jointed goatgrass reclamation procedure shall include the following:

(a) Each grower shall develop a reclamation plan for his/her affected fields. Such a plan shall be based on the most current recommendations of Pacific Northwest scientists and Washington State University cooperative extension as well as good management practices. Such plan may include use of certified seed, spring cropping practices, and late tilling and planting. No particular program is specified or endorsed and compliance with such program does not assure eligibility for the production of certified classes of small grain seed. Such eligibility shall be based solely upon results of field inspections as provided in (b) through (e) of this subsection.

(b) The rehabilitation and inspection program duration shall be three years for irrigated land and five years for dryland without production of certified small grain seed and the first year of certified seed production thereafter.

(c) Annual inspections of the affected fields shall be conducted by the Washington State Crop Improvement Association (WSCIA) during the prescribed rehabilitation period at such time that the jointed goatgrass would be most visible.

(d) Following the prescribed period of rehabilitation and during the first certified seed production year, a minimum of three field inspections shall be conducted by WSCIA.

(e) Should jointed goatgrass be found during any inspection as provided in (c) and (d) of this subsection, the rehabilitation program shall be determined to be unsuccessful or the field shall be declared ineligible and the rehabilitation and inspection program for that field shall begin again at year one of the procedure.

(4) No prohibited noxious weed seeds are permitted upon inspection for seed standards.

~~((+))~~ (5) Germination minimum refers to germination when sampled.

~~((+))~~ (6) If chemically controllable seed-borne diseases are noted upon inspection for field standards and seed standards for small grains, treatment of seed is required.

AMENDATORY SECTION (Amending Order 2041, filed 6/5/90, effective 7/6/90)

WAC 16-316-800 GRASS VARIETIES ELIGIBLE. (1) Following are the grass varieties eligible and the certifying scheme for each:

| | |
|--|---|
| Bentgrass: (subject to poa annua quarantine) | Seaside Creeping*** Putter Creeping* Emerald Creeping** |
| Big Bluegrass: | Sherman** |
| Canada Bluegrass: (subject to poa annua quarantine) | Reubens** |
| Canby Bluegrass: | Canbar** |

Kentucky Bluegrass:
(subject to poa annua
quarantine)

A-34 (Bensun)**
Abbey**
Able 1**
Adelphi**
Alene*
Alpine*
Amason* (Amazon*)
America*
Ampellia*
Argyle**
Aspen*
Banff**
Barblue*pvvV
Baron**
Birka*
Bono (Birdie)*
Bronco*
Chateau**
Cheri (Golf)*
Classic**
Coventry**
Cynthia*
Destiny*
Dawn*
Eclipse*
Enmundi*pvvV
Estate*
Freedom*
Fylking**
Georgetown**
Geronimo*
Glade**
Greenley*
Haga*
Harmony*
Holiday*
Huntsville*
Ikone**
Julia*
Kelly*
Kenblue*
Kyosti*
Leikra*
Liberty**
Limosine*
Majestic**
Merion**
Monopoly*
Mystic*
Nassau**
Newport**
Nugget*
Nustar*
Nutop*
Parade*
Park**
Paso*
Pennstar*
Plush*
Princeton 104*
Ram 1*pvvV
Ronde*
Rugby*
Scenic*
Suffolk*
Summit
Sving*
Sydsport*
S-21**
Tendos*
Touchdown**
Trenton*
Troy**
Wabash*
Welcome*
1757*

Rough Bluegrass:

Meadow Brome:

Mountain Brome:

Smooth Brome:

Fescue:

(subject to poa annua
quarantine - except tall
fescue)

Orchardgrass:

Redtop:

Indian Ricegrass:

Perennial Ryegrass:
(subject to poa annual
quarantine)

Puccinellia distans:

Colt*

Regar**

Bromar**

Baylor*

Beacon*

Bravo*

Cottonwood*

Jubilee*

Manchar**

Rebound*

Saratoga*

York*

Countess Chewings**pvvV

Amigo Tall*

Arid Tall*

Atlanta Chewings*

Avanti Tall

Barcel Tall**pvvV

Barfalla Chewings**

Barfalla Chewings**

Baruba Chewings

Dover Chewings*

Durar Hard**

Finelawn 1-Tall**

Joseph Idaho**

Mary Chewings*

Nezpurs Idaho*pvvV

Logro Red**pvvV

Chesapeake Tall*

Manade Tall*

Mesa-Tall

MX-86*

Rebel Tall*

5 DM Tall*

88001 Red**

Safe Tall*

Southern Cross Tall*

Covar Sheep**

Fawn Tall*

Beaumont Meadow*

First Meadow**

Forager Tall*

Wrangler-Tall*

Biljart Hard*

Adventure Tall**

Hay King*

Hay King II*

Latar**

Natsumidori (summer green)*

Paiute**

Pennlate*

Potomac*

Streaker*

Nezpar**

Advent*

All*Star**

Dandy*

Delray*

Friend**pvvV

Goalie*

NK 200**

Pennfine*

Ranger**

Target*

89001*

Fults*

- Timothy:
 - Clair*
 - Climax*
 - Hokuo*
 - Hokusen*
 - Kempus*
 - Kunpu*
 - Nosappu*
 - Promesse*
 - Senpoku*
- Wheatgrass:
 - Whitmar Beardless**
 - Secar Bluebunch**
 - Fairway Crested*
 - Ruff Crested*
 - Nordan Crested**
 - Ephraim Crested**
 - Greenar
 - Intermediate**
 - Oahe Intermediate*
 - Tegmar Intermediate*
 - Greenleaf Pubescent*
 - Luna Pubescent**
 - Topar Pubescent**
 - P-27 Siberian**
 - Sodar Streambank**
 - Critana Thickspike**
 - Alkar Tall**
- Basin Wild Rye:
 - Magnar**
- Russian Wild Rye:
 - Bozoisky Select**

(2) Variety restrictions.

NO. OF SEED HARVESTS
FOUNDATION REGISTERED CERTIFIED

(a) Kentucky Bluegrass:

| | | |
|------------|-------------|---|
| Baron | 5 | 5 |
| Birka | 2 + 3 Cert. | 5 |
| Enmundi | 4 | 5 |
| Georgetown | 5 | 5 |
| Geronimo | 6 | 6 |
| Kenblue | 5 | 7 |
| Majestic | 3 + 5 Cert. | 5 |
| Parade | 5 | 5 |
| Ram-I | 2 | 6 |
| Rugby | 3 + 2 Cert. | 5 |
| Sydsport | | 5 |
| Touchdown | 2 + 5 Cert. | 5 |

(b) Orchardgrass:

| | | |
|----------|---|---|
| Pennlate | 3 | 6 |
|----------|---|---|

- Chief**
- Cimarron*
- Cimarron VR*
- Classic*
- Commondor*
- Crown*
- Crown II*
- Crusader**
- DK-125*
- DK-135*
- Drummor*
- Eagle*
- Elevation*
- Endure*
- Excalibur*
- Gladiator*
- G-2815*
- G-7730*
- GH-737**
- Hi-Phy*
- Honeoye*pvvV
- Iroquois*
- Julus*
- Legend*
- Magnum III*
- Maxim*
- Mesilla**
- Mohawk*
- Oneida*pvvV
- Oneida VR*
- Peak*
- Perry*
- Phytor*
- Polar II*
- Preserve*
- Primal*
- Ranger**
- Riley*
- Saranac*
- Saranac AR*pvvV
- Shenandoah*
- Shield*
- Sparta*
- Spredor 2*
- Summit*
- Sure*
- Sverre*
- SX-217*
- SX-418*
- Trumpetor*
- Turbo*
- Ultra*
- Vernal*
- Vancor*
- Vernema*
- Vista*
- WL-220*
- Weevlchek*
- WL-221*
- WL-225*pvvV
- WL-312*
- WL-313*

AMENDATORY SECTION (Amending Order 2041, filed 6/5/90, effective 7/6/90)

WAC 16-316-820 ALFALFA VARIETIES ELIGIBLE. (1) Following are the alfalfa varieties eligible and the certification scheme for each:

- Agate*
- Anchor*
- Anstar*
- Answer*
- Aquarius*
- Apollo II*
- Armor*
- Arrow*
- Atlas*
- Atra-55*
- Baker*pvvV
- Big Ten*
- Blazer*
- Centurion*
- Challenger*

WL-315*pvvV
 WL-316*pvvV
 WL-318*
 WL-320**pvvV
 Wrangler*
 88*
 120*
 123*
 130*
 521*
 520*
 526*
 530*
 531*
 532*
 581*
 5262*
 5432*
 5373*
 5444*
 624*
 629*
 5311*
 5331*
 5333*
 5364*
 5472*
 98*
 G-2841*
 Verta*
 G-2852*
 GH 747*
 G-2833*
 DK-122*
 Bronco*
 2890*
 Precedent*
 Zenith*
 VS-775*
 Express*
 Kitawakaba*
 Tachiwakaba*
 Vertus*

| | NO. OF SEED HARVESTS | | | |
|------------|----------------------|------------|------------|-----------|
| | Breeder | Foundation | Registered | Certified |
| Saranac AR | | 3 | | 6 |
| Spredor 2 | 2 | 3 | | 5 |
| Trumpetor | 2 | 3 | | 5 |
| Vancor | 2 | 3 | | 5 |
| Vernema | | 4 | | 6 |
| WL-221 | | 3 | | |
| WL-225 | | 3 | 3 | 5 |
| WL-313 | | 3 | | |
| WL-315 | | 3 | | 5 |
| WL-320 | | 3 | 3 | 5 |
| WL-316 | | 3 | | 5 |
| Wrangler | | | | 6 |
| 120 | | 3 | | |
| 123 | | 2 | | 4 |
| 130 | | 3 | | 5 |
| 526 | | 3 | | 5 |

WSR 91-14-002
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed June 20, 1991, 4:05 p.m.]

Original Notice.

Title of Rule: WAC 392-171-321 Definition—Transition services; and 392-171-461 Amendment to IEP.

Purpose: To correspond to new federal law (P.L. 101-476) regarding the provision of transition services to special education students. Federal requirements include statutory definition of transition services and inclusion of transition services on IEP for special education students aged 16 or above, and when appropriate, aged 14 or younger. Proposed rule changes will implement the new federal requirements.

Statutory Authority for Adoption: RCW 28A.155.090.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Richard Wilson, Office of Superintendent of Public Instruction, Old Capitol Building, Olympia, 753-2298; Implementation: Douglas Gill, Office of Superintendent of Public Instruction, Old Capitol Building, Olympia, 753-6733; and Enforcement: John Pearson, Office of Superintendent of Public Instruction, Old Capitol Building, Olympia 753-6733.

Name of Proponent: Superintendent of Public Instruction, governmental.

Rule is necessary because of federal law, Public Law 101-476 101st Congress.

Explanation of Rule, its Purpose, and Anticipated Effects: The federal government has determined that serious inequities exist in the past-school outcomes of students with disabilities as compared to their nondisabled peers. Therefore, a transitional services component is now required to appear on IEPs for all special education eligible students aged 16 or older. These rule changes will serve to define transition services in terms of specific post-school outcomes and the coordinated services necessary to achieve such outcomes, and replace an existing

(2) Variety restrictions.

| | NO. OF SEED HARVESTS | | | |
|------------|----------------------|------------|------------|-----------|
| | Breeder | Foundation | Registered | Certified |
| Answer | | 2 | | 5 |
| Apollo II | | | | 3 |
| Baker | 2 | 3 | | 6 |
| Blazer | | 3 | | |
| Challenger | 2 | 3 | | 5 |
| Chief | | 3 | 3 | 5 |
| Crusader | | 3 | 3 | 5 |
| Drummor | 2 | 3 | | 5 |
| G-7730 | | 3 | | 5 |
| GH 737 | | 3 | 3 | 5 |
| Honeoye | | 3 | | 6 |
| Iroquois | | 3 | | 6 |
| Oneida | | 3 | | 6 |
| Peak | | 3 | | |
| Perry | 2 | 3 | | 6 |
| Preserve | 2 | 3 | | 5 |
| Polar II | 2 | 3 | | 5 |
| Saranac | | 3 | | 6 |

requirement regarding the IEP that speaks to the inclusion of a career/vocational goal for students aged 14 or above.

Proposal Changes the Following Existing Rules: Adds new section WAC 392-171-321, and strikes subsection (1)(e) of WAC 392-171-461 and replaces it with amended subsection (1)(e).

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

Hearing Location: Wanamaker Conference Room, 2nd Floor, Old Capitol Building, Superintendent of Public Instruction, Olympia, Washington 98504, on August 16, 1991, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by August 6, 1991.

Date of Intended Adoption: August 23, 1991.

June 20, 1991

Judith A. Billings
Superintendent of
Public Instruction

NEW SECTION

WAC 392-171-321 DEFINITION—TRANSITION SERVICES. (1) As used in this chapter, the term "transition services" means a coordinated set of activities for a student, designed within an outcome-oriented process, which promotes movement from school to post school activities. Some examples of appropriate post school outcomes include:

- (a) Postsecondary education;
 - (b) Integrated employment;
 - (c) Supported employment;
 - (d) Continuing and adult education;
 - (e) Adult services; and
 - (f) Independent living and/or community participation.
- (2) The coordinated set of activities shall be based upon the individual student needs, and shall include:
- (a) Functional vocational evaluation;
 - (b) Instruction;
 - (c) Vocational education/training;
 - (d) Community experiences; and
 - (e) Where appropriate, acquisition of daily living skills.

The following terms used in the definition of "transition services" are defined as follows:

(i) "Coordinated set of activities" means a planned and organized sequence of activities which promotes the movement of a student from school to post school adult living.

(ii) "Outcome oriented process" means a series of events unique to an individual student's needs which lead directly to integrated employment, supported employment, postsecondary education, continuing and adult education, adult services, independent living, and/or community participation.

(3) "Postsecondary education" means organized educational programs provided by qualified personnel which are available beyond grades 9-12. The term includes:

- (a) Community colleges;
- (b) Vocational-technical institutes;
- (c) Four-year colleges and universities.
- (4) "Vocational education" means a planned series of learning experiences, the specific objectives of which is to prepare persons to enter, continue in, or upgrade themselves in gainful employment in recognized occupations not designated as professionals or requiring a baccalaureate or higher degree.

(5) "Vocational training" means the acquisition of specific skills through specialized instruction and practice, and provided by qualified personnel.

(6) "Integrated employment" means paid work in sites and settings that are not unique to individuals with disabilities.

(7) "Supported employment" means paid work that requires the use of designated personnel to assist individuals with disabilities in acquiring and maintaining site specific skills.

(8) "Continuing and adult education" means organized educational programs conducted by qualified personnel for individuals who have graduated or left high school.

(9) "Adult services" means health, social, housing, transportation, and/or employment opportunities normally provided for persons beyond age eighteen through public, nonprofit agencies.

(10) "Independent living" means initiating, maintaining, and/or actively participating in a household using self-generated resources.

(11) "Community participation" means integrated and active involvement in the local community.

(12) "Functional vocational evaluation" means the assessment of occupational interests, aptitudes, and preparation opportunities.

AMENDATORY SECTION (Amending Order 15, filed 11/2/89, effective 12/3/89)

WAC 392-171-461 INDIVIDUALIZED EDUCATION PROGRAM. (1) Each handicapped student's individualized education program shall be developed on the basis of assessment analysis and parent input, where it is provided, and shall include:

(a) For each orthopedically impaired and health impaired student under the age of eligibility to first grade, current medical evaluation by a qualified medical practitioner which describes and confirms the student's health circumstance and which provides any medical implications for educational planning;

(b) A statement of the student's present levels of educational performance;

(c) A statement of specific annual goals including short-term instructional objectives which are stated in terms that provide for measurement of progress, expected levels of performance, and the schedules for their accomplishments;

(d) A statement of the specific special education and related services needed by the student, and the extent to which the student will be able to participate in the regular educational program, including physical education. If the student is unable to participate in the regular physical education program, a description of the specially designed physical education to be provided to the student shall be included;

(e) The IEP developed for a ((handicapped)) student ((whose chronological age is fourteen or above)) with a disability shall also include ((career development and/or vocational education goals and short-term instructional objectives, where appropriate. PROVIDED, That if the career development and/or vocational education is specially designed instruction, goals and short-term instructional objectives shall be included)) a statement of the needed transition services including goals and objectives, based on a functional vocational evaluation and anticipated post school outcome(s) beginning no later than age sixteen and annually thereafter (and when determined appropriate for an individual student, beginning at age fourteen or younger), including, when appropriate, a statement of the interagency responsibilities or linkages (or both) before the student leaves the school setting. In the case where a participating agency fails to provide agreed upon services, the educational agency shall reconvene the IEP team to identify alternative strategies to meet transition objectives, as long as the student is eligible for services;

(f) The projected dates for the initiation of services and the anticipated duration of the services, including the number of school days, the number of hours per day, and the length of the school year over which such services shall be provided: PROVIDED, That in the event the individualized educational program is the first in the district for such student and the multidisciplinary team has not made a determination as to the need for an extended school year for such child, the individualized educational program team shall make its recommendation on the length of the school year over which such services shall be provided prior to the conclusion of the regular one hundred eighty school days; and

(g) Appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether the short-term instructional objectives are being met.

(2) The school district shall provide the parent (or the adult student) a copy of the individualized education program.

(3) Nothing in this chapter may be construed as promising or guaranteeing that a handicapped student will in fact achieve the growth projected in his or her annual goals and short-term objectives.

WSR 91-14-003

PERMANENT RULES

WASHINGTON STATE PATROL

[Order 91-002—Filed June 21, 1991, 9:39 a.m.]

Date of Adoption: June 21, 1991.

Purpose: To revise the definition of "emergency tow truck," by eliminating wording which requires a tow truck permit issued by the Department of Licensing.

Citation of Existing Rules Affected by this Order: Amending WAC 204-88-030(5) Emergency vehicle lighting—Definitions.

Statutory Authority for Adoption: RCW 46.37.194.

Pursuant to notice filed as WSR 91-10-015 on April 22, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 21, 1991

George B. Tellevik
Chief

AMENDATORY SECTION (Amending WSR 90-06-056, filed 3/5/90, effective 4/5/90)

WAC 204-88-030 DEFINITIONS. (1) "Authorized emergency vehicle" shall mean any vehicle of any fire department, police department, sheriff's office, coroner, prosecuting attorney, Washington state patrol, ambulance service public or private licensed by the department of social and health services or operated by any of the agencies named above, or any other vehicle authorized in writing by the state patrol.

(2) "Law enforcement vehicle" shall mean a publicly owned or leased vehicle operated by a law enforcement agency and which is used for the law enforcement functions of the agency.

(3) "Law enforcement agency" shall mean any municipal, port district or tribal police department, county police department or sheriff's office, the Washington state patrol, or any other state or federal agency which is publicly authorized to carry out law enforcement duties which include the authority to stop and detain motor vehicles on the public highways of this state.

(4) "Flashing" lamps shall mean those lamps which emit a beam of light which is broken intermittently and regularly by use of an electronic or electric switch, or a lamp which emits a steady beam of light which is intermittently and regularly directed away from any viewer by means of a rotating or oscillating reflector or lamp assembly. Flashing lamps are not to be confused with modulated lamps which intermittently and regularly decrease the power to the lamp filament so as to dim the light output but do not cause a total break in the light beam.

(5) "Emergency tow truck" shall mean a motor vehicle that (~~has been issued a "tow truck permit" by the department of licensing and~~) is especially designed and constructed principally for the purpose of recovery and/or towing of disabled, abandoned or damaged vehicles and not otherwise generally used in transporting goods or persons.

WSR 91-14-004

PERMANENT RULES

WASHINGTON STATE PATROL

[Order 91-003—Filed June 21, 1991, 9:42 a.m.]

Date of Adoption: June 21, 1991.

Purpose: Exempts State Department of Transportation snow removal equipment, when equipped with drive-wheel sanders, from the requirement to mount chains when traction devices are required.

Citation of Existing Rules Affected by this Order: Amending WAC 204-24-050 (2)(a) Use of chains and other traction devices.

Statutory Authority for Adoption: RCW 46.37.005.

Pursuant to notice filed as WSR 91-10-053 on April 29, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 21, 1991

George B. Tellevik
Chief

AMENDATORY SECTION (Amending Order 83-10-01, filed 10/19/83)

WAC 204-24-050 USE OF TIRE CHAINS OR OTHER TRACTION DEVICES. (1) Vehicles under 10,000 pounds gross vehicle weight.

(a) When traffic control signs marked "snow tires required" are posted by the department of transportation it shall be unlawful for any vehicle to enter the controlled area without having mounted on its drive wheels at least one of the traction devices meeting the requirements of WAC 204-24-040.

(b) When traffic control signs marked "chains required" are posted by the department of transportation it shall be unlawful for any vehicle to enter the controlled area without having mounted on its drive wheels tire chains meeting the standards in chapter 204-22 WAC.

(i) Exception for all wheel drive vehicles. When "chains required" signs are posted, all-wheel drive vehicles shall be exempt from the chain requirement when all wheels are in gear and are equipped with approved traction devices as specified in WAC 204-24-040 provided that tire chains for at least one set of drive wheels are carried in the vehicle.

(2) Vehicles or combinations of vehicles over 10,000 pounds gross vehicle weight.

(a) When traffic control signs marked "snow tires required" or "chains required" are posted by the department of transportation it shall be unlawful for any vehicle or combination of vehicles to enter the controlled area without having mounted on its wheels tire chains as follows: PROVIDED, That highway maintenance vehicles operated by the department of transportation for the purpose of snow removal and its ancillary functions are exempt from this requirement if such vehicle has sanding capability in front of the drive wheels.

(i) Single vehicles, including but not limited to trucks, truck-tractors, buses and school buses: A minimum of two drive tires chained, one on each side of the vehicle, both on the same axle.

(ii) Two vehicle combinations, including but not limited to truck and trailer, or truck tractor and semi-trailer: A minimum of two drive wheels chained, one on each side of the vehicle and both on the same axle, and one trailer wheel chained on the last axle of the trailer. If the trailer or semitrailer has tandem rear axles, the chained wheel may be on either of the last two axles.

(iii) Three-vehicle combinations, including but not limited to truck tractor, semi-trailer and full trailer: A minimum of four drive wheels chained and two trailer wheels chained. The trailer wheel chains shall be on the last trailer in the combination and at least one such chain shall be on a tire on the last axle, or if the trailer has tandem rear axles, the chained wheel may be on either of the last two axles.

(iv) Combinations of vehicles specially permitted to carry over 80,000 pounds gross vehicle weight: A minimum of four drive wheels chained, and one trailer wheel chained. The trailer wheel chain shall be on the last axle of the trailer. Except in three vehicle combinations, the requirements of 204-24-050 (2)(a)(iii) shall prevail.

(b) All vehicles over 10,000 pounds gross vehicle weight shall carry a minimum of two extra chains for use in the event that road conditions require the use of more chains than the minimums stated in subsection (2)(a) of this section or in the event that chains in use are broken or otherwise made useless: PROVIDED, That highway maintenance vehicles operated by the department of transportation for the purpose of snow removal and its ancillary functions are exempt from this requirement.

(c) Approved chains for vehicles over 10,000 pounds gross vehicle weight shall have at least two side chains to which are attached sufficient cross chains of hardened metal so that at least one cross chain is in contact with the road surface at all times. Plastic chains shall not be allowed. The commission on equipment may approve other devices as chains if the devices are equivalent to regular chains in performance.

(d) ~~((One-Of))~~ On the following routes all vehicles and combinations of vehicles over 10,000 pounds shall carry sufficient tire chains to meet the requirements of this chapter from November 1 to April 1 of each year or at other times when chains are required for such vehicles:

- (i) I-90 - from North Bend to Cle Elum.
- (ii) SR-97 - from SR-2 to I-90.
- (iii) SR-2 - from Index to Leavenworth.
- (iv) SR-12 - from Packwood to Naches.
- (v) SR-97 - from the Columbia River to Toppenish.
- (vi) SR-410 - from Enumclaw to Naches.

Vehicles making local deliveries as indicated on bills of lading and not crossing the mountain pass are exempt from this requirement if operating outside of a chain required area.

(3) The Washington state department of transportation or Washington state patrol may prohibit any vehicle from entering a chain/snow tire control area when it is determined that the vehicle will experience difficulty in safely traveling the area.

WSR 91-14-005

RULES COORDINATOR

ENVIRONMENTAL HEARINGS OFFICE

[Filed June 21, 1991, 2:27 p.m.]

Pursuant to RCW 34.05.310(3), the Environmental Hearings Office (Shoreline Hearings Board, Forest Practices Appeals Board, Pollution Control Hearings Board and Hydraulics Appeals Board) designate William A. Harrison, Administrative Appeals Judge, Environmental Hearings Office, 4224 6th Avenue S.E., Building 2, Rowsix, Mailstop PY-21, Lacey, WA 98504, as their rules coordinator.

William A. Harrison
Administrative Appeals Judge

WSR 91-14-006

PERMANENT RULES

DEPARTMENT OF HEALTH

(Board of Physical Therapy)

[Order 178B—Filed June 21, 1991, 3:12 p.m.]

Date of Adoption: May 28, 1991.

Purpose: To further clarify acceptable passing examination scores and to implement treatment options for physical therapists impaired by alcohol or controlled substance abuse.

Citation of Existing Rules Affected by this Order: Amending WAC 246-915-030.

Statutory Authority for Adoption: RCW 18.74.023.

Pursuant to notice filed as WSR 91-09-063 on April 17, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 20, 1991

Christine Larson

Chair

AMENDATORY SECTION (Amending Order 144B, filed 2/20/91, effective 3/23/91)

WAC 246-915-030 EXAMINATION. (1) The examination acceptable to and approved for use under the provisions of RCW 18.74.035 shall be the examination for physical therapists as approved by the board of physical therapy. A passing score is considered to be one of the following:

(a) Not less than 1.0 standard deviation below the national mean for the examination approved by the board beginning February 28, 1991; or

(b) Not less than sixty percent raw score on each of the three examination parts for the examination approved by the board prior to February 28, 1991.

(2) If a candidate fails to receive a passing score on the examination, he or she will be required to retake the examination.

(3) Where necessary, applicant's score will be rounded off to the nearest whole number.

NEW SECTION

WAC 246-915-300 PHILOSOPHY GOVERNING VOLUNTARY SUBSTANCE ABUSE MONITORING PROGRAMS. The board recognizes the need to establish a means of proactively providing early recognition and treatment options for physical therapists whose competency may be impaired due to the abuse of drugs or alcohol. The board intends that such physical therapists be treated and their treatment monitored so that they can return to or continue to practice their profession in a way which safeguards the public. To accomplish this the board shall approve voluntary substance abuse monitoring programs and shall refer physical therapists impaired by substance abuse to approved programs as an alternative to instituting disciplinary proceedings as defined in RCW 18.130.160.

NEW SECTION

WAC 246-915-310 TERMS USED IN WAC 246-915-300 THROUGH 246-915-330. (1) "Approved substance abuse monitoring program" or "approved monitoring program" is a program the board has determined meets the requirements of the law and the criteria established by the board in WAC 246-915-320 which enters into a contract with physical therapists who have substance abuse problems regarding the required components of the physical therapist's recovery activity and oversees the physical therapist's compliance with these requirements. Substance abuse monitoring programs do not provide evaluation or treatment to participating physical therapists.

(2) "Contract" is a comprehensive, structured agreement between the recovering physical therapist and the approved monitoring program stipulating the physical therapist's consent to comply with the monitoring program and its required components of the physical therapist's recovery activity.

(3) "Approved treatment facility" is a facility approved by the bureau of alcohol and substance abuse, department of social and health services according to RCW 70.96A.020(2) or 69.54.030 to provide intensive alcoholism or drug treatment if located within Washington state. Drug and alcohol treatment programs located out-of-state must be equivalent to the standards required for approval under RCW 70.96A.020(2) or 69.54.030.

(4) "Substance abuse" means the impairment, as determined by the board, of a physical therapist's professional services by an addiction to, a dependency on, or the use of alcohol, legend drugs, or controlled substances.

(5) "Aftercare" is that period of time after intensive treatment that provides the physical therapist and the physical therapist's family with group or individual counseling sessions, discussions with other families, ongoing contact and participation in self-help groups and ongoing continued support of treatment program staff.

(6) "Support group" is a group of health care professionals meeting regularly to support the recovery of its members. The group provides a confidential setting with

a trained and experienced health care professional facilitator in which physical therapists may safely discuss drug diversion, licensure issues, return to work and other professional issues related to recovery.

(7) "Twelve steps groups" are groups such as alcoholics anonymous, narcotics anonymous, and related organizations based on a philosophy of anonymity, belief in a power outside of oneself, a peer group association, and self-help.

(8) "Random drug screens" are laboratory tests to detect the presence of drugs of abuse in body fluids which are performed at irregular intervals not known in advance by the person being tested.

(9) "Health care professional" is an individual who is licensed, certified or registered in Washington to engage in the delivery of health care to patients.

NEW SECTION

WAC 246-915-320 APPROVAL OF SUBSTANCE ABUSE MONITORING PROGRAMS. The board will approve the monitoring program(s) which will participate in the board's substance abuse monitoring program. A monitoring program approved by the board may be contracted with an entity outside the department but within the state, out-of-state, or a separate structure within the department.

(1) The approved monitoring program will not provide evaluation or treatment to the participating physical therapists.

(2) The approved monitoring program staff must have the qualifications and knowledge of both substance abuse and the practice of physical therapy as defined in this chapter to be able to evaluate:

- (a) Clinical laboratories;
- (b) Laboratory results;
- (c) Providers of substance abuse treatment, both individuals and facilities;
- (d) Support groups;
- (e) The physical therapy work environment; and
- (f) The ability of the physical therapist to practice with reasonable skill and safety.

(3) The approved monitoring program will enter into a contract with the physical therapist and the board to oversee the physical therapist's compliance with the requirements of the program.

(4) The approved monitoring program may make exceptions to individual components of the contract on an individual basis.

(5) The approved monitoring program staff will determine, on an individual basis, whether a physical therapist will be prohibited from engaging in the practice of physical therapy for a period of time and restrictions, if any, on the physical therapist's access to controlled substances in the work place.

(6) The approved monitoring program shall maintain records on participants.

(7) The approved monitoring program will be responsible for providing feedback to the physical therapist as to whether treatment progress is acceptable.

(8) The approved monitoring program shall report to the board any physical therapist who fails to comply with the requirement of the monitoring program.

(9) The approved monitoring program shall receive from the board guidelines on treatment, monitoring, and limitations on the practice of physical therapy for those participating in the program.

NEW SECTION

WAC 246-915-330 PARTICIPATION IN APPROVED SUBSTANCE ABUSE MONITORING PROGRAM. (1) In lieu of disciplinary action, the physical therapist may accept board referral into the approved substance abuse monitoring program.

(a) The physical therapist shall undergo a complete physical and psychosocial evaluation before entering the approved monitoring program. This evaluation will be performed by health care professional(s) with expertise in chemical dependency. The person(s) performing the evaluation shall not also be the provider of the recommended treatment.

(b) The physical therapist shall enter into a contract with the board and the approved substance abuse monitoring program to comply with the requirements of the program which shall include, but not be limited to:

(i) The physical therapist will undergo intensive substance abuse treatment in an approved treatment facility.

(ii) The physical therapist will agree to remain free of all mind-altering substances including alcohol except for medications prescribed by an authorized prescriber, as defined in RCW 69.41.030 and 69.50.101.

(iii) The physical therapist must complete the prescribed aftercare program of the intensive treatment facility, which may include individual and/or group psychotherapy.

(iv) The physical therapist must cause the treatment counselor(s) to provide reports to the approved monitoring program at specified intervals. Reports shall include treatment, prognosis and goals.

(v) The physical therapist will submit to random drug screening as specified by the approved monitoring program.

(vi) The physical therapist will attend support groups facilitated by a health care professional and/or twelve step group meetings as specified by the contract.

(vii) The physical therapist will comply with specified employment conditions and restrictions as defined by the contract.

(viii) The physical therapist shall sign a waiver allowing the approved monitoring program to release information to the board if the physical therapist does not comply with the requirements of this contract.

(c) The physical therapist is responsible for paying the costs of the physical and psychosocial evaluation, substance abuse treatment, and random drug screens.

(d) The physical therapist may be subject to disciplinary action under RCW 18.130.160 if the physical therapist does not consent to be referred to the approved monitoring program, does not comply with specified employment restrictions, or does not successfully complete the program.

(2) A physical therapist who is not being investigated by the board or subject to current disciplinary action or

currently being monitored by the board for substance abuse may voluntarily participate in the approved substance abuse monitoring program without being referred by the board. Such voluntary participants shall not be subject to disciplinary action under RCW 18.130.160 for their substance abuse, and shall not have their participation made known to the board if they meet the requirements of the approved monitoring program:

(a) The physical therapist shall undergo a complete physical and psychosocial evaluation before entering the approved monitoring program. This evaluation will be performed by health care professional(s) with expertise in chemical dependency. The person(s) performing the evaluation shall not also be the provider of the recommended treatment.

(b) The physical therapist shall enter into a contract with the approved substance abuse monitoring program to comply with the requirements of the program which shall include, but not be limited to:

(i) The physical therapist will undergo intensive substance abuse treatment in an approved treatment facility.

(ii) The physical therapist will agree to remain free of all mind-altering substances including alcohol except for medications prescribed by an authorized prescriber, as defined in RCW 69.41.030 and 69.50.101.

(iii) The physical therapist must complete the prescribed aftercare program of the intensive treatment facility, which may include individual and/or group psychotherapy.

(iv) The physical therapist must cause the treatment counselor(s) to provide reports to the approved monitoring program at specified intervals. Reports shall include treatment, prognosis and goals.

(v) The physical therapist will submit to random drug screening as specified by the approved monitoring program.

(vi) The physical therapist will attend support groups facilitated by a health care professional and/or twelve step group meetings as specified by the contract.

(vii) The physical therapist will comply with employment conditions and restrictions as defined by the contract.

(viii) The physical therapist shall sign a waiver allowing the approved monitoring program to release information to the board if the physical therapist does not comply with the requirements of this contract.

(c) The physical therapist is responsible for paying the costs of the physical and psychosocial evaluation, substance abuse treatment, and random drug screens.

(3) The treatment and pretreatment records of license holders referred to or voluntarily participating in approved monitoring programs shall be confidential, shall be exempt from RCW 42.17.250 through RCW 42.17.450 and shall not be subject to discovery by subpoena or admissible as evidence except for monitoring records reported to the disciplinary authority for cause as defined in subsections (1) and (2) of this section. Records held by the board under this section shall be exempt from RCW 42.17.250 through 42.17.450 and shall not be subject to discovery by subpoena except by the license holder.

WSR 91-14-007
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 91-42—Filed June 21, 1991, 4:35 p.m.]

Date of Adoption: June 21, 1991.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:
 Amending WAC 220-56-245 and 220-56-255.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: These regulations conform to the regulations of the international Halibut Commission and are necessary for the conservation of halibut and to conform to preseason harvest plans.

Effective Date of Rule: Immediately.

June 21, 1991
 Judith Merchant
 Deputy Director
 for Joseph R. Blum
 Director

NEW SECTION

WAC 220-56-24500J HALIBUT—BAG AND POSSESSION LIMITS. Notwithstanding the provisions of WAC 220-56-245, effective immediately until further notice it is unlawful to take, fish for or possess more than:

(1) 1 halibut taken from those waters of Catch Areas 1, 2, 3, and Area 4 west of the Bonilla Tatoosh Line in any one day.

(2) 2 halibut taken from those waters of Catch Area 4 east of the Bonilla Tatoosh Line and Catch Areas 5 through 13.

(3) The possession limit shall not exceed one daily bag limit of fresh halibut.

NEW SECTION

WAC 220-56-25500J HALIBUT—SEASONS. Notwithstanding the provisions of WAC 220-56-245, effective immediately until further notice it is unlawful to take, fish for or possess halibut taken for personal use except as follows:

(1) Those waters of Catch Areas 1 and 2 south of the mouth of the Queets River are open through September 30, 1991 seven days a week.

(2) Those waters of Catch Areas 3 and 4 west of the Bonilla-Tatoosh Line and north of the mouth of the Queets River are open seven days a week through midnight on Tuesday June 25. Effective 12:01 a.m. July 5 through August 30, 1991 or further notice, these waters are open on Fridays and Saturdays only.

(3) Those waters of Catch Area 4 east of the Bonilla Tatoosh line and those waters of Catch Areas 5 through

13 are open on Saturdays and Sundays through 11:59 p.m. June 30, 1991.

WSR 91-14-008
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 91-43—Filed June 21, 1991, 4:39 p.m.]

Date of Adoption: June 21, 1991.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:
 Amending WAC 220-56-190.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Quotas of coho and chinook are available for harvest in coastal waters. These regulations are adopted to concur with Pacific Fisheries Management Council recommendations.

Effective Date of Rule: Immediately.

June 21, 1991
 Judith Merchant
 Deputy Director
 for Joseph R. Blum
 Director

NEW SECTION

WAC 220-56-19000F SALTWATER SEASONS AND BAG LIMITS. Notwithstanding the provisions of WAC 220-56-180 and WAC 220-56-190, effective immediately until further notice it is unlawful to fish for salmon in Marine Areas 1 - 4, except as provided for in this section:

(1) Areas and times open to salmon angling:

(a) Marine Area 4 - July 1 through September 26, 1991 or until overall Chinook quota or coho sub-area quota of 23,300 is met - Sunday through Thursdays only.

(b) Marine Area 3 - July 1 through September 26, 1991 or until overall chinook quota or coho sub-area quota of 4,800 is met - Sunday through Thursdays only.

(c) Marine Area 2 - June 24 through September 26, 1991 or until overall chinooks quota or coho sub-quota of 88,400 is met - Sunday through Thursdays only.

(d) Marine Area 1, except closed in the ocean area surrounding the Columbia River mouth bounded by a line extending six nautical miles due west from North Head 46 18'00" north latitude to 124 13'18" west longitude, then southerly along a line 167 true to the Washington Oregon border - June 24 through September 15, 1991 or until overall chinook quota or coho sub-area quota of 109,500 is met - Sunday through Thursday only.

(e) In those waters south of the Red Buoy Line at the mouth of the Columbia River open September 16

through September 26, 1991 or until overall chinook quota or coho sub-area quota of 7,000 is met; seven days a week.

(2) Bag Limit - 2 salmon per day, minimum size limit in all ocean waters; chinook salmon 24 inches in length and coho salmon 16 inches in length.

(3) Single point barbless hooks.

(4) Shore based angling from the north jetty of the Columbia River is allowed.

WSR 91-14-009
PERMANENT RULES
HIGHER EDUCATION
COORDINATING BOARD
[Filed June 24, 1991, 10:08 a.m.]

Date of Adoption: March 27, 1991.

Purpose: This statement of purpose is written in compliance with section 2, chapter 186, Laws of 1980, and to accompany the notice of intention to adopt, amend or repeal rules by the Higher Education Coordinating Board.

Citation of Existing Rules Affected by this Order: Amending WAC 250-44-050, 250-44-110, and 250-44-130.

Statutory Authority for Adoption: RCW 28B.10.806.

Other Authority: Chapter 28B.04 RCW, as amended.

Pursuant to notice filed as WSR 91-01-053 on December 13, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 21, 1991

Ann Daley

Executive Director

AMENDATORY SECTION (Amending Order 1-89, Resolution No. HECB 89-3, filed 3/31/89)

WAC 250-44-050 UTILIZATION OF AVAILABLE CONTRACT FUNDS. (1) Each biennium the executive director shall issue contract application guidelines which shall establish criteria for specific utilization of available contract funds. The guidelines shall set forth:

(a) The maximum contract amount for a multipurpose service center to be provided depending on available funds under the act during the ~~((1989-91))~~ 1991-1993 biennium shall not exceed \$4,600 per month.

(b) The maximum contract amount for a contract for a program or programs of service depending on available funds under the act during the ~~((1989-91))~~ 1991-1993 biennium shall not exceed \$3,200 per month.

(c) A reservation of funds for contracts to provide state-wide outreach and information services and/or training for service providers.

(2) At least two multipurpose service centers in major population centers will be supported under the displaced homemaker program, provided adequate funds have been appropriated.

(3) Remaining funds will be used for contracts selected to provide geographic dispersion of displaced homemaker multipurpose service centers and programs of service.

AMENDATORY SECTION (Amending Order 1-89, Resolution No. HECB 89-3, filed 3/31/89)

WAC 250-44-110 LENGTH OF CONTRACT PERIODS. Contract periods for contracts awarded under the act shall be in accordance with each application proposal, subject to contract application guidelines issued by the executive director.

(1) Contracts for operation of multipurpose service centers during the ~~((1989-91))~~ 1991-1993 biennium may cover operations beginning as early as July 1, ~~((1989))~~ 1991, and ending June 30, ~~((1991))~~ 1993.

(2) Contracts for operation of programs of services during the ~~((1989-91))~~ 1991-1993 biennium may cover operations beginning as early as July 1, ~~((1989))~~ 1991, and ending June 30, ~~((1991))~~ 1993.

AMENDATORY SECTION (Amending Order 1-89, Resolution No. HECB 89-3, filed 3/31/89)

WAC 250-44-130 CALENDAR AND CLOSING DATES FOR LETTERS OF INTENT, APPLICATIONS AND AWARDS. (1) Sponsoring organizations wishing to apply for contracts to operate multipurpose service centers, shall submit to the executive director a letter of intent, accompanied by appropriate documentation of nonprofit status in the case of nonpublic applicants, by Monday, March ~~((6, 1989))~~ 4, 1991, as specified in the contract application guidelines.

(2) The executive director or the director's designee will screen the letters of intent for multipurpose service centers, prepare a list of all eligible sponsoring organizations which filed letters of intent and distribute the list to all organizations on the list, by Monday, March ~~((13, 1989))~~ 11, 1991, or seven days from the filing date for letters of intent as specified in the contract application guidelines.

(3) Applications for contracts for multipurpose service centers may be submitted by sponsoring organizations on the list pursuant to subsection (2) of this section. The closing dates for such applications by ~~((Wednesday))~~ Friday, April 5, ((1989)) 1991, as specified in the contract application guidelines.

(4) Sponsoring organizations wishing to apply for contracts to operate programs of service and a state-wide outreach and information services program shall submit to the executive director a letter of intent, accompanied by appropriate documentation of nonprofit status in the case of nonpublic applicants, by Monday, March ~~((6, 1989))~~ 4, 1991.

(5) The executive director or the director's designee will screen the letters of intent for programs of service and a state-wide outreach and information services program, prepare a list of all eligible sponsoring organizations which filed letters of intent, and distribute the list to all organizations on the list, by Monday, March ~~((13, 1989))~~ 11, 1991, or seven days from the filing date for

letters of intent as specified in the contract application guidelines.

(6) Applications for contracts for programs of service and a state-wide outreach and information services program may be submitted by sponsoring organizations on the list pursuant to subsection (5) of this section by ~~((Wednesday))~~ Friday, April 5, ~~((+1989))~~ 1991, as specified in the contract application guidelines.

(7) The executive director of the board will approve awards of contracts, provided qualifying applications were received by the closing dates specified in this section and in the guidelines.

(8) In the event that available funds for contracts under the act are not fully utilized after approval of contracts the executive director may either establish a new calendar for further consideration of applications and award of contracts or award supplemental funds to existing centers and programs by amendment of contracts in effect.

WSR 91-14-010
PERMANENT RULES
CRIMINAL JUSTICE
TRAINING COMMISSION
[Filed June 24, 1991, 1:25 p.m.]

Date of Adoption: June 13, 1991.

Purpose: To establish a physical fitness standard as an academy admissions requirement for recruit corrections officers.

Statutory Authority for Adoption: RCW 43.101.080(2).

Pursuant to notice filed as WSR 91-10-088 on May 1, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 21, 1991

James C. Scott
Executive Director

AMENDATORY SECTION (Amending Order 25 [91-01-044], filed 12/12/90)

WAC 139-10-212 **PHYSICAL REQUIREMENTS FOR ADMISSION TO BASIC CORRECTIONS ACADEMIES**. Each successful applicant for admission to a basic corrections officer academy sponsored or conducted by the Washington State Criminal Justice Training Commission shall possess good health and physical capability to actively and fully participate in defensive tactics training and other required physical activities. In order to minimize risk of injury and maximize the benefit of such participation, each trainee in any academy session commencing on or after July 1, ~~((+1991))~~ 1992, shall, as a precondition of his or her academy attendance, demonstrate a requisite level of physical fitness, as established by the Training Commission.

For this purpose, each academy applicant shall be evaluated in the assessment areas of aerobic capacity,

strength, and flexibility, in accordance with the requirements and procedures established by the Training Commission. Such evaluation shall be based upon performance ratings which are normed to the general population and appropriately adjusted for consideration of age and gender of the applicant.

Failure to demonstrate a requisite level of fitness within each assessment area will result in ineligibility for academy admissions and/or attendance.

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

WSR 91-14-011
PERMANENT RULES
CRIMINAL JUSTICE
TRAINING COMMISSION
[Filed June 24, 1991, 1:27 p.m.]

Date of Adoption: June 13, 1991.

Purpose: To establish a physical fitness standard as an academy admissions requirement for recruit law enforcement officers.

Citation of Existing Rules Affected by this Order: Amending WAC 139-05-230.

Statutory Authority for Adoption: RCW 43.101.080(2).

Pursuant to notice filed as WSR 91-10-089 on May 1, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 21, 1991

James C. Scott
Executive Director

AMENDATORY SECTION (Amending Order 21D [91-01-043], filed 12/12/90)

WAC 139-05-230 **PHYSICAL REQUIREMENTS FOR ADMISSION TO BASIC LAW ENFORCEMENT ACADEMY**. Each successful applicant for admission to a basic law enforcement academy sponsored or conducted by the Washington State Criminal Justice Training Commission shall possess good health and physical capability to actively and fully participate in defensive tactics training and other required physical activities. In order to minimize risk of injury and maximize the benefit of such participation, each trainee in any academy session commencing on or after July 1, ~~((+1991))~~ 1992, shall, as a precondition of his or her academy attendance, demonstrate a requisite level of physical fitness, as established by the Training Commission.

For this purpose, each academy applicant shall be evaluated in the assessment areas of aerobic capacity, strength, and flexibility, in accordance with the requirements and procedures established by the Training Commission. Such evaluation shall be based upon performance ratings which are normed to the general population and appropriately adjusted for consideration of the age and gender of the applicant.

Failure to demonstrate a requisite level of fitness within each assessment area will result in ineligibility for academy admissions and/or attendance.

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

WSR 91-14-012
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
NATURAL RESOURCES
(Board of Natural Resources)
 [Memorandum—June 21, 1991]

The Board of Natural Resources meeting regularly scheduled for Tuesday, July 2, 1991, has been rescheduled to be held Friday, June 28, 1991, at 9:00 a.m. in the Council Chambers, Port of Seattle, Pier 66, Seattle, Washington.

WSR 91-14-013
WITHDRAWAL OF PROPOSED RULES
UTILITIES AND TRANSPORTATION
COMMISSION
 [Filed June 24, 1991, 3:45 p.m.]

This memorandum is sent pursuant to WAC 1-21-060 as a notice of withdrawal, withdrawing WUTC Docket No. TG-910220, in the matter of adopting WAC 480-70-700, 480-70-710, and 480-70-720 relating to recyclable commodities. The rule was noticed under WSR 91-10-080 filed April 30, 1991.

Paul Curl
Secretary

WSR 91-14-014
PERMANENT RULES
DEPARTMENT OF
NATURAL RESOURCES
 [Order 574—Filed June 24, 1991, 3:58 p.m.]

Date of Adoption: May 28, 1991.

Purpose: To conform the Department of Natural Resources' rules on public records to the Administrative Procedure Act, chapter 34.05 RCW.

Citation of Existing Rules Affected by this Order: Repealing WAC 332-10-035, 332-10-045 and 332-10-135; and amending WAC 332-10-020, 332-10-030, 332-10-040, 332-10-050, 332-10-070, 332-10-080, 332-10-100, 332-10-120, 332-10-130, 332-10-140, and 332-10-060.

Statutory Authority for Adoption: RCW 34.05.220, 34.05.230, and 42.17.250.

Pursuant to notice filed as WSR 91-09-060 on April 17, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 20, 1991

James A. Stearns
Supervisor

AMENDATORY SECTION (Amending Order 262, filed 6/16/76)

WAC 332-10-020 DEFINITION. The following definitions shall apply in this chapter:

(1) "Public record" includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by ~~((any state or local agency))~~ the department regardless of physical form or characteristics ~~((not otherwise confidential by law))~~. See RCW 42.17.020(26).

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents. See RCW 42.17.020(28).

(3) "Board" means the board of natural resources, a policy setting board whose ~~((five))~~ six members serve in an ex officio capacity. The duties of the board are described in RCW 43.30.150.

(4) "Department" means the department of natural resources which is:

(a) A regulatory agency with regard to ~~((forestry, outdoor burning and))~~ geology activities on state and privately owned land, and outdoor burning on state and privately owned forest land,

(b) A proprietary land management agency for state owned ~~((and administered))~~ land under the jurisdiction of the department,

(c) A service and information repository agency regarding surveys and maps of the state, farm forestry advice and general geology information,

(d) An agency that administers and enforces state forest protection laws and the forest practices regulations of the forest practices board and the department of ecology on state and privately owned forest land.

(5) "Commissioner" means the commissioner of public lands who is an elected official and serves as the administrator of the department. The commissioner, in accordance with ~~((the))~~ RCW 43.30.170, has delegated to the supervisor of the department the direct supervision of the department activities.

AMENDATORY SECTION (Amending Order 262, filed 6/16/76)

WAC 332-10-030 DESCRIPTION OF ~~((CENTRAL AND FIELD))~~ ORGANIZATION OF DEPARTMENT OF NATURAL RESOURCES. (1) The department ~~((is a regulatory and land management agency))~~ of natural resources consists of a board of natural resources, an administrator, and a supervisor. The administrative office of the department and its staff are located in ~~((the Public Lands Building;))~~ Olympia,

Washington 98504. Field offices of the department are located at:

| ((Area)) Region Office | Address |
|--------------------------------------|--|
| Olympic | Rt. 1, Box 1375, Forks, WA 98331 |
| Northwest | ((Rt. 4, Box 17)) 919 North Township Street, Sedro Woolley, WA 98284 |
| South Puget Sound | 28329 SE 448th St., Enumclaw, WA 98022 |
| Central | ((P.O. Box 1004)) 1405 Rush Road, Chehalis, WA 98532 |
| Southwest | ((Box 798)) 601 Bond Road, Castle Rock, WA 98611 |
| Southeast | ((Rt. 3, Box 1)) 713 East Bowers Road, Box 280, Ellensburg, WA 98926 |
| Northeast | ((Box 190)) 225 South Silke Road, Colville, WA 99114 |

(2) Map.

AMENDATORY SECTION (Amending Order 262, filed 6/16/76)

WAC 332-10-040 OPERATIONS AND PROCEDURES OF THE DEPARTMENT OF NATURAL RESOURCES. (1) The legal authority for the department's activities is provided principally by:

- (a) The State Enabling Act, Section Nos. 10 through 19;
- (b) The state Constitution, Article Nos. III, XV, XVI, XVII and Amendment No. 15;
- (c) The ~~((RCW))~~ Revised Code of Washington, Title Nos. 43, 46, 58, 70, 76, 78, 79 and 84;
- (d) The ~~((WAC chapter [title] No.))~~ Washington Administrative Code, Title Nos. 222 and 332.

(2) ~~((The board of natural resources at monthly meetings:~~

- ~~(a) Establishes broad policy for the department;~~
- ~~(b) Approves lease and sale proposals submitted by department regarding state owned grant and forest board lands;~~
- ~~(c) Reviews the department's administration of the Surface Mine Reclamation Act.~~

~~(3) In accordance with legal authority, board policy and direction from)) The commissioner((;)) and the board acting under their respective legal authorities determine policy for the department. The supervisor of the department:~~

- ~~(a) Provides direct supervision over the department's activities. ((Such supervision is applied directly and through deputies:~~

~~(a) At the central office staff level through 10 divisions, each responsible for a specific staff specialty;~~

~~(b) At the field level through seven area managers, each responsible for managing the department's governmental and proprietary functions within their specific area working through district managers and local managers;~~

~~(4) Policy and procedure is developed and discussed at all levels of supervision with recommendations passed through the seven area managers and 10 division supervisors to the department supervisor for decision;~~

~~(5) Inquiry for general information regarding department activities may be directed by the public to the central headquarters or any area office.~~

~~(6) Applications for regulatory permits and licenses issued by the department may be directed as follows:~~

~~(a) To the central headquarters in Olympia for conventional seismic exploration permit, oil and gas drilling permits, geothermal permit, log brand registration, log patrol license;~~

~~(b) To the area office (which manages the area where the permit and license will be used) for surface mining permit, forest practices permit, permit for special recreational activity on state land, right to enter state land, easement on state land, state land lease or purchase application, road use permit, woodcutting permit, burning permit, operating permit (logging), all other permits, licenses, or sales;~~

~~(7) Permits, licenses, lease or sale documents are issued or denied by the department based on facts and/or judgment of the department of natural resources officer involving part or all of the following:~~

- ~~(a) Inspection of the site;~~
- ~~(b) Compliance with RCW and WAC;~~
- ~~(c) Receipt of compliance or performance bond;~~
- ~~(d) Receipt of fee, rent or purchase payment (if any);~~
- ~~(e) Completion of appraisal packet;~~
- ~~(f) Board of natural resources approval (when required);~~
- ~~(g) Environmental impact statement (if required);)~~

~~(b) Implements department policy through a line-functional staff comprised of four deputy supervisors, several divisions, and seven regional offices. The divisions develop operational programs and procedures within their respective specialties of resource management. These programs and procedures are carried out through the seven regional offices with the exception of the real estate and aquatic lands divisions. These two divisions have a dual function in developing and carrying out their respective programs state-wide.~~

AMENDATORY SECTION (Amending Order 262, filed 6/16/76)

WAC 332-10-050 PUBLIC RECORDS AVAILABLE. All public records of the department ~~((and the board, as defined in WAC 332-120-020;))~~ are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310~~((, WAC 332-120-100))~~ and other laws.

AMENDATORY SECTION (Amending Order 262, filed 6/16/76)

WAC 332-10-060 PUBLIC RECORDS OFFICER FOR THE DEPARTMENT OF NATURAL RESOURCES. (1) The public records officer for the department is designated as the ~~((office manager))~~ chief lands recorder located in the department's administrative office. ~~((In addition, the operations forester, located in each of the area offices is designated as a records officer.))~~ The public records officer ~~((shall be in charge of the department's public records and))~~ shall be responsible for the following: The implementation of the department's rules and regulations regarding release of public records, coordinating the staff of the department in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

(2) Additional public record officers may be designated for specific offices within the department:

(a) The secretary of the commissioner is designated as the public records officer for the board.

(b) The office manager located in each of the regional offices is designated as the public records officer for region office records.

AMENDATORY SECTION (Amending Order 262, filed 6/16/76)

WAC 332-10-070 OFFICE HOURS. Public records shall be available for inspection and copying during the customary office hours of the department. For the purpose of this chapter, the customary office hours shall be from 8:00 a.m. until noon and from 1:00 p.m. until 4:30 p.m., Monday through Friday, excluding legal holidays. Such inspection and copying may be postponed if, in the department's opinion, it would interfere with duties related to an emergency at ~~((an area))~~ a regional office or the fire control division in central headquarters.

AMENDATORY SECTION (Amending Order 262, filed 6/16/76)

WAC 332-10-080 REQUESTS FOR PUBLIC RECORDS. ~~((In accordance with requirements of chapter 1, Laws of 1973, that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency.))~~ Public records may be inspected or copied, or copies of such records may be obtained by members of the public, upon compliance with the following procedures:

(1) Inquiry for general information regarding department activities may be directed to the administrative office or any regional office.

(2) A request for specific public records shall be made in writing upon a form prescribed by the department ((and the board)) which shall be available at its ((central)) administrative and ((area)) regional offices. The form shall be presented to the public records officer, ((or a designated substitute, if the public records officer is not available, at the central and area offices of the department)) during customary office hours. The request shall include the following information:

(a) The name and address of the person requesting the record and the organization they represent;

(b) The time of day and calendar date on which the request was made;

(c) A description of the material requested.

~~((2))~~ (3) 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 member to whom the request is made, to assist the member of the public in appropriately identifying the public record requested.

~~((3))~~ (4) The department will also honor requests received by mail for identifiable public records unless exempted.

AMENDATORY SECTION (Amending Order 262, filed 6/16/76)

WAC 332-10-100 EXEMPTIONS. (1) The department ~~((and the board))~~ reserves the right to determine that a public record requested ~~((in accordance with the procedures outlined in WAC 332-120-180))~~ is exempt under the provisions of ~~((section 31, chapter 1, Laws of 1973. Exemptions shall include, but are not limited to:~~

~~(a) Lists of individuals. The lists will include the names and/or addresses of individuals. A request for this inspection requested for commercial purposes shall not be made available unless the department or board is specifically authorized or directed by law to do so;~~

~~(b) Personnel files. The contents of these files include data of a personal nature regarding each individual employee such as: Personal references, performance evaluations, promotional evaluations, salary, payroll withholding, disciplinary and warning letters, employment applications, civil service promotional grades;~~

~~(c) Civil service examination data. These records contain questions used in civil service examinations (written, oral and performance);~~

~~(d) Law enforcement files. These files contain investigation reports, witness statements, permit or license violations and other data related to enforcement of state law, trespass on state land, theft and vandalism of state property and collection of bills. This information shall remain confidential until court action is completed or the case is formally closed by the department;~~

~~(e) Income reports or credit reports on applicants applying for proprietary interests. These reports contain confidential data from an individual company which frequently contains income data regarding the entire company operation;~~

~~(f) Material obtained by the state with copyright or contract condition prohibiting further distribution by the department;~~

~~(g) State land inspection reports and appraisal data. This data constitutes an appraisal of the value of state land and the products therefrom which we use to determine minimum bid level for purchase or rent. This data shall remain confidential until after the sale or lease is consummated, but in no event shall disclosure be denied for more than three years after the appraisal;~~

~~(h) Oil and gas exploration reports, drilling logs and core samples. These files contain confidential information from an individual company regarding an expensive~~

~~exploration operation. Disclosure would provide an unfair advantage to competitors;~~

~~(i) Confidential surveys. This information constitutes confidential production data gathered from individuals and companies for statistical purposes to prepare reports reflecting trends and general production statistics. All data except the final report shall remain confidential;~~

~~(j) Data processing discs and tapes. Contains stored data on magnetic discs and tapes, a large part of which includes confidential data. Since the confidential data cannot be deleted, the discs and tapes shall be exempt from review and copying. Printout reports may be available for review and copying;~~

~~(k) Valuable formulas, designs, drawings, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;~~

~~(l) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action;~~

~~(m) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts)) RCW 42.17.310.~~

(2) In addition, pursuant to ~~((section 26, chapter 1, Laws of 1973))~~ RCW 42.17.260, the department reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The public records officer will fully justify such deletion in writing.

(3) All public records otherwise exempt by law shall be considered exempt under the provision of these rules.

(4) All denials of requests for public records will be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

(5) The department recognizes that the preservation of personal rights is of paramount importance. Accordingly, the department policy shall be to conduct the disclosure of public records in such a manner to preserve the personal privacy of all department personnel. The policy shall extend to companies and individuals from outside the department whose records come into possession of the department.

The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

Inspection or copying of any specific records, exempt under the provisions of this section, may be permitted if the superior court in the county in which the record is maintained finds, after a hearing with notice thereof to

every person in interest and the ((agency)) department, that the exemption of such records, is clearly unnecessary to protect any individual's right of privacy or any vital governmental function.

AMENDATORY SECTION (Amending Order 262, filed 6/16/76)

WAC 332-10-120 PROTECTION OF PUBLIC RECORDS. In order to adequately protect the public records in the custody of the department ((and the board)), the following guidelines shall be adhered to by any person inspecting such public records:

(1) No public records shall be removed from the department's premises.

(2) Inspection of any public record shall be conducted in the presence of a designated department employee.

(3) No public records may be marked or defaced in any manner during inspection.

(4) Public records which are maintained in a file or jacket, or chronological order, may not be dismantled except for purposes of copying and then only by a designated employee of the department.

(5) Access to file cabinets, shelves, vaults, etc., is restricted to the department ((personnel or board members)).

AMENDATORY SECTION (Amending Order 262, filed 6/16/76)

WAC 332-10-130 RECORDS INDEX FOR THE DEPARTMENT. ((The department does not maintain a records index for its own use, and it would be unduly burdensome to develop an index just for public access to the records:)) (1) The department maintains the following methods to index its records:

(a) Tract books. Indicate all significant transactions since statehood concerning the disposition and management of state lands. Is organized by legal description, i.e., section - township - range. The tract book is located in the office of the chief lands recorder.

(b) Commissioner and department orders. Indexed from 1975 to present by year and order number. Commissioner and department orders contain and indicate subject and/or file jacket number.

(c) Board meeting index. Board meetings are tape recorded and written minutes prepared. These are indexed by date and are available for inspection through the public records officer in the commissioner's office.

(d) Administrative rule docket. The department has historically maintained an index of administrative rules adopted by the department. It is formatted by: Date, department rule number, subject, and contact person. Beginning in 1990 the format was expanded to conform with the requirements of RCW 34.05.315. This index is located in the office of the chief lands recorder.

(e) To conform with RCW 42.17.260(4), the following indexes and files are maintained by the chief lands recorder in the department's administrative office:

(i) All records issued before July 1, 1990, for which the department has maintained an index;

(ii) Final orders entered after June 30, 1990, that are issued in adjudicative proceedings as defined in RCW

34.05.010(1) and that contain an analysis or decision of substantial importance to the department in carrying out its duties;

(iii) Declaratory orders entered after June 30, 1990, that are issued pursuant to RCW 34.05.240 and that contain an analysis or decision of substantial importance to the department in carrying out its duties;

(iv) Interpretive statements as defined in RCW 34.05.010(8) that were entered after June 30, 1990; and

(v) Policy statements as defined in RCW 34.05.010(14) that were entered after June 30, 1990.

Copies of all indexes shall be available for public inspection and copying during business hours and in accordance with WAC 332-10-080. The indexes shall be kept current and updated annually. Selected final and declaratory orders that contain an analysis or decision of substantial importance to the agency in carrying out its duties, and interpretive and policy statements will be indexed chronologically by date, applicable program, hearing title, description of subject matter, citation to the law involved, or a selected combination of these, as appropriate.

(f) Rule-making file. To conform with RCW 34.05-.370, the department maintains an official rule-making file for each rule that the department proposes by publication in the state register or adopts. Some rules apply to specific programs within the department, while others, such as those adopted under the State Environmental Policy Act and the Administrative Procedure Act, apply department-wide. The administrative offices of divisions that administer specific programs maintain the rule-making files that apply to those programs. The department rules coordinator maintains the rule-making files for rules that apply department-wide.

(g) Department manual. The department maintains a comprehensive policy and procedures manual. The manual describes policy statements and procedures used to implement the department's various responsibilities. It is organized by program activity, i.e., fire control, timber sales, etc. Manuals are available for review at the department's administrative or any regional office.

(h) Bibliography of department publications. It is common practice for the department to publish important policy and management plans as well as reports on specific subjects regarding resource management. The bibliography can be obtained through the department's Photo and Distribution Center, 1065 S. Capitol Way, Olympia, WA 98504, or any regional office.

(2) The department does not use a central filing system. Records are maintained in each of the ((area)) regional offices spread throughout the state and in each of the divisions in the ((central)) administrative office. Each organizational unit maintains a record system to meet its specific needs. The department ((and the board)) can respond to requests for records, by the public describing the type of information they are seeking. General correspondence related to governmental and regulatory activities and internal services can usually be identified by subject and usually in the division responsible for that activity. Regulatory permits and licenses may be identified by legal description or application

number. Correspondence and other data related to proprietary activities are identified by application number and can be cross-referenced by legal description.

AMENDATORY SECTION (Amending Order 262, filed 6/16/76)

WAC 332-10-140 ADDRESS FOR COMMUNICATION REQUESTS. All communications with the department ((and the board)) including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter ((1, Laws of 1973)) 42.17 RCW, and these rules, requests for copies of the department's decisions and other matters, shall be addressed as follows: Department of Natural Resources, c/o Public Records Officer, Olympia, Washington 98504.

NEW SECTION

WAC 332-10-145 NOTIFICATION ROSTER OF INTERESTED PERSONS. To conform with the requirements of RCW 34.05.230, the department maintains a roster of interested persons who have requested in writing to the department rules coordinator, to be notified of all interpretive and policy statements issued by the department. The roster is kept in the rules coordinator's office and is updated once each year. Persons not indicating a desire to continue on the roster will be eliminated during the yearly update. Whenever the department issues an interpretive or policy statement, a copy of the statement will be sent to each person listed on the roster.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 332-10-035 DESCRIPTION OF ORGANIZATION OF BOARD OF NATURAL RESOURCES.

WAC 332-10-045 OPERATIONS AND PROCEDURES OF BOARD OF NATURAL RESOURCES.

WAC 332-10-135 RECORDS INDEX FOR THE BOARD.

WSR 91-14-015

PROPOSED RULES

SPOKANE COUNTY

AIR POLLUTION CONTROL AUTHORITY

[Filed June 24, 1991, 4:00 p.m.]

Original Notice.

Title of Rule: Spokane County Air Pollution Control Authority Regulation I Article IX Standards for removal and disposal of asbestos containing-material.

Purpose: To regulate the handling and disposal of asbestos a hazardous air pollutant.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Summary: The new article places more stringent requirements on asbestos notification and will lower the

amount of asbestos that needs to be present before requiring notification and removal now specified under CFR 40 Part 61.

Reasons Supporting Proposal: Will reduce the amount of asbestos material present in the solid waste stream. Minimize handling at transfer site and incineration facilities. Reduce overall public exposure to asbestos.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ronald J. Edgar, West 1101 College Avenue, Room 230, Spokane, WA, (509) 456-4727.

Name of Proponent: Spokane County Air Pollution Control Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The new article is designed to reduce the amount of asbestos containing material now present in the solid waste stream. With the anticipated use of transfer stations and incineration exposure of refuse workers and the general public will increase if even small amounts of asbestos are left in the waste. This article will require the removal of asbestos from all types of building, including residential, when demolished unless other measures are taken to reduce exposure. Notification will be required for removal of smaller amounts of asbestos than required under CFR 40 Part 61. (NESHAP).

Proposal Changes the Following Existing Rules: This new rule will place more stringent requirement on notification and removal of asbestos material than currently found in CFR 40 Part 61 Subpart M. There will be no exclusion for residential building. The amount of asbestos requiring notification is reduced to amount greater than 3 linear meters, greater than 1 square meter or, greater than 1 cubic foot. All other requirements remain the same as under federal rules.

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

Hearing Location: Commissioner's Assembly Room, West 1116 Broadway Avenue, Spokane County Courthouse, Spokane, WA, on September 5, 1991, at 9:30 a.m.

Submit Written Comments to: Ronald J. Edgar, Spokane County Air Pollution Control Authority, West 1101 College Avenue, Room 230, Spokane, WA 99201, by September 4, 1991.

Date of Intended Adoption: October 10, 1991.

June 20, 1991
 Ronald J. Edgar
 Chief of Technical Services

Reviser's note: The material contained in this filing will appear in the 91-15 issue of the Register as it was received after the applicable closing date for the issue for agency-typed material exceeding the volume limitations of WAC 1-21-040.

WSR 91-14-016
 NOTICE OF PUBLIC MEETINGS
 SPOKANE COMMUNITY COLLEGES
 [Memorandum—June 21, 1991]

Pursuant to RCW 42.30.075, notice is hereby given that a special meeting/retreat of the board of trustees of Washington State Community College District 17 (the Community Colleges of Spokane) will be held at 9:00 a.m. on Tuesday, July 9, 1991, at the Mukogawa Fort Wright Campus, 4000 West Randolph, Spokane, WA 99204.

WSR 91-14-017
 RULES COORDINATOR
 TACOMA COMMUNITY COLLEGE
 [Filed June 24, 1991, 4:03 p.m.]

In accordance with RCW 34.05.310, the rules coordinator for Tacoma Community College is Joan Blair, Executive Secretary to the President, Tacoma Community College, 5900 South 12th, Tacoma, WA 98465, (206) 566-5101, 548-5101 scan.

Ray Needham
 President

WSR 91-14-018
 NOTICE OF PUBLIC MEETINGS
 WHATCOM COMMUNITY COLLEGE
 [Memorandum—June 21, 1991]

The board of trustees of Whatcom Community College, District Number Twenty-One, has made changes to its 1991 board meeting schedule due to the state legislature's delay in adopting a budget. The following changes have been made:

| | | |
|---------------|-----------------|-----------|
| June 11, 1991 | Regular Meeting | Cancelled |
| July 1, 1991 | Special Meeting | Cancelled |
| July 8, 1991 | Special Meeting | Scheduled |
| July 9, 1991 | Regular Meeting | Cancelled |

The board of trustees of Whatcom Community College will meet to adopt a 1991-92 budget at the following time and place:

| | | |
|--------------|-----------|-----------------------|
| July 8, 1991 | 2:00 p.m. | Board Room |
| Monday | | 237 West Kellogg Road |
| | | Bellingham, WA 98226 |

WSR 91-14-019
 RULES COORDINATOR
 OFFICE OF
 STATE AUDITOR
 [Filed June 24, 1991, 4:05 p.m.]

In accordance with RCW 34.05.310(3), this is to inform you that the rules coordinator for the State Auditor's

Office is designated as Chuck Pfeil, Legislative Building, AS-21, Olympia, 98504, phone number 753-5273.

Robert V. Graham
State Auditor

WSR 91-14-020

**NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGES**

[Memorandum—June 21, 1991]

The board of trustees of the Seattle Community College District will hold two work sessions. The session on June 24 will be from 8:00 to 10:00 a.m., and on June 28 from 9:00 to 11:00 a.m.

These meetings will be held in the Siegal Education and Service Center, 1500 Harvard, Seattle, WA 98122.

WSR 91-14-021

**NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY**

[Memorandum—June 24, 1991]

Eastern Washington University
BOARD OF TRUSTEES
June 27, 1991, 9:00 a.m.

Spokane Center, Fourth Floor Mall
Breakfast will be served to board members prior to the meeting at 8:00 a.m., Room 222, Second Floor.

WSR 91-14-022

**RULES COORDINATOR
BASIC HEALTH PLAN**

[Filed June 25, 1991, 1:16 p.m.]

Please be advised that Leslie Thorpe is Washington Basic Health Plan's rules coordinator appointee for 1991.

WSR 91-14-023

**NOTICE OF PUBLIC MEETINGS
TRANSPORTATION COMMISSION**

[Memorandum—June 21, 1991]

The July Washington State Transportation Commission meeting will be held on Wednesday, July 17, 1991, at 10:00 a.m. at the MGM Building at Bell Place, 6th Floor Conference Room, 800 Bellevue Way N.E., Bellevue, WA. There will be subcommittee meetings either immediately following the public meeting, or that afternoon.

WSR 91-14-024

**PERMANENT RULES
UNIVERSITY OF WASHINGTON**

[Filed June 25, 1991, 1:18 p.m.]

Date of Adoption: June 14, 1991.

Purpose: To specify where smoking is prohibited at the University of Washington.

Citation of Existing Rules Affected by this Order: Amending WAC 478-136-030(9).

Statutory Authority for Adoption: RCW 28B.20.130.

Pursuant to notice filed as WSR 91-10-086 on May 1, 1991.

Changes Other than Editing from Proposed to Adopted Version: Withdrawal of proposed subsection (9)(d) banning the sale of tobacco products on campus.

Effective Date of Rule: Thirty-one days after filing.

June 21, 1991

Melody Tereski

Administrative Procedures Officer

AMENDATORY SECTION (Amending WSR 90-12-034, filed 5/30/90, effective 9/1/90)

WAC 478-136-030 LIMITATIONS ON USE. (1) University facilities may not be used in ways which obstruct or disrupt university operations, the freedom of movement, or any other lawful activities.

(2) Faculty, staff, registered or official student organizations may use university facilities to present educational forums regarding ballot propositions and/or candidates who have filed for public office as long as the audience is limited to university faculty, staff and students. However, state law (RCW 42.17.130) prohibits "the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition."

(3) University facilities may not be used for private or commercial purposes such as sales, advertising, or promotional activities unless such activities serve an educational purpose, as determined by the committee on the use of university facilities.

(4) The distribution of handbills, pamphlets and similar materials is not permitted in those areas of campus to which access by the public is restricted or where such distribution would significantly impinge upon the primary business being carried on. Handbills and similar printed materials may not be left in the Daily distribution boxes or left for distribution anywhere else on campus.

(5) Charitable solicitation is not permitted in those areas of the campus to which access by the public is restricted or where such solicitation would significantly impinge upon the primary business being carried on.

(6) Electronic amplification on the grounds of the campus is prohibited with the following exceptions:

(a) The lawn area immediately west of the student union building will be available for open-air speaking events using directional and volume-controlled speech amplification equipment provided by the university. Use of the student union building lawn site will be available

to registered or official student organizations and faculty or staff groups on a first-come, first-served basis. The amplification system will be issued upon presentation of a currently valid student, faculty or staff identification card at the Student Union Reservation Office, 104C Student Union Building.

(b) The committee on the use of university facilities may grant permission, under special circumstances, for the use of other amplification equipment on the lawn site west of the student union building or in other outdoor locations. Permission should be requested through the Secretary to the Committee, 400 Administration Building (AI-10), 543-2560, sufficiently in advance of the program to allow timely consideration.

(7)(a) The parking garages on the campus of the University of Washington are open to the public for the limited purpose of parking motor vehicles. Sleeping, or remaining in the parking garages for purposes unrelated to vehicular parking is prohibited. Violators are subject to arrest and criminal prosecution under applicable statutes including RCW 9A.52.080, 9.66.030, and 7.48.220.

(b) The term "parking garages" as used in (a) of this subsection shall mean the sheltered parking areas on the University of Washington campus, and the stairwells and entrances of those covered parking areas.

(8) Within the limits of applicable laws, the University of Washington is committed to establishing and maintaining safe conditions for persons attending football games in Husky Stadium or other athletic events or concerts in campus facilities. Accordingly, the rules enumerated below will apply to all such events and be strictly enforced.

(a) The possession or consumption of alcoholic beverages or illegal drugs is prohibited. In addition to having the beverages or drugs confiscated, violators may be subject to university disciplinary action and/or legal proceedings, and removal from the events.

(b) Air horns, glass bottles, cans, picnic baskets, bota bags, ice chests, and thermoses (in excess of two quart capacity) are prohibited. Individuals possessing such will not be admitted to, or will be removed from, Husky Stadium or other athletic or concert facilities until the items have been stored temporarily at locations provided for that purpose or disposed of in some other manner.

(c) Smoking of tobacco in any form is prohibited in the seating areas of Husky Stadium. Smoking is permitted on the pedestrian concourses.

(9) The University of Washington is committed to maintaining a safe work and educational environment for all faculty, staff, students, and visitors. This smoking policy will assist in protecting nonsmokers from smoke in their work environments or areas they frequent for personal activities, and in protecting life and property against fire hazard. Accordingly, the rules enumerated below constitute the University of Washington smoking policy:

(a) Except as provided in (b) of this subsection, smoking of tobacco in any form is prohibited in university vehicles and inside all buildings:

(i) Owned or occupied by the university; and

(ii) Used by the university's faculty, staff, or students.

(b) Smoking may be permitted in student rooms in university residence halls and apartments in university student housing. The vice-president for student affairs shall be responsible for establishing smoking regulations for these facilities.

(c) Whenever possible, this smoking policy will be enforced locally by relevant supervisors and administrators, and through informal dispute resolution. Should such measures fail, violations may result in formal disciplinary action.

WSR 91-14-025

PERMANENT RULES

HEALTH CARE AUTHORITY

[Filed June 25, 1991, 3:58 p.m.]

Date of Adoption: March 13, 1991.

Purpose: To establish a formal appeals process for enrollees of a Health Care Authority administered insurance plan aggrieved by a decision of the agency or its agent.

Statutory Authority for Adoption: RCW 41.05.010 and 34.05.250.

Pursuant to notice filed as WSR 91-04-087 on February 6, 1991.

Changes Other than Editing from Proposed to Adopted Version: Add "or his/her designee" after administrator in WAC 182-16-050 and eliminate "or agent" in WAC 182-16-040(9).

Effective Date of Rule: Thirty-one days after filing.

June 18, 1991

Kristen A. West
Rules Coordinator

Chapter 182-16 WAC PRACTICE AND PROCEDURE

NEW SECTION

WAC 182-16-010 ADOPTION OF MODEL RULES OF PROCEDURE. The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, are hereby adopted for use by this agency. Those rules may be found in chapter 10-08 WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and the procedural rules adopted in this title, the procedural rules adopted in this title shall govern.

NEW SECTION

WAC 182-16-020 DEFINITIONS. As used in this chapter the term:

(1) "Administrator" shall mean the administrator of the health care authority;

(2) "Agency" shall mean the health care authority;

(3) "Agent" shall mean a person, association, or corporation acting on behalf of the health care authority pursuant to a contract between the health care authority and the person, association, or corporation.

NEW SECTION

WAC 182-16-030 APPEALS FROM AGENCY DECISIONS—APPLICABILITY. Any enrollee of a health care authority-administered insurance plan aggrieved by a decision of the agency or its agent concerning any matter related to scope of coverage, denials of claims, determinations of eligibility, or cancellations or nonrenewals of coverage may obtain administrative review of such decision by filing a notice of appeal with the administrator of the health care authority. Review of decisions made by HMOs or similar health care contractors will be pursuant to the grievance/arbitration provisions of those plans and are not subject to these rules. Except that decisions concerning eligibility determinations are reviewable only by the health care authority.

NEW SECTION

WAC 182-16-040 APPEALS—NOTICE OF APPEAL CONTENTS. Any person aggrieved by a decision of the health care authority may appeal that decision by filing a notice of appeal with the administrator. The notice of appeal must contain:

- (1) The name and mailing address of the enrollee;
- (2) The name and mailing address of the appealing party;
- (3) The name and mailing address of the appealing party's representative, if any;
- (4) A statement identifying the decision appealed from and that portion of the decision considered unjust or unlawful;
- (5) A clear and concise statement of facts in support of appealing party's position;
- (6) A statement indicating whether the aggrieved person desires a hearing;
- (7) The type of relief sought;
- (8) A statement that the appealing party has read the notice of appeal and believes the contents to be true, followed by his/her signature and the signature of his/her representative, if any;
- (9) The appealing party shall file, personally or by mail, with the health care authority the original and two copies of the notice of appeal. The notice of appeal must be received by the health care authority within sixty days after the decision of the agency staff was mailed to the appealing party. The agency shall acknowledge receipt of the copies filed with the agency and the agency's stamp placed upon such copies shall be prima facie evidence of the date of receipt;
- (10) Within thirty days after receipt of notice of appeal, the agency shall notify the appellant of any obvious errors or omissions, and request any additional information.

NEW SECTION

WAC 182-16-050 APPEALS—HEARINGS. (1) If, in his/her notice of appeal, the person aggrieved does not request a hearing on the matter, the administrator or his/her designee shall consider all information submitted by the parties and render a decision which shall be deemed the final decision of the agency. A copy of that

decision accompanied by a written statement of the reasons for the decision shall be served upon the enrollee or person aggrieved and the agency staff or agent who rendered the decision appealed from.

(2) If, in his/her notice of appeal the person aggrieved requests a hearing, the agency shall set the time and place of the hearing and give not less than seven days notice to all parties and persons who have filed written petitions to intervene.

(3) The administrator or his/her designee shall preside at all hearings resulting from the filings of appeals.

(4) All hearings shall be conducted in compliance with these rules, chapter 34.05 RCW and chapter 10-08 WAC as applicable.

(5) Following completion of the hearing, the administrator or his/her designee shall render a decision which shall be the final decision of the agency. A copy of that decision accompanied by a written statement of the reasons for the decision shall be served on all parties and persons who have intervened.

WSR 91-14-026**EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 91-44—Filed June 25, 1991, 4:42 p.m., effective July 1, 1991, 12:01 a.m.]

Date of Adoption: June 25, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-44-05000L.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The quota of 3,612 metric tons for sablefish caught with nontrawl gear has been reached. The National Marine Fisheries Service is closing all coastal harvest of sablefish by nontrawl gear effective July 1, 1991. This state emergency action is necessary to keep sablefish landings within the nontrawl allocation established at the beginning of the year and to keep state and federal regulations consistent.

Effective Date of Rule: 12:01 a.m., July 1, 1991.

June 25, 1991

Judith Merchant

Deputy Director

for Joseph R. Blum

Director

NEW SECTION

WAC 220-44-05000M COASTAL BOTTOM-FISH CATCH LIMITS. Notwithstanding the provisions of WAC 220-44-050, effective 12:01 a.m. July 1, 1991 until further notice it is unlawful to possess, transport through the waters of the state, or land in any

Washington State port bottomfish taken for commercial purposes from Marine Fish-Shellfish Management and Catch Reporting Areas 29, 58B, 59A, 59B, 60A, 61, 62, or 63 in excess of the amounts or less than the minimum sizes shown below for the following species:

(1) Widow Rockfish (*Sebastes entomelas*) – 10,000 pounds per vessel trip per week, defined as Wednesday through the following Tuesday. A fisherman may choose to make one landing of 20,000 pounds per two consecutive weeks by filing a 1991 declaration of intent. There is no limit on the number of landings less than 3,000 pounds.

(2) Shortbelly rockfish (*Sebastes jordani*) – no maximum poundage per vessel trip; no minimum size.

(3) Pacific ocean perch (*Sebastes alutus*) – No restrictions on landings up to 1,000 pounds per vessel trip. Landings above 1,000 pounds allowed only if Pacific ocean perch represent 20 percent or less of the total weight of fish on board. Under no circumstances may a vessel land more than 3,000 pounds of Pacific ocean perch in any one vessel trip.

(4) All other species of rockfish (includes all rockfish except Pacific ocean perch (*Sebastes alutus*), widow rockfish (*Sebastes entomelas*), shortbelly rockfish (*Sebastes jordani*) and Thornyhead (or idiot) rockfish (*Sebastes spp.*)) – 25,000 pounds of all other species of rockfish combined per vessel trip per calendar week, defined as Wednesday through the following Tuesday, of which no more than 3,000 pounds may be yellowtail rockfish (*Sebastes flavidus*) except that a fisherman having made a 1991 declaration of intent, may make either one landing of no more than 50,000 pounds of all other species of rockfish combined per vessel trip biweekly, defined as Wednesday through the second Tuesday following, of which no more than 5,000 pounds may be yellowtail rockfish or two landings of not more than 12,500 pounds of all other species of rockfish in any one calendar week of which no more than 3,000 pounds in any one landing may be yellowtail rockfish. It is unlawful for any vessel to make more than one landing in excess of 3,000 pounds of other rockfish species in any calendar week, if no declaration to land twice weekly has been made.

(5) Deepwater Complex – Sablefish, Dover Sole, and Thornyhead (or Idiot) Rockfish (*Sebastes spp.*) – Fishers are limited to 27,500 pounds of the deepwater complex of which no more than 7,500 pounds can be Thornyhead rockfish, per vessel trip, per calendar week, defined as Wednesday through the following Tuesday, except that a fisher having made a 1991 declaration of intent may make either one landing of no more than 55,000 pounds of the deepwater complex of which no more than 15,000 pounds can be Thornyhead rockfish, per vessel trip biweekly, defined as Wednesday through the second Tuesday following or two landings of not more than 13,750 pounds of the deepwater complex of which no more than 3,750 pounds can be Thornyhead rockfish, in any one calendar week. If no declaration of intent to land twice weekly has been made, then it is unlawful for any vessel to make more than one landing in excess of 4,000 pounds of the deepwater complex except sablefish landings are limited to 1,000 pounds.

The following limits apply to sablefish taken under these subsections.

(a) Trawl vessels – Landings above 1000 pounds allowed only if sablefish represent 25 percent or less of the total combined round weight of the deepwater complex onboard. Minimum size 22 inches in length, unless dressed in which case minimum size 15.5 inches in length from the anterior insertion of the first dorsal fin to the tip of the tail. To convert to round weight from dressed weight multiply the dressed weight by 1.6. Trawl vessels are allowed an incidental catch less than the minimum size of 1,000 pounds or 25 percent of the total combined round weight of the deepwater complex on board but not to exceed 5,000 pounds per trip. This undersize sablefish incidental allowance is inclusive in the trip limit.

(b) Non-Trawl Vessels – It is unlawful to take, fish for or possess Sablefish.

(6) 1991 Declarations of Intent – A 1991 Declaration of Intent must be made to make other than one vessel trip per week and land in excess of the minimum amounts as provided for in this section. The new declaration form must be completed as provided for in this subsection. All Declarations of Intent are binding for a minimum of four weeks starting on the first Wednesday following the declaration. The 1991 declaration of intent to make other than one vessel trip per week must be mailed or delivered to the Department of Fisheries, 115 General Administration Building Olympia, Wa., 98504, and must be received prior to the beginning of such fishing. The declaration of intent must contain the name and address of the fishermen, the name and registration number of the vessel, the date on which such fishing will commence and must be signed and dated by the fisherman. The fisherman may return to the one vessel trip per calendar week fishing by filing a declaration of intent to stop fishing other than once weekly with the department in the above manner. The declaration to stop such fishing and begin one vessel trip per calendar week fishing must be received prior to the beginning of the week in which the one vessel trip per calendar week fishing will resume. The date of first landing will determine the beginning of bi-weekly periodicity. A calendar week is defined as Wednesday through the following Tuesday.

(7) It is unlawful during unloading of the catch and prior to its being weighed or leaving the unloading facility to intermix with any other species a species or category of bottomfish having a vessel trip limit.

(8) For purposes of this section, a vessel trip is defined as having occurred upon the initiation of transfer of catch from the fishing vessel, and all fish aboard the vessel are considered part of the vessel trip limit at the initiation of transfer of catch.

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

REPEALER

The following section of the Washington Administrative Code is repealed:

**WAC 220-44-05000L COASTAL BOTTOMFISH
CATCH LIMITS. (91-35)**

**WSR 91-14-027
EMERGENCY RULES
DEPARTMENT OF REVENUE**

[Filed June 26, 1991, 8:44 a.m.]

Date of Adoption: June 26, 1991.

Purpose: To implement chapter 321, Laws of 1986, which becomes effective July 1, 1991, due to the sunset of chapter 286, Laws of 1957. This rule implements the licensing obligations of chapter 321, Laws of 1986 on wholesale and retail sellers and distributors of cigarettes.

Statutory Authority for Adoption: RCW 82.24.550 and 82.32.300.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The emergency filing is necessary to implement chapter 321, Laws of 1986, by July 1, 1991, the effective date of the legislation.

Effective Date of Rule: Immediately.

June 26, 1991
Edward L. Faker
Assistant Director

NEW SECTION

WAC 458-20-18601 WHOLESALE AND RETAIL CIGARETTE VENDOR LICENSES. (1) Definitions. For purposes of this section, the following terms mean:

(a) "Wholesaler" is any person who purchases, sells, or distributes cigarettes to retailers for the purpose of resale only.

(b) "Retailer" is any person, other than a wholesaler, who purchases, sells, offers for sale or distributes cigarettes at retail and all persons operating under a retailer's registration certificate.

(c) "Place of business" is any location where business is transacted with, or sales are made to, customers. The term also includes any vehicle, truck, vessel, or the like at which sales are made.

(d) "Department" is the department of revenue.

(2) Wholesale License. Prior to the sale or distribution of cigarettes at wholesale, each wholesaler must first be issued a wholesale cigarette license from the department of licensing.

(a) Applications for license or renewal of license shall be made on forms supplied by the department of licensing and shall be accompanied by the annual license fee of \$650. A wholesale cigarette license shall be valid for one year from the date of issuance.

(b) If the wholesaler sells, or intends to sell, cigarettes at more than one place of business, whether temporary

or established, a separate license with a license fee of \$115 shall be required for each additional place of business. Each license shall be exhibited in the place of business for which it is issued.

(c) Each licensed wholesaler shall file a bond with the department of revenue in an amount determined by the department of revenue, which amount shall not be less than \$5,000. The bond shall be executed by the wholesaler as principal, and by a corporation approved by the department of licensing and authorized to engage in business as a surety company in this state, as surety. The bond shall run concurrently with the wholesaler's license.

(3) Retail License. Prior to the retail sale or distribution of cigarettes, each retailer must first be issued a retail cigarette license from the department of licensing.

(a) Applications for license or renewal of license shall be made on forms supplied by the department of licensing and shall be accompanied by the annual license fee of \$10. A retail cigarette license shall be valid for one year from the date of issuance.

(b) Retailers operating cigarette vending machines are required to pay an additional fee of \$1 for each such vending machine.

(4) Persons Acting as Wholesalers and Retailers. Persons may sell cigarettes both as retailers and wholesalers only if appropriate licenses are first secured for sales in both capacities. The sale of cigarettes by any person who does not possess a valid license authorizing such sale shall be considered a violation of this section.

(5) Revocation or Suspension of License. The department shall revoke or suspend the license of any wholesale or retail cigarette dealer found to have violated the provisions of chapter 82.24 RCW, WAC 458-20-186, or this section. Upon a finding by the department of a failure to comply with the provisions of chapter 82.24 RCW, WAC 458-20-186, or this section, it shall:

(a) For the first offense, suspend the license or licenses of the offender for a period of not less than thirty consecutive business days;

(b) In the case of a second or multiple offense, suspend the license or licenses of the offender for not less than ninety consecutive business days nor more than twelve months;

(c) In the case of a finding that the offender is guilty of willful and persistent violations, revoke the offender's license or licenses.

(6) Revocation or Suspension Hearing.

(a) If the department determines that a license holder has violated the provisions of chapter 82.24 RCW, WAC 458-20-186, or this section, a hearing will be scheduled to consider the license revocation or suspension of such license holder. In the event of such a determination, the department shall so notify the license holder in writing of its intent to revoke or suspend the license. Such notice shall inform the license holder of the date scheduled for hearing and shall also contain the information specified in RCW 34.05.434.

(b) Revocation or suspension hearings shall be held before the assistant director of the miscellaneous tax division or his or her designee in the department's offices in Olympia unless a different location is specified in the notice of hearing. The department shall schedule the

hearing no earlier than twenty days from the date of mailing of notice of the hearing.

(c) The hearing will be conducted in accordance with the provisions of chapter 34.05 RCW (Administrative Procedure Act). Following the hearing the department shall issue a written order revoking or suspending the license or finding in favor of the license holder. The order of the department shall represent the final decision of the department and shall be binding unless the license holder files a timely petition for review with the department's interpretation and appeal division. (See WAC 458-20-100 for appeal procedures.)

(d) The license holder may seek review of any order revoking or suspending a license by filing a petition for review with the department's interpretation and appeals division within thirty days from the date of the order of revocation or suspension. The decision of the interpretation and appeals division shall represent the final position of the department and shall be binding unless timely appealed.

(e) Appeals from orders of the department revoking or suspending a license may be appealed to the superior court of Thurston County.

(7) Reinstatement of License.

(a) Any person whose license or licenses have been revoked may apply to the department of revenue at the expiration of one year for a reinstatement of the license or licenses. The license or licenses may be reinstated by the department if it appears to the satisfaction of the department that the license holder will comply with the provisions of chapter 82.24 RCW, WAC 458-20-186, and this section.

(b) Application for reinstatement is to be made to the miscellaneous tax division of the department. Upon receipt of an application for reinstatement of license, the department shall schedule a hearing for consideration of the application and shall notify the applicant of the date and time of the hearing. Such notice shall be sent at least twenty days prior to the date set for the hearing.

(c) Hearings for consideration of reinstatement of a license shall be conducted as provided in subsection (6) of this section. Any applicant whose petition for reinstatement is denied may file a petition for review as provided in subsection (6)(d) of this section or appeal the denial to the superior court of Thurston County.

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

**WSR 91-14-028
PERMANENT RULES
INDETERMINATE SENTENCE
REVIEW BOARD**

[Filed June 26, 1991, 11:30 a.m.]

Date of Adoption: June 24, 1991.

Purpose: To adopt the board's administrative policies and its public information rules in accordance with the Administrative Procedure Act.

Statutory Authority for Adoption: RCW 34.05.220 (1)(b) and 42.17.250.

Pursuant to notice filed as WSR 91-10-009 on April 19, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 24, 1991

Kathryn S. Bail
Chair

**Chapter 381-10 WAC
GENERAL ADMINISTRATIVE POLICIES**

NEW SECTION

WAC 381-10-010 PURPOSE. The purpose of this chapter is to specify general administrative policies of the Washington state indeterminate sentence review board.

NEW SECTION

WAC 381-10-020 AUTHORITY. The indeterminate sentence review board is authorized pursuant to chapter 9.95 RCW, as amended.

NEW SECTION

WAC 381-10-030 SCOPE. The provisions of this chapter shall apply to the members and staff of the indeterminate sentence review board and to the offenders over whom the board has jurisdiction.

NEW SECTION

WAC 381-10-040 ORGANIZATION CHART. There shall be an organization chart published by the board which accurately reflects the structure and authority within the agency. The chart will be reviewed by the board semiannually and revised as required.

NEW SECTION

WAC 381-10-050 RULES AND PROCEDURES. The board shall publish its rules and procedures in the Washington Administrative Code. Changes to the rules shall be published in the Washington State Register and the Washington Administrative Code. The board shall adopt the general administrative policies and public access rules pursuant to the APA, chapter 34.05 RCW. All rules affecting inmates and parolees are exempt from the APA. The designated rules coordinator for the agency is the executive secretary.

NEW SECTION

WAC 381-10-060 OFFICE MANUAL. There shall be an office manual which contains information for staff on internal agency operations. The manual shall be reviewed annually by management for accuracy and completeness, and revisions will be published within fifteen working days of adoption and distributed to all staff.

NEW SECTION

WAC 381-10-070 BOARD SHALL MEET MONTHLY. The entire board shall meet monthly with staff to discuss policy issues, to communicate instructions, to act on those cases requiring full board consideration, and to schedule its work calendar for the ensuing period of time. The agency's management shall meet not less than monthly to receive and disseminate information and to enhance communication within the organization.

NEW SECTION

WAC 381-10-080 INFORMATION SYSTEMS. In cooperation with the department of corrections, the board will assist in the maintenance and updating of the offender based tracking system (OBTS) in order to accurately record and retrieve data on every case processed by the agency. Such data shall include, but not be limited to, all information necessary for the board to examine its decision-making activities periodically and to assist it in considering the impact of its policies on the criminal justice system and the community.

NEW SECTION

WAC 381-10-090 CONFERENCE AND SEMINARS. It is the policy of the indeterminate sentence review board to encourage its members and staff to attend conferences and seminars relating to criminal justice; and to participate actively in planning efforts conducted by local, regional, and national correctional organizations.

NEW SECTION

WAC 381-10-100 CONFIDENTIALITY OF CRIMINAL RECORDS. It is the policy of the indeterminate sentence review board that all agency personnel shall observe the provisions of chapter 10.97 RCW in disseminating criminal record information or research data pertaining thereto.

NEW SECTION

WAC 381-10-110 CONVICTION INFORMATION. Conviction information may be disseminated to the public without restriction. Individual members of the indeterminate sentence review board and designated staff are authorized to disclose conviction information to the public.

NEW SECTION

WAC 381-10-120 CONFLICT OF INTEREST. It is the policy of the board that whenever a member or hearing officer has personal knowledge of a case, or a personal interest, or personal acquaintance of the subject person, any of which factors might reasonably be construed as having an influence on the outcome, the member or hearing officer shall withdraw completely from the decision-making process on that case.

NEW SECTION

WAC 381-10-130 ANTIDISCRIMINATION POLICY. The indeterminate sentence review board, in accordance with federal and state antidiscrimination laws, declares that practices of discrimination against individuals because of race, creed, color, national origin, sex, marital status, sexual orientation, age, religion, or the presence of any sensory, mental, or physical disability, threatens not only the rights and proper privileges of such individuals but also menaces the institutions and foundations of a democratic state. All employees and agents of the Washington state indeterminate sentence review board, in the course of their official duties, shall not discriminate against any individual on the basis of such person's race, creed, color, national origin, sex, marital status, sexual orientation, age, religion, or the presence of any sensory, mental, or physical handicap. This policy also applies to disabled and Vietnam era veterans.

NEW SECTION

WAC 381-10-140 SEXUAL HARASSMENT POLICY. Pursuant to Executive Order 89-01, the indeterminate sentence review board hereby reaffirms and updates its policy regarding sexual harassment as follows:

It is the public policy of the state to provide and maintain a working environment free from sexual harassment for its employees and all citizens participating in state programs. Sexual harassment is a form of sex discrimination and is an unlawful employment practice under state and federal law.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

(1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;

(2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment is absolutely prohibited. Any employee of the agency who engages in such activity will be subject to disciplinary action, up to and including termination.

The agency is committed to responding promptly and effectively to sexual harassment concerns and complaints. Any employee who feels that he or she is being sexually harassed should report the behavior immediately to his or her supervisor. If the supervisor is not responsive or if the employee feels uncomfortable talking to their supervisor for any reason, he or she should contact the chair of the board, the personnel representative, or anyone else in the agency with authority to act.

Employees may file a complaint with the Washington state human rights commission as a violation of chapter 49.60 RCW or with the Federal Equal Employment

Opportunity Commission as a violation of Title VII of the Civil Rights Act of 1964.

The agency will continue to sponsor periodic training of employees in order to prevent sexual harassment in the workplace.

NEW SECTION

WAC 381-10-150 REASONABLE ACCOMMODATION/RETURN TO WORK POLICY. (1) The indeterminate sentence review board shall not discriminate on the basis of any sensory, mental, or physical disability.

(2) Persons of disability have the right to request reasonable accommodation. The board shall make reasonable accommodation to disabled clients, applicants, and members of the general public to insure that the regular services of the agency are available to persons who could not otherwise utilize them. When necessary, the agency shall attempt to provide alternatives such as arranged services. Any client, applicant, or member of the general public requiring reasonable accommodation and/or special services may so request to the board through the executive secretary. The executive secretary, in conjunction with the agency's personnel representative, will review requests for reasonable accommodation. The executive secretary is responsible for compliance. Implementation may include seeking technical assistance from appropriate state and federal resources, including the Washington state human rights commission or the federal Office of Civil Rights, regarding the agency's obligation to make accommodation and the determination of reasonableness.

(3) The board shall recruit, hire, train, promote, transfer, and retain any employee who can perform the essential job duties with reasonable accommodation without regard to sensory, mental, or physical disability. For employment purposes, reasonable accommodation is defined as reasonable alterations, adjustments, or changes made by the appointing authority in the job, workplace, and/or terms or condition of employment which will enable an otherwise qualified person of disability or disabled veteran to perform a particular job successfully, as determined on a case-by-case basis.

(4) The board shall make every effort to return an employee back to work who is, by reason of a temporary disability, unable to return to his or her previous work, but is capable of carrying out work of a lighter or modified nature. For the purposes of this section, employee is defined as someone who: (a) Is a permanent state employee; (b) is receiving compensation pursuant to RCW 51.32.090; and (c) is suffering from a temporary disability which makes him/her temporarily unable to return to his or her previous work, but who is capable of carrying out work of a lighter or modified nature as evidenced by written statement from a physician or licensed mental health professional. Should lighter or modified work not be available in the agency, the board, in cooperation with the department of personnel and department of labor and industries, will assist the employee in attempting

to locate temporary or permanent employment in other agencies.

(5) The executive secretary, working with the employee, his or her supervisor, and the agency personnel representative, is responsible for implementing the requirements of subsection (4) of this section. The employee may appeal any adverse decision to the chair of the board. Nothing in this section is intended to overrule any employee's right to also appeal any adverse decision under the provisions of merit systems rules or state or federal law.

(6) Information regarding the reasonable accommodation/return to work policy will be disseminated by publication in chapter 381-10 of the Washington Administrative Code and the Employee Handbook. The agency will sponsor periodic training for supervisors and employees.

NEW SECTION

WAC 381-10-160 FULL BOARD VOTES. It shall be the policy of the board that in all decisions that require a vote of the full board, the decisions will not be distributed until all members have voted. Any decision must be by a majority of the full board.

An exception to this policy will be made when a board member is absent from the job and not available for work, i.e., extended illness or on annual leave. In this circumstance, the decision will be distributed when available members have completed their vote. The purpose of this rule is to facilitate timely decision making.

NEW SECTION

WAC 381-10-170 VICTIM'S RIGHTS. This rule is provided to ensure the orderly presentation of victim statements so that victims or their representatives may freely exercise their constitutional rights.

(1) Written statements. Consistent with prior board practices, the board will continue to allow victims or their representatives to submit written statements to the board. Prior notification is not required for the submission of written statements.

(2) In-person statements. Upon notification either through the prosecuting attorney to the board, or directly to the board that an in-person statement is requested by the victim, such person shall be allowed to make an in-person statement to the board prior to a final decision allowing an offender to be released on parole. Such statement will be limited to fifteen minutes and may only be made at a regularly scheduled board meeting. After notifying the board of intent to make an in-person statement, the victim or victim's representative will be advised of the time and place of the next board meeting where an in-person statement will be scheduled.

(3) Other statements. The board will also allow victims or their representatives to submit audio cassette or video (VHS) tape statements. The statement will be presented at a regularly scheduled meeting before the offender's final parole release decision is made. Tape statements are limited to fifteen minutes in length.

Chapter 381-20 WAC
PUBLIC RECORDS—DISCLOSURE

NEW SECTION

WAC 381-20-010 PURPOSE. The purpose of this chapter shall be to ensure compliance by the indeterminate sentence review board with the provisions of the Public Disclosure Act, RCW 42.17.250, in conjunction with the Criminal Records Privacy Act, chapter 10.97 RCW, as well as RCW 9.95.140.

NEW SECTION

WAC 381-20-020 DEFINITIONS. (1) "Public records" include any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the board regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photocopies, 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.

(3) "Board" means the indeterminate sentence review board.

(4) "Client" means any person or organization about whom the board has a record.

(5) "Disclosure" means inspection or copying.

(6) "Denial of disclosure" denotes any exempting from disclosure of any public record.

NEW SECTION

WAC 381-20-030 PUBLIC RECORDS AVAILABLE. Requests for any identifiable public record may be initiated at the central records office of the board during normal business hours.

The board shall, at all times, take the most timely possible action on requests for disclosure and shall be required to respond in writing within ten working days of receipt of the request for disclosure. The board's failure to respond shall entitle the person seeking disclosure to petition the public records officer pursuant to WAC 381-20-100.

NEW SECTION

WAC 381-20-040 PUBLIC RECORDS OFFICER. The chair shall designate a staff member as the public records officer who shall be responsible for implementing the board's rules regarding disclosure of public records, coordination of staff in this regard, and generally insuring compliance by the staff with public records disclosure requirements.

NEW SECTION

WAC 381-20-050 REQUESTS FOR PUBLIC RECORDS. (1) All requests for the disclosure of a public record must be in writing identifying the record

sought with reasonable certainty. The written request should include:

- (a) The name of the person requesting the record.
- (b) The calendar date the request was made.
- (c) The nature of the request.

(2) A request for disclosure shall be made during the customary business hours or by mail. Persons who appear at the board's office for the purpose of inspection and copying of the board files are requested to make an appointment with the public disclosure coordinator at least ten working days in advance in order to allow sufficient time for the removal and deletion of exempted record information.

(3) This chapter shall not be construed as giving authority to any agency to give, sell, or provide access to lists of individuals for any purpose, and the board shall not do so unless specifically authorized or directed by law.

(4) If the public record contains material exempt from disclosure pursuant to law, including those laws cited in WAC 381-20-010, the board must provide the person requesting disclosure with a written explanation for the nondisclosure, pursuant to WAC 381-20-090.

(5) Any person continuing to seek disclosure, after having received a written explanation for the nondisclosure, pursuant to WAC 381-20-090, may request a review under the provisions of WAC 381-20-100.

(6) When a person's identity is relevant to an exemption, that person may be required to provide personal identification.

(7) Nothing in this chapter, shall be construed to require the board to compile statistics or other information from material contained in public records, where doing so would unduly interfere with other essential functions of the board and is not required for litigation by rules of pretrial discovery.

(8) If public records or information contained in a board file are in the field for purposes of a hearing, and are thus not available, the public disclosure coordinator or his designee shall promptly inform the person requesting disclosure that there will be a delay in responding to the disclosure request due to the unavailability of the public record.

(9) All requests from the press or media shall be referred to the chair or designee for response.

NEW SECTION

WAC 381-20-060 DISCLOSURE TO CLIENT'S REPRESENTATIVE. (1) If a client requests disclosure to a representative, this request must be accompanied by a written release signed by the client, except that as an accommodation to the client, and if the legislator or attorney representing the client can provide assurance that the client has authorized disclosure, the client's record may be briefly discussed with that legislator or attorney so long as there is neither physical inspection nor copying of client records by that representative. A written release must also include:

- (a) The identity of the person(s) or organization(s) to whom disclosure is to be made.
- (b) An identification of the record, or portion thereof, to be disclosed.

(c) A statement of when the authorization for disclosure expires.

(2) Disclosures of information to a representative shall be made to the same extent as to the client.

(3) The legal guardian of a client has any and all rights accorded to a client by this section.

NEW SECTION

WAC 381-20-070 FEES—INSPECTION AND COPYING. No fee shall be charged for the inspection of public records.

The board shall collect fees, plus postage, to reimburse itself for actual costs incident to providing copies of public records.

Nothing contained in this section shall preclude the board from agreeing to exchange or provide copies of manuals or other public records with other state or federal agencies whenever doing so is in the best interest of the board.

Prepayment of copying costs and postage shall be a prerequisite to copying and mailing of public records.

NEW SECTION

WAC 381-20-080 PROTECTION OF PUBLIC RECORDS. Public records shall be disclosed only in the presence of a public disclosure coordinator or his or her designee who shall withdraw the records if the person requesting disclosure acts in a manner which will damage or substantially disorganize the records or interfere excessively with other essential functions of the board. The section shall not be construed to prevent the board from accommodating a client by use of the mails in the disclosure process.

NEW SECTION

WAC 381-20-090 DISCLOSURE PROCEDURE. The public records officer shall review file material prior to disclosure.

If the file does not contain materials exempt from disclosure, the public records officer shall ensure full disclosure.

If the file does contain materials exempt from disclosure, the public records officer shall exempt those portions of the file and shall, at the time of the denial, in writing, clearly specify the reasons for the denial of disclosure, including a statement of the specific exemptions or reasons authorizing the withholding of the record and a brief explanation of how the exemption applies. The remaining nonexempt materials shall be fully disclosed pursuant to this chapter.

NEW SECTION

WAC 381-20-100 REMEDY FOR REVIEW OF DENIAL OF DISCLOSURE. (1) If the person requesting disclosure disagrees with the decision of a public disclosure reviewer denying disclosure of a public record, this person may, at any time, petition the board's public records officer for review of the decision denying

disclosure. The form used by the public disclosure reviewer to deny disclosure of a public record shall clearly indicate this right of review.

(2) The public records officer shall review decisions denying disclosure in the most prompt fashion possible, and such review shall be deemed completed at the end of the second business day following receipt by the board of the petition for review. This shall constitute final agency action for the purposes of judicial review, pursuant to RCW 42.17.320.

NEW SECTION

WAC 381-20-110 EXEMPTIONS TO PUBLIC RECORDS DISCLOSURE. The board reserves the right to determine if a public record requested in accordance with the procedures outlined herein is exempt or nondisclosable under RCW 42.17.250 through 42.17.340. Nondisclosable records include but are not limited to:

(1) Personal information in any files concerning a prisoner, probationer, or parolee to the extent required by 42.17.310 (1)(a); however, disclosure may be made to that person or that person's representative, except as otherwise provided by these rules.

(2) Data (including information revealing the identity of persons who file complaints, except as the complainant may authorize) contained in intelligence, investigative, and other related files compiled by investigative, law enforcement, or penology agencies, the state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or the protection of any person's right to privacy. This data is nondisclosable to the extent required by RCW 42.17.310 (1)(d) and (e), 10.97.080, chapter 446-20 WAC.

(3) Certain juvenile justice or juvenile care records to the extent required by chapter 13.50 RCW.

(4) Personal information in files maintained for an employee of the board to the extent required by RCW 42.17.310 (1)(b).

(5) Deliberative material, as opposed to facts upon which a decision is based, contained in preliminary drafts, notes, recommendations, and intra-agency memoranda in which opinions are expressed or policies formulated or recommended; except that a specific record shall be disclosable when publicly cited by the board in connection with any action to the extent required by RCW 42.17.310 (1)(i).

(6) Records which are relevant to a controversy to which the board is a party but which records would not be available to another party to the rules of pretrial discovery for causes pending in the superior courts, including records involving attorney-client communications between the board and the office of the attorney general privileged under RCW 5.60.060(2).

(7) Nonconviction data, as defined in RCW 10.97.030(2), may be disclosed to the subject of the record in person in the central office of the board but may not be copied except for the purpose of challenge or correction when the person who is the subject of the record asserts the belief in writing that the information

regarding such person is inaccurate or incomplete. Incarcerated subjects shall be provided with a designation of documents in the board file which contain nonconviction data concerning the subject, per RCW 10.97.080.

NEW SECTION

WAC 381-20-120 QUALIFICATIONS ON NONDISCLOSURE. To the extent that nondisclosable information can be deleted from the specific records sought, the remainder of the records shall be disclosable.

No exemptions shall be construed to require nondisclosure of statistical information not descriptive of identifiable persons, as required by RCW 42.17.310(2).

NEW SECTION

WAC 381-20-130 INTERAGENCY DISCLOSURE. (1) Unless prohibited by law, information may be disclosed by the board to outside agencies, including other state of Washington agencies, or agencies of other states.

(2) Outside agencies receiving information pursuant to subsection (1) of this section shall be thereby subject to the same standards of disclosure as are required of the board.

NEW SECTION

WAC 381-20-140 RECORDS INDEX. The board finds it would be unduly burdensome and interfere with agency operations to maintain an index of records because of the complexity and diversity of its operations and the resulting volume of manuals, correspondence, reports, surveys, staff studies, and other materials.

The board will make available for public disclosure all indices which may, at a future time, be developed for agency use.

**WSR 91-14-029
INDETERMINATE SENTENCE
REVIEW BOARD**

[Filed June 26, 1991, 11:33 a.m.]

Reviser's note: The following material has not been adopted under the Administrative Procedure Act, chapter 34.05 RCW, but has been filed in the office of the code reviser and is published in the Register exactly as filed.

**Chapter 381-30 WAC
FIXING MINIMUM TERMS/NEW MINIMUM
TERMS**

NEW SECTION

WAC 381-30-010 PURPOSE. The purpose of this chapter is to specify board practice pertaining to the fixing of minimum prison terms.

NEW SECTION

WAC 381-30-020 AUTHORITY. Chapter 9.95 RCW, RCW 9.95.040, 9.95.009(2).

NEW SECTION

WAC 381-30-030 SCOPE. The provisions of this chapter shall apply to persons convicted of felony offenses in the state of Washington under the indeterminate sentencing system and sentenced to confinement in an adult corrections facility; and those officials charged with processing such convicted persons through the adult corrections system.

NEW SECTION

WAC 381-30-040 MINIMUM TERM. After July 1, 1986, the minimum term of each offender sentenced, under the indeterminate sentencing system, to a Washington state corrections facility, shall be fixed by the sentencing court in accordance with RCW 9.95.011.

NEW SECTION

WAC 381-30-050 NEW MINIMUM TERM. New minimum terms of parole violators (pursuant to RCW 9.95.125) will be set by the board within thirty days of admission. Factors considered in setting a new minimum term include:

(1) The length of time previously incarcerated for the commitment offense from which the individual is on parole.

(2) The SRA ranges of the original offense from which the individual was on parole.

(3) The original recommendation of the committing judge and prosecuting attorney.

(4) Whether or not the parole violation behavior also resulted in an SRA conviction and any incarceration time as a result of the new conviction.

(5) Nature of both the original committing offense and the parole violation behavior.

NEW SECTION

WAC 381-30-060 NO MINIMUM TERM FOR CERTAIN CRIMES. The board does not fix minimum terms for persons sentenced or committed as follows:

(1) Sentenced to death;

(2) Sentenced to a maximum term of life imprisonment for aggravated murder in the first degree;

(3) Sentenced to treason.

NEW SECTION

WAC 381-30-070 MINIMUM TERMS FOR MANDATORY LIFE SENTENCES. The board shall fix a minimum term for all persons committed to the custody of the department of corrections under a mandatory life sentence (except those committed under a life sentence without the possibility of parole) for a crime or crimes committed prior to July 1, 1984.

The minimum term for persons covered by this section shall be fixed no later than July 1, 1992, or within six months after the admission or readmission of the convicted person to the custody of the department of corrections, whichever is later. All hearings will be in-person and are nonwaivable. At least thirty days prior to the hearing, each convicted person will receive a packet of documents, pursuant to In Re Sinka (92 Wn.2d 555,

1979), containing information which the board will consider in setting a minimum term. Information contained in the documents may be refuted in writing prior to the hearing or in-person at the hearing.

At the conclusion of each hearing, the board panel will take a deferred decision. All terms will be established by a full board vote.

NEW SECTION

WAC 381-30-080 PRETRIAL DETENTION APPLIED TO MINIMUM TERMS. Pursuant to *In Re Phelan*, 97 Wn.2d 590 (1983), and *State v Phelan*, 100 Wn.2d 508 (1983), which direct that time served in a county jail before sentencing should be credited against the discretionary minimum term and the maximum term, the board herein adopts the following policy and procedure.

County jail time certified by the county of commitment, or a court of competent jurisdiction, shall be credited to the appropriate cause against the inmate's discretionary minimum term, mandatory minimum term, and maximum sentence.

Pursuant to *In Re Knapp*, 102 Wn.2d 175 (1984), which holds that time spent in a state mental hospital pursuant to a valid criminal conviction should be credited against the offender's maximum and discretionary minimum sentences, the board herein adopts the following policy and procedure. State mental hospital time, certified by the mental facility in which the offender served or recognized by court of competent jurisdiction, shall be credited to the appropriate cause against the offender's discretionary minimum term, mandatory minimum term, and maximum sentence.

Minimum terms which have not been set will have the sentencing ranges used in the setting of the minimum term adjusted downward to reflect jail time and time spent in a state hospital where properly certified. Adjustments will be made to the cause number for which the time was actually served.

NEW SECTION

WAC 381-30-090 DOCUMENTS REQUIRED. The board shall require certain documents pertaining to those offenders sentenced to a Washington state correctional facility under the indeterminate system and whose minimum term was fixed by the sentencing court as follows:

- (1) Original judgment and sentence;
- (2) Warrant of commitment;
- (3) Signed statement of the prosecuting attorney approved by the sentencing judge;
- (4) Institution admission summary;
- (5) Presentence investigation report or other field reports, if extant;
- (6) An accurate certification of credits for presentence and probationary jail time.

The prosecuting attorney of each county and the secretary, department of corrections, are enjoined to provide the applicable aforementioned documents to the

board at its offices in Olympia within twenty-one calendar days after the arrival of each convicted person at an adult correctional facility.

NEW SECTION

WAC 381-30-100 CASE PREPARATION. The board shall prepare every case thoroughly prior to fixing the new minimum term or establishing the next board action on a case. Preparation includes:

- (1) Establishing case file;
- (2) Reviewing all pertinent documents;
- (3) Scoring all cases to determine the standard range pursuant to RCW 9.94A.040;
- (4) Entering data into the offender based tracking system.

The board will take whatever amount of time is necessary for appropriate deliberation and decision on each case.

NEW SECTION

WAC 381-30-110 PANEL DECISIONS. All minimum term decisions will be conducted by a panel of at least two members of the indeterminate sentence review board. All such decisions will be fully supported by reasons for the decision.

NEW SECTION

WAC 381-30-120 DEFERRED DECISIONS. In those cases where the board panel conducting a minimum term review cannot agree as to the term, a deferred decision shall occur and such cases will be referred to the full board for resolution. No decision will be communicated until all board members have voted. In addition, the panel may take a deferred decision in cases where more information is required prior to setting the term.

NEW SECTION

WAC 381-30-130 PREMINIMUM TERM CONFERENCES PROHIBITED. No member or members of the indeterminate sentence review board shall engage in a personal conference with anyone regarding a convicted and committed person prior to the fixing of a minimum or new minimum term. The board will, however, accept written statements from anyone regarding such a convicted committed person.

NEW SECTION

WAC 381-30-140 MINIMUM TERM DECISIONS. New minimum term and minimum term decisions within its jurisdiction will be set by a panel of the board after full administrative review. The board reserves the right to schedule an in-person meeting.

In the event of an in-person meeting, the convicted person and such institutional persons as the members conducting the meeting deem appropriate may be present. A limited number of observers may be present by prior approval of the panel members conducting the meeting, provided that the inmate who is the subject of the meeting and the superintendent of the institution

where the meeting is to be conducted do not object. However, no family members, friends, relatives, or interested parties shall be present. No attorneys or advocates will be permitted at admissions meetings. The board will accept and consider written statements submitted by individuals expressly excluded from in-person meetings.

NEW SECTION

WAC 381-30-150 MINIMUM TERM CHALLENGES. The indeterminate sentence review board shall fix and review minimum terms in accordance with RCW 9.95.040 and 9.95.009(2). Inmates shall be provided in writing the information used in arriving at the minimum term. Inmates wishing to challenge adverse information used by the board for just cause may do so in writing to the board through their institution counselor. The burden of proof in refuting such adverse information shall lie with the inmate.

NEW SECTION

WAC 381-30-160 CONCURRENT/CONSECUTIVE SENTENCES. The board shall observe RCW 9.92.080, In Re Chapman, 105 Wn.2d 211 (1986) and In Re Irwin, 110 Wn.2d 175 (1988), in fixing concurrent or consecutive sentences in cases where there are multiple convictions.

NEW SECTION

WAC 381-30-170 TIME START. An individual's sentence will begin on the date the judgment and sentence is signed.

If he is at liberty following the signing of the judgment and sentence, credit on his sentence will begin on the date that his parole was suspended or the date of service, whichever was later, if he was not in custody at the time his parole was suspended.

NEW SECTION

WAC 381-30-180 ORDER OF MINIMUM TERM. Orders fixing the new minimum term will be signed by the members who fixed the term. The original order will be maintained in the board file and a copy of such order will be mailed to the institution of confinement.

Chapter 381-40 WAC PROCEDURES FOR ADMINISTRATIVE PROGRESS AND PAROLE REVIEWS

NEW SECTION

WAC 381-40-010 PURPOSE. The purpose of this chapter is to specify policies and procedures for the administrative review of an inmate's progress while incarcerated, as well as review of parole eligibility.

NEW SECTION

WAC 381-40-020 AUTHORITY. RCW 9.95.150 and 9.95.009(2).

NEW SECTION

WAC 381-40-030 SCOPE. The provisions of this chapter shall apply to persons convicted of felony offenses in the state of Washington and sentenced to confinement in an adult correctional facility, whose crimes were committed on or before July 1, 1984, and are therefore subject to the state's jurisdiction under the indeterminate sentencing system, and those officials charged with processing such convicted persons through the adult correctional system.

NEW SECTION

WAC 381-40-040 PROGRESS REVIEW. The board may elect to review each prisoner's progress during confinement. This review will normally be done at intervals of twenty-four months, calculated from the prisoner's effective time start.

The department of corrections may request, in writing, the following:

- (1) An advance of the regularly scheduled progress review date;
- (2) That the progress review be conducted at an in-person meeting;
- (3) That a scheduled progress review be changed to a parole review.

NEW SECTION

WAC 381-40-050 REQUIRED DOCUMENTS—PROGRESS REVIEWS. In order for the board to conduct a progress review on an inmate, the following documents pertaining to that inmate shall be present in the official board file prior to the review.

- (1) The institutional progress report covering his or her adjustment, achievement, infractions, and program participation since the last meeting with the board (Form 530X).
- (2) Complete furlough report, if applicable.
- (3) A current psychological or psychiatric report, if specifically requested by the board in writing to the superintendent.

NEW SECTION

WAC 381-40-060 PAROLE REVIEWS. At its discretion, the board may elect to meet with selected prisoners prior to parole. The board normally will parole individuals after administrative review only.

NEW SECTION

WAC 381-40-070 REQUIRED DOCUMENTS—PAROLE REVIEWS. In order for an inmate to be approved for a parole meeting or an administrative parole decision, the board must first be satisfied that he or she is ready to be considered for release. In addition, the following documents pertaining to the inmate shall be provided by the department of corrections and shall be present in the official board file prior to the meeting or the decision:

- (1) The institution progress report covering his or her adjustment, achievement, infractions and program participation since the last meeting with the board.

(2) The institution preparole referral report.

(3) A current preparole investigation report prepared by a community corrections officer.

(4) The institution superintendent's statement and certification of good time credits, earned or denied.

In the case of administrative parole, the good time shall be certified through the date of the submission of the preparole referral. The board will assume that all good time is earned from that date until the date of parole. The department of corrections shall notify the board of all infractions and loss of good time which occurs between the date the preparole referral is sent and the date of parole.

(5) A current psychological or psychiatric report, if requested by the board.

(6) A full review and report from the superintendent pertaining to the inmate's prospects for rehabilitation pursuant to RCW 9.95.052.

NEW SECTION

WAC 381-40-080 PERSONS PRESENT: IN-PERSON PAROLE MEETINGS. The convicted person and such institutional persons as the members conducting the meeting deem appropriate may be present during the parole meeting. A limited number of observers may be present by prior approval of the panel members conducting the meeting provided that the inmate who is the subject of the meeting and the superintendent of the institution where the meeting is to be conducted do not object. However, no family members, friends, relatives, or interested parties shall be present. No attorneys or advocates will be permitted at parole meetings. The board will accept and consider any written statements submitted by individuals expressly excluded from in-person meetings. Exclusion of observers other than those expressly excluded herein shall be had only upon a finding of cause made by the board panel on the hearing record except in cases where the institutional superintendent denies access to the hearing room. The board reserves the right to exclude any person(s) from the room during the conduct of any meeting under this chapter upon its own motion or that of any party to the hearing provided that good cause for such exclusion is articulated on the record. In the event of a language communication problem, an interpreter designated by the board shall be present to interpret and assist. The board will accept information from any interested person in writing.

NEW SECTION

WAC 381-40-090 GOOD TIME CREDITS. RCW 9.95.070 provides that every convicted person who has a favorable record of conduct and who performs the work, duties, and tasks assigned to him to the satisfaction of the superintendent and in whose behalf the superintendent files a report certifying that his conduct and work have been meritorious and recommending allowance of time credits to him shall, upon but not until, the adoption of such recommendation by the board, be allowed time credits from the term of imprisonment fixed by the board. The board will consider granting of

good time credits only when certification is received from the superintendent. In every case there shall be a report filed, either certifying good time credits or denying them. This report shall set forth the reasons for the action taken.

NEW SECTION

WAC 381-40-100 PAROLE ELIGIBILITY. Upon completion of the minimum term, an inmate is eligible to be considered for parole when he or she presents an acceptable parole plan unless the board determines that the inmate is not parolable pursuant to RCW 9.95.100, and presents an unacceptable risk to the safety of the community.

An acceptable parole plan must include:

(1) Legal means of support (family, friends, job, school, grant, etc.);

(2) Suitable residence;

(3) Agreement to comply with standard or special conditions of parole, if deemed necessary by the board, to aid reintegration into the community and reduce the potential to re-offend.

NEW SECTION

WAC 381-40-110 ORDERS OF PAROLE. (1) The board's order of parole and conditions shall include five standard conditions of parole as follows:

(a) Upon release from the institution, report as instructed to your community corrections officer (or any other person designated) and thereafter make a correct report as often as directed.

(b) Secure written permission of your community corrections officer before leaving the state of Washington.

(c) Obey all laws and abide by any special conditions imposed by the indeterminate sentence review board or any written instructions issued by a community corrections officer of the department of corrections.

(d) At no time purchase, own, have in your possession, or under your control, any firearm or deadly weapon. (Muzzle loading firearms and antique firearms are classified as deadly weapons and may not be owned, possessed by, or under the control of a parolee.)

(e) Submit to a search of your person, residence, vehicle, and possessions whenever requested to by your community corrections officer.

The board may impose additional conditions of parole on a case-by-case basis.

(2) The board may impose additional restitution if the court establishes the amount and orders payment. The board may impose restitution in lieu of a fine or if the defendant is ordered to contribute to the crime victims compensation fund.

(3) The order of parole in each case will be signed by the members of the board who reviewed and approved the plan or who conducted the meeting which resulted in approval for parole. The order of parole will be served in person on the inmate the day he or she is scheduled for release. The inmate's signature on the order of parole will be witnessed and the witness will also sign the order of parole in the space provided on the document. An inmate will not be released unless he or she has signed the

valid order of parole in the presence of a witness. In cases where the inmate refuses to sign the order of parole, the order of parole will be returned to the board with a written explanation of the refusal to sign and the parole will be cancelled.

As a term and condition of parole, the board may impose a requirement that the parolee take a polygraph examination. Failure to pass the polygraph examination shall not be a basis for parole suspension or revocation. In accepting the polygraph condition, the parolee does not waive any constitutional rights which prohibit self-incrimination for any criminal activity for which the parolee has not been released on parole. However, the parolee is advised that the board may still suspend and revoke parole for failure to comply with any term and condition of parole, including the condition to submit to a polygraph examination.

NEW SECTION

WAC 381-40-120 LENGTH OF PAROLE. The length of active parole supervision will not be established at the time of parole or reinstatement of parole. For some offenders, the period of supervision may extend until the maximum expiration date. Others may be considered for a conditional discharge from supervision (CDFS) in response to a community corrections officer's request, accompanied by an assessment and full report after a period of active supervision. The board may also grant a CDFS at the time of parole.

NEW SECTION

WAC 381-40-130 DEFERRED DECISIONS. Normally, the members conducting a case review will make the decision. However, if the panel members cannot reach an agreement, if they wish further information, if they wish a legal opinion, if they wish to give the case further study and consideration, or if they wish to have the full board consider waiver of a mandatory, the board will designate the decision a "deferred decision." The institution of confinement shall be advised in writing of the board's decision as soon as the decision is final.

NEW SECTION

WAC 381-40-140 WAIVER OF MANDATORY MINIMUM TERM. Except when an inmate of an adult correctional institution has been sentenced under a statutorily nonwaivable mandatory, the board may parole an inmate prior to the expiration of a mandatory minimum term, provided such inmate has demonstrated a meritorious effort in rehabilitation and at last two-thirds of the board members concur in such action; provided further, that any inmate who has a mandatory minimum term and is paroled prior to expiration of such term according to this rule and pursuant to RCW 9.95.040, shall not receive a conditional discharge from supervision while on parole until after the mandatory minimum waivable mandatory term has expired. Statutorily nonwaivable mandatory terms include murder first degree and murder second degree.

The question of waiver of the mandatory minimum term may be referred to the full board by any member

of the panel which has been assigned to review the matter. The board will review and consider any recommendation submitted by the superintendent for waiving of a mandatory minimum term:

The resident shall serve a portion of the mandatory term as follows:

- (1) Two years if mandatory term is five years;
- (2) Three years if mandatory term is seven and one-half years;
- (3) Six years if mandatory term is fifteen years;
- (4) Eight years if mandatory term is twenty years.

NEW SECTION

WAC 381-40-150 PAROLE TO CONSECUTIVE SENTENCE. Upon submission of a certification of good time credits by an institution superintendent, the board may parole to the consecutive cause so that the good time release date of the first cause becomes the time start of the second cause.

NEW SECTION

WAC 381-40-160 PAROLE TO DETAINER OR DEPORTATION. A written notice, signed by the superintendent, will be provided to the board as soon as a detainer is lodged and filed against an inmate and copies of all correspondence referring to detainees and all written notices shall be sent immediately to the board. The board's policy regarding detainees is that an individual whose minimum term has been set may be paroled to a detainer on or after his parole eligibility review date (PERD).

If paroled to an immigration detainer, the board may require an alternative board approved parole plan. If released from the immigration detainer, the parolee must report to the nearest division of community corrections office within twenty-four hours.

NEW SECTION

WAC 381-40-170 LOSS OF LIFE POLICY. It shall be the policy of the board that any individual who is serving a term as a result of a conviction for murder first degree, murder second degree, manslaughter, negligent homicide, and vehicular homicide, or any other crime resulting in a loss of life shall be referred to the full board for an affirmative vote prior to being paroled, and that such parole shall be granted only by an affirmative vote by the majority of the board. A board panel may schedule a parole meeting in such cases but will defer any decision until the full board reviews the plan and votes.

When a loss of life case has a waivable mandatory minimum term, the waiver of the mandatory must occur, and be completed, prior to the scheduling of a parole review and the subsequent full board vote on the parole. In this circumstance, two distinct votes must occur.

Chapter 381-50 WAC PROCEDURES FOR CONDUCTING DISCIPLINARY HEARINGS

NEW SECTION

WAC 381-50-010 PURPOSE. The purpose of this chapter is to specify policy and procedures relating to disciplinary hearings.

NEW SECTION

WAC 381-50-020 AUTHORITY. RCW 9.95.080 and 9.95.009(2).

NEW SECTION

WAC 381-50-030 SCOPE. The provisions of this chapter shall apply to adult offenders sentenced under the indeterminate sentencing law and committed to a period of confinement in a Washington state correctional facility, those state officials charged with their care and supervision, and parties to the hearing.

NEW SECTION

WAC 381-50-040 PETITION. Whenever any convicted person sentenced under the indeterminate sentencing law serving sentence in an adult correctional institution commits any infractions of the rules and regulations of the institution, the department of corrections may request, in writing, that the board conduct a disciplinary hearing. The written request shall include:

(1) Time, place, and a statement of the factual circumstances of the rule infraction and any disciplinary action imposed by the institution.

(2) Recommendation of the superintendent.

(3) Evidence of referral to the prosecuting attorney in the event of escape or a rule violation of a felonious nature, and current status of referral.

(4) In the event the rule infraction concerns escape, the following additional information shall be provided:

(a) Facts of the escape;

(b) Activities during the escape;

(c) Causes and motivations for escape;

(d) Dates of escape and return to custody;

(e) Evaluation.

In the event that the rule infraction occurs within fifteen days of the inmate's parole date, the board will accept and act on telephonic reports from the superintendent pending receipt of the written request.

The indeterminate sentence review board reserves the right to schedule disciplinary hearings on its own motion when a major rule infraction is brought to the attention of the board.

The decision to schedule a disciplinary hearing will be made by the vote of the full board.

Pursuant to the provisions of RCW 9.95.080, a disciplinary hearing may be characterized as an adversary hearing in that the subject of the hearing shall be present and entitled to be heard and may present evidence and witnesses in his behalf.

NEW SECTION

WAC 381-50-050 SUSPENSION OF PAROLE DATE. The board may suspend the parole date of any individual who is scheduled for a disciplinary hearing pending the outcome of the hearing.

NEW SECTION

WAC 381-50-060 INMATE TO BE SERVED NOTICE. The board will provide to the institution superintendent three copies of a hearing notice for service upon the inmate at least ten working days prior to any hearing scheduled for that inmate pursuant to RCW 9.95.080. The hearing notice shall specify the type, time, and place of the hearing as well as the reason for that hearing. Possible sanctions, including a statement that no sanction shall exceed the maximum term, will also be included in that notice.

(1) Upon receipt of the hearing notice, the superintendent or his designee shall immediately serve the subject inmate with the document.

(2) The original of the hearing notice showing date of service and signed by the inmate shall be returned immediately to the board offices in Olympia. One copy may be retained in the inmate's institutional file and one copy will be provided to the inmate.

(3) In cases where the inmate refuses to sign the notice, the superintendent or his designee shall note the time and place of service and obtain the signature of a witness to such service.

NEW SECTION

WAC 381-50-070 INMATE SHALL BE ADVISED OF RIGHTS. Each inmate who becomes the subject of a hearing conducted under the provisions of RCW 9.95.080 shall be advised of his rights orally and in writing at the time he is served with a notice of the hearing. The written notice provided by the board will advise the resident that:

(1) He has been accused of a major rule infraction;

(2) The minimum term may be redetermined but not until after a hearing in front of the board where he is present and given the opportunity to be heard under oath and explain the alleged violations to the board;

(3) He will have the right to have an attorney present, but at his own expense.

NEW SECTION

WAC 381-50-080 WITNESSES. The subject of any hearing conducted under the provisions of this chapter may call witnesses on his behalf and at his expense. Such witnesses shall appear voluntarily and shall be limited to those persons who have knowledge of, or who have specific testimony about the allegations which caused the hearing to be convened. The superintendent or his designee shall provide assistance to the inmate in notifying witnesses of the time and place of the hearing as requested by the inmate. The presiding officer may, in certain cases, direct the superintendent to make any staff member or prisoner available for testimony.

The board may allow, accept, and consider telephonic testimony. The witness whose testimony is received telephonically shall be telephonically available for cross-examination.

NEW SECTION

WAC 381-50-090 CONDUCTING A HEARING. All hearings conducted under the provisions of this chapter shall be conducted by a panel of at least two members of the board. One of the members will serve as the presiding officer.

The panel may question witnesses called to testify at the hearing to develop any facts deemed necessary to render a fair and impartial decision.

Observers may be present at the hearing if prior approval has been granted by the facility superintendent and the inmate who is the subject of the hearing does not object. However, no family members, friends, relatives, or interested parties may be present. The board will accept and consider written statements submitted by individuals expressly excluded from hearings. Exclusion of observers other than those expressly excluded herein shall be by cause articulated on the record by the presiding officer of the board panel conducting the hearing.

NEW SECTION

WAC 381-50-100 CONTINUANCES. Continuances may be granted by the board prior to and during hearings conducted under provisions of this chapter, either on its own motion or on petition of the subject of the hearing, provided that such petition is sent to the board in writing immediately upon receipt of the hearing notice and that it specifies the reasons for continuance. Continuances requested during the hearing may be granted by the board panel if it appears in the public interest or in the interest of justice that further testimony or argument should be received.

NEW SECTION

WAC 381-50-110 PREHEARING CONFERENCES. The presiding officer conducting a hearing under the provisions of this chapter may require the parties to appear at a specified time and place for a conference immediately prior to the hearing to discuss and define procedural matters pertaining to the hearing.

NEW SECTION

WAC 381-50-120 INMATE TO BE PRESENT. The subject of any hearing conducted under the provisions of this chapter shall be present during the conduct of the hearing. However, in the event the subject refuses to appear, the board will continue the hearing until the next scheduled visit by the board to that particular institution. In the event that the subject of the hearing again refuses to appear, then the hearing will be conducted in absentia.

NEW SECTION

WAC 381-50-130 OATHS AND AFFIRMATIONS. The presiding officer conducting hearings under the provisions of this chapter shall have the authority to administer oaths and affirmations.

NEW SECTION

WAC 381-50-140 OPPORTUNITY TO WAIVE. At the time of the disciplinary hearing, it shall be the duty of the presiding officer conducting the hearing to query the inmate and to review the file to determine whether the inmate was given proper notice of the hearing, and was advised of the reason for the hearing, and was properly advised of his or her rights to witnesses. If it is determined that the inmate was not properly served or advised of his or her rights, the inmate shall have the opportunity to:

(1) Waive such rights, orally or in writing, to the board, at which time the hearing would proceed; or

(2) Request a continuance of the hearing until proper services of notice and rights can be perfected.

NEW SECTION

WAC 381-50-150 RULES OF EVIDENCE—ADMISSIBILITY. All relevant evidence shall be admissible which, in the opinion of the presiding officer, is the best evidence obtainable, having due regard for its necessity, availability, and trustworthiness. "Relevant evidence" means evidence having a tendency to make the existence of any fact that is of more consequence to the determination of the action more or less probable than it would be without evidence. In passing upon admissibility of evidence, the presiding officer conducting the hearing shall give consideration to, but shall not be bound to follow, the rules of evidence governing civil proceedings in matters not involving trial by jury in the superior courts of the state of Washington.

The presiding officer may, either with or without objection, exclude inadmissible evidence, or order accumulative evidence discontinued. Parties objecting to the introduction of evidence shall state the precise grounds of such objection at the time evidence is offered. If the sole evidence is inadmissible hearsay, a finding of guilty shall not be made.

NEW SECTION

WAC 381-50-160 DISPOSITION. The board panel shall render a decision on each case heard under the provisions of this chapter.

In disciplinary hearings, sanctions may range from no change in the length of sentence to redetermination of the original sentence and imposition of an extension of the term not to exceed the maximum term. Denial of any good time credits, past and future, is optional with the board panel.

NEW SECTION

WAC 381-50-170 STATEMENT OF FINDINGS AND CONCLUSIONS. The board will make a concise written statement of findings and conclusions in each case heard under the provisions of this chapter.

NEW SECTION

WAC 381-50-180 HEARING RECORD PRESERVATION. There will be a magnetic tape recording made of all hearings conducted under the provisions of

this chapter. Such recordings shall be preserved at the offices of the board in Olympia for no more than six months subsequent to the hearing. Parties requesting partial or total duplication of any hearing must obtain a court order to effect release of the duplicate recording or request such recordings pursuant to the Public Disclosure Act and reimburse the board for the costs involved in such a procedure.

**Chapter 381-60 WAC
PROCEDURES FOR CONDUCTING PAROLABILITY HEARINGS**

NEW SECTION

WAC 381-60-010 PURPOSE. The purpose of this chapter is to specify policies and procedures relating to hearings conducted to determine the parolability of certain offenders.

NEW SECTION

WAC 381-60-020 AUTHORITY. RCW 9.95.100 and 9.95.009(2).

NEW SECTION

WAC 381-60-030 SCOPE. The provisions of this chapter shall apply to adult offenders sentenced and committed under the indeterminate sentencing laws committed to a period of confinement in a Washington state correctional facility, those state officials charged with their care and supervision, and parties to the hearing.

NEW SECTION

WAC 381-60-040 PETITION. RCW 9.95.100 states that any convicted person undergoing sentence in the penitentiary or reformatory not sooner released under the provisions of this chapter shall, in accordance with the provisions of law, be discharged from custody for the offense of which such person was convicted or the maximum term fixed by the court where the law does not provide for a maximum term. The board shall not, however, until the maximum term expires, release a prisoner unless in its opinion, his rehabilitation has been complete and he is a fit subject for release. Therefore, if, in the opinion of an institution superintendent, any convicted person serving a sentence in an adult correctional institution is not a fit subject for release and is considered to be incapable of succeeding on parole because of incomplete rehabilitation, the department of corrections may request in writing that the board conduct a hearing pursuant to RCW 9.95.100. The written request shall include:

- (1) A statement to the board giving reasons why the subject of the request is unable to be paroled;
- (2) Report of the superintendent, pursuant to RCW 9.95.052;
- (3) Supporting data such as psychiatric or psychological reports;
- (4) Other reports and information as necessary.

The board reserves the right to schedule hearings pursuant to RCW 9.95.100 on its own motion.

NEW SECTION

WAC 381-60-050 SUSPENSION OF PAROLE DATE. The board may suspend the parole date of any individual who is scheduled for a parolability hearing pending the outcome of the hearing.

NEW SECTION

WAC 381-60-060 INMATE TO BE SERVED NOTICE. The board will provide to the institution superintendent the copies of a hearing notice for service upon the inmate at least ten working days prior to any hearing scheduled for that inmate pursuant to RCW 9.95.100. The hearing notice shall specify the type, time, and place of the hearing as well as the reason for the hearing. Possible actions, including a statement that no action shall exceed the maximum term, will also be included in the notice.

(1) Upon receipt of the hearing notice, the superintendent or his designee shall immediately serve the subject inmate with the document.

(2) The original of the hearing notice showing date of service and signed by the inmate shall be returned immediately to the board offices in Olympia. One copy may be retained in the inmate's institutional file and one copy will be provided to the inmate.

(3) In cases where the inmate refuses to sign the notice, the superintendent or his designee shall note the time and place of service and obtain the signature of a witness to such service.

NEW SECTION

WAC 381-60-070 INMATE SHALL BE ADVISED OF RIGHTS. Each inmate who becomes the subject of a hearing conducted under the provisions of RCW 9.95.100 shall be advised of his rights, orally and in writing, at the time he is served with a notice of the hearing. The written notice provided by the board will advise the resident that:

(1) His minimum term may be redetermined but not until after a hearing in front of the board where he is present and given the opportunity to be heard under oath;

(2) He will have the right to present evidence and witnesses in his behalf;

(3) He will have the right to have an attorney present, but at his own expense since the board has no funds to pay for attorneys, witness fees, the cost of subpoenas, or any other related costs that may be incurred by the inmate.

NEW SECTION

WAC 381-60-080 WITNESSES. The subject of any hearing conducted under the provisions of this chapter may call witnesses on his behalf and at his expense. Such witnesses shall appear voluntarily and shall be limited to those persons who have knowledge of, or have specific testimony about, the factors which may have caused the hearing to be convened. The superintendent or his designee shall provide assistance to the inmate in notifying witnesses of the time and place of

the hearing as requested by the inmate. The presiding officer may, in certain cases, direct the superintendent to make any staff member or prisoner available for testimony. For purposes of this section, family members and friends who wish to testify as to disposition may do so in writing. See WAC 381-60-090 for reference.

NEW SECTION

WAC 381-60-090 CONDUCTING A HEARING. All hearings conducted under the provisions of this chapter shall be held before a panel of at least two members of the indeterminate sentence review board. One member shall be designated, by decision of the panel, as the presiding officer.

A limited number of observers may be present by prior approval of the panel members conducting the hearing, provided that the inmate who is the subject of the hearing, and the superintendent of the institution where the hearing is to be conducted, do not object. However, no family members, friends, relatives, or interested parties shall be present. The board will accept and consider written statements submitted by individuals expressly excluded from hearings.

Exclusion of observers other than those expressly excluded herein shall be had only upon a finding of cause made by the board panel on the hearing record except in cases where the institutional superintendent denies access to the hearing room. The board reserves the right to exclude any person from the room during the conduct of any hearing under this chapter upon its own motion or the motion of any party to the hearing provided that good cause for such exclusion is articulated on the record. The presiding officer may recess the hearing at any time for consultation with the other panel member(s). The panel may question witnesses called by the parties to the hearing (as well as the subject of the hearing whether called as a witness or not) to develop any facts deemed necessary to render a fair and impartial decision. The panel conducting the hearing will make the final decision after the hearing as to any change in minimum term. In the event of a language communication problem, an interpreter designated by the board shall be present to interpret and assist. The board will accept information from any interested person in writing.

NEW SECTION

WAC 381-60-100 CONTINUANCES. Continuances may be granted by the board prior to and during hearings conducted under this chapter, either on its own motion or on petition of the subject of the hearing, provided that such petition is sent to the board in writing immediately upon receipt of the hearing notice and that it specifies the reasons for the continuance. Continuances requested during the hearing may be granted by the board panel if it appears in the public interest or in the interest of justice that further testimony or argument should be received.

NEW SECTION

WAC 381-60-110 PREHEARING CONFERENCES. The presiding officer conducting a hearing under this chapter may require the parties to appear at a specified time and place for a conference immediately prior to the hearing to discuss and define procedural matters pertaining to the hearing.

NEW SECTION

WAC 381-60-120 INMATE TO BE PRESENT. The subject of any hearing conducted under the provisions of this chapter shall be present during the conduct of the hearing. However, in the event the subject refuses to appear, the board will continue the hearing until the next scheduled visit by the board to that particular institution. In the event that the subject of the hearing again refuses to appear, then the hearing will be conducted in absentia.

NEW SECTION

WAC 381-60-130 OATHS AND AFFIRMATIONS. The presiding officer conducting hearings under the provisions of this chapter shall have the authority to administer oaths and affirmations.

NEW SECTION

WAC 381-60-140 OPPORTUNITY TO WAIVE. At the time of the hearing under the provisions of RCW 9.95.100, it shall be the duty of the presiding officer conducting the hearing to query the inmate and to review the file to determine whether the inmate was given proper notice of the hearing, was advised of the reason for the hearing, and was properly advised of his rights to witnesses. If the presiding officer determines that this is not the case, the inmate will be advised that he can:

- (1) Waive such rights, orally or in writing to the board, at which time the hearing would proceed; or
- (2) Request a continuance of the hearing until proper service of notice and rights can be perfected.

NEW SECTION

WAC 381-60-150 RULES OF EVIDENCE—ADMISSIBILITY. All relevant evidence shall be admissible which, in the opinion of the presiding officer, is the best evidence reasonably obtainable, having due regard for its necessity, availability, and trustworthiness. "Relevant evidence" means evidence having a tendency to make the existence of any fact that is of consequence to the determination of the action more or less probable than it would be without the evidence. In passing upon admissibility of evidence, the presiding officer conducting the hearing shall give consideration to, but shall not be bound to follow, the rules of evidence governing civil proceedings in matters not involving trial by jury in the superior courts of the state of Washington. When objection is made to the admissibility of evidence, such evidence may be received subject to a later ruling. The presiding officer may, in his discretion, either with or without objection, exclude inadmissible evidence or order accumulative evidence discontinued. Parties objecting to

the introduction of evidence shall state the precise grounds of such objection at the time evidence is offered.

NEW SECTION

WAC 381-60-160 DISPOSITION. The board panel shall render a decision of either parolable or not parolable on each case heard under this chapter. All decisions concerning inmates convicted of murder in the first degree will be made by the full board.

Examples of adequate reasons for a finding of nonparolability are:

(1) Active refusal to participate in available program or resources designed to assist an offender to reduce the risk of reoffense (e.g., anger management, substance abuse treatment).

(2) Serious and repetitive disciplinary infractions during incarceration.

(3) Evidence of an inmate's continuing intent or propensity to engage in illegal activity (e.g., victim harassment, criminal conduct while incarcerated, continued use of illegal substances).

(4) Statements or declarations by the inmate that he or she intends to re-offend or does not intend to comply with conditions of parole.

(5) Compelling evidence within a mental health, psychosocial, or psychological report that an inmate presents a substantial danger to the community if released.

In parolability hearings, actions may range from no change in the length of sentence to redetermination of the original sentence and imposition of an extension of the term not to exceed the maximum term. Good time credits will not be addressed inasmuch as there are no allegations of rule infractions.

NEW SECTION

WAC 381-60-170 STATEMENT OF FINDINGS AND CONCLUSIONS. The board will make a concise written statement of findings and conclusions in each case heard under the provisions of this chapter.

NEW SECTION

WAC 381-60-180 HEARING RECORD PRESERVATION. There will be a magnetic tape recording made of all hearings conducted under the provisions of this chapter. Such recordings shall be preserved at the offices of the board in Olympia for not less than six months subsequent to the hearing. Parties requesting partial or total duplication of any hearing must obtain a court order to effect release of the duplicate recording or request such recordings pursuant to public disclosure and reimburse the board for the costs involved in such a procedure.

Chapter 381-70 WAC

PROCEDURES FOR CONDUCTING PAROLE REVOCATION HEARINGS

NEW SECTION

WAC 381-70-010 PURPOSE. The purpose of this chapter is to specify policies and procedures relating to parole revocation hearings.

NEW SECTION

WAC 381-70-020 AUTHORITY. RCW 9.95.120 through 9.95.130 and 9.95.009(2).

NEW SECTION

WAC 381-70-030 SCOPE. (1) The provisions of this chapter shall apply to adult felony offenders granted parole from a Washington prison sentence who are alleged to have violated the terms of their order of parole, those state officials charged with the supervision of such parolees, and parties to parole revocation hearings.

(2) The indeterminate sentence review board will exercise its authority over parolees in a manner that:

(a) Places a high priority on public safety.

(b) Facilities sentencing system transition consistent with the purposes of the Sentencing Reform Act.

(c) Imposes only those reasonable and enforceable conditions of parole necessary to encourage responsibility, and to assist the offender's lawful reintegration into the community.

(d) Supports the role and responsibility of the community corrections officer to assist offenders to re-enter the community in a law abiding manner.

(3) The indeterminate sentence review board, as the successor agency to the board of prison terms and paroles, was directed by the legislature to facilitate the transition to the determinate sentencing system and to implement a gradual phase out of the indeterminate system. However, indeterminate offenders shall be held strictly accountable to their conditions of parole. Violations of parole, including felony behavior being prosecuted under the Sentencing Reform Act, shall be considered.

(4) In making a parole revocation or reinstatement decision, the indeterminate sentence review board will consider the following factors in addition to factors that are case specific:

(a) Whether or not the parole violation behavior also resulted in an SRA conviction and any incarceration time as a result of the new conviction;

(b) The relationship of the parole violations behavior to the committing offense and the nature of the violation;

(c) The length of time the parolee has been on parole;

(d) The perspective and recommendation of the victim;

(e) The recommendation and supporting reasons offered by the community corrections officer, the parolee, and the assistant attorney general;

(f) The level of risk to the community posed by the parolee;

(g) The previous board action during the period of parole;

(h) Purposes of the SRA.

NEW SECTION

WAC 381-70-040 NOTICE OF ARREST. Whenever a community corrections officer is notified of a parolee's arrest, he shall submit a notice of arrest to the board (and the attorney general) within twenty-four hours, excluding weekends and holidays. Such notice

shall include a concise but complete statement concerning the circumstances of the arrest, reason for arrest, and the date the community corrections officer found there is probable cause to believe that the parolee violated one or more conditions of parole. The community corrections officer shall state whether or not an order of suspension, arrest, and detention has been:

- (1) Issued, with the approval of a supervisor;
- (2) Issued without the supervisor's approval;
- (3) Requested but not approved; or
- (4) Not requested.

The community corrections officer shall state reasons for subsection (2), (3), or (4) of this section.

NEW SECTION

WAC 381-70-050 NOTICE OF SUSPENSION AND DETENTION. Whenever a community corrections officer arrests or detains a parolee, he shall issue an order of suspension, arrest, and detention. The community corrections officer shall also notify the board on-site desk of the suspension by telephone within twenty-four hours of service of the suspension order.

NEW SECTION

WAC 381-70-060 NOTICE OF SUSPENSION AND REQUEST FOR ARREST. Whenever a community corrections officer requests the arrest and detention of a parolee, he shall issue an order suspending said parolee's parole, and submit a copy of the order to the board and the attorney general within twenty-four hours of service.

NEW SECTION

WAC 381-70-070 NOTICE OF CLOSURE. Whenever a community corrections officer requests the arrest and detention of a parolee and issues an order of parole suspension and the parolee is not apprehended and detained within a reasonable period of time, the community corrections officer may close his interest with a report which will include the disposition of the unserved suspension warrant. Copies of such report will be forwarded to the board and the attorney general.

NEW SECTION

WAC 381-70-080 BOARD TO REINSTATE. Whenever a community corrections officer suspends, arrests, or detains a parolee, such parolee shall not be reinstated on parole or released from custody on bail or personal recognizance, except by the board and the issuance by the board of an order of reinstatement on parole to the same or modified conditions of parole.

NEW SECTION

WAC 381-70-090 ADMINISTRATIVE REINSTATEMENTS. Whenever a community corrections officer has suspended a parole and after investigation determines:

- (1) That the alleged violations are unfounded;
- (2) That the seriousness of the alleged violations is mitigated by new information; or

(3) Otherwise believes that further custody is deemed unwarranted and a parole revocation hearing is unnecessary;

he shall submit a written request or report with recommendations to the board. The board will accept and act on telephonic reports of the community corrections officer or supervisory personnel pending receipt of the officer's written report within ten working days. The board may exercise the option of administrative reinstatement when not recommended by the supervising community corrections officer, when such reinstatement is consistent with criteria identified within WAC 381-70-030.

NEW SECTION

WAC 381-70-100 CONDITIONAL RELEASE PENDING HEARING. An administrative review of the parole violation report and of information submitted by the alleged violator or his attorney shall be conducted by the board after the parolee has been arrested, to determine probable cause for suspension. If probable cause is found then a determination is made whether the violation requires a revocation hearing, and to determine whether there is reason to allow the parolee to be conditionally released on parole pending the revocation hearing. Such administrative review shall take place within fifteen days after the service of the order of parole suspension, arrest, and detention.

NEW SECTION

WAC 381-70-110 BOARD TO NOTIFY ATTORNEY GENERAL. The board shall promptly provide the attorney general with copies of orders of reinstatement on parole issued prior to a parole revocation hearing which has been previously scheduled.

NEW SECTION

WAC 381-70-120 SERVICE OF FACTUAL ALLEGATIONS. Whenever a community corrections officer is notified of the arrest and detention of an alleged parole violator and such alleged parole violator's parole has been suspended, or is suspended by the community corrections officer, the community corrections officer shall personally serve the parolee with a copy of the factual allegations within three working days of the suspension of parole. Such allegations of violation shall be submitted to the board with a copy to the attorney general within twenty-four hours of service.

If, after service of alleged violations as set forth above, additional alleged violations are brought forth by the community corrections officer, the CCO shall personally serve the parolee with a copy of those allegations. The parolee will have ten calendar days from the date of service of those allegations before the board will consider those additional allegations at an on-site parole revocation hearing. The parolee may waive the ten calendar days notice and proceed with those allegations at an already scheduled on-site parole revocation hearing. Such allegations of violation shall be submitted to the board with a copy to the attorney general within twenty-four hours of service.

NEW SECTION

WAC 381-70-130 CONTENTS OF FACTUAL ALLEGATIONS. The factual allegations of the violations of each condition shall include:

- (1) The circumstances of violation;
- (2) Date of violation or approximation thereof; and
- (3) Location or place where violation occurred.

Whenever a parolee is accused of a violation of his parole which includes the commission of, and conviction for, a felony or misdemeanor, the community corrections officer shall request that verification of such conviction be forwarded from the court of conviction to the board.

NEW SECTION

WAC 381-70-140 PAROLEE TO BE ADVISED OF RIGHTS. Whenever an alleged parole violator is served with the factual allegation of the violation of the conditions of parole and with an order suspending parole, the community corrections officer shall advise the parolee orally and in writing of his right to an administrative review to determine probable cause and whether there is reason to allow the parolee to be conditionally released pending the revocation hearing. The community corrections officer shall also advise the parolee of his right to an on-site parole revocation hearing, and of his rights and privileges pertaining to each proceeding.

NEW SECTION

WAC 381-70-150 RIGHTS AND PRIVILEGES RELATING TO ADMINISTRATIVE REVIEW. The parolee's rights and privileges pertaining to an administrative review are as follows:

- (1) An administrative review shall be conducted by a board hearing officer within fifteen days of service of the order of parole suspension, arrest, and detention.
- (2) The parolee shall be advised at the time of service of the order of suspension, arrest, and detention that he and his attorney may submit information in writing to the board which shall be considered by the board. Proper forms shall be given the parolee to allow the parolee to submit information concerning family stability, job situation, etc., as well as the opportunity to add whatever additional comments or information that is deemed appropriate.

NEW SECTION

WAC 381-70-160 RIGHTS AND PRIVILEGES RELATING TO REVOCATION HEARINGS. (1) An alleged parole violator shall be entitled to a fair and impartial hearing of the charges of the parole violation within thirty days of service of suspension in the state of Washington, reasonably near the site of the alleged violation(s).

- (2) The alleged parole violator shall be entitled to be represented by an attorney of his own choosing and at his own expense and shall have the right to present evidence and witnesses.

Upon satisfactory evidence of indigency and upon request, the board may cause the appointment of an attorney to represent the parolee at an on-site parole revocation hearing. In such cases, the cost of representation shall be paid by the board at a rate determined by legislative appropriation.

Counsel may ask, in writing, for exception to the established rate. Such requests should be directed to the executive secretary, indeterminate sentence review board.

- (3) Discovery. The community corrections officer shall provide, within ten days of suspension of parole, the parolee's defense attorney with a copy of the violations specified, the violation report, and all evidence relating to the violations charged intended for introduction at the hearing, either as factual evidence or in support of a dispositional recommendation.

Such documents, materials, and information may include, but not be limited to, copies of the parole order and addenda, copies of prior violation reports submitted to the board, and copies of all board actions or hearing findings issued during the current parole.

In addition, the CCO must provide to the parolee's attorney any material or information within the CCO's knowledge or possession which tends to negate the parolee's guilt as to the violations charged.

- (4) The board shall have the authority to issue subpoenas for compulsory attendance of witnesses and production of evidence, provided that an offer has been made to pay the statutory fees and mileage.

(5) The alleged parole violator may be requested to testify during the on-site hearing and any such testimony shall not be used against him in any criminal prosecution (RCW 9.95.124).

(6) The allegations of violations of the conditions of parole must be proven by a preponderance of evidence. At the conclusion of the hearing, or within ten days thereafter, the board shall make written findings and conclusions concerning the allegations.

(7) If the member, having heard the matter, should conclude that the allegations of violations of conditions of parole have not been proven by a preponderance of evidence or those that have been proven by a preponderance of evidence are not sufficient cause for revocation of parole, then the parolee shall be reinstated on parole on the same or modified conditions.

(8) If the member or members, having heard the matter, should conclude that the allegations of violations of conditions of parole have been proven by a preponderance of evidence and constitute sufficient cause for revocation of parole, then such member or members shall enter an order of parole revocation and return to state custody. Within thirty days of the return of such parole violator to a state correctional institution for convicted felons, the board shall enter an order determining a new minimum sentence, not exceeding the maximum penalty provided by law for the crime for which the parole violator was originally convicted or the maximum fixed by the court.

(9) A parolee who has been convicted and sentenced to prison on a new felony charge will have the right to a hearing pertaining to disposition only pursuant to In Re

Akridge, 90 Wn.2d 350 (1978), and the hearing will be held at the institution of confinement. Chapter 98, Laws of 1969 provides that an alleged parole violator, after service of the allegations of violations of the conditions of parole and the advice of rights, may admit to one or more of the alleged violations and waive the on-site hearing. If the board accepts the waiver, it shall either:

(a) Reinstate the parolee on parole under the same or modified conditions; or

(b) Revoke the parole of the parolee and enter an order of parole revocation and return to state custody for determination of a new minimum sentence. Such determination shall be made within thirty days of the return of such parole violator to a state correctional institution for convicted felons, and the board shall enter an order determining the new minimum sentence, not exceeding the maximum penalty provided by law for the crime for which the parole violator was convicted or the maximum fixed by the court.

NEW SECTION

WAC 381-70-170 **ACKNOWLEDGMENT OF RIGHTS.** Signed copies of the receipt and acknowledgment of these rights shall be forwarded with copies of the factual allegations to the board and the attorney general.

NEW SECTION

WAC 381-70-180 **REFUSAL TO ACKNOWLEDGE.** Should the parolee refuse to sign either the violations specified or notification of rights, the community corrections officer shall note the time and place of service. The community corrections officer shall certify that he has fully advised the parolee of his rights under this law.

NEW SECTION

WAC 381-70-190 **OPPORTUNITY TO WAIVE.** The community corrections officer shall give the parolee opportunity to complete the violations specified and waiver form immediately after the parolee has been advised of the factual allegations of parole violations and advised of his rights.

(1) If the parolee wishes to sign the violations specified and waiver form, the community corrections officer will witness the signature. The original of the completed waiver will be forwarded with the factual alleged violations and signed copy of receipt and acknowledgment of rights to the board with copies to the attorney general.

(2) If the parolee does not wish to admit to one or more violations or sign the waiver, the community corrections officer will so note in the space provided and forward with the factual alleged violations and signed copy of receipt and acknowledgment of rights.

(3) The parolee may sign the violations specified and waiver form at any time up to and including the date and time of his on-site parole revocation hearing.

NEW SECTION

WAC 381-70-200 **VIOLATION REPORT TO BE SUBMITTED BY COMMUNITY CORRECTIONS OFFICER.** The community corrections officer shall submit the report of violation to the board and the attorney general within ten calendar days from the date of service of the factual allegations.

This report will include a list of witnesses whom the parole officer may wish to have called for testimony. It should also include a recommendation whether or not waivers should be accepted by the board.

NEW SECTION

WAC 381-70-210 **VIOLATION REPORT TO BE SUBMITTED BY COMMUNITY CORRECTIONS OFFICER IN THE EVENT OF A WAIVER.** Notwithstanding a waiver of an on-site parole revocation hearing by the alleged parole violator, the supervising community corrections officer or his designee shall submit a report of violation for consideration by the board.

NEW SECTION

WAC 381-70-220 **ISSUANCE OF SUBPOENAS.** The board shall provide to the attorney general and the department of corrections upon request, subpoenas to be completed at the discretion of the attorney general and the department of corrections, provided that such subpoenas are executed without expense to the board.

NEW SECTION

WAC 381-70-230 **BOARD TO SCHEDULE HEARINGS.** The board shall schedule all on-site parole revocation hearings and shall provide notice to the alleged parole violator of the time and place of the hearing. Such notice shall also be provided to the department of corrections, the attorney general, and to counsel for the parolee, if known, at least seven days prior to the hearing. The board reserves the right to select and change the place of the on-site parole revocation hearing.

NEW SECTION

WAC 381-70-240 **SERVICE OF PAPERS—BY WHOM SERVED.** The board shall cause to be served all notices, orders, and other papers issued by it, personally or by first class mail, together with any other papers which it is required by law to serve. Every other paper shall be served by the party filing it with the board with proof of service, either personally or by affidavit of service by first class mail upon the parties and all counsel.

NEW SECTION

WAC 381-70-250 **UPON WHOM SERVED.** All papers served and filed by the board, or any party, shall be served upon all counsel of record at the time of such filing and upon parties not represented by counsel.

NEW SECTION

WAC 381-70-260 METHODS OF SERVICE. Except as otherwise provided by these rules and RCW 9.95.120 through 9.95.125, service of papers shall be made personally or by first class mail, or registered, or certified, return receipt requested.

NEW SECTION

WAC 381-70-270 WHEN SERVICE COMPLETE. Service upon parties shall be regarded as complete when documents are deposited in the United States mail properly stamped and addressed, or when served personally upon the intended party.

NEW SECTION

WAC 381-70-280 FILING WITH THE BOARD. Papers required to be filed with the board shall be deemed filed, upon actual receipt by the board at its offices in Olympia, or by a member at any place within the state accompanied by proof that service was made upon the parties required to be served.

NEW SECTION

WAC 381-70-290 SUBPOENAS—WHERE PROVIDED BY LAW—FORM. Every subpoena, where authorized by law, shall state "indeterminate sentence review board," the title of the proceeding, if any, the number assigned and shall command the person to whom it is directed to attend and give testimony or produce designated documents or things under his control at a specified time and place.

NEW SECTION

WAC 381-70-300 ISSUANCE TO PARTIES. Upon application of counsel for any party to a parole revocation case, there shall be issued to such parties subpoenas requiring the attendance and testimony of witnesses or the production of evidence in such proceeding.

The board may issue subpoenas to a party not represented by counsel upon request and upon showing of general relevance and reasonable scope of testimony or evidence sought.

NEW SECTION

WAC 381-70-310 QUASHING SUBPOENAS. Upon motion made promptly, and in any event, at or before the time specified in the subpoena for compliance by the person to whom the subpoena is directed and upon notice to the party to whom the subpoena was issued, the board or its authorized member may:

(1) Quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter at issue; or

(2) Condition denial of the motion upon just and reasonable conditions.

NEW SECTION

WAC 381-70-320 SUBPOENAS—ENFORCEMENT. Upon application and for good cause shown, the board or the member conducting the hearing may seek judicial enforcement of subpoenas in accordance with RCW 9.95.120 through 9.95.125, issued to parties and which have not been quashed.

NEW SECTION

WAC 381-70-330 SUBPOENAS—GEOGRAPHICAL SCOPE. Attendance of witnesses and the production of evidence by subpoena may be required from any place in the state of Washington, to any designated place of hearing.

NEW SECTION

WAC 381-70-340 CONDUCTING A HEARING—PRESIDING OFFICER. All hearings conducted under this chapter shall be heard by a member of the indeterminate sentence review board. It shall be the duty of the member to conduct hearings in cases assigned in an impartial and orderly manner, and he or she shall have the authority, subject to the other provisions of these rules, to:

- (1) Administer oaths and affirmations;
- (2) Issue subpoenas on request of any party;
- (3) Rule on all procedural matters, objections, and motions;
- (4) Rule on offers of proof and receive relevant evidence;
- (5) Interrogate witnesses called by the parties in an impartial manner to develop any facts deemed necessary to fairly and adequately decide the matter; and
- (6) Take any other action necessary and authorized by these rules and the law.

NEW SECTION

WAC 381-70-350 APPEARANCE AND PRACTICE BEFORE AGENCY—WHO MAY APPEAR. No person may appear in a representative capacity before the board or any member thereof at a parole revocation hearing other than the following:

- (1) Attorneys at law, qualified and entitled to practice before the supreme court of the state of Washington.
- (2) Out-of-state attorneys must comply with Admission to Practice Rule 7 (See Washington Court Rules).

NEW SECTION

WAC 381-70-360 STANDARDS OF ETHICAL CONDUCT. All persons appearing in parole revocation proceedings before the board or any member thereof in a representative capacity shall conform to the standards of ethical conduct required of attorneys before the courts of the state of Washington. If any such person does not conform to such standards, the board may decline to permit such person to appear in a representative capacity in any proceeding before it or any member thereof.

NEW SECTION

WAC 381-70-370 CONTINUANCES. Any party to a parole revocation hearing, or his or her counsel, who desires a continuance shall, immediately upon receipt of notice of hearing, or as soon thereafter as circumstances requiring such continuance come to his knowledge, notify the board by telephone followed by a written request stating in detail the reasons why such continuance is necessary.

Requests for continuances shall arrive at the board offices in Olympia not less than seventy-two hours prior to the scheduled hearing. The board or member thereof, in passing upon a request for continuance, shall consider whether such request was promptly and timely made for good cause and whether the parolee will be substantially prejudiced in the presentation of his or her defense. The board may continue a hearing on its own motion if local prosecution is pending or if other circumstances require rescheduling. Appropriate board staff will notify all parties when continuances are granted. During a parole revocation hearing, if it appears in the public interest or in the interest of justice that further testimony or argument should be received, the member or members conducting the hearing may, in their discretion or upon motion of counsel, continue the hearing and fix a date for the introduction of additional evidence or presentation or argument. Such oral notice shall constitute the final notice of such continued hearing.

NEW SECTION

WAC 381-70-380 PREHEARING CONFERENCE. In any proceeding, the presiding officer, upon his or her own motion or upon the motion of one of the parties or their representatives, may direct the parties to appear at a specified time and place for a conference, or such conference may be immediately prior to the parole revocation proceeding, to consider:

- (1) The simplification of the issues;
- (2) Necessities of amendments to any of the papers filed with the board;
- (3) Possibility of obtaining stipulations, admissions of fact, and of documents;
- (4) Limitation of the number of witnesses; and
- (5) Such other matters as may aid in the disposition of the proceeding.

NEW SECTION

WAC 381-70-390 HEARINGS—PERSONS PRESENT. Parole revocation hearing shall be open to the public unless the board, for a specifically stated reason, closes the hearing in whole or in part.

NEW SECTION

WAC 381-70-400 RULES OF EVIDENCE—ADMISSIBILITY. All relevant evidence shall be admissible which, in the opinion of the presiding officer, is the best evidence reasonably obtainable, having due regard for its necessity, availability, and trustworthiness.

"Relevant evidence" means evidence having a tendency to make the determination of the action more or less

probable than it would be without the evidence. In passing upon admissibility of evidence, the presiding officer conducting the hearing shall give consideration to, but shall not be bound to follow, the rules of evidence governing civil proceedings, in matters not involving trial by jury, in the superior courts in the state of Washington. When objection is made to the admissibility of evidence, such evidence may be received subject to a later ruling. The presiding officer may, in his or her discretion, either with or without objection, exclude inadmissible evidence, or order accumulative evidence discontinued. Parties objecting to the introduction of evidence shall state the precise grounds of such objection at the time such evidence is offered. If the sole evidence to support the allegation is hearsay that would be inadmissible in a superior court proceeding and is not substantiated or corroborated, the board shall not enter a finding of guilt. If the sole evidence presented to substantiate the allegation is the result of a polygraph examination, a finding of guilty shall not be made.

The results of polygraph examinations shall not be admissible into evidence at parole revocation hearings unless the following circumstances are present:

(1) The parties have stipulated that the polygraph examination be conducted and the results be admissible in a parole revocation hearing. Such stipulation may be evidenced by showing that the parolee has submitted to a condition of parole that he or she submit himself or herself to polygraph examination at the request of the community corrections officer and that the results of said examination(s) shall be admissible at a subsequent parole revocation hearing. Other stipulations shall be in writing, signed by the community corrections officer or his agent and by the parolee; and

(2) The board panel or member specifically finds that the polygraph examiner is qualified and the proper conditions existed during administration of the test; and

(3) The parties have been afforded an opportunity to confrontation of the examiner, unless good cause for nonconfrontation is specifically found or confrontation is waived.

The board will require polygraph examinations in appropriate cases. However, the condition will not require that the parolee submit to a polygraph at his/her own expense. Polygraphs will be provided to indigent parolees at state expense, through the department of corrections.

NEW SECTION

WAC 381-70-410 HEARING RECORD PRESENTATION. There will be a magnetic tape recording made of all hearings conducted under the provisions of this chapter. Such recordings shall be preserved for not less than six months subsequent to the hearing at the offices of the board in Olympia. Parties requesting partial or total duplication of any hearing must submit a request in writing along with blank tapes to receive the copy.

NEW SECTION

WAC 381-70-420 NEW MINIMUM TERM. Procedures specified in chapter 381-30 WAC shall be

followed in setting new minimum terms for revoked parole violators. Special note should be made of WAC 381-30-050 which requires such terms to be set within thirty days of admission.

NEW SECTION

WAC 381-70-430 SUSPENDED PAROLE CASES. If a parole violator is returned to a Washington state correctional facility and his or her parole has been suspended but not revoked by the board, the board shall determine if there is sufficient cause for revocation. If not, the violator's parole shall be reinstated and he or she shall be released from confinement under the same or modified conditions of parole.

NEW SECTION

WAC 381-70-440 DETERMINATION OF COMPETENCY. (1) Whenever, as a preliminary matter to a parole revocation hearing, the parolee or his defense counsel raises the issue of the parolee's competency, or there is reason to doubt his competency, the board member conducting the hearing shall designate at least two qualified experts or professional persons, one of whom shall be approved by the assistant attorney general representing the community corrections officer, or the community corrections officer (if no assistant attorney general is present) to examine and report upon the mental condition of the defendant. For purposes of the examination, the board member may order the defendant committed to a hospital or other suitable facility for a period of time necessary to complete the examination, but not to exceed fifteen days.

A competency examination may be performed by one examiner provided that the examiner is mutually agreeable to all relevant parties and mutual agreement is reached in advance of the examination and the agreement is reduced to written form executed by respective counsel.

(2) The board member hearing the parole revocation hearing may direct that a qualified expert or professional person retained by or appointed for the parolee be permitted to the examinations authorized by the above paragraph and he shall have access to all information obtained by the board appointed experts or professional persons. The defendant's expert or professional persons shall have the right to file his or her own report following the guidelines of subsection (3) of this section. If the parolee is indigent, the board shall, upon request of the defendant, assist him or her in obtaining an expert or professional person.

(3) The report of the examination shall include the following:

- (a) A description of the nature of the examination;
- (b) A diagnosis of the mental condition of the parolee;
- (c) If the parolee suffers from a mental disease or defect, an opinion as to his or her competency;
- (d) If the parolee has indicated his or her intention to rely on the fact of his or her incompetency at the time of the specified violations during the dispositional phase of

his parole revocation hearing, an opinion as to the parolee's sanity at the time of the act that constituted the specified violation or violations;

(e) When directed by the board, an opinion as to the capacity of the parolee to have a particular state of mind which is an element of the specified violation(s) charged;

(f) An opinion as to whether the parolee is of danger to other persons, or under further control by the board or other persons or institutions.

(4) At the time the competency evaluation is ordered, the fact determination phase of the parole revocation hearing shall be entered and completed. The dispositional phase shall be continued (as requested by the parolee) for a reasonable time until the competency evaluation can be submitted to the board for its consideration and inclusion in the dispositional phase of the parole revocation hearing.

(5) Dispositional phase: The board shall not lose jurisdiction of a parolee at the dispositional phase, regardless of the outcome of the competency evaluation.

Once the dispositional phase has been convened, the board shall consider the results of the evaluation in making its decision on whether or not to revoke or reinstate the parolee. At the dispositional phase of the parole revocation hearing, the board member shall determine, based on the evaluation and evidence presented therein by both parties, whether or not the individual is competent. Should the board determine that the individual is competent, the board may proceed to reinstate the parolee to parole with special or modified conditions or may revoke the parolee's parole and return him to the state correctional authorities.

Should the board member determine that the parolee is incompetent, the board may reinstate the parolee with the special condition that the parolee voluntarily commit himself or herself under chapter 71.05 RCW, or the board may revoke the parolee's parole and recommend that the parolee be transferred to a state mental institution pursuant to RCW 72.68.031.

Chapter 381-80 WAC PROCEDURES FOR CONDITIONAL DIS- CHARGE—FINAL DISCHARGE—CLEMENCY

NEW SECTION

WAC 381-80-010 PURPOSE. The purpose of this chapter is to specify policies and procedures for granting conditional and final discharges from parole supervision and for matters of clemency (pardons, reprieves, commutations).

NEW SECTION

WAC 381-80-020 AUTHORITY. RCW 9.95.150, 9.96.050, 10.01.120, and 9.95.009(2).

NEW SECTION

WAC 381-80-030 SCOPE. The provisions of this chapter shall apply to adult offenders convicted of crimes in the state of Washington and sentenced under the indeterminate sentencing laws and those officials charged with the supervision of such offenders.

NEW SECTION

WAC 381-80-040 CONDITIONAL DISCHARGE FROM PAROLE SUPERVISION. Conditional discharge from supervision is defined as that state of parole where a parolee is no longer required to report to an officer of the department of corrections but is required to observe all laws and make an annual written report to the board. Civil rights lost at the time of conviction are not restored.

When a paroled offender has adequately performed the obligations of his or her release for such time as shall satisfy the indeterminate sentence review board, and his or her conditional discharge from supervision is compatible with the best interests of society and the welfare of the paroled individual, and upon receipt of a report from the community corrections officer, the board may grant a conditional discharge from supervision.

Individuals on active parole supervision may be granted a conditional discharge from supervision after a period of active supervision. Parolees will be required to sign and acknowledge the conditional discharge conditions before the CDFS becomes valid.

In any case where there is a parole suspension or local charges pending, no conditional discharge decision will be made until resolution of those allegations or charges.

A full board vote is required to grant a CDFS for any individual convicted of an offense that resulted in a loss of life.

NEW SECTION

WAC 381-80-050 FINAL DISCHARGE FROM PAROLE SUPERVISION. When a paroled offender has adequately performed the obligations of his or her release for such time as specified by the indeterminate sentence review board, and further, when he or she has completed a violation-free period in conditional discharge (CDFS) status and has requested a final discharge, and upon receipt of a report from the parole officer and a determination made that a final discharge from supervision is compatible with the best interests of society and the welfare of the paroled individual, the board may grant a final discharge restoring civil rights.

Final discharge restoring civil rights is governed by statute (RCW 9.96.050) which requires a minimum of one year successful conditional discharge from supervision status. Final discharge restoring civil rights for an individual on CDFS status who was convicted of a crime which resulted in a loss of life will require full board ratification.

The right to possess or control firearms is not restored.

In cases where the maximum term has expired, the board is empowered to grant a final discharge restoring civil rights upon application if it believes such action is in the best interests of society. The board is also empowered to grant restoration of civil rights to individuals convicted of federal offenses who reside in the state of Washington.

NEW SECTION

WAC 381-80-060 CLEMENCY. The governor, at his or her discretion, may refer requests for pardons,

commutations, etc., to the board for a report and recommendation. The report and recommendation shall be reviewed by and voted on by all available board members prior to its submission to the governor (see RCW 9.95.260).

WSR 91-14-030**ATTORNEY GENERAL OPINION****Cite as: AGO 1991 No. 22**

[June 24, 1991]

CITIES AND TOWNS—COUNTIES—ELECTIONS—OFFICES AND OFFICERS—CHARTERS—OPTIONAL MUNICIPAL CODE—AUTHORITY TO IMPOSE TERM LIMITATIONS ON ELECTED LOCAL GOVERNMENT OFFICIALS

1. Charter cities, charter counties, noncharter first class cities and noncharter code cities have the authority to impose a limit on the number of terms a locally elected official can serve.
2. Depending upon the provisions of their charter, charter cities and charter counties can adopt a term limitation as a charter provision by ordinance or through the initiative process. Noncharter first class cities and noncharter code cities can only adopt a term limitation through the passage of an ordinance.

Requested by:

Honorable Gary A. Nelson
State Senator, District 21
106-A Institutions Building, AS-32
Olympia, Washington 98504

WSR 91-14-031**PROPOSED RULES****DEPARTMENT OF TRANSPORTATION**

[Filed June 26, 1991, 1:57 p.m.]

Original Notice.

Title of Rule: Chapter 468-300 WAC, State ferries and toll bridges.

Purpose: To change the effective dates for all Washington state ferry fares to July 1, 1991.

Statutory Authority for Adoption: RCW 47.56.030 and 47.60.326.

Statute Being Implemented: RCW 47.60.326.

Summary: To change the effective dates for all Washington state ferry fares to July 1, 1991, and also to include a joint ferry-transit monthly pass.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Michael T. McCarthy, Seattle Ferry Terminal, (206) 464-7816.

Name of Proponent: Washington State Department of Transportation, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To change the effective date for all Washington

state ferry fares to July 1, 1991, and also to include a joint ferry-transit monthly pass.

Proposal does not change existing rules.

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

Hearing Location: Board Room 1D2, Transportation Building, Olympia, Washington, on August 22, 1991, at 10:00 a.m.

Submit Written Comments to: Ben Klein, Department of Transportation, Marine Division, Olympia, Washington 98504, by August 21, 1991.

Date of Intended Adoption: August 22, 1991.

June 20, 1991
 Albert D. Rosellini
 Chairman
 Transportation Commission

AMENDATORY SECTION (Amending Order 67, Resolution No. 354, filed 6/30/89)

WAC 468-300-010 FERRY PASSENGER TOLLS.

Effective 03:00 a.m. ((September 11, 1989)) July 1, 1991

| ROUTES | Full Fare | Half Fare** | COM-MU-TATION 20 Rides *** **** | Bicycle Surcharge ***** |
|--|-----------|-------------|--|----------------------------|
| Via Passenger-Only Ferry | | | | |
| Seattle-Vashon Seattle-Southworth Seattle-Bremerton | 3.30 | 1.65 | 19.80 | N/C |
| Via Auto Ferry | | | | |
| Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Edmonds-Kingston | 3.30 | 1.65 | 19.80 | .50 |
| Pt. Townsend-Keystone | 1.65 | .85 | 19.80 | .25 |
| Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah Mukilteo-Clinton | 2.15 | 1.10 | 12.90 | .50 |
| Anacortes to Lopez, Shaw, Orcas or Friday Harbor | 4.65 | 2.35 | 27.90 | 1.00 |
| Anacortes to Sidney and Sidney to all destinations | 6.05 | 3.05 | N/A | 2.50 |
| Between Lopez, Shaw, Orcas***** and Friday Harbor | N/C | N/C | N/C | 2.25 |
| From Lopez, Shaw, Orcas and Friday Harbor@ to Sidney | 2.25 | 1.25 | N/A | 1.00 |

@These fares rounded to the nearest multiple of \$.25.

*These routes operate as a one-point toll collection system.

**Half Fare

Children - Children under five years of age will be carried free when accompanied by parent or guardian. Children five through eleven years of age will be charged half-fare. Children twelve years of age will be charged full-fare.

Senior Citizens - Passengers and driver, age 65 and over, with proper identification establishing proof of age, may travel at half-fare tolls on any route.

Handicapped - Any individual who, by reason of illness, injury, congenital malfunction, or other incapacity or disability is unable without special facilities or special planning or design to utilize ferry system services, may travel at half-fare tolls on any route upon presentation of a WSF Handicapped Travel Permit or Regional Reduced Fare Permit at time of travel. In addition, those handicapped persons who require attendant care while traveling on the ferries, and are so certified by their physician, may obtain an endorsement on their WSF Handicapped Travel Permit and such endorsement shall allow the attendant to also travel at half fare.

Bus Passengers - Passengers traveling in vehicles licensed as stages and buses, unless traveling under an annual permit, will be charged half-fare.

Medicare Card Holders - Any person holding a Medicare card duly issued to that person pursuant to Title II or Title XVIII of the Social Security Act may travel at half-fare tolls on any route upon presentation of a WSF Handicapped Travel Permit or a Regional Reduced Fare Permit at time of travel.

NOTE: Half-fare privilege does not include vehicle.

((*))***Commutation tickets shall be valid only for 90-days from date of purchase after which time the tickets shall not be accepted for passage. Washington state ferries shall enter into agreements with banks to sell commutation tickets.

****A joint ferry-transit monthly pass may be available in conjunction with a public transit operating authority for travel on a particular route. The pass enables the pass-holder to ride aboard WSF ferry vessels and transit vehicles for an unlimited number of trips during the validated month for the pass. The pass-holder may board as a bus passenger, a walk-on, or a passenger of a vehicle at any time of the day, seven days a week. The pass can be shared with friends and family; however, it can only be used once on any one sailing or bus trip. The WSF portion of the monthly pass shall be priced at the commutation rate for 40

rides for the particular route. The cost of the bus portion of the pass shall be established by the public transit operating authority. The pass will be accepted for travel on any route of equal or lesser fare.

- *****Inter-island passenger fares included in Anacortes tolls.
- *****Bicycle surcharge is in addition to the appropriate passenger fare.

PROMOTIONAL TOLLS

A promotional rate may be established at the discretion of the secretary of transportation for a specific discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

AMENDATORY SECTION (Amending Order 67, Resolution No. 354, filed 6/30/89)

WAC 468-300-020 AUTO, MOTORCYCLE, AND STOWAGE FERRY TOLLS.

Effective 03:00 a.m. ((September 11, 1989)) July 1, 1991

| | AUTO** INCL. DRIVER | | MOTORCYCLE INCL. DRIVER ***** | |
|--|-------------------------|-----------------------------------|-------------------------------------|-----------------------------------|
| | One Way | Commutation 20 Rides *** | One Way | Commutation 20 Rides *** |
| Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Pt. Townsend-Keystone Edmonds-Kingston | 5.55 | 88.80 | 3.05 | 40.65 |
| Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah | 7.50 | 60.00 | 4.10 | 27.35 |
| Mukilteo-Clinton | 3.75 | 60.00 | 2.05 | 27.35 |
| Anacortes to Lopez, Shaw, Orcas or Friday Harbor | 11.60 13.85 15.85 | 46.40 55.40 63.40 | 7.15 8.20 9.50 | 47.65 54.65 63.35 |
| Anacortes to Sidney and Sidney to all destinations | 26.05 | N/A | 13.15 | N/A |
| Between Lopez, Shaw, Orcas and Friday Harbor ***** @ | 6.50 | 26.00 | 2.25 | N/A |
| From Lopez, Shaw, Orcas@ and Friday Harbor to Sidney | 13.25 | N/A | 6.00 | N/A |

@These fares rounded to the nearest multiple of \$.25.

*These routes operate as a one-point toll collection system.

**Vanpools - A commuter vanpool which carries seven or more persons on a regular and expense-sharing basis for the purpose of travel to or from work or school and which is certified as such by a local organization approved by the Washington state ferry system, may purchase for a \$10 fee, a permit valid for a three-month period valid only during the hours shown on the permit. The permit for commuter pool agency vanpools shall be valid for one year. By July 1, 1990, all vanpools will be required to have tax exempt or vanpool specialized licenses. The fee for private vanpool permits will be reduced from ten dollars per quarter to ten dollars per year to coincide with the fee charged to public vanpools, effective July 1, 1990. These hours are selectable by the purchaser but shall designate two periods of use each day not to exceed two hours per period. The permit so purchased shall allow passage of the vehicle only during the valid periods. All riders in the van, including the driver, shall pay the applicable passenger fare. Except that the minimum total paid for all riders in the van shall not be less than the amount equal to four times the applicable passenger fare.

***Commutation tickets shall be valid only for 90-days from date of purchase after which time the ticket shall not be accepted for passage. Washington state ferries shall enter into agreements with banks to sell commutation tickets.

****Tolls collected westbound only.

***** Carry on items including kayaks, canoes and other items of comparable size which are typically stowed on the vehicle deck of the vessel shall be charged at the motorcycle rate. This rate includes the walk-on passenger carrying on the item to be stowed.

SUMMER SURCHARGE

A 20% surcharge shall be applied to coincide with the summer schedule period to regular, noncommutation auto and noncommercial vehicles with trailers and oversize vehicles.

PENALTY CHARGES

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

Overhang on passenger vehicles will be assessed a penalty charge of 10¢ per lineal foot of overhang in addition to regular applicable tolls, except that no charge for overhang will be assessed when overall length of vehicle and overhang is less than twenty feet. A fraction of a foot of overhang in excess of six inches will be counted as one foot in assessment of charge for overhang.

SPECIAL SCHOOL RATE

School groups when traveling in authorized school vehicles for institution-sponsored activities shall be assessed a flat fee of \$1.00 per vehicles load of students and/or advisors and staff. The flat fee shall be in addition to regular vehicle and drive toll. Private vehicles need letter of authorization.

NOTE: Special school rate is \$2.00 on routes where one-way only toll systems are in effect. Special student Rate not available on Anacortes-Sidney, B.C. route beginning the third Sunday in June and ending the third Saturday in September due to limited space.

PROMOTIONAL TOLLS

A promotional rate may be established at the discretion of the secretary of transportation for a specified discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

AMENDATORY SECTION (Amending Order 67, Resolution No. 354, filed 6/30/89)

WAC 468-300-040 TRUCKS AND TRUCKS WITH TRAILER FERRY TOLLS.

Effective 03:00 a.m. ((September 11, 1989)) July 1, 1991

| ROUTES | INCL. DRIVER OVERALL UNIT LENGTH | | | | | | | | Cost Per Ft. over 78 Ft. |
|--|-------------------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------|--------------------------------------|
| | Class I *** | Class II | Class III | Class IV | Class V | Class VI | Class VII | Class VIII | |
| | Under 18' | 18' to Under 28' | 28' to Under 38' | 38' to Under 48' | 48' to Under 58' | 58' to Under 68' | 68' to Under 78' | Over 78' | |
| Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Pt. Townsend-Keystone Edmonds-Kingston | 5.55 | 9.40 | 18.65 | 27.85 | 37.10 | 46.35 | 55.50 | 55.50 | .80 |
| Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tablequah | 7.50 | 13.20 | 26.20 | 39.00 | 51.90 | 64.90 | 77.90 | 77.90 | 1.10 |
| Mukilteo-Clinton | 3.75 | 6.60 | 13.10 | 19.50 | 25.95 | 32.45 | 38.95 | 38.95 | .55 |
| **Anacortes to Lopez, Shaw, Orcas * or Friday Harbor | 11.60 13.85 15.85 | 22.45 | 44.65 | 66.80 | 88.95 | 111.20 | 133.35 | 133.35 | 1.85 |
| Anacortes to Sidney **and Sidney to all destinations | 26.05 | 34.20 | 57.70 | 81.20 | 104.75 | 128.40 | 151.95 | 151.95 | 2.10 |
| **Between Lopez, Shaw, Orcas ****@ and Friday Harbor | 6.50 | 11.00 | 11.00 | 11.00 | 44.00 | 44.00 | 44.00 | 44.00 | N/A |
| **From Lopez, Shaw, Orcas and Friday Harbor to Sidney@ | 13.25 | 20.00 | 34.00 | 48.00 | 61.50 | 75.50 | 89.25 | 89.25 | 1.00 |

@These fares rounded to the nearest multiple of \$.25.

*These routes operate as a one-point toll collection system.

**Commercial trucks are allowed stop-over at intermediate points upon payment of \$2.50 per stop-over.

***Includes all trucks licensed 8,001 lbs. gross vehicle weight and above, except busses. Trucks under 8,001 lbs. will be classified as automobiles.

Also includes all trucks licensed 8,001 lbs. gross vehicle weight and above pulling trailers, vehicles licensed as fixed load, unlicensed vehicles and road machinery on wheels. Vehicles not included in this class cannot be charged under this class.

****Toll collected westbound only.

PENALTY CHARGES

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

DISCOUNT PERCENTAGES FROM REGULAR TOLL

12 or more, one-way crossings per week (Sunday thru Saturday) will qualify for a 25% discount from the regular ferry tolls.

Emergency trips during nonservice hours - while at locations where crew is on duty charge shall be equal to the cost of fuel consumed to make emergency trip. Such trips shall only be offered as a result of official requests from an emergency services agency and only in the case of no reasonable alternative.

AMENDATORY SECTION (Amending Order 67, Resolution No. 354, filed 6/30/89)

WAC 468-300-070 NONCOMMERCIAL VEHICLE WITH TRAILER, OVERSIZE VEHICLE, STAGE AND BUS, NEWSPAPER, EXPRESS SHIPMENTS AND MEDICAL SUPPLIES FERRY TOLLS.

Effective 03:00 a.m. ((September 11, 1989)) July 1, 1991

Noncommercial Vehicle with Trailer, Oversize Vehicle,
Stage and Bus, Newspaper, Express Shipments and
Medical Supplies Ferry Tolls***

| | 18' To Under 28' | 28' To Under 38' | 38' To Under 48' | 48' And Over | Stages And Buses Incl. Driver ** |
|--|---------------------------|---------------------------|---------------------------|--------------------|---|
| Seattle-Winslow Seattle-Bremerton Edmonds-Kingston Pt. Townsend-Keystone Fauntleroy-Southworth | 8.35 | 11.25 | 15.90 | 20.50 | 12.25 |
| Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah | 11.40 | 15.80 | 22.20 | 28.80 | 15.70 |
| Mukilteo-Clinton Anacortes to Lopez, Shaw, Orcas or Friday Harbor | 5.70 20.45 | 7.90 27.05 | 11.10 38.10 | 14.40 49.20 | 7.85 33.30 |
| Anacortes to Sidney and Sidney to all destinations | 33.10 | 38.85 | 50.60 | 62.35 | 48.50 |
| Between Lopez, Shaw, Orcas and Friday Harbor | 11.00 | 11.00 | 11.00 | 44.00 | 11.00 |
| From Lopez, Shaw, Orcas and Friday Harbor to Sidney@ | 18.25 | 22.50 | 29.50 | 36.50 | 15.50 |

(1) BULK NEWSPAPERS per 100 lbs. \$2.20

(Shipments exceeding 60,000 lbs. in any month shall be assessed \$1.10 per 100 lbs.)

Daily Newspapers, in bundles, and medical supplies, to be received and delivered without receipt and subject to owner's risk, will be transported between ferry terminals on regular scheduled sailings.

(2) EXPRESS SHIPMENTS per 100 lbs. \$20.90

(Shipments exceeding 100 lbs. assessed \$8.30 for each 25 lbs. or fraction thereof.)

Express shipments will be handled on scheduled sailings when no other means of shipment is available to shipper. Shipments must be of a size and weight requiring a minimum of handling by carrier's employees. Carrier reserves the right to refuse shipment of any item. Carrier assumes no liability for loss or damage to any shipment. Minimum rate for any shipment shall be the rate for 100 pounds.

San Juan inter-island express shipments will be handled @ \$2.80 per 100 lbs.

(3) MEDICAL SUPPLIES per 100 lbs. \$1.15

@These fares rounded to the nearest multiple of \$.25.

*These routes operate as a one-point toll collection system.

**Stages - A public transportation operator providing regularly scheduled week-day service for public necessity and convenience may pay a \$10 annual fee for each scheduled vehicle. This fee covers the fare for each trip of the vehicle and operator only. All occupants shall be assessed the applicable passenger rate per trip. The \$10 annual fee does not apply to vehicles providing chartered service or vehicles providing service for special events such as trips for recreational purposes.

PENALTY CHARGES

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

*****INCLUDES THE FOLLOWING VEHICLES PULLING TRAILERS:**

- Automobiles
- Trucks licensed under 8,001 lbs. (For trucks 8,001 lbs. and over, see WAC 468-300-040)
- Oversize vehicles
- Does not include motorcycles with trailers.

Also includes motor homes, and mobile campers that exceed 18' in length. Excludes trucks licensed over 8,000 lbs., passenger busses and stages.

ALL OVERSIZE VEHICLES UNDER 18' IN LENGTH WILL BE CONSIDERED AS REGULAR CAR AND DRIVER.

****Toll collected westbound only.

Senior citizen discounts for the driver of the above vehicles shall apply.

Senior citizen discount is determined by subtracting full fare passenger rate and adding 1/2 passenger fare.

SUMMER SURCHARGE

A 20% surcharge shall be applied to coincide with this summer schedule period to regular, noncommutation auto and noncommercial vehicles with trailers and oversize vehicles.

WSR 91-14-032

EMERGENCY RULES

DEPARTMENT OF TRANSPORTATION

[Filed June 26, 1991, 2:01 p.m.]

Date of Adoption: June 20, 1991.

Purpose: To change the effective date for all Washington state ferry fares to July 1, 1991.

Statutory Authority for Adoption: RCW 47.56.030 and 47.60.326.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: RCW 47.60.326.

Effective Date of Rule: Immediately.

June 20, 1991
 Albert D. Rosellini
 Chairman
 Transportation Commission

AMENDATORY SECTION (Amending Order 67, Resolution No. 354, filed 6/30/89)

WAC 468-300-010 FERRY PASSENGER TOLLS.

Effective 03:00 a.m. (~~September 11, 1989~~) July 1, 1991

| ROUTES | Full Fare | Half Fare** | COM-MU-TATION 20 Rides *** **** | Bicycle Surcharge ***** |
|--|-----------|-------------|--|----------------------------|
| <i>Via Passenger-Only Ferry</i> | | | | |
| Seattle-Vashon Seattle-Southworth Seattle-Bremerton | 3.30 | 1.65 | 19.80 | N/C |
| <i>Via Auto Ferry</i> | | | | |
| Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Edmonds-Kingston | 3.30 | 1.65 | 19.80 | .50 |
| Pt. Townsend-Keystone | 1.65 | .85 | 19.80 | .25 |
| Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah Mukilteo-Clinton | 2.15 | 1.10 | 12.90 | .50 |
| Anacortes to Lopez, Shaw, Orcas or Friday Harbor | 4.65 | 2.35 | 27.90 | 1.00 |
| Anacortes to Sidney and Sidney to all destinations | 6.05 | 3.05 | N/A | 2.50 |
| Between Lopez, Shaw, Orcas***** and Friday Harbor | N/C | N/C | N/C | 2.25 |
| From Lopez, Shaw, Orcas and Friday Harbor@ to Sidney | 2.25 | 1.25 | N/A | 1.00 |

@These fares rounded to the nearest multiple of \$.25.

*These routes operate as a one-point toll collection system.

**Half Fare

Children - Children under five years of age will be carried free when accompanied by parent or guardian. Children five through eleven years of age will be charged half-fare. Children twelve years of age will be charged full-fare.

Senior Citizens - Passengers and driver, age 65 and over, with proper identification establishing proof of age, may travel at half-fare tolls on any route.

Handicapped - Any individual who, by reason of illness, injury, congenital malfunction, or other incapacity or disability is unable without special facilities or special planning or design to utilize ferry system services, may travel at half-fare tolls on any route upon presentation of a WSF Handicapped Travel Permit or Regional Reduced Fare Permit at time of travel. In addition, those handicapped persons who require attendant care while traveling on the ferries, and are so certified by their physician, may obtain an endorsement on their WSF Handicapped Travel Permit and such endorsement shall allow the attendant to also travel at half fare.

Bus Passengers - Passengers traveling in vehicles licensed as stages and buses, unless traveling under an annual permit, will be charged half-fare.

Medicare Card Holders - Any person holding a Medicare card duly issued to that person pursuant to Title II or Title XVIII of the Social Security Act may travel at half-fare tolls on any route upon presentation of a WSF Handicapped Travel Permit or a Regional Reduced Fare Permit at time of travel.

NOTE: Half-fare privilege does not include vehicle.

(*)*Commutation tickets shall be valid only for 90-days from date of purchase after which time the tickets shall not be accepted for passage. Washington state ferries shall enter into agreements with banks to sell commutation tickets.**

******A joint ferry-transit monthly pass may be available in conjunction with a public transit operating authority for travel on a particular route. The pass enables the pass-holder to ride aboard WSF ferry vessels and transit vehicles for an unlimited number of trips during the validated month for the pass. The pass-holder may board as a bus passenger, a walk-on, or a passenger of a vehicle at any time of the day, seven days a week. The pass can be shared with friends and family, however, it can only be used once on any one sailing or bus trip. The WSF portion of the monthly pass shall be priced at the commutation rate for 40 rides for the particular route. The cost of the bus portion of the pass shall be established by the public transit operating authority. The pass will be accepted for travel on any route of equal or lesser fare.**

*******Inter-island passenger fares included in Anacortes tolls.**

*******Bicycle surcharge is in addition to the appropriate passenger fare.**

PROMOTIONAL TOLLS

A promotional rate may be established at the discretion of the secretary of transportation for a specific discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

AMENDATORY SECTION (Amending Order 67, Resolution No. 354, filed 6/30/89)

WAC 468-300-020 AUTO, MOTORCYCLE, AND STOWAGE FERRY TOLLS.

Effective 03:00 a.m. ((September 11, 1989)) July 1, 1991

| | AUTO** INCL. DRIVER | | MOTORCYCLE INCL. DRIVER ***** | |
|--|---------------------------|-----------------------------------|-------------------------------------|-----------------------------------|
| | One Way | Commutation 20 Rides *** | One Way | Commutation 20 Rides *** |
| Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Pt. Townsend-Keystone Edmonds-Kingston | 5.55 | 88.80 | 3.05 | 40.65 |
| Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah | * 7.50 | 60.00 | 4.10 | 27.35 |
| Mukilteo-Clinton | 3.75 | 60.00 | 2.05 | 27.35 |
| | | 10 Rides | | |
| Anacortes to Lopez, Shaw, Orcas or Friday Harbor | * 11.60 13.85 15.85 | 46.40 55.40 63.40 | 7.15 8.20 9.50 | 47.65 54.65 63.35 |
| Anacortes to Sidney and Sidney to all destinations | 26.05 | N/A | 13.15 | N/A |
| Between Lopez, Shaw, Orcas and Friday Harbor **** @ | 6.50 | 26.00 | 2.25 | N/A |
| From Lopez, Shaw, Orcas@ and Friday Harbor to Sidney | 13.25 | N/A | 6.00 | N/A |

@These fares rounded to the nearest multiple of \$.25.

*These routes operate as a one-point toll collection system.

**Vanpools - A commuter vanpool which carries seven or more persons on a regular and expense-sharing basis for the purpose of travel to or from work or school and which is certified as such by a local organization approved by the Washington state ferry system, may purchase for a \$10 fee, a permit valid for a three-month period valid only during the hours shown on the permit. The permit for commuter pool agency vanpools shall be valid for one year. By July 1, 1990, all vanpools will be required to have tax exempt or vanpool specialized licenses. The fee for private vanpool permits will be reduced from ten dollars per quarter to ten dollars per year to coincide with the fee charged to public vanpools, effective July 1, 1990. These hours are selectable by the purchaser but shall designate two periods of use each day not to exceed two hours per period. The permit so purchased shall allow passage of the vehicle only during the valid periods. All riders in the van, including the driver, shall pay the applicable passenger fare. Except that the minimum total paid for all riders in the van shall not be less than the amount equal to four times the applicable passenger fare.

***Commutation tickets shall be valid only for 90-days from date of purchase after which time the ticket shall not be accepted for passage. Washington state ferries shall enter into agreements with banks to sell commutation tickets.

****Tolls collected westbound only.

***** Carry on items including kayaks, canoes and other items of comparable size which are typically stowed on the vehicle deck of the vessel shall be charged at the motorcycle rate. This rate includes the walk-on passenger carrying on the item to be stowed.

SUMMER SURCHARGE

A 20% surcharge shall be applied to coincide with the summer schedule period to regular, noncommutation auto and noncommercial vehicles with trailers and oversize vehicles.

PENALTY CHARGES

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

Overhang on passenger vehicles will be assessed a penalty charge of 10¢ per lineal foot of overhang in addition to regular applicable tolls, except that no charge for overhang will be assessed when overall length of vehicle and overhang is less than twenty feet. A fraction of a foot of overhang in excess of six inches will be counted as one foot in assessment of charge for overhang.

SPECIAL SCHOOL RATE

School groups when traveling in authorized school vehicles for institution-sponsored activities shall be assessed a flat fee of \$1.00 per vehicles load of students and/or advisors and staff. The flat fee shall be in addition to regular vehicle and drive toll. Private vehicles need letter of authorization.

NOTE: Special school rate is \$2.00 on routes where one-way only toll systems are in effect. Special student Rate not available on Anacortes-Sidney, B.C. route beginning the third Sunday in June and ending the third Saturday in September due to limited space.

PROMOTIONAL TOLLS

A promotional rate may be established at the discretion of the secretary of transportation for a specified discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

AMENDATORY SECTION (Amending Order 67, Resolution No. 354, filed 6/30/89)

WAC 468-300-040 TRUCKS AND TRUCKS WITH TRAILER FERRY TOLLS.

Effective 03:00 a.m. ((September 11, 1989)) July 1, 1991

| ROUTES | INCL. DRIVER OVERALL UNIT LENGTH | | | | | | | | Cost Per Ft. over 78 Ft. |
|--|-------------------------------------|--|---|--|---|--|---|------------------------------|--------------------------------------|
| | Class I *** Under 18' | Class II 18' to Under 28' | Class III 28' to Under 38' | Class IV 38' to Under 48' | Class V 48' to Under 58' | Class VI 58' to Under 68' | Class VII 68' to Under 78' | Class VIII Over 78' | |
| Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Pt. Townsend-Keystone Edmonds-Kingston | 5.55 | 9.40 | 18.65 | 27.85 | 37.10 | 46.35 | 55.50 | 55.50 | .80 |
| Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah | * 7.50 | 13.20 | 26.20 | 39.00 | 51.90 | 64.90 | 77.90 | 77.90 | 1.10 |
| Mukilteo-Clinton | 3.75 | 6.60 | 13.10 | 19.50 | 25.95 | 32.45 | 38.95 | 38.95 | .55 |
| **Anacortes to Lopez, Shaw, Orcas * or Friday Harbor Anacortes to Sidney | 11.60 13.85 15.85 | 22.45 | 44.65 | 66.80 | 88.95 | 111.20 | 133.35 | 133.35 | 1.85 |
| **and Sidney to all destinations | 26.05 | 34.20 | 57.70 | 81.20 | 104.75 | 128.40 | 151.95 | 151.95 | 2.10 |
| **Between Lopez, Shaw, Orcas ****@ and Friday Harbor | 6.50 | 11.00 | 11.00 | 11.00 | 44.00 | 44.00 | 44.00 | 44.00 | N/A |
| **From Lopez, Shaw, Orcas and Friday Harbor to Sidney@ | 13.25 | 20.00 | 34.00 | 48.00 | 61.50 | 75.50 | 89.25 | 89.25 | 1.00 |

@These fares rounded to the nearest multiple of \$.25.

*These routes operate as a one-point toll collection system.

**Commercial trucks are allowed stop-over at intermediate points upon payment of \$2.50 per stop-over.

***Includes all trucks licensed 8,001 lbs. gross vehicle weight and above, except busses. Trucks under 8,001 lbs. will be classified as automobiles.

Also includes all trucks licensed 8,001 lbs. gross vehicle weight and above pulling trailers, vehicles licensed as fixed load, unlicensed vehicles and road machinery on wheels. Vehicles not included in this class cannot be charged under this class.

****Toll collected westbound only.

PENALTY CHARGES

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

DISCOUNT PERCENTAGES FROM REGULAR TOLL

12 or more, one-way crossings per week (Sunday thru Saturday) will qualify for a 25% discount from the regular ferry tolls.

Emergency trips during nonservice hours – while at locations where crew is on duty charge shall be equal to the cost of fuel consumed to make emergency trip. Such trips shall only be offered as a result of official requests from an emergency services agency and only in the case of no reasonable alternative.

AMENDATORY SECTION (Amending Order 67, Resolution No. 354, filed 6/30/89)

WAC 468-300-070 NONCOMMERCIAL VEHICLE WITH TRAILER, OVERSIZE VEHICLE, STAGE AND BUS, NEWSPAPER, EXPRESS SHIPMENTS AND MEDICAL SUPPLIES FERRY TOLLS.

Effective 03:00 a.m. ((September 11, 1989)) July 1, 1991

Noncommercial Vehicle with Trailer, Oversize Vehicle,
Stage and Bus, Newspaper, Express Shipments and
Medical Supplies Ferry Tolls***

| | 18' To Under 28' | 28' To Under 38' | 38' To Under 48' | 48' And Over | Stages And Buses Incl. Driver ** |
|--|---------------------------|---------------------------|---------------------------|--------------------|---|
| Seattle-Winslow Seattle-Bremerton Edmonds-Kingston Pt. Townsend-Keystone Fauntleroy-Southworth | 8.35 | 11.25 | 15.90 | 20.50 | 12.25 |
| Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah | * 11.40 | 15.80 | 22.20 | 28.80 | 15.70 |
| Mukilteo-Clinton Anacortes to Lopez, Shaw, Orcas * or Friday Harbor | 5.70 20.45 | 7.90 27.05 | 11.10 38.10 | 14.40 49.20 | 7.85 33.30 |
| Anacortes to Sidney and Sidney to all destinations | 33.10 | 38.85 | 50.60 | 62.35 | 48.50 |
| Between Lopez, Shaw, Orcas ****@ and Friday Harbor | 11.00 | 11.00 | 11.00 | 44.00 | 11.00 |
| From Lopez, Shaw, Orcas and Friday Harbor to Sidney@ | 18.25 | 22.50 | 29.50 | 36.50 | 15.50 |

(1) BULK NEWSPAPERS per 100 lbs. \$2.20

(Shipments exceeding 60,000 lbs. in any month shall be assessed \$1.10 per 100 lbs.)

Daily Newspapers, in bundles, and medical supplies, to be received and delivered without receipt and subject to owner's risk, will be transported between ferry terminals on regular scheduled sailings.

(2) EXPRESS SHIPMENTS per 100 lbs. \$20.90

(Shipments exceeding 100 lbs. assessed \$8.30 for each 25 lbs. or fraction thereof.)

Express shipments will be handled on scheduled sailings when no other means of shipment is available to shipper. Shipments must be of a size and weight requiring a minimum of handling by carrier's employees. Carrier reserves the right to refuse shipment of any item. Carrier assumes no liability for loss or damage to any shipment. Minimum rate for any shipment shall be the rate for 100 pounds.

San Juan inter-island express shipments will be handled @ \$2.80 per 100 lbs.

(3) MEDICAL SUPPLIES per 100 lbs. \$1.15

@These fares rounded to the nearest multiple of \$.25.

*These routes operate as a one-point toll collection system.

**Stages – A public transportation operator providing regularly scheduled week-day service for public necessity and convenience may pay a \$10 annual fee for each scheduled vehicle. This fee covers the fare for each trip of the vehicle and operator only. All occupants shall be assessed the applicable passenger rate per trip. The \$10 annual fee does not apply to vehicles providing chartered service or vehicles providing service for special events such as trips for recreational purposes.

PENALTY CHARGES

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

***INCLUDES THE FOLLOWING VEHICLES PULLING TRAILERS:
Automobiles
Trucks licensed under 8,001 lbs. (For trucks 8,001 lbs. and over, see WAC 468-300-040)

Oversize vehicles

Does not include motorcycles with trailers.

Also includes motor homes, and mobile campers that exceed 18' in length. Excludes trucks licensed over 8,000 lbs., passenger busses and stages.

ALL OVERSIZE VEHICLES UNDER 18' IN LENGTH WILL BE CONSIDERED AS REGULAR CAR AND DRIVER.

****Toll collected westbound only.

**WSR 91-14-033
PROPOSED RULES
DEPARTMENT OF HEALTH
(Board of Pharmacy)**

[Filed June 26, 1991, 2:42 p.m.]

Original Notice.

Title of Rule: See Recodification Sections below.

Purpose: A housekeeping action to transfer rules to Title 246 WAC.

Statutory Authority for Adoption: RCW 18.64.005 and chapter 18.64A RCW.

Summary: This rule action changes only the WAC numbers, not the text of the rules.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Donald H. Williams, 1300 Quince Street S.E., Olympia, WA, 753-6834.

Name of Proponent: Board of Pharmacy, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The 1989 legislature created the Department of Health. This action moves the related rules to a Department of Health title. Amends title, chapter and section numbers, causing these WACs to be relocated in a new title for the Department of Health and Department of Health related boards.

Proposal Changes the Following Existing Rules: [No information supplied by agency.]

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

Hearing Location: Wyndham Gardens Hotel, 18118 Pacific Highway South, Seattle, WA 98188, on August 22, 1991, at 10:00 a.m.

Submit Written Comments to: Leslie Baldwin, 1300 S.E. Quince Street, Olympia, WA 98504, by August 21, 1991.

Date of Intended Adoption: August 22, 1991.

June 24, 1991

Donald H. Williams
Executive Director

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-857 WAC:

**Chapter 246-857 WAC
Pharmacists—Practice and procedure**

| | | |
|------------|----|-------------|
| 360-08-005 | as | 246-857-020 |
| 360-08-010 | as | 246-857-030 |
| 360-08-040 | as | 246-857-040 |
| 360-08-050 | as | 246-857-050 |
| 360-08-060 | as | 246-857-060 |
| 360-08-230 | as | 246-857-070 |

Senior citizen discounts for the driver of the above vehicles shall apply.

Senior citizen discount is determined by subtracting full fare passenger rate and adding 1/2 passenger fare.

SUMMER SURCHARGE

A 20% surcharge shall be applied to coincide with this summer schedule period to regular, noncommutation auto and noncommercial vehicles with trailers and oversize vehicles.

| | | |
|------------|----|-------------|
| 360-08-240 | as | 246-857-080 |
| 360-08-250 | as | 246-857-090 |
| 360-08-260 | as | 246-857-100 |
| 360-08-270 | as | 246-857-110 |
| 360-08-280 | as | 246-857-120 |
| 360-08-290 | as | 246-857-130 |
| 360-08-300 | as | 246-857-140 |
| 360-08-310 | as | 246-857-150 |
| 360-08-320 | as | 246-857-160 |
| 360-08-330 | as | 246-857-170 |
| 360-08-340 | as | 246-857-180 |
| 360-08-350 | as | 246-857-190 |
| 360-08-360 | as | 246-857-200 |
| 360-08-370 | as | 246-857-210 |
| 360-08-380 | as | 246-857-220 |
| 360-08-390 | as | 246-857-230 |
| 360-08-400 | as | 246-857-240 |
| 360-08-420 | as | 246-857-250 |
| 360-08-520 | as | 246-857-260 |
| 360-08-530 | as | 246-857-270 |
| 360-08-540 | as | 246-857-280 |
| 360-08-550 | as | 246-857-290 |
| 360-08-560 | as | 246-857-300 |
| 360-08-570 | as | 246-857-310 |
| 360-08-580 | as | 246-857-320 |
| 360-08-590 | as | 246-857-330 |
| 360-45-010 | as | 246-857-340 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-858 WAC:

**Chapter 246-858 WAC
Pharmacists—Internship requirements**

| | | |
|------------|----|-------------|
| 360-10-010 | as | 246-858-020 |
| 360-10-020 | as | 246-858-030 |
| 360-10-030 | as | 246-858-040 |
| 360-10-040 | as | 246-858-050 |
| 360-10-050 | as | 246-858-060 |
| 360-10-060 | as | 246-858-070 |
| 360-10-080 | as | 246-858-080 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-861 WAC:

**Chapter 246-861 WAC
Pharmacists—Professional pharmaceutical education**

| | | |
|------------|----|-------------|
| 360-11-010 | as | 246-861-020 |
| 360-11-020 | as | 246-861-030 |
| 360-11-023 | as | 246-861-040 |
| 360-11-027 | as | 246-861-050 |
| 360-11-030 | as | 246-861-060 |
| 360-11-033 | as | 246-861-070 |
| 360-11-037 | as | 246-861-080 |
| 360-11-040 | as | 246-861-090 |
| 360-11-045 | as | 246-861-100 |
| 360-11-060 | as | 246-861-110 |
| 360-11-070 | as | 246-861-120 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-863 WAC:

Chapter 246-863 WAC
Pharmacists—Licensing

| | | |
|------------|----|-------------|
| 360-12-015 | as | 246-863-020 |
| 360-12-050 | as | 246-863-030 |
| 360-12-065 | as | 246-863-040 |
| 360-12-110 | as | 246-863-050 |
| 360-12-120 | as | 246-863-060 |
| 360-12-125 | as | 246-863-070 |
| 360-12-130 | as | 246-863-090 |
| 360-12-140 | as | 246-863-100 |
| 360-12-150 | as | 246-863-110 |
| 360-12-160 | as | 246-863-120 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-865 WAC:

Chapter 246-865 WAC
Pharmaceutical services—Extended care facility

| | | |
|------------|----|-------------|
| 360-13-010 | as | 246-865-020 |
| 360-13-020 | as | 246-865-030 |
| 360-13-030 | as | 246-865-040 |
| 360-13-045 | as | 246-865-010 |
| 360-13-055 | as | 246-865-050 |
| 360-13-066 | as | 246-865-060 |
| 360-13-100 | as | 246-865-070 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-867 WAC:

Chapter 246-867 WAC
Impaired pharmacist rehabilitation

| | | |
|------------|----|-------------|
| 360-15-010 | as | 246-867-001 |
| 360-15-020 | as | 246-867-010 |
| 360-15-030 | as | 246-867-020 |
| 360-15-040 | as | 246-867-030 |
| 360-15-050 | as | 246-867-040 |
| 360-15-060 | as | 246-867-050 |
| 360-15-070 | as | 246-867-060 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-869 WAC:

Chapter 246-869 WAC
Pharmacy licensing

| | | |
|------------|----|-------------|
| 360-16-005 | as | 246-869-020 |
| 360-16-011 | as | 246-869-030 |
| 360-16-020 | as | 246-869-040 |
| 360-16-025 | as | 246-869-050 |
| 360-16-040 | as | 246-869-060 |
| 360-16-050 | as | 246-869-070 |
| 360-16-070 | as | 246-869-080 |
| 360-16-094 | as | 246-869-090 |
| 360-16-096 | as | 246-869-100 |
| 360-16-098 | as | 246-869-110 |
| 360-16-120 | as | 246-869-120 |
| 360-16-150 | as | 246-869-130 |
| 360-16-180 | as | 246-869-140 |
| 360-16-200 | as | 246-869-150 |
| 360-16-210 | as | 246-869-160 |
| 360-16-220 | as | 246-869-170 |
| 360-16-230 | as | 246-869-180 |
| 360-16-235 | as | 246-869-190 |
| 360-16-245 | as | 246-869-200 |
| 360-16-255 | as | 246-869-210 |
| 360-16-265 | as | 246-869-220 |
| 360-16-270 | as | 246-869-230 |
| 360-16-290 | as | 246-869-240 |
| 360-16-300 | as | 246-869-250 |
| 360-28-010 | as | 246-869-260 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-871 WAC:

Chapter 246-871 WAC
Pharmaceutical—Parenteral products for nonhospitalized patients

| | | |
|-------------|----|-------------|
| 360-16A-010 | as | 246-871-001 |
| 360-16A-020 | as | 246-871-010 |
| 360-16A-030 | as | 246-871-020 |
| 360-16A-040 | as | 246-871-030 |
| 360-16A-060 | as | 246-871-040 |
| 360-16A-070 | as | 246-871-050 |
| 360-16A-080 | as | 246-871-060 |
| 360-16A-090 | as | 246-871-070 |
| 360-16A-100 | as | 246-871-080 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-873 WAC:

Chapter 246-873 WAC
Pharmacy—Hospital standards

| | | |
|------------|----|-------------|
| 360-17-010 | as | 246-873-010 |
| 360-17-020 | as | 246-873-020 |
| 360-17-030 | as | 246-873-030 |
| 360-17-040 | as | 246-873-040 |
| 360-17-050 | as | 246-873-050 |
| 360-17-055 | as | 246-873-060 |
| 360-17-060 | as | 246-873-070 |
| 360-17-070 | as | 246-873-080 |
| 360-17-080 | as | 246-873-090 |
| 360-17-090 | as | 246-873-100 |
| 360-17-100 | as | 246-873-110 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-875 WAC:

Chapter 246-875 WAC
Pharmacy—Patient medication record systems

| | | |
|------------|----|-------------|
| 360-19-010 | as | 246-875-001 |
| 360-19-020 | as | 246-875-010 |
| 360-19-030 | as | 246-875-020 |
| 360-19-040 | as | 246-875-030 |
| 360-19-050 | as | 246-875-040 |
| 360-19-060 | as | 246-875-050 |
| 360-19-070 | as | 246-875-060 |
| 360-19-080 | as | 246-875-070 |
| 360-19-090 | as | 246-875-080 |
| 360-19-100 | as | 246-875-090 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-877 WAC:

Chapter 246-877 WAC
Pharmaceutical—Sales prohibited

| | | |
|------------|----|-------------|
| 360-20-100 | as | 246-877-020 |
| 360-20-210 | as | 246-877-030 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-879 WAC:

Chapter 246-879 WAC
Pharmaceutical wholesalers

| | | |
|------------|----|-------------|
| 360-21-010 | as | 246-879-010 |
| 360-21-020 | as | 246-879-020 |
| 360-21-030 | as | 246-879-030 |
| 360-21-040 | as | 246-879-040 |
| 360-21-050 | as | 246-879-050 |
| 360-21-060 | as | 246-879-060 |
| 360-21-070 | as | 246-879-070 |
| 360-21-080 | as | 246-879-080 |
| 360-21-090 | as | 246-879-090 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-881 WAC:

| | | |
|--|----|-------------|
| Chapter 246-881 WAC | | |
| Pharmacy—Prescription drug price advertising | | |
| 360-23-010 | as | 246-881-010 |
| 360-23-020 | as | 246-881-020 |
| 360-23-030 | as | 246-881-030 |
| 360-23-050 | as | 246-881-040 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-883 WAC:

| | | |
|--|----|-------------|
| Chapter 246-883 WAC | | |
| Pharmaceutical—Sales requiring prescriptions | | |
| 360-32-050 | as | 246-883-020 |
| 360-32-055 | as | 246-883-030 |
| 360-32-060 | as | 246-883-040 |

RECODIFICATION SECTION

The following section is being recodified as chapter 246-885 WAC:

| | | |
|---|----|-------------|
| Chapter 246-885 WAC | | |
| Pharmacy—Identification, imprints, markings, and labeling of legend drugs | | |
| 360-33-050 | as | 246-885-020 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-886 WAC:

| | | |
|-----------------------------|----|-------------|
| Chapter 246-886 WAC | | |
| Animal control—Legend drugs | | |
| 360-35-010 | as | 246-886-001 |
| 360-35-020 | as | 246-886-010 |
| 360-35-030 | as | 246-886-020 |
| 360-35-040 | as | 246-886-030 |
| 360-35-050 | as | 246-886-040 |
| 360-35-060 | as | 246-886-050 |
| 360-35-070 | as | 246-886-060 |
| 360-35-080 | as | 246-886-070 |
| 360-35-090 | as | 246-886-080 |
| 360-35-100 | as | 246-886-090 |
| 360-35-110 | as | 246-886-100 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-887 WAC:

| | | |
|---|----|-------------|
| Chapter 246-887 WAC | | |
| Pharmacy—Regulations implementing the Uniform Controlled Substances Act | | |
| 360-36-010 | as | 246-887-020 |
| 360-36-020 | as | 246-887-030 |
| 360-36-115 | as | 246-887-040 |
| 360-36-210 | as | 246-887-050 |
| 360-36-250 | as | 246-887-060 |
| 360-36-260 | as | 246-887-070 |
| 360-36-270 | as | 246-887-080 |
| 360-36-400 | as | 246-887-090 |
| 360-36-410 | as | 246-887-100 |
| 360-36-411 | as | 246-887-110 |
| 360-36-412 | as | 246-887-120 |
| 360-36-413 | as | 246-887-130 |
| 360-36-420 | as | 246-887-140 |
| 360-36-425 | as | 246-887-150 |
| 360-36-430 | as | 246-887-160 |
| 360-36-440 | as | 246-887-170 |
| 360-36-450 | as | 246-887-180 |
| 360-36-451 | as | 246-887-190 |
| 360-36-500 | as | 246-887-200 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-889 WAC:

| | | |
|--|----|-------------|
| Chapter 246-889 WAC | | |
| Pharmaceutical—Precursor substance control | | |
| 360-38-010 | as | 246-889-020 |
| 360-38-020 | as | 246-889-030 |
| 360-38-030 | as | 246-889-040 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-891 WAC:

| | | |
|------------------------|----|-------------|
| Chapter 246-891 WAC | | |
| Pharmacy—Prophylactics | | |
| 360-40-010 | as | 246-891-010 |
| 360-40-040 | as | 246-891-020 |
| 360-40-070 | as | 246-891-030 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-893 WAC:

| | | |
|---|----|-------------|
| Chapter 246-893 WAC | | |
| Pharmacy—Public records access pursuant to Initiative 276 | | |
| 360-44-010 | as | 246-893-001 |
| 360-44-020 | as | 246-893-010 |
| 360-44-030 | as | 246-893-020 |
| 360-44-040 | as | 246-893-030 |
| 360-44-050 | as | 246-893-040 |
| 360-44-060 | as | 246-893-050 |
| 360-44-070 | as | 246-893-060 |
| 360-44-080 | as | 246-893-070 |
| 360-44-090 | as | 246-893-080 |
| 360-44-100 | as | 246-893-090 |
| 360-44-110 | as | 246-893-100 |
| 360-44-120 | as | 246-893-110 |
| 360-44-130 | as | 246-893-120 |
| 360-44-140 | as | 246-893-130 |
| 360-44-150 | as | 246-893-140 |
| 360-44-990 | as | 246-893-998 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-895 WAC:

| | | |
|---|----|-------------|
| Chapter 246-895 WAC | | |
| Pharmacy—Good manufacturing practice for finished pharmaceuticals | | |
| 360-46-010 | as | 246-895-010 |
| 360-46-020 | as | 246-895-020 |
| 360-46-030 | as | 246-895-030 |
| 360-46-040 | as | 246-895-040 |
| 360-46-050 | as | 246-895-050 |
| 360-46-060 | as | 246-895-060 |
| 360-46-070 | as | 246-895-070 |
| 360-46-081 | as | 246-895-080 |
| 360-46-082 | as | 246-895-090 |
| 360-46-090 | as | 246-895-100 |
| 360-46-100 | as | 246-895-110 |
| 360-46-110 | as | 246-895-120 |
| 360-46-120 | as | 246-895-130 |
| 360-46-130 | as | 246-895-140 |
| 360-46-140 | as | 246-895-150 |
| 360-46-150 | as | 246-895-160 |
| 360-46-160 | as | 246-895-170 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-897 WAC:

Chapter 246-897 WAC
Pharmacy—Drug availability
AMYGDALIN (LAETRILE)

| | | |
|------------|----|-------------|
| 360-47-010 | as | 246-897-020 |
| 360-47-020 | as | 246-897-030 |
| 360-47-030 | as | 246-897-040 |
| 360-47-040 | as | 246-897-050 |
| 360-47-050 | as | 246-897-060 |

DIMETHYL SULFOXIDE (DMSO)

| | | |
|------------|----|-------------|
| 360-48-010 | as | 246-897-120 |
| 360-48-020 | as | 246-897-130 |
| 360-48-030 | as | 246-897-140 |
| 360-48-040 | as | 246-897-150 |
| 360-48-050 | as | 246-897-160 |
| 360-48-060 | as | 246-897-170 |
| 360-48-070 | as | 246-897-180 |
| 360-48-080 | as | 246-897-190 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-899 WAC:

Chapter 246-899 WAC
Pharmaceutical—Drug product substitution

| | | |
|------------|----|-------------|
| 360-49-010 | as | 246-899-020 |
| 360-49-020 | as | 246-899-030 |
| 360-49-040 | as | 246-899-040 |
| 360-49-050 | as | 246-899-050 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-901 WAC:

Chapter 246-901 WAC
Pharmacy assistants

| | | |
|------------|----|-------------|
| 360-52-010 | as | 246-901-020 |
| 360-52-020 | as | 246-901-030 |
| 360-52-030 | as | 246-901-040 |
| 360-52-040 | as | 246-901-050 |
| 360-52-050 | as | 246-901-060 |
| 360-52-060 | as | 246-901-070 |
| 360-52-070 | as | 246-901-080 |
| 360-52-080 | as | 246-901-090 |
| 360-52-090 | as | 246-901-100 |
| 360-52-100 | as | 246-901-110 |
| 360-52-110 | as | 246-901-120 |
| 360-52-120 | as | 246-901-130 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-903 WAC:

Chapter 246-903 WAC
Nuclear pharmacies and pharmacists

| | | |
|------------|----|-------------|
| 360-54-010 | as | 246-903-001 |
| 360-54-020 | as | 246-903-010 |
| 360-54-030 | as | 246-903-020 |
| 360-54-040 | as | 246-903-030 |
| 360-54-050 | as | 246-903-040 |

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-905 WAC:

Chapter 246-905 WAC
Pharmacy—Home dialysis program

| | | |
|------------|----|-------------|
| 360-60-010 | as | 246-905-020 |
| 360-60-020 | as | 246-905-030 |
| 360-60-030 | as | 246-905-040 |
| 360-60-040 | as | 246-905-050 |

WSR 91-14-034
NOTICE OF PUBLIC MEETINGS
HARDWOODS COMMISSION
[Memorandum—June 24, 1991]

There will be a meeting of the Washington State Hardwoods Commission on June 27, 1991, 10:00 a.m. until 10:30 a.m. at the O'Brien Building, Hearing Room "C."

WSR 91-14-035
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed June 26, 1991, 3:41 p.m.]

Original Notice.

Title of Rule: Training—School employees—HIV/AIDS.

Purpose: Provide public school districts with the mandatory and supplemental course content requirements for training school district employees regarding the transmission, prevention, and treatment of HIV/AIDS.

Statutory Authority for Adoption: RCW 70.24.290.

Statute Being Implemented: Chapter 392-198 WAC.

Summary: Provide mandatory and supplemental training requirements regarding HIV/AIDS for all school district employees, including newly-hired employees, and for updating employees when the Department of Health determines new information requires retraining.

Reasons Supporting Proposal: As authorized by RCW 70.24.290 in response to the need to train school district employees regarding HIV/AIDS.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Old Capitol Building, (206) 753-2298; Implementation: Pamela Tollefsen, Old Capitol Building, (206) 586-0245; and Enforcement: Judith A. Billings, Old Capitol Building, (206) 753-6904.

Name of Proponent: Office of Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Required that local school districts provide all employees with training about HIV/AIDS. Purpose, ensure that school employees are knowledgeable about HIV/AIDS, its transmission and prevention, as well as state law regarding confidentiality. Effects, all school employees will be trained about HIV/AIDS.

Proposal does not change existing rules.

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

Hearing Location: Wanamaker Conference Room, 2nd Floor, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, on August 16, 1991, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by August 6, 1991.

Date of Intended Adoption: August 23, 1991.

June 26, 1991
Judith A. Billings
Superintendent of
Public Instruction

WSR 91-14-036
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed June 26, 1991, 3:44 p.m.]

Chapter 392-198 WAC
TRAINING—SCHOOL EMPLOYEES—HIV/AIDS

NEW SECTION

WAC 392-198-005 AUTHORITY. The authority for this chapter is RCW 70.24.290 which authorizes the superintendent of public instruction to adopt rules that require appropriate education and training of public school employees about the transmission, prevention, and treatment of HIV/AIDS. The superintendent of public instruction is further required to develop the course content in consultation with the department of health under RCW 70.24.250.

NEW SECTION

WAC 392-198-010 PURPOSES. The purpose of this chapter is to provide public school districts with the mandatory and supplemental course content requirements for training school district employees regarding the transmission, prevention, and treatment of HIV/AIDS.

NEW SECTION

WAC 392-198-015 COURSE CONTENT REQUIREMENTS FOR HIV/AIDS INSERVICE TRAINING—MANDATORY. Pursuant to RCW 70.24.250 and 70.24.290 the HIV/AIDS training provided by public school districts shall include:

- (1) History and epidemiology of HIV/AIDS;
- (2) Methods of transmission of HIV;
- (3) Methods of prevention of HIV including universal precautions for handling of body fluids;
- (4) Current treatment for symptoms of HIV and prognosis of disease progression;
- (5) State and federal laws governing discrimination of persons with HIV/AIDS;
- (6) State and federal laws regulating confidentiality of a person's HIV antibody status.

NEW SECTION

WAC 392-198-020 COURSE CONTENT REQUIREMENTS FOR HIV/AIDS INSERVICE TRAINING—SUPPLEMENTAL. Pursuant to RCW 70.24.250 and 70.24.290 the HIV/AIDS training may include:

- (1) Federal, state, and local resources for HIV/AIDS;
- (2) Impact of HIV/AIDS on infected individuals and their families;
- (3) Global impact of HIV/AIDS;
- (4) Anonymous and confidential testing for HIV antibodies.

NEW SECTION

WAC 392-198-025 CONTINUING INSERVICE. Pursuant to RCW 70.24.250, all local school districts shall ensure that significant new discoveries or changes in accepted knowledge of transmission, prevention, and treatment for HIV/AIDS are provided to all public school employees within one calendar year of the date of notification by the superintendent of public instruction as advised by the office on HIV/AIDS, department of health, unless the department of health notifies the districts that the information is of such an emergent nature that a prompt response is required.

NEW SECTION

WAC 392-198-030 NEW EMPLOYEE TRAINING. Each school district shall ensure that newly hired school district employees shall receive the HIV/AIDS training prescribed in WAC 392-198-015 within six months from the first day of employment in the district.

Original Notice.

Title of Rule: WAC 392-202-080 School personnel—Excellence in education awards.

Purpose: Is to set forth policies, selection, criteria, and administrative procedures for establishing an annual Washington award for excellence in education to teachers, principals, administrators, superintendents, and school boards, and classified staff.

Statutory Authority for Adoption: RCW 28A.03.532.

Statute Being Implemented: RCW 28A.03.532.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Superintendent of Public Instruction, Old Capitol Building, (206) 753-2298; Implementation: Larry M. Strickland, Superintendent of Public Instruction, Old Capitol Building, (206) 753-6747; and Enforcement: Bridget L. Cullerton, Superintendent of Public Instruction, Old Capitol Building, (206) 586-6394.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

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

Proposal does not change existing rules.

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

Hearing Location: Wanamaker Conference Room, 2nd Floor, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, on August 16, 1991, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by August 6, 1991.

Date of Intended Adoption: August 23, 1991.

June 26, 1991
Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 29, filed 9/13/90, effective 10/14/90)

WAC 392-202-080 SELECTION OF RECIPIENTS—APPLICATION. Selection of recipients shall require submission of an application as follows:

(1) Candidates nominated on forms provided by and returned to the superintendent of public instruction shall receive an application form from the superintendent of public instruction to be completed and returned if the candidate wishes to be considered for the award. The application shall be adapted to each category of award, — i.e., classified staff member, teacher, principal, or administrator, superintendent, and school board, — and shall require that the ((candidate)) nominator provide evidence of leadership in, and contributions and commitment to educational excellence.

(2) Classified staff member applications shall include recommendations from a building administrator, teacher, and a student or parent/guardian.

(3) Teacher award applications shall include recommendations from a superintendent, a community member, and a student or parent/guardian.

(4) Principal or administrator award applications shall include recommendations from a member of the staff in his or her building, a superintendent, and a student or parent or guardian.

(5) Superintendent award applications shall include recommendations from a community representative, chair of the school board, and a member of the school district staff.

(6) School board award applications shall include recommendations from the local education association president, the superintendent, and a representative of a parent support group.

AMENDATORY SECTION (Amending Order 14, filed 9/14/89, effective 10/15/89)

WAC 392-202-110 AWARDS FOR TEACHERS, PRINCIPALS, AND ADMINISTRATORS. The award for educational excellence for teachers, principals, and administrators shall include:

(1) A certificate presented by the governor and superintendent of public instruction in public ceremony(ies); and

(2) The recipients' choice of one of the following:

(a) ~~((A waiver of tuition and fees for one full academic year of study at any Washington state institution of higher education plus a stipend of not more than one thousand dollars to cover costs incurred in taking courses, or))~~ An academic cash grant not to exceed the current full-time equivalent resident graduate tuition for courses taken at one of the state's public, research, or regional, four-year institutions of higher education; or

(b) A grant not to exceed one thousand dollars, which shall be used for educational purposes; or

(c) A recognition stipend not to exceed one thousand dollars.

AMENDATORY SECTION (Amending Order 14, filed 9/14/89, effective 10/15/89)

WAC 392-202-115 NOTIFICATION AND APPLICATION FOR AWARD—TEACHERS AND PRINCIPALS/ADMINISTRATORS. (1) The superintendent of public instruction shall notify the recipients that an election must be made in a timely fashion, including appropriate forms for making the election; and recipients shall notify the superintendent of public instruction in writing within one year of receipt of the award of the option they have chosen.

(2) Recipients shall apply for the educational grant within one year after receipt of the award and shall expend the funds provided under the grant within one year after submission of the application.

(3) Recipients choosing ~~((waiver after January 1989 shall apply for the waiver and stipend within one year after receipt of the award and shall expend the funds provided under the waiver and stipend within three years after the receipt of the award))~~ the academic grant, upon notice to the superintendent of public instruction, shall have their award transferred to the higher education coordinating board for administration and processing of their grant.

AMENDATORY SECTION (Amending Order 87-15, filed 11/5/87)

WAC 392-202-120 AWARD FOR SUPERINTENDENT. The awards for superintendent shall include:

(1) A certificate presented by the superintendent of public instruction and the governor at a public ceremony(ies); and

(2) The recipients choice of one of the following:

(a) A grant not to exceed one thousand dollars, which shall be used for educational purposes; or

(b) A recognition stipend not to exceed one thousand dollars.

WSR 91-14-037

PROPOSED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed June 26, 1991, 3:48 p.m.]

Original Notice.

Title of Rule: WAC 392-163-340 Budget revision—
Ten percent allowed; 392-163-345 Budget revisions—

Updating planned expenditures; 392-163-355 Program update; and 392-163-435 Program compliance review.

Purpose: Is to ensure compliance by the state of Washington with the financial assistance to local school districts' provisions, including those which apply to private school and local institutions for neglected and delinquent children, of Chapter 1 Regular of the Education Consolidation and Improvement Act of 1981 and accompanying federal rules and regulations, particularly 34 CFR Part 200.

Statutory Authority for Adoption: RCW 28A.02.100.

Statute Being Implemented: P.L. 100-297, 34 CFR, Part 200.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Office of Superintendent of Public Instruction, Old Capitol Building, Mailstop FG-11, Olympia, Washington 98504, (206) 753-2298; Implementation: Robert V. Reynolds, Office of Superintendent of Public Instruction, Old Capitol Building, Mailstop FG-11, Olympia, Washington 98504, (206) 753-3220; and Enforcement: Bridget L. Cullerton, Office of Superintendent of Public Instruction, Old Capitol Building, Mailstop FG-11, Olympia, Washington 98504, (206) 586-6394.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

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

Proposal does not change existing rules.

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

Hearing Location: Wanamaker Conference Room, 2nd Floor, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, on August 16, 1991, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by August 6, 1991.

Date of Intended Adoption: August 23, 1991.

June 26, 1991

Judith A. Billings

Superintendent of

Public Instruction

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-340 BUDGET REVISION—~~((TWENTY))~~ TEN PERCENT ALLOWED. Using the subtotal from Form 1000B Ch-1 as a base, school districts may make annual expenditure adjustments of up to ~~((twenty))~~ ten percent of that total in any of the previously budgeted activity or object totals within the approved annual application without filing a request for a budget revision with the superintendent of public instruction.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-345 BUDGET REVISIONS—UPDATING PLANNED EXPENDITURES. Except as provided in WAC 392-163-340, each school district shall expend Chapter 1 Regular moneys in accordance with planned expenditures and program description included in the application submitted to and approved by the superintendent of public instruction. A school district shall be required to file

a request for a budget revision whenever necessary with the superintendent of public instruction in order to:

- (1) Increase the total expenditure of Chapter 1 Regular moneys; or
- (2) Change by more than ~~((twenty))~~ ten percent of the subtotal the expenditures among activity or object totals; or
- (3) Expend money in any object or activity where no moneys were budgeted in the original application.

AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

WAC 392-163-355 PROGRAM UPDATE. No later than thirty calendar days following a substantial program change, a school district shall submit to the superintendent of public instruction a description of such changes. "Substantial changes" shall mean:

- (1) Removal of Chapter 1 Regular services from an attendance area listed as "served" on the application;
- (2) Addition of Chapter 1 Regular services to an attendance area not listed as "served" in the application;
- (3) Modification of the Chapter 1 Regular program in any served attendance area by adding a new program focus, by changing grade levels, or by changing program service delivery models; and/or
- (4) Increasing the number of students served in the Chapter 1 Regular program to such an extent that the district must exceed the ~~((twenty))~~ ten percent budget variance to accommodate serving the additional eligible students.

Notwithstanding the thirty-day provision for notification to the superintendent of public instruction of substantial program changes, if such changes necessitate a budget revision said revision shall be submitted to the superintendent of public instruction for approval prior to implementation of proposed changes.

AMENDATORY SECTION (Amending Order 84-49, filed 10/2/84)

WAC 392-163-435 PROGRAM COMPLIANCE REVIEW. The superintendent of public instruction shall conduct program compliance reviews of all school districts receiving Chapter 1 Regular moneys. Review(s) of each school district shall occur at least once ~~((every three years))~~ within a three-year plan as established by the superintendent of public instruction. The plan will ensure that no more than three years lapse between reviews for each school district: PROVIDED, That in the case of school districts not reviewed due to exceptional or uncontrollable circumstances, these districts will have first priority for review in the immediate following year. Upon receipt of the compliance review report from the superintendent of public instruction the school district shall have three weeks to respond to the superintendent of public instruction if there are exceptions noted in the report. Substantial noncompliance or failure by the school district to respond and/or initiate corrective action in a timely manner shall be subject to actions prescribed in WAC 392-163-450 and 392-163-455.

WSR 91-14-038
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Order 91-10—Filed June 26, 1991, 3:50 p.m.]

Date of Adoption: June 21, 1991.

Purpose: To amend section number references to chapter 392-115 WAC.

Citation of Existing Rules Affected by this Order: Amending WAC 392-121-500, 392-121-505, and 392-121-510.

Statutory Authority for Adoption: RCW 28A.150.290.

Pursuant to notice filed as WSR 91-10-105 on May 1, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 26, 1991
Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 44, filed 3/7/91, effective 4/7/91)

WAC 392-121-500 WITHHOLDING FOR REPAYMENT OF FEDERAL MONEYS—APPLICABLE PROVISIONS. The provisions of WAC 392-121-500 through 392-121-545 apply to the withholding of basic education allocations pursuant to chapter 103, Laws of 1990 to facilitate repayment of school district expenditures to the federal government pursuant to WAC ~~((392-115-140))~~ 392-115-090 or a federal audit resolution process.

AMENDATORY SECTION (Amending Order 44, filed 3/7/91, effective 4/7/91)

WAC 392-121-505 WITHHOLDING FOR REPAYMENT OF FEDERAL MONEYS—DEFINITION—DISALLOWED COSTS. As used in WAC 392-121-500 through 392-121-545, "disallowed costs" means the same as defined in WAC ~~((392-115-110))~~ 392-115-055.

AMENDATORY SECTION (Amending Order 44, filed 3/7/91, effective 4/7/91)

WAC 392-121-510 WITHHOLDING FOR REPAYMENT OF FEDERAL MONEYS—DEFINITION—MANAGEMENT DECISION LETTER. As used in WAC 392-121-500 through 392-121-545, "management decision letter" means the same as defined in WAC ~~((392-115-137))~~ 392-115-070.

WSR 91-14-039

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 91-45—Filed June 26, 1991, 4:15 p.m.]

Date of Adoption: June 26, 1991.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-56-380.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Department sampling indicates that a harvestable surplus of oysters is available.

Effective Date of Rule: Immediately.

June 26, 1991
Judith Merchant
Deputy Director
for Joseph R. Blum
Director

NEW SECTION

WAC 220-56-38000J OYSTERS—AREAS AND SEASONS. Notwithstanding the provisions of WAC

220-56-380, effective immediately through July 15, 1991 all state-owned tidelands at Eagle Creek will be open to the harvest of oysters.

WSR 91-14-040

GOVERNOR'S TIMBER TEAM

[Filed June 27, 1991, 10:03 a.m.]

Reviser's note: The following material has not been adopted under the Administrative Procedure Act, chapter 34.05 RCW, but has been filed in the office of the code reviser and is published in the Register exactly as filed.

The governor of the state of Washington has determined the Washington State Register is the appropriate location for the publication of these revised regulations implementing federal legislation restricting the export of timber from state and local government lands.

The following revised regulations are issued by the governor of the state of Washington and are effective August 16, 1991.

Denny Heck, Chief of Staff
Office of the Governor

Chapter 240-15
Log Export Restrictions

WAC 240-15-005 PURPOSES AND IMPLEMENTATION. The Forest Resources Conservation and Shortage Relief Act of 1990 (Public Law 101-382). The Act directs the governor to promulgate rules for its implementation consistent with Section 553, of title 5, United States Code. These rules have been promulgated in accordance with the directives of the Act rather than Chapter 34.05 RCW.

WAC 240-15-010 AUTHORITY AND DEFINITIONS. (1) Applicability. This chapter shall apply to the sale of timber originating from public lands in the State of Washington, when such timber is subject to an order issued by the Secretary of Commerce of the United States under section 491(a) of the Forest Resources Conservation and Shortage Relief Act of 1990 (Public Law 101-382). Western Red Cedar is exempt from these rules. The prohibition on the export of Western Red Cedar is covered by section 7(i) of the Export Administration Act of 1979 (50 U.S.C. App. 2406 (i)).

(2) Presidential action. This chapter shall not apply to the extent that an order referred to under WAC 240-15-010(1) is suspended, removed, or modified by the President of the United States under the authority of section 491(e) or 491(f) of the Forest Resources Conservation and Shortage Relief Act of 1990 (Public Law 101-382).

(3) Surplus timber. Timber which has been determined to be surplus to the needs of timber manufacturing facilities in the United States by the Secretary of Agriculture or the Secretary of the Interior of the United States is not subject to regulation under this chapter.

(4) Definitions. As used in this chapter:

(a) "Agency" means any state or local public entity which owns or manages land from which timber is harvested in the State of Washington.

(b) "Export" means either to load on a conveyance or vessel or put in a log raft with the intent to ship to a foreign destination, or to place at a facility such as a port, yard, pond, or dock with the intent to load on a conveyance or vessel or put in a log raft for shipment to a foreign destination.

(c) "Export restricted timber" means unprocessed timber originating from a sale of timber from public lands which has been designated as export restricted under WAC 240-15-015 (1)(a), and includes both logs and stumpage originating from such a sale.

(d) "Person" means any individual, partnership, corporation, association, or other legal entity and includes any subsidiary, subcontractor, parent company and business affiliates where one affiliate controls or has the power to control the other or when both are controlled directly or indirectly by a third person.

(e) "Processing facility" means a facility for converting unprocessed timber into any of the items of processed timber listed in WAC 240-015-010(i). Chip plants, pulp mills and facilities that process only Western Red Cedar Products are not considered processing facilities.

~~((f))~~ (f) "Public lands" means lands in the State of Washington that are held or owned by the State of Washington, or a political subdivision thereof, or any other public agency. Such term does not include any lands the title to which is:

(i) held by the United States,

(ii) held in trust by the United States for the benefit of any Indian tribe or individual, or

(iii) held by any Indian tribe or individual subject to a restriction by the United States against alienation.

~~((f))~~ (g) "Purchaser" means a person who has been awarded a timber sale contract to harvest or acquire export restricted timber from public lands in the State of Washington.

~~((g))~~ (h)(i) "Substitution" means the purchase of export restricted timber by (A) a person who owns a processing facility (B) where the person owning the processing facility also exports or sells for export from the United States unprocessed timber originating from private lands in the State of Washington and (C) where ~~((A))~~ such lands are owned by the person, or ~~((B))~~ the person has exclusive rights to harvest timber from such lands, where such rights may be exercised at any time during a period of more than 7 years. Substitution can occur only when all three above noted conditions are met. Exceptions to this 7 year restriction may be considered on a case by case basis by the Department of Revenue in exceptional circumstances.

(ii) The reference in WAC 240-15-101 (4)(g)(i) to the export from the United States of unprocessed timber originating from private lands shall mean exports which occur at any time:

(A) after that date which is 12 months prior to the award date of the sale of the export restricted timber, except that it shall not refer to any exports which occur prior to January 1, 1991; and

(B) prior to that date which is 24 months after the award date of the sale of the export restricted timber, or

the end of the term of the timber sale contract for the export restricted timber, whichever is later.

((~~(h)~~)) (i) "Unprocessed timber" means trees or portions of trees or other roundwood not processed to standards and specifications suitable for end product use. As used in this chapter, the term "unprocessed timber" does not include timber processed into any one of the following:

(i) Lumber or construction timbers, except Western Red Cedar, meeting current American Lumber Standards grades or Pacific Lumber Inspection Bureau Export R or N list grades, sawn on 4 sides, not intended for remanufacture.

(ii) Lumber, construction timbers, or cants for remanufacture, except Western Red Cedar, meeting current American Lumber Standards grades or Pacific Lumber Inspection Bureau Export R or N list clear grades, sawn on 4 sides, not to exceed 12 inches in thickness.

(iii) Lumber, construction timbers, or cants for remanufacture, except Western Red Cedar, that do not meet the grades referred to in clause 2 and are sawn on 4 sides, with wane less than 1/4 of any face, not exceeding 8 3/4 inches in thickness.

(iv) Chips, pulp or pulp products.

(v) Veneer or plywood.

(vi) Poles, posts, or piling cut or treated with preservatives for use as such.

(vii) Shakes or shingles.

(viii) Aspen or other pulpwood bolts, not exceeding 100 inches in length, exported for processing into pulp.

(ix) Pulp logs or cull logs processed at domestic pulp mills, domestic chip plants, or other domestic operations for the purpose of conversion of the logs into chips.

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

WAC 240-15-015 PROHIBITIONS. (1) Prohibition on export. Except as specifically provided under this chapter, no person may:

(a) export from the United States export restricted timber; or

(b) sell, trade, exchange, or otherwise convey to any other person, for the purpose of export from the United States, export restricted timber.

(2) Prohibition on substitution. Except as specifically provided under this chapter, no person may purchase export restricted timber from any agency if such person owns and operates a processing facility and the processing of export restricted timber at such facility by such person would constitute substitution.

(3) Prohibition on certain indirect transactions. Except as specifically provided under this chapter, no person may purchase from any other person export restricted timber if such person is prohibited under WAC 240-15-015(2) (relating to substitution) from purchasing such timber directly from the agency managing the public lands from which such timber originated.

(4) Exemptions. Notwithstanding any other provisions of this chapter;

(a) The prohibition in WAC 240-15-015(2) (relating to substitution) shall not apply to the use of timber originating from public lands which is either (i) hardwood timber, or (ii) Western Red Cedar.

(b) The prohibitions in WAC 240-15-015(3) (relating to certain indirect purchases) shall not prohibit any person otherwise affected by such prohibition from obtaining up to 33 1/3% of the volume of timber purchased in an export restricted timber sale in calendar year 1991 (not including hardwoods and Western Red Cedar) from the purchaser of such a sale if such person will process such timber at a domestic facility; ((except that any timber so transferred shall not exceed 20% of such volume in 1992, and 10% after 1992.)) In calendar year 1992 the volume of a sale subject to such purchases shall be reduced to 20%. In calendar years after 1992 the volume of a sale subject to such purchases shall be reduced to 10% The transferor shall notify the Department of Revenue, in writing, of any such transaction prior to physically transferring the timber to the transferee. Rights to purchase export restricted timber under this paragraph may be used on a sale by sale basis and may not be accumulated or transferred to other sales. The advertised volume or volume specified in the sale agreement shall serve as the basis for determining the sale volume to which the percentage applies.

(c) The prohibition in WAC 240-15-015(2) (relating to substitution) shall not prohibit the purchase by any person of export restricted timber originating from public lands in Ferry County or any other county in the State of Washington partially or entirely east of the Columbia River if such person does not export or sell for export timber from private lands in that geographic area.

(d) The prohibition in WAC 240-15-015(2) (relating to substitution) shall not apply to any log, regardless of gross scale, sold to a domestic processing facility for the purpose of conversion into chips, pulp or pulp products.

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

WAC 240-15-020 AGENCY REQUIREMENTS.

(1) Designation of export restricted timber.

(a) Each agency managing public lands subject to this chapter shall designate timber sales to be sold as export restricted and as exportable. For calendar year 1991, each agency shall designate as export restricted, sales that include 75 per cent of the volume of unprocessed timber from such agency's annual sales program, excluding Western Red Cedar. For calendar year 1992 and subsequent years, this percentage shall be revised as necessary in order to comply with orders issued by the Secretary of Commerce of the United States under section 491(a) of the Forest Resources Conservation and Shortage Relief Act of 1990 (Public Law 101-382). Sales designated as export restricted shall be distributed proportionately throughout the geographical area of land owned or managed by the agency. Timber originating from sales designated as export restricted shall be representative of the species and grade distribution of the agency's sale program.

(b) Designation of timber sales as export restricted and as exportable shall be on a sale by sale basis and shall apply to the entire sale being considered; except that a sale shall be subdivided into portions that are export restricted and exportable if there are insufficient sales in the annual sales program to insure that designation on a sale by sale basis meets the applicable requirements of the Forest Resources Conservation and Shortage Relief Act of 1990 (Public Law 101-382).

(2) Report to the Governor. By March 31 of each year, each agency selling timber from public lands shall report to the Governor on the results of its sales program in compliance with the Forest Resources Conservation and Shortage Relief Act (Public Law 101-382) for the preceding calendar year. The report shall include information on the volume, species, grade, and geographical distribution of sales sold as export restricted and not export restricted.

(3) Reports on the purchase of timber. Not later than 5 days after the receipt of a Purchaser Certification furnished to an agency under WAC 240-15-025, the agency shall submit a copy of such certification to the Washington Department of Revenue. The agency shall make copies of such reports available to the public at reasonable times and locations.

(4) Contract provisions. Agencies contracting for the sale of export restricted timber from public lands shall include in such contracts clauses incorporating the applicable requirements of WAC 240-15-015 (relating to the prohibitions on export and substitution), WAC 240-15-025 (relating to reporting requirements), and WAC 240-15-030 (relating to enforcement). In addition, such contracts shall include clauses which provide that a violation by the purchaser of the prohibitions under WAC 240-15-025 (relating to the prohibitions on export and substitution) shall be sufficient cause for the agency to cancel the contract.

(5) Prohibition on accepting bids from ineligible purchasers. Agencies shall not accept bids for sales of export restricted timber from persons included on the List of Ineligible Purchasers published by the Department of Revenue under this chapter.

(6) List of ineligible purchasers. Agencies contracting for the sale of export restricted timber from public lands shall attach to such contracts a copy of the most recent List of Ineligible Purchasers published by the Department of Revenue.

WAC 240-15-025 REPORTING REQUIREMENTS. (1) Purchaser certification. Prior to issuing a contract for the sale of export restricted timber, an agency which has offered such timber for sale shall require that the purchaser submit 2 signed copies of a Purchaser Certification, in such form as the Department of Revenue may require, which affirms, under penalty of law, the truth of each of the following:

- (a) That such timber, while still in unprocessed form, will not be:
 - (i) exported by the purchaser or used in substitution by the purchaser; or
 - (ii) transferred to any other person for the purpose either of export or to be used in substitution.

(b) That hammer brands and red paint applied to such timber as required by this chapter shall remain on such timber until it is domestically processed.

(c) That prior to selling, trading, exchanging, or otherwise conveying any timber which is export restricted timber to any other person, the purchaser (transferor) shall require the transferee to provide to the purchaser (transferor) 2 signed copies of a completed Transferee Certification, in such form as the Department of Revenue shall require; and that the purchaser (transferor) shall provide the department with one copy not later than 5 days after receipt from the transferee.

(d) That the purchaser (transferor) shall not sell, trade, exchange, or otherwise convey export restricted timber to any person identified on the List of Ineligible Purchasers published by the Department of Revenue under this chapter.

(2) Transferee certification. Any person possessing export restricted timber shall, prior to selling, trading, exchanging, or otherwise conveying such timber to any other person, require the transferee to provide to the transferor 2 signed copies of a completed Transferee Certification, in such form as the Department of Revenue shall require. The Transferee Certification shall include an affirmation, under penalty of law, as to the truth of each of the items required to be affirmed in a Purchaser Certification, (except insofar as the transfer is pursuant to WAC 240-15-015 (4)(b) (relating to certain indirect transactions)) as well as the quantity of export restricted timber which is being transferred. The transferor shall provide to the Department of Revenue one signed copy of the Transferee Certification not later than 5 days after the receipt from the transferee.

(3) Reporting requirements for certain purchasers of export restricted timber. Any person who:

- (a) processes export restricted timber, and
- (b) either owns forest lands the State of Washington, or has the exclusive right to harvest timber from lands in the State of Washington for a period of more than 7 years, shall, for purposes of the reporting requirements under this section, treat any timber harvested from lands referred to in WAC 240-15-025 (3)(b) during the period of time referred to under WAC 240-15-010 (4)(g)(ii)(B) as though it were export restricted timber originating from public lands. However, nothing in this section shall require painting or branding of timber originating on private lands.

(4) Every person who purchases export restricted timber or who comes into possession of export restricted timber shall keep and preserve for a period of five years, suitable records as may be necessary to determine the final distribution and use of such export restricted timber, and the final distribution and use of timber which is subject to the prohibition against substitution in WAC 240-15-015(2).

WAC 240-15-030 ENFORCEMENT. (1) Debarment.

(a) Any person who knowingly violates any of the prohibitions in WAC 240-15-015(1) (relating to exports), WAC 240-15-015(2) (relating to substitution), or WAC 240-15-015(3) (relating to certain indirect

transactions) shall be debarred, by an order issued by the Department of Revenue (~~or the agency which manages the public lands from which the affected timber originated;~~) from bidding on or purchasing export restricted timber originating from any public lands covered by this chapter for a period of two years.

(b) A second debarment of any person under this section which is for a violation by the same person committed after the first debarment of such person under this section shall result in a permanent debarment of such person from bidding on or purchasing export restricted timber originating from any public lands covered by this chapter.

(c) The Washington Administrative Procedures Act shall apply to the issuance of any order by a state agency under this subsection. Agencies other than state agencies shall follow appropriate procedures in issuing any order under this subsection.

~~((d) Any time an agency debar a person under this section, the agency shall notify the Department of Revenue of its action in debarring such person and the period for which the person is debarred:))~~

~~((e))~~ (d) For purposes of this section, the term "person" shall include any previously formed but no longer existing entity which would be included in WAC 240-15-010 (4)(d) if existing now.

(2) Log branding and marking requirements.

(a)(i) ~~((Both ends of all logs))~~ All log ends 10 inches or greater in diameter from sales of unprocessed timber by a public agency covered by this chapter shall, prior to removal from the sale area, be hammer branded with a brand registered under chapter 76.36 RCW, as amended.

(ii) In addition to the branding requirements of WAC 240-15-030 (2)(a)(i), both ends of all logs from those sales designated as export restricted under WAC 240-15-020 (1)(a) shall, prior to removal from the sale area, be painted with durable red paint.

(b) If timber that has been properly marked and branded, as required under WAC 240-15-030 (2)(a), is subdivided into smaller pieces for any purpose other than immediate processing, each piece shall be marked in the same manner as the original timber.

WAC 240-15-035 REQUIREMENTS APPLICABLE TO THE DEPARTMENT OF REVENUE. (1) Administration. Administration of this chapter shall be the responsibility of the Washington Department of Revenue.

(2) Referrals of violations. Whenever the Department of Revenue becomes aware of a violation, or possible violation, of the prohibitions in WAC 240-15-015(1) (relating to export), WAC 240-15-015(2) (relating to substitution), or WAC 240-15-015(3) (relating to certain indirect transactions) it shall notify the managing agency so that such agency may promptly take appropriate action, as provided in this chapter.

(3) Monitoring.

(a) The Department of Revenue shall develop and implement a program for the monitoring of export restricted timber in transit and at ports and other facilities for the purpose of ensuring that

(i) export restricted timber is not exported from the United States or used in substitution, and

(ii) timber harvested from lands referred to in WAC 240-15-025 (3)(b) (relating to reporting requirements for certain purchasers of export restricted timber) at any time during the period of time referred to in WAC 240-15-010 (4)(g)(ii), is not exported from the United States.

(b) The Department of Revenue may enter into contracts or agreements with other appropriate state or federal authorities for the purpose of meeting the requirements of WAC 240-15-035 (3)(a).

(4) Certifications.

(a) The Department of Revenue shall issue uniform forms which shall be used as Purchaser Certifications required to be submitted under WAC 240-15-025(1), and Transferee Certifications required to be submitted under WAC 240-15-025(2). Each such form shall include a notification, conspicuously placed, that the making of a false statement on such certification is punishable as a gross misdemeanor under RCW 9A.72.040.

(b) Copies of all certifications received by the Department of Revenue shall be available for public inspection at reasonable hours and locations.

(c) The Department of Revenue may audit certifications submitted by any person under WAC 240-15-025 (relating to reporting requirements) in order to assure that such person is able to account for the disposition of all export restricted timber which such person has purchased from a public agency or received by means of transfer from any other person.

(d) The Department of Revenue shall develop and implement a program to ~~((randomly))~~ audit certifications submitted under WAC 240-15-025 (relating to reporting requirements) in order to assure that persons who acquire export restricted timber are able to account for the disposition of all export restricted timber which they have purchased from a public agency or received by means of transfer from any other person.

(5) List of ineligible purchasers.

(a) The Department of Revenue shall establish and maintain a list of persons who, due to violations of this chapter, are ineligible to purchase export restricted timber.

(b) The Department of Revenue shall add a person to the list referred to in WAC 240-15-035 (5)(a) whenever:

(i) it finds under WAC 240-15-030(1) (relating to debarment) that such person has violated WAC 240-15-015(1) (relating to the prohibition on exports), WAC 240-15-015(2) (relating to the prohibition on substitution), or WAC 240-15-015(3) (relating to certain indirect transactions); or

(ii) it receives notification from an agency which sells export restricted timber that such agency has made a finding, under WAC 240-15-030(1) (relating to debarment) that such person has violated WAC 240-15-015(1) (relating to the prohibition on exports) WAC 240-15-015(2) (relating to the prohibition on substitution), or WAC 240-15-015(3) (relating to certain indirect transactions).

(c) The Department of Revenue shall remove a person from the list referred to in WAC 240-15-035 (5)(a) after such period of time has elapsed as is required under the order debarring such person under WAC 240-15-030(1) (relating to debarment). No person who is placed on the list as the result of being debarred for a violation which occurred subsequent to the first debarment of such person under WAC 240-15-030(1) shall be removed from the list.

(d) The Department of Revenue shall provide a copy of the list of ineligible purchasers to referred to in WAC 240-15-035 (5)(a)(i) to each agency which sells export restricted timber, and (ii) each person who requests to receive copies of the list. The Department of Revenue shall provide revised copies of the list to all such agencies and persons whenever a person is added to or removed from the list.

WSR 91-14-041
PERMANENT RULES
PUBLIC DISCLOSURE COMMISSION
 [Filed June 27, 1991, 1:26 p.m.]

Date of Adoption: June 25, 1991.

Purpose: Defines earmarked contributions; describes how to handle contributions of uncertain origin; defines contribution; and a rule that assigns responsibility to the giver to provide a candidate or treasurer with the source of the contribution.

Citation of Existing Rules Affected by this Order: New WAC 390-16-240 and 390-16-312; and amending WAC 390-05-210 and 390-16-308.

Statutory Authority for Adoption: RCW 42.17.370.

Pursuant to notice filed as WSR 91-10-056 on April 29, 1991; and WSR 91-11-105 on May 22, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 27, 1991
 Graham E. Johnson
 Executive Director

NEW SECTION

WAC 390-16-240 EARMARKED CONTRIBUTIONS—DEFINITION AND USE. (1) Earmarked contributions, as that term is used in RCW 42.17.135, means any contribution given to an intermediary, either a political committee, candidate or third party, with a designation, instruction, or encumbrance, whether direct or indirect, express or implied, oral or written, which is intended to result in or which does result in all or any part of the contribution being made to a certain candidate, state official, or ballot proposition.

(2) The intermediary receiving the earmarked contribution shall notify the candidate or political committee for whose use or benefit the contribution is designated within two working days after receipt of the contribution.

NEW SECTION

WAC 390-16-312 HANDLING CONTRIBUTIONS OF UNCERTAIN ORIGIN. No contribution

shall be deposited by any candidate or treasurer who believes, from the face of the contribution instrument or for any other reason, the contribution was made in a fictitious name, by one person through an agent, relative, political committee, or any other person so as to conceal the source of the contribution or to exceed the contribution limits provided in RCW 42.17.105(8). The candidate or treasurer shall return such contributions within ten calendar days to the original contributor if his or her identity is known. Otherwise, the contribution instrument shall be endorsed and made payable to "Washington state treasurer" and the contribution sent to the public disclosure commission for deposit in the state's general fund.

AMENDATORY SECTION (Amending Order 88-02, filed 7/1/88)

WAC 390-05-210 DEFINITION—CONTRIBUTION. (1) The term "contribution" as defined in RCW 42.17.020(10) shall be deemed to include, among other things, furnishing services or property or rights on a discriminatory basis or at less than their fair market value as defined in WAC 390-05-235, for the purpose of assisting any candidate or political committee. (~~[[If no reasonable estimate of the value of such services, property or rights is practicable, it shall be sufficient to report instead a precise description of such services, property or rights so furnished.]]~~) When such in-kind contribution of goods or services is provided, it shall be reported at its fair market value, per WAC 390-05-235.

(2) The following activities are not considered to be contributions or independent campaign expenditures reportable under RCW 42.17.090 or 42.17.100:

(a) News, feature, or editorial comment in a broadcast media program or in a regularly scheduled issue of a printed periodical (including periodicals published by businesses and organizations for their respective employees or members) to communicate ratings, evaluations, endorsements, or recommendations for or against a candidate or ballot proposition;

(b) Internal political communications from a corporation or similar enterprise to its officers, management staff, and stockholders or from a union, association, or other membership organization to its members;

(c) Messages in the form of reader boards, banners, yard, or window signs displayed on a person's own property or property occupied by the organization, business, or union: PROVIDED, That any person, space, or property used for such political advertising for which a rental charge is normally made shall be reported as an in-kind contribution.

AMENDATORY SECTION (Amending WSR 90-20-088, filed 9/28/90, effective 10/29/90)

WAC 390-16-308 IDENTIFICATION OF SOURCE OF CONTRIBUTION. Any person who makes a contribution shall inform the candidate or treasurer, at the time the contribution is made, of the true and actual source of funds from which the contribution

is made. To identify the source of a contribution received by check or other written instrument in the absence of other information, a candidate or treasurer shall ~~((ascertain the source of the contribution or type of business entity and))~~ apply the following:

Provided, that in cases where the source of the contribution is known and differs from the guidelines set forth below, the known source of the contribution shall be reported;

Provided further, that contributions made by or through a lobbyist shall identify the true and actual source of the funds for whom the contribution was made.

(1) A contribution drawn upon a single account shall be attributed to the account holder as identified by the name printed on the face of the check or negotiable instrument.

(2) A contribution drawn upon a joint account shall be attributed in equal proportion to each of the account holders as identified by the names printed on the face of the check or negotiable instrument unless the candidate or treasurer is notified in writing that the contribution should be allocated in different proportions.

(3) A contribution made by a sole proprietor or drawn upon the account of a business which is a sole proprietorship shall be attributed to the owner of the business entity.

(4) A contribution drawn upon the account of a partnership shall be attributed to the partnership as a separate entity except that;

Any check drawn upon the partnership account but which is to be paid from the capital account of one or more individual partners shall identify at the time of transmittal to the candidate or treasurer the name(s) of the contributing partner(s) and shall be attributed to the contributing partner(s).

(5) A contribution drawn upon the account of a corporation, union, association or other similar organization shall be attributed to the corporation, union, association or other similar organization as a separate entity except that;

(a) A contribution drawn upon the account of a wholly owned or controlled subsidiary shall identify the name of the parent or controlling corporation and the contribution shall be attributed to the parent or controlling corporation;

(b) A contribution drawn upon the account of a controlled union subdivision shall identify the name of the controlling union and the contribution shall be attributed to the controlling union;

(c) A contribution drawn upon the account of a controlled subdivision of an association or other similar organization shall name the controlling association or other similar organization and the contribution shall be attributed to the controlling association.

(d) A subsidiary, union subdivision or subdivision of an association or other similar organization is "controlled" by another entity if it does not maintain executive and fiscal independence over its operations and functions as demonstrated by:

(i) Whether the corporation or organization owns a controlling interest in the voting stock or securities of the subsidiary or subdivision;

(ii) Whether the corporation or organization has the authority or ability to direct or participate in the governance of the subsidiary or subdivision through provisions of constitutions, bylaws, contracts or other rules, or through formal or informal practices or procedures;

(iii) Whether the corporation or organization has the authority or ability to hire, appoint, demote or otherwise control the officers or other decisionmaking employees or members of the subsidiary or subdivision;

(iv) Whether the corporation or organization has common or overlapping membership with the subsidiary or subdivision which indicates a formal or ongoing relationship between the two entities((-));

(v) Whether the corporation or organization has common or overlapping officers or employees with the subsidiary or subdivision which indicates a formal or ongoing relationship between the two entities;

(vi) Whether the corporation or organization provides funds or goods in a significant amount or on an ongoing basis through direct or indirect payments to the subsidiary or subdivision.

(6) Contributions made by political committees established, financed, maintained, or controlled by any corporation, organization, or any other person, including any parent, subsidiary, branch, division, department, or local unit of such person, shall be considered to have been made by a single political committee.

WSR 91-14-042

RULES COORDINATOR

WHATCOM COMMUNITY COLLEGE

[Filed June 27, 1991, 1:29 p.m.]

This is notice that the rules coordinator for Whatcom Community College is Cliff Baacke. The address for the office is: Cliff Baacke, Rules Coordinator, Whatcom Community College, 237 West Kellogg Road, Bellingham, WA 98226. The telephone number is (206) 676-2170, 738-2170 scan.

Harold G. Heiner
President

WSR 91-14-043

RULES COORDINATOR

WESTERN WASHINGTON UNIVERSITY

[Filed June 27, 1991, 1:30 p.m.]

This is notice that the rules coordinator for Western Washington University is Gloria A. McDonald. The address for the office is: Gloria McDonald, Rules Coordinator, Attorney General's Office, Western Washington University, 320 BNB, 103 East Holly, Bellingham, WA 98225. The telephone number is (206) 676-2037, 738-2037 scan.

Roland L. De Lorme
Vice President for Academic
Affairs/Provost

WSR 91-14-044
PERMANENT RULES
PERSONNEL BOARD

[Order 377—Filed June 27, 1991, 2:07 p.m.]

Date of Adoption: June 13, 1991.

Purpose: This rule prohibits docking the salaries of exceptions work period employees for absences of less than one full day.

Citation of Existing Rules Affected by this Order: New WAC 356-18-230 Partial day absence—Exceptions work period.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 91-10-066 on April 30, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 26, 1991

Dee W. Henderson
Secretary

NEW SECTION

WAC 356-18-230 PARTIAL DAY ABSENCE—EXCEPTIONS WORK PERIOD. Exceptions work period employees shall not be charged with leave without pay for partial days of absence.

WSR 91-14-045
PROPOSED RULES
DEPARTMENT OF FISHERIES

[Filed June 27, 1991, 2:30 p.m.]

Continuance of WSR 91-08-051.

Title of Rule: Personal use rules.

Purpose: Continue adoption hearing.

Other Identifying Information: Second continuance of WSR 91-03-153.

Statutory Authority for Adoption: RCW 75.08.080.

Statute Being Implemented: RCW 75.08.080.

Summary: Continue WAC 220-56-180 (6)(d) and (e), 220-56-235 (1)(b), and 220-57-425.

Reasons Supporting Proposal: Additional information is needed prior to adoption.

Name of Agency Personnel Responsible for Drafting: Evan S. Jacoby, Mailstop AX-11, Olympia, 586-2429; Implementation: Gene DiDonato, Mailstop AX-11, Olympia, 753-6600; and Enforcement: Danya Matthews, Mailstop AX-11, Olympia, 753-6585.

Name of Proponent: Washington State Department of Fisheries, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See WSR 91-03-153.

Proposal Changes the Following Existing Rules: See WSR 91-03-153.

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

See WSR 91-03-153.

Date of Intended Adoption: June 14, 1991.

April 29, 1991
Judith Merchant
Deputy Director
for Joseph R. Blum
Director

WSR 91-14-046
PERMANENT RULES
DEPARTMENT OF FISHERIES

[Order 91-40—Filed June 27, 1991, 2:32 p.m.]

Date of Adoption: June 14, 1991.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-56-180.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to notice filed as WSR 91-03-153 on January 23, 1991.

Changes Other than Editing from Proposed to Adopted Version: Subsection (6)(d) changed to a two fish daily bag limit 7/1 through 9/30 in Areas 5, 6, 7, 8-1, 8-2, and 9; subsection (6)(e) not adopted; WAC 220-56-235 (1)(b) continued; and WAC 220-57-425 not adopted.

Effective Date of Rule: Thirty-one days after filing.

June 19, 1991
Judith Merchant
Deputy Director
for Joseph R. Blum
Director

AMENDATORY SECTION (Amending Order 91-13, filed 4/2/91, effective 5/3/91)

WAC 220-56-180 BAG LIMIT CODES. (1) Code A: In waters having this code designation, the bag limit in any one day is six salmon not less than 12 inches in length, not more than two of these six salmon may be any combination of the following:

Chinook over 24 inches in length

Coho over 20 inches in length

Pink, chum or sockeye over 12 inches in length

Atlantic salmon (no minimum length).

(2) Code C: In waters having this code designation, the bag limit in any one day is six chinook and coho salmon in the aggregate not less than 12 inches in length or more than the following:

24 inches in length for chinook; 20 inches in length for coho.

(3) Code D: In waters having this code designation, the bag limit in any one day is six salmon including Atlantic salmon not less than 12 inches in length not more than two of which may be sockeye salmon; all chinook salmon greater than 24 inches in length and all coho salmon greater than 20 inches in length must be released.

(4) Code F: In waters having this code designation, the bag limit in any one day is two salmon including Atlantic salmon provided that:

(a) Chinook salmon must be not less than 24 inches in length, coho salmon must be not less than 16 inches, but there is no minimum size on other salmon.

(b) During the period April 16 through June 15 in waters of the Strait of Juan de Fuca between the mouth of the Sekiu River and a line from the most westerly point on Cape Flattery to the Tatoosh Island Light then to Bonilla Point on Vancouver Island, it is unlawful to take and retain chinook salmon greater than 30 inches in length.

(5) Code G: In waters having this code designation, the bag limit is four salmon including Atlantic salmon, not more than two of which may be chinook salmon and the minimum size for chinook salmon is 22 inches in length.

(6) Code H: In waters having this code designation, the bag limit in any one day is three salmon including Atlantic salmon provided that:

(a) Chinook salmon must be not less than 22 inches in length, but there is no minimum size for other salmon.

(b) During the period April 16 through June 15 in Catch Record Card Areas 5, 6, and 7, it is unlawful to retain or possess chinook salmon greater than 30 inches in length.

(c) In contiguous marine waters of Puget Sound east of the mouth of the Sekiu River, no more than two of the three salmon daily bag limit may be chinook, except the daily bag limit in Catch Record Card Area 12 is three salmon of any species.

(d) During the period July 1 through September 30 the daily bag limit is 2 salmon of any species in Catch Record Card Areas 5, 6, 7, 8-1, 8-2, and 9.

(7) Code I: In waters having this code designation, the bag limit, size restrictions, and opening and closing dates are the same as those for gamefish as regulated under Title 77 RCW by the Washington wildlife commission. Salmon angling catch record card is not required, but a gamefish license is required to take, fish for or possess gamefish.

(8) The possession limit in all waters regulated under Bag Limits A, C, D, F, G, H, and special bag limits shall not exceed the equivalent of two daily bag limits of fresh salmon, and additional salmon may be possessed in frozen or processed form. The possession limit in waters regulated under Bag Limit I is the same as the possession limit for gamefish as regulated under Title 77 RCW by the Washington wildlife commission.

WSR 91-14-047

PERMANENT RULES

DEPARTMENT OF FISHERIES

[Order 91-41—Filed June 27, 1991, 2:37 p.m.]

Date of Adoption: June 14, 1991.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-57-195, 220-57-205, 220-57-210, 220-57-265, 220-57-425, 220-57-430, 220-57-470, and 220-57-490.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to notice filed as WSR 91-12-008 on May 30, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 220-57-195, 220-57-205, 220-57-210, 220-57-265, 220-57-470 and 220-57-490, closed to salmon fishing during 1991; WAC 220-57-425, Cascade River to Gilligan Creek, release adult chinook, 1 adult coho in daily bag July through September, no adult coho after September, up to 6 pink salmon in daily bag August 1 through September 15. Gilligan Creek to mouth, 1 adult chinook in daily bag, 1 adult coho in daily bag July through September, no adult coho after September, up to 6 pink salmon in daily bag August 1 through September 15; WAC 220-57-430, special daily bag of 2 chinook, release all other salmon. No change in terminal gear requirements; and WAC 220-57-435, 220-57-450, 220-57-455 and 220-57-465, not adopted.

Effective Date of Rule: Thirty-one days after filing.

June 24, 1991

Judith Merchant

Deputy Director

for Joseph R. Blum

Director

AMENDATORY SECTION (Amending Order 89-12, filed 3/16/89)

WAC 220-57-195 DEWATTO CREEK. (~~Bag Limit A—August 1 through November 30: Downstream from Dewatto Bay Road Bridge.~~) Closed to salmon angling the entire year.

AMENDATORY SECTION (Amending Order 89-12, filed 3/16/89)

WAC 220-57-205 DOSEWALLIPS RIVER. (~~Bag Limit A—August 1 through January 31: Downstream from the Highway 101 Bridge.~~) Closed to salmon angling the entire year.

AMENDATORY SECTION (Amending Order 89-12, filed 3/16/89)

WAC 220-57-210 DUCKABUSH RIVER. (~~Bag Limit A—August 1 through January 31: Downstream from the Highway 101 Bridge.~~) Closed to salmon angling the entire year.

AMENDATORY SECTION (Amending Order 89-12, filed 3/16/89)

WAC 220-57-265 HAMMA HAMMA RIVER. (~~Bag Limit A—August 1 through January 31: Downstream from the Highway 101 Bridge.~~) Closed to salmon angling the entire year.

AMENDATORY SECTION (Amending Order 89-12, filed 3/16/89)

WAC 220-57-425 SKAGIT RIVER. (1) Bag Limit A - (~~August~~) July 1 through December 31: Downstream from the mouth of the Cascade River to Gilligan Creek. Chinook salmon greater than 24 inches in length must be released immediately. During the period July, August, and September, not more than one of the adult

salmon may be a coho salmon. After September, all coho salmon greater than 20 inches in length must be released. During the period August 1 through September 15, up to six pink salmon allowed in the six salmon daily bag limit.

(2) Bag Limit A - ((June)) July 1 through December 31: Downstream from Gilligan Creek. Not more than one of the adult salmon may be a chinook salmon. During the period July, August, and September, not more than one of the adult salmon may be a coho salmon. After September, all coho salmon greater than 20 inches in length must be released. During the period August 1 through September 15, up to six pink salmon allowed in the six salmon daily bag limit.

AMENDATORY SECTION (Amending Order 89-12, filed 3/16/89)

WAC 220-57-430 SKOKOMISH RIVER. Special Daily Bag Limit ((A)) of two chinook salmon not less than 12 inches in length. All chinook salmon less than 12 inches in length and all other species of salmon must be released immediately - ((August)) July 1 through ((January 31)) September 15: Downstream from the mouth of Vance Creek. Terminal gear on the Skokomish River is limited to one bait or lure with one single-pointed hook only, measuring no more than 1/2 inch from point to shank.

AMENDATORY SECTION (Amending Order 89-12, filed 3/16/89)

WAC 220-57-470 TAHUYA RIVER. ((Bag Limit A - August 1 through November 30: Downstream from a marker approximately one mile above the North Shore Road Bridge:)) Closed to salmon angling the entire year.

AMENDATORY SECTION (Amending Order 89-12, filed 3/16/89)

WAC 220-57-490 UNION RIVER. ((Bag Limit A - August 1 through November 30: Downstream from the North Shore Road Bridge:)) Closed to salmon angling the entire year.

**WSR 91-14-048
EMERGENCY RULES
DEPARTMENT OF FISHERIES**
[Order 91-46—Filed June 27, 1991, 2:42 p.m.]

Date of Adoption: June 27, 1991.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57-42500V; and amending WAC 220-56-190, 220-57-195, 220-57-205, 220-57-210, 220-57-265, 220-57-370, 220-57-405, 220-57-425, 220-57-430, 220-57-435, 220-57-450, 220-57-455, 220-57-465, 220-57-470, and 220-57-490.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the

public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The return of coho salmon to Hood Canal is expected to be below escapement levels needed for maximum production and closures are warranted on rivers without hatchery production. Adjacent saltwater areas are closed for coho protection. Abundant pink salmon returns in the Skagit and Puyallup rivers allow for increased harvest, but smaller returns than needed warrant protection on the Stillaguamish and Snohomish River systems. The Samish River is opened under a stream watch program.

Effective Date of Rule: Immediately.

June 27, 1991
Judith Merchant
Deputy Director
for Joseph R. Blum
Director

NEW SECTION

WAC 220-56-19000G SALTWATER SEASONS AND BAG LIMITS. Notwithstanding the provisions of WAC 220-56-180 and 220-56-190:

(1) Effective July 1 through September 30, 1991, the daily bag limit is two salmon in Catch Record Card Areas 5, 6, 7, 8-1, 8-2, and 9.

(2) Effective July 12 through September 27, 1991, it is unlawful to fish for or possess salmon taken for personal use on Friday of each week from Catch Record Card Areas 5, 6 and 9.

(3) Effective September 3 through September 15, 1991, it is unlawful to fish for or possess salmon taken for personal use from Catch Record Card Areas 5, 6, and 9.

(4) Effective September 3 through October 18, 1991, it is unlawful to fish for or possess salmon taken from personal use from Catch Record Card Area 12, except that waters of Daybob and Quilcene Bays north of a line projected true east from Pulali Point remain open during this period.

NEW SECTION

WAC 220-57-19500B DEWATTO CREEK. Notwithstanding the provisions of WAC 220-57-195, effective immediately until further notice is unlawful to fish for or possess salmon taken for personal use from Dewatto Creek.

NEW SECTION

WAC 220-57-20500B DOSEWALLIPS RIVER. Notwithstanding the provisions of WAC 220-57-205, effective immediately until further notice it is unlawful to fish for or possess salmon taken for personal use from the Dosewallips River.

NEW SECTION

WAC 220-57-21000B DUCKABUSH RIVER. Notwithstanding the provisions of WAC 220-57-210,

effective immediately until further notice it is unlawful to fish for or possess salmon taken for personal use from the Duckabush River.

NEW SECTION

WAC 220-57-26500B HAMMA HAMMA RIVER. Notwithstanding the provisions of WAC 220-57-265, effective immediately until further notice it is unlawful to fish for or possess salmon taken for personal use from the Hamma Hamma River.

NEW SECTION

WAC 220-57-37000D PUYALLUP RIVER. Notwithstanding the provisions of WAC 220-57-370, effective August 1 through September 15, 1991, Special daily bag limit of six salmon, not more than four of which may be adult salmon and not more than two of which adult salmon may be coho or chinook salmon.

NEW SECTION

WAC 220-57-40500H SAMISH RIVER. Notwithstanding the provisions of WAC 220-57-405, effective July 1 through October 15, 1991, Bag Limit A in those waters downstream from the Thomas Road Bridge to the Bayview-Edison Road Bridge. During the fishery provided for in this section, terminal fishing gear is restricted to a single lure or bait using a single point hook measuring not more than 1/2 inch from point to shank.

NEW SECTION

WAC 220-57-42500W SKAGIT RIVER. Notwithstanding the provisions of WAC 220-57-425, effective July 1 until further notice, it is unlawful to fish for or possess salmon taken from the Skagit River except as provided for in this section:

(1) Those waters downstream from the mouth of the Cascade River to Gilligan Creek: Bag Limit A, except that all chinook salmon greater than 24 inches in length and all sockeye salmon must be released immediately. During July, August and September, not more than one of the adult salmon may be a coho salmon. After September 30, adult coho salmon must be released. During the period August 1 through September 15, up to six pink salmon per day may be retained in the daily bag limit.

(2) Those waters downstream from the mouth of Gilligan Creek to the mouth of the Skagit River: Bag limit A, except that the daily bag limit may contain no more than one adult chinook and all sockeye salmon must be released immediately. During July, August and September, not more than one of the adult salmon may be a coho salmon. After September 30, adult coho salmon must be released. During the period August 1 through September 15, up to six pink salmon per day may be retained in the daily bag limit.

NEW SECTION

WAC 220-57-43000C SKOKOMISH RIVER. Notwithstanding the provisions of WAC 220-57-430:

(1) Effective July 1 through September 15, 1991, Bag limit A, downstream from Vance creek. Only chinook salmon may be retained. Terminal fishing gear is restricted to a single lure or bait using a single point hook measuring not more than 1/2 inch from point to shank.

(2) Effective September 16, 1991, until further notice, it is unlawful to fish for or possess salmon taken for personal use from the waters of the Skokomish River.

NEW SECTION

WAC 220-57-43500F SKYKOMISH RIVER. Notwithstanding the provisions of WAC 220-57-435, effective immediately until further notice it is unlawful to possess pink salmon taken from the waters of the Skykomish River.

NEW SECTION

WAC 220-57-45000G SNOHOMISH RIVER. Notwithstanding the provisions of WAC 220-57-450, effective immediately until further notice it is unlawful to possess pink salmon taken from the waters of the Snohomish River.

NEW SECTION

WAC 220-57-45500B SNOQUALMIE RIVER. Notwithstanding the provisions of WAC 220-57-455, effective immediately until further notice it is unlawful to possess pink salmon taken from the waters of the Snoqualmie River.

NEW SECTION

WAC 220-57-46500E STILLAGUAMISH RIVER. Notwithstanding the provisions of WAC 220-57-465, effective immediately until through September 30, 1991, it is unlawful to fish for or possess salmon taken from the waters of the Stillaguamish River.

NEW SECTION

WAC 220-57-47000B TAHUYA RIVER. Notwithstanding the provisions of WAC 220-57-470, effective immediately until further notice it is unlawful to fish for or possess salmon taken for personal use from the Tahuya River.

NEW SECTION

WAC 220-57-49000B UNION RIVER. Notwithstanding the provisions of WAC 220-57-490, effective immediately until further notice it is unlawful to fish for or possess salmon taken for personal use from the Union River.

REPEALER

The following section of the Washington Administrative Code is repealed effective July 1, 1991:

WAC 220-57-42500V SKAGIT RIVER.

WSR 91-14-049
EMERGENCY RULES
DEPARTMENT OF REVENUE

[Filed June 27, 1991, 3:09 p.m.]

Date of Adoption: June 27, 1991.

Purpose: To implement chapter 275, Laws of 1991, effective July 1, 1991, which expands the definition of "employee" under RCW 82.04.360 to include full-time life insurance agents.

Citation of Existing Rules Affected by this Order: Amending WAC 458-20-164.

Statutory Authority for Adoption: RCW 82.32.300.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The emergency filing is necessary to implement chapter 275, Laws of 1991, by July 1, 1991, the effective date of the legislation.

Effective Date of Rule: Immediately.

June 27, 1991
Edward L. Faker
Assistant Director

AMENDATORY SECTION (Amending Order ET 83-6, filed 8/23/83)

WAC 458-20-164 **INSURANCE AGENTS, BROKERS AND SOLICITORS. (1) INTRODUCTION.** This section explains the taxability of amounts received by insurance agents, brokers, or solicitors.

(2) DEFINITION. The words "agent," "broker," and "solicitor(;)" ((as used herein mean respectively,)) mean a person licensed as such under the provisions of chapter 48.17 RCW.

(3) BUSINESS AND OCCUPATION TAX. Every person engaging in business as an insurance ((acting in the capacity of)) agent, broker, or solicitor ((is presumed to be engaging in business and)) is taxable under the insurance agents and brokers classification upon the gross income of the business. ((unless such person is a bona fide employee. The burden is upon such person to establish the fact of his status as an employee. (See WAC 458-20-105 Employees.)) Gross income of the business is determined by the amount of gross commissions received or retained, not by the gross premiums paid by the insured.

The term "gross income of the business" includes gross income from commissions, fees or other emoluments however designated which the agent, broker, or solicitor receives or becomes entitled to receive but does not include amounts held in trust for the insurer or the client. (See also WAC 458-20-111 - Advances and reimbursements.)

No deduction is allowed for commissions, fees, or salaries paid to other agents, brokers, or solicitors nor for other expenses of doing business.))

(a) The gross income of the business is determined by the amount of gross commissions received or retained,

not by the gross premiums paid by the insured. The term "gross income of the business" includes gross receipts from commissions, fees or other amounts which the agent, broker, or solicitor receives or becomes entitled to receive. The gross income of the business does not include amounts held in trust for the insurer or the client. (See also WAC 458-20-111 - Advances and reimbursements.)

(b) No deduction is allowed for commissions, fees, or salaries paid to other agents, brokers, or solicitors nor for other expenses of doing business.

(c) Every person acting in the capacity of agent, broker, or solicitor is presumed to be engaging in business and subject to the business and occupation tax unless such person can demonstrate he or she is a bona fide employee. The burden is upon such person to establish the fact of his or her status as an employee. (See WAC 458-20-105 Employees.)

(4) FULL-TIME LIFE INSURANCE SALESPERSONS. Persons who sell life insurance on a full-time basis, as provided in section 3121 (d)(3)(B) of the Internal Revenue Code (statutory employee), will be considered employees. Such persons will not be subject to the business and occupation tax on amounts received in their capacity as employees. Treatment as an employee under this subsection is only available to full-time life insurance salespersons who are issued a Form W-2 (federal income tax wage and tax statement) with the appropriate box checked indicating that they are statutory employees. A person's status as an employee under this subsection is limited to amounts reported on a properly marked W-2 as compensation for the sale of life insurance.

(a) A person will be considered employed as a full-time life insurance salesperson for only one company issuing a proper Form W-2 during any taxable period, regardless of whether the person sells life insurance on behalf of other companies.

(b) Examples.

(i) A person acts as a salesperson on a full-time basis on behalf of a life insurance company. The company issues the salesperson a Form W-2 which indicates that the salesperson is a statutory employee. Under these circumstances, the salesperson will be considered an employee as to amounts reported on the Form W-2 as compensation for the sale of life insurance and will not be taxable under the business and occupation on such amounts.

(ii) A person acts as a salesperson on behalf of several insurance companies two of which are life insurance companies and the others are casualty insurance companies. The salesperson sells both life insurance and casualty insurance. One of the life insurance companies issues the salesperson a Form W-2 indicating that the person is a statutory employee. The salesperson will be considered an employee as to amounts reported on the Form W-2 as compensation for the sale of life insurance and will not be taxable under the business and occupation tax on such amounts.

(5) SHARED COMMISSION. Where an insurance association, licensed as a broker, agent or solicitor negotiates with a public body for the placement of its insurance

coverage and arranges for the servicing of such insurance through a broker, agent or solicitor and there is an agreement between the association and the broker, agent or solicitor and the prospective insured that the commission on the policy premium will be shared, the entity receiving the commission need only include in gross income its share of the commission. It need not include in gross income the portion of the commission earned by the other broker, agent and/or solicitor nor need the other broker, agent and/or solicitor include in gross income the portion retained by the entity which first receives payment. (For tax liability of insurance adjusters, see WAC 458-20-212.)

(6) SPECIAL CLASSIFICATION FOR CERTAIN MANAGING GENERAL AGENTS. Under RCW 82.04.280(5) persons representing and performing services for fire or casualty insurance companies as independent resident managing general agents are subject to tax at the prevailing rate upon the gross income of the business.

(a) In view of the small number of persons falling in this special category, no separate classification line on the combined excise tax return(~~(s (Form 2406))~~) has been provided for reporting this income, it should be shown on line 1 of the combined excise tax return with the explanatory note: "Income for insurance managing general agent taxable under RCW 82.04.280(5)."

(b) Any person claiming to fall within this tax classification must demonstrate:

(i) ((+)) That he is licensed as a resident general agent by the insurance commissioner, and

(ii) ((+)) That he performs the following independent manager functions:

(aa) ((+)) Pays all sales and/or production expense, including salaries of special field representatives, underwriters, and inspectors as well as all office expenses of rent, supplies, secretarial help, etc.

(bb) ((+)) Bills all premiums for the company so represented.

(cc) ((+)) Directly contracts for or hires all selling agents.

(dd) ((+)) Exercises final responsibility with respect to selecting risks and underwriting matters.

(ee) ((+)) Makes all arrangements for reinsurance.

(ff) ((+)) Handles all claims adjustments directly with the insured (by his own staff or through hiring an independent adjuster).

(c) Persons wishing to claim qualification for this special insurance agent classification should request application forms from the department of revenue (~~(to make application therefor)~~).

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

WSR 91-14-050
EMERGENCY RULES
DEPARTMENT OF REVENUE

[Filed June 27, 1991, 3:12 p.m.]

Date of Adoption: June 27, 1991.

Purpose: To implement chapter 324, Laws of 1991, effective July 1, 1991, which includes certain persons licensed under chapter 18.16 RCW within the definition of "engaging in business"; and to cross reference amendments to WAC 458-20-164 which implement chapter 275, Laws of 1991, effective July 1, 1991.

Citation of Existing Rules Affected by this Order: Amending WAC 458-20-105.

Statutory Authority for Adoption: RCW 82.32.300.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The emergency filing is necessary to implement chapter 324, Laws of 1991, and chapter 275, Laws of 1991, by July 1, 1991, the effective date of the legislation.

Effective Date of Rule: Immediately.

June 27, 1991
Edward L. Faker
Assistant Director

AMENDATORY SECTION (Amending Order 89-10, filed 8/1/89)

WAC 458-20-105 EMPLOYEES DISTINGUISHED FROM PERSONS ENGAGING IN BUSINESS. (1) The Revenue Act imposes taxes upon persons engaged in business but not upon persons acting solely in the capacity of employees.

(2) While no one factor definitely determines employee status, the most important consideration is the employer's right to control the employee. The right to control is not limited to controlling the result of the work to be accomplished, but includes controlling the details and means by which the work is accomplished. In cases of doubt about employee status all the pertinent facts should be submitted to the department of revenue for a specific ruling.

(3) **PERSONS ENGAGING IN BUSINESS.** The term "engaging in business" means the act of transferring, selling or otherwise dealing in real or personal property, or the rendition of services, for consideration except as an employee. The following conditions will serve to indicate that a person is engaging in business.

If a person is:

(a) Holding oneself out to the public as engaging in business with respect to dealings in real or personal property, or in respect to the rendition of services;

(b) Entitled to receive the gross income of the business or any part thereof;

(c) Liable for business losses or the expense of conducting a business, even though such expenses may ultimately be reimbursed by a principal;

(d) Controlling and supervising others, and being personally liable for their payroll, as a part of engaging in business;

(e) Employing others to carry out duties and responsibilities related to the engaging in business and being personally liable for their pay;

(f) Filing a Statement of Business Income and Expenses (Schedule C) for federal income tax purposes;

(g) A party to a written contract, the intent of which establishes the person to be an independent contractor;

(h) Paid a gross amount for the work without deductions for employment taxes (such as Federal Insurance Contributions Act, Federal Unemployment Tax Act, and similar state taxes).

(4) EMPLOYEES. The following conditions indicate that a person is an employee.

If the person:

(a) Receives compensation, which is fixed at a certain rate per day, week, month or year, or at a certain percentage of business obtained, payable in all events;

(b) Is employed to perform services in the affairs of another, subject to the other's control or right to control;

(c) Has no liability for the expenses of maintaining an office or other place of business, or any other overhead expenses or for compensation of employees;

(d) Has no liability for losses or indebtedness incurred in the conduct of the business;

(e) Is generally entitled to fringe benefits normally associated with an employer-employee relationship, e.g., paid vacation, sick leave, insurance, and pension benefits;

(f) Is treated as an employee for federal tax purposes;

(g) Is paid a net amount after deductions for employment taxes, such as those identified in subsection (3)(h) of this section.

(5) FULL-TIME LIFE INSURANCE SALESPERSONS. Chapter 275, Laws of 1991, effective July 1, 1991, provides that individuals performing services as full-time life insurance salespersons, as provided in section 3121(d)(3)(B) of the Internal Revenue Code, will be considered employees. Treatment as an employee under this subsection (5) applies only to persons engaged in the full-time sale of life insurance. The status of other persons, including others listed in section 3121(d) of the Internal Revenue Code, will be determined according to the provisions of subsections (1) and (2) of this section. (See WAC 458-20-164 for the proper tax treatment of insurance agents, brokers, and solicitors.)

(6) ((5)) OPERATORS OF RENTED OR OWNED EQUIPMENT. Persons who furnish equipment on a rental or other basis for a charge and who also furnish the equipment operators, are engaging in business and are not employees of their customers. Likewise, persons who furnish materials and the labor necessary to install or apply the materials, or produce something from the materials, are presumed to be engaging in business and not to be employees of their customers.

(7) ((6)) CASUAL LABORERS. Persons regularly performing odd job carpentry, painting or paperhanging, plumbing, bricklaying, electrical work, cleaning, yard work, etc., for the public generally are presumed to be engaging in business. The burden of proof is upon such persons to show otherwise. However, refer to WAC 458-20-101 and 458-20-104 for registration and reporting requirements for such activities.

(8) ((7)) A corporation, joint venture, or any group of individuals acting as a unit, is not an employee.

(9) BOOTH RENTERS. For purposes of the business and occupation tax a "booth renter," as defined in RCW

18.16.020(19), is considered engaged in business and not an employee. A "booth renter" is any person who:

(a) performs cosmetology, barbering, esthetics, or manicuring services for which a license is required pursuant to chapter 18.16 RCW and

(b) pays a fee for the use of salon or shop facilities and receives no compensation or other consideration from the owner of the salon or shop for the services performed.

(c) See WAC 458-20-118 for the proper treatment of amounts received for the rental or licensing of real estate and WAC 458-20-200 for the proper treatment of amounts received for leased departments.

WSR 91-14-051

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 91-40—Filed June 27, 1991, 4:00 p.m.]

Original Notice.

Title of Rule: WAC 173-19-420 Thurston County shoreline master program.

Purpose: Adoption of revised shoreline master program into state master program, chapter 173-19 WAC.

Statutory Authority for Adoption: RCW 90.58.200.

Statute Being Implemented: Chapter 90.58 RCW, Shoreline Management Act of 1971.

Summary: The amendment revises the shoreline master program for Thurston County.

Reasons Supporting Proposal: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Shoreline Management Act and the Administrative Procedure Act.

Name of Agency Personnel Responsible for Drafting: Nora Jewett, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504, (206) 459-6789; Implementation and Enforcement: D. Rodney Mack, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504, 459-6777.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposal amends Thurston region shoreline master program (TRSMP) relating to forest management practices. It changes the shoreline environment designation of a portion of Kennedy Creek from natural to conservancy; amends Section 6, Maps 1 and 6, and Section 3, Parts VI.C. and D. The map amendments establish a conservancy environment with a no-harvest zone (NHZ) overlay designation along portions of Kennedy Creek owned by Simpson Timber Company. The text amendments establish regulations to protect the water quality and habitat for anadromous fish and wildlife within the creek and its riparian corridor. Simpson Timber Company initiated these amendments so that it

can harvest forest units that lie partially within the natural environment of Kennedy Creek. The TRSMP prohibits commercial utilization of timber resources in the natural environment.

Proposal Changes the Following Existing Rules: Amends chapter 173-19 WAC, Shoreline Management Act of 1971, state master program.

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

Chapter 6, Laws of 1982, the Regulatory Fairness Act, states that regulations which have an economic impact on more than 20 percent of all industries, or more than 10 percent of any one industry shall have a small business economic impact statement prepared and filed with the code reviser. The amendment proposed by Thurston County does not meet the criteria which determines that a small business economic impact statement is necessary.

Hearing Location: Thurston County Courthouse, Room 152, 2000 Lakeridge Drive S.W., Olympia, WA, on August 19, 1991, at 7:00 p.m.

Submit Written Comments to: Master Program Coordinator, Washington State Department of Ecology, Shorelands and Coastal Zone Management Program, Mailstop PV-11, Olympia, Washington 98504, by August 26, 1991.

Date of Intended Adoption: October 15, 1991.

June 27, 1991

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order 89-63, filed 5/16/90)

WAC 173-19-2516 THURSTON COUNTY. Thurston County master program approved May 21, 1976. Revision approved August 27, 1976. Revision approved August 7, 1979. Revision approved September 23, 1981. Revision approved March 4, 1982. Revision approved August 30, 1984. Revision approved September 29, 1987. Revision approved May 15, 1990. Revision approved October 15, 1991.

Reviser's note: The above section, filed by the agency as an amendment of WAC 173-19-2516, appears to be an amendment of WAC 173-19-420, being WAC 173-19-2516 is Normandy Park, city of. Pursuant to RCW 34.08.040, the section is published in the same form as filed by the agency.

WSR 91-14-052

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 91-41—Filed June 27, 1991, 4:01 p.m.]

Original Notice.

Title of Rule: WAC 173-19-3204 Omak, city of, shoreline master program.

Purpose: Adoption of revised shoreline master program into state master program, chapter 173-19 WAC.

Statutory Authority for Adoption: RCW 90.58.200.

Statute Being Implemented: Chapter 90.58 RCW, Shoreline Management Act of 1971.

Summary: The amendment revises the shoreline master program for Omak, city of.

Reasons Supporting Proposal: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval.

The programs do not become effective until adopted by the department in accordance with the Shoreline Management Act and the Administrative Procedure Act.

Name of Agency Personnel Responsible for Drafting: Peter Skowlund, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504, (206) 438-7430; Implementation and Enforcement: D. Rodney Mack, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504, 459-6777.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposal is a comprehensive rewrite of the city's shoreline master program. If approved, it will revise shoreline use and activity policies and regulations, and shoreline administrative procedures and requirements along those portions of the Okanogan River that are within the city limits and subject to the Shoreline Management Act. The proposal, if approved, also revises the environment designations applied to Omak shorelines consistent with the newly revised master program.

Proposal Changes the Following Existing Rules: Amends chapter 173-19 WAC, Shoreline Management Act of 1971, state master program.

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

Chapter 6, Laws of 1982, the Regulatory Fairness Act, states that regulations which have an economic impact on more than 20 percent of all industries, or more than 10 percent of any one industry shall have a small business economic impact statement prepared and filed with the code reviser. The amendment proposed by city of Omak does not meet the criteria which determines that a small business economic impact statement is necessary.

Hearing Location: City Council Chambers, 2 North Ash, Omak, WA, on August 22, 1991, at 7:00 p.m.

Submit Written Comments to: Master Program Coordinator, Washington State Department of Ecology, Shorelands and Coastal Zone Management Program, Mailstop PV-11, Olympia, Washington 98504, by August 29, 1991.

Date of Intended Adoption: October 15, 1991.

June 27, 1991

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order DE 79-34, filed 1/30/80)

WAC 173-19-3204 OMAK, CITY OF. City of Omak master program approved December 16, 1975. Revision approved March 9, 1976. Revision approved October 15, 1991.

WSR 91-14-053

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 91-42—Filed June 27, 1991, 4:12 p.m.]

Original Notice.

Title of Rule: WAC 173-19-2516 Normandy Park, city of, shoreline master program.

Purpose: Adoption of revised shoreline master program into state master program, chapter 173-19 WAC.

Statutory Authority for Adoption: RCW 90.58.200.

Statute Being Implemented: Chapter 90.58 RCW, Shoreline Management Act of 1971.

Summary: The amendment revises the shoreline master program for Normandy Park, city of.

Reasons Supporting Proposal: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Shoreline Management Act and the Administrative Procedure Act.

Name of Agency Personnel Responsible for Drafting: Peter Skowlund, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504, (206) 438-7430; Implementation and Enforcement: D. Rodney Mack, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504, 459-6777.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: A complete rewrite of city's shoreline master program. The proposal adds new definitions, revises shoreline development policies and regulations including those relating to jetties, bulkheads, groins, landfill, residential development, and land clearing and grading activities; and incorporates new shoreline environment designation maps and updates administrative procedures.

Proposal Changes the Following Existing Rules: Amends chapter 173-19 WAC, Shoreline Management Act of 1971, state master program.

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

Chapter 6, Laws of 1982, the Regulatory Fairness Act, states that regulations which have an economic impact on more than 20 percent of all industries, or more than 10 percent of any one industry shall have a small business economic impact statement prepared and filed with the code reviser. The amendment proposed by city of Normandy Park does not meet the criteria which determines that a small business economic impact statement is necessary.

Hearing Location: City Hall Council Chambers, 801 S.W. 174th Street, Normandy Park, WA, on August 14, 1991, at 7:00 p.m.

Submit Written Comments to: Master Program Coordinator, Washington State Department of Ecology, Shorelands and Coastal Zone Management Program, Mailstop PV-11, Olympia, Washington 98504, by August 21, 1991.

Date of Intended Adoption: October 15, 1991.

June 27, 1991

Fred Olson
Deputy Director

AMENDATORY SECTION (Amending Order DE 79-34, filed 1/30/80)

WAC 173-19-2516 NORMANDY PARK, CITY OF. City of Normandy Park master program approved April 5, 1974. Revision approved October 15, 1991.

WSR 91-14-054

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 91-43—Filed June 27, 1991, 4:16 p.m.]

Original Notice.

Title of Rule: WAC 173-19-120 Chelan County shoreline master program.

Purpose: Adoption of revised shoreline master program into state master program, chapter 173-19 WAC.

Statutory Authority for Adoption: RCW 90.58.200.

Statute Being Implemented: Chapter 90.58 RCW, Shoreline Management Act of 1971.

Summary: The amendment revises the shoreline master program for Chelan County.

Reasons Supporting Proposal: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Shoreline Management Act and the Administrative Procedure Act.

Name of Agency Personnel Responsible for Drafting: Nora Jewett, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504, (206) 459-6789; Implementation and Enforcement: D. Rodney Mack, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504, 459-6777.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed amendment to Section 21, Shoreline Works and Structures (SWS), eliminates the requirement for joint use dock facilities in new subdivisions and allows the construction of single purpose private piers or docks on individual lots within any subdivision initiated after April 22, 1975, (retroactive).

Proposal Changes the Following Existing Rules: Amends chapter 173-19 WAC, Shoreline Management Act of 1971, state master program.

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

Chapter 6, Laws of 1982, the Regulatory Fairness Act, states that regulations which have an economic impact on more than 20 percent of all industries, or more than 10 percent of any one industry shall have a small business economic impact statement prepared and filed with the code reviser. The amendment proposed by Chelan County does not meet the criteria which determines that a small business economic impact statement is necessary.

Hearing Location: Conference Room, Courthouse Annex, 411 Washington Street, Wenatchee, WA, on August 22, 1991, at 7:00 p.m.

Submit Written Comments to: Master Program Coordinator, Washington State Department of Ecology, Shorelands and Coastal Zone Management Program, Mailstop PV-11, Olympia, Washington 98504, by August 29, 1991.

Date of Intended Adoption: October 15, 1991.

June 27, 1991

Fred Olson
Deputy Director

AMENDATORY SECTION (Amending Order DE 83-27, filed 10/19/83)

WAC 173-19-120 CHELAN COUNTY. Chelan County master program approved April 22, 1975. Revision approved June 26, 1980. Revision approved July 15, 1981. Revision approved October 1, 1981. Revision approved October 13, 1983. Revision approved October 15, 1991.

WSR 91-14-055

PERMANENT RULES

HARDWOODS COMMISSION

[Filed June 27, 1991, 4:41 p.m., effective July 1, 1991]

Date of Adoption: June 27, 1991.

Purpose: To promote the general welfare of the state in assisting in the retention, expansion and attraction of hardwood related industries in the state of Washington.

Statutory Authority for Adoption: Chapter 67, Laws of 1991.

Pursuant to notice filed as WSR 91-11-034 on May 9, 1991.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Effective date of July 1, 1991, is required to comply with assessment date of July 1, 1991, specified in SSB 5626.

Effective Date of Rule: July 1, 1991.

June 27, 1991

Laurence C. Johnson
Chairperson

Chapter 244-12 WAC

WASHINGTON HARDWOODS COMMISSION

NEW SECTION

WAC 244-12-010 PROMULGATION. These rules are promulgated pursuant to the statutory authority contained in chapter 15.74 RCW.

NEW SECTION

WAC 244-12-020 COMMISSION PURPOSE. The purpose of this commission is to promote the general welfare of the state by assisting in the retention, expansion, and attraction of hardwood-related industries in the state of Washington. This shall be accomplished in the following manner:

(1) Create a climate for development and support of the industry.

(2) Coordinate efforts to enhance and promote the expansion of the forest industry among state and federal agencies, industrial organizations, and institutions of higher learning.

(3) Develop products and markets for various species and grades of hardwoods.

(4) Study and recommend a tax program that will attract new firms and promote stability for existing firms.

(5) Develop an enhancement and protection program that will reduce waste and respect environmental sensitivity.

(6) Develop financial assistance programs from public and private moneys for attraction and expansion of new and existing primary, secondary, and tertiary processing facilities.

(7) Utilize recognized experts in educational institutions, public and private foundations, and agencies of the state to facilitate research into economic development, hardwood silviculture, woodland management, development of new products, and public education.

(8) Cooperate with the department of natural resources in the development of best management practices for hardwood resources.

NEW SECTION

WAC 244-12-030 DEFINITION OF TERMS.

For the purpose of this order:

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

(2) "Affected processor" means a person who processes hardwood logs of any species into (a) lumber, and/or construction timbers regardless of size, manufactured to standard specifications suitable for end product use including cut-up stock, (b) chips suitable for pulp, paper, or other uses, (c) plywood, (d) veneer, (e) commercial firewood. An "affected processor" also means any person who processes hardwood logs of any species by remanufacture into other lengths or diameters or reloads hardwood logs for shipment to destinations outside the state of Washington.

(3) "Hardwood industry" means the harvesting and manufacturing of hardwood materials or products in commercial quantities.

(4) "Washington hardwoods commission," hereinafter referred to as "commission," means the commission formed under the provisions of chapter 15.74 RCW.

(5) "Hardwood" means the wood of a deciduous, broad leaf flowering tree.

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

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

(8) "Scribner log scale" means the log volume as shown in Official Rules of Log Scaling and Grading Bureau.

(9) "Assessment" means the amount levied in favor of the commission.

(10) "Enhancement" means to increase the value and worth of the hardwood resource and the resulting hardwood products.

(11) "Protection" means to guard against loss or damage involved in the harvest of hardwood logs and in the production of hardwood products.

NEW SECTION

WAC 244-12-040 HARDWOODS COMMISSION. (1) **ADMINISTRATION.** The provisions of this order shall be administered and enforced by this commission.

(2) **COMMISSION MEMBERSHIP.** The commission shall consist of seven members.

(3) **COMMISSION MEMBERSHIP QUALIFICATIONS.** The members of the commission shall be members of the hardwood industry and shall be citizens and residents of the state of Washington, over the age of twenty-one years, each of whom is or has been actively engaged in the hardwood industry either individually or as an executive officer, employee, or sales manager on a management level or managing agent of an organization within the state of Washington for a period of five years and has, during that time, derived a substantial portion of his or her income therefrom. The qualifications of members of the commission as herein set forth must continue during the terms of office. Only one member may be in the employ of any one person or organization engaged in the hardwood industry, at any one time.

(4) **TERM OF OFFICE.**

(a) The term of office for members of the commission shall be four years.

(b) Membership positions on the commission shall be designated numerically.

(c) The term of office for the initial commission members shall be as follows:

Positions one, two, and three - two years; expires on June 30, 1992;

Positions four and five - three years; expires on June 30, 1993;

Positions six and seven - four years; expires on June 30, 1994.

(5) **NOMINATION AND ELECTION OF COMMISSION MEMBERS.** Each year that a vacancy will occur, the commission shall give notice of such vacancies by mail on or before April 15, to all affected processors and call for nominations. Nominations shall be made by petition signed by at least three affected processors. Deadline for the return of such petition shall be no less than fifteen days from the date of mailing.

If there is only one nominee for any one position during the specified time period, the nominee may be deemed elected.

(6) **ELECTION OF COMMISSION MEMBERS.**

(a) Members of the commission shall be elected by secret mail ballot within the month of May. Members of the commission shall be elected by a majority of the votes of affected processors.

(b) If a nominee does not receive a majority of the votes on the first ballot, a run-off election shall be held by mail in a similar manner between the two candidates for such position receiving the largest number of votes.

(7) **VACANCIES PRIOR TO ELECTION.** In the event of a vacancy on the commission, the remaining commission members shall select a qualified person to fill the unexpired term.

(8) **QUORUM.** Five members shall constitute a quorum for the transaction of all business and the carrying out of all duties of the commission.

(9) **COMMISSION COMPENSATION.** No member of the commission shall receive any salary or other compensation.

(10) **POWERS AND DUTIES OF THE COMMISSION.** The commission shall have the following powers and duties:

(a) To administer, enforce, and control the provisions of this order.

(b) To elect a chairperson and such other officers as the commission deems advisable.

(c) To employ and discharge at its discretion such personnel as the commission determines necessary and proper to carry out the purpose of the order.

(d) To establish an account at a bank or banks or financial institution or institutions, approved for the deposit of state funds, in which all money received by the commission, shall be deposited in accordance with legal requirements.

(e) To keep or cause to be kept in accordance with accepted standards of good accounting practice, accurate records of all assessments, paid outs, moneys, and other financial transactions made and done pursuant to this order.

(f) To require a bond of the treasurer in the amount the commission shall deem necessary. The premium for such bond or bonds shall be paid by the commission from assessments collected. Such bond shall not be necessary if any such commission member or employee is covered by any blanket bond covering officials or employees of the state of Washington.

(g) To prepare a budget or budgets covering anticipated income and expenses to be incurred in carrying out the provisions of the order during each fiscal year.

(h) To establish by resolution, a headquarters which shall continue as such unless and until so changed by the commission. All records, books, and minutes of commission meetings shall be kept at such headquarters.

(i) To adopt rules and regulations of a technical or administrative nature, subject to the provisions of chapter 34.05 RCW (Administrative Procedure Act).

(11) **PROCEDURES FOR COMMISSION.**

(a) The commission shall hold regular meetings, at least semiannually, and such meetings shall be publicized and held in accordance with chapter 42.30 RCW (Open Public Meetings Act).

(b) The commission shall hold an annual meeting, at which time an annual report will be presented. The budget shall be presented for discussion at the meeting. Notice of the annual meeting shall be given by the commission at least ten days prior to the meeting by written notice to each processor and by regular news service.

(c) The commission shall establish by resolution, the time, place, and manner of calling special meetings of the commission with reasonable notice to the members: **PROVIDED**, That the notice of any special meeting may be waived by a written waiver thereof by each member of the commission. Additionally, notice shall be provided to each local newspaper of general circulation and to each local radio or television station, which has on file with the governing body a written request to be notified of such special meeting or of all special meetings.

NEW SECTION

WAC 244-12-050 ASSESSMENTS AND COLLECTIONS. (1) The assessment shall be based upon the following schedule:

| CATEGORY | QUARTERLY PRODUCTION (THOUSAND TONS) | QUARTERLY ASSESSMENT |
|----------|---|----------------------|
| 1 | 5 to 7.5 | \$150 |
| 2 | 7.5 to 15 | \$300 |
| 3 | 15 to 25 | \$600 |
| 4 | 25 to 35 | \$900 |
| 5 | 35 to 45 | \$1,200 |
| 6 | 45 to 62.5 | \$1,500 |
| 7 | 62.5 to 82.5 | \$2,250 |
| 8 | 82.5 to 125 | \$3,000 |
| 9 | 125 to 175 | \$4,500 |
| 10 | 175 to 250 | \$6,000 |
| 11 | 250 to 350 | \$9,000 |
| 12 | 350 to 450 | \$12,000 |
| 13 | 450 to 625 | \$15,000 |
| 14 | 625 to 875 | \$22,500 |
| 15 | 875 to 1125 | \$30,000 |
| 16 | over 1125 | \$35,000 |

(2) For purposes of determining the appropriate production category, the following equivalents will apply:

(a) One ton of logs, scaled by weight, input for a processor equals one ton of production; or

(b) One thousand board feet, Scribner scale, input for a processor equals 7.25 tons of production.

(3) Processors who produce less than five thousand tons of hardwood products in a calendar quarter will not be assessed.

(4) Assessments shall be paid to the commission according to the levy schedule in subsection (1) of this section.

NEW SECTION

WAC 244-12-060 TIME—PLACE—METHOD FOR PAYMENT AND COLLECTION OF ASSESSMENTS. Effective July 1, 1991, the following procedure is established for the reporting and paying of assessments levied pursuant to RCW 15.74.060 and WAC 244-12-020. All assessments in a quarter are due to the commission within forty-five days after the end of the quarter. Assessments shall be determined on a quarterly basis. The first quarter shall commence on July 1, 1991.

NEW SECTION

WAC 244-12-070 OBLIGATIONS OF THE COMMISSION. Obligations incurred by the commission or employee or agent thereof pertaining to their performance or nonperformance or misperformance of any matters or things authorized, required, or permitted them by the act or this order, and any other liabilities or claims against them or any of them shall be enforced in the same manner as if the whole organization under the order were a corporation. No liability for the debts or actions of the commission, employee, or agent incurred in their official capacity under this order shall exist either against the commission, officers, employees, and/or

agents in their individual capacity, nor against the state of Washington or any subdivision or instrumentality thereof nor against any other organization, administrator, or commission (or employee or agent thereof) established pursuant to this act or the assets thereof. The commission, and its agents and employees, shall not be held responsible individually in any way whatsoever to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as principal, agent, person, or employee, except for their own individual acts of dishonesty or crime. No such person or employee shall be held responsible individually for any act or omission of any other commission, member of the commission, or other person. The liability of the members of the commission shall be several and not joint and no member shall be liable for the default of any other member.

NEW SECTION

WAC 244-12-080 EFFECTIVE TIME. This order shall become effective on and after July 1, 1991.

NEW SECTION

WAC 244-12-090 SEPARABILITY. If any provisions hereof are declared invalid, or the applicability thereof to any person, circumstances, or thing is held invalid, the validity of the remainder hereof or of the applicability thereof to any other person, circumstances, or thing shall not be affected thereby.

WSR 91-14-056

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING**

[Memorandum—June 28, 1991]

SNOWMOBILE FUEL USE STUDY - PUBLIC HEARING

The Department of Licensing has established the following hearing date and place to present the results of the 1990-1991 Snowmobile fuel use study: 11:00 a.m., August 8, 1991, Fourth Floor Conference Room, Department of Licensing, Highways-Licenses Building, 1125 Washington Street S.E., Olympia, WA 98504.

The study was to determine the amount or proportion of moneys paid to the department as motor vehicle fuel tax which is tax on snowmobile fuel and is in accordance with the provisions of RCW 46.10.170. The study period covered April 1, 1990, through March 31, 1991.

The information is important as it establishes the amount of snowmobile fuel tax available for deposit in the snowmobile account of the general fund. These funds are administered by the State Parks and Recreation Commission and used for snowmobile facilities, safety and education programs.

Should you wish to express your views on this study, you may attend this hearing to do so. You may also contact the Department of Licensing in writing at the above address on or before August 7, 1991, to make your thoughts known.

WSR 91-14-057
PROPOSED RULES
SPOKANE COMMUNITY COLLEGES
[Filed June 28, 1991, 9:40 a.m.]

Original Notice.

Title of Rule: Chapter 132Q-03 WAC, Student athletic participation, WAC 132Q-03-005, 132Q-03-010, 132Q-03-020, 132Q-03-030, and 132Q-03-040.

Purpose: Establishes rules concerning the possession, use or sale of legend drugs and anabolic steroids.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: Chapter 69.41 RCW.

Summary: Describes the procedures disqualifying students from participation in college sponsored athletic events or activities who have been found in possession or who have used or sold legend drugs or anabolic steroids.

Name of Agency Personnel Responsible for Drafting and Implementation: Richard B. Halvorson, 1-0103, (509) 536-7413; and Enforcement: Dr. Terrance R. Brown, 1-0111, (509) 536-7400.

Name of Proponent: Community Colleges of Spokane, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Provides a rule for disqualification of athletes for steroid use based upon a criminal conviction under chapter 369, Laws of 1989.

Proposal does not change existing rules.

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

Hearing Location: Community Colleges of Spokane, District Office, Room 1-0109, North 2000 Greene Street, Spokane, WA 99027 [99207], on August 20, 1991, at 1:30 p.m.

Submit Written Comments to: Richard B. Halvorson, Rules Coordinator, North 2000 Greene Street, Spokane, WA 99207, by August 19, 1991.

Date of Intended Adoption: August 20, 1991.

June 26, 1991
Terrance R. Brown
Chief Executive Officer

Reviser's note: WAC 132Q-03-040 is referred to above; however, the proposed text of the section was not included with the filing by the agency. cf. RCW 34.08.020 (1)(a).

CHAPTER 132Q-03 WAC
STUDENT ATHLETIC PARTICIPATION

NEW SECTION

WAC 132Q-03-005 **GROUNDS FOR INELIGIBILITY.** Any student found by Washington Community College District 17 to have violated chapter 69.41 RCW by virtue of a criminal conviction or otherwise insofar as it prohibits the possession, use or sale of legend drugs, including anabolic steroids, will be disqualified from participation in any college sponsored athletic event or activity.

NEW SECTION

WAC 132Q-03-010 **RIGHT TO BRIEF ADJUDICATIVE PROCEDURE.** Any student notified of a claimed violation of WAC 132Q-03-005 shall have the right to a brief adjudicative hearing if a written request for such a hearing is received by the appropriate college vice president of student services within three days of receipt of a

declaration of further athletic ineligibility. If no written request is received within three days after receipt of the declaration of athletic ineligibility, the student will be deemed to have waived any right to a brief adjudicative hearing and will be declared ineligible from further participation in college sponsored athletic events or activities.

NEW SECTION

WAC 132Q-03-020 **BRIEF ADJUDICATIVE PROCEDURE.** If a timely written request for a hearing is made, the vice president of student services shall designate a presiding officer who shall be a college administrator who is not involved with the athletic program to conduct the brief adjudicative proceeding. The presiding officer shall promptly conduct the hearing and permit affected parties to explain both the college's view of the matter and the student's view of the matter. The brief adjudicative proceeding shall be conducted in accordance with the Administrative Procedure Act, RCW 34.05.482.

NEW SECTION

WAC 132Q-03-030 **DECISION.** The college administrator who acts as presiding officer shall issue a written decision which shall include a brief statement of the reasons for the decision and a notice that judicial review may be available. All documents presented, considered or prepared by the presiding officer shall be maintained as the official record of the brief administrative proceeding. A decision must be promptly rendered after the conclusion of the brief adjudicative proceeding and in no event later than 20 days after the request for a brief adjudicative proceeding is received by the vice president of student services.

WSR 91-14-058
PROPOSED RULES
SPOKANE COMMUNITY COLLEGES
[Filed June 28, 1991, 9:44 a.m.]

Original Notice.

Title of Rule: Chapter 132Q-108 WAC, Rules of procedure, WAC 132Q-108-010, 132Q-108-020, 132Q-108-030, 132Q-108-040, 132Q-108-050, 132Q-108-060, 132Q-108-070, 132Q-108-080, 132Q-108-090, and 132Q-108-100.

Purpose: Adopt model rules of procedures promulgated by the chief administrative law judge.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: Chapter 34.05 RCW.

Summary: Adopts rules concurrent with chapter 34.05 RCW.

Reasons Supporting Proposal: Required by chapter 34.05 RCW.

Name of Agency Personnel Responsible for Drafting and Implementation: Richard B. Halvorson, 1-0103, (509) 536-7413; and Enforcement: Dr. Terrance R. Brown, 1-0111, (509) 536-7400.

Name of Proponent: Community Colleges of Spokane, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Adopts model rules of procedure and procedural rules found in chapter 10-08 WAC and adopted by the chief administrative law judge pursuant to RCW 34.05-.250 for use in this institution.

Proposal does not change existing rules.

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

Hearing Location: Community Colleges of Spokane, District Office, Room 1-0109, North 2000 Greene Street, Spokane, WA 99027 [99207], on August 20, 1991, at 1:30 p.m.

Submit Written Comments to: Richard B. Halvorson, Rules Coordinator, North 2000 Greene Street, Spokane, WA 99207, by August 19, 1991.

Date of Intended Adoption: August 20, 1991.

June 26, 1991

Terrance R. Brown
Chief Executive Officer

CHAPTER 132Q-108 WAC
RULES OF PROCEDURE

NEW SECTION

WAC 132Q-108-010 ADOPTION OF MODEL RULES OF PROCEDURE. The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, are hereby adopted for use at this institution. Those rules may be found at Chapter 10-08 Washington Administrative Code. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and procedural rules adopted in this title, the procedural rules adopted by this institution shall govern. Rules adopted at this institution prior to July 1, 1989, remain in full force and effect unless specifically repealed or amended.

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

NEW SECTION

WAC 132Q-108-020 APPOINTMENT OF PRESIDING OFFICERS. The chief executive officer or a designee of the chief executive officer shall designate a presiding officer for an adjudicative proceeding. The presiding officer shall be an administrative law judge, a member in good standing of the Washington State Bar Association, a panel of individuals, the chief executive officer or a designee of the chief executive officer, or any combination of the above. Where more than one individual is designated to be the presiding officer, one person shall be designated by the chief executive officer or the designee of the chief executive officer to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

NEW SECTION

WAC 132Q-108-030 METHOD OF RECORDING. Proceedings shall be recorded by a method determined by the presiding officer, among those available pursuant to the model rules of procedure in WAC 10-08-170.

NEW SECTION

WAC 132Q-108-040 APPLICATION FOR ADJUDICATIVE PROCEEDING. An application for adjudicative proceeding shall be in writing. Application forms are available at the following address: Community Colleges of Spokane, North 2000 Greene Street, Room 01-0119A, Spokane, Washington, 99207. Written application for an adjudicative proceeding should be submitted to the above address within 20 days of the agency action giving rise to the application, unless provided for otherwise by statute or rule.

NEW SECTION

WAC 132Q-108-050 BRIEF ADJUDICATIVE PROCEDURES. This rule is adopted in accordance with RCW 34.95.482-494, the provisions of which are hereby adopted. Brief adjudicative procedures shall be used in all matters related to:

- (1) Residency determinations made pursuant to RCW 28B.15.013, conducted by the admissions office;
- (2) Disputes concerning educational records;
- (3) Student conduct proceedings. The procedural rules in Chapter WAC 132Q-04 apply to these procedures;

(4) Parking violations. The procedural rules in Chapter WAC 132Q-20 apply to these proceedings;

(5) Outstanding debts owed by students or employees;

(6) Loss of eligibility for participation in institution-sponsored athletic events, pursuant to WAC 132Q-03-005.

NEW SECTION

WAC 132Q-108-060 DISCOVERY. Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall make reference to the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

NEW SECTION

WAC 132Q-108-070 PROCEDURE FOR CLOSING PARTS OF THE HEARINGS. All adjudicative proceedings shall be open to public observation except that a party may apply for a protective order to close part or all of a hearing. The party making the request shall state the reasons for making the application to the presiding officer. If the other party opposes the request, a written response to the request shall be made to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and state the reasons therefor in writing.

NEW SECTION

WAC 132Q-108-080 RECORDING DEVICES. No cameras or recording devices shall be allowed in those parts of proceedings which the presiding officer has determined shall be closed pursuant to WAC 132Q-108-010, except for the method of official recording selected by the institution.

NEW SECTION

WAC 132Q-108-090 PETITIONS FOR STAY OF EFFECTIVENESS. Disposition of a petition for stay of effectiveness of a final order shall be made by the official, officer, or body of officers, who entered the final order.

NEW SECTION

WAC 132Q-108-100 INFORMAL SETTLEMENTS. It is the intent of this district to resolve all disputes by informal settlements utilizing the normal internal grievance procedures or applicable collective bargaining agreements pursuant to RCW 34.50.060.

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

WSR 91-14-059

PROPOSED RULES

SPOKANE COMMUNITY COLLEGES

[Filed June 28, 1991, 9:48 a.m.]

Original Notice.

Title of Rule: Chapter 132Q-135 WAC, Environmental policy.

Purpose: Establishes rule in compliance with SEPA requirements.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: Chapter 43.21C RCW.

Summary: Insures that capital projects will be developed in compliance with the State Environmental Policy Act.

Name of Agency Personnel Responsible for Drafting and Implementation: Richard B. Halvorson, 1-0103, (509) 536-7413; and Enforcement: Dr. Terrance R. Brown, 1-0111, (509) 536-7400.

Name of Proponent: Community Colleges of Spokane, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Establishes the policy of the Community Colleges of Spokane that capital projects shall be accomplished in compliance with chapter 43.21C RCW, the State Environmental Policy Act.

Proposal does not change existing rules.

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

Hearing Location: Community Colleges of Spokane, District Office, Room 1-0109, North 2000 Greene Street, Spokane, WA 99027 [99207], on August 20, 1991, at 1:30 p.m.

Submit Written Comments to: Richard B. Halvorson, Rules Coordinator, North 2000 Greene Street, Spokane, WA 99207, by August 19, 1991.

Date of Intended Adoption: August 20, 1991.

June 26, 1991
Terrance R. Brown
Chief Executive Officer

CHAPTER 132Q-135 WAC
ENVIRONMENTAL POLICY

NEW SECTION

WAC 132Q-135-050 STATE ENVIRONMENTAL POLICY ACT (SEPA). It is the policy of the Community Colleges of Spokane that capital projects shall be accomplished in compliance with chapter 43.21C RCW, the State Environmental Policy Act (SEPA), and in accordance with chapter 197-11 WAC and all subsequent amendments thereto, and WAC 131-24-030.

In compliance with chapter 197-11 WAC, the chief executive officer or a duly appointed administrator designee shall be the responsible official for implementing this policy.

WSR 91-14-060
PROPOSED RULES
SPOKANE COMMUNITY COLLEGES

[Filed June 28, 1991, 9:50 a.m.]

Original Notice.

Title of Rule: WAC 132Q-06-016 Definition of personally identifiable information.

Purpose: To establish rule for student identification.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: RCW 28B.50.140.

Summary: Adopts rule for identification purposes for access to student records.

Reasons Supporting Proposal: Required by chapter 34.05 RCW.

Name of Agency Personnel Responsible for Drafting and Implementation: Richard B. Halvorson, 1-0103, (509) 536-7413; and Enforcement: Dr. Terrance R. Brown, 1-0111, (509) 536-7400.

Name of Proponent: Community Colleges of Spokane, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Establishes identification process for access to student records.

Proposal does not change existing rules.

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

Hearing Location: Community Colleges of Spokane, District Office, Room 1-0109, North 2000 Greene Street, Spokane, WA 99027 [99207], on August 20, 1991, at 1:30 p.m.

Submit Written Comments to: Richard B. Halvorson, Rules Coordinator, North 2000 Greene Street, Spokane, WA 99207, by August 19, 1991.

Date of Intended Adoption: August 20, 1991.

June 26, 1991
Terrance R. Brown
Chief Executive Officer

NEW SECTION

WAC 132Q-06-016 DEFINITION OF PERSONALLY IDENTIFIABLE INFORMATION. Personally identifiable information refers to that information which includes either (a) the name of the student, the student's parent, or other family member, (b) the address of the students of student's family, (c) a personal identifier such as the student's social security number or student number, (d) a list of personal characteristics which would make it possible to identify the student which reasonable certainty, or (e) other information which would make it possible to identify the student with reasonable certainty.

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

WSR 91-14-061
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION COMMISSION

[Memorandum—June 26, 1991]

Washington State Transportation Commission July meeting time change.

The July Washington State Transportation Commission meeting will be held on Wednesday, July 17, 1991, at 11:30 a.m. at the MGM Building at Bell Place, 6th Floor Conference Room, 800 Bellevue Way N.E., Bellevue, WA. There will be a planning subcommittee meeting at 1:30 p.m.

WSR 91-14-062
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION IMPROVEMENT BOARD

[Memorandum—June 27, 1991]

MEETING NOTICE FOR JULY 1991
TRANSPORTATION IMPROVEMENT BOARD
TRANSPORTATION BUILDING, OLYMPIA, WASHINGTON
98504

Work session, 6:00 p.m., Thursday, July 18, 1991, in Olympia at the Best Western Aladdin Motor Inn, Cascade Room, 900 South Capitol Way.

TIB meeting, 9:00 a.m., Friday, July 19, 1991, in Olympia at the Transportation Building, Commission Board Room.

There will be no August or September 1991 board meeting. The next scheduled meeting is October 18, 1991, in Issaquah.

WSR 91-14-063
PERMANENT RULES
PROFESSIONAL ATHLETIC COMMISSION

[Filed June 28, 1991, 9:57 a.m.]

Date of Adoption: June 25, 1991.

Purpose: Implement the provisions of chapter 67.08 RCW.

Citation of Existing Rules Affected by this Order: Amending WAC 36-12-120.

Statutory Authority for Adoption: Chapter 67.08 RCW.

Pursuant to notice filed as WSR 91-11-101 on May 22, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 26, 1991

Stan Naccarato
Chairman

AMENDATORY SECTION (Amending WSR 91-11-038, filed 5/10/91, effective 6/10/91)

WAC 36-12-120 POWERS OF REFEREE—PENALTIES FOR FOULS, BUTTS. (1) The referee shall have power to stop a contest at any time if he considers it too one-sided, or if either contestant is in such condition that to continue might subject him to serious injury, and in either case to render a decision.

(2) In cases where a boxer receives a cut eye or any other injury which the referee may believe shall incapacitate the boxer, the referee shall call into the ring the commission physician for examination of the boxer before the referee shall render his decision in the matter.

(3) The referee shall stop a contest if in his judgment there is stalling or faking by either or both contestants or if there is collusion affecting the result, in which case he shall recommend to the commission that the purse or purses of the offending boxer or boxers be forfeited and paid to the commission.

(4) The referee shall penalize any contestant who fouls his opponent during a contest, by charging such contestant with the loss of points, whether such foul or fouls be intentional or unintentional. However, the referee shall use his own discretion in determining the number of points, if any, chargeable against the contestant in each instance, depending upon the severity or harmlessness of the foul and its effect upon the opponent. The referee shall indicate on the official score card the number of points taken away from a contestant in any and all rounds in which he may find it necessary to charge the contestant with such loss. The referee shall, at the conclusion of each round notify the judges of the number of points to be deducted in accordance with his

determination. Judges shall not deduct points without first receiving instruction from the referee.

(5) Persistent fouling by a contestant requiring cautioning by the referee shall be noted on the referee's score card and called to the attention of the commission for appropriate punishment.

(6) No contestant may be awarded a contest on a claim of a low-blow foul, nor may a contestant lose a decision by reason of a low-blow foul. Except where a contestant commits two fouls and after being warned each time by the referee, he commits a third foul, the referee may then within his discretion award the decision to the contestant who has been fouled.

~~(7) ((If, by reason of any other foul committed intentionally during a contest, an opponent shall be rendered incapacitated or unfit to continue, the contest shall be terminated by the referee and such incapacitated contestant shall be declared the winner if, at the termination thereof, he shall actually be ahead on points. The referee shall in such event recommend to the commission that they order the purse of the offending contestant withheld from payment, for disposition by the commission and such offender shall be subject to fine, suspension or other punishment, as may be determined by the commission upon full hearing thereof.~~

~~(8) If the incapacitated opponent referred to in the preceding paragraph shall not be ahead on points, the contest shall, nevertheless, be terminated, no decision shall be rendered by the referee and he shall order the purses of both contestants withheld from payment; a full report shall be made by the referee to the commission. A hearing shall be held by the commission and such disposition of the proceeds of the purses and such fines and penalties and other punishment may be assessed as the commission in its judgment may deem expedient. No purse ordered held for investigation can be released except by order of the commission.~~

~~(9)) Any boxer guilty of intentional foul tactics in a boxing contest may be disqualified and his purse withheld from payment, and the boxer shall be automatically suspended. Disposition of the purse and the penalty to be imposed upon the boxer shall be determined by action of the commission.~~

(8) In the event of an unintentional foul (except as provided in subsection ~~((+0))~~ (9) of this section) other than low-blow fouls, rendering an opponent incapacitated or unfit to continue (in the opinion of the referee), the contest shall be terminated, no decision shall be rendered but the referee shall order withheld from payment the purses of both contestants; the referee shall make a full report thereof, as is otherwise indicated herein, and the matter shall be heard by the commission and be disposed of as the commission may in its judgment deem expedient. Referees are hereby required to report to the commission repeated or persistent intentional or unintentional fouling by any contestant, in which connection the commission may order a hearing and subject the offending contestant to such punishment, which may include a fine or suspension, or both.

~~((+0)) (9) If an accidental butt occurs during any bout, the referee shall immediately warn the guilty boxer and he may penalize him by a deduction in points for~~

the round, at the same time he shall so notify the other contestant. Should any such penalty be charged against the boxer guilty of butting it shall be charged at the end of the round in which the butting occurred and the referee's score card shall be so marked at the conclusion of the round, at which time he shall also notify the judges; the referee shall explain in writing on the back of his card the nature and circumstances surrounding the penalty.

~~((1+1))~~ (10) If a boxer is accidentally butted in a bout so that he cannot continue, the referee shall:

(a) Call the bout a draw if the injured boxer is behind in points, or

(b) Declare the injured boxer the winner on a technical decision if he has a lead in points. When judges are used the majority vote as disclosed by the score cards shall prevail in determining the decision as specified in this section and the previous section hereof. If all three score cards differ the contest shall be declared a technical draw.

(c) If any accidental butt occurs during the first three rounds of any contest the referee shall call the bout a no contest.

The provisions of (a) and (b) of this subsection do not apply in world championship matches.

This rule applies only to accidental butting. Intentional butting is a foul and shall be penalized as such.

~~((1+2))~~ (11) The referee shall use his discretion in deciding any matters that may come up during a contest and are not covered by these rules.

WSR 91-14-064
PROPOSED RULES
OFFICE OF
INSURANCE COMMISSIONER

[Filed June 28, 1991, 11:02 a.m.]

Original Notice.

Title of Rule: Organization and operation of the Insurance Commissioner's Office.

Purpose: To amend chapter 284-02 WAC in order to keep it current.

Other Identifying Information: Insurance Commissioner Matter No. R 91-5.

Statutory Authority for Adoption: RCW 48.02.060 (2)(a).

Statute Being Implemented: RCW 34.05.220 (1)(b), 34.05.419, and 34.05.458.

Summary: The purpose of chapter 284-02 WAC is to assist interested persons in their dealings with the Insurance Commissioner's Office, to help persons understand its organization and how public information may be obtained, and to help persons with submissions or requests for information. These amendments are proposed to bring the chapter up-to-date; they reflect current operations of the office.

Reasons Supporting Proposal: At WAC 284-02-020, the commissioner advises that he has established the position of "Chief Hearing Officer," and has removed the appeals process from the consumer protection division to

avoid the appearance of a conflict of interest. WAC 284-02-030(2) clarifies that service of process on alien or foreign insurers must be made on the commissioner at his Olympia office.

Name of Agency Personnel Responsible for Drafting: Melodie Bankers, Insurance Building, Olympia, Washington, (206) 753-7300; Implementation and Enforcement: David H. Rodgers, Insurance Building, Olympia, Washington, (206) 753-7300.

Name of Proponent: Dick Marquardt, Insurance Commissioner, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of chapter 284-02 WAC is to assist interested persons in their dealings with the Insurance Commissioner's Office, to help persons understand its organization and how public information may be obtained, and to help persons with submissions or requests for information. These amendments are proposed to bring the chapter up-to-date; they reflect current operations of the office. At WAC 284-02-020, the commissioner advises that he has established the position of "Chief Hearing Officer," and has removed the appeals process from the consumer protection division to avoid the appearance of a conflict of interest. WAC 284-02-030(2) clarifies that service of process on alien or foreign insurers must be made on the commissioner at his Olympia office. WAC 284-02-030(2) is further amended to make it clear that where "registered" mail is called for "certified" mail with return receipt requested may be used. The proposed amendments to WAC 284-02-030(2) are not changes; these amendments will be added for clarification only.

Proposal Changes the Following Existing Rules: The commissioner has established the position of "Chief Hearing Officer" and has removed the appeals process from the consumer protection division in order to avoid the appearance of a conflict of interest and to comply with the separation of functions provisions of RCW 34.05.458. To aid interested persons wishing to obtain service of process on foreign and alien insurers, these amendments clarify a long-standing practice of the commissioner to accept service of process in his Olympia office where the function can be handled by professional staff persons. To avoid a potential conflict with RCW 34.05.419 of the Administrative Procedure Act, WAC 284-02-070 (2)(d) will be repealed if these amendments are adopted.

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

The proposed amendments will have no impact on businesses, large or small. Chapter 284-02 WAC is merely informational and requires no action by any licensee of the Insurance Commissioner.

Hearing Location: Insurance Commissioner's Office, Insurance Building, Olympia, Washington, on August 6, 1991, at 10:00 a.m.

Submit Written Comments to: Insurance Commissioner, Insurance Building, AQ-21, Olympia, Washington 98504-0321, by August 6, 1991.

Date of Intended Adoption: August 13, 1991.

June 28, 1991

Dick Marquardt
Insurance Commissioner
by Melodie H. Bankers
Assistant Deputy Commissioner
Consumer Protection

AMENDATORY SECTION (Amending Order R 90-8, filed 8/14/90, effective 9/14/90)

WAC 284-02-020 ORGANIZATION AND OPERATIONS. The insurance commissioner is the head of an agency generally referred to as the insurance commissioner's office, and as such is its chief administrative officer. The commissioner's office consists of three major divisions: Administrative, company supervision, and consumer protection. The commissioner may appoint a chief deputy commissioner who has the same powers as are granted to the commissioner. The commissioner may appoint additional deputy commissioners for such purposes as he may designate (RCW 48.02.090). The commissioner may appoint a chief hearing officer who will have primary responsibility for the conduct of hearings, the procedural matters preliminary thereto, and the preservation of hearing records. The position of chief hearing officer does not report to any of the three major divisions of the commissioner's office.

(1) Administrative division.

(a) Licensing and insurance education. Licenses are issued to individuals, partnerships, and corporations to act as insurance agents, brokers, solicitors, adjusters, and premium finance companies. Insurance education and licensing renewal requirements are the responsibility of this section and the content of continuing education programs is supervised by it.

(b) Taxes, fees, and accounting responsibilities. Taxes and fees imposed by the insurance code are collected and processed by the commissioner.

(i) Both domestic and foreign insurers are taxed on gross premium, pursuant to RCW 48.14.020. Fraternal benefit societies and title insurers are not taxed, as provided in chapters 48.36A and 48.14 RCW, respectively. Surplus line insurance is taxed pursuant to the provisions of RCW 48.15.120. Health care service contractors and health maintenance organizations are not taxed. The current rate of taxation is stated at RCW 48.14.020. Under the retaliatory provisions of RCW 48.14.040, if the laws of another state or country impose any taxes, fees, or other obligations in excess of the rate charged a Washington domestic insurer, a like rate or obligation may be imposed by the commissioner.

(ii) Fees paid by insurers (RCW 48.14.010), health care service contractors (RCW 48.44.040), health maintenance organizations (RCW 48.46.140), and agents, brokers, solicitors, and adjusters (chapter 48.17 RCW) are also collected by the administrative division.

(2) Company supervision division. The deputy commissioner for company supervision supervises admission of all insurers and examines their financial condition and adequacy of their forms and rates.

(a) Admissions of companies. Admission of insurance companies, fraternal benefit societies, health care service contractors, and health maintenance organizations is administered by the company supervision division. Additionally the commissioner, through this division, approves proxy statements of domestic stock companies (RCW 48.08.090), supervises the insider trading law (RCW 48.08.100 through 48.08.170) and control of domestic insurers (chapter 48.31A RCW), registers liability risk retention groups (chapter 48.92 RCW), handles certification of official documents, and approves company names.

(b) Examinations (financial and market conduct). Examination of authorized insurers is regulated by chapter 48.03 RCW. Each domestic insurer and each rating organization and examining bureau licensed in this state is examined as often as the commissioner deems advisable but at least once in every five years. Examinations of advisory organizations and underwriting or reinsurance groups are performed as often as the commissioner deems appropriate. The commissioner may accept the last recent examination of nondomestic insurers. Examiners analyze the insurers' various accounts, records, and files to determine the financial condition of the company and to ascertain whether business is being conducted in conformity with the insurance code and its regulations. Reports of examinations are furnished to the organization, which

then has ten days to request a hearing to consider objections to the report. Once the hearing has been held and modifications deemed necessary have been made, the report may then be made public; although the commissioner may withhold the report if it is in the public interest to do so (RCW 48.03.050).

(c) Rates and forms review. The company supervision division approves forms for policies, applications, policy riders, and endorsements (RCW 48.18.110), and may disapprove such forms pursuant to grounds set forth in RCW 48.18.110. Rates for property, surety, and casualty insurance (chapter 48.19 RCW), and title insurance (RCW 48.29.140) are also approved by this division. Rates may not be excessive, inadequate, or unfairly discriminatory (RCW 28.19.020). Additionally, the insurance commissioner may disapprove rates for disability insurance (RCW 48.18.110), for credit insurance (RCW 48.34.100), and long-term care insurance (RCW 48.84.030), when the rates charged are not reasonable in relation to the benefits conferred. Prima facie acceptable rates have been established for credit insurance (WAC 284-34-010). Contract forms for health care service contractors may be disapproved pursuant to RCW 48.44.020 and health care agreements for health maintenance organizations may be disapproved pursuant to RCW 48.46.060.

(3) Consumer protection division. The deputies in the consumer protection division act as consumer advocates by rendering assistance to consumers who make complaints against insurers. In addition, this division drafts changes to, and interprets issues relative to, the insurance code and its regulations, performs special consumer advocacy functions relating to education of senior citizens, and investigates licensees to insure compliance with the insurance laws and rules of this state. ~~((This division has primary responsibility for the conduct of hearings, the procedural matters preliminary thereto, and the preservation of hearing records.))~~

(a) Consumer assistance. Code compliance officers, currently located in offices of the insurance commissioner in Olympia, Seattle, Spokane, Tacoma and Yakima, handle written and oral inquiries and complaints from policyholders and claimants. Assistance is rendered by the commissioner pursuant to authority to enforce the various provisions of the insurance code, including RCW 48.02.060, 48.02.080, and 48.02.160, and based on authority to take disciplinary action against an insurance company and other licensees. While the consumer protection division provides assistance to members of the public and tries to resolve complaints concerning insurers and licensees, some matters will involve disputed facts or laws and will have to be resolved in court or arbitration proceedings. The commissioner is not a substitute for the courts.

(b) Regulations and statutes. The consumer protection division evaluates existing statutes and rules, proposes additional legislation, drafts new insurance regulations, and assists in the enforcement of laws and regulations.

(c) Special programs. To help senior consumers find their way through the sometimes confusing maze of state, federal, and private insurance options available to citizens over age sixty, the insurance commissioner sponsors the senior health insurance benefit advisors (SHIBA) program. SHIBA volunteers throughout the state act as unpaid advisors to other seniors in the community, answer basic health insurance questions, and refer people to the proper governmental agency to find solutions to their insurance problems. In order to assure the objectivity of advice given by SHIBA volunteers, the commissioner has determined that no one connected to the SHIBA program may be an active agent of an insurer selling disability insurance policies or contracts in this state.

(d) Investigation and enforcement. Members of the consumer protection division investigate activities of licensees and companies to determine whether corrective action or disciplinary proceedings are needed, and institute proceedings leading to fines, license revocations or suspensions, as appropriate.

(4) Legal assistance from the attorney general. Assistant attorneys general are assigned as needed to the insurance commissioner's office to render legal advice, to represent the commissioner in disciplinary hearings and court cases, and to assist in the drafting of legislation and regulations.

(5) Insurance advisory examining board. An insurance advisory examining board, made up of seven Washington insurance agents or brokers who have been licensed in this state for at least five years, has the power to recommend general policy concerning the scope, content, procedure, and conduct of examinations to be given for licenses as insurance agents, brokers, or solicitors (RCW 48.17.135).

AMENDATORY SECTION (Amending Order R 88-10, filed 11/18/88)

WAC 284-02-030 OBTAINING SERVICE OF PROCESS OVER FOREIGN AND ALIEN INSURERS. (1) Although domestic insurers are served with legal process personally, the insurance commissioner is the party on whom service of process should be made on all foreign and alien insurers, whether authorized to transact business in this state or not. The exact procedures are set forth in the applicable statutes. Service of process against authorized foreign and alien insurers, other than surplus line insurers, must be made pursuant to RCW 48.05.200 and 48.05.210. RCW 48.05.220 specifies the proper venue for such actions. Service of process against surplus line insurers can be made on the commissioner, pursuant to the procedures set forth in RCW 48.05.215 and 48.15.150. (A surplus lines insurer markets coverage which cannot be procured in the ordinary market from authorized insurers.) Service of process against other unauthorized insurers may be made on the commissioner, pursuant to the procedures set forth in RCW 48.05.215.

(2) Where service of process against a foreign or alien insurer is made through service upon the commissioner pursuant to RCW 48.05.210 or 48.05.215, such service must be made by personal service at, or by registered mail sent to, the Olympia, Washington office of the insurance commissioner, and otherwise comply with the requirements of the applicable statute. Service upon a branch office is not permissible and will not be accepted. Pursuant to RCW 1.12.060, whenever the use of "registered" mail is called for, "certified" mail with return receipt requested, may be used.

AMENDATORY SECTION (Amending Order R 88-10, filed 11/18/88)

WAC 284-02-070 HEARINGS OF THE INSURANCE COMMISSIONER. (1) Hearings of the insurance commissioner's office are conducted according to chapter 48.04 RCW and the Administrative Procedure Act (~~(Until July 1, 1989, the Administrative Procedure Act is found at chapter 34.04 RCW, thereafter the Administrative Procedure Act will be found at)~~) (chapter 34.05 RCW). Two types of hearings are conducted: Rule-making hearings and adjudicative proceedings or contested case hearings, the latter including appeals from disciplinary actions taken by the commissioner. Under RCW 48.04.010 the commissioner is required to hold a hearing upon demand by any person aggrieved by any act, threatened act, or failure of the commissioner to act, if such failure is deemed an act under the code, or by any report, promulgation, or order of the commissioner other than an order on a hearing of which such person was given actual notice or at which such person appeared as a party, or order pursuant to the order on such hearing. Requests for hearings must be made in writing to the commissioner at his Olympia office, must specify how the person making the demand has been aggrieved by the commissioner, and the demand must specify the grounds to be relied upon as the basis for the relief sought.

(2) Contested cases or adjudicative proceedings.

(a) Provisions specifically relating to disciplinary action taken against insurance agents, brokers, solicitors, or adjusters are contained in RCW 48.17.530, 48.17.540, 48.17.550, and 48.17.560. Provisions applicable to other adjudicative proceedings are contained in chapter 48.04 RCW and the Administrative Procedure Act (chapter 34.05 RCW). The uniform rules of practice and procedure which appear in Title 10 of the Washington Administrative Code, govern procedures not contained in the statutes. The grounds for disciplinary action against insurance agents, brokers, solicitors, and adjusters are contained in RCW 48.17.530; grounds for similar action against insurance companies are contained in RCW 48.05.140, grounds for actions against fraternal benefit societies are found at RCW 48.36A.300 (domestic) and RCW 48.36A.310 (foreign), grounds for action against health care service contractors are contained in RCW 48.44.160, and grounds for action against health maintenance organizations are contained in RCW 48.46.130. These statutes provide that the insurance commissioner may suspend or revoke a licensee's license, or the certificate of authority or registration of an insurer, fraternal benefit society, health care service contractor, or health maintenance organization. In addition, the commissioner may(;) generally levy fines against those licensees and organizations.

(b) Adjudicative proceedings or contested case hearings of the insurance commissioner are informal in nature, and formal rules of pleading and evidence are not required. The commissioner may delegate to any deputy the authority to hear and determine the matter

pursuant to RCW 48.02.100 or may utilize the services of an administrative law judge in accordance with chapter 34.12 RCW and the Administrative Procedure Act (chapter 34.05 RCW). The hearing will be recorded by any method chosen by the presiding officer. Except as required by law, the commissioner's office is not required, at its expense, to prepare a transcript. Any party, at the party's expense, may cause a reporter approved by the commissioner to prepare a transcript from the agency's record, or cause additional recordings to be made during the hearing if, in the opinion of the presiding officer, the making of the additional recording does not cause distraction or disruption. If appeal from the commissioner's order is made to the superior court, the recording of the hearing will be transcribed, and certified to the court. The commissioner allows any person affected by the hearing to be present during the giving of all testimony and will allow the aggrieved person a reasonable opportunity to inspect all documentary evidence, to examine witnesses and to present evidence. Any person heard must make full disclosure of the facts pertinent to the inquiry.

(c) Unless a person aggrieved by an order of the commissioner demands a hearing thereon within ninety days after receiving notice of such order, or in the case of licensees, within ninety days after the commissioner has mailed the order to the licensee at the most recent address shown in the commissioner's licensing records, the right to such a hearing shall conclusively be deemed to have been waived (RCW 48.04.010(3)).

~~((d) The commissioner must hold any hearing demanded within thirty days after receipt of the demand, unless postponed by mutual consent:))~~

(3) Rule-making hearings. Rule-making hearings of the insurance commissioner are conducted pursuant to the Administrative Procedure Act (chapter 34.05 RCW), chapter 34.08 RCW (the State Register Act), and chapter 48.04 RCW. Under applicable law all interested parties must be afforded an opportunity to express their views concerning a proposed regulation of the insurance commissioner's office, either orally or in writing. Notice of intention of the insurance commissioner to adopt a proposed rule or regulation is published in the state register, is sent to anyone who has requested notice in advance, and to persons whom the commissioner determines would be particularly interested in the proceeding.

WSR 91-14-065
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)

[Filed June 28, 1991, 1:45 p.m.]

Original Notice.

Title of Rule: WAC 275-16-030 Schedule of charges.

Purpose: The purpose of this rate change is to revise the schedule of charges for the state mental health facilities. The charges are based on the actual cost of operations. Costs rise each year due to staff compensation increases authorized by the legislature and due to inflation. Increased rates result in additional revenue to the state to cover the rise in costs of operations.

Statutory Authority for Adoption: RCW 43.20B.335.

Statute Being Implemented: RCW 43.20B.335.

Summary: The schedule of charges for daily patient hospitalizations and ancillary services at Western State Hospital and Eastern State Hospital, and daily cost of residential care at Child Study and Treatment Center and at Portal are revised semi-annually based on the actual costs of operating each facility. The charges are used for billing purposes to Medicare, Medicaid, and third party resources for the patients.

Reasons Supporting Proposal: This rule amendment is necessary to comply with RCW 43.20B.325, which requires charges for hospitalization of patients in state

mental hospitals to be based on the actual cost of operating the hospitals.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jan Wells, Mental Health Division, 753-2743.

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

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

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 6, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 6, 1991.

Date of Intended Adoption: August 20, 1991.

June 28, 1991

Dewey Brock
for Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 3061 [3155], filed 8/23/90 [3/26/91], effective 9/23/90 [4/26/91])

WAC 275-16-030 SCHEDULE OF CHARGES. Under RCW 43.20B.325, the department shall base hospitalization charges for patients in state hospitals on the actual operating costs of such hospitals for the previous year. The department shall require patient's hospitalization charges ((are)) due and payable on or before the tenth day of each calendar month for services rendered to department patients ((of the department)) during the preceding month, based upon the following schedule:

(1) COSTING AND BILLING RATES

| | Western State Hospital | Child Study and Treatment Center | Eastern State Hospital |
|---------------------------------------|------------------------------|----------------------------------|---------------------------|
| (a) INPATIENT SERVICES - | | | |
| Hospital Costs Per Day | \$(224.00) 288.23 | 288.23 228.49) | 228.49) 241.00 |
| | 230.53 | 324.88 | |
| Physician Costs | | 15.56 | |
| ((Clozapine Costs Per Week | \$172.00 | | 172.00) |
| (b) OUTPATIENT SERVICES - | | | |
| Per diem | | | |
| Outpatient Day Care Per Day | — | ((89.30)) 80.48 | — |
| Per Hour | — | ((15.92)) 11.50 | — |
| (c) ANCILLARY SERVICES - | | | |
| Per relative value unit ^{1/} | | | |
| Radiology | ((4.20) 4.91 | 4.20) 4.91 | 5.90) 7.70 |
| Pathology | ((31) .42 | .31) .42 | .29) .31 |
| Medical Clinics | ((1.78) 1.89 | 1.78) 1.89 | 7.31) 8.66 |

*The department shall bill the client for physician costs on a fee-for-service basis.

| | Western State Hospital | Child Study and Treatment Center | Eastern State Hospital |
|----------------------|---------------------------|----------------------------------|----------------------------|
| Electroencephalogram | ((1.09) .93 | 1.09) .93 | 1.09) .93 |
| Electrocardiogram | .18 | .18 | ((.62)) .52 |
| Physical Therapy | ((5.06) 5.74 | 5.06) 5.74 | 12.05)) 12.91 |
| Occupational Therapy | — | — | ((26.89)) 28.01 |
| Speech Therapy | — | — | ((16.88)) 23.51 |
| Dental | ((29.46) 36.25 | 29.60) 36.25 | 40.60)) 42.98 |
| Podiatry | 1.28 | 1.28 | 1.00 |

(d) RESIDENTIAL SERVICES -

| Costs Per Day | Pals | Portal |
|---------------|--------|--------|
| | 133.22 | 80.60 |

(2) The department shall purchase services required by the patient, not provided by hospital staff, from private sources and the patient shall be charged actual cost of services.

^{1/}California Medical Association. Relative Value Studies. Fifth edition. San Francisco: 693 Sutter Publication, Inc., 1969, 135 pp.

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

WSR 91-14-066
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed June 28, 1991, 1:47 p.m.]

Original Notice.

Title of Rule: WAC 388-81-070 Determination of maternity care distressed areas.

Purpose: To repeal the rules on determining maternity care in distressed areas.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Repeals the rules on determining maternity care distressed areas.

Reasons Supporting Proposal: The state law did not extend this provision.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

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

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

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 6, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health

Services, Mailstop OB-33H, Olympia, Washington 98504, by August 6, 1991.

Date of Intended Adoption: August 20, 1991.

June 28, 1991
Dewey Brock
for Rosemary Carr
Acting Director
Administrative Services

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-81-070 Determination of maternity care distressed areas.

WSR 91-14-067
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed June 28, 1991, 1:49 p.m.]

Original Notice.

Title of Rule: Chapter 388-100 WAC, Limited casualty program—Medically indigent; and WAC 388-87-010 Conditions of payment—General.

Purpose: To implement changes in the medically needy program.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Effective July 1, 1991, outpatient and inpatient hospital services are no longer covered under the medically indigent program. Effective July 1, 1991, the deductible is changed to a \$1,500 emergency medical expense requirement. Technical changes have been made for consistency and clarity: Individual changed to person; emergency medical condition is now used throughout the chapter; and excess income and resources shall be used for spenddown rather than medical care.

Reasons Supporting Proposal: This rule amendment is necessary to delete outpatient and inpatient hospital services from the medically indigent program; change the \$500 deductible to a \$1,500 emergency medical expense requirement; and make technical changes for clarity.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

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

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

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 6, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 6, 1991.

Date of Intended Adoption: August 20, 1991.

June 28, 1991
Dewey Brock
for Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 3150, filed 3/11/91, effective 4/11/91)

WAC 388-87-010 CONDITIONS OF PAYMENT—GENERAL. (1) The department shall be responsible for payment of service rendered to a recipient only when the:

(a) Services are within the scope of care of the medical assistance program under chapter 388-86 WAC;

(b) Services are properly authorized;

(c) Services are billed properly;

(d) Services are timely billed as described under WAC 388-87-015;

(e) Recipient is certified as eligible; and

(f) Third-party payment procedures are followed.

(2) The fees and rates the department establishes shall constitute the maximum allowable payment for approved medical care and services the providers provide to recipients.

(3) A "recipient" shall mean a person the department finds eligible for any medical program. The provider is responsible for ascertaining whether a client has medical coverage for the dates of service.

(4) A provider shall not bill, demand, or otherwise collect reimbursement from a recipient, or from other persons on behalf of the recipient, for any service included in the medical program's scope of benefits, and the recipient is not liable for payment for such services if the provider:

(a) Does not properly bill the department for services the department is responsible for payment; or

(b) Fails to satisfy department conditions of payment, including but not limited to:

(i) Prior approval when required;

(ii) Timely billing and billing according to department instructions;

(iii) Pursuit of third-party liability; or

(iv) Adequate documentation of medical necessity.

(5) A hospital shall not bill, demand, or otherwise collect reimbursement from a medically indigent recipient, or from other persons on behalf of such recipient, for inpatient or outpatient hospital services received during a period of eligibility.

(6) The department shall not pay for services not included in the medical program's scope of benefits.

~~((6))~~ (7) A provider may bill a recipient for services only when the:

(a) Recipient signs a specific written agreement with the provider before receiving the services stating the:

(i) Specific service provided;

(ii) Service is not covered by the medical assistance program;

(iii) Recipient chooses to receive the specific service;

(iv) Agreement is to pay for the services; and

(v) Agreement is void and unenforceable and the recipient is under no obligation to pay the provider if the:

(A) Service is covered by the medical program; or

(B) Provider fails to satisfy department conditions of payment as described under WAC 388-87-010 (4)(b).

(b) Recipient received reimbursement directly from a third party for services the department has no payment responsibility for; or

(c) Bill counts toward a spenddown liability or deductible as described under WAC 388-99-030 and chapter 388-100 WAC.

~~((7))~~ (8) If a third party pays a provider the department rate, or more, for a covered service, the provider may not bill the department or the recipient for that service.

~~((8))~~ (9) The department shall pay for medical services and seek reimbursement from any liable third party, when the claim is for:

(a) Prenatal care;

(b) Labor, delivery, and post-partum care (except inpatient hospital costs) for a pregnant woman; or

(c) Preventive pediatric service as covered under the early and periodic screening, diagnosis and treatment (EPSDT) program.

~~((9))~~ (10) The department shall pay for medical services and seek reimbursement from any liable third party when the provider submits to the department documentation of billing the third party and the provider has not received payment after thirty days from the date of service and:

(a) The claim is for a covered service provided to a person on whose behalf the office of support enforcement is enforcing an absent parent to pay support.

(b) For the purposes of this section, "is enforcing" means the absent parent:

(i) Is not complying with an existing court order; or

(ii) Received payment directly from the third party and did not pay for the medical services.

~~((10))~~ (11) If the third party pays the provider, then the provider shall refund to the department the amount of the:

(a) Third party payment when the payment is less than the department's maximum allowable rate; or

(b) Department's payment if the third payment is equal to or greater than the department's maximum allowable rate.

~~((11))~~ (12) The department shall not be responsible for payment of medical care or services if the third-party benefits are available to pay the recipient's medical expenses at the time the provider bills the department, except as described in subsection (8) of this section.

~~((12))~~ (13) The recipient shall not be responsible for payment except to the extent as described in subsection (6) of this section or to the extent the recipient has directly received third-party reimbursement for such services.

~~((13))~~ (14) A provider shall not refuse to furnish covered services to a recipient because of a third party's potential liability for the services.

~~((14))~~ (15) Payment for any service a provider furnishes to a recipient may not be made to or through a factor who advances money to that provider for accounts receivable.

~~((15))~~ (16) The department shall not be responsible for payment for medical care and goods or services or all three provided to a recipient:

(a) Enrolled in a department-contracted, prepaid medical plan; and

(b) Failing to use the provider under contract unless:

(i) Emergency conditions exist; or

(ii) The department has approved payment to another provider for provision of a service not covered by the prepaid plan.

~~((16))~~ (17) Payment for care under the medical assistance programs is retroactive for three months before the month of application provided the applicant was eligible when the care was received. The applicant need not be eligible at the time of actual application. The central authorization unit's (CAU) medical consultant shall approve medical services that require approval for the retroactive period.

~~((17))~~ (18) Payment for care under the limited casualty program—medically indigent may be retroactive for seven days before the date of application if applicant is otherwise eligible. Medical services that require approval shall be approved by the CAU medical consultant for the retroactive period.

~~((18))~~ (19) The department may pay a claim a provider submits for payment for services rendered to a person subsequently determined ineligible at the time of service under the following conditions only when:

(a) The ineligible person was certified at the time of service as both financially or medically eligible;

(b) Payment was not made from sources outside the department; and

(c) A request for such payment is submitted to and approved by the division of medical assistance.

~~((19))~~ (20) The department shall pay for billed medically necessary services on the basis of usual and customary charges or the rates the department establishes, whichever is lower.

~~((20))~~ (21) The department shall not authorize payment for well-child care except as provided under the EPSDT program. See WAC 388-86-027.

~~((21))~~ (22) In counties/areas where nonambulance transportation is provided as a medical service, payment for medically necessary transportation services, provided by nonprofit organizations, shall be based on the operating costs incurred in providing the service but shall not exceed the rates established by the department. See WAC 388-87-035 for nonambulance transportation payment other than provided by a nonprofit organization.

AMENDATORY SECTION (Amending Order 2887, filed 10/27/89, effective 11/27/89)

WAC 388-100-005 LIMITED CASUALTY PROGRAM—MEDICALLY INDIGENT. (1) The department of social and health services shall provide a limited casualty program of medical care, administered through the division of medical assistance, designed to meet the health care needs of persons not receiving cash assistance or eligible for other medical program.

(2) ~~((An individual))~~ For applications filed on or after July 1, 1991, a person is eligible for the medically indigent program ~~((is a))~~ when the person ~~((who))~~:

(a) Has an emergency medical condition.

(i) The term emergency medical condition means a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in:

(A) Placing the patient's health in serious jeopardy;

(B) Serious impairment to bodily functions; or

(C) Serious dysfunction of any bodily organ or part.

(ii) For the purposes of this section pregnancy and treatment under the Involuntary Treatment Act (ITA) are considered ~~((emergent))~~ emergency medical conditions.

(b) Meets the financial eligibility requirements under chapter 388-100 WAC; ~~((and))~~

(c) Has met an emergency medical expense requirement of one thousand five hundred dollars.

(i) Only expenses related to a emergency medical condition shall count toward the emergency medical expense requirement.

(ii) For the purpose of the Medically Indigent program, an "emergency medical expense" requirement is any bill for emergency medical services a recipient can use to qualify for the Medically Indigent program. This requirement may include the usual and customary amounts a hospital would charge for the services provided; and

(d) Is not an inmate of a federal or state prison.

AMENDATORY SECTION (Amending Order 3105, filed 11/30/90, effective 1/1/90)

WAC 388-100-010 LIMITED CASUALTY PROGRAM—MEDICALLY INDIGENT—ELIGIBILITY DETERMINATION.

(1) Citizenship and residency are not requirements for eligibility. However, ~~((an individual))~~ a person shall not be eligible for LCP-MI when the ~~((individual))~~ person:

(a) Is eligible for medical care from another state; or

(b) Enters Washington state specifically for the purpose of obtaining medical care.

(2) Persons receiving LCP-MI shall meet the following eligibility standards:

(a) The ~~((individual))~~ person is not receiving continuing cash assistance or eligible for any other medical program;

(b) Income shall:

(i) Not exceed the medically needy income level in WAC 388-99-020; or

(ii) Be spent down to that level according to procedures in WAC 388-99-030.

(c) Nonexempt resources shall not exceed the resource standard for Supplemental Security Income (SSI) or shall be spent down to that level according to procedures in WAC 388-100-015;

(d) The applicant who transferred resources within two years before the date of application but after July 1, 1981, shall spenddown the uncompensated value of the resource as described in WAC 388-100-015. See WAC 388-92-043 for determining the uncompensated value of the transferred resource; and

(e) For a pregnant woman, the department shall increase the number in the household by the number of unborns before comparing the pregnant woman's income to the:

(i) Income requirements of subdivision (b) of this subsection; and

(ii) Resource requirements of subdivision (c) of this subsection.

(3) The department shall use Aid to Families with Dependent Children (AFDC) income guidelines in chapter 388-28 WAC to determine treatment of income, except:

(a) The AFDC earned income exemption of thirty dollars plus one-third of the remainder does not apply to individuals applying for LCP-MI; and

(b) Deduct health insurance premiums expected to be paid during the base period.

(4) The department shall use AFDC resource guidelines in chapter 388-28 WAC to determine resources, except for provisions under WAC 388-28-425.

(5) The applicant shall satisfy the ~~((deductible))~~ emergency medical expense requirement in WAC 388-100-030.

AMENDATORY SECTION (Amending Order 1725, filed 12/3/81)

WAC 388-100-015 ALLOCATION OF EXCESS INCOME AND NONEXEMPTED RESOURCE. (1) All ~~((excess))~~ countable income and nonexempted resources above the medically needy income and resource levels described in WAC 388-99-020 and 388-99-035 shall ~~((be allocated))~~ apply toward ~~((the cost of medical care))~~ spenddown.

(2) On initial or subsequent applications ~~((att))~~ previously incurred medical expenses ~~((are deducted))~~ from excess countable income as described in WAC 388-99-030. These expenses cannot have been used toward a previous spenddown ~~((or))~~ deductible or emergency medical expense requirement.

AMENDATORY SECTION (Amending Order 1684, filed 7/24/81 [7/29/81])

WAC 388-100-020 LIMITED CASUALTY PROGRAM—MEDICALLY INDIGENT—APPLICATION PROCESS. (1) Applications will be disposed of according to WAC 388-84-105 and 388-84-110.

(2) The effective date shall be the date spenddown, if any, ~~((has))~~ and the emergency medical expense requirement have been met.

(3) Medical care received within seven working days prior to the date of application shall be provided when:

(a) The condition was ~~((acute and emergent))~~ an emergency medical condition, and

(b) The ~~((individual))~~ person was otherwise eligible.

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

AMENDATORY SECTION (Amending Order 2267, filed 8/5/85 [8/15/85])

WAC 388-100-025 CERTIFICATION. (1) An applicant shall be certified from the date spenddown and ~~((deductible))~~ emergency medical expense requirements are met through the duration of treatment for the ~~((acute and emergent))~~ emergency medical condition not to exceed the three calendar month period which begins with the month of application.

(2) An applicant who has been medically determined to be pregnant may apply and be certified for separate three-month periods through the duration of the pregnancy. The three-month limitation in subsection (1) of this section may be extended up to six weeks after delivery to cover the post partum care, which includes routine care for the newborn. Beyond this period of time eligibility for the mother or the newborn shall be determined separately.

(3) All medically indigent applicants shall be individually notified in writing of the disposition of their application.

(4) Any change in circumstances shall be promptly reported to the local community services office.

(5) Certification may be up to seven working days prior to the date of receipt of a written request for assistance. The department may waive the seven-day rule if a person fails to apply for medical reasons or other good cause. ~~((Except that for applications received on or after July 11, 1985, certification cannot be made for any days during the period prior to July 1, 1985.))~~

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

AMENDATORY SECTION (Amending Order 2009, filed 8/19/83)

WAC 388-100-030 ~~((DEDUCTIBLE))~~ EMERGENCY MEDICAL EXPENSE REQUIREMENT. ~~((A deductible))~~ (1) The department shall require documentation of emergency medical expenses of one thousand five hundred dollars per family over a twelve-month period ((is required)) to be eligible for the Medically Indigent program.

~~((+))~~ (2) Only family members that meet the eligibility requirements in WAC 388-100-010 (1) through (4) can accumulate expenses against the ~~((deductible))~~ emergency medical expense requirement.

~~((+))~~ (3) The accumulation of ~~((the deductible))~~ emergency medical expenses may begin up to seven working days prior to the date. The department may waive the seven-day rule if a person fails to apply for medical reasons or other good cause.

~~((+))~~ (4) Only emergency medical services ~~((as specified in WAC 388-100-035))~~, including inpatient and outpatient hospital services, are countable toward meeting the ~~((deductible))~~ emergency medical expense requirement.

~~((+))~~ (5) Other than expenses ~~((incurred against the deductible))~~ qualifying as hospital charity care under RCW 70.170.060, emergency medical expenses are the liability of the applicant/recipient.

~~((+))~~ (6) If the ~~((deductible))~~ emergency medical expense requirement has not been satisfied during the three-month base period beginning with the month of application, the remaining amount is applied to any subsequent applications within twelve months of the initial application.

AMENDATORY SECTION (Amending Order 2321, filed 12/27/85)

WAC 388-100-035 SCOPE OF CARE FOR MEDICALLY INDIGENT. (1) The medical coverage under the limited casualty program—medically indigent shall be available to an eligible ~~((individual))~~ person for treatment of ~~((acute and emergent))~~ emergency medical conditions only. Services available are limited to the following: ~~((inpatient hospital services, outpatient hospital and))~~ Rural health clinic services; physical medicine and rehabilitation services; physician and clinic services; prescribed drugs; dentures; prosthetic devices; eyeglasses, ((SNF, ICF, ICF/MR)) nursing facilities, and intermediate care facilities for the mentally retarded; home health services; laboratory and x-ray services; and medically necessary transportation.

(2) ~~((Payment by))~~ The department ~~((with))~~ shall not ((be made)) pay until the recipient has medical expenses ~~((are incurred by the recipient))~~ equal to the ~~((deductible amount))~~ total of the emergency medical expense requirement of one thousand five hundred dollars and the spenddown, if any.

(3) The ~~((deductible))~~ emergency medical expense requirement in WAC 388-100-030 does not apply for treatment under the Involuntary Treatment Act (ITA). When any other medical need is identified for recipients undergoing treatment under the Involuntary Treatment Act the ~~((requirements for the deductible))~~ emergency medical expense requirement shall apply to the services other than ITA.

(4) When an applicant indicates that an urgent undefined medical illness exists, the condition will be regarded ~~((as acute and emergent))~~ as an emergency medical condition and one office visit for diagnosis may be allowed, provided all financial eligibility criteria have been met. Treatment will be contingent upon the criteria for ~~((acute and emergent))~~ an emergency medical condition having also been met.

(5) For other conditions and limitations under which these services may be provided refer to appropriate service in chapter 388-86 WAC.

(6) No out-of-state care is provided except in the designated bordering cities.

**WSR 91-14-068
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Filed June 28, 1991, 1:50 p.m.]

Original Notice.

Title of Rule: WAC 388-95-360 Allocation of income—Institutionalized recipient.

Purpose: To assure consistency with federal regulations.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: The monthly maintenance for the community spouse is the total of the community spouse's income up to a total of \$1,258 plus the excess shelter needs above \$270.90 for a maximum of \$1,662.

Reasons Supporting Proposal: This rule is necessary to correct the methodology of computing the community spouse's maintenance needs allowance.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

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

Rule is necessary because of federal law, Omnibus Budget Reconciliation Act of 1990, Section 1924.

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 6, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 6, 1991.

Date of Intended Adoption: August 20, 1991.

June 28, 1991

Dewey Brock

for Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 3150, filed 3/11/91, effective 4/11/91)

WAC 388-95-360 ALLOCATION OF INCOME—INSTITUTIONALIZED RECIPIENT. (1) In reducing payment to the institution, the department shall consider the institutionalized recipient's income under WAC 388-95-335 (3)(a), (b), (c), and (d).

(2) The department shall deduct the following amounts, in the following order, from the institutionalized recipient's total income, including amounts excluded in determining eligibility:

(a) Specified personal needs allowance;

(b) An amount an SSI, AFDC, or FIP-related client in a medical facility receives as a cash assistance payment sufficient to bring the client's income up to the personal needs allowance;

(c) The current personal needs allowance plus wages the SSI-related client receives for work approved by the department as part of a training or rehabilitative program designed to prepare the individual for a less-restrictive placement when the total wages received plus the personal needs allowance do not exceed the one-person medically needy income level:

(i) No deductions are allowed for expenses of employment; and

(ii) The excess wages shall apply to the cost of care when the total wages received plus the initial personal needs allowance exceeds the one-person medically needy income level.

(d) ~~((An amount))~~ A monthly needs allowance for the community spouse ~~((equal to the standard maintenance need))~~:

(i) ~~Of an amount added to the community spouse's income to provide a total community spouse's income of one thousand two hundred fifty-eight dollars ((less the separate income of the community spouse: The department shall increase the standard need maintenance amount by:~~

~~((i))~~;

~~((ii))~~ Actual shelter expenses ~~((exceeding))~~ that exceed two hundred seventy dollars and ninety cents. The department shall calculate actual shelter expenses for the community spouse's principal residence for:

(A) Rent;

(B) Mortgage;

(C) Taxes and insurance;

(D) Any maintenance charge for a condominium or cooperative; and
(E) A food stamp standard allowance for utilities provided the utilities are not included in the maintenance charges for a condominium or cooperative.

~~((iii))~~ (iii) The total of the ~~((standard maintenance need amount and the shelter expenses))~~ community spouse's monthly needs allowance shall not exceed one thousand six hundred sixty-two dollars, unless:

(A) A court enters an order against the institutionalized client for the community spouse support in excess of this amount; or

(B) A hearings officer determines a greater amount is needed because of exceptional circumstances resulting in extreme financial duress.

(e) An amount for the maintenance needs of a family member residing with the community spouse equal to one-third of the amount nine hundred three dollars exceeds the family member's income for each:

(i) Dependent or minor child;

(ii) Dependent parent; or

(iii) Dependent sibling of the institutionalized or community spouse;

(f) If an institutional recipient does not have a community spouse, an amount for the maintenance needs of family members residing in the recipient's home is equal to the medically needy income level for the number of legal dependents in the home less the income of the dependents;

(g) Amounts for incurred medical expenses not subject to third-party payment including, but not limited to:

(i) Health insurance premiums, co-insurance, or deductible charges; and

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

(h) Maintenance of the home of a single person or couple:

(i) Up to one hundred eighty dollars per month; and

(ii) Limited to a six-month period; and

(iii) A physician has certified that either of the individuals is likely to return to the home within that period; and

(iv) Social service staff shall document initial need for the income exemption and review the person's circumstances after ninety days.

(3) The department shall not deduct specified personal needs allowance, community spouse, needy dependent maintenance needs, or home maintenance needs from a veteran's aid and attendance allowance.

(4) The recipient shall use the income remaining after allocations specified in subsection (2) of this section, toward payment of the recipient's cost of care at the department rate.

(5)(a) Effective July 1, 1988, SSI-related clients shall continue to receive total payment under 1611 (b)(1) of the Social Security Act (SSA) for the first three full calendar months of institutionalization in a public or Medicaid-approved medical institution or facility if the:

(i) Stay in the institution or facility is not expected to exceed three months; and

(ii) SSI-related clients plan to return to their former living arrangements.

(b) The department shall not consider the SSI payment when computing the participation amount.

(6) The department shall not consider income from reparation payments made by the Federal Republic of Germany when computing the participation amount.

WSR 91-14-069

EMERGENCY RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Institutions)

[Order 3196—Filed June 28, 1991, 1:52 p.m., effective July 1, 1991, 12:01 a.m.]

Date of Adoption: June 28, 1991.

Purpose: The purpose of this rate change is to revise the schedule of charges for the state mental health facilities. The charges are based on the actual cost of operations. Costs rise each year due to staff compensation increases authorized by the legislature and due to inflation. Increased rates result in additional revenue to the state to cover the rise in costs of operations.

Citation of Existing Rules Affected by this Order: Amending WAC 275-16-030 Schedule of charges.

Statutory Authority for Adoption: RCW 43.20B.335.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule amendment is necessary to comply with RCW 43.20B.325, which requires charges for hospitalization of patients in state mental hospitals to be based on the actual cost of operating the hospitals.

Effective Date of Rule: July 1, 1991, 12:01 a.m.

June 28, 1991
Dewey Brock
for Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 3061 [3155], filed 8/23/90 [3/26/91], effective 9/23/90 [4/26/91])

WAC 275-16-030 SCHEDULE OF CHARGES. Under RCW 43.20B.325, the department shall base hospitalization charges for patients in state hospitals on the actual operating costs of such hospitals for the previous year. The department shall require patient's hospitalization charges ((are)) due and payable on or before the tenth day of each calendar month for services rendered to department patients ((of the department)) during the preceding month, based upon the following schedule:

(1) **COSTING AND BILLING RATES**

| | Western State Hospital | Child Study and Treatment Center | Eastern State Hospital |
|---------------------------------|------------------------------|----------------------------------|------------------------|
| (a) INPATIENT SERVICES - | | | |
| Hospital Costs Per Day | \$(224.00) 288.23 | 288.23 | 228.49) |
| Physician Costs | 230.53 | 324.88 | 241.00 |
| Physician Costs | * | 15.56 | * |
| (((Clozapine Costs Per Week))) | 172.00 | | 172.00) |

*The department shall bill the client for physician costs on a fee-for-service basis.

| | Western State Hospital | Child Study and Treatment Center | Eastern State Hospital |
|--|------------------------|----------------------------------|------------------------|
|--|------------------------|----------------------------------|------------------------|

(b) **OUTPATIENT SERVICES -**
Per diem

| | | | |
|------------------|---|----------------------|---|
| Outpatient | — | — | — |
| Day Care Per Day | — | ((89.30)) | — |
| | | 80.48 | |
| Per Hour | — | ((15.92)) | — |
| | | 11.50 | |

(c) **ANCILLARY SERVICES -**
Per relative value unit^{1/}

| | | | |
|----------------------|--------------------------|------------------|----------------------|
| Radiology | ((4.20)) 4.20 | 4.20 | 5.90) |
| | 4.91 | 4.91 | 7.70 |
| Pathology | ((.31)) | .31 | .29) |
| | .42 | .42 | .31 |
| Medical Clinics | ((1.78)) | 1.78 | 7.31) |
| | 1.89 | 1.89 | 8.66 |
| Electroencephalogram | ((1.09)) | 1.09 | 1.09) |
| | .93 | .93 | .93 |
| Electrocardiogram | .18 | .18 | ((.62)) |
| | | | .52 |
| Physical Therapy | ((5.06)) | 5.06 | 12.05) |
| | 5.74 | 5.74 | 12.91 |
| Occupational Therapy | — | — | ((26.89)) |
| | | | 28.01 |
| Speech Therapy | — | — | ((16.68)) |
| | | | 23.51 |
| Dental | ((29.46)) | 29.60 | 46.60) |
| | 36.25 | 36.25 | 42.98 |
| Podiatry | 1.28 | 1.28 | 1.00 |

(d) **RESIDENTIAL SERVICES -**

| | Pals | Portal |
|---------------|--------|--------|
| Costs Per Day | 133.22 | 80.60 |

(2) The department shall purchase services required by the patient, not provided by hospital staff, from private sources and the patient shall be charged actual cost of services.

^{1/}California Medical Association. Relative Value Studies. Fifth edition. San Francisco: 693 Sutter Publication, Inc., 1969, 135 pp.

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

WSR 91-14-070
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3197—Filed June 28, 1991, 1:53 p.m., effective July 1, 1991, 12:01 a.m.]

Date of Adoption: June 28, 1991.

Purpose: To repeal the rules on determining maternity care in distressed areas.

Citation of Existing Rules Affected by this Order: Amending [repealing] WAC 388-81-070 Determination of maternity care distressed areas.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the

public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The state law did not extend this provision.

Effective Date of Rule: July 1, 1991, 12:01 a.m.

June 28, 1991
Dewey Brock
for Rosemary Carr
Acting Director
Administrative Services

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-81-070 Determination of maternity care distressed areas.

WSR 91-14-071
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3198—Filed June 28, 1991, 1:54 p.m., effective July 1, 1991, 12:01 a.m.]

Date of Adoption: June 28, 1991.

Purpose: To assure consistency with federal regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 388-95-360 Allocation of income—Institutionalized receipt.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is necessary to correct the methodology of computing the community spouse's maintenance needs allowance.

Effective Date of Rule: July 1, 1991, 12:01 a.m.

June 28, 1991
Dewey Brock
for Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 3150, filed 3/11/91, effective 4/11/91)

WAC 388-95-360 ALLOCATION OF INCOME—INSTITUTIONALIZED RECIPIENT. (1) In reducing payment to the institution, the department shall consider the institutionalized recipient's income under WAC 388-95-335 (3)(a), (b), (c), and (d).

(2) The department shall deduct the following amounts, in the following order, from the institutionalized recipient's total income, including amounts excluded in determining eligibility:

(a) Specified personal needs allowance;

(b) An amount an SSI, AFDC, or FIP-related client in a medical facility receives as a cash assistance payment sufficient to bring the client's income up to the personal needs allowance;

(c) The current personal needs allowance plus wages the SSI-related client receives for work approved by the department as part of a training or rehabilitative program designed to prepare the individual for a less-restrictive placement when the total wages received plus the personal needs allowance do not exceed the one-person medically needy income level:

(i) No deductions are allowed for expenses of employment; and

(ii) The excess wages shall apply to the cost of care when the total wages received plus the initial personal needs allowance exceeds the one-person medically needy income level.

(d) ~~((An amount))~~ A monthly needs allowance for the community spouse ~~((equal to the standard maintenance need))~~:

~~(i) Of an amount added to the community spouse's income to provide a total community spouse's income of one thousand two hundred fifty-eight dollars ((less the separate income of the community spouse. The department shall increase the standard need maintenance amount by:~~

~~(i))~~;

~~(ii) Actual shelter expenses ((exceeding)) that exceed two hundred seventy dollars and ninety cents. The department shall calculate actual shelter expenses for the community spouse's principal residence for:~~

~~(A) Rent;~~

~~(B) Mortgage;~~

~~(C) Taxes and insurance;~~

~~(D) Any maintenance charge for a condominium or cooperative; and~~

~~(E) A food stamp standard allowance for utilities provided the utilities are not included in the maintenance charges for a condominium or cooperative.~~

~~((i)) (iii) The total of the ((standard maintenance need amount and the shelter expenses)) community spouse's monthly needs allowance shall not exceed one thousand six hundred sixty-two dollars, unless:~~

~~(A) A court enters an order against the institutionalized client for the community spouse support in excess of this amount; or~~

~~(B) A hearings officer determines a greater amount is needed because of exceptional circumstances resulting in extreme financial duress.~~

~~(e) An amount for the maintenance needs of a family member residing with the community spouse equal to one-third of the amount nine hundred three dollars exceeds the family member's income for each:~~

~~(i) Dependent or minor child;~~

~~(ii) Dependent parent; or~~

~~(iii) Dependent sibling of the institutionalized or community spouse;~~

(f) If an institutional recipient does not have a community spouse, an amount for the maintenance needs of family members residing in the recipient's home is equal to the medically needy income level for the number of legal dependents in the home less the income of the dependents;

(g) Amounts for incurred medical expenses not subject to third-party payment including, but not limited to:

(i) Health insurance premiums, co-insurance, or deductible charges; and

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

(h) Maintenance of the home of a single person or couple:

(i) Up to one hundred eighty dollars per month; and

(ii) Limited to a six-month period; and

(iii) A physician has certified that either of the individuals is likely to return to the home within that period; and

(iv) Social service staff shall document initial need for the income exemption and review the person's circumstances after ninety days.

(3) The department shall not deduct specified personal needs allowance, community spouse, needy dependent maintenance needs, or home maintenance needs from a veteran's aid and attendance allowance.

(4) The recipient shall use the income remaining after allocations specified in subsection (2) of this section, toward payment of the recipient's cost of care at the department rate.

(5)(a) Effective July 1, 1988, SSI-related clients shall continue to receive total payment under 1611 (b)(1) of the Social Security Act (SSA) for the first three full calendar months of institutionalization in a public or Medicaid-approved medical institution or facility if the:

(i) Stay in the institution or facility is not expected to exceed three months; and

(ii) SSI-related clients plan to return to their former living arrangements.

(b) The department shall not consider the SSI payment when computing the participation amount.

(6) The department shall not consider income from reparation payments made by the Federal Republic of Germany when computing the participation amount.

**WSR 91-14-072
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 3199—Filed June 28, 1991, 1:55 p.m., effective July 1, 1991, 12:01 a.m.]

Date of Adoption: June 28, 1991.

Purpose: To implement changes in the medically needy program.

Citation of Existing Rules Affected by this Order: Amending chapter 388-100 WAC and WAC 388-87-010.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule amendment is necessary to delete outpatient and inpatient hospital services from the medically indigent program; change the \$500 deductible to a \$1,500 emergency medical expense requirement; and make technical changes for clarity.

Effective Date of Rule: July 1, 1991, 12:01 a.m.

June 28, 1991
Dewey Brock
for Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 3150, filed 3/11/91, effective 4/11/91)

WAC 388-87-010 CONDITIONS OF PAYMENT—GENERAL. (1) The department shall be responsible for payment of service rendered to a recipient only when the:

(a) Services are within the scope of care of the medical assistance program under chapter 388-86 WAC;

(b) Services are properly authorized;

(c) Services are billed properly;

(d) Services are timely billed as described under WAC 388-87-015;

(e) Recipient is certified as eligible; and

(f) Third-party payment procedures are followed.

(2) The fees and rates the department establishes shall constitute the maximum allowable payment for approved medical care and services the providers provide to recipients.

(3) A "recipient" shall mean a person the department finds eligible for any medical program. The provider is responsible for ascertaining whether a client has medical coverage for the dates of service.

(4) A provider shall not bill, demand, or otherwise collect reimbursement from a recipient, or from other persons on behalf of the recipient, for any service included in the medical program's scope of benefits, and the recipient is not liable for payment for such services if the provider:

(a) Does not properly bill the department for services the department is responsible for payment; or

(b) Fails to satisfy department conditions of payment, including but not limited to:

(i) Prior approval when required;

(ii) Timely billing and billing according to department instructions;

(iii) Pursuit of third-party liability; or

(iv) Adequate documentation of medical necessity.

(5) A hospital shall not bill, demand, or otherwise collect reimbursement from a medically indigent recipient, or from other persons on behalf of such recipient, for inpatient or outpatient hospital services received during a period of eligibility.

~~(6)~~ (6) The department shall not pay for services not included in the medical program's scope of benefits.

~~((6))~~ (7) A provider may bill a recipient for services only when the:

(a) Recipient signs a specific written agreement with the provider before receiving the services stating the:

(i) Specific service provided;

(ii) Service is not covered by the medical assistance program;

(iii) Recipient chooses to receive the specific service;

(iv) Agreement is to pay for the services; and

(v) Agreement is void and unenforceable and the recipient is under no obligation to pay the provider if the:

(A) Service is covered by the medical program; or

(B) Provider fails to satisfy department conditions of payment as described under WAC 388-87-010 (4)(b).

(b) Recipient received reimbursement directly from a third party for services the department has no payment responsibility for, or

(c) Bill counts toward a spenddown liability or deductible as described under WAC 388-99-030 and chapter 388-100 WAC.

~~((7))~~ (8) If a third party pays a provider the department rate, or more, for a covered service, the provider may not bill the department or the recipient for that service.

~~((8))~~ (9) The department shall pay for medical services and seek reimbursement from any liable third party, when the claim is for:

(a) Prenatal care;

(b) Labor, delivery, and post-partum care (except inpatient hospital costs) for a pregnant woman; or

(c) Preventive pediatric service as covered under the early and periodic screening, diagnosis and treatment (EPSDT) program.

~~((9))~~ (10) The department shall pay for medical services and seek reimbursement from any liable third party when the provider submits to the department documentation of billing the third party and the provider has not received payment after thirty days from the date of service and:

(a) The claim is for a covered service provided to a person on whose behalf the office of support enforcement is enforcing an absent parent to pay support.

(b) For the purposes of this section, "is enforcing" means the absent parent:

(i) Is not complying with an existing court order, or

(ii) Received payment directly from the third party and did not pay for the medical services.

~~((10))~~ (11) If the third party pays the provider, then the provider shall refund to the department the amount of the:

(a) Third party payment when the payment is less than the department's maximum allowable rate; or

(b) Department's payment if the third payment is equal to or greater than the department's maximum allowable rate.

~~((11))~~ (12) The department shall not be responsible for payment of medical care or services if the third-party benefits are available to pay the recipient's medical expenses at the time the provider bills the department, except as described in subsection (8) of this section.

~~((12))~~ (13) The recipient shall not be responsible for payment except to the extent as described in subsection (6) of this section or to the extent the recipient has directly received third-party reimbursement for such services.

~~((13))~~ (14) A provider shall not refuse to furnish covered services to a recipient because of a third party's potential liability for the services.

~~((14))~~ (15) Payment for any service a provider furnishes to a recipient may not be made to or through a factor who advances money to that provider for accounts receivable.

~~((15))~~ (16) The department shall not be responsible for payment for medical care and goods or services or all three provided to a recipient:

(a) Enrolled in a department-contracted, prepaid medical plan; and

(b) Failing to use the provider under contract unless:

(i) Emergency conditions exist; or

(ii) The department has approved payment to another provider for provision of a service not covered by the prepaid plan.

~~((16))~~ (17) Payment for care under the medical assistance programs is retroactive for three months before the month of application provided the applicant was eligible when the care was received. The applicant need not be eligible at the time of actual application. The central authorization unit's (CAU) medical consultant shall approve medical services that require approval for the retroactive period.

~~((17))~~ (18) Payment for care under the limited casualty program-medically indigent may be retroactive for seven days before the date of application if applicant is otherwise eligible. Medical services that require approval shall be approved by the CAU medical consultant for the retroactive period.

~~((18))~~ (19) The department may pay a claim a provider submits for payment for services rendered to a person subsequently determined ineligible at the time of service under the following conditions only when:

(a) The ineligible person was certified at the time of service as both financially or medically eligible;

(b) Payment was not made from sources outside the department; and

(c) A request for such payment is submitted to and approved by the division of medical assistance.

~~((19))~~ (20) The department shall pay for billed medically necessary services on the basis of usual and customary charges or the rates the department establishes, whichever is lower.

~~((20))~~ (21) The department shall not authorize payment for well-child care except as provided under the EPSDT program. See WAC 388-86-027.

~~((21))~~ (22) In counties/areas where nonambulance transportation is provided as a medical service, payment for medically necessary transportation services, provided by nonprofit organizations, shall be based on the operating costs incurred in providing the service but shall not exceed the rates established by the department. See WAC 388-87-035 for nonambulance transportation payment other than provided by a nonprofit organization.

AMENDATORY SECTION (Amending Order 2887, filed 10/27/89, effective 11/27/89)

WAC 388-100-005 LIMITED CASUALTY PROGRAM—MEDICALLY INDIGENT. (1) The department of social and health services shall provide a limited casualty program of medical care, administered through the division of medical assistance, designed to meet the health care needs of persons not receiving cash assistance or eligible for other medical program.

(2) ~~((An individual))~~ For applications filed on or after July 1, 1991, a person is eligible for the medically indigent program ~~((is a))~~ when the person ~~((who))~~:

(a) Has an emergency medical condition.

(i) The term emergency medical condition means a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in:

(A) Placing the patient's health in serious jeopardy;

(B) Serious impairment to bodily functions; or

(C) Serious dysfunction of any bodily organ or part.

(ii) For the purposes of this section pregnancy and treatment under the Involuntary Treatment Act (ITA) are considered ~~((emergent))~~ emergency medical conditions.

(b) Meets the financial eligibility requirements under chapter 388-100 WAC; ~~((and))~~

(c) Has met an emergency medical expense requirement of one thousand five hundred dollars.

(i) Only expenses related to a emergency medical condition shall count toward the emergency medical expense requirement.

(ii) For the purpose of the Medically Indigent program, an "emergency medical expense" requirement is any bill for emergency medical services a recipient can use to qualify for the Medically Indigent program. This requirement may include the usual and customary amounts a hospital would charge for the services provided; and

(d) Is not an inmate of a federal or state prison.

AMENDATORY SECTION (Amending Order 3105, filed 11/30/90, effective 1/1/90)

WAC 388-100-010 LIMITED CASUALTY PROGRAM—MEDICALLY INDIGENT—ELIGIBILITY DETERMINATION. (1) Citizenship and residency are not requirements for eligibility. However, ~~((an individual))~~ a person shall not be eligible for LCP-MI when the ~~((individual))~~ person:

(a) Is eligible for medical care from another state; or

(b) Enters Washington state specifically for the purpose of obtaining medical care.

(2) Persons receiving LCP-MI shall meet the following eligibility standards:

(a) The ~~((individual))~~ person is not receiving continuing cash assistance or eligible for any other medical program;

(b) Income shall:

(i) Not exceed the medically needy income level in WAC 388-99-020; or

(ii) Be spent down to that level according to procedures in WAC 388-99-030.

(c) Nonexempt resources shall not exceed the resource standard for Supplemental Security Income (SSI) or shall be spent down to that level according to procedures in WAC 388-100-015;

(d) The applicant who transferred resources within two years before the date of application but after July 1, 1981, shall spenddown the uncompensated value of the resource as described in WAC 388-100-015. See WAC 388-92-043 for determining the uncompensated value of the transferred resource; and

(e) For a pregnant woman, the department shall increase the number in the household by the number of unborns before comparing the pregnant woman's income to the:

(i) Income requirements of subdivision (b) of this subsection; and

(ii) Resource requirements of subdivision (c) of this subsection.

(3) The department shall use Aid to Families with Dependent Children (AFDC) income guidelines in chapter 388-28 WAC to determine treatment of income, except:

(a) The AFDC earned income exemption of thirty dollars plus one-third of the remainder does not apply to individuals applying for LCP-MI; and

(b) Deduct health insurance premiums expected to be paid during the base period.

(4) The department shall use AFDC resource guidelines in chapter 388-28 WAC to determine resources, except for provisions under WAC 388-28-425.

(5) The applicant shall satisfy the ~~((deductible))~~ emergency medical expense requirement in WAC 388-100-030.

AMENDATORY SECTION (Amending Order 1725, filed 12/3/81)

WAC 388-100-015 ALLOCATION OF EXCESS INCOME AND NONEXEMPTED RESOURCE. (1) All ~~((excess))~~ countable income and nonexempted resources above the medically needy income and resource levels described in WAC 388-99-020 and 388-99-035 shall ~~((be allocated))~~ apply toward ~~((the cost of medical care))~~ spenddown.

(2) On initial or subsequent applications ~~((at))~~ previously incurred medical expenses ~~((are deducted))~~ from excess countable income as described in WAC 388-99-030. These expenses cannot have been used toward a previous spenddown ~~((or))~~, deductible or emergency medical expense requirement.

AMENDATORY SECTION (Amending Order 1684, filed 7/24/81 [7/29/81])

WAC 388-100-020 LIMITED CASUALTY PROGRAM—MEDICALLY INDIGENT—APPLICATION PROCESS. (1) Applications will be disposed of according to WAC 388-84-105 and 388-84-110.

(2) The effective date shall be the date spenddown, if any, ~~((has))~~ and the emergency medical expense requirement have been met.

(3) Medical care received within seven working days prior to the date of application shall be provided when:

(a) The condition was ~~((acute and emergent))~~ an emergency medical condition, and

(b) The ~~((individual))~~ person was otherwise eligible.

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

AMENDATORY SECTION (Amending Order 2267, filed 8/5/85 [8/15/85])

WAC 388-100-025 CERTIFICATION. (1) An applicant shall be certified from the date spenddown and ~~((deductible))~~ emergency medical expense requirements are met through the duration of treatment for the ~~((acute and emergent))~~ emergency medical condition not to exceed the three calendar month period which begins with the month of application.

(2) An applicant who has been medically determined to be pregnant may apply and be certified for separate three-month periods through the duration of the pregnancy. The three-month limitation in subsection (1) of this section may be extended up to six weeks after delivery to cover the post partum care, which includes routine care for the newborn. Beyond this period of time eligibility for the mother or the newborn shall be determined separately.

(3) All medically indigent applicants shall be individually notified in writing of the disposition of their application.

(4) Any change in circumstances shall be promptly reported to the local community services office.

(5) Certification may be up to seven working days prior to the date of receipt of a written request for assistance. The department may waive the seven-day rule if a person fails to apply for medical reasons or other good cause. ~~((Except that for applications received on or after July 11, 1985, certification cannot be made for any days during the period prior to July 1, 1985.))~~

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

AMENDATORY SECTION (Amending Order 2009, filed 8/19/83)

WAC 388-100-030 ~~((DEDUCTIBLE))~~ EMERGENCY MEDICAL EXPENSE REQUIREMENT. ~~((A deductible))~~ (1) The department shall require documentation of emergency medical expenses of one thousand five hundred dollars per family over a twelve-month period ((is required)) to be eligible for the Medically Indigent program.

~~((+))~~ (2) Only family members that meet the eligibility requirements in WAC 388-100-010 (1) through (4) can accumulate expenses against the ((deductible)) emergency medical expense requirement.

~~((2))~~ (3) The accumulation of ((the deductible)) emergency medical expenses may begin up to seven working days prior to the date. The department may waive the seven-day rule if a person fails to apply for medical reasons or other good cause.

~~((3))~~ (4) Only emergency medical services ((as specified in WAC 388-100-035)), including inpatient and outpatient hospital services, are countable toward meeting the ((deductible)) emergency medical expense requirement.

~~((4 The))~~ (5) Other than expenses ((incurred against the deductible)) qualifying as hospital charity care under RCW 70.170.060, emergency medical expenses are the liability of the applicant/recipient.

~~((5))~~ (6) If the ((deductible)) emergency medical expense requirement has not been satisfied during the three-month base period beginning with the month of application, the remaining amount is applied to any subsequent applications within twelve months of the initial application.

AMENDATORY SECTION (Amending Order 2321, filed 12/27/85)

WAC 388-100-035 SCOPE OF CARE FOR MEDICALLY INDIGENT. (1) The medical coverage under the limited casualty program—medically indigent shall be available to an eligible ~~((individual))~~ person for treatment of ~~((acute and emergent))~~ emergency medical conditions only. Services available are limited to the following: ((Inpatient hospital services, outpatient hospital and)) Rural health clinic services, physical medicine and rehabilitation services, physician and clinic services, prescribed drugs, dentures, prosthetic devices, eyeglasses, ((SNF, ICF, ICF/MR)) nursing facilities, and intermediate care facilities for the mentally retarded; home health services, laboratory and x-ray services; and medically necessary transportation.

(2) ~~((Payment by))~~ The department ((will)) shall not ((be made)) pay until the recipient has medical expenses ((are incurred by the recipient)) equal to the ((deductible amount)) total of the emergency medical expense requirement of one thousand five hundred dollars and the spenddown, if any.

(3) The ((deductible)) emergency medical expense requirement in WAC 388-100-030 does not apply for treatment under the Involuntary Treatment Act (ITA). When any other medical need is identified for recipients undergoing treatment under the Involuntary Treatment Act the ((requirements for the deductible)) emergency medical expense requirement shall apply to the services other than ITA.

(4) When an applicant indicates that an urgent undefined medical illness exists, the condition will be regarded ((as acute and emergent)) as an emergency medical condition and one office visit for diagnosis may be allowed, provided all financial eligibility criteria have been met. Treatment will be contingent upon the criteria for ((acute and emergent)) an emergency medical condition having also been met.

(5) For other conditions and limitations under which these services may be provided refer to appropriate service in chapter 388-86 WAC.

(6) No out-of-state care is provided except in the designated bordering cities.

WSR 91-14-073
NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE
CENTER

[Memorandum—June 26, 1991]

The Marketing Committee of the Washington State Convention and Trade Center will meet on Monday, July 1, 1991, at 1:30 p.m. in the 5th Floor Board Room of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding this meeting, please call 447-5000.

WSR 91-14-074
NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGES

[Memorandum—June 24, 1991]

The board of trustees of the Seattle Community College District will hold a special meeting, beginning at 9:00 a.m. on Friday, June 28, 1991.

This meeting will be held in the Siegal Education and Service Center, 1500 Harvard, Seattle, WA 98122.

WSR 91-14-075
RULES COORDINATOR
GRAYS HARBOR COLLEGE

[Filed June 28, 1991, 1:58 p.m.]

In accordance with RCW 34.05.310, the rules coordinator for Grays Harbor College is Sandra Zelasko, 1620 Edward P. Smith Drive, Aberdeen, WA 98520, phone (206) 532-9020, 433-1216 scan.

Jewell C. Manspeaker
 President

WSR 91-14-076
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION

[Memorandum—June 27, 1991]

The Washington State Human Rights Commission will hold a special commission meeting to act on recommended findings of staff investigators. The meeting will be held by telephone conference call originating at the office of the Washington State Human Rights Commission, 402 Evergreen Plaza Building, 711 South Capitol Way, Olympia, (206) 753-4876, beginning at 4:30 p.m. on July 3, 1991.

WSR 91-14-077
PERMANENT RULES
DEPARTMENT OF REVENUE
 [Filed June 28, 1991, 2:55 p.m.]

Date of Adoption: June 28, 1991.

Purpose: To establish the stumpage values for reporting and payment of the timber excise tax for the period July 1, 1991, through December 31, 1991.

Citation of Existing Rules Affected by this Order: Amending WAC 458-40-660 and 458-40-670.

Statutory Authority for Adoption: RCW 84.33.096.

Other Authority: RCW 82.32.300.

Pursuant to notice filed as WSR 91-10-090 on May 1, 1991.

Changes Other than Editing from Proposed to Adopted Version: The proposed rule contained changes to WAC 458-40-660 based on a method for calculating stumpage values that had not been used in the past. This new method added an upward adjustment to the restricted sales to reflect the market value of unrestricted timber. In WAC 458-40-670, this new method would have allowed a concurrent downward adjustment of the table values to reflect the market value of restricted timber. For various reasons, most of the public comments received by the department on the proposed rule were critical of this new method. After considering the public comments, the department decided to postpone implementation of any overall change in the method of calculating stumpage values. As a result of this decision, there are numerous changes from the proposed rule to the adopted rule. In Tables 1, 3, 5, 7, 9, 11, 13, and 15 of WAC 458-40-660, the adopted rule contains stumpage values based on an unadjusted weighted average rather than the values based on the unrestricted market in the proposed rule. In the adopted rule, there also are some small changes, based on particular public comments unrelated to the overall method, in a few of the values. Most, but not all, of the values in the adopted rule are lower than the values in the proposed rule. Most of the upward changes in values are reflective of public comments concerning reallocation of sales. In Tables 2, 4, 6, 8, and 10 of WAC 458-40-660, the stumpage values for Western Redcedar shake blocks and boards and flatsawn and shingle blocks were all adjusted upward by one dollar in the adopted rule to correct a rounding error in the calculations of the values in the proposed tables. In WAC 458-40-670, Table 3 of the adopted rule does not include the amendments to the domestic market adjustment contained in the proposed rule. The proposed amendments in Table 3 were related to the change in the method for calculating stumpage value tables in WAC 458-40-660 based on the market value of unrestricted timber. Because that change in the method of calculating stumpage value tables was postponed in response to public comments, the proposed amendments to Table 3 also have not been adopted at this time. The portion of Table 3 containing the current domestic market adjustment amounts was also changed in the adopted rule. The \$84 and \$103 amounts in the proposed rule would have applied only to noncompetitive, unrestricted state sales of Western Redcedar. The \$33 and \$15 amounts in the

adopted rule reflect routine changes in the values of noncompetitive public sales of all eligible species based on the data for this reporting period. These amounts were calculating using the same method as has been used in the past.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Under RCW 34.05.380(3), this rule is required by statute to become effective less than 31 days after filing. RCW 84.33.091(1) requires that the tables of stumpage values for use during the period July 1, 1991, through December 31, 1991, be adopted on or before June 30, 1991, and be effective on July 1, 1991. Under RCW 34.05.335(4), the Department of Revenue could not adopt this rule before June 28, 1991, the date established in the notice of proposed rule published in WSR 91-10-090 (filed May 1, 1991).

Effective Date of Rule: July 1, 1991.

June 28, 1991
 Steve L. Frisch
 Deputy Director
 Operations
 for Dennis I. Okamoto
 Director

AMENDATORY SECTION (Amending WSR 91-09-030, filed 4/12/91, effective 5/13/91)

WAC 458-40-660 **TIMBER EXCISE TAX—STUMPAGE VALUE TABLES.** The following stumpage value tables are hereby adopted for use in reporting the taxable value of stumpage harvested during the period ((January)) July 1 through ((June 30)) December 31, 1991:

((TABLE 1—Stumpage Value Table
 Stumpage Value Area 1
 January 1 through June 30, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|-------------------------------|--------------|---------------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Douglas Fir | DF | 1 | \$509 | \$502 | \$495 | \$488 | \$481 |
| | | 2 | 438 | 431 | 424 | 417 | 410 |
| | | 3 | 400 | 393 | 386 | 379 | 372 |
| | | 4 | 379 | 372 | 365 | 358 | 351 |
| | | 5 | 267 | 260 | 253 | 246 | 239 |
| | | 6 | 101 | 94 | 87 | 80 | 73 |
| Western Redcedar ² | RC | 1 | 675 | 668 | 661 | 654 | 647 |
| | | 2 | 476 | 469 | 462 | 455 | 448 |
| | | 3 | 308 | 301 | 294 | 287 | 280 |
| | | 4 | 252 | 245 | 238 | 231 | 224 |
| Sitka Spruce | SS | 1 | 585 | 578 | 571 | 564 | 557 |
| | | 2 | 448 | 441 | 434 | 427 | 420 |
| | | 3 | 311 | 304 | 297 | 290 | 283 |
| | | 4 | 290 | 283 | 276 | 269 | 262 |
| | | 5 | 154 | 147 | 140 | 133 | 126 |
| | | 6 | 107 | 100 | 93 | 86 | 79 |

TABLE 1—

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|------------------------------|--------------|---------------------|------------------------------|-----|-----|-----|-----|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Hemlock ¹ | WH | 1 | 459 | 452 | 445 | 438 | 431 |
| | | 2 | 374 | 367 | 360 | 353 | 346 |
| | | 3 | 334 | 327 | 320 | 313 | 306 |
| | | 4 | 297 | 290 | 283 | 276 | 269 |
| | | 5 | 160 | 153 | 146 | 139 | 132 |
| | | 6 | 105 | 98 | 91 | 84 | 77 |
| Other Conifer | OC | 1 | 459 | 452 | 445 | 438 | 431 |
| | | 2 | 374 | 367 | 360 | 353 | 346 |
| | | 3 | 334 | 327 | 320 | 313 | 306 |
| | | 4 | 297 | 290 | 283 | 276 | 269 |
| | | 5 | 160 | 153 | 146 | 139 | 132 |
| | | 6 | 105 | 98 | 91 | 84 | 77 |
| Red Alder | RA | 1 | 167 | 160 | 153 | 146 | 139 |
| Black Cottonwood | BC | 1 | 108 | 101 | 94 | 87 | 80 |
| Other Hardwood | OH | 1 | 105 | 98 | 91 | 84 | 77 |
| Hardwood Utility | HU | 5 | 64 | 57 | 50 | 43 | 36 |
| Conifer Utility | CU | 5 | 79 | 72 | 65 | 58 | 51 |

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Alaska Cedar.

³Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**TABLE 2—Stumpage Value Table
 Stumpage Value Area 1
 January 1 through June 30, 1991**

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|---|--------------|---------------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Shake Blocks & Boards ¹ | RCS | 1 | \$385 | \$378 | \$371 | \$364 | \$357 |
| Western Redcedar Flatsawn & Shingle Blocks ¹ | RCF | 1 | 149 | 142 | 135 | 128 | 121 |
| Western Redcedar & Other Posts ² | RCP | 1 | 0.45 | 0.45 | 0.45 | 0.45 | 0.45 |
| Douglas Fir Christmas Trees ³ | DFX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |
| True Fir & Other Christmas Trees ³ | TFX | 1 | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 |

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot.

TABLE 3—Stumpage Value Table
Stumpage Value Area 2
January 1 through June 30, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Timber Quality Code Number | Hauling Distance Zone Number | | | | |
|-------------------------------|--------------|----------------------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Douglas-Fir | DF | 1 | \$599 | \$592 | \$585 | \$578 | \$571 |
| | | 2 | 558 | 551 | 544 | 537 | 530 |
| | | 3 | 411 | 404 | 397 | 390 | 383 |
| | | 4 | 334 | 327 | 320 | 313 | 306 |
| | | 5 | 257 | 250 | 243 | 236 | 229 |
| | | 6 | 179 | 172 | 165 | 158 | 151 |
| Western Redcedar ² | RC | 1 | 588 | 581 | 574 | 567 | 560 |
| | | 2 | 484 | 477 | 470 | 463 | 456 |
| | | 3 | 416 | 409 | 402 | 395 | 388 |
| | | 4 | 311 | 304 | 297 | 290 | 283 |
| Sitka Spruce | SS | 1 | 585 | 578 | 571 | 564 | 557 |
| | | 2 | 448 | 441 | 434 | 427 | 420 |
| | | 3 | 311 | 304 | 297 | 290 | 283 |
| | | 4 | 290 | 283 | 276 | 269 | 262 |
| | | 5 | 154 | 147 | 140 | 133 | 126 |
| | | 6 | 107 | 100 | 93 | 86 | 79 |
| Western Hemlock ³ | WH | 1 | 480 | 473 | 466 | 459 | 452 |
| | | 2 | 362 | 355 | 348 | 341 | 334 |
| | | 3 | 319 | 312 | 305 | 298 | 291 |
| | | 4 | 309 | 302 | 295 | 288 | 281 |
| | | 5 | 282 | 275 | 268 | 261 | 254 |
| | | 6 | 198 | 191 | 184 | 177 | 170 |
| Other Conifer | OC | 1 | 480 | 473 | 466 | 459 | 452 |
| | | 2 | 362 | 355 | 348 | 341 | 334 |
| | | 3 | 319 | 312 | 305 | 298 | 291 |
| | | 4 | 309 | 302 | 295 | 288 | 281 |
| | | 5 | 282 | 275 | 268 | 261 | 254 |
| | | 6 | 198 | 191 | 184 | 177 | 170 |
| Red Alder | RA | 1 | 112 | 105 | 98 | 91 | 84 |
| | | 5 | 64 | 57 | 50 | 43 | 36 |
| Black Cottonwood | BC | 1 | 108 | 101 | 94 | 87 | 80 |
| | | 5 | 64 | 57 | 50 | 43 | 36 |
| Other Hardwood | OH | 1 | 105 | 98 | 91 | 84 | 77 |
| | | 5 | 64 | 57 | 50 | 43 | 36 |
| Hardwood Utility | HU | 5 | 64 | 57 | 50 | 43 | 36 |
| | | 5 | 79 | 72 | 65 | 58 | 51 |
| Conifer Utility | CU | 5 | 79 | 72 | 65 | 58 | 51 |

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Alaska-Cedar.

³Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 4—Stumpage Value Table
Stumpage Value Area 2
January 1 through June 30, 1991

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

| Species Name | Species Code | Timber Quality Code Number | Hauling Distance Zone Number | | | | |
|--|--------------|----------------------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Shake Blocks & Boards | RCS | 1 | \$385 | \$378 | \$371 | \$364 | \$357 |

TABLE 4—
Stumpage Values per Product Unit

| Species Name | Species Code | Timber Quality Code Number | Hauling Distance Zone Number | | | | |
|---|--------------|----------------------------|------------------------------|------|------|------|------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Flatsawn & Shingle Blocks ¹ | RCF | 1 | 149 | 142 | 135 | 128 | 121 |
| | | 1 | 0.45 | 0.45 | 0.45 | 0.45 | 0.45 |
| Western Redcedar & Other Posts ² | RCP | 1 | 0.45 | 0.45 | 0.45 | 0.45 | 0.45 |
| | | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |
| Douglas-Fir Christmas Trees ² | DFX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |
| | | 1 | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 |
| True Fir & Other Christmas Trees ³ | TFX | 1 | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 |

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot.

TABLE 5—Stumpage Value Table
Stumpage Value Area 3
January 1 through June 30, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Timber Quality Code Number | Hauling Distance Zone Number | | | | |
|-------------------------------|--------------|----------------------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Douglas-Fir ² | DF | 1 | \$654 | \$647 | \$640 | \$633 | \$626 |
| | | 2 | 480 | 473 | 466 | 459 | 452 |
| | | 3 | 406 | 399 | 392 | 385 | 378 |
| | | 4 | 340 | 333 | 326 | 319 | 312 |
| | | 5 | 210 | 203 | 196 | 189 | 182 |
| | | 6 | 177 | 170 | 163 | 156 | 149 |
| Western Redcedar ³ | RC | 1 | 610 | 603 | 596 | 589 | 582 |
| | | 2 | 490 | 483 | 476 | 469 | 462 |
| | | 3 | 322 | 315 | 308 | 301 | 294 |
| | | 4 | 311 | 304 | 297 | 290 | 283 |
| Western Hemlock ⁴ | WH | 1 | 330 | 323 | 316 | 309 | 302 |
| | | 2 | 321 | 314 | 307 | 300 | 293 |
| | | 3 | 312 | 305 | 298 | 291 | 284 |
| | | 4 | 276 | 269 | 262 | 255 | 248 |
| | | 5 | 231 | 224 | 217 | 210 | 203 |
| | | 6 | 142 | 135 | 128 | 121 | 114 |
| Other Conifer | OC | 1 | 330 | 323 | 316 | 309 | 302 |
| | | 2 | 321 | 314 | 307 | 300 | 293 |
| | | 3 | 312 | 305 | 298 | 291 | 284 |
| | | 4 | 276 | 269 | 262 | 255 | 248 |
| | | 5 | 231 | 224 | 217 | 210 | 203 |
| | | 6 | 142 | 135 | 128 | 121 | 114 |
| Red Alder | RA | 1 | 139 | 132 | 125 | 118 | 111 |
| | | 5 | 64 | 57 | 50 | 43 | 36 |
| Black Cottonwood | BC | 1 | 108 | 101 | 94 | 87 | 80 |
| | | 5 | 64 | 57 | 50 | 43 | 36 |
| Other Hardwood | OH | 1 | 105 | 98 | 91 | 84 | 77 |
| | | 5 | 64 | 57 | 50 | 43 | 36 |
| Hardwood Utility | HU | 5 | 64 | 57 | 50 | 43 | 36 |
| | | 5 | 79 | 72 | 65 | 58 | 51 |
| Conifer Utility | CU | 5 | 79 | 72 | 65 | 58 | 51 |

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Western Larch.

³Includes Alaska-Cedar.

⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 6—Stumpage Value Table
Stumpage Value Area 3
January 1 through June 30, 1991

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

| Species Name | Species Code | Timber Quality | | Hauling Distance Zone Number | | | | |
|---|--------------|----------------|--------|------------------------------|-------|-------|-------|---|
| | | Code | Number | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Shake Blocks & Boards ¹ | RCS | 1 | \$385 | \$378 | \$371 | \$364 | \$357 | |
| Western Redcedar Flatsawn & Shingle Blocks ¹ | RCF | 1 | 149 | 142 | 135 | 128 | 121 | |
| Western Redcedar & Other Posts ² | RCP | 1 | 0.45 | 0.45 | 0.45 | 0.45 | 0.45 | |
| Douglas-Fir Christmas Trees ³ | DFX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 | |
| True Fir & Other Christmas Trees ³ | TFX | 1 | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 | |

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot.

TABLE 7—Stumpage Value Table
Stumpage Value Area 4
January 1 through June 30, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Quality Code | Timber | | Hauling Distance Zone Number | | | |
|-------------------------------|--------------|--------------|--------|--------|------------------------------|-------|-------|---|
| | | | Code | Number | 1 | 2 | 3 | 4 |
| Douglas-Fir ² | DF | 1 | \$551 | \$544 | \$537 | \$530 | \$523 | |
| | | 2 | 492 | 485 | 478 | 471 | 464 | |
| | | 3 | 394 | 387 | 380 | 373 | 366 | |
| | | 4 | 283 | 276 | 269 | 262 | 255 | |
| | | 5 | 223 | 216 | 209 | 202 | 195 | |
| | | 6 | 177 | 170 | 163 | 156 | 149 | |
| Western Redcedar ³ | RC | 1 | 508 | 501 | 494 | 487 | 480 | |
| | | 2 | 438 | 431 | 424 | 417 | 410 | |
| | | 3 | 314 | 307 | 300 | 293 | 286 | |
| | | 4 | 307 | 300 | 293 | 286 | 279 | |
| Western Hemlock ⁴ | WH | 1 | 413 | 406 | 399 | 392 | 385 | |
| | | 2 | 345 | 338 | 331 | 324 | 317 | |
| | | 3 | 303 | 296 | 289 | 282 | 275 | |
| | | 4 | 263 | 256 | 249 | 242 | 235 | |
| | | 5 | 159 | 152 | 145 | 138 | 131 | |
| | | 6 | 142 | 135 | 128 | 121 | 114 | |
| Other Conifer | OC | 1 | 413 | 406 | 399 | 392 | 385 | |
| | | 2 | 345 | 338 | 331 | 324 | 317 | |
| | | 3 | 303 | 296 | 289 | 282 | 275 | |
| | | 4 | 263 | 256 | 249 | 242 | 235 | |
| | | 5 | 159 | 152 | 145 | 138 | 131 | |
| | | 6 | 142 | 135 | 128 | 121 | 114 | |
| Red Alder | RA | 1 | 120 | 113 | 106 | 99 | 92 | |
| Black Cottonwood | BC | 1 | 108 | 101 | 94 | 87 | 80 | |
| Other Hardwood | OH | 1 | 105 | 98 | 91 | 84 | 77 | |
| Hardwood Utility | HU | 5 | 64 | 57 | 50 | 43 | 36 | |

TABLE 7—
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Quality Code | Timber | | Hauling Distance Zone Number | | | |
|-----------------|--------------|--------------|--------|--------|------------------------------|----|----|---|
| | | | Code | Number | 1 | 2 | 3 | 4 |
| Conifer Utility | CU | 5 | 79 | 72 | 65 | 58 | 51 | |

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
²Includes Western Larch.
³Includes Alaska Cedar.
⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 8—Stumpage Value Table
Stumpage Value Area 4
January 1 through June 30, 1991

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

| Species Name | Species Code | Timber Quality | | Hauling Distance Zone Number | | | | |
|---|--------------|----------------|--------|------------------------------|-------|-------|-------|---|
| | | Code | Number | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Shake Blocks & Boards | RCS | 1 | \$385 | \$378 | \$371 | \$364 | \$357 | |
| Western Redcedar Flatsawn & Shingle Blocks ¹ | RCF | 1 | 149 | 142 | 135 | 128 | 121 | |
| Western Redcedar & Other Posts ² | RCP | 1 | 0.45 | 0.45 | 0.45 | 0.45 | 0.45 | |
| Douglas-Fir Christmas Trees ³ | DFX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 | |
| True Fir & Other Christmas Trees ³ | TFX | 1 | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 | |

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot.

TABLE 9—Stumpage Value Table
Stumpage Value Area 5
January 1 through June 30, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Quality Code | Timber | | Hauling Distance Zone Number | | | |
|-------------------------------|--------------|--------------|--------|--------|------------------------------|-------|-------|---|
| | | | Code | Number | 1 | 2 | 3 | 4 |
| Douglas-Fir ² | DF | 1 | \$683 | \$676 | \$669 | \$662 | \$655 | |
| | | 2 | 497 | 490 | 483 | 476 | 469 | |
| | | 3 | 410 | 403 | 396 | 389 | 382 | |
| | | 4 | 315 | 308 | 301 | 294 | 287 | |
| | | 5 | 196 | 189 | 182 | 175 | 168 | |
| | | 6 | 177 | 170 | 163 | 156 | 149 | |
| Western Redcedar ³ | RC | 1 | 610 | 603 | 596 | 589 | 582 | |
| | | 2 | 479 | 472 | 465 | 458 | 451 | |
| | | 3 | 401 | 394 | 387 | 380 | 373 | |
| | | 4 | 242 | 235 | 228 | 221 | 214 | |
| Western Hemlock ⁴ | WH | 1 | 513 | 506 | 499 | 492 | 485 | |
| | | 2 | 381 | 374 | 367 | 360 | 353 | |
| | | 3 | 304 | 297 | 290 | 283 | 276 | |

TABLE 9

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|------------------|--------------|---------------------|------------------------------|-----|-----|-----|-----|
| | | | 1 | 2 | 3 | 4 | 5 |
| | | 4 | 289 | 282 | 275 | 268 | 261 |
| | | 5 | 265 | 258 | 251 | 244 | 237 |
| | | 6 | 142 | 135 | 128 | 121 | 114 |
| Other Conifer | OC | 1 | 513 | 506 | 499 | 492 | 485 |
| | | 2 | 381 | 374 | 367 | 360 | 353 |
| | | 3 | 304 | 297 | 290 | 283 | 276 |
| | | 4 | 289 | 282 | 275 | 268 | 261 |
| | | 5 | 265 | 258 | 251 | 244 | 237 |
| | | 6 | 142 | 135 | 128 | 121 | 114 |
| Red Alder | RA | 1 | 149 | 142 | 135 | 128 | 121 |
| Black Cottonwood | BC | 1 | 108 | 101 | 94 | 87 | 80 |
| Other Hardwood | OH | 1 | 105 | 98 | 91 | 84 | 77 |
| Hardwood Utility | HU | 5 | 64 | 57 | 50 | 43 | 36 |
| Conifer Utility | CU | 5 | 79 | 72 | 65 | 58 | 51 |

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Western Larch.

³Includes Alaska Cedar.

⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 10 Stumpage Value Table
Stumpage Value Area 5
January 1 through June 30, 1991

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|---|--------------|---------------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Shake Blocks & Boards | RCS | 1 | \$385 | \$378 | \$371 | \$364 | \$357 |
| Western Redcedar Flatsawn & Shingle Blocks ¹ | RCF | 1 | 149 | 142 | 135 | 128 | 121 |
| Western Redcedar & Other Posts ² | RCP | 1 | 0.45 | 0.45 | 0.45 | 0.45 | 0.45 |
| Douglas-Fir Christmas Trees ³ | DFX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |
| True Fir & Other Christmas Trees ⁴ | TFX | 1 | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 |

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot.

TABLE 11 Stumpage Value Table
Stumpage Value Area 6
January 1 through June 30, 1991

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|-------------------------------|--------------|---------------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Douglas-Fir ² | DF | 1 | \$252 | \$246 | \$240 | \$234 | \$228 |
| Engelmann Spruce | ES | 1 | 147 | 141 | 135 | 129 | 123 |
| Lodgepole Pine | LP | 1 | 92 | 86 | 80 | 74 | 68 |
| Ponderosa Pine | PP | 1 | 286 | 280 | 274 | 268 | 262 |
| | | 2 | 270 | 264 | 258 | 252 | 246 |
| Western Redcedar ³ | RC | 1 | 232 | 226 | 220 | 214 | 208 |
| True Firs ⁴ | WH | 1 | 178 | 172 | 166 | 160 | 154 |
| Western White Pine | WP | 1 | 181 | 175 | 169 | 163 | 157 |
| Hardwoods | OH | 1 | 23 | 17 | 11 | 5 | 1 |
| Utility | CU | 5 | 42 | 36 | 30 | 24 | 18 |

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Western Larch.

³Includes Alaska Cedar.

⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 12 Stumpage Value Table
Stumpage Value Area 6
January 1 through June 30, 1991

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|---|--------------|---------------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Flatsawn & Shingle Blocks ¹ | RCF | 1 | \$150 | \$144 | \$138 | \$132 | \$126 |
| Lodgepole Pine & Other Posts ² | LPP | 1 | 0.35 | 0.35 | 0.35 | 0.35 | 0.35 |
| Pine Christmas Trees ³ | PX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |
| Douglas-Fir & Other Christmas Trees ⁴ | DFX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁴Stumpage value per lineal foot.

TABLE 13—Stumpage Value Table
Stumpage Value Area 7
 January 1 through June 30, 1991

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
 Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|-------------------------------|--------------|---------------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Douglas-Fir ² | DF | 1 | \$144 | \$138 | \$132 | \$126 | \$120 |
| Engelmann Spruce | ES | 1 | 134 | 128 | 122 | 116 | 110 |
| Lodgepole Pine | LP | 1 | 87 | 81 | 75 | 69 | 63 |
| Ponderosa Pine | PP | 1 | 287 | 281 | 275 | 269 | 263 |
| | | 2 | 154 | 148 | 142 | 136 | 130 |
| Western Redcedar ³ | RC | 1 | 145 | 139 | 133 | 127 | 121 |
| True Firs ⁴ | WH | 1 | 111 | 105 | 99 | 93 | 87 |
| Western White Pine | WP | 1 | 295 | 289 | 283 | 277 | 271 |
| Hardwoods | OH | 1 | 23 | 17 | 11 | 5 | 1 |
| Utility | CU | 5 | 25 | 19 | 13 | 7 | 1 |

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
²Includes Western Larch.
³Includes Alaska-Cedar.
⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 14—Stumpage Value Table
Stumpage Value Area 7
 January 1 through June 30, 1991

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
 Stumpage Values per Product Unit

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|---|--------------|---------------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Flatsawn & Shingle Blocks ¹ | RCF | 1 | \$150 | \$144 | \$138 | \$132 | \$126 |
| Lodgepole Pine & Other Posts ² | LPP | 1 | 0.35 | 0.35 | 0.35 | 0.35 | 0.35 |
| Pine Christmas Trees ³ | PX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |
| Douglas-Fir & Other Christmas Trees ⁴ | DFX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴Stumpage value per lineal foot.

TABLE 15—Stumpage Value Table
Stumpage Value Area 10
 January 1 through June 30, 1991

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
 Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|-------------------------------|--------------|---------------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Douglas-Fir ² | DF | 1 | \$362 | \$356 | \$350 | \$344 | \$338 |
| | | 2 | 281 | 275 | 269 | 263 | 257 |
| | | 3 | 200 | 194 | 188 | 182 | 176 |
| Engelmann Spruce | ES | 1 | 210 | 204 | 198 | 192 | 186 |
| | | 2 | 187 | 181 | 175 | 169 | 163 |
| | | 3 | 164 | 158 | 152 | 146 | 140 |
| Lodgepole Pine | LP | 1 | 220 | 214 | 208 | 202 | 196 |
| | | 2 | 210 | 204 | 198 | 192 | 186 |
| | | 3 | 200 | 194 | 188 | 182 | 176 |
| Ponderosa Pine | PP | 1 | 417 | 411 | 405 | 399 | 393 |
| | | 2 | 374 | 368 | 362 | 356 | 350 |
| | | 3 | 255 | 249 | 243 | 237 | 231 |
| Western Redcedar ³ | RC | 1 | 258 | 252 | 246 | 240 | 234 |
| | | 2 | 244 | 238 | 232 | 226 | 220 |
| | | 3 | 193 | 187 | 181 | 175 | 169 |
| True Firs ⁴ | WH | 1 | 240 | 234 | 228 | 222 | 216 |
| | | 2 | 234 | 228 | 222 | 216 | 210 |
| | | 3 | 228 | 222 | 216 | 210 | 204 |
| Western White Pine | WP | 1 | 417 | 411 | 405 | 399 | 393 |
| | | 2 | 374 | 368 | 362 | 356 | 350 |
| | | 3 | 255 | 249 | 243 | 237 | 231 |
| Hardwoods | OH | 1 | 61 | 55 | 49 | 43 | 37 |
| Utility | CU | 5 | 59 | 53 | 47 | 41 | 35 |

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
²Includes Western Larch.
³Includes Alaska-Cedar.
⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 16—Stumpage Value Table
Stumpage Value Area 10
 January 1 through June 30, 1991

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
 Stumpage Values per Product Unit

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|---|--------------|---------------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Flatsawn & Shingle Blocks ¹ | RCF | 1 | \$150 | \$144 | \$138 | \$132 | \$126 |
| Lodgepole Pine & Other Posts ² | LPP | 1 | 0.35 | 0.35 | 0.35 | 0.35 | 0.35 |
| Pine Christmas Trees ³ | PX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |
| Douglas-Fir & Other Christmas Trees ⁴ | DFX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.

²Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴Stumpage value per lineal foot:))

TABLE 1—Stumpage Value Table
Stumpage Value Area 1
July 1 through December 31, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|-------------------------------|--------------|---------------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Douglas-Fir | DF | 1 | \$440 | \$433 | \$426 | \$419 | \$412 |
| | | 2 | 409 | 402 | 395 | 388 | 381 |
| | | 3 | 382 | 375 | 368 | 361 | 354 |
| | | 4 | 367 | 360 | 353 | 346 | 339 |
| | | 5 | 131 | 124 | 117 | 110 | 103 |
| | | 6 | 108 | 101 | 94 | 87 | 80 |
| Western Redcedar ² | RC | 1 | 428 | 421 | 414 | 407 | 400 |
| | | 2 | 421 | 414 | 407 | 400 | 393 |
| | | 3 | 267 | 260 | 253 | 246 | 239 |
| | | 4 | 266 | 259 | 252 | 245 | 238 |
| Sitka Spruce | SS | 1 | 376 | 369 | 362 | 355 | 348 |
| | | 2 | 372 | 365 | 358 | 351 | 344 |
| | | 3 | 271 | 264 | 257 | 250 | 243 |
| | | 4 | 200 | 193 | 186 | 179 | 172 |
| | | 5 | 199 | 192 | 185 | 178 | 171 |
| | | 6 | 198 | 191 | 184 | 177 | 170 |
| Western Hemlock ³ | WH | 1 | 382 | 375 | 368 | 361 | 354 |
| | | 2 | 322 | 315 | 308 | 301 | 294 |
| | | 3 | 311 | 304 | 297 | 290 | 283 |
| | | 4 | 269 | 262 | 255 | 248 | 241 |
| | | 5 | 131 | 124 | 117 | 110 | 103 |
| | | 6 | 108 | 101 | 94 | 87 | 80 |
| Other Conifer | OC | 1 | 382 | 375 | 368 | 361 | 354 |
| | | 2 | 322 | 315 | 308 | 301 | 294 |
| | | 3 | 311 | 304 | 297 | 290 | 283 |
| | | 4 | 269 | 262 | 255 | 248 | 241 |
| | | 5 | 131 | 124 | 117 | 110 | 103 |
| | | 6 | 108 | 101 | 94 | 87 | 80 |
| Red Alder | RA | 1 | 173 | 166 | 159 | 152 | 145 |
| Black Cottonwood | BC | 1 | 158 | 151 | 144 | 137 | 130 |
| Other Hardwood | OH | 1 | 165 | 158 | 151 | 144 | 137 |
| Hardwood Utility | HU | 5 | 81 | 74 | 67 | 60 | 53 |
| Conifer Utility | CU | 5 | 40 | 33 | 26 | 19 | 12 |

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Alaska-Cedar.

³Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 2—Stumpage Value Table
Stumpage Value Area 1
July 1 through December 31, 1991

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|---|--------------|---------------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Shake Blocks & Boards ⁴ | RCS | 1 | \$424 | \$417 | \$410 | \$403 | \$396 |

TABLE 2—
Stumpage Values per Product Unit

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|---|--------------|---------------------|------------------------------|------|------|------|------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Flatsawn & Shingle Blocks ⁴ | RCF | 1 | 150 | 143 | 136 | 129 | 122 |
| Western Redcedar & Other Posts ² | RCP | 1 | 0.45 | 0.45 | 0.45 | 0.45 | 0.45 |
| Douglas-Fir Christmas Trees ³ | DFX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |
| True Fir & Other Christmas Trees ³ | TFX | 1 | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 |

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot.

TABLE 3—Stumpage Value Table
Stumpage Value Area 2
July 1 through December 31, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|-------------------------------|--------------|---------------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Douglas-Fir | DF | 1 | \$512 | \$505 | \$498 | \$491 | \$484 |
| | | 2 | 450 | 443 | 436 | 429 | 422 |
| | | 3 | 400 | 393 | 386 | 379 | 372 |
| | | 4 | 348 | 341 | 334 | 327 | 320 |
| | | 5 | 196 | 189 | 182 | 175 | 168 |
| | | 6 | 91 | 84 | 77 | 70 | 63 |
| Western Redcedar ² | RC | 1 | 474 | 467 | 460 | 453 | 446 |
| | | 2 | 432 | 425 | 418 | 411 | 404 |
| | | 3 | 418 | 411 | 404 | 397 | 390 |
| | | 4 | 280 | 273 | 266 | 259 | 252 |
| Sitka Spruce | SS | 1 | 376 | 369 | 362 | 355 | 348 |
| | | 2 | 372 | 365 | 358 | 351 | 344 |
| | | 3 | 271 | 264 | 257 | 250 | 243 |
| | | 4 | 200 | 193 | 186 | 179 | 172 |
| | | 5 | 199 | 192 | 185 | 178 | 171 |
| | | 6 | 198 | 191 | 184 | 177 | 170 |
| Western Hemlock ³ | WH | 1 | 405 | 398 | 391 | 384 | 377 |
| | | 2 | 332 | 325 | 318 | 311 | 304 |
| | | 3 | 315 | 308 | 301 | 294 | 287 |
| | | 4 | 265 | 258 | 251 | 244 | 237 |
| | | 5 | 196 | 189 | 182 | 175 | 168 |
| | | 6 | 91 | 84 | 77 | 70 | 63 |
| Other Conifer | OC | 1 | 405 | 398 | 391 | 384 | 377 |
| | | 2 | 332 | 325 | 318 | 311 | 304 |
| | | 3 | 315 | 308 | 301 | 294 | 287 |
| | | 4 | 265 | 258 | 251 | 244 | 237 |
| | | 5 | 196 | 189 | 182 | 175 | 168 |
| | | 6 | 91 | 84 | 77 | 70 | 63 |
| Red Alder | RA | 1 | 129 | 122 | 115 | 108 | 101 |
| Black Cottonwood | BC | 1 | 158 | 151 | 144 | 137 | 130 |
| Other Hardwood | OH | 1 | 165 | 158 | 151 | 144 | 137 |
| Hardwood Utility | HU | 5 | 81 | 74 | 67 | 60 | 53 |
| Conifer Utility | CU | 5 | 75 | 68 | 61 | 54 | 47 |

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Alaska-Cedar.

³ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 4—Stumpage Value Table
Stumpage Value Area 2
July 1 through December 31, 1991

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

| Species Name | Species Code | Quality Code | Hauling Distance Zone Number | | | | |
|---|--------------|--------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Shake Blocks & Boards ¹ | RCS | 1 | \$424 | \$417 | \$410 | \$403 | \$396 |
| Western Redcedar Flatsawn & Shingle Blocks ¹ | RCF | 1 | 150 | 143 | 136 | 129 | 122 |
| Western Redcedar & Other Posts ² | RCP | 1 | 0.45 | 0.45 | 0.45 | 0.45 | 0.45 |
| Douglas-Fir Christmas Trees ³ | DFX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |
| True Fir & Other Christmas Trees ³ | TFX | 1 | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 |

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

TABLE 5—Stumpage Value Table
Stumpage Value Area 3
July 1 through December 31, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Quality Code | Hauling Distance Zone Number | | | | |
|-------------------------------|--------------|--------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Douglas-Fir ² | DF | 1 | \$563 | \$556 | \$549 | \$542 | \$535 |
| | | 2 | 459 | 452 | 445 | 438 | 431 |
| | | 3 | 357 | 350 | 343 | 336 | 329 |
| | | 4 | 270 | 263 | 256 | 249 | 242 |
| | | 5 | 196 | 189 | 182 | 175 | 168 |
| | | 6 | 134 | 127 | 120 | 113 | 106 |
| Western Redcedar ³ | RC | 1 | 475 | 468 | 461 | 454 | 447 |
| | | 2 | 444 | 437 | 430 | 423 | 416 |
| | | 3 | 334 | 327 | 320 | 313 | 306 |
| | | 4 | 301 | 294 | 287 | 280 | 273 |
| Western Hemlock ⁴ | WH | 1 | 408 | 401 | 394 | 387 | 380 |
| | | 2 | 295 | 288 | 281 | 274 | 267 |
| | | 3 | 282 | 275 | 268 | 261 | 254 |
| | | 4 | 234 | 227 | 220 | 213 | 206 |
| | | 5 | 197 | 190 | 183 | 176 | 169 |
| | | 6 | 151 | 144 | 137 | 130 | 123 |
| Other Conifer | OC | 1 | 408 | 401 | 394 | 387 | 380 |
| | | 2 | 295 | 288 | 281 | 274 | 267 |
| | | 3 | 282 | 275 | 268 | 261 | 254 |
| | | 4 | 234 | 227 | 220 | 213 | 206 |
| | | 5 | 197 | 190 | 183 | 176 | 169 |
| | | 6 | 151 | 144 | 137 | 130 | 123 |

TABLE 5—

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Quality Code | Hauling Distance Zone Number | | | | |
|------------------|--------------|--------------|------------------------------|-----|-----|-----|-----|
| | | | 1 | 2 | 3 | 4 | 5 |
| Red Alder | RA | 1 | 155 | 148 | 141 | 134 | 127 |
| Black Cottonwood | BC | 1 | 158 | 151 | 144 | 137 | 130 |
| Other Hardwood | OH | 1 | 165 | 158 | 151 | 144 | 137 |
| Hardwood Utility | HU | 5 | 81 | 74 | 67 | 60 | 53 |
| Conifer Utility | CU | 5 | 84 | 77 | 70 | 63 | 56 |

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 6—Stumpage Value Table
Stumpage Value Area 3
July 1 through December 31, 1991

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

| Species Name | Species Code | Quality Code | Hauling Distance Zone Number | | | | |
|---|--------------|--------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Shake Blocks & Boards ¹ | RCS | 1 | \$424 | \$417 | \$410 | \$403 | \$396 |
| Western Redcedar Flatsawn & Shingle Blocks ¹ | RCF | 1 | 150 | 143 | 136 | 129 | 122 |
| Western Redcedar & Other Posts ² | RCP | 1 | 0.45 | 0.45 | 0.45 | 0.45 | 0.45 |
| Douglas-Fir Christmas Trees ³ | DFX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |
| True Fir & Other Christmas Trees ³ | TFX | 1 | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 |

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

TABLE 7—Stumpage Value Table
Stumpage Value Area 4
July 1 through December 31, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Quality Code | Hauling Distance Zone Number | | | | |
|--------------------------|--------------|--------------|------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Douglas-Fir ² | DF | 1 | \$547 | \$540 | \$533 | \$526 | \$519 |
| | | 2 | 466 | 459 | 452 | 445 | 438 |
| | | 3 | 376 | 369 | 362 | 355 | 348 |
| | | 4 | 289 | 282 | 275 | 268 | 261 |
| | | 5 | 185 | 178 | 171 | 164 | 157 |
| | | 6 | 134 | 127 | 120 | 113 | 106 |

TABLE 7—

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Quality Code Number | Timber Quality | | Hauling Distance Zone Number | | |
|-------------------------------|--------------|---------------------|----------------|-----|------------------------------|-----|-----|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar ³ | RC | 1 | 517 | 510 | 503 | 496 | 489 |
| | | 2 | 465 | 458 | 451 | 444 | 437 |
| | | 3 | 344 | 337 | 330 | 323 | 316 |
| | | 4 | 288 | 281 | 274 | 267 | 260 |
| Western Hemlock ⁴ | WH | 1 | 407 | 400 | 393 | 386 | 379 |
| | | 2 | 320 | 313 | 306 | 299 | 292 |
| | | 3 | 260 | 253 | 246 | 239 | 232 |
| | | 4 | 253 | 246 | 239 | 232 | 225 |
| | | 5 | 167 | 160 | 153 | 146 | 139 |
| | | 6 | 134 | 127 | 120 | 113 | 106 |
| Other Conifer | OC | 1 | 407 | 400 | 393 | 386 | 379 |
| | | 2 | 320 | 313 | 306 | 299 | 292 |
| | | 3 | 260 | 253 | 246 | 239 | 232 |
| | | 4 | 253 | 246 | 239 | 232 | 225 |
| | | 5 | 167 | 160 | 153 | 146 | 139 |
| | | 6 | 134 | 127 | 120 | 113 | 106 |
| Red Alder | RA | 1 | 152 | 145 | 138 | 131 | 124 |
| Black Cottonwood | BC | 1 | 158 | 151 | 144 | 137 | 130 |
| Other Hardwood | OH | 1 | 165 | 158 | 151 | 144 | 137 |
| Hardwood Utility | HU | 5 | 81 | 74 | 67 | 60 | 53 |
| Conifer Utility | CU | 5 | 80 | 73 | 66 | 59 | 52 |

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**TABLE 8—Stumpage Value Table
Stumpage Value Area 4
July 1 through December 31, 1991**

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

| Species Name | Species Code | Quality Code Number | Timber Quality | | Hauling Distance Zone Number | | |
|---|--------------|---------------------|----------------|-------|------------------------------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Shake Blocks & Boards ¹ | RCS | 1 | \$424 | \$417 | \$410 | \$403 | \$396 |
| Western Redcedar Flatsawn & Shingle Blocks ¹ | RCF | 1 | 150 | 143 | 136 | 129 | 122 |
| Western Redcedar & Other Posts ² | RCP | 1 | 0.45 | 0.45 | 0.45 | 0.45 | 0.45 |
| Douglas-Fir Christmas Trees ³ | DFX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |
| True Fir & Other Christmas Trees ³ | TFX | 1 | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 |

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

TABLE 9—Stumpage Value Table

Stumpage Value Area 5

July 1 through December 31, 1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Quality Code Number | Timber Quality | | Hauling Distance Zone Number | | |
|-------------------------------|--------------|---------------------|----------------|-------|------------------------------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Douglas-Fir ² | DF | 1 | \$639 | \$632 | \$625 | \$618 | \$611 |
| | | 2 | 455 | 448 | 441 | 434 | 427 |
| | | 3 | 389 | 382 | 375 | 368 | 361 |
| | | 4 | 312 | 305 | 298 | 291 | 284 |
| | | 5 | 205 | 198 | 191 | 184 | 177 |
| | | 6 | 160 | 153 | 146 | 139 | 132 |
| Western Redcedar ³ | RC | 1 | 467 | 460 | 453 | 446 | 439 |
| | | 2 | 444 | 437 | 430 | 423 | 416 |
| | | 3 | 373 | 366 | 359 | 352 | 345 |
| | | 4 | 227 | 220 | 213 | 206 | 199 |
| Western Hemlock ⁴ | WH | 1 | 514 | 507 | 500 | 493 | 486 |
| | | 2 | 353 | 346 | 339 | 332 | 325 |
| | | 3 | 275 | 268 | 261 | 254 | 247 |
| | | 4 | 252 | 245 | 238 | 231 | 224 |
| | | 5 | 162 | 155 | 148 | 141 | 134 |
| | | 6 | 160 | 153 | 146 | 139 | 132 |
| Other Conifer | OC | 1 | 514 | 507 | 500 | 493 | 486 |
| | | 2 | 353 | 346 | 339 | 332 | 325 |
| | | 3 | 275 | 268 | 261 | 254 | 247 |
| | | 4 | 252 | 245 | 238 | 231 | 224 |
| | | 5 | 162 | 155 | 148 | 141 | 134 |
| | | 6 | 160 | 153 | 146 | 139 | 132 |
| Red Alder | RA | 1 | 179 | 172 | 165 | 158 | 151 |
| Black Cottonwood | BC | 1 | 158 | 151 | 144 | 137 | 130 |
| Other Hardwood | OH | 1 | 165 | 158 | 151 | 144 | 137 |
| Hardwood Utility | HU | 5 | 81 | 74 | 67 | 60 | 53 |
| Conifer Utility | CU | 5 | 76 | 69 | 62 | 55 | 48 |

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**TABLE 10—Stumpage Value Table
Stumpage Value Area 5
July 1 through December 31, 1991**

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

| Species Name | Species Code | Quality Code Number | Timber Quality | | Hauling Distance Zone Number | | |
|---|--------------|---------------------|----------------|-------|------------------------------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Shake Blocks & Boards ¹ | RCS | 1 | \$424 | \$417 | \$410 | \$403 | \$396 |
| Western Redcedar Flatsawn & Shingle Blocks ¹ | RCF | 1 | 150 | 143 | 136 | 129 | 122 |
| Western Redcedar & Other Posts ² | RCP | 1 | 0.45 | 0.45 | 0.45 | 0.45 | 0.45 |

**TABLE 10—
Stumpage Values per Product Unit**

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|---|-----------------|---------------------------|---------------------------------|------|------|------|------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Douglas-Fir Christmas Trees ¹ | DFX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |
| True Fir & Other Christmas Trees ¹ | TFX | 1 | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 |

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

**TABLE 11—Stumpage Value Table
Stumpage Value Area 6
July 1 through December 31, 1991**

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|-------------------------------|-----------------|---------------------------|---------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Douglas-Fir ² | DF | 1 | \$235 | \$229 | \$223 | \$217 | \$211 |
| Engelmann Spruce | ES | 1 | 151 | 145 | 139 | 133 | 127 |
| Lodgepole Pine | LP | 1 | 93 | 87 | 81 | 75 | 69 |
| Ponderosa Pine | PP | 1 | 277 | 271 | 265 | 259 | 253 |
| | | 2 | 231 | 225 | 219 | 213 | 207 |
| Western Redcedar ³ | RC | 1 | 305 | 299 | 293 | 287 | 281 |
| True Firs ⁴ | WH | 1 | 198 | 192 | 186 | 180 | 174 |
| Western White Pine | WP | 1 | 197 | 191 | 185 | 179 | 173 |
| Hardwoods | OH | 1 | 23 | 17 | 11 | 5 | 1 |
| Utility | CU | 5 | 44 | 38 | 32 | 26 | 20 |

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-Cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**TABLE 12—Stumpage Value Table
Stumpage Value Area 6
July 1 through December 31, 1991**

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|---|-----------------|---------------------------|---------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Flatsawn & Shingle Blocks ¹ | RCF | 1 | \$150 | \$144 | \$138 | \$132 | \$126 |
| Lodgepole Pine & Other Posts ² | LPP | 1 | 0.35 | 0.35 | 0.35 | 0.35 | 0.35 |

**TABLE 12—
Stumpage Values per Product Unit**

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|--|-----------------|---------------------------|---------------------------------|------|------|------|------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Pine Christmas Trees ¹ | PX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |
| Douglas-Fir & Other Christmas Trees ¹ | DFX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴ Stumpage value per lineal foot.

**TABLE 13—Stumpage Value Table
Stumpage Value Area 7
July 1 through December 31, 1991**

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|-------------------------------|-----------------|---------------------------|---------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Douglas-Fir ² | DF | 1 | \$132 | \$126 | \$120 | \$114 | \$108 |
| Engelmann Spruce | ES | 1 | 119 | 113 | 107 | 101 | 95 |
| Lodgepole Pine | LP | 1 | 78 | 72 | 66 | 60 | 54 |
| Ponderosa Pine | PP | 1 | 277 | 271 | 265 | 259 | 253 |
| | | 2 | 146 | 140 | 134 | 128 | 122 |
| Western Redcedar ³ | RC | 1 | 130 | 124 | 118 | 112 | 106 |
| True Firs ⁴ | WH | 1 | 109 | 103 | 97 | 91 | 85 |
| Western White Pine | WP | 1 | 276 | 270 | 264 | 258 | 252 |
| Hardwoods | OH | 1 | 23 | 17 | 11 | 5 | 1 |
| Utility | CU | 5 | 19 | 13 | 7 | 1 | 1 |

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-Cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**TABLE 14—Stumpage Value Table
Stumpage Value Area 7
July 1 through December 31, 1991**

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

| Species Name | Species Code | Quality Code Number | Hauling Distance Zone Number | | | | |
|---|-----------------|---------------------------|---------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Flatsawn & Shingle Blocks ¹ | RCF | 1 | \$150 | \$144 | \$138 | \$132 | \$126 |
| Lodgepole Pine & Other Posts ² | LPP | 1 | 0.35 | 0.35 | 0.35 | 0.35 | 0.35 |

**TABLE 14—
Stumpage Values per Product Unit**

| Species Name | Species Code | Quality Code | Hauling Distance Zone Number | | | | |
|---|-----------------|-----------------|---------------------------------|------|------|------|------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Pine Christmas Trees ³ | PX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |
| Douglas-Fir & Other Christmas Trees ⁴ | DFX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴ Stumpage value per lineal foot.

**TABLE 15—Stumpage Value Table
Stumpage Value Area 10
July 1 through December 31, 1991**

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

| Species Name | Species Code | Quality Code | Hauling Distance Zone Number | | | | |
|-------------------------------|-----------------|-----------------|---------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Douglas-Fir ² | DF | 1 | \$308 | \$302 | \$296 | \$290 | \$284 |
| | | 2 | 239 | 233 | 227 | 221 | 215 |
| | | 3 | 171 | 165 | 159 | 153 | 147 |
| Engelmann Spruce | ES | 1 | 179 | 173 | 167 | 161 | 155 |
| | | 2 | 160 | 154 | 148 | 142 | 136 |
| | | 3 | 141 | 135 | 129 | 123 | 117 |
| Lodgepole Pine | LP | 1 | 188 | 182 | 176 | 170 | 164 |
| | | 2 | 179 | 173 | 167 | 161 | 155 |
| | | 3 | 171 | 165 | 159 | 153 | 147 |
| Ponderosa Pine | PP | 1 | 355 | 349 | 343 | 337 | 331 |
| | | 2 | 318 | 312 | 306 | 300 | 294 |
| | | 3 | 218 | 212 | 206 | 200 | 194 |
| Western Redcedar ³ | RC | 1 | 220 | 214 | 208 | 202 | 196 |
| | | 2 | 208 | 202 | 196 | 190 | 184 |
| | | 3 | 165 | 159 | 153 | 147 | 141 |
| True Firs ⁴ | WH | 1 | 205 | 199 | 193 | 187 | 181 |
| | | 2 | 200 | 194 | 188 | 182 | 176 |
| | | 3 | 195 | 189 | 183 | 177 | 171 |
| Western White Pine | WP | 1 | 355 | 349 | 343 | 337 | 331 |
| | | 2 | 318 | 312 | 306 | 300 | 294 |
| | | 3 | 218 | 212 | 206 | 200 | 194 |
| Hardwoods | OH | 1 | 58 | 52 | 46 | 40 | 34 |
| Utility | CU | 5 | 41 | 35 | 29 | 23 | 17 |

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-Cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**TABLE 16—Stumpage Value Table
Stumpage Value Area 10
July 1 through December 31, 1991**

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

| Species Name | Species Code | Quality Code | Hauling Distance Zone Number | | | | |
|---|-----------------|-----------------|---------------------------------|-------|-------|-------|-------|
| | | | 1 | 2 | 3 | 4 | 5 |
| Western Redcedar Flatsawn & Shingle Blocks ¹ | RCF | 1 | \$150 | \$144 | \$138 | \$132 | \$126 |
| Lodgepole Pine & Other Posts ² | LPP | 1 | 0.35 | 0.35 | 0.35 | 0.35 | 0.35 |
| Pine Christmas Trees ³ | PX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |
| Douglas-Fir & Other Christmas Trees ⁴ | DFX | 1 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴ Stumpage value per lineal foot.

AMENDATORY SECTION (Amending WSR 91-02-088, filed 12/31/90, effective 1/31/91)

WAC 458-40-670 TIMBER EXCISE TAX—STUMPAGE VALUE ADJUSTMENTS. Harvest value adjustments relating to the various logging and harvest conditions shall be allowed against the stumpage values as set forth in WAC 458-40-660 for the designated stumpage value areas with the following limitations:

(1) No harvest adjustment shall be allowed against special forest products.

(2) Stumpage value rates for conifer and hardwoods shall be adjusted to a value no lower than one dollar per MBF.

(3) Timber harvesters planning to remove timber from areas having damaged timber may apply to the department for adjustment in stumpage values. Such applications should contain a map with the legal descriptions of the area, a description of the damage sustained by the timber, and a list of estimated costs to be incurred. Such applications shall be sent to the department before the harvest commences. Upon receipt of such application, the department will determine the amount of adjustment allowed, and notify the harvester. Such amount may be taken as a credit against tax liabilities or, if harvest is terminated, a refund may be authorized. In the event the extent of such timber damage or additional costs are not known at the time the application is filed, the harvester may supplement the application not later than ninety days following completion of the harvest unit.

The following harvest adjustment tables are hereby adopted for use during the period of ((January)) July 1 through ((June 30)) December 31, 1991:

TABLE 1—Harvest Adjustment Table
Stumpage Value Areas 1, 2, 3, 4, and 5
((January)) July 1 through ((June-30)) December 31,
1991

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

| Type of Adjustment | Definition | Dollar Adjustment Per Thousand Board Feet Net Scribner Scale |
|--|---|--|
| I. Volume per acre | | |
| Class 1 | Harvest of more than 40 thousand board feet per acre. | \$0.00 |
| Class 2 | Harvest of 20 thousand board feet to 40 thousand board feet per acre. | - \$4.00 |
| Class 3 | Harvest of 10 thousand board feet to but not including 20 thousand board feet per acre. | - \$7.00 |
| Class 4 | Harvest of 5 thousand board feet to but not including 10 thousand board feet per acre. | - \$9.00 |
| Class 5 | Harvest of less than 5 thousand board feet per acre. | - \$10.00 |
| II. Logging conditions | | |
| Class 1 | Favorable logging conditions and easy road construction. No significant rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%. | \$0.00 |
| Class 2 | Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%. | ((-\$16.00)) - \$17.00 |
| Class 3 | Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%. | ((-\$31.00)) - \$25.00 |
| Class 4 | For logs which are yarded from stump to landing by helicopter. This does not include special forest products. | ((-\$76.00)) - \$69.00 |
| III. Remote island adjustment: | | |
| | For timber harvested from a remote island | - \$50.00 |
| IV. Thinning (see WAC 458-40-610(20)) | | |
| Class 1 | Average log volume of 50 board feet or more. | - \$25.00 |
| Class 2 | Average log volume of less than 50 board feet. | - \$35.00 |

TABLE 2—Harvest Adjustment Table
Stumpage Value Areas 6, 7, and 10
((January)) July 1 through ((June-30)) December 31,
1991

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER

| Type of Adjustment | Definition | Dollar Adjustment Per Thousand Board Feet Net Scribner Scale |
|---------------------------|---|--|
| I. Volume per acre | | |
| Class 1 | Harvest of more than 8 thousand board feet per acre. | \$0.00 |
| Class 2 | Harvest of 3 thousand board feet to 8 thousand board feet per acre. | - \$7.00 |

TABLE 2—cont.

| Type of Adjustment | Definition | Dollar Adjustment Per Thousand Board Feet Net Scribner Scale |
|---------------------------------------|---|--|
| Class 3 | Harvest of less than 3 thousand board feet per acre. | - \$10.00 |
| II. Logging conditions | | |
| Class 1 | Favorable logging conditions and easy road construction. No significant rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%. | \$0.00 |
| Class 2 | Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%. | ((-\$20.00)) - \$18.00 |
| Class 3 | Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%. | ((-\$31.00)) - \$25.00 |
| Class 4 | For logs which are yarded from stump to landing by helicopter. This does not include special forest products. | ((-\$76.00)) - \$69.00 |
| III. Remote island adjustment: | | |
| | For timber harvested from a remote island | - \$50.00 |

Table 3—Domestic Market Adjustment

Harvest of timber not sold by a competitive bidding process which is prohibited under the authority of state or federal law from foreign export may be eligible for the domestic market adjustment. The adjustment may be applied only to those species of timber which must be processed domestically. According to type of sale, the adjustment may be applied to the following species:

Federal Timber Sales: All species except Alaska Yellow Cedar. (Stat. Ref. - 36 CFR 223.10)

State Timber Sales: Western Red Cedar only. (Stat. Ref. - 50 USC appendix 2406.1)

The adjustment amounts shall be as follows:

| | | |
|----------|---|--|
| Class 1: | All eligible species in Western Washington (SVA's 1 through 5) | ((-\$34.00)) - \$33.00 per MBF |
| Class 2: | All eligible species in Eastern Washington (SVA's 6, 7, and 10) | ((-\$13.00)) - \$15.00 per MBF |

Note: The adjustment will not be allowed on special forest products.

WSR 91-14-078

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 91-47—Filed June 28, 1991, 4:07 p.m.]

Date of Adoption: June 28, 1991.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:
 Amending WAC 220-57-160.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity

to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Sockeye salmon returning to Redfish Lake, Idaho need maximum protection due to their status under the Endangered Species Act.

Effective Date of Rule: 12:01 a.m., July 2, 1991.

June 28, 1991
Judith Merchant
Deputy Director
for Joseph R. Blum
Director

NEW SECTION

WAC 220-57-160001 COLUMBIA RIVER. Notwithstanding the provisions of WAC 220-57-160, effective 12:01 a.m. July 2, 1991 it is unlawful to take, fish for or possess sockeye salmon in those waters downstream from the Highway 395 Bridge (Pasco to Kennewick) to the Buoy 10 line.

WSR 91-14-079
EMERGENCY RULES
SECRETARY OF STATE
[Filed July 1, 1991, 9:21 a.m.]

Date of Adoption: July 1, 1991.

Purpose: Implementation of the address confidentiality program providing services to victims of domestic violence.

Statutory Authority for Adoption: Chapter 23, Laws of 1991.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The emergency regulations provide procedures for the initial administration of the address confidentiality program during the promulgation of permanent regulations.

Effective Date of Rule: Immediately.

July 1, 1991
Donald F. Whiting
Assistant Secretary of State

PROPOSED EMERGENCY REGULATIONS

For the Implementation of Chapter 23, Laws of 1991
June 17, 1991

NEW SECTION

WAC 434-840-900 AUTHORITY AND PURPOSE. These rules are adopted pursuant to chapter 40, RCW (sections (3(1), 3(3) and 9, chapter 23, Laws of 1991) and chapter 34.04 RCW. The purpose of this chapter is to provide the administrative procedures necessary to implement chapter 23, Laws of 1991; to provide a procedure for state and local agencies to respond to requests for public records without disclosing

the location of a program participant; to provide a procedure to facilitate interagency cooperation in providing record address confidentiality for a program participant; to establish uniform statewide procedures for maintaining the confidentiality of a program participant's name and address information in marriage and voting records; and to provide a procedure for state and local agencies to accept a program participant's use of a substitute mailing address.

NEW SECTION

WAC 434-840-901 DEFINITIONS. For the purposes of this chapter,

"Address confidentiality program manager" means the agency employee designated by the secretary of state with responsibility for developing and administering a program that implements the provisions of chapter 23, Laws of 1991.

"Agency" means an office, department, division, bureau, board, commission, or other statutory unit of state or local government or any functional subdivision of that agency.

"Application assistant" means an employee of a state or local agency, or of a non profit program which provides counseling, referral or shelter services to victims of domestic violence, who has been designated by the respective agency, accepted and registered by the secretary of state to assist individuals in the completion of program participation applications.

"Authorization card form" means the incomplete form for an authorization card on which no identifying program participant information has been entered.

"Authorized personnel" means an employee of a county auditor's office, a county recording office, the Washington state department of health or the office of the secretary of state who has been designated by the chief executive officer of the respective agency, to process and have access to voter application, voting records, and marriage applications and records pertaining to program participants.

"Protected records voter" means a program participant who has applied and qualified as a service voter, as provided under RCW 29.01.155, with ongoing absentee ballot voter status, as provided under RCW 29.36.013.

"Record" means any information relating to the conduct or performance of a governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

"Substitute mailing address for voting purposes" means a mailing address, which shall not be the program participant's residential address as designated on her or his application for program participation, designated on the program participant's service voter application as the address to which the program participant's absentee ballot shall be sent.

NEW SECTION

WAC 434-840-902 APPLICATION AND CERTIFICATION PROCESS. (1) An applicant shall complete, date, sign and provide all the information required

under section 3, chapter 23, Laws of 1991, as requested on the standard application form and authorization card form, provided by the secretary of state. An applicant shall specify the new address in Washington State for which confidentiality is requested. The standard application form shall include the application preparation date, signature and registration number of the application assistant, as provide in section 8, chapter 23, Laws of 1991, who assisted the applicant in applying to be a program participant.

(2) A properly completed application shall be filed on the day that it is received by the address confidentiality program manager.

(3) Having filed a properly completed application shall be certified as a program participant and issued a program participant authorization card which includes the program participant's name, authorization code, substitute mailing address, certification expiration date and signature.

(4) The term of a program participant's certification shall be four years following the filing date of her or his application unless the certification is withdrawn or invalidated before that date.

NEW SECTION

WAC 434-840-903 EXERCISE OF PROGRAM PARTICIPANT'S PRIVILEGES. (1) A program participant may request, at the time of creation of a new record, that an agency use the address designated by the secretary of state as her or his mailing address.

(2) The designated address shall appear on the program participant's authorization card.

(3) An agency shall accept the designated address unless the agency has received a written record exemption determination from the secretary of state.

(4) A program participant shall show her or his authorization card to the agency official creating a new record and request address confidentiality through use of the designated address in lieu of her or his actual location. Authorized personnel may make a file photocopy of the authorization card. The authorization card shall be immediately returned to the program participant.

NEW SECTION

WAC 434-840-904 CERTIFICATION RENEWAL. (1) A program participant may renew her or his program participation certification by filing with the address confidentiality program manager: (a) her or his current authorization card; (b) a property completed certification renewal form; and (c) a new authorization card form provided by the secretary of state. The program participant shall complete, date, sign and provide all the information required on the certification renewal form.

(2) Having filed a properly completed certification renewal form, the program participant shall be certified to participate in the program for an additional four year term unless a certification is withdrawn or invalidated before that date.

(3) The program participant shall be issued a new program participant authorization card which includes

the program participant's name, authorization code, substitute mailing address, certification expiration date and signature.

(4) The address confidentiality program manager shall notify in writing authorized personnel of the appropriate county auditor's office, county recording office, and/or department of health of the certification renewal of a program participant.

NEW SECTION

WAC 434-840-905 CERTIFICATION WITHDRAWAL, INVALIDATION, EXPIRATION AND TERMINATION. (1) A program participant may withdraw from program participation by submitting to the address confidentiality program manager: (a) written notification of withdrawal and (b) her or his current authorization card. Certification shall be terminated on the date of receipt of this notification.

(2) The address confidentiality program manager may cancel and terminate a program participant's certification and invalidate her or his authorization card if: (a) the program participant's certification term has expired and certification renewal has not been completed; (b) it is determined that false information was used in the application process; (c) it is determined that participation in the program is being used as a subterfuge to avoid detection of illegal or criminal activity or apprehension by law enforcement; (d) the program participant no longer resides at the residential address listed on the application, and has not provided seven days' prior notice of a change in address; (e) a service of process document or mail forwarded to the program participant by the address confidentiality program is returned as nondeliverable; (f) the program participant obtains a legal name change; (g) the program participant fails to attend a specified meeting or fails to meet agency regulatory compliance standards as provided in WAC 434-840-910; or (h) the program participant fails to submit program experience and information survey forms requested by the address confidentiality program manager.

(3) The address confidentiality program manager shall notify in writing authorized personnel of the appropriate county auditor's office, county recording office, and/or department of health of the program participant's certification withdrawal, invalidation, expiration or termination.

(4) Upon receipt of this termination notification, authorized personnel shall transmit to the address confidentiality program manager all appropriate administrative records pertaining to the program participant. The secretary of state shall provide authorized personnel with confidential record transmission envelopes specially designed for this purpose.

NEW SECTION

WAC 434-840-906 NOTIFICATION OF PROGRAM PARTICIPANT STATUS. The address confidentiality program manager shall notify in writing authorized personnel of the appropriate county auditor's office, county recording office and department of health of

a program participant's renewal, withdrawal, invalidation or termination. This notification shall contain the program participant's name, authorization code and expiration date. Upon receipt of written notification of withdrawal, invalidation or termination, an agency shall no longer be responsible for maintaining record confidentiality as provided under chapter 23, Laws of 1991, for a specific program participant.

NEW SECTION

WAC 434-840-907 INFORMATION RELEASE TO LAW ENFORCEMENT OR UPON COURT ORDER. (1) The disclosure of any marriage application or record, or voter application record requested by a law enforcement agency or by direction of court order pursuant to RCW 26.04.____ (section 12, chapter 23, Laws of 1991) shall be in response to receipt of a written or faxed request directed to a county auditor, a county recording officer, the secretary of state or the secretary of the department of health.

(2) A request from a law enforcement agency shall be on agency letterhead stationery, and shall contain: the signature of the agency's chief law enforcement officer as defined in RCW 10.98.040, the request date, the name of the program participant and the cause or reason for the requested information disclosure, and state the purpose to which the requested information will serve.

(3) The county auditor, county recording officer, secretary of state or secretary of the department of health shall deliver the requested information to the chief officer of the law enforcement agency or to the person identified in the court order.

(4) The county auditor, county recording officer, and secretary of the department of health shall immediately notify the address confidentiality program manager of this record disclosure.

(5) Program participant information disclosed to a law enforcement agency or to a person identified in a court order shall be maintained in strict confidentiality by the party receiving information.

NEW SECTION

WAC 434-840-908 AGENCY EXEMPTION REQUEST. (1) An agency requesting an exemption, pursuant to section 5, chapter 23, Laws of 1991, must provide in writing to the secretary of state: (a) documented proof of the agency's statutory or administrative requirement, rule, practice and purposes necessitating a program participant's actual address information; (b) identification of the specific records or record series for which the exemption is requested; (c) identification of statutory and regulatory authorities for the use of actual address information; (d) an explanation of the adverse consequences of using a program participant's substitute address; (e) an explanation of the agency's procedural and administrative efforts to alleviate the adverse consequences of use of a program participant's substitute address; and (f) an outline of the agency's action plan and timeframe for alleviating the adverse consequences of use of a program participant's substitute address.

(2) The secretary of state shall (a) file and review an agency's request for an exemption; (b) evaluate the components of the request; and (c) weigh the consequences of such an exemption against the successful implementation and legislative intent of chapter 23, Laws of 1991.

(3) During the review, evaluation and/or appeal of an agency's exemption request, the agency shall accept the use of a program participant's substitute address.

(4) When the secretary of state determines that an agency has a bona fide statutory or administrative requirement for the use of a program participant's confidential address information, the secretary of state shall issue a written exemption authorization for the agency. An exemption authorization may include (a) an agency's obligation to maintain the confidentiality of a program participant's address information, (b) limitations on use and access to that information; (c) the term during which the exemption is authorized; and (d) any other provisions and qualifications determined appropriate by the secretary of state.

(5) When a program participant requests address confidentiality for a record, and the agency has received an exemption authorization for that record, the agency's authorized personnel shall immediately provide a copy of the written authorization to the requesting program participant and notify the address confidentiality program manager of the occurrence and denial of the program participant's request.

(6) The secretary of state's denial of an agency exemption request shall be made in writing and include a statement of the specific reasons therefor.

(7) An agency may appeal the denial of its request by resubmitting their written request together with additional data, information on and explanations of corrective action taken to alleviate concerns and considerations included in the secretary of state's denial determination.

NEW SECTION

WAC 434-840-909 SERVICE OF PROCESS. (1) The secretary of state shall be an agent of the program participant upon who any summons, writ, notice, demand or process may be served.

(2) Service on the secretary of state of any such summons, writ, demand, notice or process shall be made by delivering to the address confidentiality program manager of the office of the secretary of state: (a) two copies of the summons, writ, notice, demand or process; and (b) twenty-five dollars service-of-process fee for each action or document filed.

(3) In the event any such summons, writ, notice, demand or process is served on the secretary of state, the secretary of state shall immediately cause a copy to be forwarded to the program participant at the current residential address as shown on the records of the address confidentiality program.

(4) The secretary of state shall keep a record of all summons writs, notices, demands, and processes served upon the secretary of state under chapter 23, Laws of 1991, and shall record the time of such service and the secretary of state's action.

NEW SECTION**WAC 434-840-910 PROGRAM PARTICIPANT COMPLIANCE WITH AGENCY REGULATIONS.**

(1) An agency that cannot locate a program participant for regulatory compliance purposes may request that the address confidentiality program manager arrange a meeting between an agency representative and a program participant. The requesting agency shall: (a) explain the necessity for the meeting and the reason why the agency has been unable to locate the program participant; and (b) provide a suggested list of dates, times and locations for the requested meeting.

(2) The address confidentiality program manager shall: (a) contact the program participant; (b) convey the nature and cause of the requesting agency's need for a meeting; and (c) confirm a mutually acceptable date, time and location for such meeting.

(3) The program participant and the agency representative shall meet and discuss the agency's regulatory compliance concerns at the date, time and location specified by the address confidentiality program manager.

(4) Within three business days following the specified meeting, the address confidentiality program manager shall contact both the agency representative and the program participant to confirm that the meeting was held and that the program participant has met the agency's compliance standards.

(5) The address confidentiality program manager may cancel and terminate a program participant's certification, as provided in WAC 434-840-905, when a program participant fails to attend the specified meeting or fails to meet agency regulatory compliance standards.

NEW SECTION

WAC 434-840-920 ACKNOWLEDGEMENT FOR MARRIAGE AND VOTING RECORD CONFIDENTIALITY. (1) When a program participant requests name and address confidentiality for marriage records, both the program participant and her or his fiance(e) shall sign and date an acknowledgement form, provided by the secretary of state, which specifies record access limitations on confidential marriage records.

(2) When a program participant requests name and address confidentiality for voting records, the program participant shall sign an acknowledgement form, provided by the secretary of state, which documents the date of this request and outlines the ongoing absentee ballot voting process to be used by protected record voters.

(3) The county auditor, county recording officer or authorized personnel shall: keep the original copy of this signed acknowledgement; forward a duplicate copy to the address confidentiality program in an envelope provided especially for that purpose; and give a duplicate copy to the program participant.

NEW SECTION

WAC 434-840-921 PROOF OF PROGRAM PARTICIPANT'S AUTHORITY. When a program participant requests name and address confidentiality for marriage or voting records, authorized personnel shall

check the authorization card to confirm that: the term of program participation has not expired; and the signature of the program participant on the authorization card matches that on the acknowledgement form.

NEW SECTION

WAC 434-840-922 RECORD CONFIDENTIALITY. (1) A marriage application or record, or voting record created by a program participant who has requested name and address information confidentiality when creating the record shall be confidential and accessible only to authorized personnel, except as provided in WAC 434-840-907. (2) Authorized personnel may make a photocopy of the program participant's authorization card. The authorization card shall be immediately returned to the program participant. The photocopy shall be kept with the confidential marriage or voting records for this program participant during the time the records are filed and maintained by the county auditor or county recording officer.

NEW SECTION

WAC 434-840-923 AGENCY RESPONSE TO PUBLIC DISCLOSURE REQUESTS. In response to a public disclosure request for access to, inspection or copying of an address confidentiality program participant's voting or marriage record, an agency shall neither disclose nor acknowledge the presence or filing of such a record.

NEW SECTION

WAC 434-840-930 NOTIFICATION FOR MARRIAGE RECORD CONFIDENTIALITY. A program participant shall notify the appropriate county auditor or county recording officer of her or his request for name and address information confidentiality in marriage records by appearing in person with her or his fiance(e) before the county auditor or county recording officer. The program participant shall present her or his program authorization card and request name and address confidentiality for the marriage application and record that she or he will be creating.

NEW SECTION

WAC 434-840-931 MARRIAGE APPLICATION. Authorized personnel shall verify that the application for marriage license and certificate of marriage form are correctly completed. The certificate of marriage form shall contain the program participant's authorization code and expiration date.

NEW SECTION

WAC 434-840-932 MARRIAGE RECORD FILING. Upon recording a completed marriage license application, certificate or record, the county auditor or county recording officer shall note the presence of a confidential record in their recording index in a manner appropriate to maintaining the confidentiality of name and address information contained in that document.

NEW SECTION

WAC 434-840-933 MARRIAGE RECORD TRANSMISSION TO DEPARTMENT OF HEALTH. The county auditor, county recording officer or authorized personnel shall transmit a correctly completed marriage certificate, containing the name and address of a program participant, to the department of health in the envelope provided especially for that purpose by the Address Confidentiality Program.

NEW SECTION

WAC 434-840-934 CERTIFIED COPY OF MARRIAGE CERTIFICATES. A certified copy of a marriage certificate containing the name of a program participant shall only be available through the address confidentiality program. The address confidentiality program manager may request in writing a certified copy of a program participant's marriage certificate. This written request may be directed to the originating county auditor, county recording office, or the department of health. The request shall accompany a complete application for certified copy and correspondent fee. The requested certified copy shall be provided to the address confidentiality program manager, who will be responsible for its subsequent release.

NEW SECTION

WAC 434-840-940 NOTIFICATION FOR VOTING RECORD CONFIDENTIALITY. A program participant shall notify the appropriate county auditor or county recording officer of her or his request for name and address information confidentiality in voting records by appearing in person before the county auditor, county recording officer or appropriate authorized personnel. The program participant shall present her or his program authorization card and request name and address confidentiality for the voter record that she or he will be creating.

NEW SECTION

WAC 434-840-941 PROTECTED RECORDS VOTER APPLICATION. (1) The program participant shall apply to vote by providing all the information required on the service voter ongoing absentee ballot application developed by the secretary of state.

(2) Authorized personnel shall verify that the program participant's signature on her or his authorization card matches that on the service voter ongoing absentee ballot application.

(3) The county auditor or county recording officer shall cancel any existing voter registration established by the program participant.

(4) The program participant shall designate a substitute mailing address for voting purposes.

(5) The program participant shall disclose the actual address of her or his residence only for the purpose of determining proper precinct and district designations.

NEW SECTION

WAC 434-840-942 MAINTAINING PROTECTED RECORDS VOTER INFORMATION. All records pertaining to a protected records voter shall be confidentially maintained in a manner ensuring that these records are accessible only to authorized personnel, except as provided by WAC 434-840-907. A protected records voter shall not be included in any registered voter list, absentee ballot list, tape, label or pollbook. Information pertaining to a protected records voter shall not be publicly accessible regardless of the type of record management system.

NEW SECTION

WAC 434-840-943 MAILING PROTECTED RECORDS VOTER BALLOTS. at least twenty days prior to every special, primary, or general election, authorized personnel shall review all protected records voter files and forward the appropriate ongoing absentee ballot for each protected records voter via the designated substitute mailing address for voting purposes.

NEW SECTION

WAC 434-840-944 PROCESSING PROTECTED RECORDS VOTER BALLOT. (1) The ongoing absentee ballot for a protected records voter shall be processed in the following manner:

(a) The ballot, corresponding reader guide or paper ballot shall be grouped and placed with ballot security envelope, return envelope with oath, mailing envelope and protected records voter envelope;

(b) The voter's name, authorization code and substitute mailing address for voting purposes shall be entered onto the mailing envelope;

(c) The information shall be completed on the protected records voter envelope to ensure that the returned ballot will be segregated and routed to authorized personnel for processing;

(d) The signature on the returned ballot shall be compared with the signature on the service voter ongoing absentee ballot application;

(e) If the signature does not correspond to the signature on file, indication of this discrepancy shall be entered onto the return envelope; and

(f) Whenever the signature on a protected records voter ongoing absentee ballot return envelope does not match the signature on the application on file the address confidentiality program manager shall: (i) be notified of the discrepancy, (ii) locate the program participant and determine the cause of the discrepancy, and (iii) notify the county auditor or county recording officer of the cause of the discrepancy.

NEW SECTION

WAC 434-840-945 CANVASSING PROCEDURE FOR REFERRED PROTECTED RECORDS VOTER BALLOT. A referred protected records voter ballot shall be presented to the canvassing board, meeting in executive session. The canvassing board shall designate authorized personnel to verify the contents of the

ballot. Authorized personnel shall remove the protected records voter envelope, prepare the ballot in the ballot security envelope, and verify the contents of the ballot for tabulation. The return envelope and the protected records voter envelope shall be placed in security with all other voting records for the program participant. The discardable envelopes may be destroyed pursuant to statutory provisions applicable to election materials.

NEW SECTION

WAC 434-840-946 UNDELIVERABLE BALLOT. If any protected records voter's ongoing absentee ballot is declared undeliverable by the post office and returned, the county auditor or county recording officer shall notify the address confidentiality program manager. The address confidentiality program manager shall determine the cause of this occurrence and inform the county auditor or county recording officer of the reason for the ballot's return.

NEW SECTION

WAC 434-840-947 ELECTION CHALLENGES. If any post election challenges are brought pertaining to the outcome of any election and it becomes necessary to check the validity of all absentee ballots cast in the election by verifying the names and addresses of all voters casting absentee ballots, protected records voters shall not be included in any such review unless it is determined that their votes would be determinative of the election outcome. When it is determined that review of protected records voters is necessary, protected records voter records shall be accessed and verified by authorized personnel using extreme caution to ensure continued confidentiality.

WSR 91-14-080
EMERGENCY RULES
SECRETARY OF STATE
 [Filed July 1, 1991, 9:24 a.m.]

Date of Adoption: July 1, 1991.

Purpose: Implementation of the address confidentiality program providing services to victims of domestic violence.

Citation of Existing Rules Affected by this Order: Amending WAC 434-40-010, 434-40-050 through 434-40-080, and 434-40-180.

Statutory Authority for Adoption: Chapter 23, Laws of 1991.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The emergency regulations allow qualified program participants to apply and receive

ongoing absentee ballot voting privileges as service voters until such time as permanent regulations can be promulgated.

Effective Date of Rule: Immediately.

July 1, 1991
 Donald F. Whiting
 Assistant Secretary of State

AMENDATORY SECTION (Amending Order 88-1, filed 1/12/88)

WAC 434-40-010 DEFINITIONS. As used in this chapter:

(1) An "elector" of the state of Washington is any person who qualifies under state or federal law as an overseas voter, service voter, or out-of-state voter and who:

(a) Is not currently a registered voter in Washington or any other state;

(b) Will be at least eighteen years of age at the time of the next election;

(c) Is a citizen of the United States;

(d) Is a legal resident of the state, county, and precinct for at least thirty days preceding the election at which he or she offers to vote;

(e) Is not currently being denied his or her civil rights by being convicted of a crime for which he or she could have been sentenced to the state penitentiary;

(2) "Out-of-state voters," "overseas voters," "protected records voters," and "service voters" are electors of the state of Washington and are not registered voters of Washington or any other state; electors of the state of Washington who are spouses or dependents of service voters shall be considered to be either out-of-state voters or overseas voters;

(3) "Service voters" are electors of the state of Washington who are outside the state during the period available for voter registration and who are members of the armed forces while in active service, are students or members of the faculty at a United States military academy, are members of the merchant marine of the United States, ((or)) are members of a religious group or welfare agency officially attached to and serving with the armed forces of the United States, or are certified participants in the address confidentiality program authorized by chapter 23, Laws of 1991.

(4) "Canvassing" is that process of examining, in detail, a ballot, groups of ballots, election subtotals, or grand totals in order to determine the final official returns of a primary, special, or general election and in order to safeguard the integrity of the election process;

(5) "Canvassing board" or "county canvassing board" is that body charged by law with the duty of canvassing absentee ballots, of ruling on the validity of questioned or challenged ballots, of verifying all unofficial returns as listed in the auditor's abstract of votes, and of producing the official county canvass report; it shall be composed of the county auditor, prosecuting attorney, and chairperson of the board of the county legislative authority, or their representatives, designated pursuant to the provisions of WAC 434-40-210;

(6) "Territorial limits of the United States" means the fifty United States and the District of Columbia;

(7) "Blind voter" is a voter who has no vision or whose vision with corrective lenses is so defective as to prevent performance of ordinary activities for which eyesight is essential, or who has an eye condition of a progressive nature which may lead to blindness;

(8) "Voter requiring assistance" is any voter who has a sensory or physical handicap that results in his or her inability to vote at a polling place without assistance, such assistance shall be provided in the manner set forth by RCW 29.51.200;

(9) "Disabled voter" is any blind voter, voter requiring assistance, or any voter who has:

(a) Lost both lower limbs;

(b) Lost normal or full use of the lower limbs to sufficiently constitute severe disability;

(c) No ability to move without crutches or a wheelchair;

(d) Lost both hands;

(e) A lung disease where forced expiratory respiratory volume when measured by spirometry is less than one liter per second;

(f) Cardiovascular disease classified as Class III or IV under American Heart Association standards;

(10) "Ongoing absentee ballot" is that absentee ballot provided to disabled voters and voters over the age of sixty-five, pursuant to the provisions of RCW 29.36.013, and provided to voters who are certified participants in the address confidentiality program, pursuant to the provisions of chapter 23, Laws of 1991;

(11) "Hospital absentee ballot" is that absentee ballot provided to voters confined to a hospital no earlier than five days before a primary or election, pursuant to the provisions of RCW 29.36.010;

(12) "Special absentee ballot" is that ballot provided to registered voters and electors in state primary and general elections who indicate on their application that they believe they will be residing or stationed or working outside the continental United States at the time of the election and that they will be unable to vote and return a regular absentee ballot during the time period provided by law;

(13) "Regular absentee ballot" is that absentee ballot provided to voters or electors who request an absentee ballot and who do not either request or qualify for an ongoing absentee ballot, hospital absentee ballot, or special absentee ballot;

(14) "Secure storage" are those locations provided for the storage of all material connected with the absentee ballot process, including ballots, and shall be under the direct control of the county auditor; it shall be locked during those periods of time when the auditor's office is closed, and when the office is open, access shall be permitted only to the county auditor and to those persons authorized in writing by the county canvassing board;

(15) "Challenged ballot" is that ballot issued to any voter whose registration has been challenged pursuant to the provisions of chapter 29.10 RCW and this chapter;

(16) "Questioned ballot" is that ballot issued to a voter by precinct election officers pursuant to WAC 434-40-250 or whenever any doubt exists as to the voter's qualifications to vote in an election and no challenge

has been made by either a registered voter or the precinct election officer.

(17) "County auditor" shall be as defined by RCW 29.01.043, and with respect to the processing of absentee ballots and applications, the term includes any employee of the county auditor who is directed in writing to perform those duties on behalf of the county auditor.

AMENDATORY SECTION (Amending Order 88-1, filed 1/12/88)

WAC 434-40-050 ONGOING ABSENTEE BALLOT APPLICATION. Each county auditor shall provide an application form for an ongoing absentee ballot. This form may be produced in any format deemed suitable to each county but must be produced in a manner that is readable by vision-impaired and elderly voters. The form should be printed in over-sized type and may be in distinctive colors. The form shall include, as a minimum, the following information:

(1) A place to indicate that the voter is eligible for an ongoing absentee ballot because he or she is either disabled or over the age of sixty-five or is a certified participant in the address confidentiality program authorized by chapter 23, Laws of 1991;

(2) A definition of disabled voter consistent with the definition appearing in WAC 434-40-010;

(3) Space to provide the voter's printed name, the address at which the voter is registered to vote, including city and zip code;

(4) A space for the voter to sign his or her name, provide a telephone number, and, if the voter is claiming status because of age, the date of birth;

(5) A summary of the reasons for termination of status as an ongoing absentee voter;

Signatures on applications for ongoing absent ballots shall be verified in the same manner as signatures on applications for regular absentee ballots. Ongoing absentee ballots shall be mailed to the address specified by the applicant on the application form.

AMENDATORY SECTION (Amending Order 88-1, filed 1/12/88)

WAC 434-40-060 TERMINATION OF ONGOING ABSENTEE VOTER STATUS. Status as an ongoing absentee voter shall be terminated upon the occurrence of any of the following:

(1) The cancellation of the voter's registration record;

(2) The written request of the voter;

(3) The death or disqualification of the voter;

(4) The return of an ongoing absentee ballot as undeliverable;

(5) January 1st of each odd-numbered year, provided at least one general election has been held since the voter acquired status as an ongoing absentee voter;

A service voter, as defined in RCW 29.01.155, who is a certified participant in the address confidentiality program authorized by chapter 23, Laws of 1991, shall maintain ongoing absentee voter status throughout the term of their program participation;

All persons terminated from the status of ongoing absentee voter who do not automatically renew their status

pursuant to the provisions of WAC 434-40-080 shall have their original application form retained by the auditor for a period of one year after the date of termination.

AMENDATORY SECTION (Amending Order 88-1, filed 1/12/88)

WAC 434-40-070 NOTICE OF TERMINATION AS ONGOING ABSENTEE VOTER. Whenever any voter's status as an ongoing absentee voter is terminated due to the provisions of WAC 434-40-060(5), the county auditor shall notify that voter, by mail, of the termination of his or her status as an ongoing absentee voter and the reason for that termination. This notice shall be mailed to affected voters as soon as practical following January 1st of each odd-numbered year.

Whenever the program authorization term has expired for a service voter, as defined in RCW 29.01.155, who was formerly a certified participant in the address confidentiality program authorized by chapter 23, Laws of 1991, the county auditor shall notify the secretary of state of the expiration and the secretary of state shall provide a status report on this program participant to the county auditor.

AMENDATORY SECTION (Amending Order 88-1, filed 1/12/88)

WAC 434-40-080 RENEWAL OF STATUS AS ONGOING ABSENTEE VOTER. Included with the notice of termination as required by WAC 434-40-070 shall be a postage prepaid return form enabling the terminated ongoing absentee voter to renew his or her status as an ongoing absentee voter. Upon receipt and verification of the signature on the renewal form, the voter shall be considered as being restored to status as an ongoing absentee voter.

Upon notification by the county auditor to the secretary of state of the authorization expiration of an address confidentiality program participant, as provided by chapter 23, Laws of 1991, the secretary of state shall notify in writing the program participant that:

- (1) Their ongoing absentee voter status has terminated; and
- (2) Renewal of their ongoing absentee voter status is necessary.

AMENDATORY SECTION (Amending Order 88-1, filed 1/12/88)

WAC 434-40-180 SERVICE AND OVERSEAS VOTERS—MATERIAL AND POSTAGE. The secretary of state shall furnish all envelopes and instructions for service voters except those who are certified participants in the address confidentiality program authorized by chapter 23, Laws of 1991, overseas voters, and those out-of-state voters who are spouses or dependents of service voters. All absentee ballots to voters in these categories will be sent postage-free, pursuant to the provisions of federal law, and the return envelopes will be so marked as to indicate that they may be returned free of postage.

WSR 91-14-081
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3194—Filed July 1, 1991, 9:39 a.m.]

Date of Adoption: July 1, 1991.

Purpose: The Mickey Leland Memorial Domestic Hunger Relief Act, Public Law 101-624, and interim regulations issued by United States Department of Agriculture, Food and Nutrition Service require the department to amend the Washington Administrative Code to reduce citizenship or alien declaration requirements for households applying for food stamps.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-030 Filing an application.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to notice filed as WSR 91-11-109 on May 22, 1991.

Effective Date of Rule: Thirty-one days after filing.

July 1, 1991

Dewey Brock
 for Rosemary Carr
 Acting Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2770, filed 3/2/89)

WAC 388-49-030 FILING AN APPLICATION.

(1) The department shall:

- (a) Make application forms readily available((:)); and
- (b) Provide an application to any person requesting one.

(2) A person shall file an application by submitting the form to the CSO:

- (a) In person((:));
- (b) By mail((:)); or
- (c) Through an authorized representative.

(3) A household consisting of SSI members may file an application at the Social Security Administration district office (SSADO).

(4) A person has a right to file an application on the same day he or she contacts the department.

(5) The department shall accept an incomplete application filed by a responsible household member or authorized representative who:

- (a) Completes the name and address((:)); and
- (b) Signs the application.

(6) The department shall require one of the following persons to sign the application attesting to ~~((their))~~ citizenship or alien status for all household members:

- (a) ~~((Each))~~ An adult household member; or
- (b) ~~((An adult household member for household members under eighteen years of age; and~~
- (c) ~~((The applicant, in the absence of an adult household member((; for all household members under eighteen years of age)).~~

WSR 91-14-082
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3195—Filed July 1, 1991, 9:40 a.m.]

Date of Adoption: July 1, 1991.

Purpose: Public Law 99-570 and regulations issued by Department of Agriculture Food and Nutrition Service require the department to establish effective timelines for receipt and approval of a food stamp application submitted by a resident of an institution through the Social Security Administration District Office prior to that resident's release.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-040 and 388-49-120.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to notice filed as WSR 91-11-110 on May 22, 1991.

Effective Date of Rule: Thirty-one days after filing.

July 1, 1991

Dewey Brock

for Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

WAC 388-49-040 SUPPLEMENTAL SECURITY INCOME (SSI) HOUSEHOLDS. (1) The department shall complete certification of food stamp applications processed by the Social Security Administration district office (SSADO) no later than thirty days after the date ~~((a food stamp application is filed))~~:

(a) A household consisting solely of persons eligible for or applying for SSI files an application at the SSADO; or

(b) An applicant is released from a public institution when the person filed an application before release.

(2) The department shall begin the expedited service time frame on the date the:

(a) Correct community services office (CSO) receives the application of a noninstitutionalized SSI household; or

(b) Applicant is released from a public institution.

(3) The department shall complete recertification when a SSI/food stamp household files a timely request ((has been made)) through the SSADO.

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

WAC 388-49-120 APPLICATION DISPOSITION. (1) The department shall provide a household ~~((with))~~ which completes the initial application process an opportunity to participate no later than thirty days following the date the application was filed.

(2) The department shall consider the date the application is filed as the date the:

(a) Application is received in the correct community services office (CSO) except for conditions described under subsection (2)(b) and (c) of this section; or

(b) Application is received in the Social Security Administration District Office (SSADO) from a noninstitutionalized household consisting solely of persons applying, or eligible, for Supplemental Security Income (SSI); or

(c) Applicant is released from a public institution when the person applied for SSI and food stamps through the SSADO before release.

(3) The department shall send a written approval or denial notice ((of approval, denial, or pending status)) to all applicants as soon as a determination of eligibility and benefit level is made((,-but not)) based on documentary evidence provided by the applicant. Such written notice shall be issued no later than thirty days after the date ((of)) the application is filed. ((The thirty-day period ends))

(4) The department shall send a written denial notice on the thirtieth day after the date the application is filed when documentary evidence is not provided to make an eligibility determination.

(5) The department shall send the denial notice on the last working day ((prior to)) before the thirtieth day when the thirtieth day falls on a weekend or a holiday.

~~((3))~~ (6) The department shall delay the written notice until the thirtieth day when the household has been denied food stamps with an eligibility decision pending for AFDC or SSI.

~~((4))~~ (7) The household may voluntarily withdraw the application any time ((prior to)) before the eligibility determination ((of eligibility)).

WSR 91-14-083

EMERGENCY RULES

DEPARTMENT OF

NATURAL RESOURCES

[Order 578—Filed July 1, 1991, 10:21 a.m.]

Date of Adoption: July 1, 1991.

Purpose: Tighten outdoor burning restrictions to reduce and/or prevent the threat of escaped burns causing wildfires.

Citation of Existing Rules Affected by this Order: Repealing WAC 332-24-225; and amending WAC 332-24-201 and 332-24-211.

Statutory Authority for Adoption: RCW 76.04.205.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Debris burning has been the leading cause of wildfires in the state for the last 5 year period. They cause roughly one-third of all wildfires. By requiring more burns to have permits, fires caused by debris burns should be reduced.

Effective Date of Rule: Immediately.

July 1, 1991
 Brian J. Boyle
 Commissioner of Public Lands

NEW SECTION

WAC 332-26-082 OUTDOOR BURNING RESTRICTIONS. *Effective Monday, July 1, 1991 through midnight Tuesday, October 15, 1991, outdoor fires on department protected lands that require written burning permits will be based on size of pile and the county within which the fire is located. The following table indicates the counties that require a burning permit for all outdoor debris fires, and the maximum pile size allowed without a written burning permit in other counties.*

| <i>Burning Permit Required For All Fires</i> | <i>Four Foot Piles</i> | <i>Ten Foot Piles</i> |
|--|------------------------|-----------------------|
| <i>Asotin</i> | <i>Clark</i> | <i>Clallam</i> |
| <i>Chelan</i> | <i>Cowlitz</i> | <i>Jefferson</i> |
| <i>Columbia</i> | <i>Grays Harbor</i> | |
| <i>Ferry</i> | <i>Island</i> | |
| <i>Garfield</i> | <i>King</i> | |
| <i>Kittitas</i> | <i>Kitsap</i> | |
| <i>Klickitat</i> | <i>Lewis</i> | |
| <i>Lincoln</i> | <i>Mason</i> | |
| <i>Okanogan</i> | <i>Pacific</i> | |
| <i>Pend Oreille</i> | <i>Pierce</i> | |
| <i>Spokane</i> | <i>San Juan</i> | |
| <i>Stevens</i> | <i>Skagit</i> | |
| <i>Walla Walla</i> | <i>Skamania</i> | |
| <i>Yakima</i> | <i>Snohomish</i> | |
| | <i>Thurston</i> | |
| | <i>Wahkiakum</i> | |
| | <i>Whatcom</i> | |

Recreation fires as defined in WAC 332-24-211(4) will not require a permit on department protected lands. All other requirements listed in WAC 332-24-211 are still applicable.

NEW SECTION

WAC 332-26-083 BURNING BARREL RESTRICTIONS. *Effective Monday, July 1, 1991 through midnight Tuesday, October 15, 1991, fires in burning barrels must meet the same requirements defined in 332-24-211 and 332-26-083 as other outdoor fires.*

**WSR 91-14-084
 PERMANENT RULES
 HEALTH CARE AUTHORITY
 (State Employees Benefits Board)**

[Filed July 1, 1991, 10:44 a.m., effective July 1, 1991]

Date of Adoption: July 1, 1991.

Purpose: WAC 182-12-115, lower maximum age limit for dependent child coverage on SEBB plan, review dependent parent eligibility and eliminate state health insurance coverage for spouses eligible for coverage in K-11 system; and WAC 182-12-130, Medicare retirees

must elect parts A and B to be eligible for SEBB plan coverage.

Citation of Existing Rules Affected by this Order: Amending WAC 182-12-115 and 182-12-130.

Statutory Authority for Adoption: Chapter 41.05 RCW.

Pursuant to notice filed as WSR 91-11-095 and 91-11-096 on May 21, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 182-12-115 (8)(a) changes allow spouses to be covered as a dependent on a SEBB plan if they work less than 20 hours a week; and subsection (8)(e) changes clarify that dependent parents currently covered can continue their coverage on a self-pay basis.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Effective date is necessary because of imminent peril to the public health[,] safety, or general welfare of the public. RCW 34.05.380(3).

Effective Date of Rule: July 1, 1991.

July 1, 1991
 Kristen A. West
 Rules Coordinator

AMENDATORY SECTION (Amending WSR 90-12-037, filed 5/31/90, effective 7/1/90)

WAC 182-12-115 ELIGIBLE EMPLOYEES, RETIREES, AND DEPENDENTS. The following definitions of eligible employees, retirees, and dependents of an eligible entity, as defined in WAC 182-12-111, shall apply for all SEBB approved plans except as otherwise stated in this chapter:

(1) "Permanent employees." Those who are scheduled to work at least half-time per month and are expected to be employed for more than six months. Such employees shall be eligible effective with their first day of employment.

(2) "Nonpermanent employees." Those who are scheduled to work at least half-time and are expected to be employed for no more than six months. Such employees shall be eligible effective the first day of the seventh calendar month of employment.

(3) "Seasonal employees." Those who work at least half-time per month during a designated season for a minimum of three months but less than nine months per year and who have an understanding of continued employment with their agency season after season. These employees become eligible on the first day of such employment, however, they are not eligible for the employer contribution during the break between seasons of employment.

(4) "Part-time faculty." Faculty who are employed on a quarter/semester to quarter/semester basis become eligible beginning with the second consecutive quarter/semester of half-time or more employment at one or more state institutions of higher education, provided that:

(a) For determining eligibility, spring and fall may be considered consecutive quarters/semesters; and

(b) "Half-time or more employment" will be determined based on each institution's definition of "full-time"; and

(c) At the beginning of each quarter/semester, the employers of part-time faculty shall notify, in writing, all current and newly hired part-time faculty of their potential right to benefits under this section. The employee shall have the responsibility, each quarter, to notify the employers, in writing, of the employee's multiple employment. In no case will there be a requirement for retroactive coverage or employer contribution if a part-time faculty member fails to inform all of his/her employing institutions about employment at all institutions within the current quarter; and

(d) Where concurrent employment at more than one state higher education institution is used to determine total part-time faculty employment of half-time or more, the employing institutions will arrange to prorate the cost of the employer insurance contribution based on the employment at each institution. However, if the part-time faculty member would be eligible by virtue of employment at one institution, that institution will pay the entire cost of the employer contribution regardless of other higher education employment. In cases where the cost of the contribution is prorated between institutions, one institution will forward the entire contribution monthly to SEBB; and

(e) Once enrolled, if a part-time faculty member does not work at least a total of half-time in one or more state institutions of higher education, eligibility for the employer contribution ceases.

(5) "Appointed and elected officials." Legislators are eligible on the date their term begins. All other elected and full-time appointed officials of the legislative and executive branches of state government are eligible on the date their term begins or they take the oath of office, whichever occurs first.

(6) "Judges." Justices of the supreme court and judges of the court of appeals and the superior courts become eligible on the date they take the oath of office.

(7) "Retirees and disabled employees." Eligible employees who terminate state service after becoming vested in a Washington state sponsored retirement system are eligible for retiree medical, dental and life coverages provided the person:

(a) Immediately begins receiving a monthly retirement income benefit from such retirement system; or

(b) If not retiring under the public employees retirement system (PERS), would have been eligible for a monthly retirement income benefit because of age and years of service had the person been employed under the provisions of PERS I or PERS II for the same period of employment; or

(c) Must take a lump sum benefit because their monthly benefit would have been under fifty dollars.

Employees who are permanently and totally disabled and eligible for a deferred monthly retirement income benefit are likewise eligible, provided they apply for retiree coverage before their SEBB active employee coverage ends. Persons retiring who do not have waiver of premium coverage from any SEBB life insurance plan are eligible for retiree life insurance, subject to the same qualifications as for retiree medical coverage. Retirees and disabled employees are not eligible for an employer

premium contribution. The Federal Civil Service Retirement System shall be considered a Washington state sponsored retirement system for Washington State University cooperative extension service employees who hold a federal civil service appointment and who are covered under the SEBB program at the time of retirement or disability.

(8) "Eligible dependents." The following are eligible as dependents under the medical and dental plans:

(a) Lawful spouse except that as of November 1, 1991, a lawful spouse who works twenty hours or more a week and who is eligible for coverage as a subscriber on a plan or plans offered by a K-12 school district and who has waived that coverage is not eligible for employer-paid coverage as a dependent on a SEBB plan.

(b) Dependent children through age ~~((twenty))~~ nineteen. As used in this section, "children" includes natural children, stepchildren, legally adopted children, and married children who qualify as dependents of the employee/retiree under the Internal Revenue Code or as specified in a court order or divorce decree, and foster children approved by the health care authority. To qualify for HCA approval, a foster child must:

(i) Be living with the subscriber in a parent-child relationship;

(ii) Be dependent upon the subscriber for financial support;

(iii) Not be eligible for coverage under Medicare, Medicaid, or similar government entitlement programs; and

(iv) Not be a foster child for whom support payments are made to the subscriber through the state department of social and health services (DSHS) foster care program.

(c) Dependent children age ~~((twenty-one))~~ twenty through age ~~((twenty-four))~~ twenty-three who are dependent upon the employee/retiree for maintenance and support, and who are registered students in full-time attendance at an accredited secondary school, college, university, vocational school, or school of nursing. Dependent student eligibility continues year-round for those who attend three of the four school quarters and for the quarter following graduation provided the employee/retiree is covered at the same time ~~((, provided that))~~; the dependent limiting age has not been exceeded; and the dependent meets all other eligibility requirements.

(d) Dependent children of any age who are incapable of self-support due to developmental disability or physical handicap, provided such condition occurs prior to age ~~((twenty-one))~~ twenty or during the time the dependent was covered under an SEBB plan as a full-time student. Proof of such disability and dependency must be furnished prior to the dependent's attainment of age ~~((twenty-one))~~ twenty or loss of eligibility for student coverage, and as periodically requested thereafter.

(e) "Dependent parents." Parents of the employee/retiree or their spouse who qualify as dependents under the Internal Revenue Code and who were covered as dependents under SEBB medical/dental plans prior to July 1, 1990, ~~((provided that the employee/retiree is covered at the same time))~~ may continue SEBB coverage on a self-pay basis.

(9) Notwithstanding any of the foregoing, employees who are not mandatorily, by election, or otherwise covered by industrial insurance under Title 51 RCW shall not be considered "eligible employees" within the meaning of this section.

AMENDATORY SECTION (Amending Order 2-80, filed 4/10/80)

WAC 182-12-130 RETIREES ELIGIBLE FOR MEDICARE. (~~(A retiree or retiree's eligible dependent who becomes covered under both Parts A and B of Medicare may enroll in the SEIB Medicare supplement at the appropriate Medicare supplement subscription rate. All other retirees and dependents must pay the full subscription rate for coverage applicable to persons not eligible for Medicare to obtain retiree medical coverage.)~~) After July 1, 1991, new retirees or covered dependents of a retiree who are eligible for Medicare must elect Medicare Parts A and B to be eligible for SEBB plan coverage.

WSR 91-14-085
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF
COMMUNITY DEVELOPMENT
[Filed July 1, 1991, 2:22 p.m.]

The Department of Community Development hereby withdraws proposed WAC 212-80-125 filed with the Code Reviser's Office on April 30, 1991, WSR 91-10-083.

Chuck Clarke

WSR 91-14-086
PERMANENT RULES
DEPARTMENT OF
COMMUNITY DEVELOPMENT
[Order 91-06—Filed July 1, 1991, 2:26 p.m.]

Date of Adoption: July 1, 1991.

Purpose: To adopt rules for the licensing of fire protection sprinkler system contractors and certificate of competency holders as defined in chapter 18.160 RCW.

Statutory Authority for Adoption: Chapters 43.63A and 18.160 RCW.

Pursuant to notice filed as WSR 91-10-083 on April 30, 1991.

Changes Other than Editing from Proposed to Adopted Version: Proposed WAC 212-80-125 has been eliminated from this filing to allow the department to incorporate recently enacted legislation. All other sections remain the same.

Effective Date of Rule: Thirty-one days after filing.

July 1, 1991
Chuck Clarke
Director

Chapter 212-80 WAC
FIRE SPRINKLER SYSTEM CONTRACTORS

NEW SECTION

WAC 212-80-001 PURPOSE. The purpose of this regulation is to adopt rules for the licensing of fire protection sprinkler system contractors and for the issuance of certificates of competency as defined in chapter 18.160 RCW.

NEW SECTION

WAC 212-80-005 APPLICABILITY. This regulation applies to fire protection sprinkler contractors and certificate of competency holders as defined in chapter 18.160 RCW.

NEW SECTION

WAC 212-80-010 DEFINITIONS. The following definitions shall apply to this regulation:

(1) "Authority having jurisdiction (AHJ)" means the organization, office, or individual responsible for approving layout drawings, equipment, an installation or a procedure. Usually the AHJ is the building and/or fire official of the city or county in which the job site is located. In certain cases, such as health care facilities, transient accommodations and day care facilities, the AHJ is the city or county building and/or fire official and the director of fire protection.

(2) "Director of fire protection" means the state fire marshal or his/her authorized representative.

(3) "NFPA" means the National Fire Protection Association.

(4) "NFPA 13D" means, in addition to the definition contained in chapter 18.160 RCW, the inclusion of minor accessory uses such as garages normally found in residential occupancies.

(5) "NICET" means the National Institute for Certification in Engineering Technologies.

(6) "State fire marshal" means the director of fire protection or his/her authorized representative.

(7) "State Level I certification" means a certificate of competency holder who is qualified to prepare layout drawings, install, inspect, maintain, or service an NFPA 13D fire protection sprinkler system or any part of such a system.

(8) "State Level II certification" means a certificate of competency holder who is qualified to prepare layout drawings, install, inspect, maintain, or service an NFPA 13D and/or NFPA 13R fire protection sprinkler system or any part of such a system.

(9) "State Level III certification" means a certificate of competency holder who is qualified to prepare layout drawings, install, inspect, maintain, or service an NFPA 13D, NFPA 13R, NFPA 13, or all other systems per the definition of fire protection sprinkler system in chapter 18.160 RCW.

NEW SECTION

WAC 212-80-015 COMPLIANCE. All fire sprinkler system contractors, certificate of competency holders, and persons installing, inspecting, maintaining, or servicing fire protection sprinkler systems or any part of such a system shall comply with the provisions of this regulation.

EXCEPTIONS:

(1) Federal, state, and local government employees, or insurance inspectors when acting in their official capacities.

(2) A person or organization acting under court order.

(3) A person or organization that sells or supplies products or materials to a licensed fire protection sprinkler system contractor.

(4) A registered professional fire protection engineer acting solely in a professional capacity.

(5) An employee of a licensed fire protection sprinkler system contractor performing duties for the contractor.

(6) An owner/occupier of a single-family residence performing his or her own installation in that residence. It is the intent of this subsection that builders or contractors will not install their own sprinkler systems in single-family residences under their ownership for which they plan to sell, lease, or rent.

NEW SECTION

WAC 212-80-020 RIGHT OF APPEAL. Any person who is aggrieved by the director of fire protection suspending or revoking the privilege of a licensed fire protection sprinkler system contractor or the certificate of a certificate of competency holder to engage in fire protection sprinkler system business, may appeal to the director within thirty days of the date of the order.

NEW SECTION

WAC 212-80-025 AUTHORITY HAVING JURISDICTION. (1) Fire protection sprinkler systems shall meet the approval of the authority having jurisdiction. This includes plans, specifications, calculations, contractor's materials and test certificates, and final approval.

(2) In certain types of occupancies the authority having jurisdiction may be the director of fire protection and the building and/or fire official of the city or county in which the installation is located. Generally these dual responsibilities occur in health care facilities, transient accommodations, and day care facilities.

(3) It is the responsibility of the certificate of competency holder to ascertain which agency or agencies have jurisdiction. If there is a question, the certificate of competency holder should contact the director of fire protection.

NEW SECTION

WAC 212-80-030 QUALIFICATIONS FOR PREPARATION OF LAYOUT DRAWINGS, INSTALLATIONS, INSPECTIONS, MAINTENANCE, OR SERVICING. (1) Only licensed fire protection sprinkler system contractors shall execute contracts for

layout drawings, installation, inspection, maintenance, or servicing of fire protection sprinkler systems or any part of such a system in the state of Washington.

EXCEPTIONS:

(a) Other persons may prepare layout drawings, install, inspect, maintain, or service fire protection sprinkler systems or any part of such a system to the level which they are certified, provided such work is encompassed by a licensed fire protection sprinkler contractor's permit.

(b) Those organizations and persons specifically exempted by chapter 18.160 RCW.

(c) Individuals or organizations may conduct subcontract work for licensed fire protection sprinkler system contractors, such as installations, preparation of layout drawings, underground or pump installations, provided sprinkler system plans, calculations, and contractor's materials and test certificates submitted to the authority having jurisdiction shall be stamped (sealed) pursuant to WAC 212-80-035.

(2) Only licensed fire protection sprinkler contractors who have achieved at least State Level I licensure shall prepare layout drawings, install, inspect, maintain, or service NFPA 13D fire protection sprinkler systems or any part of such a system in the state of Washington.

EXCEPTIONS:

(a) Other persons may prepare layout drawings, install, inspect, maintain, or service NFPA 13D fire protection sprinkler systems or any part of such a system provided their work is supervised by a level I certificate of competency holder and all approvals, seals, and contractor's material and test certificate certifications are signed and sealed by level I certificate of competency holder(s).

(b) Those organizations and persons specifically exempted by chapter 18.160 RCW.

(c) Individuals or organizations may conduct subcontract work for licensed fire protection sprinkler system contractors, such as installations, preparation of layout drawings, underground or pump installations, provided sprinkler system plans, calculations, and contractor's materials and test certificates submitted to the authority having jurisdiction shall be stamped (sealed) pursuant to WAC 212-80-035.

(3) Only licensed fire protection sprinkler contractors who have achieved at least State Level II licensure shall prepare layout drawings, install, inspect, maintain, or service NFPA 13D or NFPA 13R fire protection sprinkler systems or any part of such a system in the state of Washington.

EXCEPTIONS:

(a) Other persons may prepare layout drawings, install, inspect, maintain, or service NFPA 13D or NFPA 13R fire protection sprinkler systems for any part of such a system provided their work is supervised by a level II certificate of competency holder and all approvals, seals, and contractor's material and test certificate certifications are signed and sealed by level II certificate of competency holder(s).

(b) Those organizations and persons specifically exempted by chapter 18.160 RCW.

(c) Individuals or organizations may conduct subcontract work for licensed fire protection sprinkler system contractors, such as installations, preparation of layout drawings, underground or pump installations, provided sprinkler system plans, calculations, and contractor's materials and test certificates submitted to the authority having jurisdiction shall be stamped (sealed) pursuant to WAC 212-80-035.

(4) Only licensed fire protection sprinkler contractors who have achieved at least State Level III licensure shall prepare layout drawings, install, inspect, maintain, or service NFPA 13D, NFPA 13R, NFPA 13, and all other systems per the definition of fire protection sprinkler system in chapter 18.160 RCW or any part of such a system in the state of Washington.

EXCEPTIONS:

(a) Other persons may prepare layout drawings, install, inspect, maintain, or service NFPA 13D, NFPA 13R, NFPA 13, and all other systems per the definition of fire protection sprinkler system in chapter 18.160 RCW or any part of such a system provided their work is supervised by a level III certificate of competency holder and all approvals, seals, and contractor's material and test certificate certifications are signed and sealed by level III certificate of competency holder(s).

(b) Those organizations and persons specifically exempted by chapter 18.160 RCW.

(c) Individuals or organizations may conduct subcontract work for licensed fire protection sprinkler system contractors, such as installations, preparation of layout drawings, underground or pump installations, provided sprinkler system plans, calculations, and contractor's materials and test certificates submitted to the authority having jurisdiction shall be stamped (sealed) pursuant to WAC 212-80-035.

(5) Only those certificate of competency holders who have achieved at least State Level I certification shall supervise and/or certify the preparation of layout drawings, installation, inspection, maintenance, or servicing of NFPA 13D fire protection sprinkler systems or any part thereof. To achieve State Level I certification, persons shall hold a current NICET Level 2 classification or satisfactorily complete an examination administered by the director of fire protection.

(6) Only those certificate of competency holders who have achieved at least State Level II certification shall supervise and/or certify the preparation of layout drawings, installation, inspection, maintenance, or servicing of NFPA 13D and NFPA 13R fire protection sprinkler systems or any part thereof. To achieve State Level II certification, persons shall hold a current NICET Level 2 classification or satisfactorily complete an examination administered by the director of fire protection.

(7) Only those certificate of competency holders who have achieved at least State Level III certification shall supervise and/or certify the preparation of layout drawings, installation, inspection, maintenance, or servicing NFPA 13D, NFPA 13R, NFPA 13, and all other systems per the definition of fire protection sprinkler system in chapter 18.160 RCW or any part thereof. To achieve State Level III certification, persons shall hold a current

NICET Level 3 or 4 or satisfactorily complete an examination administered by the director of fire protection.

NEW SECTION

WAC 212-80-035 SEALS FOR NFPA 13D, 13R, AND 13 SYSTEMS. (1) Sprinkler system plans, calculations, and contractors' materials and test certificates submitted to the authority having jurisdiction shall be stamped (sealed) pursuant to subsection (3) of this section.

(2) At least one set of approved plans, containing information as specified in subsection (3) of this section, and calculations shall be maintained on the job site while the work is being performed.

(3) Seals shall contain the name and certificate number of the certificate of competency holder, a place for the signature of the certificate of competency holder and the date of the signature. On all plans the seal shall be easily recognizable and visible. The seal shall be of the design provided by the director of fire protection.

NEW SECTION

WAC 212-80-040 CONTRACTOR'S MATERIALS AND TEST CERTIFICATES. (1) The certificate of competency holder shall complete the contractor's material and test certificate(s) and forward the certificate(s) to the authority having jurisdiction.

(2) Contractor's material and test certificate forms shall be of such form as accepted or approved by the director of fire protection.

(3) The authority having jurisdiction may require a flow test of heads as part of the approval of NFPA 13R and NFPA 13D fire protection sprinkler systems.

(4) The authority having jurisdiction and the building owner shall retain copies of the contractor's materials and test certificate for a minimum of five years.

NEW SECTION

WAC 212-80-045 CERTIFICATE OF COMPETENCY TESTING. To become a certificate of competency holder under this regulation, an applicant must:

(1) Have satisfactorily passed an examination administered by the director of fire protection; or

(2) Be a registered professional fire protection engineer acting solely in a professional capacity. Such engineer shall comply with all other requirements of this regulation including payment of fees, completion of the application process, and supplying the director of fire protection with proof that the applicant holds a current, valid state of Washington registration as a professional fire protection engineer. Upon completion of the above requirements, the engineer will be granted an equivalency certificate to that of State Level III; or

(3) By presenting a copy of a current certificate from the National Institute for Certification in Engineering Technologies showing that the applicant has achieved the classification of Engineering Technician, Level 3 or Senior Engineering Technician, Level 4 in the field of fire protection automatic sprinkler system layout; or

(4) Provided the application for the certificate of competency is made prior to ninety days after May 1,

1991, the director of fire protection, in lieu of the examination requirements of the applicant for a certificate of competency, may accept as satisfactory evidence of competency and qualification, affidavits attesting that the applicant has had a minimum of three years' experience. In addition to the affidavits and application form, the applicant shall provide the following information:

- (a) Copies of approved plans and calculations, if applicable, for systems installed in the last three years.
 - (b) Evidence of installation of sprinkler systems.
 - (c) Evidence of acceptance of the systems by the authority having jurisdiction.
 - (d) References from an authority having jurisdiction.
 - (e) The number of fire protection sprinkler system installations completed within the last three years.
 - (f) Other information as directed and accepted by the director of fire protection.
- (5) The director of fire protection may accept equivalent proof of qualification in lieu of examination, as recommended by the fire sprinkler advisory board.
- (6) Examination requirements are mandatory except as otherwise provided in this regulation.
- (7) Every applicant for a certificate of competency shall fulfill the requirements established by the director of fire protection under chapter 18.160 RCW.

NEW SECTION

WAC 212-80-050 APPLICATIONS/FEEES FOR CERTIFICATE OF COMPETENCY. Every applicant for a certificate of competency shall apply to the director of fire protection on application forms provided and pay the fees required.

NEW SECTION

WAC 212-80-055 TEMPORARY CERTIFICATE OF COMPETENCY. (1) The director of fire protection may issue a temporary certificate of competency to an applicant who, in his or her judgment, will satisfactorily perform as a certificate of competency holder under the provisions of this regulation.

(2) The temporary certificate of competency shall remain in effect for a period of one year and may be renewed two times.

(3) In no case shall a person hold a temporary certificate of competency for more than three years.

(4) To convert from a temporary certificate of competency to a regular certificate of competency, a person shall:

(a) Within three years from the initial issuance of the temporary certificate of competency, apply for a regular certificate of competency; and

(b) Complete the requirements specified in this regulation and chapter 18.160 RCW.

(5) An individual having a temporary certificate of competency shall not be exempt from taking an examination to acquire a regular certificate of competency.

(6) Prior to the expiration of the temporary certificate of competency at the end of the three-year period, the temporary certificate of competency holder shall make application for a regular certificate of competency. Upon

expiration of the temporary certificate of competency at the end of the three-year period, if the holder has not met the requirements of subsection (4) of this section, the holder shall cease all activities associated with the holding of a temporary certificate of competency.

(7) The procedures and qualifications for issuance of a regular certificate of competency shall be applicable to the temporary certificate of competency holder.

NEW SECTION

WAC 212-80-060 CERTIFICATE OF COMPETENCY NOT TRANSFERABLE. A certificate of competency issued under this regulation is not transferable.

NEW SECTION

WAC 212-80-065 SUSPENSION OR REVOCATION OF CERTIFICATES. (1) The director of fire protection may refuse to issue or renew or may suspend or revoke the privilege of a certificate of competency holder or an applicant to engage in the fire protection sprinkler system business or may establish penalties as prescribed by Washington state law for any of the following reasons:

(a) Gross incompetency or gross negligence in the preparation of layout drawings, installation, repair, alteration, maintenance, inspection, service, or addition to fire protection sprinkler systems.

(b) Conviction of a felony.

(c) Fraudulent or dishonest practices while engaging in the fire protection sprinkler systems business.

(d) Use of false evidence or misrepresentation in an application for a certificate of competency.

(e) Permitting his or her certificate to be used in connection with the preparation of any layout drawings which have not been prepared by him or her personally, or under his or her supervision, or in violation of this regulation.

(2) The director of fire protection shall revoke the certificate of a certificate of competency holder who engages in the fire protection sprinkler system business while the certificate of competency is suspended.

NEW SECTION

WAC 212-80-070 CERTIFICATE OF COMPETENCY EMPLOYMENT. (1) In no case shall a certificate of competency holder be employed full time by more than one fire protection sprinkler system contractor at the same time.

(2) If the certificate of competency holder should leave the employment of the fire protection sprinkler system contractor, he or she shall notify the director of fire protection within thirty days of the last day of employment.

NEW SECTION

WAC 212-80-075 RENEWAL CERTIFICATES. (1) All certificate of competency holders who desire to maintain a current certificate shall, prior to January 1 of

each year, apply for renewal to the director of fire protection on the appropriate form along with the required fee as prescribed by the director of fire protection.

(2) Application for renewal forms shall be provided by the director of fire protection, upon request, and the certificate holder shall furnish the information required by the director.

(3) The director of fire protection may suspend the certificate of competency for failure to apply for a renewal certificate of competency within sixty days after the expiration date.

(4) The director of fire protection may, upon the receipt of payment of all delinquent fees and a late charge, restore a certificate of competency that had been suspended.

NEW SECTION

WAC 212-80-080 VOLUNTARY RELINQUISHMENT OF CERTIFICATES OF COMPETENCY. (1) A certificate of competency holder may voluntarily relinquish his or her certificate of competency to the director of fire protection.

(2) The relinquishment is effective when the certificate is received by the director of fire protection.

(3) After relinquishing the certificate of competency, he or she shall not be known as a certificate of competency holder and shall desist from the practice thereof.

(4) Within two years from the time of relinquishment of the certificate of competency, he or she may again qualify for a certificate of competency, with the approval of the director of fire protection, by the payment of the required fee.

(5) If two or more years have elapsed, he or she shall return to the status of a new applicant.

NEW SECTION

WAC 212-80-085 CERTIFICATE OF COMPETENCY PRORATED FEES. The initial certificate of competency fee shall be prorated based upon the portion of the year such certificate of competency is in effect, prior to renewal on January 1.

NEW SECTION

WAC 212-80-090 LICENSED FIRE PROTECTION SPRINKLER SYSTEM CONTRACTOR. To become a licensed fire protection sprinkler system contractor under this regulation, a person or firm must comply with the following:

(1) Must be or have in his or her full-time employ a holder of a valid certificate of competency consistent with the license level.

(2) Make application to the director of fire protection on forms provided and pay the fees required.

(3) Meet the bonding requirements of WAC 212-80-125.

NEW SECTION

WAC 212-80-095 LICENSE AND CERTIFICATE POSTING. Each license and certificate of competency issued under this regulation must be posted in a

conspicuous place in the fire protection sprinkler system contractor's place of business.

NEW SECTION

WAC 212-80-100 POSTING LICENSE NUMBER. All bids, advertisements, proposals, offers, and installation drawings for fire protection sprinkler systems must prominently display the fire protection sprinkler system contractor's license number.

NEW SECTION

WAC 212-80-105 LICENSE NOT TRANSFERABLE. A license issued under this regulation is not transferable.

NEW SECTION

WAC 212-80-110 CONTRACTOR RESPONSIBILITIES, CERTIFICATE OF COMPETENCY HOLDER EMPLOYMENT. (1) A fire protection sprinkler system contractor shall have at least one full time certificate of competency holder, consistent with the license level, employed to conduct business.

(2) If a certificate of competency holder should leave the employment of the fire protection sprinkler system contractor, and the contractor has no other certificate of competency holder on staff, the contractor shall have six months or until the expiration of the current license, whichever occurs last, to submit a new application. In order to be issued a new license, the contractor shall identify a new certificate of competency holder who, at the time of application, shall be either an owner or full-time employee of the fire protection sprinkler business.

(3) If such application is not received by the director of fire protection and a new license issued within the allotted time, the director of fire protection shall revoke the license of the fire protection sprinkler system contractor.

(4) The fire protection sprinkler system contractor may complete existing work in progress which has been approved by the authority having jurisdiction, but may not receive new approvals from the authority having jurisdiction without a certificate holder's number on the documents.

NEW SECTION

WAC 212-80-115 LICENSE RENEWALS. (1) All licensed fire protection sprinkler system contractors desiring to continue to be licensed shall secure from the director of fire protection prior to January 1 of each year a renewal license upon payment of the fee as prescribed by the director of fire protection.

(2) Application for renewal shall be upon a form prescribed by the director of fire protection, and the license holder shall furnish the information required by the director.

(3) Failure of any license holder to secure his or her renewal license within sixty days after the expiration date shall constitute sufficient cause for the director of fire protection services to suspend the license.

(4) The director of fire protection may restore a license that has been suspended. In addition to other provisions of this regulation, any of the following will constitute cause for the director of fire protection not to restore a license that has been suspended:

- (a) Nonreceipt of payment of all delinquent fees; and
- (b) Nonreceipt of a late charge and/or application fee.

NEW SECTION

WAC 212-80-120 PRORATED LICENSE FEES. The initial license fee shall be prorated based upon the portion of the year such license is in effect, prior to renewal on January 1.

NEW SECTION

WAC 212-80-130 MUNICIPALITY, COUNTY, OR STATE REGULATIONS. (1) Nothing in this regulation limits the power of a municipality, county, or state to regulate the quality and character of work performed by contractors through a system of permits, fees, and inspections which are designed to assure compliance with and aid in the implementation of state and local building laws or to enforce other local laws for the protection of the public health and safety.

(2) Nothing in this regulation limits the power of the municipality, county, or the state to adopt any system of permits requiring submission to and approval by the municipality, county, or the state of layout drawings and specifications for work to be performed by contractors before commencement of the work.

(3) The official authorized to issue building or other related permits shall ascertain that the fire protection sprinkler system contractor is duly licensed by requiring evidence of a valid fire protection sprinkler system contractor's license.

(4) This regulation applies to any fire protection sprinkler system contractor performing work for any municipality, county, or the state.

(5) Officials of any municipality, county, or the state are required to determine compliance with this regulation before awarding any contracts for the installation, repair, service, alteration, fabrication, addition, or inspection of a fire protection sprinkler system.

NEW SECTION

WAC 212-80-135 SUSPENSION OR REVOCATION OF LICENSES. (1) The director of fire protection may refuse to issue or renew or may suspend or revoke the privilege of a licensed fire protection sprinkler system contractor to engage in the fire protection sprinkler system business or may establish penalties as prescribed by Washington state law for any of the following reasons:

- (a) Gross incompetency or gross negligence in the preparation of layout drawings, installation, repair, alteration, maintenance, inspection, service, or addition to fire protection sprinkler systems.
- (b) Conviction of a felony.
- (c) Fraudulent or dishonest practices while engaging in the fire protection sprinkler systems business.

(d) Use of false evidence or misrepresentation in an application for a license.

(e) Permitting his or her license to be used in connection with the preparation of any layout drawings which have not been prepared by him or her personally, or under his or her supervision, or in violation of this regulation.

(f) Knowingly violating any provisions of this regulation or chapter 18.160 RCW.

(2) The director of fire protection shall revoke the license of a licensed fire protection sprinkler system contractor who engages in the fire protection sprinkler system business while the license is suspended.

WSR 91-14-087

PERMANENT RULES DEPARTMENT OF HEALTH (Board of Dental Examiners)

[Order 180B—Filed July 1, 1991, 3:19 p.m.]

Date of Adoption: June 19, 1991.

Purpose: To implement RCW 18.32.120 Examination—Fee; to amend WAC 246-818-050 Examination results.

Citation of Existing Rules Affected by this Order: Amending WAC 246-818-050.

Statutory Authority for Adoption: RCW 18.32.120.

Pursuant to notice filed as WSR 91-10-093 on May 1, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 19, 1991

Ernest E. Patricelli, DDS
Chairperson

AMENDATORY SECTION (Amending Order 101B, filed 12/6/90, effective 1/31/91)

WAC 246-818-050 EXAMINATION RESULTS.

(1) In order to pass the examination, the applicant must pass the theory section and the practical section of the examination.

(2) Failure on two or more phases of the practical section under WAC ((~~308-40-102~~)) 246-818-030 (1)(b) will require reexamination on the entire examination. An applicant who fails only one phase will be required to be reexamined only on the phase failed: **PROVIDED**, That if the applicant who has failed only one phase has not taken and passed the failed phase by the next examination administration offered, then the entire practical section must be retaken.

(3) Applicants who fail the examination, or a phase of the examination, as provided in subsection (2) of this section may apply for reexamination by completing an application and submitting the appropriate fee to the division of professional licensing.

(4) An applicant who fails to appear for examination at the designated time and place shall forfeit the examination fee, unless he or she has notified the department of ((~~licensing~~)) health at least thirty days prior to the scheduled examination of his or her inability to appear. If an applicant notifies the department thirty days or

more prior to the designated examination date that he or she will not be appearing, the examination fee will be carried over only to the next regularly scheduled examination. Examination fees are nonrefundable.

(5) Beginning with the September 1989 Washington state dental examination, any applicant who fails to make the required grade by their fourth examination, over any period of time, will be required to complete an independent study in the area of examination deficiencies as directed and approved by the board of dental examiners. This applicant will only be allowed to apply for reexamination upon proof of successful completion of their independent study.

WSR 91-14-088

PROPOSED RULES

DEPARTMENT OF HEALTH

(Board of Osteopathic Medicine and Surgery)

[Filed July 1, 1991, 3:20 p.m.]

Original Notice.

Title of Rule: WAC 246-853-040 Renewal of licenses, 246-853-100 Prohibited publicity and advertising, 246-853-130 General provisions for mandatory reporting rules, 246-853-180 Courts, 246-853-190 State and federal agencies, 246-853-210 License reinstatement after lapse of licensure for failure to renew, 246-853-230 AIDS education and training, 246-853-240 Application for registration, 246-854-020 Osteopathic physicians' assistants program approval, 246-854-030 Osteopathic physician's assistant prescriptions, 246-854-050 AIDS education and training, 246-854-060 Application for registration, 246-854-070 Registration renewal requirement, 246-854-100 Osteopathic physicians' assistants reregistration, 246-855-030 Acupuncture—Program approval, 246-855-100 AIDS education and training, 246-855-110 Application for registration, and 246-855-120 Reregistration renewal requirement.

Purpose: To change obsolete WAC references to the current 246 numbers for Department of Health and agency references and addresses to be applicable to the Department of Health. The following rules are being revised as approved by the board: WAC 246-853-210, includes penalty fee, modifies license reinstatement application process to obtain continuing education for previous three years prior to application, and provides for reexamination of the applicant; and WAC 246-854-030, deletes the need for osteopathic physician assistants to be registered with the Board of Pharmacy. It permits the physician assistant to use the physician's DEA number. This change is necessitated by a change in federal law.

Statutory Authority for Adoption: RCW 18.57.005.

Statute Being Implemented: Chapters 18.57 and 18.57A RCW.

Summary: To update references and rule citations to be consistent with the Department of Health. Revise reinstatement requirements and to make osteopathic physician assistant prescribing consistent with federal law.

Reasons Supporting Proposal: To provide consistency and be in compliance with federal law.

Name of Agency Personnel Responsible for Drafting: Arlene Robertson, 1300 Quince Street, Mailstop EY-23, Olympia, 586-8438; Implementation and Enforcement: Board of Osteopathic Medicine and Surgery, 1300 Quince Street, Mailstop EY-23, Olympia, 586-8438.

Name of Proponent: Board of Osteopathic Medicine and Surgery, governmental.

Rule is necessary because of federal law, 21 CFR Parts 1301 and 1304.

Explanation of Rule, its Purpose, and Anticipated Effects: To update references and rule citations to be consistent with the Department of Health. Revise reinstatement requirements and to make osteopathic physician assistant prescribing consistent with federal law.

Proposal Changes the Following Existing Rules: See Purpose above.

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

Hearing Location: Holiday Inn, 17338 Pacific Highway South, SeaTac, WA, on August 16, 1991, at 9:30 a.m.

Submit Written Comments to: Arlene Robertson, Department of Health, 1300 Quince Street, Mailstop EY-23, Olympia, WA 98504, by August 15, 1991.

Date of Intended Adoption: August 16, 1991.

June 26, 1991
Arlene Robertson
Program Manager

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-853-040 RENEWAL OF LICENSES. (1) Individuals receiving an initial osteopathic physician and surgeon license will be issued a license to expire on the applicant's next birth date.

(2) Licensees shall renew their license annually on or before their birth date. Failure to renew shall invalidate the license to practice osteopathic medicine and surgery. Any practice engaged in with an expired license shall be deemed to be unlicensed practice.

~~((3) On a one-time basis, effective January 1, 1989, all persons applying for license renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC 308-138-350.~~

~~Those persons who must renew during 1989 shall submit evidence of compliance with the education requirements of WAC 308-138-350 with their renewal application. Persons who are unable to verify compliance by their 1989 renewal date may, upon written application, be granted an extension to December 31, 1989.)~~

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-853-100 PROHIBITED PUBLICITY AND ADVERTISING. An osteopathic physician shall not use or allow to be used any form of public communications or advertising connected with his or her profession or in his or her professional capacity as an osteopathic physician which:

- (1) Is false, fraudulent, deceptive or misleading;
- (2) Uses testimonials;
- (3) Guarantees any treatment or result;
- (4) Makes claims of professional superiority;
- (5) States or includes prices for professional services except as provided for in WAC ~~((308-138-310))~~ 246-853-110;
- (6) Fails to identify the physician as an osteopathic physician as described in RCW 18.57.140;
- (7) Otherwise exceeds the limits of WAC ~~((308-138-310))~~ 246-853-110.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-853-130 GENERAL PROVISIONS FOR MANDATORY REPORTING RULES. (1) "Unprofessional conduct" shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" shall mean any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" shall mean any health care institution regulated under chapter 18.51 RCW.

(4) "Board" shall mean the Washington state board of osteopathic medicine and surgery, whose address is:

~~((Department of Licensing
Division of Professional Licensing
P.O. Box 9649))~~
Department of Health
Professional Licensing Services
1300 Quince St., MS: EY-23
Olympia, WA 98504

(5) "Physician" shall mean an osteopathic physician and surgeon licensed pursuant to chapter 18.57 RCW.

(6) "Physician's assistant" shall mean an osteopathic physician's assistant approved pursuant to chapter 18.57A RCW.

(7) "Mentally or physically impaired practitioner" shall mean an osteopathic physician and surgeon or osteopathic physician's assistant who has been determined by a court to be mentally incompetent or mentally ill or who is unable to practice medicine with reasonable skill and safety to patients by reason of any mental or physical condition.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-853-180 COURTS. The board requests the assistance of all clerks of trial courts within the state to report all medical malpractice judgments and all convictions of osteopathic physicians and physician's assistants, other than minor traffic violations.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-853-190 STATE AND FEDERAL AGENCIES. The board requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which ~~((a))~~ an osteopathic physician or physician's assistant is employed to provide patient care services, to report to the board whenever such ~~((a))~~ an osteopathic physician or physician's assistant has been judged to have demonstrated his/her incompetency or negligence in the practice of osteopathic medicine, or has otherwise committed unprofessional conduct; or is a mentally or physically disabled practitioner.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-853-210 LICENSE REINSTATEMENT AFTER LAPSE OF LICENSURE FOR FAILURE TO RENEW. (1) ~~((A))~~ An active license that has been expired for less than one year may be brought current by payment of the renewal and penalty fees and completion of the continuing education, if due.

(2) Any osteopathic physician and surgeon whose license has been expired for one year or more must pay the current fee for original application and apply for reinstatement on an application form provided by the board. The application will include an explanation for the license lapse and a chronology of their activities since first licensed. A statement outlining the continuing education acquired ~~((since the last report made or since January 1, 1980, if no previous report has been required;))~~ in the three years immediately preceding the request for reinstatement must be submitted for the board's review and approval.

(3) All applications for reinstatement will be reviewed by the board. The board may require reexamination or a physical and/or mental evaluation of an applicant to confirm fitness for practice.

~~((4)) If a licensee has been out of active practice for one year or more or has allowed their license to lapse for a period of three years or more, the board may also require that the applicant pass an examination to determine the applicant's fitness to practice osteopathy or osteopathic medicine and surgery;))~~

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-853-230 AIDS EDUCATION AND TRAINING. (1) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(2) "Office on AIDS" means that section within the department of ~~((social and))~~ health ~~((services))~~ or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(3) Acceptable education and training. The department will accept education and training that is consistent with the model curriculum available from the office on AIDS. Such education and training shall be a minimum of seven clock hours and shall include, but is not limited to, the following: Etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(4) Implementation. Effective January 1, 1989, the requirement for licensure application, renewal, or reinstatement of any license on lapsed, inactive, or disciplinary status shall include completion of AIDS education and training. All persons affected by this section shall show evidence of completion of an education and training program, which meets the requirements of subsection (3) of this section.

(5) Documentation. The license holder shall:

(a) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987, and before the renewal date or December 31, 1989, whichever date is earlier;

(b) Keep records for two years documenting attendance and description of the learning; and

(c) Be prepared to validate, through submission of these records, that learning has taken place.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-853-240 APPLICATION FOR REGISTRATION. Effective January 1, 1989, persons applying for licensure shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC ~~((308-138-350))~~ 246-853-230.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-854-020 OSTEOPATHIC PHYSICIANS' ASSISTANTS PROGRAM APPROVAL. (1) Program approval required. No osteopathic physician shall be entitled to register an osteopathic physician's assistant who has not successfully completed a program of training approved by the Board in accordance with these rules.

(2) Program approval procedures. In order for a program for training osteopathic physicians' assistants to be considered for approval by the board it must meet the minimal criteria for such programs established by the committee on allied health education and Accreditation Association of the American Medical Association as of 1985. The director of the program shall submit to the board a description of the course of training offered, including subjects taught and methods of teaching, entrance requirements, clinical experience provided, etc. The director shall also advise the board concerning the basic medical skills which are attained in such course, and the method by which the proficiency of the students in those skills was tested or ascertained. The board may require such additional information from program sponsors as it desires.

(3) Approved programs. The board shall approve programs in terms of skills attained by its graduates. A registry of approved programs shall be maintained by the board at ~~((the division of))~~ professional licensing services division in Olympia, Washington, which shall be available upon request to interested persons.

(4) Reapproval. Programs maintaining standards as defined in the "essentials" of the council of medical education of the American Medical Association will continue to be approved by the board without further review. Each approved program not maintaining the standards as defined in the "essentials" of the council of medical education of the American Medical Association will be reexamined at intervals, not to exceed three years. Approval will be continued or withdrawn following each reexamination.

(5) Additional skills. No osteopathic physician's assistant shall be registered to perform skills not contained in the program approved by

the board unless the osteopathic physician's assistant submits with his or her application a certificate by the program director or other acceptable evidence showing that he or she was trained in the additional skill for which authorization is requested, and the board is satisfied that the applicant has the additional skill and has been properly and adequately tested thereon.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-854-030 OSTEOPATHIC PHYSICIAN'S ASSISTANT PRESCRIPTIONS. An osteopathic physician's assistant may issue written or oral prescriptions as provided herein when approved by the board and assigned by the supervising physician.

(1) Except for schedule two controlled substances as listed under federal and state controlled substances acts, a physician's assistant may issue prescriptions for a patient who is under the care of the physician responsible for the supervision of the physician's assistant.

(a) Written prescriptions shall be written on the blank of the supervising physician and shall include the name, address and telephone number of the physician and physician assistant. The prescription shall also bear the name and address of the patient and the date on which the prescription was written.

(b) The physician's assistant shall sign such a prescription by signing his or her own name followed by the letters "P.A." and the physician assistant's registration number or physician assistant drug enforcement administration registration number or, if none, the supervising physician's drug enforcement administration registration number, followed by the initials "P.A." and the physician assistant's registration number issued by the board.

(c) Prescriptions for legend drugs and schedule three through five controlled substances must each be approved or signed by the supervising physician prior to administration, dispensing or release of the medication to the patient, except as provided in subsection (6) of this section.

(2) A physician's assistant extended privileges by a hospital, nursing home or other health care institution may, if permissible under the by-laws, rules and regulations of the institution, write medical orders, except those for schedule two controlled substances, for inpatients under the care of the physician responsible for his or her supervision.

~~(3) (To be authorized to issue prescriptions for schedule three through five controlled substances, a physician's assistant must be registered with the board of pharmacy and the drug enforcement administration.~~

~~(4))~~ The registration of a physician's assistant who issues a prescription in violation of these provisions shall be subject to revocation or suspension.

~~((5))~~ (4) Physician's assistants may not dispense prescription drugs to exceed treatment for forty-eight hours, except as provided in subsection ~~((7))~~ (6) of this section. The medication so dispensed must comply with the state law prescription labeling requirements.

~~((6))~~ (5) Authority to issue prescriptions for legend drugs and schedule three through five controlled substances without the prior approval or signature of the supervising physician may be granted by the board to an osteopathic physician's assistant who has:

(a) Provided a statement signed by the supervising physician that he or she assumes full responsibility and that he or she will review the physician assistant's prescription writing practice on an ongoing basis;

(b) A current certification from the National Commission on Certification of Physician Assistants';

(c) Demonstrated the necessity in the practice for authority to be granted permitting a physician assistant to issue prescriptions without prior approval or signature of the supervising physician.

~~((7))~~ (6) A physician assistant authorized to issue prescriptions under subsection ~~((6))~~ (5) of this section may dispense medications the physician assistant has prescribed from office supplies. The physician assistant shall comply with the state laws concerning prescription labeling requirements.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-854-050 AIDS EDUCATION AND TRAINING. (1) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(2) "Office on AIDS" means that section within the department of ~~((social and))~~ health ~~((services))~~ or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(3) Acceptable education and training. The department will accept education and training that is consistent with the model curriculum available from the office on AIDS. Such education and training shall be a minimum of seven clock hours and shall include, but is not limited to, the following: Etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(4) Implementation. Effective January 1, 1989, the requirement for registration application, renewal, or reinstatement of any registration on lapsed, inactive, or disciplinary status shall include completion of AIDS education and training. All persons affected by this section shall show evidence of completion of an education and training program, which meets the requirements of subsection (3) of this section.

(5) Documentation. The registration holder shall:

(a) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987, and before the renewal date or December 31, 1989, whichever date is earlier;

(b) Keep records for two years documenting attendance and description of the learning; and

(c) Be prepared to validate, through submission of these records, that learning has taken place.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-854-060 APPLICATION FOR REGISTRATION. Effective January 1, 1989, persons applying for registration shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC ~~((308-138A-040))~~ 246-854-050.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-854-100 OSTEOPATHIC PHYSICIANS' ASSISTANTS REREGISTRATION. Reregistration. The annual reregistration fee shall be paid by the first day of July of each year by the supervising osteopathic physician. Any failure to reregister and pay the annual registration fee shall render the registration invalid but registration may be reinstated by payment of ~~((a penalty fee together with))~~ all delinquent annual registration fees.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-854-070 REGISTRATION RENEWAL REQUIREMENT.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-855-030 ACUPUNCTURE—PROGRAM APPROVAL. (1) Procedure. The board will consider for approval any school, program, apprenticeship or tutorial which meets the requirements outlined in this regulation and provides the training required under WAC ~~((308-138B-100))~~ 246-855-020 - Acupuncture assistant education. Approval may be granted to an individual registration applicant's training, or to existing institutions which operate on a continuing basis. Clinical and didactic training may be approved as separate programs or as a joint program. The program approval process is as follows:

(a) Programs seeking approval shall file an application with the board in the format required by the board.

(b) The board will review the application and determine whether a site review is necessary (in the case of an institution) or an interview is appropriate (in the case of individual training) or approval may be granted on the basis of the application alone.

(c) The site review committee shall consist of two board members and one member of the board staff. The review committee may visit the program any time during school operating hours. The committee will report to the board in writing concerning the program's compliance with each section of the regulations.

(d) After reviewing all of the information collected concerning a program; the board may grant or deny approval, or grant approval

conditional upon program modifications being made. In the event of denial or conditional approval, the program may request a hearing before the board. No approval shall be extended to an institution for more than three years, at which time a request for reapproval may be made.

(e) The board expects approved programs to not make changes which will result in the program not being in compliance with the regulations. Programs must notify the board concerning significant changes in administration, faculty or curriculum. The board may inspect the school at reasonable intervals to check for compliance. Program approval may be withdrawn, after a hearing, if the board finds the program no longer in compliance with the regulations.

(2) Didactic faculty. Didactic training may only be provided by persons who meet the criteria for faculty as stated in the council for post-secondary education's WAC 250-55-090 - Personal qualifications. Under no circumstances will an unregistered instructor perform or supervise the performance of acupuncture.

(3) Clinical faculty. Clinical training may be provided only by persons who meet the following criteria:

(a) The instructor must be a practitioner who has had a minimum of five years of full time acupuncture practice experience.

(b) If the training is conducted in this state, the practitioner must be registered to practice in this state. In the case of a school or program, the approval of the institution will include a review of the instructor's qualifications and the training arrangements. Approval of the instructors will extend to instruction conducted within the program.

(c) For training not conducted in this state to be acceptable, the instructor must be licensed by a state or country with equivalent license standards.

(4) Supervision of training. Clinical training in this state must be conducted under the general supervision of the instructor's sponsoring physician. During any given clinic period, the acupuncture instructor may not supervise more than four students. The number of students present during an observation session should be limited according to the judgment of the instructor. Supervision by the instructor during clinical training must be direct: Each diagnosis and treatment must be done with the knowledge and concurrence of the instructor. During at least the first 100 treatments, the instructor must be in the room during treatment. Thereafter, the instructor must at least be in the facility, available for consultation and assistance. An osteopathic physician may only supervise two acupuncture assistance instructors per clinical instruction period.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-855-100 AIDS EDUCATION AND TRAINING. (1) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(2) "Office on AIDS" means that section within the department of ((social and)) health ((services)) or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(3) Acceptable education and training. The department will accept education and training that is consistent with the model curriculum available from the office on AIDS. Such education and training shall be a minimum of seven clock hours and shall include, but is not limited to, the following: Etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(4) Implementation. Effective January 1, 1989, the requirement for registration application, renewal, or reinstatement of any registration on lapsed, inactive, or disciplinary status shall include completion of AIDS education and training. All persons affected by this section shall show evidence of completion of an education and training program, which meets the requirements of subsection (3) of this section.

(5) Documentation. The registration holder shall:

(a) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987, and before the renewal date or December 31, 1989, whichever date is earlier;

(b) Keep records for two years documenting attendance and description of the learning; and

(c) Be prepared to validate, through submission of these records, that learning has taken place.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-855-110 APPLICATION FOR REGISTRATION. Effective January 1, 1989, persons applying for registration shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC ((308-138B-180)) 246-855-100.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-855-120 REGISTRATION RENEWAL REQUIREMENT.

WSR 91-14-089

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed July 1, 1991, 3:53 p.m.]

Original Notice.

Title of Rule: Multijurisdictional disclosure system.

Purpose: To accommodate multijurisdictional offerings.

Other Identifying Information: WAC 460-11A-010 through 460-11A-040.

Statutory Authority for Adoption: RCW 21.20.450.

Statute Being Implemented: RCW 21.20.180 and 21.20.320(11).

Summary: Adopts rules for multijurisdictional offerings made under SEC Forms F-7, F-8, F-9, and F-10.

Reasons Supporting Proposal: Promotes uniformity with federal law and laws of Canada.

Name of Agency Personnel Responsible for Drafting: Michael Stevenson, 405 Black Lake Boulevard, Olympia, 753-6928; Implementation: Toby W. Washington, Jr., 405 Black Lake Boulevard, Olympia, 753-1749; and Enforcement: Jack L. Beyers, 405 Black Lake Boulevard, Olympia, 753-6928.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: Establishes rules for multijurisdictional offerings using SEC Forms F-7, F-8, F-9, and F-10 to promote uniformity with federal law and Canadian securities laws.

Proposal does not change existing rules.

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

Hearing Location: Securities Division, Conference Room, 405 Black Lake Boulevard, 2nd Floor, Olympia, WA, on August 7 1991, at 10:00 a.m.

Submit Written Comments to: Jack Beyers, Security Administrator, P.O. Box 9033, Olympia, WA 98507-9033, by August 6, 1991.

Date of Intended Adoption: August 21, 1991.

June 17, 1991
Tobias W. Washington, Jr.
Assistant Director/BLS

Chapter 460-11A WAC
MULTIJURISDICTIONAL DISCLOSURE SYSTEM

NEW SECTION

WAC 460-11A-010 MULTIJURISDICTIONAL DISCLOSURE SYSTEM. The rules set forth in this chapter accommodate offerings eligible to utilize the multijurisdictional disclosure system as set forth in United States Securities and Exchange Commission Release No. 33-6902 (1991). For the purposes of this chapter, a "multijurisdictional offering" means a class of offering for which a registration statement designated as Form F-7, F-8, F-9, or F-10 by the Securities and Exchange Commission has been filed with the administrator.

NEW SECTION

WAC 460-11A-020 TIME FOR TAKING EFFECT OF MULTIJURISDICTIONAL REGISTRATION STATEMENT. The period of time under RCW 21.20.190(2) a registration statement must be on file before it becomes automatically effective shall be reduced from ten full business days to seven full business days for a multijurisdictional offering.

NEW SECTION

WAC 460-11A-030 MULTIJURISDICTIONAL OFFERING FINANCIAL STATEMENTS. A multijurisdictional offering registration statement may include financial statements and financial information that have been prepared in accordance with Canadian generally accepted accounting principles consistently applied.

NEW SECTION

WAC 460-11A-040 MULTIJURISDICTIONAL OFFERING NOTICE OF CLAIM OF EXEMPTION UNDER RCW 21.20.320(11). An issuer or underwriter conducting a multijurisdictional offering to existing security holders of the issuer pursuant to the exemption of RCW 21.20.320 (11)(b) may give notice to the director by filing the registration statement Form F-7 with a cover letter claiming that exemption.

WSR 91-14-090
PROPOSED RULES
BOARD OF ACCOUNTANCY
[Filed July 2, 1991, 9:06 a.m.]

Original Notice.

Title of Rule: WAC 4-25-192 Experience requirement for a license to practice public accounting as a CPA.

Purpose: Redefine the type and amount of experience that an applicant for a license to practice public accounting must obtain.

Other Identifying Information: If WAC 4-25-192 is adopted, WAC 4-25-190 will be repealed.

Statutory Authority for Adoption: RCW 18.04.055(9).

Statute Being Implemented: RCW 18.04.215 (1)(a).

Summary: This rule permits applicants for a license to practice public accounting to either satisfy existing requirements for specific auditing and accounting experience during a one year period or more general auditing or accounting experience over a two year period.

Reasons Supporting Proposal: The board wishes to liberalize the experience rule because trends in CPA practice are making it very difficult to obtain qualifying experience.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Carey L. Rader, 210 East Union, Suite H, Olympia, (206) 753-2585.

Name of Proponent: Board of Accountancy, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule is intended to relax experience requirements for the CPA license to practice public accounting. The change will add a provision allowing applicants to obtain less specific auditing or accounting experience over a two year period.

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

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

Hearing Location: Center House, Conference Room H, Seattle Center, 305 Harrison, Seattle, WA, on August 15, 1991, at 9:15 a.m.

Submit Written Comments to: Carey L. Rader, CPA, Board of Accountancy, P.O. Box 9131, Olympia, WA 98504, by August 5, 1991.

Date of Intended Adoption: September 1, 1991.

June 28, 1991

Carey L. Rader
Chief Executive Officer

NEW SECTION

WAC 4-25-192 EXPERIENCE. An applicant for an initial license to practice public accounting pursuant to RCW 18.04.215 (1)(a) shall meet the requirements of this section.

(1) Experience alternatives:

(a) Direct attest experience with a CPA firm. An applicant may meet this alternative requirement by demonstrating that he/she has obtained at least one year of public accounting experience as defined in subsection (2) of this section including at least five hundred hours of attest function experience as defined in subsection (3) of this section.

(b) Indirect attest experience with a CPA firm. An applicant may meet this alternative requirement by demonstrating that he/she has obtained at least two years of public accounting experience as defined in subsection (2) of this section including attest experience as defined in subsection (3) of this section.

(c) Experience other than in public accounting. An applicant may meet this alternative requirement through work experience, not including in-classroom training, performed under the direct supervision of a currently licensed certified public accountant in a commercial, not for profit, or governmental organization which has filed a sponsorship agreement accepted by the board, which among other things specifies:

(i) The scope of accounting, auditing, consulting, and other services performed within the organization;

(ii) The professional education and on-job training provided to an applicant prior to application; and

(iii) The program of review and supervision performed by the internal review committee within the organization which administers the agreement.

The sponsoring organization shall provide work experience of a type and at a level substantially equivalent to that performed in public accounting practice, including attest function experience as defined in subsection (3) of this section.

A person applying under (c) of this subsection, experience other than in public accounting, shall show that he/she has obtained at least two years of experience as described in this subsection with a sponsoring commercial, not for profit, or governmental organization.

(2) Public accounting experience. Public accounting experience means employment under the direct supervision of a currently licensed certified public accountant who is actively engaged in the practice of public accounting. Experience shall be in a CPA firm that participates in a board approved peer or quality review program. Qualifying public accounting experience means the performance of services as one skilled

in the knowledge and practice of public accounting, must include performance of accounting or auditing procedures and issuance of related reports, and may include one or more of the following services involving the use of accounting or auditing skills: Performance of management advisory or other consulting services; preparation of tax returns and furnishing advice on tax matters. These services shall be performed for clients of a certified public accountant or a firm of certified public accountants in compliance with the board's rules. The services must regularly involve the exercise of independent judgment and the application of appropriate technical and behavioral standards such as the standards contained in the Code of Professional Ethics, Generally Accepted Auditing Standards, Statement of Responsibilities in Tax Practice, Statement on Standards for Management Advisory Services, Statement on Standards for Accounting and Review Services, Statement on Standards for Attestation Engagements and other similar practice standards issued by the American Institute of Certified Public Accountants.

(3) Attest function experience. Attest function experience shall consist of experience within activities generally performed by certified public accountants in audit engagements, review engagements, compliance audits, management audits, operational audits, or other attest function engagements. An applicant's attest function experience shall include the following:

(a) Experience in applying a variety of accounting or auditing procedures and techniques to the usual and customary financial transactions recorded in accounting records;

(b) Experience in the planning of the program for the application of accounting or auditing procedures and techniques including the selection of the procedures to be followed;

(c) Experience in the preparation of working papers in connection with each element of the work accomplished under (a) and (b) of this subsection;

(d) Experience in the preparation of written explanations and comments on the results of accounting or auditing work; and

(e) Experience in the preparation and analysis of financial statements and reports, including explanations and notes.

(4) Experience - time, employment. One year of experience shall consist of full-time employment of no less than two thousand hours. For purposes of computing work experience for a part-time employee, two thousand hours shall constitute one year. Employment may be for one or more employers, with or without compensation, and may consist of any combination of full-time and part-time employment.

(5) Experience affidavit. The experience claimed by an applicant shall be verified by the licensed certified public accountant or firm of certified public accountants supervising the applicant on an experience affidavit form provided by the board.

(6) Examination of experience documentation:

(a) Any licensee who has verified an applicant's experience to the board shall upon request by the board explain in writing or in person the information so provided.

(b) The board may require an interview or an inspection of documentation relating to an applicant's experience. Any licensee having custody of such documentation shall produce it upon request by the board.

(c) Any licensee who refuses to provide the evidence or documentation of the applicant's experience, requested by an applicant or by the board, shall upon request by the board explain in writing or in person the basis for such refusal.

(7) Reciprocity. An applicant who applies for initial license in this state shall be required to document experience obtained in another jurisdiction which is substantially equivalent to the requirements of this state.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 4-25-190 EXPERIENCE.

WSR 91-14-091
PROPOSED RULES
BOARD OF ACCOUNTANCY
[Filed July 2, 1991, 9:09 a.m.]

Original Notice.

Title of Rule: WAC 4-25-190 Experience requirement for a license to practice public accounting.

Purpose: Define the type and amount of experience that must be obtained by an applicant for a license to practice public accounting as a CPA.

Statutory Authority for Adoption: RCW 18.04.055(9).

Statute Being Implemented: RCW 18.04.215 (1)(a).

Summary: This revision of an existing rule removes requirements for specific accounting or auditing experience as a condition of licensure for public practice as a CPA.

Reasons Supporting Proposal: Many CPA license candidates are unable to obtain qualifying experience under the existing rule.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Carey L. Rader, 210 East Union, Suite H, Olympia, (206) 753-2585.

Name of Proponent: Washington Society of Certified Public Accountants, private.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The board is concerned that this proposal permit experience that is inconsistent with the board's regulation of the practice of public accounting as defined in RCW 18.04.025(5).

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

Explanation of Rule, its Purpose, and Anticipated Effects: This amendment is intended to relax experience requirements for the CPA license to practice public accounting. The change will allow candidates for the CPA license to qualify based totally on experience outside of auditing or accounting tasks.

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

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

Hearing Location: Center House, Conference Room H, Seattle Center, 305 Harrison, Seattle, WA, on August 15, 1991, at 9:00 a.m.

Submit Written Comments to: Carey L. Rader, CPA, Board of Accountancy, P.O. Box 9131, Olympia, WA 98504, by August 5, 1991.

Date of Intended Adoption: September 1, 1991.

June 28, 1991

Carey L. Rader

Chief Executive Officer

AMENDATORY SECTION (Amending Order ACB-146, filed 2/25/88)

WAC 4-25-190 EXPERIENCE. Experience required for issuance of an initial license ((pursuant to RCW 18.04.215 (1)(a))) shall meet the requirements of this section:

(1) EXPERIENCE DEFINITION AND TIMING: One year of experience shall consist of full-time employment of no less than two thousand hours. For purposes of computing work experience for a part-time employee, two thousand hours shall constitute one year. Employment

may be for one or more employers, with or without compensation, and may consist of any combination of full-time and part-time employment. For an applicant who passed the uniform certified public accounting examination prior to May 1988, experience obtained more than five years prior to application for initial license shall be supplemented by eighty hours of continuing education during the two-year period prior to application. For an applicant who passed the examination in May 1988, or thereafter, this experience must ((be obtained within the five-year period prior to application)) cover a minimum twelve-month period and must be obtained no more than five years prior or subsequent to passing the certified public accounting examination.

(2) EXPERIENCE IN PUBLIC ACCOUNTING:

(a) An applicant shall show he/she has had employment for a period of one year as a staff accountant under the direct supervision of a currently licensed certified public accountant who is actively engaged in the practice of public accounting and is a member of a firm licensed to practice public accounting. In addition, the firm must have either:

(i) Within the past three years, submitted financial statement reports for board review that, in the board's judgment, materially conform to professional standards; or

(ii) Within the past three years, received a report that is acceptable from a quality or peer review program that is acceptable to the board.

Qualifying experience for purposes of this section shall mean the performance of services as one skilled in the knowledge and practice of public accounting, including performance of accounting or auditing procedures, issuance of reports on financial statements, performance of management advisory or other consulting services, preparation of tax returns and furnishing advice on tax matters.

(b) Public accounting services shall be performed for clients of a certified public accountant or a firm of certified public accountants in compliance with the board's rules and must regularly involve the exercise of independent judgment and the application of appropriate technical and behavioral standards such as the standards contained in the Code of Professional Ethics, Generally Accepted Auditing Standards, Statement of Responsibilities in Tax Practice, Statement on Standards for Management Advisory Services, Statement on Standards for Accounting and Review Services, Statement on Standards for Attestation Engagements and other similar practice standards issued by the American Institute of Certified Public Accountants.

~~((c) Commencing July 1, 1988, an applicant shall demonstrate that he/she has obtained required experience by performing one or more of the services described in (a) and (b) of this subsection, including attest function experience related to reports on financial statements. As a guideline, five hundred hours of attest function experience will be necessary to achieve a minimum level of competence. Experience gained in less than five hundred hours will be evaluated for quality and substance on a case-by-case basis. The attest function experience shall consist of experience within activities generally performed by certified public accountants in audit engagements, review engagements, compliance audits, management audits, operational audits, or other attest function engagements.~~

(d) An applicant's attest function experience shall include the following:

(i) Experience in applying a variety of auditing procedures and techniques to the usual and customary financial transactions recorded in accounting records;

(ii) Experience in the preparation of working papers in connection with each element of the work accomplished under (d)(i) of this subsection;

(iii) Experience in the planning of the program for the application of accounting and/or auditing procedures and techniques including the selection of the procedures to be followed;

(iv) Experience in the preparation of written explanations and comments on the results of accounting and/or auditing work; and

(v) Experience in the preparation and analysis of financial statements, including explanations and notes.

(c) Attest function experience shall be documented on an experience affidavit form provided by the board which enumerates specific procedures typically applied in an audit of financial statements. The objective of the affidavit is to provide evidence that an applicant has a satisfactory knowledge of current practice standards and pronouncements of the profession.)

(3) EXPERIENCE OTHER THAN IN PUBLIC ACCOUNTING:

(a) The experience required, as stated in subsection (2) of this section, may also be met by work experience, not including in-classroom training, performed under the direct supervision of a currently licensed

certified public accountant in a commercial or governmental organization which has filed a sponsorship agreement with the board, acceptable to the board, which among other things specifies:

(i) The scope of accounting, auditing, consulting, and other services performed within the organization;

(ii) The professional education and on-job training provided to an applicant prior to application; and

(iii) The program of review and supervision performed by the internal review committee within the organization which administers the agreement.

(b) Qualifying work experience must be of a type and at a level equivalent to that performed in public accounting practice and must regularly involve the exercise of independent judgment and the application of the appropriate technical and behavioral standards.

~~((c) Two years of experience outside of public accounting shall be considered equivalent to one year of public accounting experience.))~~

(4) EXPERIENCE AFFIDAVIT: The experience claimed by an applicant shall be verified by the certified public accountant or firm of certified public accountants supervising the applicant on an experience affidavit form provided by the board.

(5) EXAMINATION OF EXPERIENCE DOCUMENTATION:

(a) Any licensee who has furnished evidence of an applicant's experience to the board shall upon request by the board explain in writing or in person the information so provided.

(b) The board may require an interview or an inspection of documentation relating to an applicant's experience. Any licensee having custody of such documentation shall produce it upon request by the board.

(c) Any licensee who refuses to provide the evidence or documentation of the applicant's experience, requested by an applicant or by the board, shall upon request by the board explain in writing or in person the basis for such refusal.

(6) RECIPROCITY: An applicant who applies for initial license in this state shall be required to document experience obtained in another jurisdiction which is equivalent to the requirements of this state.

WSR 91-14-092

PROPOSED RULES

PUBLIC WORKS BOARD

[Filed July 2, 1991, 9:30 a.m.]

Original Notice.

Title of Rule: Chapter 399-40 WAC, Compliance with State Environmental Policy Act.

Purpose: WAC 399-40-020 Statement, provides amendments to bring the current WAC up to date with changes in chapters 197-10 and 197-11 WAC.

Statutory Authority for Adoption: RCW 43.155.040(4).

Statute Being Implemented: Chapter 43.155 RCW.

Summary: The proposed rule changes provide for general housekeeping, gender neutral language, and would bring the WAC into compliance with current board policy.

Reasons Supporting Proposal: The changes are necessary to provide clarity and consistency of policies, procedures, and rules for clients.

Name of Agency Personnel Responsible for Drafting: Patti Miller-Crowley, 4317 6th Avenue S.E., Suite 120, Lacey, WA 98503, (206) 493-2891; Implementation and Enforcement: Pete Butkus, 4317 6th Avenue S.E., Suite 120, Lacey, WA 98503, (206) 493-2888.

Name of Proponent: Public Works Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These proposed rule changes are necessary to provide consistent policies, procedures, and rules for clients. If passed, the WAC will be consistent with board policies now in existence. It is expected that consistent language will make the administration of programs easier for clients.

Proposal Changes the Following Existing Rules: The proposed rule changes provide for general housekeeping, gender neutral language, and bring the WAC into compliance with current board policy.

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

The proposed rules have been carefully reviewed for business impacts. No impacts were found.

Hearing Location: Klickitat County P.U.D., 1313 South Columbus, Goldendale, WA 98620, on August 6, 1991, at 10:00 a.m.

Submit Written Comments to: Patti Miller-Crowley, Department of Community Development, Ninth and Columbia Building, Olympia, Washington 98504-4151, by August 2, 1991.

Date of Intended Adoption: August 6, 1991.

July 1, 1991

Pete A. Butkus
for Robert C. Anderson
Chair

AMENDATORY SECTION (Amending Order 85-17, filed 12/4/85)

WAC 399-40-020 STATEMENT. Pursuant to WAC (~~((+97-10-800))~~) 197-11-800(16), the public works board has reviewed its authorized activities and has found them all to be exempt under the provisions of chapter (~~((+97-10))~~) 197-11 WAC.

WSR 91-14-093

PROPOSED RULES

PUBLIC WORKS BOARD

[Filed July 2, 1991, 9:33 a.m.]

Original Notice.

Title of Rule: Chapter 399-30 WAC, Public works loans and pledges.

Purpose: WAC 399-30-030, Loan and financing guarantee applications, provides for increased clarity in basic application requirements, eligible costs, and information requested from applicants; WAC 399-30-040 Application evaluation procedure and board deliberations, provide for the assignment of rating points to specific numbered sections of the application. These amendments are necessary to make the WAC match the current application; WAC 399-30-042 Application evaluation procedure and board deliberations—Capital planning support, provide for changes in how the Public Works Board will review capital planning support applications. These amendments are necessary to make the WAC match the current application; WAC 399-30-045 Emergency loan program, provide for increased clarity in the emergency loan program. These amendments are necessary to make the WAC match current board policy; WAC 399-30-050 Recommendations to the legislature, deletes obsolete language; WAC 399-30-060 Loan

and financing guarantee contracts, provides for clarification in loan and financing guarantee contracts. These amendments are necessary to make the WAC match current board policy; and WAC 399-30-065 Emergency loan and financing guarantee contracts, provides for clarification in emergency loan and financing contracts. These amendments are necessary to make the WAC match current board policy.

Statutory Authority for Adoption: RCW 43.155.040(4).

Statute Being Implemented: Chapter 43.155 RCW.

Summary: The proposed rule changes provide for general housekeeping, gender neutral language, and would bring the WAC into compliance with current board policy.

Reasons Supporting Proposal: The changes are necessary to provide clarity and consistency of policies, procedures, and rules for clients.

Name of Agency Personnel Responsible for Drafting: Patti Miller-Crowley, 4317 6th Avenue S.E., Suite 120, Lacey, WA 98503, (206) 493-2891; Implementation and Enforcement: Pete Butkus, 4317 6th Avenue S.E., Suite 120, Lacey, WA 98503, (206) 493-2888.

Name of Proponent: Public Works Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These proposed rule changes are necessary to provide consistent policies, procedures, and rules for clients. If passed, the WAC will be consistent with board policies now in existence. It is expected that consistent language will make the administration of programs easier for clients.

Proposal Changes the Following Existing Rules: The proposed rule changes provide for general housekeeping, gender neutral language, and bring the WAC into compliance with current board policy.

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

The proposed rules have been carefully reviewed for business impacts. No impacts were found.

Hearing Location: Klickitat County P.U.D., 1313 South Columbus, Goldendale, WA 98620, on August 6, 1991, at 10:00 a.m.

Submit Written Comments to: Patti Miller-Crowley, Department of Community Development, Ninth and Columbia Building, Olympia, Washington 98504-4151, by August 2, 1991.

Date of Intended Adoption: August 6, 1991.

July 1, 1991

Pete A. Butkus
for Robert C. Anderson
Chair

AMENDATORY SECTION (Amending Order 85-17, filed 12/4/85)

WAC 399-30-030 LOAN AND FINANCING GUARANTEE APPLICATIONS. (1) Applications for loans and/or financing guarantees to assist in the financing of critical public works projects may be made by any local government in the state of Washington.

(2) All applicants must meet the following conditions:

(a) Applicant cities and counties must be imposing a real estate excise tax under (~~chapter 82.46~~) RCW 82.46.010 at a rate of at least one-quarter of one percent;

(b) Applicant local governments must have developed a long-term plan for financing public works needs as further described in the loan application package; and

(c) Applicant local governments must be using all local revenue sources that are reasonably available for funding public works, taking into consideration local employment and economic factors.

(3) Direct costs eligible for public works loans are those costs which are directly attributable to a specific project and shall include:

(a) Direct labor (engineering and/or construction) including related employee benefits:

(i) Salaries and wages (at actual or average rates) covering productive labor hours of the local government employees (excluding the administrative organization of the operating unit involved) for periods of time, actively or incidentally engaged in (A) engineering, (B) acquisition of rights-of-way, (C) (~~actual~~) construction inspection activities. The cost of services rendered by employees generally classified as administrative are considered a direct cost only when such employees are assigned for short periods of time to perform on a full-time basis the types of services described above and when similar procedures are followed;

(ii) Employee benefits relating to direct labor are considered a direct cost of construction projects. The following items may be included as employee benefits:

- (A) F.I.C.A. (Social Security) - employer's share;
- (B) Retirement benefits;
- (C) Hospital, health, dental, and other welfare insurance;
- (D) Life insurance;
- (E) Industrial and medical insurance;
- (F) Vacation;
- (G) Holiday;
- (H) Sick leave; and
- (I) Military leave and jury duty.

Employee benefits shall be calculated as a percentage of direct labor dollars. The computation of predetermined percentage rates to be applied to current labor costs shall be based upon the average of total employee benefits and total labor costs for the prior fiscal year and adjusted by known current year variations.

(b) Contract engineering and planning services.

(c) Right-of-way acquisition costs including:

(i) Purchase of land and easements acquired for and devoted to the project;

(ii) Purchase of improvements;

(iii) Adjustment or reestablishment of improvements;

(iv) Salaries, expenses or fees of appraisers, negotiators or attorneys;

(v) Removal or demolition of improvement;

(vi) Other direct costs in connection with the acquisition. Amounts received from the sale of excess real property or improvements and from any rentals shall be a reduction of the direct cost.

(d) Contract construction work.

(e) Direct vehicle and equipment charges at the actual rental cost paid for the equipment or, in the case of city or county-owned equipment, at the rental rates established by the local government's "equipment rental and revolving fund" following the methods prescribed by the division of municipal corporations: PROVIDED, That such costs shall be charged on a uniform basis to equipment used for all projects regardless of the source of funding. Cities with a population of eight thousand or less which may not use this type of fund shall be allowed the same rates as used by the department of transportation.

(f) Direct materials and supplies. The cost of materials used in projects shall be based upon methods prescribed for the "equipment rental and revolving fund" by the division of municipal corporations.

(i) An overhead rate or "loading factor" shall not be considered an appropriate additive to the actual cost of materials and supplies used on construction projects unless the factor is readily and properly supportable by the governmental unit's accounting records.

(ii) The cost, or reasonable estimate thereof, of materials paid for as contract estimate items, but not used, shall be considered a reduction of direct costs. Any material which may be salvaged in connection with a project shall be assigned a reasonable value and considered a reduction of direct costs.

(g) Interdepartmental charges for work performed by the local government (~~'s departments, other than the road or street department;~~) for the benefit of specific construction projects shall be limited

to direct costs plus an allocation of indirect costs based upon ten percent of direct labor dollars, excluding employee benefits.

(h) Other direct costs incurred for materials or services acquired for a specific project shall be eligible for participation by public works loan funds and may include, but shall not be limited to such items as:

(i) Telephone charges;

(ii) Reproduction and photogrammetry costs;

(iii) Video and photography for project documentation;

(iv) Computer usage; and

(~~(iv)~~) (v) Printing and advertising.

(4) Applications shall be submitted to the board in writing, on such forms as may be prescribed by and obtained from the board (~~, and shall contain but not be limited to the following information:~~

(a) ~~Name and address of the local government making the application;~~

(b) ~~Complete description of the public works project for which financing assistance is sought;~~

(c) ~~Demonstration of the applicant jurisdiction's critical need for the project;~~

(d) ~~The applicant jurisdiction's financing proposal for the proposed project;~~

(e) ~~If the application is being made for a loan, a repayment plan;~~

(f) ~~The number of communities to be served by the proposed project;~~

(g) ~~Tax rates imposed by the applicant local government for taxes whose revenues can be used to finance public works projects; and~~

(h) ~~Utility rates charged for sewerage, water, garbage, and other utilities) for the current funding cycle.~~

(5) Any application for financial assistance submitted to the board shall be signed and verified by a responsible official of the applicant jurisdiction. Such official shall also provide the board with any additional materials or information in support of the application which the board or its staff may request.

AMENDATORY SECTION (Amending Order 88-02, filed 4/22/88)

WAC 399-30-040 APPLICATION EVALUATION PROCEDURE AND BOARD DELIBERATIONS. (1) The board will consider and prioritize, or disapprove, all applications for loans or financing guarantees at regular or special meetings of the board. The applicant will be notified of meetings at which its application will be considered.

(2) Applications will be evaluated and prioritized in accordance with the following procedures:

(a) Staff will log in all applications as received.

(b) Staff will review all applications for compliance with the minimum qualification requirements of WAC 399-30-030(2). Jurisdictions whose applications do not meet the minimum qualification requirements will be notified in writing of the disqualification.

(c) Staff will perform a preliminary evaluation of all applications which meet the requirements of WAC 399-30-030(2). Applications will be scored according to the number of points awarded for responses provided in the statements of local management efforts and project need.

(i) Up to thirty (~~eight~~) six points may be awarded in the evaluation of each application's demonstration of need for the proposed project. Responses to questions 2.01, (~~2.02, and~~) 2.03, 2.04, and 2.07 will be evaluated to determine this score.

(ii) Up to two points may be awarded in the evaluation of coordinated projects provided in applicant responses to question (~~2.03~~) 2.04.

(iii) Up to two points may be awarded in the evaluation of projects which increase the potential for local economic activities in communities that have low economic growth (question 2.05).

(iv) Up to sixty points may be awarded in the evaluation of the applicant jurisdiction's demonstration that it is making (~~an~~) reasonable local management efforts to meet its public works needs. Responses to questions 4.01 through (~~4.19~~) 4.161 will be evaluated to determine this score.

(d) Staff will provide the board with preliminary evaluation and scoring of the applications. All application materials will be available to the board for their deliberations. The board will develop a ranked list of projects based on the information provided to them by the staff and the applications.

(e) The board (~~will then~~) may adjust the ranked list in consideration of the following factors:

(i) Geographical balance;

(ii) Economic distress;

- (iii) Type of projects;
- (iv) Type of jurisdiction;
- (v) Other criteria that the board considers advisable.
- (f) Staff will verify critical information on each project as required by the board.
- (g) The board will not accept oral testimony from any applicant while deliberating loan priorities, other than information requests initiated by the board as provided in (h) of this subsection.
- (h) The board may consult with officials of jurisdictions having projects (~~(on the list recommended)~~) submitted for funding on any issue it wishes to address.
- (3) Applicants will be notified in writing of board decisions.

AMENDATORY SECTION (Amending Order 88-03, filed 8/22/88)

WAC 399-30-042 APPLICATION EVALUATION PROCEDURE AND BOARD DELIBERATIONS—CAPITAL PLANNING SUPPORT. (1) The board will consider and (~~(prioritize)~~) approve, or disapprove, all applications for capital planning support loans at regular or special meetings of the board. The applicant will be notified of meetings at which its application will be considered.

(2) All applications will be evaluated (~~(and prioritized)~~) in accordance with the following procedures:

- (a) Staff will log in all applications as received.
- (b) Staff will review all applications for compliance with the minimum qualification requirements of WAC 399-30-030(2). Jurisdictions whose applications do not meet the minimum requirements will be notified in writing of the disqualification.
- (c) Staff will perform a preliminary evaluation of applications which meet the requirements of WAC 399-30-030(2) (~~(Applications will be scored according to the number of points awarded for responses provided in the application. Up to one hundred points may be awarded in the evaluation of each application. Questions 12 through 15, 18 and 19 will be evaluated to determine this score)~~) to determine if the application is consistent with the policies contained in the capital planning support loan application.

(d) (~~(Staff will provide the board with preliminary evaluation and scoring of applications.)~~) Those applications found to be consistent with board policies may be recommended to the board for funding. All application materials will be available to the board for its deliberations. The board will develop a (~~(ranked)~~) list of projects based on the information provided to it by the staff and the (~~(applicants)~~) applications.

(e) The board may then adjust the (~~(ranked)~~) list in consideration of the following factors:

- (i) Geographical balance;
- (ii) Economic distress;
- (iii) Other criteria that the board considers advisable.
- (f) Staff will verify critical information on each project as required by the board.

(g) The board may consult on any issue it wishes to address, with officials of jurisdictions having projects (~~(on the recommended list)~~) submitted for funding.

(3) Applicants will be notified in writing of board decisions.

AMENDATORY SECTION (Amending Order 89-01, filed 4/28/89)

WAC 399-30-045 EMERGENCY LOAN PROGRAM. This section implements RCW 43.155.060 as amended in 1988 to provide that: The board may make low-interest or interest free loans to local governments for emergency public works projects. The emergency loan program is to financially assist eligible communities experiencing the loss of critical public works services or facilities due to an emergency, and that can demonstrate a substantial fiscal need (~~(as reflected in the lack of local budget resources or other funds reserved for this purpose)~~).

(1) Eligible local governments. Applicants must meet the conditions as identified under WAC 399-30-030(2).

(2) Eligible uses of funds. Financial assistance received shall be used for the purpose of restoring the services and/or repair of the public works facilities involved in the emergency. Assistance provided may be used to help fund all or part of an emergency public works project less any reimbursement from any of the following:

- (a) Federal disaster or emergency funds, including funds from the Federal Emergency Management Agency;
- (b) State disaster or emergency funds;
- (c) Insurance settlements; or
- (d) Litigation.

Reimbursement from the sources listed above shall be made to the department and shall remain ((m)) an obligation of the assisted local government up to four years after the date of formal project closeout with the department. Local governments receiving funds shall undertake efforts to be reimbursed in a timely manner. Further, that assistance will be offered only for those eligible costs identified in WAC 399-30-030(3).

(3) Availability of funds. Funding will be made available on a first-come first-served basis. Only those funds specifically appropriated by the legislature from the public works assistance account shall be used to make emergency loans. That amount shall not exceed five percent of the total amount appropriated from this account in any biennium.

(4) Application process. The application process shall be in writing on such forms or format as may be prescribed and obtained from the board. The date and time of receipt of the application by the board designated representative shall determine the sequence for application processing.

(5) Board deliberations—Emergency loan applications.

(a) The board will consider and approve or disapprove all eligible applications for emergency financial assistance at regular or special meetings of the board. The applicant will be notified of meetings at which its application will be considered.

(b) All applications will be accepted, evaluated, and prioritized in accordance with the following procedures:

(i) Applications will be accepted only when emergency funding is available.

(ii) Staff will review applications and verify that the applicant is eligible for assistance as set forth in RCW 43.155.070(1).

(iii) Staff will provide the board an evaluation of whether an emergency loan is needed based upon the information documented by the applicant and staff.

(iv) Site visits to the location of the emergency public works project will be carried out at the discretion of the board or staff.

(6) Loan terms. The board shall determine the term and interest rate(s) of emergency loans annually.

(7) Exceptions to public works trust fund policies and procedures. Except as provided in this chapter or specified in annual program guidelines, the emergency program shall follow all general administrative program policies as set for the public works trust fund.

AMENDATORY SECTION (Amending Order 89-01, filed 4/28/89)

WAC 399-30-050 RECOMMENDATIONS TO THE LEGISLATURE. (1) Prior to November 1, 1986, and in each subsequent year, the board shall develop and submit to the ways and means committees of the senate and house of representatives a prioritized list of projects which the board recommends for funding by the legislature. (~~(In the board's first year of operation, the board shall submit this list to the ways and means committees by February 1, 1986.)~~)

(2) In addition to the requirements of RCW 43.155.070(4), the list will include such supporting material as the board considers necessary to meet the purposes of this chapter.

(3) Before November 1 of each year, the board shall develop and submit to the chairs of the ways and means committees of the senate and house of representatives a description of the emergency loans made under this program as provided in RCW 43.155.070(4), as amended in 1988, and identified in RCW 43.155.065.

AMENDATORY SECTION (Amending Order 88-08, Resolution No. 86-12, filed 11/22/88)

WAC 399-30-060 LOAN AND FINANCING GUARANTEE CONTRACTS. (1) The board shall not sign loan agreements or otherwise financially obligate funds from the public works assistance account until the list and accompanying appropriation are approved by the legislature.

(2) After the legislature has appropriated funds from the public works assistance account for a specific list of public works projects, the loan funds will be disbursed to the applicant local government pursuant to a contract therefor, which will be offered to the local government with such reasonable terms and conditions as the board may determine: PROVIDED, That the amount loaned to a local government shall not exceed ninety percent of eligible proposed project cost: PROVIDED FURTHER, That the funds provided by a local government which are considered local financial participation shall consist of locally generated revenues and/or federal and/or state-shared revenues subject to discretionary allocation by the recipient unit of local government: PROVIDED FURTHER, That the interest rate and local

share requirements for loans shall ~~((not exceed three percent per annum. PROVIDED FURTHER, That loans may be provided at rates of more than three percent but greater than one percent if the local government participates to a greater extent than ten percent in financing the project receiving a trust fund loan))~~ be determined annually by the board: PROVIDED FURTHER, That loans shall not exceed twenty years in duration, or the useful life of the improvements, whichever is shorter. ~~((Exception to these provisions shall be made only in cases of severe economic distress and/or natural disaster.))~~

(3) Public works project loan and/or financing guarantee agreements offered to local governments shall be formally executed by the local government and the department of community development prior to the disbursal of any funds thereunder.

(4) Public works project loan and/or financing guarantee scope of work forms shall be completed and returned to the department of community development by the local government within ninety days of the date a scope of work form request is initiated.

(5) Public works project loan and/or financing guarantee contracts offered to local governments shall be executed by the local government within ninety days of the date a loan agreement is initiated.

(6) Work on public works projects financed through loans or financing guarantees offered to local governments must commence prior to October 1 of the year in which the loan or financing guarantee is offered.

(7) Work on public works projects financed through loans or financing guarantees offered to local governments must be completed within ~~((twenty-four))~~ thirty months of the date ~~((work has begun on such projects))~~ of loan execution, unless a written request for extension is approved by the board.

(8) Funds expended by local governments on projects financed through loans or financing guarantees by the public works assistance account before an agreement has been formally executed by the local government and the department of community development may not be reimbursed with funds from the public works assistance account. Such funds may be used by the local government as an element in its required local participation in a project financed by the public works assistance account provided they are used for activities eligible under WAC 399-30-030 and are consistent with the executed loan agreement.

AMENDATORY SECTION (Amending Order 89-01, filed 4/28/89)

WAC 399-30-065 EMERGENCY LOAN AND FINANCING GUARANTEE CONTRACTS. (1) After the legislature has appropriated funds from the public works assistance account for emergency loans, the loan funds will be disbursed to the applicant local government pursuant to a contract therefor, which will be offered to the local government with such reasonable terms and conditions as the board may determine, if any: PROVIDED, That the funds provided by a local government which are considered local financial participation shall consist of locally generated revenues and/or federal and/or state-shared revenues subject to discretionary allocation by the recipient unit of local government: PROVIDED FURTHER, That loans shall not exceed twenty years in duration, or the useful life of the improvements, whichever is shorter. ~~((Exception to these provisions shall be made only in cases of severe economic distress and/or natural disaster.))~~

(2) Public works project loan and/or financing guarantee agreements offered to local governments shall be formally executed by the local government and the department of community development prior to the disbursal of any funds thereunder.

(3) Public works project loan and/or financing guarantee scope of work forms shall be completed and returned to the department of community development by the local government within ninety days of the date a scope of work form request is initiated.

(4) Public works project loan and/or financing guarantee contracts offered to local governments shall be executed by the local government within ninety days of the date a loan agreement is initiated.

(5) Work on emergency public works projects financed through loans or financing guarantees offered to local governments must commence within ~~((one hundred eighty))~~ ninety days of the date of loan execution.

(6) Work on public works projects financed through loans or financing guarantees offered to local governments must be completed within twelve months of the date ~~((work has begun on such projects))~~ of loan execution, unless a written request for extension is approved by the board.

(7) Funds expended by local governments on projects financed through loans or financing guarantees by the public works assistance

account before an agreement has been formally executed by the local government and the department of community development may not be reimbursed with funds from the public works assistance account: PROVIDED, That if the local government has made a formal declaration of an emergency, eligible costs for correction of the emergency incurred from the effective date of such declaration, and approved by the public works board, will be eligible for reimbursement. Such eligible costs not reimbursed but incurred before a loan agreement is approved may be used by the local government as an element of its required local participation, if any, for the emergency public works project.

(8) All public works projects shall comply with the competitive bid requirement of RCW 43.155.060 to the extent feasible and practicable.

WSR 91-14-094

PROPOSED RULES

PUGET SOUND

AIR POLLUTION CONTROL AGENCY

[Filed July 2, 1991, 10:40 a.m.]

Original Notice.

Title of Rule: Amend Articles 3 and 7 of PSAPCA Regulation I.

Purpose: To upgrade regulations to reflect recent changes to the Washington Clean Air Act and to make minor "housekeeping" changes to improve legibility.

Other Identifying Information: Articles 3 and 7 pertain to "general provisions" and "variances," respectively.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Statute Being Implemented: RCW 70.94.141.

Summary: Amendments would incorporate new provisions enacted under ESHB 1028 and would improve legibility of the regulations.

Reasons Supporting Proposal: Existing regulations are out of date and difficult to read.

Name of Agency Personnel Responsible for Drafting: Gerry Pade, 200 West Mercer Street #205, Seattle, 98119, 296-7468; Implementation and Enforcement: Jim Nolan, 200 West Mercer Street #205, Seattle, 98119, 296-7426.

Name of Proponent: Puget Sound Air Pollution Control Agency, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed amendments pertain to the agency's enforcement powers and the processes for appealing or obtaining variances from rules, regulations, and orders issued by the agency. The amendments are being made to incorporate recent changes to the Washington Clean Air Act, chapter 70.94 RCW, and to improve the legibility of the regulations.

Proposal Changes the Following Existing Rules: The changes would reflect statutory language as adopted in ESHB 1028 on May 15, 1991. Additionally, the charge for processing a variance application would increase from \$450 to \$1000.

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

Hearing Location: Everett City Hall, Council Chambers, 3002 Wetmore Avenue, Everett, WA 98201, on August 8, 1991, at 9:30 a.m.

Submit Written Comments to: Anita Frankel, Puget Sound Air Pollution Control Agency, 200 West Mercer Street #205, Seattle, WA 98119, by July 31, 1991.

Date of Intended Adoption: August 8, 1991.

June 28, 1991
Gerald S. Pade
Air Pollution Engineer

AMENDATORY SECTION

REGULATION I SECTION 3.01 DUTIES AND POWERS OF THE ((BOARD)) CONTROL OFFICER

~~((a)) Pursuant to the provisions of the "Washington Clean Air Act" (Chapter 70.94 RCW), the Board ((may take such reasonable action as may be necessary to prevent air pollution which may include control or measurement of the emission of air contaminant from a source. The Board)) shall appoint a Control Officer ((competent in the field of air pollution control)) whose sole responsibility shall be to observe and enforce the provisions of ((this) the Act ((Regulation)) and all orders, ((ordinances, resolutions, or)) rules, and regulations ((of this Authority pertaining to the control and prevention of air pollution)) pursuant thereto, including but not limited to Regulations I, II, and III of the Puget Sound Air Pollution Control Agency. The Control Officer shall be empowered by the Board to sign official complaints, issue citations, initiate court suits, or use other legal means to enforce the provisions of the Act. ((The Board shall establish such procedures and take such action as may be required to implement Section 1.01 of this Regulation consistent with the State Act and other applicable laws:))~~

~~((b)) The ((Board shall require that the)) Control Officer shall also be required to maintain appropriate records and ((prepare)) submit periodic reports to the Board.~~

REPEALER

REGULATION I SECTION 3.03 INVESTIGATIONS AND STUDIES BY THE CONTROL OFFICER

AMENDATORY SECTION

REGULATION I SECTION 3.05 INVESTIGATIONS BY THE CONTROL OFFICER

(a) For the purpose of investigating conditions specific to the control, recovery or release of air contaminants into the atmosphere, the Control Officer or ((his)) a duly authorized representative shall have the power to enter at reasonable times upon any private or public property, excepting nonmultiple unit private dwellings housing two families or less.

(b) It shall be unlawful for any person to refuse entry or access to the Control Officer or a duly authorized representative who requests entry for the purpose of inspection, and who presents appropriate credentials, or for any person to obstruct, hamper or interfere with any such inspection.

(c) In order to demonstrate compliance with emission standards, the Control Officer shall have the authority to require a source to be tested, either by Agency personnel or by the owner, using source test procedures approved by the Agency. The owner shall be given reasonable advance notice of the requirement of the test.

(d) In order for Agency personnel to perform a source test, the Control Officer shall have the authority to require the owner of the source to provide an appropriate platform and sampling ports. The owner shall have the opportunity to observe the sampling and, if there is adequate space to conduct the tests safely and efficiently, to obtain a sample at the same time.

REPEALER

REGULATION I SECTION 3.06 SOURCE TESTING

AMENDATORY SECTION

REGULATION I SECTION ((3.07)) 3.19 CONFIDENTIAL INFORMATION

Whenever any records or other information, other than ambient air quality data or emission data, furnished to or obtained by the Agency, pursuant to any sections in Chapter 70.94 RCW, relates to processes or production unique to the owner or operator, or are likely to affect adversely the competitive position of such owner or operator if released to the public or to a competitor, and the owner or operator of such processes or production so certifies, such records or information shall be only for the confidential use of the Agency. ~~((Provided however that any request for disclosure of such records or other information which was obtained by the Agency at least 5 years from the date of the request for disclosure, shall not be exempt from public examination and inspection:))~~ Nothing herein shall be construed to prevent the use of records or information by the Agency in compiling or publishing analysis or summaries relating to the general condition of the outdoor atmosphere: Provided, that such analysis or summaries do not reveal any information otherwise confidential under the provisions of this section: Provided further, that emission data furnished to or obtained by the Agency shall be correlated with applicable emission limitations and other control measures and shall be available for public inspection during normal business hours at offices of the Agency.

AMENDATORY SECTION

REGULATION I SECTION 3.09 VIOLATIONS - NOTICE

(a) At least 30 days prior to the commencement of any formal enforcement action under RCW 70.94.430 or 70.94.431, ((Whenever the Board or the Control Officer has reason to believe that any provisions of this Regulation relating to the control or prevention of air pollution have been violated:)) the Board or Control Officer ((may)) shall cause written notice to be served upon the alleged violator or violators. The notice shall specify the provisions ((of this Regulation)) of Chapter 70.94 RCW or the orders, rules, or regulations adopted pursuant thereto, alleged to be violated, and the facts alleged to constitute a violation thereof, and may include an order directing that necessary corrective action be taken within a reasonable time. In lieu of an order, the Board or the Control Officer may require that the alleged violator or violators appear before the Board for a hearing ((, or in addition to or in place of an order or hearing, the Board may initiate action pursuant to RCW 70.94.425, 70.94.430, and 70.94.435)). Every notice of violation shall offer to the alleged violator an opportunity to meet with the Agency prior to the commencement of enforcement action.

(b) Each act of commission or omission which procures, aids, or abets in the violation shall be considered a violation and be subject to the same penalty.

(c) In case of a continuing violation, whether or not knowingly committed, each day's continuance shall be a separate and distinct violation.

AMENDATORY SECTION

REGULATION I SECTION ((3.11)) 3.17 APPEAL OF ORDERS

(a) Any order of the Control Officer issued pursuant to Section 3.09 of Regulation I may be appealed to the Pollution Control Hearings Board if the appeal is filed with the Hearings Board and served on the Agency within 30 days after receipt of the order. This is the exclusive means of appeal of such an order.

(b) The Control Officer ((in his discretion)) may stay the effectiveness of an order during the pendency of such an appeal. At any time during the pendency of such an appeal of such an order to the Hearings Board, the appellant may apply to the Hearings Board pursuant to ((RCW 41.21B)) Chapter 43.21B RCW and Chapter 371-08 WAC for a stay of the order or for the removal thereof.

~~((c) Any appeal must contain the following in accordance with the rules of the Hearings Board:~~

- ~~(1) The appellant's name and address;~~
- ~~(2) The date and docket number of the order appealed;~~
- ~~(3) A description of the substance of the order that is the subject of the appeal;~~

~~(4) A clear, separate and concise statement of every error alleged to have been committed;~~

~~(5) A clear and concise statement of facts upon which the requestor relies to sustain his or her statements of error; and~~

~~(6) A statement setting forth the relief sought;))~~

~~((d)) (c) Upon failure to comply with any final order of the Control Officer, the attorney for the Agency, upon request of the Board or Control Officer, may bring an action in the superior court of the county where the violation occurred or the potential violation is about to occur to obtain such relief as necessary.~~

AMENDATORY SECTION

REGULATION I SECTION ~~((3-17))~~ 3.07 FALSE AND MISLEADING ORAL STATEMENTS: UNLAWFUL REPRODUCTION OR ALTERATION OF DOCUMENTS

(a) No person shall willfully make a false or misleading oral statement to the Board, Control Officer, or a duly authorized representative as to any matter within the jurisdiction of the Board.

(b) No person shall reproduce or alter or cause to be reproduced or altered any order, registration certificate, or other paper issued by the Agency if the purpose of such reproduction or alteration is to evade or violate any applicable order, rule, or regulation issued by the Agency ~~((provision of this Regulation or any other law))~~.

AMENDATORY SECTION

REGULATION I SECTION ~~((3-19))~~ 3.03 DISPLAY OF ~~((OR- DERS, CERTIFICATES, AND OTHER))~~ NOTICES: REMOVAL OR MUTILATION PROHIBITED

(a) Any order, permit, notice, assurance, or ~~((registration))~~ certificate ~~((required to be))~~ obtained ~~((by this))~~ pursuant to Regulation I, II, or III ~~((;))~~ shall be available on the premises designated ~~((on the order or certificate))~~.

(b) In the event that the Agency requires a notice to be displayed, it shall be posted. No person shall mutilate, obstruct, or remove any notice unless authorized to do so by the Board or Control Officer.

REPEALER

REGULATION I SECTION 3.21 SERVICE OF NOTICE

AMENDATORY SECTION

REGULATION I SECTION ~~((3-23))~~ 3.21 SEPARABILITY

If ~~((a))~~ any provision of ~~((this))~~ Regulation I, II, or III is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality or validity of every other provision of ~~((this))~~ the Regulations shall not be affected thereby.

REPEALER

REGULATION I SECTION 3.24 CAUSING OR PERMITTING AIR POLLUTION - UNLAWFUL

AMENDATORY SECTION

REGULATION I SECTION ~~((3-25))~~ 3.13 ~~((PENALTY))~~ CRIMINAL PENALTIES

(a) Any person who violates any of the provisions of Chapter 70.94 RCW or any of the resolutions, rules or regulations of the Department of Ecology or Board, including but not limited to Regulation I and Regulation H of the Puget Sound Air Pollution Control Agency, may incur a civil penalty in an amount not to exceed shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment for not more than ninety (90) days, or by both fine and imprisonment for each separate violation:

~~((b)) (a) Any person who ((willfully)) knowingly violates any of the provisions of Chapter 70.94 RCW or any ((of the resolutions;)) rules or regulations ((of the Department of Ecology or Board)) in force pursuant thereto, ((including but not limited to Regulations I and H of the Puget Sound Air Pollution Control Agency;)) shall be guilty of a ((gross misdemeanor. Upon)) crime and upon conviction thereof, ((the offender)) shall be punished by a fine of not ~~((less))~~ more than ~~((one hundred dollars (\$100.00)))~~ \$10,000.00 ~~((for each offense))~~, or by imprisonment in the county jail for ~~((a term of))~~ not more than ~~((one~~~~

~~((+)))~~ 1 year, or by both ~~((fine and imprisonment))~~ for each separate violation.

~~((c) In case of a continuing violation, whether or not willfully committed, each day's continuance shall be a separate and distinct violation;))~~

(b) Any person who negligently releases into the ambient air any substance listed by the Department of Ecology as a hazardous air pollutant, other than in compliance with the terms of an applicable permit or emission limit, and who at the time negligently places another person in imminent danger of death or substantial bodily harm shall be guilty of a crime and shall, upon conviction, be punished by a fine of not more than \$10,000.00, or by imprisonment for not more than 1 year, or both.

(c) Any person who knowingly releases into the ambient air any substance listed by the Department of Ecology as a hazardous air pollutant, other than in compliance with the terms of an applicable permit or emission limit, and who knows at the time that he or she thereby places another person in imminent danger of death or substantial bodily harm, shall be guilty of a crime and shall, upon conviction, be punished by a fine of not less than \$50,000.00, or by imprisonment for not more than 5 years, or both.

~~((d) The Control Officer shall be empowered by the Board to sign official complaints or issue citations or initiate court suits or use other legal means to enforce the provisions of this Regulation;))~~

AMENDATORY SECTION

REGULATION I SECTION ~~((3-27))~~ 3.15 ADDITIONAL ENFORCEMENT

(a) Notwithstanding the existence or use of any other remedy, whenever any person has engaged in, or is about to engage in, any acts or practices which constitute or will constitute a violation of any provision of ~~((this Regulation;))~~ Chapter 70.94 RCW, or any order, rule, or regulation ~~((or order))~~ issued by the Board or the Control Officer or ~~((his))~~ a duly authorized agent, the Board, after notice to such person and an opportunity to comply, may petition the superior court of the county wherein the violation is alleged to be occurring or to have occurred ~~((;))~~ for a restraining order or a temporary or permanent injunction or another appropriate order.

(b) As an additional means of enforcement, the Board or Control Officer may accept an assurance of discontinuance of any act or practice deemed in violation of Chapter 70.94 RCW or of any order, rule, or regulation adopted pursuant thereto, from any person engaging in, or who has engaged in, such act or practice. Any such assurance shall specify a time limit during which such discontinuance is to be accomplished. Failure to perform the terms of any such assurance shall constitute prima facie proof of a violation of this chapter or the orders, rules, or regulations issued pursuant thereto, which make the alleged act or practice unlawful for the purpose of securing any injunction or other relief from the superior court.

AMENDATORY SECTION

REGULATION I SECTION ~~((3-29))~~ 3.11 CIVIL ~~((PENALTY))~~ PENALTIES

(a) Any person who violates any of the provisions of Chapter 70.94 RCW or any of the rules or regulations in force pursuant thereto, may incur a civil penalty in an amount not to exceed \$10,000.00 per day for each violation.

(b) Any person who fails to take action as specified by an order issued pursuant to Chapter 70.94 RCW or Regulations I, II, and III of the Puget Sound Air Pollution Control Agency shall be liable for a civil penalty of not more than \$10,000.00 for each day of continued noncompliance.

~~((a) In addition to or as an alternate to any other penalty provided by law, any person who violates any of the provisions of Chapter 70.94 RCW or any of the rules or regulations of the Department of Ecology or the Board, including but not limited to Regulation I and Regulation H of the Puget Sound Air Pollution Control Agency, shall incur a civil penalty in an amount not to exceed one thousand dollars (\$1,000.00) per day for each violation. Each such violation shall be a separate and distinct offense, and in case of a continuing violation, each day's continuance shall be a separate and distinct violation. For the purposes of this paragraph, the maximum daily fine imposed by the Board for violation of standards by a specific emissions unit is one thousand dollars (\$1,000.00). No civil penalty may be levied for the violation of any~~

~~opacity standard in an amount exceeding four hundred dollars (\$400.00) per day.~~

~~(b) Further, the person is subject to a fine of up to five thousand dollars (\$5,000.00) to be levied by the Director of the Department of Ecology if requested by the Board or if the Director determines that the penalty is needed for effective enforcement of Chapter 70.94 RCW. The Board shall not make such a request until notice of violation and compliance order procedures have been exhausted, if such procedures are applicable. For the purposes of this paragraph, the maximum daily fine imposed by the Department of Ecology for violations of standards by a specific emissions unit is five thousand dollars (\$5,000.00).~~

~~(c) Each act of commission or omission which procures, aids or abets in the violation shall be considered a violation under the provisions of this section and subject to the same penalty.~~

~~(d) Any civil penalty shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the penalty from the Control Officer or his designee describing the violation with reasonable particularity.)~~

~~((e)) (c) Within 15 days after ((the notice is received)) receipt of a Notice and Order of Civil Penalty, the person incurring the penalty may apply in writing to the Control Officer for the remission or mitigation of the penalty. Any such request must contain the following ((in the form of a sworn statement)):~~

~~(1) The requestor's name and address; The name, mailing address, telephone number, and telefacsimile number (if available) of the appealing party;~~

~~(2) The date and number of the civil penalty in question; A copy of the Notice and Order of Civil Penalty appealed from;~~

~~(3) A description of the substance of the civil penalty that is the subject of the request; A short and plain statement showing the grounds upon which the appealing party considers such order to be unjust or unlawful;~~

~~(4) A clear, separate and concise statement of every error alleged to have been committed; A clear and concise statement of facts upon which the appealing party relies to sustain his or her grounds for appeal;~~

~~(5) A clear and concise statement of all facts upon which the requestor relies to sustain the statements of error; and The relief sought, including the specific nature and extent; and~~

~~(6) A statement setting forth the relief sought: A statement that the appealing party has read the notice of appeal and believes the contents to be true, followed by the party's signature.~~

Upon receipt of the application, the Control Officer shall remit or mitigate the penalty only upon a demonstration by the requestor of extraordinary circumstances such as the presence of information or factors not considered in setting the original penalty.

~~((f)) (d) Any civil penalty may also be appealed to the Pollution Control Hearings Board pursuant to Chapter 43.21B RCW and Chapter 371-08 WAC if the appeal is filed with the Hearings Board and served on the Agency within 30 days after receipt by the person penalized of the notice imposing the penalty or 30 days after receipt of the notice of disposition of the application for relief from penalty.~~

~~((g)) (e) A civil penalty shall become due and payable on the later of:~~

~~(1) 30 days after receipt of the notice imposing the penalty;~~

~~(2) 30 days after receipt of the notice of disposition on application for relief from penalty, if such application is made; or~~

~~(3) 30 days after receipt of the notice of decision of the Hearings Board if the penalty is appealed.~~

~~((h)) (f) If the amount of the civil penalty is not paid to the Agency within 30 days after it becomes due and payable, the Agency may bring action to recover the penalty in King County Superior Court or in the superior court of any county in which the violator does business. In these actions, the procedures and rules of evidence shall be the same as in an ordinary civil action.~~

~~((i) If a penalty is levied under paragraph (b) of this section, the Director or the Director's authorized delegate may, upon written application therefore received within 15 days after the notice imposing any penalty is received by the person incurring the penalty, and when deemed in the best interest to carry out the purposes of Chapter 70.94 RCW, remit or mitigate any penalty provided in this section upon such terms as the Director in the Director's discretion deems proper, and may ascertain the facts upon all such applications in such manner and under such regulations as the Director deems proper. The mitigation shall not affect or reduce the penalty imposed by the Board.))~~

~~(g) Civil penalties incurred but not paid shall accrue interest beginning on the 91st day following the date that the penalty becomes due and payable, at the highest rate allowed by RCW 19.52.020 on the date that the penalty becomes due and payable. If violations or penalties are appealed, interest shall not begin to accrue until the 31st day following final resolution of the appeal.~~

~~((j)) (h) To secure the penalty incurred under this section, the Agency shall have a lien on any vessel used or operated in violation of Regulations I, II, and III which shall be enforced as provided in RCW 60.36.050.~~

AMENDATORY SECTION

ARTICLE ((7)) 4: VARIANCES

REGULATION I SECTION ((7-0+)) 4.01 VARIANCES

(a) Any person who owns or is in control of any plant, building, structure, establishment, process or equipment including a group of persons who owns or controls like processes or like equipment may apply to the Board for a variance from rules or regulations governing the quality, nature, duration or extent of discharge of air contaminants. The application shall be accompanied by such information and data as the Board may require. The hearing held hereunder shall be conducted in accordance with the rules of evidence as set forth in RCW 34.04.100 as now or hereafter amended. The total time period for a variance and renewal of such variance shall not exceed 1 year. Variances to state rules shall require the approval of the Department of Ecology. The Board may grant such variance, but only after public hearing on due notice, if it finds that:

(1) The emissions occurring or proposed to occur do not endanger public health or safety or the environment; and

(2) Compliance with the rules or regulations from which variance is sought would produce serious hardship without equal or greater benefits to the public.

(b) No variance shall be granted pursuant to this section until the Board has considered the relative interests of the applicant, other owners of property likely to be affected by the discharges, and the general public.

(c) Any variance or renewal thereof shall be granted within the requirements of ((Subsection)) Section 4.01(a) ((and for time periods)) and under conditions consistent with the reasons therefor, and within the following limitations:

(1) If the variance is granted on the ground that there is no practicable means known or available for the adequate prevention, abatement or control of the pollution involved, it shall be only until the necessary means for prevention, abatement or control become known and available, and subject to the taking of any substitute or alternate measures that the Board may prescribe.

~~((2) If the application for variance shows that there is no automobile fragmentizer within a reasonable distance of the wrecking yard for which the variance is sought, a variance will be granted for a period not to exceed 3 years for commercial burning of automobile hulks, subject to such conditions as the Board may impose as to climatic conditions and hours during which burning of such hulks may be carried out. PROVIDED, HOWEVER, that any variance granted hereunder shall be of no force and effect after July 1, 1970.))~~

((3)) (2) If the variance is granted on the ground that compliance with the particular requirement(s) or requirements from which variance is sought will require the taking of measures which, because of their extent or cost, must be spread over a considerable period of time, it shall be for a period not to exceed such reasonable time as, in the view of the Board is requisite for the taking of the necessary measures. A variance granted on the ground specified herein shall contain a timetable for the taking of action in an expeditious manner and shall be conditioned on adherence to such timetable.

((4)) (3) If the variance is granted on the ground that it is justified to relieve or prevent hardship of a kind other than that provided for in ((item)) Section 4.01 (c)(1) ((;)) and 4.01 (c)(2) ((; and (3) of this subparagraph)), it shall be for not more than 1 year.

(d) Any variance granted pursuant to this section may be renewed on terms and conditions and for periods which would be appropriate on initial granting of a variance. If complaint is made to the Board on account of the variance, no renewal thereof shall be granted unless, following a public hearing on the complaint on due notice, the Board finds that renewal is justified. No renewal shall be granted except on application therefor. Any such application shall be made at least 60 days prior to the expiration of the variance. Immediately upon receipt

of an application for renewal, the Board shall give public notice of such application in accordance with rules and regulations of the Board.

~~((f)) Any variance granted pursuant to this section may be extended beyond the term of the original variance on the conditions and for the periods as determined by the Board. No extension of the variance shall be granted unless the Board finds that the extension is justified and meets the findings of Subsection (a) in regard to public health and safety, and failure to grant would produce serious hardship without equal or greater benefits to the public, and then only after a public hearing on due notice as provided for original variances. Any application for extension shall be made at least 60 days prior to the expiration of the variance unless circumstances evidence an immediate need to waive that requirement. All other requirements of Section 7.01 shall apply the same as if it were an original variance.))~~

(e) A variance or renewal shall not be a right of the applicant or holder thereof but shall be granted at the discretion of the Board. However, any applicant adversely affected by the denial or the terms and conditions of the granting of an application for a variance or renewal of a variance by the Board may obtain judicial review thereof only under the provisions of Chapter ~~((43.21B))~~ 34.05 RCW as now or hereafter amended.

(f) Nothing in this section and no variance or renewal granted pursuant hereto shall be construed to prevent or limit the application of the emergency provisions and procedures of RCW ~~((70.94.415 of the Washington Clean Air Act))~~ 70.94.710 through 70.94.730 to any person or his or her property.

(g) An application for a variance, or for the renewal thereof, submitted to the Board pursuant to this section shall be approved or disapproved by the Board within 65 days of receipt unless the applicant and the Board agree to a continuance.

(h) Variances approved under this section shall not be included in orders or permits provided for in Section 301, Chapter 199 Laws of 1991 or RCW 70.94.152 until such time as the variance has been accepted by the United States Environmental Protection Agency as part of an approved State Implementation Plan.

AMENDATORY SECTION

REGULATION I SECTION ~~((7.02))~~ 4.02 FILING FEES

A fee of ~~((5450))~~ \$1,000.00 shall be paid upon the filing of any variance application with the Agency.

WSR 91-14-095
PROPOSED RULES
PUGET SOUND
AIR POLLUTION CONTROL AGENCY
 [Filed July 2, 1991, 10:59 a.m.]

Original Notice.

Title of Rule: Amend Article 4 of PSAPCA Regulation III.

Purpose: To prevent the release of asbestos fibers during residential asbestos removal projects done by the homeowners.

Other Identifying Information: Article 4 pertains to "asbestos control standard."

Statutory Authority for Adoption: Chapter 70.94 RCW.

Statute Being Implemented: RCW 70.94.141.

Summary: The proposed amendment would require any asbestos removal or encapsulation work on an asbestos project be performed by a certified asbestos worker under the direct on-site supervision of a certified asbestos supervisor.

Reasons Supporting Proposal: Homeowners are not capable of performing this work without release of fibers.

Name of Agency Personnel Responsible for Drafting: Gerry Pade, 200 West Mercer Street #205, Seattle, 98119, 296-7468; Implementation: Jim Nolan, 200 West Mercer Street #205, Seattle, 98119, 296-7426; and Enforcement: Joe Eng, 200 West Mercer Street #205, Seattle, 98119, 296-7335.

Name of Proponent: Puget Sound Air Pollution Control Agency, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed amendment would eliminate the exemption which currently allows a homeowner to remove or encapsulate asbestos containing materials in the home. This amendment would protect homeowners, neighbors, and garbage workers from exposure to a hazardous air pollutant. This amendment would also require the homeowner to hire a licensed asbestos contractor at a considerable expense, often over a thousand dollars, to perform such work.

Proposal Changes the Following Existing Rules: The sentence exempting homeowners from the requirement to hire a licensed asbestos contractor is being deleted.

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

Hearing Location: Everett City Hall, Council Chambers, 3002 Wetmore Avenue, Everett, WA 98201, on August 8, 1991, at 9:30 a.m.

Submit Written Comments to: Anita Frankel, Puget Sound Air Pollution Control Agency, 200 West Mercer Street #205, Seattle, WA 98119, by July 31, 1991.

Date of Intended Adoption: August 8, 1991.

June 28, 1991
 Gerald S. Pade
 Air Pollution Engineer

AMENDATORY SECTION

REGULATION III SECTION 4.01 PURPOSE

The Board of Directors of the Puget Sound Air Pollution Control Agency recognizes that asbestos is a hazardous and toxic air contaminant and that any asbestos emitted to the ambient air is air pollution. Human health risk occurs when asbestos is released into the air and, when inhaled, can cause lung cancer, pleural mesothelioma, peritoneal mesothelioma, or asbestosis. Since asbestos is more likely to become airborne when disturbed, it is best left in place and maintained in good condition unless removal is necessary for renovation or demolition purposes. In order to protect the public health, the Board has accepted delegation for implementing the requirements of the U.S. Environmental Protection Agency's "National Emission Standards for Hazardous Air Pollutants" (NESHAP) as codified in Title 40 of the Code of Federal Regulations (40 CFR) Part 61, Subpart M. Because of the seriousness of the health hazard, the Board of Directors has adopted ((this regulation)) Article 4 to supplement the NESHAP requirements ((control)) to prevent the release of asbestos emissions from the removal, encapsulation, salvage, disposal, or disturbance of asbestos-containing materials ((in order to protect the public health)).

AMENDATORY SECTION

REGULATION III SECTION 4.04 PROCEDURES FOR ASBESTOS EMISSION CONTROL

(a) Asbestos Project - Requirements. It shall be unlawful for any person to cause or allow work on an asbestos project unless the following procedures are employed:

(1) Any asbestos removal or encapsulation work on an asbestos project shall be performed by a certified asbestos worker(s) under the

direct, on-site supervision of a certified asbestos supervisor in accordance with WAC 296-65-030 or as approved by the Washington Industrial Safety & Health Administration. ~~((This requirement shall not apply to asbestos projects conducted in a residential dwelling by the owner of the dwelling.))~~

(2) All asbestos-containing materials shall be kept adequately wet when they are being removed from any structure, building, vessel, or component.

(3) No visible emissions shall be caused by the removal, encapsulation, disposal, or disturbance of asbestos-containing materials during the course of an asbestos project.

(4) All asbestos-containing materials that have been removed or may have fallen off components during the course of an asbestos project shall be:

(A) Kept adequately wet until collected for disposal; and

(B) Collected for disposal at the end of each working day; and

(C) Contained in a controlled area at all times until transported to a waste disposal site; and

(D) Carefully lowered to the ground or a lower floor, not dropped, thrown, slid, or otherwise handled in such a manner that may risk further damage to them; or

(E) Transported to the ground via dust-tight chutes or containers if they have been removed or stripped more than 50 feet above ground level and were not removed as a unit or in sections.

(5) When a component covered, coated, or manufactured from asbestos-containing material is being removed as a unit or in sections, the following procedures shall be employed:

(A) Any asbestos-containing material exposed during cutting or disjuncting operations shall be adequately wet;

(B) The units or sections shall be carefully lowered to ground level, not dropped, thrown, slid, or otherwise handled in such a manner that may risk damage to them;

(C) For small components such as pipes, beams and small tanks, the asbestos-containing material shall be kept adequately wet during stripping and collection for disposal in accordance with Sections 4.04 and 4.05 or, if removed in units or sections, contained in a leak-tight wrapping and labeled in accordance with Subsections 4.05 (a)(1)(C) and 4.05 (a)(1)(F) after wetting; and

(D) For large components such as boilers, steam generators, reactor vessels, and large tanks, the asbestos-containing material shall be kept adequately wet during stripping and collection for disposal in accordance with Sections 4.04 and 4.05. However, the asbestos-containing material is not required to be removed or stripped if:

(i) The component can be removed, transported, stored, and deposited at a waste disposal site or reused without disturbing or damaging the asbestos;

(ii) The asbestos-containing material is encased in a leak-tight wrapping after wetting; and

(iii) The component is labeled in accordance with Subsections 4.05 (a)(1)(C) and 4.05 (a)(1)(F) during all loading, unloading, storage, and disposal operations.

(6) When a negative-pressure enclosure is used on an asbestos project, it shall:

(A) Have a sufficient amount of air exhausted to create a pressure of at least -0.02 inches of water within the enclosure with respect to the area outside the enclosure;

(B) Have a minimum of one air exchange every fifteen (15) minutes within the enclosure before work on the asbestos project begins;

(C) Be maintained to ensure the integrity of the enclosure and that engineering controls, including HEPA filters, are functioning properly to prevent visible emissions; and

(D) When feasible, have one or more transparent plastic or glass viewing ports installed on the walls of the enclosure in such a manner that will allow for viewing of all components inside the enclosure that are involved in the project. When available, existing windows shall be utilized for viewing ports as needed.

(7) When a control device, vacuum system or a local exhaust ventilation and collection system is used on an asbestos project, it shall:

(A) Exhibit no visible emissions;

(B) Be equipped with a HEPA exhaust filter; and

(C) Be maintained to ensure the integrity of the system and that engineering controls, including HEPA filters, are functioning properly to prevent visible emissions.

(b) Demolition Project - Requirements. It shall be unlawful for any person to cause or allow the demolition of any building, vessel, structure, or portion thereof, unless all asbestos-containing materials are

removed before any activity that would disturb the materials or prevent access to the materials for removal and disposal in accordance with the requirements of Sections 4.04 and 4.05.

(c) Asbestos Projects - Exemptions.

(1) Asbestos Project - Exemptions. The owner or operator of a facility may submit a signed written request for a conditional approval by the Control Officer or Board to waive specific requirements of this regulation for any material containing at least one percent (1%) asbestos if:

(A) In accordance with the procedures established by the Control Officer or Board, it can be demonstrated that the material does not release asbestos fibers when broken, crumbled, pulverized, or otherwise disturbed; or

(B) It has been determined by the Control Officer or Board that, based on historical data from prior demonstrations of similar materials, the material does not release asbestos fibers when broken, crumbled, pulverized, or otherwise disturbed.

(2) Demolition Project - Asbestos Removal Exemptions. Asbestos-containing materials need not be removed before the demolition of any building, vessel, structure, or portion thereof, if:

(A) The asbestos-containing material is on a component that is encased in concrete or other material determined by the Control Officer to be equally effective in controlling asbestos emissions. In this case, the notification requirements of Section 4.03 shall apply and these materials shall be kept adequately wet whenever exposed during demolition until disposed of in accordance with Subsection 4.05 (a)(2); or

(B) The asbestos-containing material could not be removed prior to demolition because it was not accessible until after demolition began. In this case, the notification requirements of Section 4.03 shall apply and the exposed asbestos-containing material and asbestos-contaminated debris shall be kept adequately wet at all times until disposed of in accordance with Subsection 4.05 (a)(2); or

(C) The material was not accessible for removal because of hazardous conditions. Such conditions may include environments that are contaminated by toxic substances, structures, or buildings that are structurally unsound and in danger of imminent collapse, or other conditions that are immediately dangerous to life and health. Under such conditions, the facility owner or operator may submit a signed written request for conditional approval by the Control Officer to waive the requirements of Subsection 4.04(b). In this case, the notification requirements of Section 4.03 shall apply and the exposed asbestos-containing material and asbestos-contaminated debris shall be kept adequately wet at all times until disposed of in accordance with Subsection 4.05 (a)(2). Evidence of the hazardous condition, as documented by a state or local government agency, shall accompany the written request in addition to the notice and appropriate fee as required by Section 4.03. The request for exemption from Subsection 4.04(b) shall include, at a minimum:

(i) The complete name, mailing address, and telephone number of the owner or operator of the facility and project, including the city, zip code, and county;

(ii) The complete street address or location of the demolition site, including the city, zip code, and county;

(iii) The name, title, and authority of the state or local government representative who has determined the hazardous condition;

(iv) A description of the hazardous condition that prevents the removal of asbestos-containing material prior to demolition, including the amount, type and specific location(s) within the structure of such materials; and

(v) The procedures that will be used to prevent the release of asbestos fibers into the ambient air.

(3) Alternative Control Measures. The owner or operator of an asbestos project may submit a signed written request to use an alternative control measure that is equally effective in controlling asbestos emissions for conditional approval by the Control Officer. The written request shall include, at a minimum:

(A) The complete name, mailing address, and telephone number of the owner or operator of the asbestos project, including the city and zip code;

(B) The complete street address or location of the project site, including the city, zip code, and county;

(C) A description of the material, including the type and percentage of asbestos in the material, total amount of material involved, and the specific location(s) of the material on the project site; and

(D) The reason why an alternative control measure is required and a description of the proposed alternative control measure to be employed,

including the procedures that will be used to prevent the release of asbestos fibers into the ambient air.

WSR 91-14-096
NOTICE OF PUBLIC MEETINGS
FOREST PRACTICES BOARD

[Memorandum—July 2, 1991]

NOTICE OF SPECIAL MEETING AND RESCHEDULED
REGULAR MEETING
FOREST PRACTICES BOARD

This notice is given pursuant to provisions of RCW 42.30.075 and WAC 222-08-040.

The Washington Forest Practices Board will hold its regular quarterly meeting from August 13 to August 15, 1991.

A field trip is scheduled for August 13, 1991. The field trip will begin at 9:00 a.m., departing from the Northwest Region Office of the Department of Natural Resources, 919 North Township Street, Sedro Woolley.

The Forest Practices Board will hold a work session on August 14, 1991, for the purpose of considering background information on issues facing the board. The background information will be presented by subject matter experts in a formally scheduled panel discussion format. The work session will be open to the public, but no public testimony will be taken. Public testimony on the issues will [be] taken on August 15. The board will not take final action on any permanent or emergency rule at the work session. The work session will convene at 9:00 a.m., August 14, 1991, in the Viking Union Lounge, Viking Union Building, Western Washington University, Bellingham.

Regular business of the board will be conducted on August 15, 1991, convening at 9:00 a.m. in Room 461-3, Viking Union Building Addition, Western Washington University, Bellingham.

Additional information may be obtained from: Forest Practices Division, 1007 South Washington, Mailstop EL-03, Olympia, WA 98504, (206) 753-5315.

WSR 91-14-097
PROPOSED RULES
DEPARTMENT OF LICENSING

[Filed July 2, 1991, 3:03 p.m.]

Original Notice.

Title of Rule: Amending WAC 308-66-120 Dealer's license application, 308-66-135 Expiration of dealer, salesperson and manufacturer licenses, 308-66-140 Place of business and places of business, 308-66-155 Consignment, 308-66-160 Dealer's and manufacturer's

license plates, 308-66-170 Denial, suspension or revocation of license, 308-66-190 Transfer of certificate of title by dealer, 308-66-212 Sale, transfer or other disposition of noncorporate licensee, 308-66-214 Incorporation of licensee while licensed and 308-66-215 Mergers and consolidations of corporations; new section WAC 308-66-165 Vehicle sales transactions and 308-66-240 bond cancellation, closure notice; and repealing WAC 308-66-213 Partial sales transfer or disposition of noncorporate licensee.

Purpose: WAC 308-66-120, punctuation correction; WAC 308-66-135, deletes subsection (1); WAC 308-66-140, deletes subsection (10); WAC 308-66-155, correction to RCW citation; WAC 308-66-160, defines a term used in RCW 46.70.090 (5)(b); WAC 308-66-165, defines transaction year for computing the number of dealer plates allowed; WAC 308-66-170, corrects statutory and rule citations; WAC 308-66-190, corrects statutory citation; WAC 308-66-212, describes the licensing process when ownership interest in a noncorporate license changes; WAC 308-66-214, describes the licensing process when a noncorporate licensee converts to a corporate licensee; WAC 308-66-215, describes the licensing process when a corporate licensee merges or consolidates with a noncorporate license; and WAC 308-66-240, describes the procedure for license cancellation and posting of closure notices when a bond is cancelled.

Statutory Authority for Adoption: RCW 46.70.160.

Statute Being Implemented: WAC 308-66-120 is RCW 46.70.041; WAC 308-66-135 is RCW 46.70.085; WAC 308-66-140 is RCW 46.70.023; WAC 308-66-155 is RCW 46.70.028; WAC 308-66-160 is RCW 46.70.090; WAC 308-66-165 is 1991 c 140; WAC 308-66-170 is RCW 46.70.101; WAC 308-66-190 is RCW 46.12.120 and [46.12].124; WAC 308-66-212 is RCW 46.70.041; WAC 308-66-214 is RCW 46.70.041; WAC 308-66-215 is RCW 46.70.041; and WAC 308-66-240 is RCW 46.70.070.

Summary: WAC 308-66-120, this section makes a punctuation correction. The current rule, as indicated by a reviser's note, contains a punctuation error; WAC 308-66-135, this section deletes subsection (1), which is no longer needed; WAC 308-66-140, this section deletes subsection (10), which is no longer needed; WAC 308-66-155, this section makes a correction to an RCW citation in subsection (3). The current reference to RCW 46.69.180(9) is incorrect; WAC 308-66-160, this section defines a term used in RCW 46.70.090 (5)(b), which pertains to the legitimate use of manufacturer's plates. The definition is needed for clarification; WAC 308-66-165, this section defines what constitutes a transaction year for computing the number of dealer plates allowed. This definition is needed to assist in the implementation of HB 1878 (Laws of 1991, chapter 140), which becomes effective on July 28, 1991; WAC 308-66-170, this section corrects statutory and rule citations that are currently incorrect; WAC 308-66-190, this section corrects a statutory citation that currently only refers to the session laws; WAC 308-66-212, this section describes the licensing process when ownership interest in a noncorporate license changes. The changes

reflect the processes currently being used; WAC 308-66-214, this section describes the licensing process when a noncorporate licensee converts to a corporate licensee. The changes reflect the processes currently being used; WAC 308-66-215, this section describes the licensing process when a corporate licensee merges or consolidates with a noncorporate licensee. The changes reflect the processes currently being used; and WAC 308-66-240, this section describes the procedure for license cancellation and posting of closure notices when a bond is canceled. This section is needed for clarification of the department processes.

Reasons Supporting Proposal: See Summary above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Marv Ryser, 1125 Washington Street S.E., 5th Floor, Olympia, WA, (206) 586-5373.

Name of Proponent: Department of Licensing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The changes in existing rules are housekeeping rather than substantive. The changes are needed to correct minor mistakes in the current rules or to better reflect department processes. The new sections are for the purposes of implementing new statutes or for clarifying department processes.

Proposal Changes the Following Existing Rules: WAC 308-66-120, punctuation correction; WAC 308-66-135, deletes subsection (1); WAC 308-66-140, deletes subsection (10); WAC 308-66-155, correction to RCW citation; WAC 308-66-160, defines a term used in RCW 46.70.090 (5)(b); WAC 308-66-170, corrects statutory and rule citations; WAC 308-66-190, corrects statutory citation; WAC 308-66-212, describes the licensing process when ownership interest in a noncorporate license changes; WAC 308-66-214, describes the licensing process when a noncorporate licensee converts to a corporate licensee; and WAC 308-66-215, describes the licensing process when a corporate licensee merges or consolidates with a noncorporate license.

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

Hearing Location: Department of Licensing, 4th Floor Executive Conference Room, Highways-Licenses Building, 1125 Washington Street S.E., Olympia, WA, on August 6, 1991, at 9:00 a.m.

Submit Written Comments to: Michele Gruender, Dealer Services, 1125 Washington Street S.E., 5th Floor, Olympia, WA 98507, by July 30, 1991.

Date of Intended Adoption: August 16, 1991.

July 2, 1991
John Swannack
for Mary Faulk
Director

Chapter 308-66 WAC
MOTOR VEHICLE DEALERS AND ~~(SALESMEN)~~ MANU-
FACTURERS

AMENDATORY SECTION (Amending Order DLR 115, filed 12/9/86)

WAC 308-66-120 DEALER'S LICENSE APPLICATION. (1) Each application shall contain in addition to the information required by RCW 46.70.041:

(a) The names and addresses of all owners of ten percent or more of the assets of the firm and the names and addresses of managing employees;

(b) The name and address of the principal place of business of the firm;

(c) The names and addresses of each and every subagency of the firm, if any;

(d) A current balance sheet of assets and liabilities which shall have been prepared within ninety days of its submission ~~((+++))~~;

(e) A statement of whether or not the applicant or any partner, officer, director, owner of ten percent or more of the assets of the firm, or managing employee, was the holder of a license issued pursuant to chapter 46.70 RCW which was revoked for cause and never reissued by the department, or which license was suspended for cause and the terms of the suspension have not been fulfilled;

(f) A detailed list of all dealerships previously operated by each person named on the application and with which each person presently or was formerly connected or employed.

(2) An applicant shall appear for a personal interview if requested by the department.

(3) The department may require a credit report for each party named on each application for a dealer's license.

(4) An applicant shall provide as evidence of leasehold or ownership interest of business location either:

(a) A copy of the rental or lease agreement between the applicant and landowner showing the business location by commonly known address, or

(b) A copy of the county assessor's record showing ownership of the business location, the applicant's name and the commonly known address.

(5) The bank reference for verifying financial condition consisting of:

(a) The name of applicant's bank, a person to contact at that bank concerning applicant's financial condition, or

(b) A letter of credit current within last 90 days, or

(c) A flooring agreement, if with a financial institution, or

(d) A line of credit with a financial institution.

(6) The department may require an applicant for a vehicle dealer license to provide evidence that the business location conforms to all zoning and land use ordinances.

(7) A corporation applicant shall provide the corporation number and corporation name issued by the secretary of state's office authorizing the company to do business within this state.

(8) The name and address on the license application and all required supporting documents must be the same. The sign at the certified location must identify the doing business as name (dba), if any, and that name shall appear on all documents as the applicant's name. The business telephone listing must also reflect the business name or the doing business as name.

AMENDATORY SECTION (Amending Order DLR-091, filed 3/26/86)

WAC 308-66-135 EXPIRATION OF DEALER, SALESPERSON AND MANUFACTURER LICENSES. ~~((+)) Any dealer, vehicle salesperson and vehicle manufacturer's license shall expire twelve consecutive months from the date of issuance for purposes of staggered licensing. During the initial licensing period the renewal dates shall be established by a random alphabetical selection commencing with a minimum license period of six months, extended month by month to a maximum of eighteen consecutive months as determined by the random selection process. Upon completion of the initial staggering of these licenses each subsequent renewal period shall be twelve consecutive months from the established date of the staggered issuance, subject to the provisions of chapter 46.70 RCW.~~

~~(2))~~ Motor vehicle dealer license plates and vehicle manufacturer license plates shall expire on the same date as the expiration of the license.

AMENDATORY SECTION (Amending Order DLR 115, filed 12/9/86)

WAC 308-66-140 PLACE OF BUSINESS AND PLACES OF BUSINESS. (1) A dealer shall advise the department of each and every:

- (a) Name under which the firm does business, and
- (b) Location at which the firm does business.

If there is any addition, deletion or change in the above, the dealer shall so inform the department within ten days of such action.

(2) A dealer shall designate one name and one location as the principal name and principal place of business of the firm.

(a) All other locations that are physically and geographically separated from the principal place of business shall be designated and licensed as subagencies of that dealership;

(b) All other names shall be designated and licensed as subagencies of that dealership;

(c) If a dealer is required to obtain a subagency license under (2)(a) of this section, he shall not be required to obtain an additional subagency license under (2)(b) of this section, unless he does business under more than one name at that location;

(3) The director shall fail to renew, suspend or revoke a subagency license of a dealership if the dealer ceases to maintain "an established place of business" at that subagency location.

(4) All temporary subagencies shall be covered by the bond of the dealer's principal place of business.

(5) A ((new-motor)) vehicle dealer that is unable to locate his/her used vehicle sales facilities adjacent to or at the established place of business need not obtain and hold a subagency license if:

- (a) Vehicle sales lot is contained within the same city block, or
- (b) Directly across the street, or
- (c) Is within sight, and
- (d) Location is zoned properly, and
- (e) Dealer bond covers sales lot.

(6) If sales lot referred to in section 5 is in sight of the principal place of business, no sign is required at that sales lot.

(7) The department may require that a dealer provide evidence that each place of business conforms to all zoning and land use ordinances.

(8) Each and every subagency license of a dealership shall automatically be deemed cancelled upon the termination, for whatever reason, of the principal license of that dealership.

(9) No license shall be issued to any applicant for a vehicle dealer or vehicle manufacturer license under a name that is the same as that of any dealer or manufacturer holding a current license issued pursuant to chapter 46.70 RCW.

~~((10) The fee will be ten dollars for each temporary subagency prior to July 1, 1986 and thereafter the fee will be twenty-five dollars.))~~

AMENDATORY SECTION (Amending Order DLR 115, filed 12/9/86)

WAC 308-66-155 CONSIGNMENT. (1) Contract.

(a) It shall be considered an unlawful practice within the meaning of RCW 46.70.180 for a vehicle dealer to accept any vehicle on consignment without first reducing the consignment to writing.

(b) Minimum information required for consignment contracts.

(i) The names of the parties to the contract including the identity of the legal owner.

(ii) A statement by the consignor indicating the location of the title and the unpaid balance of the vehicle, if any.

(iii) The date of the consignment agreement.

(iv) The specific effective duration of the contract.

(v) The agreed upon price which the consignor will receive for his vehicle.

(vi) The description of the consigned vehicle, by make, model, vehicle identification number, and license number.

(vii) The signatures of the parties to the contract.

(viii) If no price has been specified in (v) above, then the minimum retail price and the commission, fee, or compensation to which the vehicle dealer will be entitled upon the sale of the consigned vehicle.

(2) In the event the dealer-consignee and the consignor shall deem it appropriate to vary the terms of the written contract, the dealer-consignee shall obtain written authorization from the consignor prior to the sale of the subject vehicle.

(3) Requirements for selling consigned vehicles.

(a) All funds received, including deposits or payments in full or proceeds from the sale of trade-ins, shall be placed in a trust account as required under RCW ((46.69-180)) 46.70.180(9), and said funds shall

remain in such trust account until the consignor's and the legal owner's interest, if any, have been fully satisfied as provided in the consignment agreement. It shall be considered an unlawful practice for a vehicle dealer or salesperson to commingle funds received on a consigned vehicle with the assets of the dealer and the salesperson until all terms of the agreement have been completed.

(b) The amount due a consignor after the sale of the consigned vehicle shall be paid by the consignee immediately where title has been delivered to the purchaser, and in all cases shall be paid within ten days.

(c) The consignor shall receive a copy of the purchase order used to complete the sale at the time the funds are remitted where the sale has been on a fee or commission basis.

(4) Consignee's duty to transfer title.

(a) The sale of consigned vehicles imposes the same duty under RCW 46.12.120 to consignee as any other sale.

(b) Prior to accepting a vehicle for consignment and offering it for sale, it shall be the duty of the consignee to verify or confirm the title location. Failure to do so shall be considered an unlawful and deceptive practice under RCW 46.70.180(1).

AMENDATORY SECTION (Amending Order DLR-114, filed 10/8/86)

WAC 308-66-160 DEALER'S AND MANUFACTURER'S LICENSE PLATES. (1) When dealer's plates are used on any vehicle being demonstrated to a prospective customer, it is not necessary that the dealer or a member of his firm accompany the prospective customer except as provided in RCW 46.70.090. Prospective customers, when not accompanied by a dealer or member of his firm, shall be issued a demonstration permit by the dealer authorizing them to operate the vehicle for a period not to exceed seventy-two hours for the purpose of demonstration and possible purchase.

(2) When a dealer receives a vehicle bearing foreign license plates, such plates shall be covered by the dealer's plates while that vehicle is being demonstrated. Upon the sale of the vehicle, the foreign plates shall be removed and destroyed by the dealer prior to the delivery of the vehicle. When a foreign-plated vehicle is sold to a resident of the state whose plate is so displayed on the vehicle and the purchaser returns the vehicle immediately to his home state for use there and not in Washington, the dealer may deliver the vehicle with foreign plates attached if either one of two conditions is also met. The conditions are:

(a) The purchaser must have applied to his home state's vehicle licensing authority to register the vehicle in his own name, or

(b) The purchaser must have obtained a one-transit permit to move the vehicle from the dealer's place of business to his own state.

(3) An employee of a dealer shall carry an employee identification card when operating any vehicle bearing dealer's plates.

(4) Dealer's plates may not be used on any vehicle belonging to a member of the dealer's family.

(5) Dealer's plates may not be used on any vehicle owned by the dealer if such vehicle is used exclusively by members of the dealer's family.

(6) Vehicles bearing dealer's plates may not be loaned to the dealer's service customers.

(7) Dealers are required to provide reasonably accurate records reflecting the use of dealer plates.

(8) Pursuant to RCW 46.70.090 (5)(b), testing vehicles for repair is limited to testing for a preexisting, identifiable problem known to the manufacturer before the testing is to begin.

NEW SECTION

WAC 308-66-165 VEHICLE SALES TRANSACTIONS. Vehicle sales transactions reported to the department as required by RCW 46.70.083 shall be determined by reporting the number of vehicles sold in each license classification held by the dealer during the twelve-month period ending sixty days prior to the expiration of the license.

AMENDATORY SECTION (Amending Order DLR 115, filed 12/9/86)

WAC 308-66-170 DENIAL, SUSPENSION OR REVOCATION OF LICENSE. (1) When the license of a vehicle dealer has been suspended or revoked or an application has been denied, the department shall post a closure notice at or near the principal entry to the place of business. Such notice shall include a statement that the dealership is closed as to the sale of vehicles because of the denial,

suspension or revocation of a license. In case of a suspension, the duration of the suspension shall be stated on the notice. A dealer shall not remove any closure notice without written permission from an authorized representative of the director.

(2) Practices inimical to the health and safety of the citizens of the state of Washington pursuant to RCW 46.70.101 (3)(k) shall include, but not be limited to, failure to comply with the following federal and state standards, as presently constituted and as hereafter amended, amplified or revised, pertaining to the construction and safety of vehicles:

(a) "Federal motor vehicle safety standards," 49 Code of Federal Regulations, part 571;

(b) "Control of air pollution from new motor vehicles and new motor vehicle engines," 40 Code of Federal Regulations, part 85;

(c) "Vehicle lighting and other equipment," chapter 46.37 RCW;

(d) Rules and regulations adopted by the ~~((state commission on equipment))~~ Washington state patrol pursuant to RCW 46.37.005, Title 204 ~~((Washington Administrative Code,))~~ WAC;

(e) "Mobile homes, ~~((trailer))~~ commercial coaches, park trailers, and recreational vehicles," chapter ~~((296-48 Washington Administrative Code))~~ 296-150B WAC;

(f) Housing and Community Development Act of 1974, Public Law 93-383, Title VI Mobile home construction and safety standards, §§ 603, 604, 610, 615, 616, 617.

AMENDATORY SECTION (Amending WSR 90-24-054, filed 12/3/90, effective 1/3/91)

WAC 308-66-190 TRANSFER OF CERTIFICATE OF TITLE BY DEALER. (1) When a vehicle displaying current Washington plates is sold by a dealer, the dealer shall make an application for a certificate of title in the purchaser's name within thirty days following the sale of the vehicle.

(2) The dealer shall in every case sign or type his name on the certificate of title accompanying the transfer. If an authorized agent signs for the dealer, he shall give his title.

(3) The name and address of the previous registered owner shall be shown on the application for transfer of title.

(4) The dealer shall provide a vehicle odometer disclosure statement with the title application as required by ~~((section 6, chapter 238, Laws of 1990))~~ RCW 46.12.124.

AMENDATORY SECTION (Amending Order MV 170, filed 7/16/73)

WAC 308-66-212 SALE, TRANSFER OR OTHER DISPOSITION OF NONCORPORATE LICENSEE. Upon the sale, transfer or other disposition of ~~((fifty percent or more of the))~~ an ownership interest in a noncorporate licensee~~((:~~

~~((1) A rider to the bond revealing the change in ownership shall be filed with the department.~~

~~((2))~~ a new application for ~~((an))~~ the appropriate license ~~((by the purchaser or transferee))~~ is required and the fee will be the same as for an original application.

~~((3) The former owner must turn into the department his special license plates. The new owner or transferee must purchase new plates in his own name.)~~ The special license plates issued to the original licensee(s) may continue to be used.

AMENDATORY SECTION (Amending Order MV 170, filed 7/16/73)

WAC 308-66-214 INCORPORATION OF LICENSEE WHILE LICENSED. A licensee which incorporates while licensed~~((:~~ ~~((1))~~ shall file ~~((an))~~ a new application for ~~((an))~~ the appropriate license and the fee will be the same as for an original application.

~~((2) Shall file a new bond with the department.~~

~~((3) If the transfer involves a change in the business structure only and does not involve the transfer of fifty percent or more of the ownership interest in the firm, the corporation may be considered temporarily licensed until the end of the licensing period or until the application is denied, and during such period:~~

~~((a) No additional fees will be required until renewal, at which time an original application for license and fee will be required.~~

~~((b))~~ The ~~((same))~~ special license plates ~~((may be used until renewal))~~ issued to the original licensee(s) may continue to be used. The firm may request the preincorporation license number upon renewal.

AMENDATORY SECTION (Amending Order MV 170, filed 7/16/73)

WAC 308-66-215 MERGERS AND CONSOLIDATIONS OF CORPORATIONS. The merger or consolidation of an incorporated licensed firm with a nonlicensed corporation shall be governed by the provisions of WAC 308-66-212 ~~((except that a new bond must be filed))~~. Where, in the case of merger, the incorporated licensed firm becomes the surviving corporation, the department may waive WAC 308-66-212~~((3))~~.

NEW SECTION

WAC 308-66-240 BOND CANCELLATION, CLOSURE NOTICE. (1) When the department of licensing has received notification from a bonding company that a dealer's bond has been cancelled or the bond has expired and has not been renewed or a replacement bond has not been received with no lapse in coverage, the department shall notify the licensee to surrender the certificate issued for each license classification and dealer plates to the department.

(2) A bond cancellation closure notice shall be posted by the department at the established place of business and shall remain in effect until the license and bond has been reinstated or when the current license expires.

(3) The closure notice will not be posted if the licensee voluntarily surrenders the license certificate and dealer plates and signs a statement that he/she does not plan to obtain a replacement bond or conduct further business.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-66-213 PARTIAL SALES TRANSFER OR DISPOSITION OF NONCORPORATE LICENSEE.

WSR 91-14-098
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
(By the Code Reviser's Office)

[Filed July 2, 1991, 3:52 p.m.]

WAC 296-21-011, 296-22-010, 296-23-01006, 296-23A-205, proposed by the Department of Labor and Industries in WSR 91-01-123, appearing in issue 91-01 of the State Register, which was distributed on January 2, 1991, is withdrawn by the code reviser under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 91-14-099
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Order 91-35—Filed July 2, 1991, 4:17 p.m.]

Original Notice.

Title of Rule: Hazardous waste facility plans, chapter 173-307 WAC.

Purpose: This filing is to amend chapter 173-307 WAC which implements the requirements for facility plans and related documents required from certain hazardous waste generators and hazardous substance users.

The most significant change is to WAC 173-307-030, which provides for alternative planning approaches. Changes to other sections are for clarification of intent.

Statutory Authority for Adoption: Chapter 70.95C RCW.

Statute Being Implemented: Chapter 70.95C RCW.

Summary: Chapter 70.95C RCW requires the Department of Ecology to develop and adopt rules for the plan elements and documents required of certain hazardous waste generators and hazardous substance users.

Name of Agency Personnel Responsible for Drafting: Bob Lemcke, Eikenberry, 438-7632; Implementation: Stan Springer, Eikenberry, 438-7871; and Enforcement: William Alkire, Eikenberry, 438-7145.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule implements chapter 70.95C RCW, an act relating to hazardous waste reduction. The purpose of this rule is to establish the specific elements to be included in the facility plans and related documents required of hazardous waste generators and hazardous substance users under this chapter. The rule also establishes completion dates and penalties that may be imposed if the documents are not adequately completed.

Proposal Changes the Following Existing Rules: This proposal amends chapter 173-307 WAC. The changes are the result of a pilot test by fifteen volunteers of the previously adopted rule. Most changes are for clarification of intent. The most significant change provides for a choice of planning approaches by the facilities required to prepare plans. Two choices are now provided, whereas only one approach was previously identified.

Small Business Economic Impact Statement

The Small Business Economic Impact Statement is on file at the Department of Ecology. Persons wishing to obtain a copy of this document should contact the department at (206) 438-7632.

Chapter 173-307 WAC, Hazardous waste facility plans, is being amended to reflect changes proposed by industry members involved in pilot projects. Under WAC 173-307-140, used oil to be rerefined or burned for heat or energy is exempted from compliance. Under WAC 173-307-020, hazardous substance use reduction is amended to include reductions in toxicity. Metals and metal alloys are exempted. Under WAC 173-307-030 two options are provided for planning where in the past only the "pounds" approach was available. The rule allows measuring hazardous substances and planning for reduction based on pounds of hazardous substances, hazardous waste and concentration level. It also now allows for planning for the reduction of 90 percent of the hazardous substances and hazardous wastes without detailed measurement of each stream. Under WAC 173-307-030 (a)(iv), plans are required for 95 percent of the hazardous substance and waste streams.

The State Economic Policy Act (chapter 43.21H RCW) requires that economic values be given appropriate consideration in the promulgation of rules. The Regulatory Fairness Act (chapter 19.85 RCW) requires a small business economic impact statement if rules have an effect on more than 20% of all industry or more than 10% of any three digit SIC industry, and mitigation of rule impacts.

This rule has been reviewed. With the exception of amendment [to] WAC 173-307-030 (a)(iv) all of the above amendments are a potential mitigation of the impact of the existing rule. They simplify, reduce or offer alternatives to existing reporting requirements. This should reduce costs for most business entities. WAC 173-307-030 (a)(iv), requires plans for 95 percent of the hazardous substance and waste streams. For those companies that have a large complex and interactive set of hazardous substances used and a variety of hazardous waste streams generated this requirement may increase the planning requirements over the "pounds" approach. These generators are likely to be large generators. The relationship between generation of hazardous waste and number of employees is not perfect. It tends to be a positive relationship. It is therefore likely that this change will have a disproportionate impact on large generators and therefore larger companies. Mitigation has been offered where it is legal and within the intent of the law.

Hearing Location: Tuesday, August 6, 1991, at 7:00 p.m., Northwest Regional Office, Department of Ecology, 3190 160th S.E., Bellevue, WA; on Wednesday, August 7, 1991, at 7:00 p.m., Spokane County Health District, Room 140, West 1101 College Avenue, Spokane, WA; and on Thursday, August 8, 1991, at 7:00 p.m., Bower Center, North Thurston High School, 620 Sleater Kinney N.E., Lacey, WA.

Submit Written Comments to: Bob Lemcke, Department of Ecology, Mailstop PV-11, Olympia, WA 98504-8711, by August 15, 1991.

Date of Intended Adoption: September 30, 1991.

June 26, 1991

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order 90-57, filed 4/1/91, effective 5/2/91)

WAC 173-307-010 PURPOSE. This chapter implements chapter 70.95C RCW, an act relating to hazardous waste reduction. The act encourages voluntary efforts to redesign industrial, commercial, production, and other processes to result in the reduction or elimination of hazardous waste by-products and to maximize the in-process reuse or reclamation of valuable spent material. The act establishes a legislative policy to encourage reduction in the use of hazardous substances and reduction in the generation of hazardous waste whenever economically and technically practicable. It also adopts as a policy goal for Washington state the reduction of hazardous waste generation, through hazardous substance use reduction and waste reduction techniques, by fifty percent by 1995. Some individual facilities may have the ability to reduce the use of hazardous materials and the generation of hazardous wastes by far greater than fifty percent while others may not be able to reduce by as much as fifty percent. Therefore, the fifty percent reduction goal is not applied as a regulatory requirement. The plans provided for in this chapter are intended to achieve, for each facility, the greatest reduction economically and technically practicable.

The intent of the department of ecology is to provide technical assistance, to the greatest extent possible, to those required to prepare facility plans. The purpose of this chapter is to establish the specific elements required to be included in the documents required of hazardous waste generators and hazardous substance users under the act. The regulation also establishes completion dates and ~~((penalties that may be imposed if the documents are not adequately completed))~~ implements other requirements in the act. Copies of all rules, regulations, or statutes cited in this chapter are available from the Department of Ecology, Mailstop PV-11, Olympia, Washington 98504-8711.

AMENDATORY SECTION (Amending Order 90-57, filed 4/1/91, effective 5/2/91)

WAC 173-307-015 APPLICABILITY. (1) The requirements of WAC 173-307-010 through 173-307-140 apply to all hazardous substance users as defined in this chapter and to hazardous waste generators who generate more than two thousand six hundred forty pounds of hazardous waste per year, except for those facilities that are primarily treatment, storage, and disposal facilities or recycling facilities. Used oil to be rerefined or burned for energy or heat recovery shall not be used in the calculation of hazardous wastes generated for purposes of this regulation, and is not required to be addressed by plans prepared under this regulation. For purposes of this section, hazardous waste reported on the annual dangerous waste generator report as having been either recycled on-site or recycled for beneficial use off-site and/or amounts of hazardous substances introduced into a process and subsequently recycled for beneficial use, shall not be used in the calculation of hazardous waste generated. A facility may petition the director to exclude hazardous wastes recycled for beneficial use even if they were not reported as such on the annual dangerous waste generator report. Documentation from the hazardous waste handling facility that the hazardous waste was recycled for beneficial use must be submitted along with the petition.

(2) Except as noted in subsection (3) of this section, each hazardous substance user and hazardous waste generator identified above must prepare one plan for each facility owned or operated.

(3) A person with multiple interrelated facilities where a significant majority of the processes are substantially similar, as defined in this chapter, may prepare a single plan covering one or more of those facilities.

(a) A person desiring to submit a single plan under this provision must first submit to the director documentation that a significant majority of the processes at the facilities are substantially similar processes in order to obtain approval prior to plan development. This documentation must be submitted by May 1 of the year prior to the plan due date.

(b) If a single plan is being prepared for two or more interrelated facilities with substantially similar processes, the sum total of the hazardous waste generated and the hazardous substances used by these facilities must be considered when applying any of the thresholds and/or percentages required by this chapter.

(c) In instances where a person has interrelated facilities without substantially similar processes, a single document may be prepared, but it must contain separate detailed plans for each facility.

(4) Facilities required by this chapter to prepare plans are also required to pay a hazardous waste fee, as described in chapter 173-305 WAC. The requirements of WAC 173-305-010 through 173-305-050 and 173-305-210 through 173-305-240 specifically apply.

AMENDATORY SECTION (Amending Order 90-57, filed 4/1/91, effective 5/2/91)

WAC 173-307-020 DEFINITIONS. As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

"Closed-loop recycling" means that the entire process through completion of any reclamation is closed by being entirely connected with pipes or other comparable enclosed means of conveyance. Recycled materials are returned to the original process or processes.

"Dangerous waste" means any discarded, useless, unwanted, or abandoned nonradioactive substances, including but not limited to certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:

Have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or
Are corrosive, explosive, flammable, or may generate pressure through decomposition or other means.

Dangerous wastes shall specifically include those wastes designated as extremely hazardous by rules adopted pursuant to chapter 70.105 RCW.

"Department" means the department of ecology.

"Director" means the director of the department of ecology or the director's designee.

"EPA/state dangerous waste identification number" means the number assigned by the EPA (Environmental Protection Agency) or by the department of ecology to each generator and/or transporter and treatment, storage, and/or disposal facility.

"Extremely hazardous waste" means any dangerous waste which:

Will persist in a hazardous form for several years or more at a disposal site and which in its persistent form:

Presents a significant environmental hazard and may be concentrated by living organisms through a food chain or may affect the genetic make-up of man or wildlife; and

Is highly toxic to man and wildlife;

If disposed of at a disposal site in such quantities as would present an extreme hazard to man or the environment.

Extremely hazardous waste shall specifically include those wastes designated as extremely hazardous by rules adopted pursuant to chapter 70.105 RCW.

"Facility" means any geographical area that has been assigned an EPA/state dangerous waste identification number. In the case of a hazardous substance user not having an EPA/state dangerous waste identification number, facility means all buildings, equipment, structures, and other stationary items located on a single site or on contiguous or adjacent sites and owned or operated by the same person.

"Fee" means the annual hazardous waste fees imposed under RCW 70.95E.020 and 70.95E.030.

"Generate" means any act or process which produces hazardous waste or which first causes a hazardous waste to become subject to regulation.

"Hazardous substance" means any hazardous substance listed as a hazardous substance as of the effective date of this section pursuant to Section 313 of Title III of the Superfund Amendments and Reauthorization Act, and all ozone depleting compounds as defined by the Montreal Protocol of October 1987 and any further updates of the Montreal Protocol.

"Hazardous substance use reduction" means the reduction, avoidance, or elimination of the use, toxicity, or production of hazardous substances without creating substantial new risks to human health or the environment. "Hazardous substance use reduction" includes proportionate changes in the usage of hazardous substances as the usage of a hazardous substance or hazardous substances changes as a result of production changes or other business changes.

"Hazardous substance user" means any facility required to report under Section 313 of Title III of the Superfund Amendments and Reauthorization Act, except for those facilities which only distribute or use fertilizers or pesticides intended for commercial agricultural applications.

Note: This definition refers to those SARA Title III, Section 313 reporters who must prepare a plan, whereas the definition of hazardous substance refers to the substances that must be addressed in the plan.

"Hazardous waste" means and includes all dangerous and extremely hazardous wastes, but does not include radioactive wastes or a substance composed of both radioactive and hazardous components and does not include any hazardous waste generated as a result of a remedial action under state or federal law.

"Hazardous waste generator" or "generator" means any person generating hazardous waste(s) which are subject to regulation by the department.

"Hazardous waste reduction" means all in-facility practices that reduce, avoid, or eliminate the generation of hazardous wastes or the toxicity of hazardous wastes, prior to generation, without creating substantial new risks to human health or the environment.

"Interrelated facilities" means multiple facilities owned or operated by the same person.

"Office" means the office of waste reduction.

"Plan" means the plan provided for in RCW 70.95C.200.

"Person" means an individual, trust, firm, joint stock company, partnership, association, state, public or private or municipal corporation, commission, political subdivision of a state, interstate body, the

federal government, including any agency or officer thereof, and any Indian tribe or authorized tribal organization.

"Process" means one or a number of steps which produces an end product or service, or a component which is to be incorporated into an end product or service.

"Product" means any ~~((chemical))~~ hazardous substance or mixture ~~((of chemicals))~~ containing hazardous substances which is used by a facility in a production or service process. Metals or metal alloys used by the facility are not considered "products" if they do not become incorporated into the hazardous waste streams and have no known pathway for the release of metals to the environment, either at the facility or subsequent to their use at the facility, such as from ultimate disposal by the consumer. Facilities will have to decide whether to group similar products (for example with different brand names) and list them as a single product. While some flexibility is left to the facility, products must be identified as a single product if they have similar chemical composition and may be used interchangeably by the facility.

Note: The term "product" as defined here and used throughout this chapter is not to be confused with the term "end product" which specifically refers to the "output" of a production process.

"Recycled for beneficial use" means the use of hazardous waste, either before or after reclamation, as a substitute for a commercial product or raw material, but does not include:

- Use constituting disposal;
- Incineration; or
- Use as a fuel.

"Recycling" means reusing waste materials and extracting valuable materials from a waste stream. Recycling does not include burning for energy recovery.

Note: While burning for energy recovery may be preferable to disposal, burning for energy recovery does not count as recycling for the purpose of chapter 70.95C RCW.

"Remedial action wastes" means hazardous wastes which result from the cleanup of sites under state or federal hazardous waste laws.

"Shifting of risks" means changing the character, location, or receptor of a toxic material without achieving a substantial reduction in the overall risk to health and safety or the environment.

"Substantially similar processes" means processes that are essentially interchangeable, inasmuch as they use similar equipment and materials and produce similar products or services and generate similar wastes.

"Treatment" means the physical, chemical, or biological processing of waste to render it completely innocuous, produce a recyclable by-product, reduce toxicity, or substantially reduce the volume of material requiring disposal as described in the priorities established in RCW 70.105.150. Treatment does not include incineration.

AMENDATORY SECTION (Amending Order 90-57, filed 4/1/91, effective 5/2/91)

WAC 173-307-030 PLAN REQUIREMENTS. This section establishes the specific elements required to be included in a plan. The purpose of a plan is to require serious consideration of ways in which processes and procedures may be modified to reduce dependence upon hazardous substances and/or the generation of hazardous wastes. All plans must consider ~~((options))~~ opportunities based on the following priorities: Hazardous substance use reduction and hazardous waste reduction, recycling, and treatment. The plans shall consist of the following parts:

(1) Part one. Part one shall include:

(a) A written policy articulating management and corporate support for the plan and a commitment to implement planned activities and achieve established goals.

(b) The plan scope and objectives.

(c) A description of the facility type, a description of product(s) made and/or services provided, and a statement or listing of the current level(s) of production or service activity in units of measure appropriate to the industry or activity; ~~((and))~~

(d) A general overview of the processes used in production or service activities (a schematic drawing may be included);

(e) A statement providing, for the last calendar year, the total pounds of extremely hazardous waste and total pounds of dangerous waste reported on Form 4, Generator Annual Dangerous Waste Report, and, if applicable, the total pounds of toxic releases reported on Form R under SARA Title III, Section 313; and

(f) A description of current reduction, recycling, and treatment activities and documentation of hazardous substance use reduction and hazardous waste reduction efforts completed prior to the first plan due date specified in WAC 173-307-050.

(2) Part two. Part two shall include an identification of hazardous substances used and hazardous wastes generated by the facility, a description of the facility processes, a description of current reduction and recycling activities, an identification of reduction, recycling, and treatment opportunities, an evaluation of those opportunities, a selection of proposed options, a policy to prevent shifting of risks, performance goals, and an implementation schedule. Specifically, Part two shall include:

(a) An identification ~~((and inventory))~~ of products containing hazardous substances used and hazardous wastes generated ~~((including a list))~~. This is to be based on actual usage and generation during the most recent calendar year for which records are available ~~((of the types and amounts of the following:~~

~~((i) Each hazardous waste generated, listed by dangerous waste number;~~

~~((ii) Each product used which contains a total of fifty percent or more of any combination of hazardous substances if 1,000 lbs. or more was used; each product used which contains a total of between twenty-five percent and forty-nine percent of hazardous substances if 4,000 lbs. or more was used; and each product used which contains a total of between ten and twenty-four percent of hazardous substances if 10,000 lbs. or more was used. Determinations of whether these quantities are met or exceeded shall be based on the best available information. This information may be included or referenced in the plan. Available information shall include any or all of the following as necessary to determine quantities of hazardous substances contained in products; information available from material safety data sheets, information furnished upon request from manufacturers or suppliers of hazardous substances or products containing hazardous substances, information obtained from the department, and information otherwise known by the facility owner or operator. Any product which contains less than ten percent of any hazardous substances need not be included in the list regardless of the amount of the product used)). This task can be accomplished by choosing one of two approaches. The approaches are identified as the "pounds approach" and the "percentage approach." Look at the following descriptions and requirements of each of these and determine which one you wish to use.~~

~~((i) "Pounds approach."~~

~~This approach requires you to identify the types and amounts, in either weight or volume, of hazardous waste generated and products containing hazardous substances used up to these threshold levels:~~

~~(A) All dangerous waste streams five hundred pounds or greater, any smaller dangerous waste streams which individually represents ten percent or more of the total annual hazardous wastes, and all extremely hazardous waste streams subject to regulation by the department. If this combination equals less than ninety percent of the total hazardous wastes generated, then additional dangerous wastes generated at the facility shall be included until ninety percent of the total is reached; and~~

~~(B) Each product used which contains a total of fifty percent or more of any combination of hazardous substances if one thousand pounds or more was used; each product used which contains a total of between twenty-five percent and forty-nine percent of hazardous substances if four thousand pounds or more was used; and each product used which contains a total of between ten and twenty-four percent of hazardous substances if ten thousand pounds or more was used. Any product which contains less than ten percent of any hazardous substances need not be included in the list regardless of the amount of the product used.~~

~~(C) Office products and products which are used at the facility for nonprocess routine janitorial or grounds maintenance related activities may be excluded from this list.~~

~~(D) Hazardous substances used and hazardous wastes generated in laboratory research need not be listed. Note: See Part two, (k) of this subsection for discussion on this issue.~~

~~((ii) "Percentage approach."~~

~~This approach requires you to identify the types and amounts, in either weight or volume, of hazardous waste generated and products containing hazardous substances used up to these threshold levels;~~

~~(A) All extremely hazardous waste and enough additional dangerous waste to reach ninety percent of all the hazardous waste generated; and~~

(B) Ninety percent of all the products used which contain hazardous substances.

(C) Office products and products which are used at the facility for nonprocess routine janitorial or grounds maintenance related activities may be excluded from this list.

(D) Hazardous substances used and hazardous wastes generated in laboratory research need not be listed. Note: See Part two, (k) of this subsection for discussion on this issue.

(iii) Determinations of whether these quantities are met or exceeded for either approach shall be based on the best available information. This information may be included or referenced in the plan. Available information may include any or all of the following as necessary to determine quantities of hazardous substances contained in products; information available from material safety data sheets, information furnished upon request from manufacturers or suppliers of hazardous substances or products containing hazardous substances, information obtained from the department, and information otherwise known by the facility owner or operator.

(iv) The above approaches (a)(i) and (ii) of this subsection and the thresholds therein shall only be used for plans required to be completed prior to September 2, 1996. Plans or plan updates completed from that date on must identify the types and amounts, in either weight or volume, of hazardous waste generated and hazardous substances used up to the following threshold levels:

(A) All extremely hazardous waste and enough additional dangerous waste to reach ninety-five percent of all the hazardous waste generated; and

(B) Ninety-five percent of all the products used which contain hazardous substances.

((The above inventory thresholds are repeated in the following tables:

INVENTORY THRESHOLD FOR HAZARDOUS WASTE

| |
|--|
| All Hazardous Waste Generated Shall Be Inventoried |
|--|

INVENTORY THRESHOLDS FOR HAZARDOUS SUBSTANCES

| Concentration of Hazardous Substances in Product | Amount of Product Used Per Year |
|--|---------------------------------|
| greater than 50% | 1,000 lbs or more |
| > 25% but < 49% | 4,000 lbs or more |
| > 10% but < 24% | 10,000 lbs or more |
| < 10% | exempt |

(iii) Office products and products which are used at the facility for routine janitorial or grounds maintenance related activities may be excluded from this list.

(iv) Hazardous substances used and hazardous wastes generated in laboratory research need not be listed.

Note: See Part two, (j) of this subsection for discussion on this issue:))

(b) A detailed description of each process in the facility that generates hazardous waste or uses products containing hazardous substances as identified in the chosen approach in (a) of this subsection. This description may include a schematic drawing. ((Of the hazardous substances and hazardous wastes identified in (a) of this subsection, the description of processes required in this subsection, and the plan elements required in (d), (e), (f), (h), (i), and (j) of this subsection shall address the following:

(i) All products containing hazardous substances as listed in (a)(ii) of this subsection;

(ii) All dangerous waste streams five hundred pounds or greater, any smaller dangerous waste streams which individually represents ten percent or more of the total annual hazardous wastes, and all extremely hazardous waste streams subject to regulation by the department. If this combination equals less than ninety percent of the total

hazardous wastes generated, then additional dangerous wastes generated at the facility shall be included until ninety percent of the total is reached.

The above planning thresholds are repeated in the following tables:

PLANNING THRESHOLDS FOR HAZARDOUS WASTE

| Hazardous Waste Categories | Amount of Waste Generated Per Year |
|----------------------------|--|
| Extremely Hazardous Waste | All |
| Dangerous Waste | Each waste stream that is either: • > 500 lbs, or • < 500 lbs but > 10% of total HW generated; and, if necessary, additional DW to reach 90% of total HW generated |

PLANNING THRESHOLDS FOR HAZARDOUS SUBSTANCES

| Concentration of Hazardous Substances In Product | Amount of Product Used Per Year |
|--|---------------------------------|
| > than 50% | 1,000 lbs or more |
| > 25% but < 49% | 4,000 lbs or more |
| > 10% but < 24% | 10,000 lbs or more |
| < 10% | exempt |

(c) A description of current reduction, recycling, and treatment activities and documentation of hazardous substance use reduction and hazardous waste reduction activities completed prior to the first plan due date specified in WAC 173-307-050;

(d) An (c) For the hazardous waste and products containing hazardous substances identified in (a) of this subsection within each of the processes identified in (b) of this subsection, an identification, based on thorough research, of all reasonable opportunities for further hazardous substance use reduction, hazardous waste reduction, recycling, and treatment ((for each process)). Thorough research shall include, at a minimum, a review of available literature commonly available to that industry or trade. The full range of potentially feasible opportunities is to be identified without regard to possible impediments to implementing the opportunities. In identifying opportunities, consideration shall be given to alternative approaches which, in the judgment of the facility management, satisfy the same demand for end products or services but use substantially less hazardous substances or result in the generation of substantially less hazardous waste;

((e)) (d) An evaluation of the identified opportunities. ((The evaluation shall be conducted in the priority order identified in (c)(i) of this subsection. Consideration shall be given first to the highest priority option. A lower priority option shall be given consideration only after a determination is made that the higher priority option is inappropriate due to impediments to its implementation. Hazardous substance use reduction, hazardous waste reduction, and closed-loop recycling options shall each be discussed separately from other recycling and treatment options. The evaluation of hazardous waste reduction opportunities must include an evaluation of hazardous substance use reduction options for those hazardous substances which subsequently result in hazardous waste streams as well as an evaluation of other options for the

~~reduction in the generation of hazardous waste. The evaluation required under this subsection shall include an economic analysis, a technical evaluation, an analysis of whether, and if so how, the identified opportunity would result in a shifting of risk(s) from one part of a process, environmental medium, or product to another and an analysis of all impediments to implementing the opportunities. Evaluation of a particular opportunity is only required up to the point that an impediment is identified which is beyond the control of the facility owner/operator and which renders the opportunity invalid. In this case, this impediment together with any other known impediments shall be listed. The economic analysis shall seek to identify the total costs associated with the current hazardous substance use and hazardous waste generation, management and disposal, compared with comparable costs associated with implementing the alternatives.~~

~~(i) Priorities for consideration of opportunities are, in order, hazardous substance use reduction and hazardous waste reduction, recycling, and, treatment:~~

~~(ii) Impediments that shall be considered acceptable include, but are not limited to: Adverse impacts on product quality, legal or contractual obligations, economic and technical practicality, safety considerations, and the creation of substantial new risks to human health or the environment. A discussion of alternatives for eliminating impediments shall be included;)) Opportunities shall be grouped by priority and evaluated according to these priorities. The priorities are, in descending order: Hazardous substance use and hazardous waste reduction; recycling; and, treatment. Opportunities of a lower priority shall be given consideration only after a determination is made that the higher priority opportunities are inappropriate due to impediments to their implementation. Impediments that shall be considered acceptable include, but are not limited to: Adverse impacts on product quality, legal or contractual obligations, economic and technical practicality, safety considerations, and the creation of substantial new risks to human health or the environment.~~

~~Except with respect to the use of fertilizers or pesticides intended for commercial agricultural applications, the evaluation of hazardous waste reduction opportunities must include an evaluation of hazardous substance use reduction opportunities for those hazardous substances which subsequently result in hazardous waste streams as well as an evaluation of other opportunities for the reduction of hazardous waste.~~

~~The evaluation required under this subsection shall include an economic analysis, a technical evaluation, an identification of whether, and if so how, the identified opportunity would result in a shifting of risk(s) from one part of a process, environmental medium, or product to another and an analysis of all impediments to implementing the opportunities. The economic analysis shall seek to identify the total costs associated with the current hazardous substance use and hazardous waste generation, management and disposal, compared with comparable costs associated with implementing the alternatives.~~

~~Evaluation of each opportunity may be considered complete when enough information is available to select or reject the opportunity for implementation. For opportunities rejected, the reason(s) for rejecting them shall be stated.~~

~~((ff)) (e) A selection of ((options)) opportunities to be implemented in accordance with the evaluation conducted in ((te)) (d) of this subsection. For each selected ((option)) opportunity, the process(es) it affects shall be identified, and estimates of the amount, by weight, of the reduction of hazardous substances or products containing hazardous substances ((use reduction)) and hazardous waste reduction which would be achieved through implementation shall be stated, as well as the amount of hazardous wastes recycled or treated as a result of implementation shall be included;~~

~~((tg)) (f) A written policy stating that in implementing the selected options whenever technically and economically practicable, risks will not be shifted from one part of a process, environmental medium, or product to another;~~

~~((th)) (g) Specific performance goals in each of the following categories, expressed in numeric terms:~~

~~(i) Hazardous substances or products containing hazardous substances to be reduced or eliminated from use;~~

~~(ii) Hazardous wastes to be reduced or eliminated through hazardous waste reduction techniques;~~

~~(iii) Materials or hazardous wastes to be recycled; and~~

~~(iv) Hazardous wastes to be treated.~~

~~If the establishment of numeric performance goals is not practicable, the performance goals shall include a clearly stated list of objectives designed to lead to the establishment of numeric goals as soon as is~~

~~practicable. Goals shall be set for a five-year period from the first reporting date (see (i) of this subsection regarding implementation activities that will take longer than five years);~~

~~((ti)) (h) A five-year implementation schedule, which shall display planned implementation activities for each of the five calendar years following completion of the plan. Information to be provided shall include, but is not limited to, the ((options)) opportunities (or phases of ((options)) opportunities) being implemented and related milestones. Where complete implementation of a selected ((option)) opportunity will take longer than five years, the schedule shall contain relevant milestones within a five-year period and an estimated date of completion. The schedule may be in table form and organized by ((options)) opportunities within processes, if desired.~~

~~((tj)) (i) A description of how those hazardous wastes that are not recycled or treated and the residues from recycling and treatment processes are managed may be included in the plan.~~

~~((tk)) (j) Documentation of any research conducted in fulfillment of any of the above subdivisions of this subsection shall be available to the department upon request.~~

~~((tl)) (k) For research laboratories, the plan may include, in lieu of all the detailed requirements of this subsection ((except for (c) of this subsection)), a description of policies and procedures to be followed by laboratory personnel regarding the use of hazardous substances and the generation of hazardous wastes through laboratory research. These policies and procedures must be consistent with the waste reduction priorities as defined in this chapter.~~

~~(3) Part three. Part three shall provide a financial description of the plan, which shall identify costs and benefits realized from implementing selected ((options)) opportunities to the extent reasonably possible. Part three shall also include a description of accounting systems which will be used to identify hazardous substance use and hazardous waste management costs. Liability, compliance, and oversight costs must be ((estimated and factored into this)) components of these accounting systems.~~

~~(4) Part four. Part four of the plan shall include a description of personnel training and employee involvement programs. Each facility required to write a plan is encouraged to advise its employees of the planning process and solicit comments or suggestions from its employees on hazardous substance use and waste reduction ((options)) opportunities.~~

AMENDATORY SECTION (Amending Order 90-57, filed 4/1/91, effective 5/2/91)

WAC 173-307-040 EXECUTIVE SUMMARY. Upon completion of a plan, the owner, chief executive officer, or other person with the authority to commit management to the plan, such as a facility manager, shall sign and submit an executive summary of the plan to the department. This summary shall be available from the department for public inspection upon request. The facility may elect to submit the complete plan to the department rather than prepare an executive summary. In that event, the complete plan shall also be available for public inspection.

Executive summaries shall include the following information from the plan:

(1) A written policy articulating management and corporate support for the plan and a commitment to implement planned activities and achieve established goals.

(2) The plan scope and objectives.

(3) A description of the facility type and a summary of product(s) made and/or services provided.

(4) A summary of the processes used in production or service activities (a schematic drawing may be included).

(5) A list of the type and amount of each hazardous waste and products containing hazardous substances as identified in WAC 173-307-030 (2)(a). ~~((For products used which contain hazardous substances, available information on types and amounts of the hazardous substances contained in the product shall be included.))~~

(6) A brief description of the use and generation of the products containing hazardous substances and hazardous wastes listed in subsection (5) of this section in the processes described in subsection (4) of this section.

(7) A description of current reduction, recycling, and treatment activities, and documentation of hazardous substance use reduction and hazardous waste reduction activities completed before the first reporting date specified in WAC 173-307-050.

(8) A summary of all further hazardous substance use reduction, hazardous waste reduction, recycling, and treatment opportunities

identified. Opportunities shall be identified first for hazardous substance use reduction and hazardous waste reduction, secondly for recycling, and lastly for treatment. A statement of the reason(s) for rejecting any opportunity for further consideration and a summary of all identified impediments to implementing opportunities shall be included. (~~Impediments that shall be considered acceptable include, but are not limited to: Adverse impacts on product quality, legal or contractual obligation, economic and technical practicality, safety considerations, and shifting of risks from one part of a process, product, or environmental medium to another.~~)

(9) A selection of ~~((options))~~ opportunities to be implemented, process(es) affected, and estimated reductions to be achieved.

(10) Specific performance goals, expressed in numeric terms for each of the categories listed below (assumptions on changing production or service activity levels during the period covered by the plan must be described):

- (a) Hazardous substances to be reduced or eliminated from use;
- (b) Hazardous wastes to be reduced or eliminated through waste reduction techniques;
- (c) Materials or hazardous wastes to be recycled; and
- (d) Hazardous wastes to be treated.

If the establishment of numeric performance goals is not practicable, the performance goals shall include a clearly stated list of objectives designed to lead to the establishment of numeric goals as soon as is practicable. Goals shall be set for a five-year period from the first reporting date.

(11) ~~((★))~~ The five-year implementation schedule identified in WAC 173-307-030 (2)(h) which shall display planned implementation activities for each of the five calendar years following completion of the plan. ~~((Information to be provided shall include, but is not limited to, the options (or phases of options) being implemented and related milestones. The schedule may be in table form and organized by options within processes, if desired.))~~

(12) A summary of costs and benefits realized from implementing selected ~~((options))~~ opportunities.

AMENDATORY SECTION (Amending Order 90-57, filed 4/1/91, effective 5/2/91)

WAC 173-307-060 PLAN AVAILABILITY. Plans developed under chapter 173-307 WAC shall be kept at the facility and made available for review to authorized representatives of the department. The plan is not a public record under the public disclosure laws of the state of Washington contained in chapter 42.17 RCW, unless submitted in lieu of an executive summary as provided for in WAC 173-307-040.

AMENDATORY SECTION (Amending Order 90-57, filed 4/1/91, effective 5/2/91)

WAC 173-307-070 PLAN AMENDMENTS AND UPDATES.
(1) A plan must be kept reasonably current and may be amended in response to changes in facility operations, substances used, or wastes generated.

(a) Users or generators shall notify the department of an amended plan and submit amendments to their plan or executive summary, whichever was originally submitted, including an identification of which sections are being amended. The implementation schedule of the amended plan and/or new executive summary shall be within the original five-year timeline initiated by completion of the original plan.

(b) Even if a plan is amended, a five-year plan update will still be required five years from completion of the first plan, or from the last five-year update.

(2) Every five years, each plan shall be updated, and the plan or a new executive summary shall be submitted to the department. A plan update shall conform to the requirements for preparing reduction plans as specified in this chapter.

AMENDATORY SECTION (Amending Order 90-57, filed 4/1/91, effective 5/2/91)

WAC 173-307-080 PROGRESS REPORTS. Progress reports shall be submitted to the department annually on September 1 following the due date of the plan. The purpose of the progress report is to provide information on quantities of hazardous waste and hazardous substances or products containing hazardous substances reduced in the prior twelve-month period.

- (1) Progress reports shall include a discussion of:

(a) Performance goals. If numeric performance goals were listed in the plan, progress toward these goals shall be discussed. If numeric performance goals were not listed in the plan, progress made toward establishing numeric goals shall be discussed, and also progress made towards achieving the goals as stated in the plan. This discussion shall include:

(i) A description of reduction, recycling, and treatment ~~((options))~~ opportunities which were implemented.

(ii) A description of the process(es) impacted by each ~~((option))~~ opportunity.

(iii) A description of the quantities, by weight, of hazardous substances or products containing hazardous substances reduced and hazardous waste reduced by each option. ~~((The units of measure,))~~ Estimation techniques, and any assumptions used shall be described. Quantities reduced must be displayed in relation to changing production levels. The description shall also include a statement of the level of production or service activity in relation to the level of production or service activity stated in the plan at the time the plan was prepared.

Note: Factors not resulting in actual reductions, such as new estimating techniques, delistings of substances or hazardous wastes, and reclassifications of waste management techniques cannot be counted or claimed as reductions.

(iv) If measurement or estimation techniques are changed from the prior reports such that reductions are not additive for the five-year planning period, a methodology for converting prior reported reductions must be described and recalculations provided.

(b) Problems encountered in the implementation process. Problems shall be clearly identified and include a discussion of steps taken or proposed to resolve problems. An update on problems reported in previous progress reports shall be included.

(2) Upon the request of two or more users or generators belonging to similar industrial classifications, the department may aggregate data contained in their annual progress reports for the purpose of developing a public record.

WSR 91-14-100 PROPOSED RULES DEPARTMENT OF ECOLOGY [Order 91-39—Filed July 2, 1991, 4:23 p.m.]

Original Notice.

Title of Rule: WAC 173-19-280 Klickitat County shoreline master program.

Purpose: Adoption of revised shoreline master program into state master program, chapter 173-19 WAC.

Statutory Authority for Adoption: RCW 90.58.200.

Statute Being Implemented: Chapter 90.58 RCW, Shoreline Management Act of 1971.

Summary: The amendment revises the shoreline master program for Klickitat County.

Reasons Supporting Proposal: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Shoreline Management Act and the Administrative Procedure Act.

Name of Agency Personnel Responsible for Drafting: Nora Jewett, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504, (206) 459-6789; Implementation and Enforcement: D. Rodney Mack, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504, 459-6777.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed amendment is a revised submittal of an earlier proposal to redesignate the Lyle Peninsula on the Columbia River from urban/industrial to community environment designation in order to allow residential development. At the recommendation of the department, the county withdrew the earlier proposal and resubmitted this one, which designates a strip parallel to the water's edge as conservancy environment and designates the upland 100 or 150 feet community.

Proposal Changes the Following Existing Rules: Amends chapter 173-19 WAC, Shoreline Management Act of 1971, state master program.

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

Chapter 6, Laws of 1982, the Regulatory Fairness Act, states that regulations which have an economic impact on more than 20 percent of all industries, or more than 10 percent of any one industry shall have a small business economic impact statement prepared and filed with the code reviser. The amendment proposed by Klickitat County does not meet the criteria which determines that a small business economic impact statement is necessary.

Hearing Location: Lyle High School, 7th and Keasey, Lyle, Washington, on August 6, 1991, at 7:00 p.m.

Submit Written Comments to: Master Program Coordinator, Washington State Department of Ecology, Shorelands and Coastal Zone Management Program, Mailstop PV-11, Olympia, Washington 98504, by August 13, 1991.

Date of Intended Adoption: October 15, 1991.

June 27, 1991

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order 90-14, filed 7/3/90)

WAC 173-19-280 KLUCKITAT COUNTY. Klickitat County master program approved August 29, 1979. Revision approved September 6, 1979. Revision approved March 1, 1984. Revision approved July 3, 1990. Revision approved October 15, 1991.

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

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

WSR 91-14-101

PERMANENT RULES

DEPARTMENT OF ECOLOGY

[Order 90-63—Filed July 2, 1991, 4:29 p.m.]

Date of Adoption: July 2, 1991.

Purpose: Reduce the emissions of gasoline vapors that contribute to the formation of ozone and present a direct health risk, chapter 173-491 WAC.

Statutory Authority for Adoption: RCW 70.94.331.

Pursuant to notice filed as WSR 91-02-107 on January 2, 1991.

Changes Other than Editing from Proposed to Adopted Version:

CHANGES TO THE PROPOSED RULE

The following is a discussion of the changes, other than editing, made to the proposed regulation filed with the Code Reviser's Office on January 2, 1991. These changes were made in response to concerns expressed in written and oral testimony during the public review process. The changes have been listed according to the appropriate section in the regulations.

The highlighted words indicate language which has been added and the strikeouts (~~example~~) indicate language which has been deleted. Following each of the changes to the proposed rule is an explanation of the reason for the change.

1. WAC 173-491-015 APPLICABILITY

This chapter shall apply to gasoline marketing operations, including the storage, transport, and transfer of gasoline. ~~Transfers may include deliveries of gasoline into transport tanks from storage tanks, from storage tanks into transport tanks and,~~ including the transfer from storage tanks into motor vehicles. ...

Reason for Change: Deletion or clarification requested by Spokane County Air Pollution Control Authority.

2. WAC 173-491-020 DEFINITIONS

...

- (3) "Certified vapor recovery system" means a vapor recovery system which has been certified by the department of ecology. Only Stage II vapor recovery systems with a single coaxial hose can be certified. ~~The department may certify Stage II v~~Vapor recovery systems shall be certified using by the California Air Resources Board ~~"Certification Procedures for Gasoline Vapor Recovery Systems at Service Stations" as last amended December 4, 1981 which are incorporated by reference in Section 98001 of Title 17, California Code of Regulations and "Test Procedures for Determining the Efficiency of Gasoline Vapor Recovery Systems at Service Stations" as last amended September 1, 1982 which are incorporated by reference in Section 94000 of Title 17, California Code of~~

~~Regulations. Copies of these incorporated procedures are available from the department's air quality program office in Olympia as of the effective date of the regulation.~~

Reason for Change: Clarification that while the department intends to rely on Stage II vapor recovery systems certified by the California Air Resources Board (CARB) as of the effective date of the regulation, a system need not be CARB certified to be certified by the department, and all CARB certified systems, particularly the older versions, may not be certified by the department.

3. WAC 173-491-020 DEFINITIONS

...

- (17) ~~"Upgraded" means the installation of a new gasoline storage tank or to add cathodic protection, tank lining or spill and overfill protection;~~ the modification of a gasoline storage tank or piping that involved removal of ground or ground cover above a portion of the product piping.

Reason for Change: To make the wording compatible with the Underground Storage Tank Regulation's definitions.

4. WAC 173-491-030 REGISTRATION

- (1) The owner or operator of a gasoline loading terminal, bulk gasoline plant or gasoline dispensing facility subject to the provisions of 173-491-040 (2) through (5) shall register annually the facility with ecology or local air authority. Annual registration shall be made by the owner or operator on a form provided by ecology or local air authority within 60 days of receipt of the form. Such registration form shall require information relevant to determining whether the facility is in compliance with the requirements of this chapter and be accompanied by the following fee: Gasoline Loading Terminals \$500, Bulk Gasoline Plants \$200, Gasoline Dispensing Facilities \$100, ~~or a greater amount duly adopted by a local air pollution authority.~~ The amount of the fees collected shall only be used to administer the registration program for facilities subject to this chapter.

Reason for Change: To clarify that local air pollution authority may have higher fees.

5. WAC 173-491-040 GASOLINE VAPOR CONTROL REQUIREMENTS

...

- (3) Bulk gasoline plants.
- (a) This section shall apply to all bulk gasoline plants ~~located in Western Washington Counties that deliver to gasoline dispensing facilities required to comply with WAC 173-491-040(4)~~ with an average annual gasoline throughput greater than 7.2 million gallons according to the schedule of compliance in WAC 173-491-050.
- (4) Gasoline dispensing facilities (Stage I).
- (a) This section shall apply to the delivery of gasoline to gasoline dispensing facilities with an annual gasoline throughput greater than 360,000 gallons ~~or total gasoline storage capacity greater than 10,000 gallons~~ in accordance with the schedule of compliance in WAC 173-491-050 and all new ~~and upgraded~~ gasoline dispensing facilities with a total gasoline storage capacity greater than 10,000 gallons.
- (5) Gasoline dispensing facilities (Stage II).
- (a) This section shall apply to the refueling of motor vehicles from stationary tanks at all gasoline dispensing facilities located in Western Washington Counties with an annual gasoline throughput greater than ~~600,000~~ 840,000 gallons with the exception of Clark, King, Pierce, and Snohomish Counties where this section shall apply to gasoline dispensing facilities with an annual gasoline throughput greater than 600,000 gallons in accordance with the schedule of compliance in WAC 173-491-050 and all new ~~or upgraded~~ gasoline dispensing facilities with greater than 10,000 gallons nominal gasoline storage capacity in Western Washington Counties.

Reasons for Change:

1. Another department regulation (WAC 173-490) and local air pollution control authority regulations already apply Stage I vapor control requirements to bulk plants and gasoline dispensing facilities in many Western Washington counties.
2. Clarification that existing gasoline dispensing facilities would not have to install Stage II gasoline control systems as long as their annual throughput was 600,000 gallons or less in the urban counties (Clark, King, Pierce, and Snohomish) or 840,000 gallons or less in other Western Washington counties.
3. Nominal storage capacity is the commonly used and understood term. This change is compatible with the Underground Storage Tank requirements.

6. WAC 173-491-050 COMPLIANCE SCHEDULES

(5) Gasoline dispensing facilities - Stage II. All gasoline dispensing facilities subject to the requirements of WAC 173-491-040 (5) shall comply:

(a) when upgraded except any gasoline dispensing facility upgraded or with new tank(s) installed after the effective date of this regulation but before ~~December 31, 1991~~ ~~May 1, 1992~~ need not comply earlier than ~~December 31, 1991~~ ~~May 1, 1992~~.

(b) According to the following schedule:

(i) At least fifty percent of the gasoline dispensing facilities with an annual throughput greater than 1.2 million gallons owned by a business which owns ten or more gasoline dispensing facilities in the State of Washington shall comply not later than ~~December 31, 1992~~ ~~May 1, 1993~~.

In meeting this requirement, businesses that lease some facilities and operate others must ensure that the percentage of facilities owned and operated which are required to comply with this provision at least equals the percentage of leased facilities required to comply with this provision.

(ii) All gasoline dispensing facilities with an annual throughput greater than 1.2 million gallons not previously required to comply must comply not later than ~~December 31, 1993~~ ~~May 1, 1994~~.

Reason for Change: A four-month delay until May 1 of each year will not lessen the emission reduction benefits achieved during that year's summer ozone season.

Effective Date of Rule: Thirty-one days after filing.
 July 2, 1991
 Fred Olson
 Deputy Director

Chapter 173-491 WAC
 EMISSION STANDARDS AND CONTROLS FOR
 SOURCES EMITTING GASOLINE VAPORS

NEW SECTION

WAC 173-491-010 POLICY AND PURPOSE.

(1) It is the policy of the department of ecology (ecology) under the authority vested in it by chapters 43.21A and 70.94 RCW to provide for the systematic control of air pollution from air contaminant sources and for the proper development of the state's natural resources.

(2) It is the purpose of this chapter to establish standards for the control of air contaminants emitted from gasoline marketing sources.

NEW SECTION

WAC 173-491-015 APPLICABILITY. This chapter shall apply to gasoline marketing operations, including the storage, transport, and transfer of gasoline, including the transfer from storage tanks into transport tanks, and from storage tanks into motor vehicles. The requirements of this chapter supersede any less restrictive requirements of chapter 173-490 WAC, Emission standards and controls for sources emitting volatile organic compounds (VOC).

NEW SECTION

WAC 173-491-020 DEFINITIONS. The definitions of terms contained in chapter 173-400 WAC are by this reference incorporated into this chapter. Unless a different meaning is clearly required by context, the following words and phrases, as used in this chapter, shall have the following meanings:

(1) "Bottom loading" means the filling of a tank through a line entering the bottom of the tank.

(2) "Bulk gasoline plant" means a gasoline storage and transfer facility that receives more than ninety percent of its annual gasoline throughput by transport tank, and reloads gasoline into transport tanks.

(3) "Certified vapor recovery system" means a vapor recovery system which has been certified by the department of ecology. Only Stage II vapor recovery systems with a single coaxial hose can be certified. The department may certify vapor recovery systems certified by the California Air Resources Board as of the effective date of the regulation.

(4) "Gasoline" means a petroleum distillate which is a liquid at standard conditions and has a true vapor pressure greater than four pounds per square inch absolute at twenty degrees C, and is used as a fuel for internal combustion engines. Also any liquid sold as a vehicle fuel with a true vapor pressure greater than four pounds per square inch absolute at twenty degrees C shall be considered "gasoline" for purpose of this regulation.

(5) "Gasoline dispensing facility" means any site dispensing gasoline into motor vehicle fuel tanks from stationary storage tanks.

(6) "Gasoline loading terminal" means a gasoline transfer facility that receives more than ten percent of its annual gasoline throughput solely or in combination by pipeline, ship or barge, and loads gasoline into transport tanks.

(7) "Leak free" means a liquid leak of less than four drops per minute.

(8) "Stage I" means gasoline vapor recovery during all gasoline marketing transfer operations except motor vehicle refueling.

(9) "Stage II" means gasoline vapor recovery during motor vehicle refueling operations from stationary tanks.

(10) "Submerged fill line" means any discharge pipe or nozzle which meets either of the following conditions:

- where the tank is filled from the top, the end of the discharge pipe or nozzle must be totally submerged when the liquid level is six inches from the bottom of the tank, or;
- where the tank is filled from the side, the discharge pipe or nozzle must be totally submerged when the liquid level is eighteen inches from the bottom of the tank.

(11) "Submerged loading" means the filling of a tank with a submerged fill line.

(12) "Suitable cover" means a door, hatch, cover, lid, pipe cap, pipe blind, valve, or similar device that prevents the accidental spilling or emitting of gasoline. Pressure relief valves, aspirator vents, or other devices specifically required for safety and fire protection are not included.

(13) "Throughput" means the amount of material passing through a facility.

(14) "Top off" means to attempt to dispense gasoline to a motor vehicle fuel tank after a vapor recovery dispensing nozzle has shut off automatically.

(15) "Transport tank" means a container used for shipping gasoline over roadways.

(16) "True vapor pressure" means the equilibrium partial pressure of a petroleum liquid as determined by methods described in American Petroleum Institute Bulletin 2517, 1980.

(17) "Upgraded" means the modification of a gasoline storage tank or piping to add cathodic protection, tank lining or spill and overflow protection that involved removal of ground or ground cover above a portion of the product piping.

(18) "Vapor balance system" means a system consisting of the transport tank, gasoline vapor transfer lines, storage tank, and all tank vents designed to route displaced gasoline vapors from a tank being filled with liquid gasoline.

(19) "Vapor collection system" means a closed system to conduct vapors displaced from a tank being filled into the tank being emptied, a vapor holding tank, or a vapor control system.

(20) "Vapor control system" means a system designed and operated to reduce or limit the emission of gasoline vapors emission into the ambient air.

(21) "Vapor-mounted seal" means a primary seal mounted so there is an annular vapor space underneath

the seal. The annular vapor space is bounded by the bottom of the primary seal, the tank wall, the liquid surface, and the floating roof.

(22) "Vapor tight" means a leak of less than one hundred percent of the lower explosive limit on a combustible gas detector measured at a distance of one inch from the source or no visible evidence of air entrainment in the sight glasses of liquid delivery hoses.

(23) "Western Washington counties" means the following counties: Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Skamania, Snohomish, Thurston, Wahkiakum, and Whatcom.

NEW SECTION

WAC 173-491-030 REGISTRATION. (1) The owner or operator of a gasoline loading terminal, bulk gasoline plant, or gasoline dispensing facility subject to the provisions of WAC 173-491-040 (2) through (5) shall register annually the facility with ecology or local air authority. Annual registration shall be made by the owner or operator on a form provided by ecology or local air authority within sixty days of receipt of the form. Such registration form shall require information relevant to determining whether the facility is in compliance with the requirements of this chapter and be accompanied by the following fee: Gasoline loading terminals five hundred dollars, bulk gasoline plants two hundred dollars, gasoline dispensing facilities one hundred dollars, or a greater amount duly adopted by a local air pollution authority. The amount of the fees collected shall only be used to administer the registration program for facilities subject to this chapter.

(2) Administration of the registration program shall include:

(a) Initial registration and annual or other periodic reports from the source owner providing information directly related to air pollution registration.

(b) On-site inspections necessary to verify compliance with registration requirements.

(c) Data storage and retrieval systems necessary for support of the registration program.

(d) Emission inventory reports and emission reduction credits computed from information provided by sources pursuant to registration.

(e) Staff review, including engineering analysis for accuracy and currentness, of information provided by sources pursuant to registration program requirements.

(f) Clerical and other office support provided in direct furtherance of the registration program.

(g) Administrative support provided in directly carrying out the registration program.

(3) Ecology or local air authority will provide a written verification of registration to owners or operators of facilities subject to the provisions of WAC 173-491-040 (2) through (5). Such verification shall be available for inspection by ecology or local air authority personnel during normal business hours.

(4) The owner or operator of a gasoline loading terminal or a gasoline dispensing facility shall maintain total annual gasoline throughput records for the most recent two calendar years. Such records shall be available

for inspection by ecology or local air authority personnel during normal business hours.

NEW SECTION

WAC 173-491-040 GASOLINE VAPOR CONTROL REQUIREMENTS. (1) Fixed-roof gasoline storage tanks.

(a) All fixed-roof gasoline storage tanks having a nominal capacity greater than forty thousand gallons shall comply with one of the following:

(i) Meet the equipment specifications and maintenance requirements of the federal standards of performance for new stationary sources - Storage Vessels for Petroleum Liquids (40 CFR 60, subpart K).

(ii) Be retrofitted with a floating roof or internal floating cover using a metallic seal or a nonmetallic resilient seal at least meeting the equipment specifications of the federal standards referred to in (a)(i) of this subsection or its equivalent.

(iii) Be fitted with a floating roof or internal floating cover meeting the manufacturer's equipment specifications in effect when it was installed.

(b) All seals used in (a)(ii) and (iii) of this subsection are to be maintained in good operating condition and the seal fabric shall contain no visible holes, tears, or other openings.

(c) All openings not related to safety are to be sealed with suitable closures.

(d) Tanks used for the storage of gasoline in bulk gasoline plants and equipped with vapor balance systems as required in subsection (3)(b) of this section shall be exempt from the requirements of subsection (1) of this section.

(2) Gasoline loading terminals.

(a) This chapter shall apply to all gasoline loading terminals with an average annual gasoline throughput greater than 7.2 million gallons according to the schedule of compliance in WAC 173-491-050.

(b) Loading facilities. Facilities for the purpose of loading gasoline into any transport tank shall be equipped with a vapor control system (VCS) as described in (c) of this subsection and comply with the following conditions:

(i) The loading facility shall employ submerged or bottom loading for all transport tanks.

(ii) The VCS shall be connected during the entire loading of all transport tanks.

(iii) The loading of all transport tanks shall be performed such that the transfer is at all times vapor tight. Emissions from pressure relief valves shall not be included in the controlled emissions when the back pressure in the VRS collection lines is lower than the relief pressure setting of the transport tank's relief valves.

(iv) All loading lines and vapor lines shall be equipped to close automatically when disconnected. The point of closure shall be on the tank side of any hose or intermediate connecting line.

(c) Vapor control system (VCS). The VCS shall be designed and built according to accepted industrial practices and meet the following conditions:

(i) The VCS shall not allow organic vapors emitted to the ambient air to exceed thirty-five milligrams per liter

(three hundred twenty-two milligrams per gallon) of gasoline loaded.

(ii) The VCS shall be equipped with a device to monitor the system while the VCS is in operation.

(iii) The back pressure in the VCS collection lines shall not exceed the transport tank's pressure relief settings.

(3) Bulk gasoline plants.

(a) This section shall apply to all bulk gasoline plants with an average annual gasoline throughput greater than 7.2 million gallons according to the schedule of compliance in WAC 173-491-050.

(b) Deliveries to bulk gasoline plant storage tanks.

(i) The owner or operator of a bulk gasoline plant shall not permit the loading of gasoline into a storage tank equipped with vapor balance fittings unless the vapor balance system is attached to the transport tank and operated properly. The vapor balance system shall prevent at least ninety percent of the displaced gasoline vapors from entering the ambient air. A vapor balance system that is designed, built, and operated according to accepted industrial practices will satisfy this requirement.

(ii) Storage tank requirements. All storage tanks with a nominal capacity greater than five hundred fifty gallons and used for the storage of gasoline shall comply with the following conditions:

(A) Each storage tank shall be equipped with a submerged fill line.

(B) Each storage tank shall be equipped for vapor balancing of gasoline vapors with transport tanks during gasoline transfer operations.

(C) The vapor line fittings on the storage tank side of break points with the transport tank vapor connection pipe or hose shall be equipped to close automatically when disconnected.

(D) The pressure relief valves on storage tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety but in no case greater than ninety percent of the tank's safe working pressure.

(iii) Transport tank requirements. All transport tanks transferring gasoline to storage tanks in a bulk gasoline plant shall comply with the following conditions:

(A) The transport tank shall be equipped with the proper attachment fittings to make vapor tight connections for vapor balancing with storage tanks.

(B) The vapor line fittings on the transport tank side of break points with the storage tank connection pipe or hose shall be equipped to close automatically when disconnected.

(C) The pressure relief valves on transport tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety.

(c) Gasoline transfer operations.

(i) No owner or operator of a bulk gasoline plant or transport tank shall allow the transfer of gasoline between a stationary storage tank and a transport tank except when the following conditions exist:

(A) The transport tanks are being submerged filled or bottom loaded.

(B) The loading of all transport tanks, except those exempted under (c)(ii) of this subsection are being performed using a vapor balance system.

(C) The transport tanks are equipped to balance vapors and maintained in a leak tight condition in accordance with subsection (6) of this section.

(D) The vapor return lines are connected between the transport tank and the stationary storage tank and the vapor balance system is operated properly.

(ii) Transport tanks used for gasoline and meeting all of the following conditions shall be exempt from the requirement to be equipped with any attachment fitting for vapor balance lines if:

(A) The transport tank is used exclusively for the delivery of gasoline into storage tanks of a facility exempt from the vapor balance requirements of subsection (4) of this section; and

(B) The transport tank has a total nominal capacity less than four thousand gallons and is constructed so that it would require the installation of four or more separate vapor balance fittings.

(4) Gasoline dispensing facilities (Stage I).

(a) This section shall apply to the delivery of gasoline to gasoline dispensing facilities with an annual gasoline throughput greater than three hundred sixty thousand gallons in accordance with the schedule of compliance in WAC 173-491-050 and all new gasoline dispensing facilities with a total gasoline nominal storage capacity greater than ten thousand gallons.

(b) All gasoline storage tanks of the facilities defined in (a) of this subsection shall be equipped with submerged or bottom fill lines and fittings to vapor balance gasoline vapors with the delivery transport tank.

(c) Gasoline storage tanks with offset fill lines shall be exempt from the requirement of (b) of this subsection if installed prior to January 1, 1979.

(d) The owner or operator of a gasoline dispensing facility shall not permit the loading of gasoline into a storage tank equipped with vapor balance fittings unless the vapor balance system is attached to the transport tank and operated satisfactorily.

(5) Gasoline dispensing facilities (Stage II).

(a) This section shall apply to the refueling of motor vehicles from stationary tanks at all gasoline dispensing facilities located in western Washington counties with an annual gasoline throughput greater than eight hundred forty thousand gallons with the exception of Clark, King, Pierce, and Snohomish counties where this section shall apply to gasoline dispensing facilities with an annual gasoline throughput greater than six hundred thousand gallons in accordance with the schedule of compliance in WAC 173-491-050 and all new gasoline dispensing facilities with greater than ten thousand gallons gasoline nominal storage capacity in western Washington counties.

(b) All gasoline dispensing facilities subject to this section shall be equipped with a certified Stage II vapor recovery system.

(c) The owner or operator of a gasoline dispensing facility subject to this section shall not transfer or allow the transfer of gasoline from stationary tanks into motor

vehicle fuel tanks unless a certified Stage II vapor recovery system is used.

(d) All Stage II vapor recovery equipment shall be installed in accordance with the system's certification requirements and shall be maintained to be leak free, vapor tight, and in good working order.

(e) Whenever a Stage II vapor recovery system component is determined to be defective, the owner or operator shall take the system out of service until it has been repaired, replaced, or adjusted, as necessary.

(f) The owner or operator of each gasoline dispensing facility utilizing a Stage II system shall conspicuously post operating instructions for the system in the gasoline dispensing area. The instructions shall clearly describe how to fuel vehicles correctly using the vapor recovery nozzles and include a warning against topping off. Additionally, the instructions shall include a prominent display of ecology's toll free telephone number for complaints regarding the operation and condition of the vapor recovery nozzles.

(6) Equipment or systems failures.

(a) Specific applicability. This section shall apply to all gasoline transport tanks equipped for gasoline vapor collection and all vapor collection systems at gasoline loading terminals, bulk gasoline plants, and gasoline dispensing facilities as described in subsections (2) through (5) of this section.

During the months of May, June, July, August, and September any failure of a vapor collection system at a bulk gasoline plant or gasoline loading terminal to comply with this section requires the discontinuation of gasoline transfer operations for the failed part of the system. Other transfer points that can continue to operate in compliance may be used. The loading or unloading of the transport tank connected to the failed part of the vapor collection system may be completed during the other months of the year.

(b) Provisions for specific processes.

(i) The owner or operator of a gasoline loading terminal or bulk gasoline plant shall only allow the transfer of gasoline between the facility and a transport tank if a current leak test certification for the transport tank is on file with the facility or a valid inspection sticker is displayed on the vehicle. Certification is required annually.

(ii) The owner or operator of a transport tank shall not make any connection to the tank for the purpose of loading or unloading gasoline, except in the case of an emergency, unless the gasoline transport tank has successfully completed the annual certification testing requirements in (c) of this subsection, and such certification is confirmed either by:

(A) Have on file with each gasoline loading or unloading facility at which gasoline is transferred a current leak test certification for the transport tank; or

(B) Display a sticker near the department of transportation certification plate required by 49 CFR 178.340-10b which:

(I) Shows the date that the gasoline tank truck last passed the test required in (c) of this subsection;

(II) Shows the identification number of the gasoline tank truck tank; and

(III) Expires not more than one year from the date of the leak tight test.

(iii) The owner or operator of a vapor collection system shall:

(A) Operate the vapor collection system and the gasoline loading equipment during all loadings and unloadings of transport tanks equipped for emission control such that:

(I) The tank pressure will not exceed a pressure of eighteen inches of water or a vacuum of six inches of water;

(II) The concentration of gasoline vapors is below the lower explosive limit (LEL, measured as propane) at all points a distance of one inch from potential leak sources; and

(III) There are no visible liquid leaks except for a liquid leak of less than four drops per minute at the product loading connection during delivery.

(IV) Upon disconnecting transfer fittings, liquid leaks do not exceed ten milliliters (0.34 fluid ounces) per disconnect averaged over three disconnects.

(B) Repair and retest a vapor collection system that exceeds the limits of (b)(iii)(A) of this subsection within fifteen days.

(iv) The department or local air authority may, at any time, monitor a gasoline transport tank and vapor collection system during loading or unloading operations by the procedure in (c) of this subsection to confirm continuing compliance with this section.

(c) Testing and monitoring.

(i) The owner or operator of a gasoline transport tank or vapor collection system shall, at his own expense, demonstrate compliance with (a) and (b) of this subsection, respectively. All tests shall be made by, or under the direction of, a person qualified to perform the tests and approved by the department.

(ii) Testing to determine compliance with this section shall use procedures approved by the department.

(iii) Monitoring to confirm continuing leak tight conditions shall use procedures approved by the department.

(d) Recordkeeping.

(i) The owner or operator of a gasoline transport tank or vapor collection system shall maintain records of all certification tests and repairs for at least two years after the test or repair is completed.

(ii) The records of certification tests required by this section shall, as a minimum, contain:

(A) The transport tank identification number;

(B) The initial test pressure and the time of the reading;

(C) The final test pressure and the time of the reading;

(D) The initial test vacuum and the time of the reading;

(E) The final test vacuum and the time of the reading;

(F) At the top of each report page the company name, date, and location of the tests on that page; and

(G) Name and title of the person conducting the test.

(iii) The owner or operator of a gasoline transport tank shall annually certify that the transport tank passed the required tests.

(iv) Copies of all records required under this section shall immediately be made available to the department, upon written request, at any reasonable time.

(e) Preventing evaporation. All persons shall take reasonable measures to prevent the spilling, discarding in sewers, storing in open containers, or handling of gasoline in a manner that will result in evaporation to the ambient air.

NEW SECTION

WAC 173-491-050 COMPLIANCE SCHEDULES. (1) Fixed-roof gasoline storage tanks. All fixed roof gasoline storage tanks subject to WAC 173-491-040(1) shall comply no later than December 31, 1993.

(2) Gasoline loading terminals. All gasoline loading terminals subject to WAC 173-491-040(2) shall comply no later than December 31, 1993.

(3) Bulk gasoline plants. All bulk gasoline plants subject to the requirements of WAC 173-491-040(3) shall comply no later than December 31, 1993.

(4) Gasoline dispensing facilities - Stage I. All gasoline dispensing facilities subject to the requirements of WAC 173-491-040(4) shall comply no later than December 31, 1993, or whenever the facility is upgraded.

(5) Gasoline dispensing facilities - Stage II. All gasoline dispensing facilities subject to the requirements of WAC 173-491-040(5) shall comply:

(a) When upgraded except any gasoline dispensing facility upgraded or with new tank(s) installed after the effective date of this regulation but before May 1, 1992, need not comply earlier than May 1, 1992.

(b) According to the following schedule:

(i) At least fifty percent of the gasoline dispensing facilities with an annual throughput greater than 1.2 million gallons owned by a business which owns ten or more gasoline dispensing facilities in the state of Washington must comply not later than May 1, 1993. In meeting this requirement, businesses that lease some facilities and operate others must ensure that the percentage of facilities owned and operated which are required to comply with this provision at least equals the percentage of leased facilities required to comply with this provision.

(ii) All gasoline dispensing facilities with an annual throughput greater than 1.2 million gallons not previously required to comply must comply not later than May 1, 1994.

(iii) All gasoline dispensing facilities with an annual throughput greater than six hundred thousand gallons not previously required to comply must comply not later than December 31, 1998.

WSR 91-14-102 EMERGENCY RULES

FOREST PRACTICES BOARD

[Filed July 3, 1991, 8:26 a.m., effective July 13, 1991]

Date of Adoption: June 25, 1991.

Purpose: Classify those forest practices subject to environmental review of SEPA and SEPA rules.

Citation of Existing Rules Affected by this Order: Amending WAC 222-16-010 and 222-16-050(1).

Statutory Authority for Adoption: RCW 76.09.040, 76.09.050, and 34.05.350.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: On October 25, 1990, the Snohomish County Superior Court issued a final judgment declaring WAC 222-16-050(1) invalid as it existed on that date. *Snohomish County v. DNR*, No. 89-2-06923-5 (Snohomish Cy. Super. Ct.). On November 14, 1990, the Forest Practices Board adopted an emergency rule to replace the one declared invalid, and adopted a second emergency rule directing the Department of Natural Resources to develop a watershed screening and analysis process (WSR 90-23-041). A revision of that rule was adopted on March 13, 1991 (WSR 91-07-034). On March 15, 1991, the Forest Practices Board filed a request for preproposal comments on permanent rule changes to WAC 222-16-050(1) (WSR 91-07-030). The board established three task forces to develop recommendations for new permanent rule language relating to pesticide use, aesthetics, and wildlife. The task forces reported the results of their work at Forest Practices Board meetings on February 13, 1991, March 13, 1991, May 8, 1991, and June 25, 1991. The task forces have completed preliminary drafts and are continuing to receive comment and input. In addition, the Cumulative Effects Committee of the board is reviewing the watershed screening and analysis process. At its June 25, 1991, meeting, the Forest Practices Board incorporated recommendations of the task forces in the new emergency rules.

Effective Date of Rule: July 13, 1991.

July 2, 1991

Brian Boyle

Commissioner of Public Lands

AMENDATORY SECTION (Amending Order 551, Resolution No. 88-1, filed 9/21/88)

WAC 222-16-010 GENERAL DEFINITIONS.*
Unless otherwise required by context, as used in these regulations:

(1) "Act" means the Forest Practices Act, chapter 76.09 RCW.

(2) "Affected Indian tribe" means any federally recognized Indian tribe that requests in writing from the department information on forest practices applications and notification filed on specified areas.

(3) "Appeals board" means the forest practices appeals board established in the act.

(4) "Board" means the forest practices board established by the act.

(5) "Borrow pit" shall mean an excavation site outside the limits of construction to provide material necessary to that construction, such as fill material for the embankments.

(6) "Chemicals" means substances applied to forest lands or timber to accomplish specific purposes and includes pesticides, (~~insecticides, rodenticides,~~) plant-growth regulators, (~~fungicides, fertilizers,~~) desiccants, fire retardants when used in controlled burning, repellents, oil, dust-control agents (other than water), salt and other materials that may present hazards to the environment.

(7) "Commercial tree species" means any species which is capable of producing a merchantable stand of timber on the particular site, or which is being grown as part of a Christmas tree or ornamental tree-growing operation.

(8) "Completion of harvest" means the latest of:

(a) Completion of removal of timber from the portions of forest lands harvested in the smallest logical unit that will not be disturbed by continued logging or an approved slash disposal plan for adjacent areas; or

(b) Scheduled completion of any slash disposal operations where the department and the applicant agree within 6 months of completion of yarding that slash disposal is necessary or desirable to facilitate reforestation and agree to a time schedule for such slash disposal; or

(c) Scheduled completion of any site preparation or rehabilitation of adjoining lands approved at the time of approval of the application or receipt of a notification: **PROVIDED**, That delay of reforestation under this subsection (c) is permitted only to the extent reforestation would prevent or unreasonably hinder such site preparation or rehabilitation of adjoining lands.

(9) "Contamination" means the introducing into the atmosphere, soil, or water, sufficient quantities of substances as may be injurious to public health, safety or welfare, or to domestic, commercial, industrial, agriculture or recreational uses, or to livestock, wildlife, fish or other aquatic life.

(10) "Conversion to a use other than commercial timber operation" shall mean a bona fide conversion to an active use which is incompatible with timber growing.

(11) "Critical wildlife habitat" means the habitat of any threatened or endangered species, as such habitat is established by the board in the forest practices board manual, or other situations as identified by the board, after consultation with the department of wildlife, where specific management practices are needed to prevent critical wildlife habitat destruction.

(12) "Cultural resources" means archaeological and historic sites and artifacts and traditional religious, ceremonial and social uses and activities of affected Indian tribes.

(13) "Debris" means woody vegetative residue less than 3 cubic feet in size resulting from forest practice activities which would reasonably be expected to cause significant damage to a public resource.

(14) "Department" means the department of natural resources.

(15) "End hauling" means the removal and transportation of excavated material, pit or quarry overburden, or landing or road cut material from the excavation site to a deposit site not adjacent to the point of removal.

(16) "Erodible soils" means those soils exposed or displaced by a forest practice operation, that would be readily moved by water.

(17) "Fertilizers" means any substance or any combination or mixture of substances used principally as a source of plant food or soil amendment.

(18) "Flood level - 50 year." For purposes of field interpretation of these regulations, the 50-year flood level shall be considered to refer to a vertical elevation measured from the ordinary high-water mark which is 1.25 times the vertical distance between the average stream bed and the ordinary high-water mark, and in horizontal extent shall not exceed 2 times the channel width measured on either side from the ordinary high-water mark, unless a different area is specified by the department based on identifiable topographic or vegetative features or based on an engineering computation of flood magnitude that has a 2 percent chance of occurring in any given year. The 50-year flood level shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or under license from the federal government, the state, or a political subdivision of the state.

(19) "Forest land" means all land which is capable of supporting a merchantable stand of timber and is not being actively used for a use which is incompatible with timber growing.

(20) "Forest land owner" shall mean any person in actual control of forest land, whether such control is based either on legal or equitable title, or on any other interest entitling the holder to sell or otherwise dispose of any or all of the timber on such land in any manner: **PROVIDED**, That any lessee or other person in possession of forest land without legal or equitable title to such land shall be excluded from the definition of "forest land owner" unless such lessee or other person has the right to sell or otherwise dispose of any or all of the timber located on such forest land.

(21) "Forest practice" means any activity conducted on or directly pertaining to forest land and relating to growing, harvesting, or processing timber, including but not limited to:

- (a) Road and trail construction;
- (b) Harvesting, final and intermediate;
- (c) Precommercial thinning;
- (d) Reforestation;
- (e) Fertilization;
- (f) Prevention and suppression of diseases and insects;
- (g) Salvage of trees; and
- (h) Brush control.

"Forest practice" shall not include: Preparatory work such as tree marking, surveying and road flagging; or removal or harvest of incidental vegetation from forest lands such as berries, ferns, greenery, mistletoe, herbs, mushrooms, and other products which cannot normally be expected to result in damage to forest soils, timber or public resources.

(22) "Herbicide" means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any tree, bush, weed or algae and other aquatic weeds.

(23) "Historic site" includes:

(a) Sites, areas and structures or other evidence of human activities illustrative of the origins, evolution and development of the nation, state or locality; or

(b) Places associated with a personality important in history; or

(c) Places where significant historical events are known to have occurred even though no physical evidence of the event remains.

(24) "Insecticide" means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any insect, other arthropods or mollusk pests.

(25) "Interdisciplinary team" (ID Team) means a group of varying size comprised of individuals having specialized expertise, assembled by the department to respond to technical questions associated with a proposed forest practice activity.

(26) "Limits of construction" means the area occupied by the completed roadway or landing, including the cut bank, fill slope, and the area cleared for the purpose of constructing the roadway or landing.

(27) "Load bearing portion" means that part of the road, landing, etc., which is supportive soil, earth, rock or other material directly below the working surface and only the associated earth structure necessary for support.

(28) "Merchantable stand of timber" means a stand of trees that will yield logs and/or fiber:

(a) Suitable in size and quality for the production of lumber, plywood, pulp or other forest products.

(b) Of sufficient value at least to cover all the costs of harvest and transportation to available markets.

(29) "Notice to comply" means a notice issued by the department pursuant to RCW 76.09.090 of the act and may require initiation and/or completion of action necessary to prevent, correct and/or compensate for material damage to public resources which resulted from forest practices.

(30) "Operator" shall mean any person engaging in forest practices except an employee with wages as his sole compensation.

(31) "Ordinary high-water mark" means the mark on the shores of all waters, which will be found by examining the beds and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation: PROVIDED, That in any area where the ordinary high-water mark cannot be found, the ordinary high-water mark adjoining saltwater shall be the line of mean high tide and the ordinary high-water mark adjoining freshwater shall be the line of mean high-water.

(32) "Park" means any park included on the parks register maintained by the department pursuant to WAC 222-20-100(2). Developed park recreation area means any park area developed for high density outdoor recreation use.

(33) "Partial cutting" means the removal of a portion of the merchantable volume in a stand of timber so as to leave an uneven-aged stand of well-distributed residual, healthy trees that will reasonably utilize the productivity of the soil. Partial cutting does not include seedtree or shelterwood or other types of regeneration cutting.

(34) "Pesticide" means any insecticide, herbicide, fungicide or rodenticide but does not include nontoxic repellents or other chemicals.

(35) "Plantable area" is an area capable of supporting a commercial stand of timber excluding lands devoted to permanent roads, utility rights-of-way, that portion of riparian management zones where scarification is not permitted, and any other area devoted to a use incompatible with commercial timber growing.

(36) "Power equipment" means all machinery operated with fuel burning or electrical motors, including heavy machinery, chain saws, portable generators, pumps, and powered backpack devices.

(37) "Public resources" means water, fish, and wildlife and in addition shall mean capital improvements of the state or its political subdivisions.

(38) "Rehabilitation" means the act of renewing, or making usable and reforesting forest land which was poorly stocked or previously nonstocked with commercial species.

(39) "Relief culvert" means a structure to relieve surface runoff from roadside ditches to prevent excessive buildup in water volume and velocity.

(40) "Riparian management zone" means a specified area alongside Type 1, 2 and 3 Waters where specific measures are taken to protect water quality and fish and wildlife habitat.

(41) "Rodenticide" means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate rodents or any other vertebrate animal which the director of the state department of agriculture may declare by regulation to be a pest.

(42) "Salvage" means the removal of snags, down logs, windthrow, or dead and dying material.

(43) "Scarification" means loosening the topsoil and/or disrupting the forest floor in preparation for regeneration.

(44) "Side casting" means the act of moving excavated material to the side and depositing such material within the limits of construction or dumping over the side and outside the limits of construction.

(45) "Shorelines of the state" shall have the same meaning as in RCW 90.58.030 (Shoreline Management Act).

(46) "Skid trail" means a route used by tracked or wheeled skidders to move logs to a landing or road.

(47) "Slash" means pieces of woody material containing more than 3 cubic feet resulting from forest practice activities.

(48) "Spoil" means excess material removed as overburden or generated during road or landing construction which is not used within limits of construction.

(49) "Stop work order" means the "stop work order" defined in RCW 76.09.080 of the act and may be issued by the department to stop violations of the forest practices chapter or to prevent damage and/or to correct and/or compensate for damages to public resources resulting from forest practices.

(50) "Threatened or endangered species" applies to all species of wildlife listed as "threatened" or "endangered" by the United States Fish and Wildlife Service, except any species which the Washington department of

wildlife determines does not require special protection under the Forest Practices Act because conservation of the species is reasonably assured through a recovery and enhancement program or existence of an adequate population on lands where commercial forestry and land development are prohibited, or through other means. For this purpose, "wildlife" means all members of the animal kingdom except insects and benthic organisms.

(51) "Timber" shall mean forest trees, standing or down, of a commercial species, including Christmas trees.

(52) "Water bar" means a diversion ditch and/or hump in a trail or road for the purpose of carrying surface water runoff into the vegetation duff, ditch, or other dispersion area so that it does not gain the volume and velocity which causes soil movement and erosion.

(53) "Weed" is any plant which tends to overgrow or choke out more desirable vegetation.

(54) "Windthrow" means a natural process by which trees are uprooted or sustain severe trunk damage by the wind.

NEW SECTION

WAC 222-16-045 **WATERSHED SCREENING AND ANALYSIS.** The department shall study and develop a watershed screening and analysis process through consultation with the Timber-Fish-Wildlife Cooperative Monitoring, Evaluation & Research Committee (CMER) and department regional staff that is consistent with the Sustainable Forestry Roundtable (SFR) proposal and will result in environmental thresholds and decision criteria, identifying specific areas and forest practices that have the potential for substantial impact on the environment; and shall, no later than August 14, 1991, recommend rules concerning these thresholds and criteria for consideration by the board for inclusion within the Class IV-Special regulation. The thresholds and criteria should be the result of scientific analysis, and should be as clear and specific as reasonably possible.

AMENDATORY SECTION (Amending Order 551, Resolution No. 88-1, filed 9/21/88)

WAC 222-16-050 **CLASSES OF FOREST PRACTICES.** There are 4 classes of forest practices created by the act. ~~((These classes are listed below in the order most convenient for the applicant's use in determining into which class his operations fall.))~~ All forest practices (including those in Classes I and II) must be conducted in accordance with the forest practices regulations.

(1) "Class IV - special." Application to conduct forest practices involving the following circumstances requires an environmental checklist in compliance with the State Environmental Policy Act (SEPA), and SEPA guidelines, as they have been determined to have potential for a substantial impact on the environment. It may be determined that additional information or a detailed environmental statement is required before these forest practices may be conducted.

~~*((a))~~ ~~((Aerial application of pesticides to an "area of water supply interest" as determined according to WAC 222-38-020 (5)(i).))~~ Aerial application of pesticides in a manner identified as having the potential for a substantial impact on the environment under WAC 222-16-070.

(b) Harvesting, road construction, site preparation or aerial application of pesticides:

(i) On lands known to contain a breeding pair or the nest or breeding grounds of any threatened or endangered species; or

(ii) Within the critical habitat designated for such species by the United States Fish and Wildlife Service.

~~((c))~~ ~~Widespread use of ((DDT or a similar)) a persistent insecticide.)~~

~~((d))~~ (c) Harvesting, road construction, aerial application of pesticides and site preparation on all lands within the boundaries of any national park, state park, or any park of a local governmental entity, except harvest of less than 5 MBF within any developed park recreation area and park managed salvage of merchantable forest products.

~~((e))~~ (d) Construction of roads, landings, rock quarries, gravel pits, borrow pits, and spoil disposal areas on slide prone areas as defined in WAC 222-24-020(6) and field verified by the department, when such slide prone areas occur on an uninterrupted slope above ((a Type 1, 2, 3 or 4)) any Water Type or capital improvement of the state or its political subdivisions where there is potential for a substantial debris flow or mass failure to cause significant impact to public resources.

~~((f))~~ (e) Timber harvest on slide prone areas, field verified by the department, where soils, geologic structure and local hydrology indicate the canopy removal has the potential for increasing slope instability, when such areas occur on an uninterrupted slope above any Water Type or a capital improvement of the state or its political subdivisions where there is a potential for a substantial debris flow or mass failure to cause significant impact to public resources.

~~((g))~~ (f) Timber harvest, construction of roads, landings, rock quarries, gravel pits, borrow pits, and spoil disposal areas on snow avalanche slopes within those areas designated by the department, in consultation with department of transportation, as high avalanche hazard.

~~((h))~~ (g) Timber harvest, construction of roads, landings, rock quarries, gravel pits, borrow pits, and spoil disposal areas on archaeological or historic sites registered with the Washington state office of archaeology and historic preservation, or on sites containing evidence of Native American cairns, graves or glyptic records, as provided for in chapters 27.44 and 27.53 RCW. The department shall consult with affected Indian Tribes in identifying such sites.

(2) "Class IV - general." Applications involving the following circumstances are "Class IV - general" forest practices unless they are listed in "Class IV - special." Upon receipt of an application, the department will determine the lead agency for purposes of compliance with the State Environmental Policy Act pursuant to WAC 197-11-924 and 197-11-938(4) and RCW

43.21C.037(2). Such applications are subject to a 30-day period for approval unless the lead agency determines a detailed statement under RCW 43.21C.030 (2)(c) is required. Upon receipt, if the department determines the application is for a proposal that will require a license from a county/city acting under the powers enumerated in RCW 76.09.240, the department shall notify the applicable county/city under WAC 197-11-924 that the department has determined according to WAC 197-11-938(4) that the county/city is the lead agency for purposes of compliance with State Environmental Policy Act.

(a) Forest practices (other than those in Class I) on lands platted after January 1, 1960, or on lands being converted to another use.

(b) Forest practices which would otherwise be Class III, but which are taking place on lands which are not to be reforested because of likelihood of future conversion to urban development. (See WAC 222-34-050.)

(3) "Class I." Those operations that have been determined to have no direct potential for damaging a public resource are Class I forest practices. When the conditions listed in "Class IV - Special" are not present, these operations may be commenced without notification or application.

(a) Culture and harvest of Christmas trees and seedlings.

(b) Road maintenance except: (i) Replacement of bridges and culverts across Type 1, 2, 3 or flowing Type 4 Waters; or (ii) movement of material that has a direct potential for entering Type 1, 2, 3 or flowing Type 4 Waters.

(c) Construction of landings less than 1 acre in size, if not within a shoreline area of a Type 1 Water, the riparian management zone of a Type 2 or 3 Water, or the ordinary high-water mark of a Type 4 Water.

(d) Construction of less than 600 feet of road on a sideslope of 40 percent or less if the limits of construction are not within the shoreline area of a Type 1 Water, the riparian management zone of a Type 2 or Type 3 Water, or the ordinary high-water mark of a Type 4 Water.

(e) Installation or removal of a portable water crossing structure where such installation does not take place within the shoreline area of a Type 1 Water and does not involve disturbance of the beds or banks of any waters.

(f) Initial installation and replacement of relief culverts and other drainage control facilities not requiring a hydraulic permit.

(g) Rocking an existing road.

(h) Loading and hauling timber from landings or decks.

(i) Precommercial thinning and pruning.

(j) Tree planting and seeding.

(k) Removal of less than 5,000 board feet of timber (including live, dead and down material) for personal use (i.e., firewood, fence posts, etc.) in any 12-month period.

(l) Emergency fire control and suppression.

(m) Slash burning pursuant to a burning permit (RCW 76.04.205).

(n) Other slash control and site preparation not involving either off-road use of tractors on slopes exceeding 40 percent or off-road use of tractors within the shorelines of a Type 1 Water, the riparian management zone of any Type 2 or 3 Water, or the ordinary high-water mark of a Type 4 Water.

(o) Ground application of chemicals. (See WAC 222-38-020.)

(p) Aerial application of chemicals (except insecticides) when applied to not more than 40 contiguous acres if the application is part of a combined or cooperative project with another landowner and where the application does not take place within 100 feet of lands used for farming, or within 200 feet of a residence, unless such farmland or residence is owned by the forest landowner. Provisions of chapter 222-38 WAC shall apply.

(q) Forestry research studies and evaluation tests by an established research organization.

(4) "Class II." Certain forest practices have been determined to have a less than ordinary potential to damage a public resource and may be conducted as Class II forest practices: PROVIDED, That no forest practice enumerated below may be conducted as a Class II forest practice if the operation requires a hydraulic project approval (RCW 75.20.100) or is within a "shorelines of the state," or involves a bond in lieu of landowners signature (other than renewals). Such forest practices require an application. No forest practice enumerated below may be conducted as a "Class II" forest practice if it takes place on lands platted after January 1, 1960, or on lands being converted to another use. Such forest practices require a Class IV application. Class II forest practices are the following:

(a) Renewal of a prior Class II notification.

(b) Renewal of a previously approved Class III or IV forest practice application where:

(i) No modification of the uncompleted operation is proposed;

(ii) No notices to comply, stop work orders or other enforcement actions are outstanding with respect to the prior application; and

(iii) No change in the nature and extent of the forest practice is required under rules effective at the time of renewal.

(c) Any of the following if none of the operation or limits of construction takes place within the riparian management zone of a Type 2 or 3 Water, or within the ordinary highwater mark of a Type 4 Water:

(i) Construction of advance fire trails.

(ii) Opening a new pit of, or extending an existing pit by, less than 1 acre.

(iii) The following operations except those involving off-road use of tractor or wheeled skidding systems on a sideslope of greater than 40 percent:

(A) Salvage of logging residue.

(B) Salvage of dead, down or dying timber if less than 40 percent of the total timber volume is removed in any 12-month period.

(C) West of the Cascade summit, partial cutting of 40 percent or less of the live timber volume.

(D) East of the Cascade summit, partial cutting of 5,000 board feet per acre or less.

(E) Any harvest on less than 40 acres.

(F) Construction of 600 or more feet of road, provided that the department shall be renotified at least 2 business days before commencement of the construction.

(5) "Class III" forest practices not listed under Classes IV, I or II above are "Class III" forest practices. Among Class III forest practices are the following:

(a) Those requiring hydraulic project approval (RCW 75.20.100).

(b) Those within the shorelines of the state other than those in a Class I forest practice.

(c) Aerial application of insecticides, except where classified as a Class IV forest practice.

(d) Aerial application of chemicals (except insecticides), except where classified as Class I or IV forest practices.

(e) Harvest or salvage of timber except where classed as Class I, II or IV forest practices.

(f) All road construction and reconstruction except as listed in Classes I, II and IV forest practices.

(g) Opening of new pits or extensions of existing pits over 1 acre.

(h) Road maintenance involving:

(i) Replacement of bridges or culverts across Type 1, 2, 3, or flowing Type 4 Waters; or

(ii) Movement of material that has a direct potential for entering Type 1, 2, 3 or flowing Type 4 Waters.

(i) Operations involving an applicant's bond in lieu of a landowner's signature.

(j) Site preparation or slash abatement not listed in Classes I or IV forest practices.

(k) Harvesting, road construction, site preparation or aerial application of pesticides on lands which contain cultural, historic or archaeological resources which, at the time the application or notification is filed, are:

(i) On or are eligible for listing on the National Register of Historic Places; or

(ii) Have been identified to the department as being of interest to an affected Indian tribe.

(l) Harvesting exceeding 19 acres in a designated difficult regeneration area.

(m) Utilization of an alternate plan. See WAC 222-12-040.

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

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

NEW SECTION

WAC 222-16-070 PESTICIDE USES WITH THE POTENTIAL FOR A SUBSTANTIAL IMPACT ON THE ENVIRONMENT. To identify forest practices involving pesticide uses that have the potential for a substantial impact on the environment, the department shall apply the process prescribed in this section.

(1) Pesticide list - The department shall maintain a list of all pesticides registered under chapter 15.58 RCW

for use in forest practices. The list shall be developed through consultation with the departments of ecology, health, agriculture, and wildlife. The department shall conduct an annual review of the list for the purpose of including new pesticides and/or removing those pesticides which have been prohibited from use. The list shall be available to the public at each of the department's offices. A list of the department's offices and their addresses appears at WAC 332-10-030. In preparing the pesticide list, the department shall include information on the following characteristics:

(a) active ingredients, name brand or trade mark, labeled uses, pesticide type, EPA-registration number,

(b) toxicity of the pesticide based on the Environmental Protection Agency (EPA) label warning under 40 C.F.R. 156.10 (h)(1), listed as "caution", "warning", "danger", or "danger - poison";

(c) mobility based on the pesticide being a state restricted use pesticide for the protection of groundwater under WAC 16-228-164(1);

(2) Key for evaluating applications. To determine whether aerial application of a pesticide has the potential for a substantial impact on the environment, the department shall apply the following analysis:

**KEY FOR EVALUATION OF SITE SPECIFIC USE OF AERIALLY APPLIED CHEMICALS
EMERGENCY RULES**

| Question | Question | Resp | Action |
|----------|---|------------|----------------------------|
| 1 | Is the pesticide or has the pesticide been registered for sale in Washington State per Chapter 15.58 RCW? | Yes No | go to 2 Class IV Sp |
| 2 | Is the toxicity rating for the pesticide to be used "Danger -Poison" as designated in the pesticide list (WAC 222-16-070(1)(b))? | Yes No | Class IV Sp go to 3 (a) |
| 3 (a) | Is Bacillus thuringiensis (BT) the only pesticide being used on this application? | Yes No | go to 6 (b) go to 4 (a) |
| 4 (a) | Is this operation occurring over groundwater with a high susceptibility to contamination as specified in EPA 910/ 9-87-189 or in documentation provided by the department of ecology? | Yes No | go to 4 (b) go to 5 (a) |
| 4 (b) | Is this pesticide a state restricted use pesticide for the protection of groundwater under WAC 16-228-164 (1) | Yes No | Class IV Sp go to 5 (a) |
| 5 (a) | Is the operation adjacent (within 100 ft.) of surface water? | Yes No | go to 5 (b) go to 5 (e) |
| 5 (b) | Determine the toxicity rating: * Is the toxicity rating "Caution" or "Warning"? * Is the toxicity rating "Danger"? | Yes Yes | go to 5 (c) go to 5 (d) |
| 5 (c) | Is there a Group A or B water surface water system (WAC 246-290-020) intake OR a fish hatchery intake within 2 miles downstream of the operation? | Yes No | Class IV Sp go to 5 (e) |
| 5 (d) | Is there a Group A or B water surface system intake OR a fish hatchery intake within 3 miles downstream of the operation? | Yes No | Class IV Sp go to 5 (e) |
| 5 (e) | Is the operation within 200 feet of the intake of a Group A or B spring water system? | Yes No | Class IV Sp Go to 6 |
| 6 (a) | Does any portion of the planned operation cover 240 or more contiguous acres? Pesticide treatment units will be considered contiguous if they are separated by less than 300 feet or treatment dates of adjacent units are less than 90 days apart. | Yes No | Class IV Sp go to 6(b) |
| 6 (b) | Does the FPA call for application of this pesticide to lands known to contain a breeding pair or nest or breeding grounds of any threatened or endangered species? | Yes No | Class IV Sp Class III |

WSR 91-14-103
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION
 [Memorandum—July 2, 1991]

The Washington State Human Rights Commission will hold its August regular commission meeting in Seattle on August 21 and 22, 1991. The meeting on August 21, will be held at the Edgewater Inn, The Cascade Room, Pier 67, 2411 Alaskan Way, Seattle. The meeting will begin at 7:00 p.m. and will be centered around a discussion of topics of community interest. The regular business meeting on August 22, will be held at the Port of Seattle, Third Floor Commission Chambers, Pier 66, Seattle and will begin at 9:30 a.m.

WSR 91-14-104
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed July 3, 1991, 9:58 a.m.]

Original Notice.

Title of Rule: Prevailing wage.

Purpose: To define terms and explain procedures used by the department in implementing chapter 39.12 RCW, requiring payment of prevailing wages on public works projects.

Statutory Authority for Adoption: RCW 43.22.270.

Statute Being Implemented: Chapters 39.12 and 39.04 RCW.

Summary: The proposed rules readopt and amend rules adopted in October 1988 regarding definitions and procedures for determining prevailing wages. The proposed rules also repeal and replace a section originally adopted in 1988 explaining prevailing wage coverage for workers producing or delivering certain materials.

Reasons Supporting Proposal: Further clarification of the rules adopted in 1988 is necessary. In addition, the repeal and replacement of the rule regarding material handlers, and the readoption in part of other sections, corrects a failure to notify all interested parties in the adoption of the existing rules.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mark M. McDermott, 406 Legion Way, Olympia, WA 98504, 753-3487.

Name of Proponent: Department of Labor and Industries, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 296-127-010 Definitions for chapter 296-127 WAC, the rule defines terms frequently used in the prevailing wage statute and rules, and is intended to improve understanding of the scope of coverage of prevailing wage requirements; WAC 296-127-011 Time for determining prevailing wage, the rule establishes when prevailing wage determinations will occur, when rates take effect, and obligations of awarding agencies and

contractors regarding publications of rates; WAC 296-127-013 Scope of work descriptions, this rule establishes that the industrial statistician shall describe the scope of work covered by a prevailing wage. This assists contractors and awarding agencies in determining project costs; WAC 296-127-014 Usual benefits, benefits provided to workers on public works projects may count toward payment of the prevailing wage. This rule sets forth requirements for the benefits that may be counted; WAC 296-127-015 Applicability of prevailing wages for supervisors, supervisors are entitled to be paid at the prevailing rate if they are workers, laborers or mechanics as provided by statute. The rule establishes standards for prevailing wages for supervisors; WAC 296-127-017 Notice of wage determinations, the rule provides an address and telephone number for prevailing wage information; WAC 296-127-018 Coverage and exemptions of workers involved in the production and delivery of gravel, concrete, asphalt, or similar materials, the wording of RCW 39.12.020 indicates that the scope of the prevailing wage statute includes gravel crushing, concrete or asphalt batch plants. The rule sets forth the circumstances in which employees of such material suppliers would be subject to prevailing wage. This rule replaces WAC 296-127-016, which the department does not enforce; WAC 296-127-019 Survey methodology, this rule sets forth the methods for surveying wage rates and establishing prevailing wage rates. It is intended to improve understanding of the process of determining prevailing wages and assists contractors and affected employees in providing wage information; WAC 296-127-020 Interpretation of phrases used in chapter 39.12 RCW, in this rule, the department interprets certain phrases used in the prevailing wage statute. It clarifies which entities have responsibilities pursuant to RCW 39.12.050 and 39.12.065 and clarifies the applicable rates for transport of nonstandards items and of materials covered by WAC 296-127-018; WAC 296-127-022 Overtime according to chapter 49.28 RCW, this rule clarifies under what circumstances overtime must be paid, and conforms the rule to judicial interpretation of the language of RCW 49.28.065; WAC 296-127-025 Applicability of joint federal-state standards, this rule provides contractors guidance as to which prevailing rate must be paid if the public works project is funded by both the state and federal government; WAC 296-127-050 Filing of statements of intent to pay prevailing wages and affidavits of wages paid for contracts under \$2,500, this rule implements 1991 legislation codified at RCW 39.12.040(2); WAC 296-127-320 Payroll, this change conforms the rule to the language of RCW 39.12.010; WAC 296-127-990 Severability, this rule establishes severability for each rule in the chapter in the event that any rule or its application is held invalid; and WAC 296-127-016 Coverage and exemptions of workers involved in the production and delivery of gravel, concrete, asphalt, or similar materials, this rule is repealed.

Proposal Changes the Following Existing Rules: WAC 296-127-010, the proposed definition of "contractor" is intended to clarify coverage and allow for

improved enforcement of statutory requirements. The proposed definition of "public work" combines all statutory provisions and case law interpretations to improve understanding the scope of the statute's coverage. The proposed definition of "contract" clarifies that purchase orders and other legal agreements are governed by the prevailing wage statute. The definition of "residential construction" is unchanged from current rule; WAC 296-127-011, the proposed rule provides the department added flexibility in publishing and revising prevailing wage rates; WAC 296-127-013, the proposed rule provides the department added flexibility in establishing and revising scope of work descriptions and establishes when scope of work descriptions become effective; WAC 296-127-014, the proposed rule includes nongroup medical insurance as a usual benefit that may be counted toward the applicable prevailing wage. The proposed rule also establishes safeguards to ensure pension and vacation benefits accrue to workers entitled to prevailing wage. The standards adopted for pension plans are modeled on federal regulations implementing the Davis-Bacon law. The proposed rule provides for employee notification of the benefits provided; WAC 296-127-015, under the existing rule, supervisors are entitled to prevailing wage rates for hours worked in manual or physical labor if that work constitutes over 20 percent of their hours on a public works project in a week. The proposed rule expands eligibility for prevailing rates and directs the industrial statistician to establish a supervisor rate of pay if additional duties are required by law; WAC 296-127-017, address and phone number for obtaining prevailing wage information is updated; WAC 296-127-018, the proposed rule is similar to existing WAC 296-127-016, which is being repealed. WAC 296-127-016 has not been enforced due to court challenge since its adoption, and this rule is being adopted under a different number to avoid confusion. This rule also establishes which county's rate shall be paid for transportation of materials that will be incorporated into a public works project; WAC 296-127-019, the existing rule allows prevailing wage rates to be established and updated either by wage surveys or by adjustments stipulated in collective bargaining agreements. The proposed rule allows other appropriate methods to be used. The proposed rule also directs the department to establish deadlines for submitting information to it. The employers to be surveyed are expanded beyond licensed contractors, but data submitted by employers that do not directly employ and supervise workers on public works projects will not be used. Data from union locals will not be accepted for firms not subject to those union locals' collective bargaining agreements; WAC 296-127-020, the proposed rule: Clarifies that the acceptance date for a public works project is the date the awarding agency formally accepts the project; changes "person" to "contractor or employer" in subsection (2) for purposes of clarity; provides that the rate for transportation of prefabricated items or of materials to be incorporated into a public works

project shall be the rate of the county in which the public works project is located; and, prohibits corporate restructuring or asset transfers as a means of avoiding responsibility for an adverse finding pursuant to RCW 39.12.050 or 39.12.065; WAC 296-127-022, the proposed rule allows more flexibility in scheduling work, by providing that an employee may agree to work up to 10 hours per day in a 40-hour workweek without requiring the payment of overtime; WAC 296-127-025, in the proposed rule, a sentence is added to clarify that federal law may require the federal rate be paid when the federal rate is higher and when the project is funded in part by the U.S. Department of Housing and Urban Development; WAC 296-127-050, this entire proposed section is new. This section implements the new statutory provision allowing streamlined procedures for contracts under \$2,500. Public agencies electing to use this process assume responsibility for payment of valid wage claims; WAC 296-127-320, the proposed rule conforms the rule to the language of RCW 29.12.010 [39.12.010] by clarifying that the hourly rate of "usual benefits" is part of the prevailing wage rate; WAC 296-127-990, this entire proposed section is new. It allows severance of any section that may be found improper by a state or federal court; and WAC 296-127-016, this section would be repealed.

Small Business Economic Impact Statement: Prevailing wage rules economic impacts chapter 296-127 WAC, pursuant to the Regulatory Fairness Act, chapter 19.85 RCW, the small business impacts are as follows, by subsection: WAC 296-127-010 (5)(a), minor or negligible impact, definitions, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-010 (5)(b), minor or negligible impact, definitions, included in the definition of "contractor" are producers of nonstandard items developed specifically for a particular public works project at the request of both business representatives and public agencies; WAC 296-127-010 (5)(c), minor or negligible impact, definitions, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-010 (6)(a)(i), minor or negligible impact, definitions, included are insurers providing funds on contracts they award for public works on their insurers - this inclusion is in a manner consistent with business representatives; WAC 296-127-010 (6)(a)(ii), minor or negligible impact, interpretative rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-010 (6)(a)(iii), minor or negligible impact, no changes over existing regulations, rule results in no substantive change over existing regulations; WAC 296-127-010 (6)(a)(iv), minor or negligible impact, definitions, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-010 (6)(a)(v), minor or negligible

impact, definitions, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-010 (6)(a)(vi), minor or negligible impact, definitions, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-010 (6)(b)(i), minor or negligible impact, definitions, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-010 (6)(b)(ii), minor or negligible impact, definitions, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-010 (6)(b)(iii), minor or negligible impact, definitions, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-010(7), minor or negligible impact, definitions, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-010(8), minor or negligible impact, no changes over existing regulations, rule results in no substantive change over existing regulations; WAC 296-127-011(1), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-011 (2)(a), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-011 (2)(b), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-011 (2)(c), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-011 (2)(d), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-011 (3)(a), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-011 (3)(b), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-011 (4), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-011

(5)(a), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-011 (5)(b), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-013(1), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-013(2), no economic impact, rule not covered by the Regulatory Fairness Act, act applies only to rules that have an economic impact in cost or expenditure of resources; WAC 296-127-013 (2)(a), minor or negligible impact, no changes over existing regulations, rule results in no substantive change over existing regulations; WAC 296-127-013 (2)(b), minor or negligible impact, no changes over existing regulations, rule results in no substantive change over existing regulations; WAC 296-127-013 (2)(c), no economic impact, rule not covered by the Regulatory Fairness Act, act applies only to rules that have an economic impact in cost or expenditure of resources; WAC 296-127-013 (2)(d), no economic impact, rule not covered by the Regulatory Fairness Act, act applies only to rules that have an economic impact in cost or expenditure of resources; WAC 296-127-013 (2)(e), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-013(3), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-013(4), minor or negligible impact, no economic burden, regulation for which the annual cost of compliance does not create an economic burden for any regulated business; publication of scope of work will be provided by the department of labor and industries at the request of business; WAC 296-127-013 (4)(a), minor or negligible impact, no economic burden, regulation for which the annual cost of compliance does not create an economic burden for any regulated business; publication of scope of work will be provided by the department of labor and industries at the request of business; WAC 296-127-013 (4)(b), minor or negligible impact, no economic burden, regulation for which the annual cost of compliance does not create an economic burden for any regulated business; publication of scope of work will be provided by the department of labor and industries at the request of business; WAC 296-127-013(5), minor or negligible impact, no economic burden, regulation for which the annual cost of compliance does not create an economic burden for any regulated business; publication of scope of work will be provided by the department of labor and industries at the request of business; WAC 296-127-013(6), minor or negligible impact, no economic burden, regulation for which the annual cost of compliance does

not create an economic burden for any regulated business; publication of scope of work will be provided by the department of labor and industries at the request of business; WAC 296-127-013(7), minor or negligible impact, no economic burden, regulation for which the annual cost of compliance does not create an economic burden for any regulated business; publication of scope of work will be provided by the department of labor and industries at the request of business; WAC 296-127-014 (1)(a), minor or negligible impact, no changes over existing regulations, rule results in no substantive change over existing regulations; WAC 296-127-014 (1)(b), minor or negligible impact, no changes over existing regulations, rule results in no substantive change over existing regulations; WAC 296-127-014 (1)(b)(i), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-014 (1)(b)(ii), minor or negligible impact, no economic burden, regulation for which the annual cost of compliance does not create an economic burden for any regulated business; businesses are required to pay the same prevailing wage whether it is in cash or contributions to a pension fund; WAC 296-127-014 (1)(b)(iii), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-014 (1)(b)(iv), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-014 (1)(b)(v), minor or negligible impact, no changes over existing regulations, rule results in no substantive change over existing regulations; WAC 296-127-014 (1)(c), minor or negligible impact, no changes over existing regulations, rule results in no substantive change over existing regulations; WAC 296-127-014 (1)(d), minor or negligible impact, no changes over existing regulations, rule results in no substantive change over existing regulations; WAC 296-127-014 (1)(e), minor or negligible impact, no changes over existing regulations, rule results in no substantive change over existing regulations; WAC 296-127-014(2), minor or negligible impact, no changes over existing regulations, rule results in no substantive change over existing regulations; WAC 296-127-014 (3)(a), this rule will result in economic impacts on industries that perform work subject to prevailing wage requirements. The impact resulting from this rule is to the extent that the employer would not ordinarily notify employees, in writing, of the benefits being provided in addition to wages. The increased cost would be that necessary to list and post a notice at the job site concerning details of qualifying plans. The impact of this notification requirement is mitigated by requiring only that the benefit plan names be posted at the job site rather than the plan summary or a requirement that either be provided to each employee. Therefore, the cost of compliance is minor or negligible; WAC 296-127-014 (3)(b), this rule will result in economic impacts on industries that perform

work subject to prevailing wage requirements. The impact resulting from this rule is to the extent that the employer would not ordinarily notify employees, in writing, of the benefits being provided in addition to wages. The increased cost would be that necessary to list and post a notice at the job site concerning details of qualifying plans. The impact of this notification requirement is mitigated by requiring only that the benefit plan names be posted at the job site rather than the plan summary or a requirement that either be provided to each employee. Therefore, the cost of compliance is minor or negligible; WAC 296-127-014 (3)(c), this rule will result in economic impacts on industries that perform work subject to prevailing wage requirements. The impact resulting from this rule is to the extent that the employer would not ordinarily notify employees, in writing, of the benefits being provided in addition to wages. The increased cost would be that necessary to list and post a notice at the job site concerning details of qualifying plans. The impact of this notification requirement is mitigated by requiring only that the benefit plan names be posted at the job site rather than the plan summary or a requirement that either be provided to each employee. Therefore, the cost of compliance is minor or negligible; WAC 296-127-014 (3)(d), this rule will result in economic impacts on industries that perform work subject to prevailing wage requirements. The impact resulting from this rule is to the extent that the employer would not ordinarily notify employees, in writing, of the benefits being provided in addition to wages. The increased cost would be that necessary to list and post a notice at the job site concerning details of qualifying plans. The impact of this notification requirement is mitigated by requiring only that the benefit plan names be posted at the job site rather than the plan summary or a requirement that either be provided to each employee. Therefore, the cost of compliance is minor or negligible; WAC 296-127-014 (3)(e), this rule will result in economic impacts on industries that perform work subject to prevailing wage requirements. The impact resulting from this rule is to the extent that the employer would not ordinarily notify employees, in writing, of the benefits being provided in addition to wages. The increased cost would be that necessary to list and post a notice at the job site concerning details of qualifying plans. The impact of this notification requirement is mitigated by requiring only that the benefit plan names be posted at the job site rather than the plan summary or a requirement that either be provided to each employee. Therefore, the cost of compliance is minor or negligible; WAC 296-127-014(4), this rule will result in economic impacts on industries that perform work subject to prevailing wage requirements. The impact resulting from this rule is to the extent that the employer would not ordinarily provide employees, upon request, copies of all plans for which payroll deductions are made. The impact of this notification requirement is mitigated by requiring only that the benefit plans be provided upon request from an employee. Therefore, the cost of compliance is minor or negligible; WAC 296-127-015, minor or negligible impact, no changes over existing regulations, rule results in no substantive change

over existing regulations; WAC 296-127-015(1), this rule will result in economic impacts on the affected industries. The impact resulting from this rule is to the extent that the employer would not normally pay the prevailing wage to supervisors when performing work in a trade capacity. The increased cost would be the difference between the rate of pay previously given and the prevailing wage. However, it has been determined that changes are not feasible in meeting the stated objective of the statutes which are the basis for the proposed rule. Chapter 39.12 RCW was enacted to assure that workers on public works projects are paid the current prevailing wage for the type of work they perform. Supervisors who are acting in a trade capacity must, therefore, be paid the prevailing wage for any time spend [spent] performing trade-related work. Changing the rule to minimize proportionately higher burdens on small businesses is therefore not required; WAC 296-127-015(2), this rule will result in economic impacts on the affected industries. The impact resulting from this rule is to the extent that the employer would not normally pay the prevailing wage to supervisors when performing work in a trade capacity. The increased cost would be the difference between the rate of pay previously given and the prevailing wage. However, it has been determined that changes are not feasible in meeting the stated objective of the statutes which are the basis for the proposed rule. Chapter 39.12 RCW was enacted to assure that workers on public works projects are paid the current prevailing wage for the type of work they perform. Supervisors who are acting in a trade capacity must, therefore, be paid the prevailing wage for any time spend [spent] performing trade-related work. Changing the rule to minimize proportionately higher burdens on small businesses is therefore not required; WAC 296-127-015 (2)(a), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-015 (2)(b), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-017, no economic impact, rule not covered by the Regulatory Fairness Act, act applies only to rules that have an economic impact in cost or expenditure of resources; WAC 296-127-018 (1), (2) and (3), this rule will result in economic impacts on the affected industries. The impact resulting from this rule is to the extent that the employer would not normally pay the prevailing wage to workers engaged in the production or delivery of gravel, concrete, asphalt or similar materials for use on specified public works projects. However, it has been determined that changes are not feasible in meeting the stated objective of the statutes which are the basis for the proposed rule. Chapter 39.12 RCW was enacted to assure that workers on public works projects are paid the current prevailing wage for the type of work they perform. Workers engaged in the production or delivery of gravel, concrete, asphalt or similar materials are covered for prevailing wages if the off-site manufacturers are making the products for specified public works projects.

In response to business' concerns, employers engaged in the production and stockpiling of materials for unspecified future use by public agencies, are excluded from the requirement of prevailing wage. Further modification of the rule to minimize proportionately higher burdens on small businesses is therefore not required; WAC 296-127-018(4), this rule may result in economic impacts on industries that perform work subject to prevailing wage requirements. The impact resulting from this rule is to the extent that the prevailing wage is lower at the employer's locality than the delivery site for employees delivering such materials to public works sites. This approach has been accepted by counsel for the International Brotherhood of Teamsters (IBT) and is in response to business' concerns of possible inequities when bidding on public works projects. The impact of this requirement will be positive for some businesses while negative for others, irregardless of the size of the business and therefore cannot be modified further; WAC 296-127-019(1), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-019(2), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-019(3), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-019(4), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-019(5), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-019(6), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-019(7), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-019(8), minor or negligible impact, no changes over existing regulations, rule results in no substantive change over existing regulations; WAC 296-127-020(1), minor or negligible impact, definitions, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-020(2), minor or negligible impact, definitions, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-020(3), minor or negligible impact, definitions, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and

requires no action on the part of any business; WAC 296-127-020(4), minor or negligible impact, no changes over existing regulations, rule results in no substantive change over existing regulations; WAC 296-127-022(1), reduced cost for business, offers an optional method of determining payment of overtime; WAC 296-127-022(2), reduced cost for business, offers an optional method of determining payment of overtime; WAC 296-127-022(3), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-022(4), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-025(1), minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business; WAC 296-127-025(2), conformity/compliance with federal law or requirements, rule modified solely for the purpose of conformity, compliance, or both, with federal law or regulations; WAC 296-127-050, reduced cost for business; offers an optional method of filing statements of intent to pay prevailing wages and affidavits of wages paid for public works contracts under \$2500; WAC 296-127-320, minor or negligible impact, no economic burden, regulation for which the annual cost of compliance does not create an economic burden for any regulated business; and WAC 296-127-990, minor or negligible impact, interpretive rule, regulatory scheme that is promulgated for the purpose of stating policy, procedure, organization, or practice and requires no action on the part of any business.

Hearing Location: General Administration Building, Main Auditorium, Olympia, on August 6, 1991, at 9:00 a.m.

Submit Written Comments to: Mark M. McDermott, ESAC Division, HC-710, Olympia, Washington 98504, by August 6, 1991.

Date of Intended Adoption: September 6, 1991.

July 3, 1991
Joseph A. Dear
Director

READOPTED/AMENDATORY SECTION (Readopting and Amending Order 88-22, filed 10/31/88)

WAC 296-127-010 DEFINITIONS FOR CHAPTER 296-127 WAC. (1) "Department" means the department of labor and industries.

(2) "Director" means the director of the department or his or her duly authorized deputy or representative.

(3) "Industrial statistician" means the industrial statistician of the department's employment standards, apprenticeship, and crime victims (ESAC) division.

(4) "Assistant director" means the assistant director of the employment standards, apprenticeship, and crime victims (ESAC) division or his or her duly authorized deputy or representative.

(5) "Contractor" (~~includes subcontractor~~) Means:

(a) the prime contractor, and each and every subcontractor, required to be registered under RCW 18.27 and/or licensed under RCW 19.28,

that performs any work on a public works project site, and/or is required to pay industrial insurance premiums as a construction company.

(b) employers engaged in shipbuilding and ship repair, building service maintenance, and any fabricator or manufacturer that produces nonstandard items specifically for a public works project.

(c) employers that contract with contractors or subcontractors for the purpose of the production and/or delivery of materials pursuant to the terms of WAC 296-127-018.

(6)(a) The term "public work" shall include:

(i) all work, construction, alteration, enlargement, improvement, repair, and/or demolition ((to which any agency of the state of Washington or any agency of a county, city, town, or any other political subdivision, or a public district, is a party, whether such work) that is executed by contract, purchase order, or any other legal agreement((, provided the contracting agency owns the asset which is constructed, altered, enlarged, improved, repaired, or demolished.)) and that is executed at the cost of the State of Washington or of any municipality as defined by RCW 39.04.010. ((The public entity which is the)) The source of the funding shall ((have no bearing on the term public work.)) not determine the applicability of the statute, and may include, but is not limited to, such sources as those payments made through contracts with insurance companies on behalf of the insured state or municipality;

(ii) all work which, by law, constitutes a lien or charge on any property of the state or of a municipality as defined by RCW 39.04.010, i.e., those instances in which a contractor or subcontractor would have a lien against property of the state or municipality as security for payment for the work performed, regardless of the state's or municipality's funding source;

~~((Public work shall also include))~~ (iii) new construction of facilities ((of new construction which)) that are caused by state agencies to be built by a private party through a contract to rent, lease, or purchase at least eighty percent of such facility for occupation by a state agency, pursuant to RCW 43.82.015; ((as required by chapter 43.19 RCW.))

~~((Public work shall also include))~~ (iv) maintenance, except ordinary maintenance as defined by subsection (b)(iii) below, when performed by contract. ((For the purpose of this section, maintenance)) Maintenance is defined as keeping ((existing)) currently utilized facilities in good usable, operational condition; ((, without repairing damages or breaks. The term contract shall mean a contract in writing for the execution of public work for a fixed or determinable amount duly awarded after advertisement and competitive bid. However, a contract which is awarded from a small works roster need not be advertised.))

(v) janitorial and building service maintenance, when performed by contract, on public buildings and/or assets; and,

(vi) the fabrication and/or manufacture of nonstandard items produced by contract specifically for a public works project as defined by subsections (i) through (v), above.

(b) The term "public work" shall not include:

(i) work, construction, alteration, enlargement, improvement, repair, demolition, and/or maintenance for which no wage or salary compensation is paid, consistent with the requirements of RCW 35.21.278;

(ii) the construction, alteration, repair, or improvement of any municipal street railway system;

(iii) ordinary maintenance which is defined as work performed by contract on a regularly scheduled basis (e.g., daily, weekly, monthly, seasonally, semi-annually, but not less frequently than once per year), to service, check, or replace items that are not broken; or work that is not regularly scheduled but is required to maintain the asset so that repair does not become necessary. Public agencies shall not disaggregate or subdivide maintenance work into stages in order to have the work qualify as ordinary maintenance. Ordinary maintenance does not include janitorial and building service maintenance.

(7) "Contract" means a contract, purchase order, or any other legal agreement in writing for public work to be performed for a fixed or determinable amount, which is duly awarded after advertisement and competitive bid. A contract that is awarded from a small works roster, or under the emergency provisions of state law, need not be advertised.

~~((7))~~ (8) "Residential construction" means construction, alteration, repair, improvement, or maintenance of single family dwellings, duplexes, apartments, condominiums, and other residential structures not to exceed four stories in height, including basement, when used solely as permanent residences. It does not include the utilities construction (water and sewer lines), or work on streets, or work on other structures (e.g., for recreation and business.)

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

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

READOPTED/AMENDATORY SECTION (Readopting and Amending Order 88-22, filed 10/31/88)

WAC 296-127-011 TIME FOR DETERMINING PREVAILING WAGE. (1) Prevailing wage rates for all public work contracts will be determined by the ~~((department))~~ industrial statistician and published ~~((only))~~ on the first business day of February and the first business day of August of each year. ~~((All prevailing wage))~~ These rates shall become effective thirty days after ~~((they are published:))~~ the date of publication. However, the industrial statistician may revise an established prevailing wage rate in response to an administrative or judicial finding overturning the established rate, or at any time necessary to correct an error, with such revision becoming effective thirty days after the date of publication. However in the event of an emergency as determined by the director of the department, such revised rate shall take effect upon publication. ~~((Awarding agencies must include a schedule of the applicable published prevailing wage rates in the contract documents for each contract. Contractors must include a schedule of the applicable published prevailing wage rates in their contracts with each one of their subcontractors:))~~

(2) The department shall establish deadlines for the submission of:

(a) completed wage surveys, for inclusion of submitted data in the survey computations;

(b) newly ratified collective bargaining agreements for inclusion in the semi-annual prevailing wage publication;

(c) notice of collectively bargained wage and benefit adjustments, and/or relevant contractual changes, for inclusion in the semi-annual prevailing wage publication; and,

(d) notice of changes in apprenticeship standards and incremental wage rates for inclusion in the semi-annual prevailing wage publication.

(3) The applicable prevailing wage rates for a given public works contract will be determined as follows:

~~((2))~~ (a) For all public works contracts, except janitorial or building service maintenance contracts, the applicable prevailing wage rates shall be the rates that ~~((which))~~ are in effect on the date when ~~((the))~~ bids by ~~((the))~~ prime contractors are ~~((required to be submitted))~~ due for submission to ~~((the))~~ contract awarding agencies. ~~((public agency are the prevailing wage rates which must be paid))~~ These rates shall remain in effect for the duration of the contract.

(b) If ~~((the))~~ contracts ~~((is))~~ are not awarded within six months of ~~((this))~~ the date ~~((:))~~ bids are due, the applicable prevailing wage rates shall be those that ~~((which))~~ are in effect on the date ~~((when))~~ the contract is awarded. ~~((are the prevailing wage))~~ These rates ~~((which must be paid))~~ shall remain in effect for the duration of the contract.

~~((3))~~ (4) If ~~((an agreement))~~ a contract for public work ~~((s))~~ is not awarded pursuant to bids, the applicable prevailing wage ~~((s which))~~ rates shall be those that are in effect on the date when the ~~((agreement))~~ contract is executed. ~~((are the prevailing wages which must be paid))~~ These rates shall remain in effect for the duration of the ~~((agreement:))~~ contract.

(5) A schedule of the applicable prevailing wage rates must be included by:

(a) Contract awarding agencies, in the bid specifications and contract documents for each contract.

(b) Contractors, in the bid and/or contract documents provided to subcontractors.

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

READOPTED/AMENDATORY SECTION (Readopting and Amending Order 88-22, filed 10/31/88)

WAC 296-127-013 SCOPE OF WORK DEFINITIONS. (1) In order ~~((for the industrial statistician))~~ to determine applicable prevailing wage rates, the industrial statistician will issue scope of work descriptions ~~((definitions are needed))~~ for each trade and occupation ~~((:))~~ recognized as being involved in public work.

~~((+))~~ (2) The industrial statistician may ~~((promulgate))~~ issue scope of work descriptions, using authoritative sources available to the department, such as, but not limited to:

(a) Washington state apprenticeship and training council approved apprenticeship standards;

(b) Collective bargaining agreements;

(c) Dictionar~~((y))~~ies of occupational titles;

(d) Experts from organized labor, licensed contractors, and contractors' associations~~((:))~~;

(e) Recognized industry practice.

(3) The applicable prevailing wage rates for workers employed on public works projects shall be determined by the scopes of work performed by those workers, and not by their specific job titles.

~~((2))~~ (4) Scope of work ~~((definitions))~~ descriptions may be established or revised: ~~((only))~~

(a) on the first business day of February and the first business day of August each year ~~((Scope of work definitions may be obtained from the department on request:))~~ along with the prevailing wage publication; or,

(b) in response to an administrative or judicial finding, or at any time necessary to correct an error.

(5) All scope of work descriptions shall become effective thirty days after their establishment or revision.

(6) The applicable scope of work description for a public works contract is the scope of work description that is in effect on the date that the bids are due to be submitted to the contract awarding agency. If the contract is not awarded within six months of the bid due date, then the applicable scope of work description shall be that which is in effect on the date that the contract is awarded. The same scope of work description shall remain in effect for the duration of the contract.

(7) The department shall make scope of work descriptions available to all interested parties upon request.

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

READOPTED/AMENDATORY SECTION (Readopting and Amending Order 88-22, filed 10/31/88)

WAC 296-127-014 USUAL BENEFITS. "Usual benefits" are limited to the following:

(1)(a) Health and welfare payments. This is ~~((Group))~~ medical insurance, which may include dental, vision, and life insurance. ~~((State or federal statutory mandated insurance))~~ Insurance programs providing protection against industrial accidents~~((:))~~ or occupational illnesses~~((:))~~ which are mandated by state or federal statutes, and all related mandatory forms of protection, shall not qualify as health and welfare insurance.~~((:))~~

(b) Pension contributions made into pension plans for which the Internal Revenue Service has issued a letter of acceptance or approval. Payroll deductions constituting a contribution on behalf of the person employed to funds established by the employer or representatives of employees, or both, for the purpose of providing either from principal or income, or both, pensions or annuities on retirement, provided, however, that:

(i) the deduction is not otherwise prohibited by law;

(ii) it is either voluntarily consented to by the employee in writing and in advance of the period in which the work is to be done and such consent is not a condition either for the obtaining of or for the continuation of employment, or is provided for in a bona fide collective bargaining agreement between the contractor or subcontractor and representatives of its employees;

(iii) no profit or other benefit is otherwise obtained, directly or indirectly, by the contractor or subcontractor or any affiliated person in the form of commission, dividend, or otherwise,

(iv) the deductions shall serve the convenience and interest of the employee; and

(v) contributions are made only to plans for which the Internal Revenue Service has issued a letter of acceptance or approval.

(c) Vacation payments made either directly to the employees or into a vacation fund, provided these benefits are paid to the employees.

(d) Apprentice training fund. Payments made to training programs approved or recognized by the Washington state apprenticeship and training council.

(e) Paid holidays. Payments made to employees for specified holidays.

(2) Any fringe benefits required by other local, state, or federal laws do not qualify as "usual benefits."

(3) Contractors and employers shall post at the job site, along with an approved copy of the statement of intent to pay prevailing wages as required by RCW 39.12.020, a list containing the following:

(a) the name of the health and welfare plan, or plans, for which payroll deductions are being made, and the name, address, and telephone number of the administrator of each plan;

(b) the name of each pension fund or plan for which payroll deductions are being made, and the name, address, and telephone number of the trustee and/or administrator of each plan.

(c) the applicable prevailing wage vacation policy, regardless of whether payroll deductions are made for vacation pay;

(d) the name of the apprenticeship training fund program for which payroll deductions are made; and,

(e) a list of all applicable prevailing wage paid holidays, regardless of whether payroll deductions are made for holiday pay, and of all unpaid holidays designated as such.

(4) Contractors and employers must have, and make available to workers upon request, copies of all plans for which payroll for which payroll deductions are made.

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

READOPTED/AMENDATORY SECTION (Readopting and Amending Order 88-22, filed 10/31/88)]

WAC 296-127-015 APPLICABILITY OF PREVAILING WAGES FOR SUPERVISORS. Determinations as to whether individuals are workers, laborers, or mechanics are based on the ~~(duties)~~ scope of work actually performed by the individuals, rather than the title of their occupations.

(1) Where additional supervisory duties are required of workers, laborers, or mechanics by statute or regulation, the industrial statistician shall establish a rate of pay for a work classification to be called "journey level in charge." These rates shall be published in the semi-annual prevailing wage publication.

~~((+))~~ (2) Supervisors (e.g., foremen, general foremen, superintendents, etc.) are entitled to receive at least the journey level ((the)) prevailing rate of wage ((if they)) for performing manual or physical labor:

(a) for each hour spent in the performance of manual or physical labor if it is for more than twenty percent but less than fifty percent of their hours worked on a public works project during any given week. ((Supervisors who qualify, are entitled to the journeyman rate of pay for the type of work they performed, for all hours spent performing that manual labor.))

(b) for all hours worked in any given week if they perform manual or physical labor for more than fifty percent of their hours worked on a public works project during such week.

~~((2))~~ (3) If supervisors subject to the journey((man)) level prevailing wage rate are paid a salary, the compensation (salary divided by number of hours worked) must be equal to or greater than the prevailing wage rate for the type of work performed.

REPEALER

The following section of the Washington Administrative Code is hereby repealed: 296-127-016.

AMENDATORY SECTION (Amending Order 82-28, filed 8/27/82)

WAC 296-127-017 NOTICE OF WAGE DETERMINATIONS. Current prevailing wage data will be furnished by the industrial statistician upon request. Please mail the request to:

Industrial Statistician
Department of Labor and Industries
Employment Standards Division
406 Legion Way SE
~~((General Administration Building))~~
Mailstop HC 710-3
Olympia, Washington 98504-4401 ~~((MS-AX31r))~~
(Telephone: (206) 753-4019)

NEW SECTION

WAC 296-127-018 COVERAGE AND EXEMPTIONS OF WORKERS INVOLVED IN THE PRODUCTION AND DELIVERY OF GRAVEL, CONCRETE, ASPHALT, OR SIMILAR MATERIALS. The materials covered under this section are sand, gravel, crushed rock, concrete mix, asphalt, or other similar materials.

(1) Workers are subject to the provisions of chapter 39.12 RCW when they are employed by a contractor as defined by WAC 296-127-010 (5)(c) and:

(a) They are engaged for a public works project in the production of the above-listed materials in a sand or gravel pit, rock quarry, concrete mixing plant, or other similar facility; or,

(b) They are engaged in the transportation of the above-listed materials for use on a public works project, whether or not they perform any work on the project site.

(2) All workers, regardless of by whom employed, are subject to the provisions of Chapter 39.12 RCW when:

(a) They deliver any of the above-listed materials to a public works project site and perform any spreading, leveling, rolling, or otherwise participate in any incorporation of the materials into the project; or

(b) They wait at or near a public works project site to participate in the incorporation of any of the above-listed the materials into the project; or,

(c) They remove any materials from a public works construction site pursuant to contract requirements or specifications (e.g., excavated materials, materials from demolished structures, cleanup materials, etc.); or

(d) They work in a materials production facility (e.g., batch plant, borrow pit, rock quarry, etc.) which is established for a public works project for the specific, but not necessarily exclusive, purpose of supplying materials for the project.

(3) Workers are not subject to the provisions of chapter 39.12 RCW when:

(a) They are employed by an established materials supplier either in the production or delivery of sand, gravel, crushed rock, concrete mix, asphalt or other similar materials, and the employees' duties do not include spreading, leveling, rolling, or otherwise participating in the incorporation of the delivered materials into a public works project;

(b) By a common or contract carrier trucking company principally or exclusively engaged in the hauling or delivery of such products, and the employees' duties do not include spreading, leveling, rolling, or otherwise participating in the incorporation of the delivered materials into a public works project; or,

(c) Their employer is engaged in the production and stockpiling of such materials for unspecified future use by the state of Washington or by municipalities as defined by RCW 39.04.010.

(4) The applicable prevailing wage rate shall be determined by the locality in which the work is performed. Workers subject to the provisions of chapter 39.12 RCW, as outlined in subsection (1) above, who produce such materials at an off-site facility shall be paid the applicable prevailing wage rates for the county in which the off-site facility is located. Workers subject to the provisions of chapter 39.12 RCW, as outlined in subsection (1), above, who deliver such materials to a public works project site shall be paid the applicable prevailing wage rates for the county in which the public works project is located.

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

READOPTED/AMENDATORY SECTION (Readopting and Amending Order 88-22, filed 10/31/88)

WAC 296-127-019 SURVEY METHODOLOGY. (1) The industrial statistician ~~((will use two methods to))~~ shall establish ~~((or update))~~ prevailing wage rates ~~((-They will be:))~~ by:

(a) ~~((Data collected by))~~ conducting wage and hour surveys ~~((-and/or))~~ for established trades and occupations;

(b) Adopting the wage (~~Wage increases stipulated~~) and benefit adjustments established in collective bargaining agreements for those trades or occupations where a recent wage survey has established that those wage rates prevail(-); and/or,

(c) In instances when the procedures established in subsections (1)(a) and (b) above are not feasible, employing other methods deemed appropriate by the industrial statistician as set out in subsection (7) below. (~~When wage surveys are conducted, the method will be as follows:~~)

(2) The department will determine the identity of employers to be surveyed for a specific trade or occupation by:

(a) mailing (~~classification~~) trade and occupation questionnaires to all (~~active licensed or Washington state department of transportation and United States Department of Labor prequalified~~) contractors(-) whose registration under chapter 18.27 RCW or license under chapter 19.28 RCW is active;

(b) mailing trade and occupation questionnaires to Washington State Department of Transportation pre-qualified contractors; and

(c) compiling and maintaining lists of employers that are not required to be registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW, but that employ workers in building service maintenance, in shipbuilding or ship repair, in the fabrication and/or manufacture of nonstandard items produced specifically for a public works project, and/or in the production and delivery of materials as defined in WAC 296-127-018. Trades and occupations utilized by the shipbuilding and ship repair industries shall not have their survey data combined with their construction counterparts, for the purpose of establishing prevailing wage rates for that industry.

(3) Wage survey forms will (~~then~~) be mailed to:

(a) Those contractors and employers whose businesses currently are active and were active during the established survey period, and whose response to the trade and occupation (~~who have indicated on the~~) questionnaire indicates that they employ one or more of the trades or occupations being surveyed; and

(b) (~~To union~~) Union locals representing workers in the trades or occupations being surveyed.

(4) (~~The data from the~~) Data reported on survey forms may be verified by the department, and will (~~only~~) be used (~~by the department if~~) only when submitted on behalf of or by:

(a) individual contractors identified by a contractor registration number(-) that currently is valid, and was valid during the established survey period;

(b) employers that are not required to be registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW, that directly employ and supervise workers as employees in building service maintenance, in shipbuilding or ship repair, in the manufacture of nonstandard items specifically produced for a public works project, or in the production and delivery of materials, as defined in WAC 296-127-018; or,

(c) union locals submitting wage and hour data on behalf of contractors and/or employers who are signatory to those local unions' collective bargaining agreements covering the trade or occupation being surveyed.

(5) Valid data reported on wage surveys shall be calculated, as follows:

(~~(5)~~) (a) If the majority of hours (~~worked by any~~) reported for a trade or occupation in the largest city in a county is paid at (~~one specific~~) the same wage rate, then that rate (~~is~~) shall be established as the prevailing wage rate.

(b) If (~~no single~~) the same wage rate is not reported to have been paid (~~to~~) for the majority of hours reported in the largest city in a county for a (~~workers in the same~~) trade or occupation, then the average wage rate (~~is~~) shall be established as the prevailing wage rate, based on a weighted average(-) of the hours, wages, and benefits reported in the largest city.

(c) If the number of hours reported for the largest city in a county fails to meet the minimum number established for validation of survey data, then the average wage rate for the county is established as the prevailing wage, based on a weighted average.

(d) If there fails to be reported for an entire county, sufficient hours to validate the survey data, that county's hours shall be combined with those reported for other counties that are adjacent, and/or of similar socio-economic type, until the established hours threshold for validation has been met.

(6) Survey data will not be accepted if it reports the hours and wages of those who are exempt from the prevailing wage requirements of chapter 39.12 RCW, as defined in WAC 296-127-026.

(7)(a) The industrial statistician may utilize alternative methods to establish prevailing wage rates consistent with the terms of subsection (b), below. These methods include, but are not limited to:

(i) the use of wage and hour data from the Department of Employment Security;

(ii) the use of wage and hour data from the Industrial Insurance Division of the Department of Labor and Industries;

(iii) the use of data from surveys performed by the U.S. Department of Labor, wage and hour division; or,

(iv) the use of federal and state cost of living indicators; or,

(v) the use of wage and hour data reported to the department on affidavits of wages paid.

(b) These alternative methods may be used under circumstances that include, but are not limited to, the following:

(i) To establish prevailing wage rates for a new trade or occupation where a survey is not immediately feasible;

(ii) In response to an administrative or judicial determination of invalid wage rate or scope of work description;

(iii) In response to changes or additions in licensing, safety, or other requirements of other state agencies, departments or divisions;

(iv) To establish rates for industries and work classifications generally not surveyed, in order to meet the requirement of having established wage rates for publication in contract or bid specifications as required by RCW 39.12.030;

(v) To establish wages for trades utilizing new technologies with new scope of work descriptions.

(~~(6)~~) (8) Any (~~of the above parties who~~) party that submits false information under this section(-) shall, after a determination to that effect has been issued by the director after a hearing under chapter 34.04 RCW, forfeit as a civil penalty the sum of five hundred dollars.

AMENDATORY SECTION (Amending Order 85-28, filed 1/17/86)

WAC 296-127-020 INTERPRETATION OF PHRASES USED IN CHAPTER 39.12 RCW. (1) The "acceptance date of the public works project" referred to in RCW 39.12.065 is the date that the contract awarding agency formally accepts the completed public works project(-) pursuant to state law.

(2) RCW 39.12.(~~065~~)050 and 39.12.(~~065~~)065 refer to "inadvertent filing or reporting error." (~~Am~~) The department defines an error (~~is~~) as "inadvertent" if it is made by a contractor, as defined by WAC 296-127-010(5), or employer that shows that the error was made notwithstanding the use of due care by the (~~party making the error~~) contractor or employer. The burden of proving that an error is inadvertent rests with the contractor or employer (~~is on the person~~) charged with the error.

(3) The definition of "locality" in RCW 39.12.010(2) contains the phrase "wherein the physical work is being performed." The department interprets this phrase to mean the actual work site. For example, if non-standard items specifically produced for a public works project (~~materials~~) are prefabricated in a county other than the county wherein the public works project is to be completed, the wage for the off-site prefabrication shall be the applicable prevailing wage for the county (~~where~~) in which the (~~physical work of~~) actual prefabrication takes place. Workers who deliver such non-standard items, as well as materials pursuant to the terms of WAC 296-127-018, shall be paid the applicable prevailing wage for the county in which the public works project is located. (~~is actually performed. Standard items for sale on the general market are not subject to the requirements of chapter 39.12 RCW.~~)

(4) In the implementation and enforcement of RCW 39.12.050 the terms "contractor" and "subcontractor" include an entity, however organized, with substantially identical corporate and/or operational structure to an entity that has been found to violate RCW 39.12.050. The factors used to determine substantial identity shall include as assessment of whether there is: substantial continuity of the same business operation; use of the same machinery and/or equipment; similarity of jobs and types of working conditions; continuity of supervisors; and similarity of product or services.

AMENDATORY SECTION (Amending Order 88-21, filed 9/15/88)

WAC 296-127-022 OVERTIME ACCORDING TO CHAPTER 49.28 RCW. (1) Work performed on public works contracts will not require the payment of overtime rates for the first two hours worked in excess of eight hours per day when the employer (~~has obtained the employee's agreement to work a four-day, ten-hour work week~~) and employee voluntarily enter into an agreement wherein the employee

will work up to ten hours per day in a four-day week to accomplish forty hours of work.

(2) Recognizing that there may be days when a full ten hours of work is not available, the remainder of the forty hours may be made up on another work day or days within the same work week as defined by WAC 296-128-015. Make-up time performed on weekends is subject to the established prevailing overtime provisions for a given trade or occupation.

((2)) (3) For the purpose of this section an agreement must:

(a) Have been authorized by employees who bargained collectively with their employers through representatives of their own choosing; or
(b) Be obtained in writing ~~((and))~~, signed, and dated by both parties; and,

(c) Be ~~((obtained))~~ entered into individually ~~((from))~~ with each employee ~~((;))~~, and

(d) ~~((Obtained))~~ Be entered into separately for each public works project ~~((;))~~, and

(e) State the name of the public works project with specificity, and ~~((e-Obtained))~~ (f) Be entered into voluntarily by the employer and the employee.

~~((3)) (4) It is prohibited to work more than ten hours in any calendar day on a public works project except in cases of extraordinary emergency, such as danger to life or property.~~

~~((4)) Notwithstanding the above provisions, overtime must be paid for all hours worked in excess of forty hours per week.~~

READOPTED/AMENDATORY SECTION (Readopting and Amending Order 88-22, filed 10/31/88)

WAC 296-127-025 APPLICABILITY OF JOINT FEDERAL-STATE STANDARDS. (1) When a public works project is subject to the provisions of the Washington state public works law, chapter 39.12 RCW, and the Federal Davis-Bacon and related acts, the contractor and every subcontractor on that project must pay at least the Washington state prevailing wage rates, if they are higher than the federal prevailing wage rates for the project. When the federal prevailing wage rates are higher than the Washington state prevailing wage rates, the contractor shall pay the federal rate as required by federal law.

(2) When a public works project is jointly funded by the Federal Department of Housing and Urban Development, the applicable prevailing wages shall be the wages established by the U.S. Department of Labor under the Davis-Bacon Act.

NEW SECTION

WAC 296-127-050 FILING OF STATEMENTS OF INTENT TO PAY PREVAILING WAGES AND AFFIDAVITS OF WAGES PAID FOR CONTRACTS UNDER \$2,500. A contract awarding agency may, as part of a public works contract, enter into an agreement with a contractor to approve Statements of Intent to Pay Prevailing Wages and Affidavits of Wages Paid on behalf of the department for contracts wherein the total amount does not exceed \$2,500 as provided in subsection (2) of RCW 39.12.040, pursuant to the following terms:

(1) The agreement must be incorporated into the bid specifications and contract document;

(2) Statements of Intent forms and Affidavits of Wages Paid forms, provided by the department, must be filed with the contract awarding agency by the contractor prior to the disbursement of public funds;

(3) Contract awarding agencies must retain copies of all Statements of Intent to Pay Prevailing Wages received pursuant to this section for a period of not less than three years;

(4) Contract awarding agencies must send to the department copies of all Affidavits of Wages Paid received pursuant to this section within 30 days of receipt from the contractor;

(5) The contract awarding agency shall accept full responsibility and liability for payment of any valid wage claims directly to the claimant;

(6) The contract awarding agency may proceed against any contractor found to have violated the provisions of the statute, and may debar such contractor from consideration for future contracts for up to one year; and,

(7) Contract awarding agencies and contractors shall not enter into contracts or agreements to perform public work that subdivide or otherwise disaggregate any public works project of more than \$2,500. To enable such public works project to be awarded pursuant to this section.

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

AMENDATORY SECTION (Amending Order 85-28, filed 1/17/86)

WAC 296-127-320 PAYROLL. (1) Each contractor shall keep accurate payroll records, showing the name, address, Social Security number, work classification, straight time, hourly rate of usual benefits as defined by WAC 296-127-014(1), and overtime hours worked each day and week, and the actual rate of wages paid, for each laborer, worker, and mechanic employed by the contractor for work ~~((done))~~ performed on a public work.

(2) A contractor shall, within ten days after it receives a written request, from the department or from any interested party as defined by RCW 39.12.010(4), file a certified copy of the payroll records with the agency that awarded the public works contract and with the department.

(3) A contractor's noncompliance with this section shall constitute a violation of RCW 39.12.050.

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

NEW SECTION

WAC 296-127-990 SEVERABILITY. If any provision of this chapter or its application to any persons or circumstances is held invalid by state or federal court, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

WSR 91-14-105
PROPOSED RULES
OFFICE OF MINORITY
AND WOMEN'S BUSINESS ENTERPRISES
[Filed July 3, 1991, 10:46 a.m.]

Original Notice.

Title of Rule: WAC 326-30-03904 Goals for 1991-92.

Purpose: To implement RCW 39.19.030(4) and encourage MWBE participation in state contracting opportunities.

Statutory Authority for Adoption: RCW 39.19.030(7).

Statute Being Implemented: RCW 39.19.030(4).

Summary: The Office of Minority and Women's Business Enterprises reevaluates MWBE participation goals on an annual basis. This proposed rule sets goals for different classes of contracts, to be flexibly implemented on a contract by contract basis during 1991-92.

Reasons Supporting Proposal: OMWBE, with input from the advisory committee, has reviewed and considered a variety of information and concludes that this proposed rule contains reasonable goals.

Name of Agency Personnel Responsible for Drafting: Laurie Halvorson, Assistant Attorney General, 7th Floor, Highways-Licenses Building, 586-3735; Implementation and Enforcement: James A. Medina, 406 South Water, 753-9693.

Name of Proponent: Office of Minority and Women's Business Enterprises, governmental.

Rule is not necessary because of federal law, federal court decision, or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This proposed rule implements chapter 39.19 RCW by promoting minority and women's business participation in state contracting opportunities. Goals are reviewed and implemented annually, to ensure that they are consistent with current information about contracting opportunities and availability of MWBEs. Anticipated effect is increased awareness by contractors and agencies about the benefits of utilizing qualified MWBEs for various classes of contracts.

Proposal does not change existing rules.

Small Business Economic Impact Statement: This rule affects small business, as it is designed to assist small businesses seeking contracting opportunities with state agencies. Any impact will be negligible, because the goals proposed for 1991-92 are the same as those implemented during 1990-91. Analysis is inappropriate under RCW 19.85.040, because OMWBE does not have data from which to make comparison of costs, and because the effect, if any, is negligible.

Hearing Location: Office of Minority and Women's Business Enterprises, 406 South Water, Olympia, WA 98504-4611, on August 6, 1991, at 7:00 p.m.

Submit Written Comments to: Office of Minority and Women's Business Enterprises, 406 South Water, Olympia, WA 98504-4611, by August 26, 1991.

Date of Intended Adoption: August 30, 1991.

July 3, 1991
James A. Medina
Director

Statute Being Implemented: RCW 77.12.040.

Summary: This rule establishes season length, bag limits, area restrictions, hunting hours, and special regulations for hunting migratory waterfowl.

Reasons Supporting Proposal: Wildlife resource management, see Summary above.

Name of Agency Personnel Responsible for Drafting and Implementation: Tom Juelson, AD, Wildlife Management Division, Olympia, (206) 753-5728; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

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

Proposal does not change existing rules.

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

Hearing Location: Mark 205 Motor Inn, 221 N.E. Chkalov Drive, Vancouver, WA 98684, on August 15, 1991, at 8:00 a.m.

Submit Written Comments to: Pam Madson, 600 Capitol Way North, Olympia, WA 98501-1091, by August 5, 1991.

Date of Intended Adoption: August 15, 1991.

July 3, 1991
Pamela K. Madson
Administrative Rules Officer

NEW SECTION

WAC 326-30-03904 GOALS FOR 1991-92. The annual overall goals for each state agency and educational institution for each of the following classes of contracts for the period July 1, 1991 through June 30, 1992, should be:

| | | |
|------------------------------|---------|--------|
| Construction/Public Works | 10% MBE | 6% WBE |
| Architect/Engineering | 10% MBE | 6% WBE |
| Purchased Goods and Services | 8% MBE | 4% WBE |
| Other Consultants | 10% MBE | 4% WBE |

These MWBE participation goals are based on the state agency's or educational institution's total contracts subject to this chapter within each of the above noted classes of contracts, less excluded contracts.

WSR 91-14-106
PROPOSED RULES
DEPARTMENT OF WILDLIFE
[Filed July 3, 1991, 11:14 a.m.]

Original Notice.

Title of Rule: Adopting WAC 232-28-415 1991-92 Migratory waterfowl hunting seasons; and repealing WAC 232-28-414 1990-91 Upland game bird and migratory waterfowl seasons and 232-28-41402 1990-91 Upland game bird and migratory waterfowl seasons—Brant geese—Pacific County.

Purpose: To establish hunting seasons for migratory waterfowl for 1991-92.

Statutory Authority for Adoption: RCW 77.12.040.

NEW SECTION

WAC 232-28-415 1991-92 MIGRATORY WATERFOWL HUNTING SEASONS

Ducks

Western Washington

8:00 a.m. Oct. 12-20, 1991 and Nov. 10-Dec. 29, 1991

Daily bag limit: 4 ducks—to include not more than 3 mallards, not more than 1 hen mallard, not more than 1 pintail (either sex) and not more than 2 redheads, 2 canvasbacks, or 1 of each.

Possession limit: 8 ducks—to include not more than 6 mallards, not more than 2 hen mallards, not more than 2 pintails (either sex) and not more than 4 shall be canvasbacks and/or redheads.

Eastern Washington

Noon Oct. 12-20, 1991 and Nov. 10, 1991-Jan. 5, 1992

Daily bag limit: 4 ducks—to include not more than 3 mallards, not more than 1 hen mallard, not more than 1 pintail (either sex) and not more than 2 redheads, 2 canvasbacks, or 1 of each.

Possession limit: 8 ducks—to include not more than 6 mallards, not more than 2 hen mallards, not more than 2 pintails (either sex), and not more than 4 shall be canvasbacks and/or redheads.

Coot (Mudhen)

Same areas, dates, and shooting hours as the general duck season.

Daily bag limit: 25 coots.

Possession limit: 25 coots.

Common Snipe

Same areas, dates, and shooting hours as the general duck season.

Daily bag limit: 8 snipe.

Possession limit: 16 snipe.

—On or within one-fourth mile of the Snake River between the Interstate Highway 12 bridges at Clarkston, downstream to the Lower Granite Dam.

Yakima River

It is unlawful to hunt waterfowl, coot, or snipe within one-fourth mile of the Yakima River in the following areas:

—From the Sunnyside-Mabton Road bridge downstream to the Euclid Road bridge (4 miles).

—From the Grant Avenue bridge (steel bridge) north of Prosser downstream 2-1/2 miles, to the powerline.

I-82 Ponds

It is unlawful to hunt waterfowl, coot, or snipe in the following area:

—Those waters under Department of Wildlife ownership known as Ponds 1, 2, 3, and 6 north and east of Interstate 82 and south and east of S.R. 12 from the city limits of Union Gap to the Zillah/Toppenish Road.

Padilla Bay

It is unlawful to hunt waterfowl, coot, or snipe in the following areas:

—Swinomish Spit Game Reserve—Beginning at the Burlington Northern railroad tracks on the west shoreline of the Swinomish Channel; then in a northwesterly direction along the west side of the Swinomish Channel to the red channel mark buoy N "20" (as indicated on Navigation Map #18427, 13th Ed., July 16, 1983); thence 6,000 feet ENE (East-northeast)/thence 3,300 feet SSE (South-southeast); thence 4,200 feet SW (southwest) to the dike at the sound end of Padilla Bay; thence continue westerly along said dike to the intersection of the Burlington Northern railroad tracks and the east shoreline of the Swinomish Channel; thence continue along said railroad tracks (across swing bridge) to the west shore line of the Swinomish Channel and the point of beginning.

—Bayview Game Reserve—Beginning at a point on the Bayview-Edison Road 750 feet south of the intersection of the Bayview Cemetery Entrance road; thence 4,000 feet WNW (west-northwest); thence 5,750 feet NNW (north-northwest); thence 3,750 feet ENE (east-northeast) to the northwest corner of Padilla Bay Tract No. 532; thence east to the northeast corner of Padilla Bay Tract No. 532; thence SSE (south-southeast) to the Bayview-Edison Road; thence southerly along said road to the point of beginning.

FALCONRY SEASONS

Ducks, Coots, and Snipe

Oct. 12-20, 1991, Nov. 10-Dec. 29, 1991 and Jan. 29-Mar. 10, 1992, statewide

Daily bag limit: 3, straight or mixed bag.

Possession limit: 6, straight or mixed bag.

Geese

Oct. 12, 1991-Jan. 26, 1992, statewide

Daily bag limit: 3, straight or mixed bag.

Possession limit: 6, straight or mixed bag.

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

WAC 232-28-414 1990-91 Upland Game Bird and Migratory Waterfowl Seasons

WAC 232-28-41402 1990-91 Upland Game Bird and Migratory Waterfowl Seasons - Brant Geese - Pacific County

WSR 91-14-107
PROPOSED RULES
DEPARTMENT OF WILDLIFE

[Filed July 3, 1991, 11:17 a.m.]

Original Notice.

Title of Rule: Amending WAC 232-28-230 1991-92 Deer and elk permit hunting seasons.

Purpose: To amend the 1991-92 Deer and elk permit hunting seasons.

Statutory Authority for Adoption: RCW 77.12.040.

Statute Being Implemented: RCW 77.12.040.

Summary: Amends the 1991-92 Deer and elk permit hunting seasons (WAC 232-28-230) that were adopted on April 13, 1991. This proposed rule extends Hunt 2054 Margaret Bull for ten days.

Reasons Supporting Proposal: Advises permit hunters of the proper time of taking three point or larger bull elk within the boundaries of GMU 524 (Margaret). This change provides a longer hunting season consistent with the department's original intent and consistent with other similar permit hunts.

Name of Agency Personnel Responsible for Drafting and Implementation: Tom Juelson, AD, Wildlife Management Division, Olympia, (206) 753-5728; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Extends the time and provides increased opportunities for public hunting of bull elk in GMU 524 (Margaret).

Proposal Changes the Following Existing Rules: See Summary above.

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

Hearing Location: Mark 205 Motor Inn, 221 N.E. Chkalov Drive, Vancouver, WA 98684, on August 15, 1991, at 8:00 a.m.

Submit Written Comments to: Pam Madson, 600 Capitol Way North, Olympia, WA 98501-1091, by August 5, 1991.

Date of Intended Adoption: August 15, 1991.

July 3, 1991

Pamela K. Madson

Administrative Rules Officer

AMENDATORY SECTION (Amending Order 502, filed 6/17/91)

WAC 232-28-230 1991-92 DEER AND ELK PERMIT HUNTING SEASONS

Application Instructions

NOTE: Hunt numbers and GMU numbers are not the same.

A permit gives a hunter additional opportunity but it does not give him/her an extra deer or elk, EXCEPT that antlerless only permit holders for GMUs 105, 108, 111, 113, 118, 119, 121, and 124 may buy a second deer tag and harvest a second antlerless deer (See Special Deer Permit Hunting Seasons).

To apply for Special Deer Permit: You must have a valid 1991 Washington hunting license and a modern firearm or muzzleloader deer tag. Only those hunters with a Washington Disabled Hunter Permit may apply for the special hunt for disabled. You may submit one (only one) special deer permit application for 1991.

To apply for Special Elk Permit: You must have a valid 1991 Washington hunting license and a valid late modern firearm, muzzleloader, or archery elk tag; EXCEPT Blue Mountain archery tag

holders and early Blue Mountain modern firearm tag holders may apply for branched antler permits in the Blue Mountains. Only those hunters with a Washington Disabled Hunter permit may apply for the special hunt for the disabled. You may submit one (only one) special permit application for elk. You may not submit an elk permit application if you were drawn for any elk permit during 1989 or 1990. Permit hunters may hunt only with a weapon in compliance with their tag.

Application Deadline: To qualify for the drawing all applications must be postmarked no later than August 1, 1991 or received no later than 5:00 p.m. on August 1, 1991 at the Department of Wildlife headquarters in Olympia or at any of the regional Department of Wildlife offices.

- Permits will be drawn by random computer selection.
- There are no refunds or exchanges for deer or elk tags for persons applying for special permits.

Special Hunting Season Permits

You **MUST** have a valid hunting license and tag to apply for any special hunting season set by the Wildlife Commission. (Special hunting seasons do not include hunts open to all hunters.)

SPECIAL DEER PERMIT HUNTING SEASONS
(Open to Permit Holders Only)

Hunters must purchase a hunting license and deer tag prior to purchase of a permit application. Only modern firearm deer tag holders and muzzleloader deer tag holders may apply for the following permit hunts.

Hunters successfully drawn for an antlerless only permit for GMUs 105, 108, 111, 113, 118, 119, 121, or 124 may, after killing an antlerless white-tailed deer, purchase one additional antlerless only deer tag by presenting, in person, a completed report card and valid 1991 hunting license at the Spokane Regional Office. Additional tags are valid in the permit season and in the modern firearm deer season in the GMU for which the original permit was issued. No more than two antlerless white-tailed deer per hunter may be harvested. It is **ILLEGAL** for hunters with the second antlerless deer tag to kill a buck.

Use the **FOUR DIGIT HUNT NUMBER** on your application.

| Hunt No. | Hunt Name | No. Permits | Open Season | Special Restrictions | Boundary Description |
|----------|-----------------------|-------------|-------------|-------------------------------------|-----------------------------------|
| 1001 | Curlew | 200 | Oct. 1-9 | Whitetail, Antlerless Only | GMU 100 |
| 1002 | Boulder | 150 | Oct. 1-9 | Whitetail, Antlerless Only | GMU 103 |
| 1003 | Kellyhill | 350 | Oct. 1-9 | Whitetail, Antlerless Only | GMU 105 |
| 1004 | Douglas | 900 | Oct. 2-9 | Whitetail, Antlerless Only | GMU 108 |
| 1005 | Aladdin | 400 | Oct. 2-9 | Whitetail, Antlerless Only | GMU 111 |
| 1006 | Selkirk | 100 | Oct. 2-9 | Whitetail, Antlerless Only | GMU 113 |
| 1007 | Chewelah | 400 | Oct. 2-9 | Whitetail, Antlerless Only | GMU 118 |
| 1008 | Boyer | 500 | Oct. 2-9 | Whitetail, Antlerless Only | GMU 119 |
| 1009 | Huckleberry | 1,800 | Oct. 2-9 | Whitetail, Antlerless Only | GMU 121 |
| 1010 | Mt. Spokane | 1,000 | Oct. 2-9 | Whitetail, Antlerless Only | GMU 124 |
| 1011 | Roosevelt | 500 | Nov. 13-24 | Antlerless Only | GMU 133 |
| 1012 | Harrington | 150 | Nov. 13-24 | Antlerless Only | GMU 136 |
| 1013 | Step toe | 200 | Nov. 13-24 | Antlerless Only | GMU 139 |
| 1014 | Almota | 400 | Nov. 13-24 | Antlerless Only | GMU 142 |
| 1015 | Mayview | 400 | Oct. 12-20 | Antlerless Only | GMU 145 |
| 1016 | Starbuck | 200 | Nov. 13-24 | Antlerless Only | GMU 148 |
| 1017 | Eureka | 50 | Nov. 13-24 | Antlerless Only | GMU 151 |
| 1018 | Bluecreek | 150 | Nov. 13-24 | Whitetail, Antlerless Only | GMU 154 |
| 1019 | Touchet | 75 | Nov. 13-24 | Whitetail, Antlerless Only | GMU 160 |
| 1020 | Eckler | 75 | Nov. 13-24 | Whitetail, Antlerless Only | GMU 161 |
| 1021 | Marengo A | 125 | Nov. 13-24 | Whitetail, Antlerless Only | GMU 163 |
| 1022 | Marengo B | 75 | Nov. 13-24 | Antlerless Only | GMU 163 |
| 1023 | Mountain View | 50 | Nov. 13-24 | Antlerless Only | GMU 172 |
| 1024 | Lick Creek | 50 | Nov. 13-24 | Antlerless Only | GMU 175 |
| 1025 | Peola | 200 | Nov. 13-24 | Antlerless Only | GMU 178 |
| 1026 | Couse A | 150 | Nov. 13-24 | Antlerless Only | GMU 181 |
| 1027 | Couse B | 150 | Nov. 13-24 | Whitetail, Antlerless Only | GMU 181 |
| 1028 | Blue Mtn. Foothills A | 60 | Nov. 13-26 | Whitetail, Antlerless or 3-Pt. Min. | GMUs 148, 154, 160, 161, 163, 166 |
| 1029 | Blue Mtn. Foothills B | 60 | Nov. 13-26 | Whitetail, Antlerless or 3-Pt. Min. | GMUs 145, 172, 175, 178, 181 |
| 1030 | Tunk | 100 | Dec. 2-8 | Whitetail, Either Sex | GMU 200 |
| 1031 | Bonaparte | 100 | Dec. 2-8 | Whitetail, Either Sex | GMU 206 |
| 1032 | Wannacut | 100 | Nov. 2-8 | Antlerless Only | GMU 209 |
| 1033 | Sinlahekin A | 200 | Nov. 2-8 | Antlerless Only | GMU 215 |
| 1034 | Sinlahekin B | 25 | Dec. 9-15 | Whitetail, Either Sex | GMU 215 |
| 1035 | Chewuch A | 400 | Nov. 2-8 | Antlerless Only | GMU 218 |
| 1036 | Chewuch B | 25 | Dec. 2-8 | Whitetail, Either Sex | GMU 218 |
| 1037 | Pearrygin A | 500 | Nov. 2-8 | Antlerless Only | GMU 224 |
| 1038 | Pearrygin B | 25 | Dec. 2-8 | Whitetail, Either Sex | GMU 224 |
| 1039 | Gardner A | 400 | Nov. 2-8 | Antlerless Only | GMU 231 |
| 1040 | Gardner B | 50 | Dec. 2-8 | Whitetail, Either Sex | GMU 231 |
| 1041 | Pogue A | 400 | Nov. 2-8 | Antlerless Only | GMU 233 |
| 1042 | Pogue B | 50 | Dec. 9-15 | Whitetail, Either Sex | GMU 233 |
| 1043 | Bigbend | 300 | Oct. 19-27 | Antlerless Only | GMU 248 |
| 1044 | Saint Andrews | 100 | Oct. 19-27 | Antlerless Only | GMU 254 |
| 1045 | Foster Creek | 200 | Oct. 19-27 | Antlerless Only | GMU 260 |
| 1046 | Withrow | 100 | Oct. 19-27 | Antlerless Only | GMU 262 |
| 1047 | Badger | 100 | Oct. 19-27 | Antlerless Only | GMU 266 |
| 1048 | Moses Coulee | 200 | Oct. 19-27 | Antlerless Only | GMU 269 |
| 1049 | Beezley | 200 | Oct. 19-27 | Antlerless Only | GMU 272 |

| Hunt No. | Hunt Name | No. Permits | Open Season | Special Restrictions | Boundary Description |
|----------|----------------|-------------|-------------------------|----------------------------------|-----------------------|
| 1050 | Kahlotus | 150 | Oct. 19-27 | Antlerless Only | GMU 284 |
| 1051 | Entiat | 150 | Nov. 9-17 | Antlerless Only | GMU 308 |
| 1052 | Wenatchee | 200 | Nov. 16- Dec. 1 | Antlerless Only | Portion of GMU 314 |
| 1053 | Naneum | 75 | Nov. 2-10 | Either Sex | GMU 328 |
| 1054 | Olala | 150 | Nov. 9-17 | Antlerless Only | Portion of GMU 316 |
| 1055 | Quilomene | 75 | Nov. 2-10 | Either Sex | GMU 329 |
| 1056 | Teanaway | 150 | Nov. 13-15 | Either Sex | GMU 335 |
| 1057 | Taneum | 100 | Nov. 16-20 | Either Sex | GMU 336 |
| 1058 | Manastash | 100 | Nov. 16-20 | Either Sex | GMU 340 |
| 1059 | Naches | 75 | Oct. 26-29 | Either Sex | GMU 346 |
| 1060 | Bumping | 50 | Oct. 26-29 | Either Sex | GMU 356 |
| 1061 | Bethel | 50 | Oct. 26-29 | Either Sex | GMU 360 |
| 1062 | Rimrock | 25 | Oct. 26-29 | Either Sex | GMU 364 |
| 1063 | Priest Rapids | 50 | Oct. 26-29 | Either Sex | GMU 370 |
| 1064 | Champion N. | 250 | Dec. 6-10 | Antlerless Only | Deer Area 001 |
| 1065 | Champion S. | 100 | Dec. 7, 8 and 14, 15 | Antlerless Only | Deer Area 002* |
| 1066 | Green River A | 45 | Oct. 19-25 | Antlerless or 2-Pt. Buck Min. | GMU 485 |
| 1067 | Green River B | 30 | Oct. 19-25 | Antlerless Only | GMU 485 |
| 1068 | Lincoln | 100 | Oct. 21-27 | Either Sex | GMU 501 |
| 1069 | Mossyrock | 100 | Oct. 21-27 | Either Sex | GMU 505 |
| 1070 | Willapa Hills | 75 | Oct. 21-27 | Either Sex | GMU 506 |
| 1071 | Stormking | 50 | Oct. 21-27 | Either Sex | GMU 510 |
| 1072 | Sawtooth | 50 | Oct. 21-27 | Either Sex | GMU 512 |
| 1073 | Packwood | 30 | Oct. 21-27 | Either Sex | GMU 516 |
| 1074 | Ryderwood | 50 | Oct. 21-27 | Either Sex | GMU 530 |
| 1075 | Coweeman | 60 | Oct. 21-27 | Either Sex | GMU 550 |
| 1076 | Lewis River | 50 | Oct. 21-27 | Either Sex | GMU 560 |
| 1077 | Siouxon | 50 | Oct. 21-27 | Either Sex | GMU 572 |
| 1078 | White Salmon | 100 | Oct. 21-27 | Antlerless or 2-Pt. Min. | GMU 576 |
| 1079 | Goodnoe | 100 | Oct. 21-27 | Antlerless or 2-Pt. Min. | GMU 584 |
| 1080 | Grayback | 200 | Oct. 21-27 | Antlerless or 2-Pt. Min. | GMU 588 |
| 1081 | Hoko | 50 | Oct. 21-27 | Either Sex | GMU 601 |
| 1082 | Pysht | 100 | Oct. 21-27 | Either Sex | GMU 603 |
| 1083 | Soleduck | 20 | Oct. 21-27 | Either Sex | GMU 607 |
| 1084 | Goodman | 50 | Oct. 21-27 | Either Sex | GMU 612 |
| 1085 | Clearwater | 50 | Oct. 21-27 | Either Sex | GMU 615 |
| 1086 | Olympic | 150 | Oct. 21-27 | Either Sex | GMU 621 |
| 1087 | Coyle | 125 | Oct. 21-27 | Either Sex | GMU 624 |
| 1088 | Mason Lake | 25 | Oct. 21-27 | Either Sex | GMU 633 |
| 1089 | Skokomish | 125 | Oct. 21-27 | Antlerless or 2-Pt. Buck Min. | GMU 636 |
| 1090 | Wynoochee | 75 | Oct. 21-27 | Either Sex | GMU 648 |
| 1091 | North River | 25 | Oct. 21-27 | Either Sex | GMU 658 |
| 1092 | Capitol Peak | 30 | Oct. 21-27 | Either Sex | GMU 663 |
| 1093 | Deschutes | 75 | Oct. 21-27 | Either Sex | GMU 666 |
| 1094 | Skookumchuck | 250 | Oct. 21-27 | Either Sex | GMU 667 |
| 1095 | Palix | 20 | Oct. 21-27 | Either Sex | GMU 669 |
| 1096 | Fall River | 75 | Oct. 21-27 | Either Sex | GMU 672 |
| 1097 | Nemah | 25 | Oct. 21-27 | Either Sex | GMU 678 |
| 1098 | Marrowstone I. | 20 | Oct. 21-27 | Either Sex | Deer Area 061 |
| 1099 | Minot Peak | 75 | Oct. 21-27 | Either Sex | GMU 660 |

*Young hunter opportunity. Applicants must be 16 years old or younger and must be accompanied by an adult.

SPECIAL HUNT FOR DISABLED

Hunters must purchase a hunting license and modern firearm or muzzleloader deer tag prior to purchase of a special hunting season permit application. Only those hunters with a Washington Disabled Hunter Permit may apply.

| Hunt No. | Hunt Name | No. Permits | Open Season | Special Restrictions | Boundary Description |
|----------|-----------------|-------------|----------------|--|----------------------|
| 1100 | Stillaguamish A | 25 | Nov. 30-Dec. 1 | Antlerless Only, Disabled Hunter Only | GMU 448 |

DEER MUZZLELOADER ONLY

Hunters must purchase a hunting license and muzzleloader deer tag prior to submitting an application for a muzzleloader permit hunt.

| Hunt No. | Hunt Name | No. Permits | Open Season | Special Restrictions | Boundary Description |
|----------|-----------------|-------------|---------------------|---|----------------------|
| 1101 | Blue Creek | 50 | Nov. 27- Dec. 8 | Whitetail - Antlerless or 3-Pt. Min. | GMU 154 |
| 1102 | Chiliwist | 200 | Nov. 9-17 | Either Sex | GMU 239 |
| 1103 | Alta | 300 | Nov. 9-17 | Either Sex | GMU 242 |
| 1104 | Moses Coulee A | 25 | Nov. 30- Dec. 6 | Antlerless Only | GMU 269 |
| 1105 | Moses Coulee B | 25 | Dec. 7-13 | Antlerless Only | GMU 269 |
| 1106 | Moses Coulee C | 25 | Dec. 14-20 | Antlerless Only | GMU 269 |
| 1107 | Manson | 200 | Nov. 9-17 | Either Sex | GMU 300 |
| 1108 | Alpine | 100 | Sept. 25- Oct. 8 | Antlerless or 3-Pt. Min. | GMU 302 |
| 1109 | Chiwawa | 250 | Nov. 9-17 | Either Sex | GMU 304 |
| 1110 | Stillaguamish B | 100 | Dec. 7-8 | Antlerless Only | GMU 448 |

Special Elk Hunting Seasons
(Open to Permit Holders Only)

Hunters must purchase a hunting license and elk tag prior to purchase of a permit application. Permit hunters may hunt only with a weapon in compliance with their tag. Applicants must have purchased the proper area tag for these hunts (see Elk Tag Prefix required to apply for each hunt). Hunters drawing a permit for a hunt after the first of the year can use their 1991 license and tag during the hunt. Only hunters who purchase an Early Blue Mountain elk tag (BE) may apply for special Blue Mountain bull permits. Blue Mountain hunters must have the appropriate elk tag prefix for the hunt they are applying for.

Use the FOUR DIGIT HUNT NUMBER on your application.

| Hunt No. | Hunt Name | No. Permits | Open Season | Special Restrictions | Elk Tag Prefix | Boundary Description |
|----------|--------------------------------|-------------|---------------------------|----------------------------------|----------------|--------------------------|
| 2001 | Aladdin | 15 | Nov. 2-10 | Either Sex | BL or BM | GMU 111 |
| 2002 | Selkirk | 30 | Nov. 2-10 | Either Sex | BL or BM | GMU 113 |
| 2003 | Mt. Spokane | 30 | Nov. 2-10 | Antlerless Only | BL or BM | GMU 124 |
| 2004 | Mayview | 50 | Sept. 1-26 | Either Sex | BL or BM | GMU 145 |
| 2005 | Blue Creek A | 100 | Nov. 2-10 | Spike Bull or Antlerless | BL or BM | GMU 154 |
| 2006 | Blue Creek B | 10 | Oct. 30- Nov. 10 | Any Bull | BE | GMU 154 |
| 2007 | Watershed | 100 | Nov. 2-10 | Antlerless or 3-Pt. Bull Min. | BL or BM | GMU 157 |
| 2008 | Touchet | 11 | Oct. 30- Nov. 10 | Any Bull | BE | GMU 160 |
| 2009 | Eckler | 11 | Oct. 30- Nov. 10 | Any Bull | BE | GMU 161 |
| 2010 | Touchet, Eckler, Marengo | 50 | Dec. 15- Jan. 15, 1992 | Antlerless Only | BL or BM | GMUs 160*, 161*, 163* |
| 2011 | Tucannon | 12 | Oct. 30- Nov. 10 | Any Bull | BE | GMU 166 |
| 2012 | Wenaha | 15 | Oct. 30- Nov. 10 | Any Bull | BE | GMU 169 |
| 2013 | Mountain View A | 125 | Nov. 2-10 | Spike Bull or Antlerless | BL or BM | GMU 172 |
| 2014 | Mountain View B | 75 | Dec. 15- Jan. 15, 1992 | Antlerless Only | BL or BM | GMU 172 |
| 2015 | Mountain View C | 10 | Oct. 30- Nov. 10 | Any Bull | BE | GMU 172 |
| 2016 | Lick Creek | 100 | Nov. 2-10 | Spike Bull or Antlerless | BL or BM | GMU 175 |
| 2017 | Peola | 3 | Oct. 30- Nov. 10 | Any Bull | BE | GMU 178 |
| 2018 | Couse A | 75 | Nov. 2-10 | Spike Bull or Antlerless | BL or BM | GMU 181 |
| 2019 | Couse B | 3 | Oct. 30- Nov. 10 | Any Bull | BE | GMU 181 |
| 2020 | Joseph/Black Butte | 1 | Oct. 30- Nov. 10 | Any Bull | BE | GMUs 184-185 |
| 2021 | Naneum | 150 | Oct. 20-22 | Antlerless Only | CL or CM | GMU 328 |
| 2022 | Reecer A | 75 | Oct. 5-11 | Antlerless Only | CL or CM | Elk Area 030 |
| 2023 | Reecer B | 75 | Dec. 9-15 | Antlerless Only | CL or CM | Elk Area 030 |
| 2024 | Shushuskin A | 100 | Nov. 16-24 | Antlerless Only | YL or YM | Elk Area 031 |
| 2025 | Shushuskin B | 100 | Nov. 30- Dec. 8 | Antlerless Only | YL or YM | Elk Area 031 |
| 2026 | Malaga A | 150 | Sept. 1- Oct. 4 | Antlerless Only | CL or CM | Elk Area 032** |

| Hunt No. | Hunt Name | No. Permits | Open Season | Special Restrictions | Elk Tag Prefix | Boundary Description |
|----------|-----------------------|-------------|----------------------|----------------------------------|----------------|----------------------|
| 2027 | Malaga B | 150 | Oct. 30- Nov. 6 | Antlerless Only | CL or CM | Elk Area 032 |
| 2028 | Peshastin | 100 | Sept. 1- Oct. 4 | Either Sex | CL or CM | Elk Area 033** |
| 2029 | West Bar A | 25 | Oct. 20 | Antlerless Only | CL or CM | GMU 330 |
| 2030 | West Bar B | 25 | Oct. 21 | Antlerless Only | CL or CM | GMU 330 |
| 2031 | West Bar C | 25 | Oct. 22 | Antlerless Only | CL or CM | GMU 330 |
| 2032 | Caribou | 175 | Nov. 20- Dec. 1 | Antlerless Only | CL or CM | Elk Area 002 |
| 2033 | Taneum A | 100 | Nov. 1-4 | Antlerless Only | YL or YM | GMU 336 |
| 2034 | Taneum B | 100 | Nov. 14-16 | Antlerless Only | YL or YM | GMU 336 |
| 2035 | Manastash A | 100 | Nov. 1-4 | Antlerless Only | YL or YM | GMU 340 |
| 2036 | Manastash B | 100 | Nov. 14-16 | Antlerless Only | YL or YM | GMU 340 |
| 2037 | Naches & Umtanum A | 350 | Nov. 1-4 | Antlerless Only | YL or YM | GMUs 342 & 346** |
| 2038 | Naches & Umtanum B | 150 | Nov. 14-16 | Antlerless Only | YL or YM | GMUs 342 & 346** |
| 2039 | Naches | 25 | Sept. 29- Oct. 12 | 3-Pt. Bull Min. | YL or YM | GMU 346** |
| 2040 | Nile A | 100 | Nov. 1-4 | Antlerless Only | YL or YM | GMU 352 |
| 2041 | Nile B | 75 | Nov. 14-16 | Antlerless Only | YL or YM | GMU 352 |
| 2042 | Bumping A | 250 | Nov. 1-4 | Antlerless Only | YL or YM | GMU 356 |
| 2043 | Bumping B | 150 | Nov. 14-16 | Antlerless Only | YL or YM | GMU 356 |
| 2044 | Bethel | 175 | Nov. 14-16 | Antlerless Only | YL or YM | GMU 360 |
| 2045 | Rimrock- Cowiche A | 175 | Nov. 1-4 | Antlerless Only | YL or YM | GMU 366 |
| 2046 | Rimrock- Cowiche B | 100 | Nov. 14-16 | Antlerless Only | YL or YM | GMU 366 |
| 2047 | Green River Cow | 30 | Nov. 16-20 | Antlerless Only | WL or WM | GMU 485 |
| 2048 | Green River Bull | 15 | Nov. 16-20 | Antlerless or 3-Pt. Bull Min. | WL or WM | GMU 485 |
| 2049 | Green River Spike | 5 | Nov. 16-20 | Spike or Antlerless Only | WL or WM | GMU 485 |
| 2050 | Lincoln | 25 | Nov. 19-24 | Antlerless Only | WL or WM | GMU 501 |
| 2051 | Willapa Hills | 50 | Nov. 19-24 | Antlerless Only | WL or WM | GMU 506 |
| 2052 | Packwood | 50 | Nov. 19-24 | Antlerless Only | WL or WM | GMU 516 |
| 2053 | Margaret Cow | 30 | Nov. 19-24 | Antlerless Only | WL or WM | GMU 524 |
| 2054 | Margaret Bull | 30 | Nov. 6-(7) 17 | 3-Pt. Bull Min. | WL or WM | GMU 524 |
| 2055 | Toutle Cow | 100 | Nov. 19-24 | Antlerless Only | WL or WM | GMU 556 |
| 2056 | Toutle Bull | 200 | Nov. 6-17 | 3-Pt. Bull Min. | WL or WM | GMU 556 |
| 2057 | Marble | 50 | Nov. 19-24 | Antlerless Only | WL or WM | GMU 558 |
| 2058 | Lewis River | 75 | Nov. 19-24 | Antlerless Only | WL or WM | GMU 560 |
| 2059 | Siouxon | 50 | Nov. 19-24 | Antlerless Only | WL or WM | GMU 572 |
| 2060 | Doty | 50 | Jan. 2- 19, 1992 | Antlerless Only | WL or WM | Elk Area 051 |
| 2061 | Dickey Cow | 30 | Nov. 12-17 | Antlerless Only | WL or WM | GMU 602 |
| 2062 | Dickey Bull A | 10 | Sept. 28- Oct. 11 | 3-Pt. Bull Min. | WL or WM | GMU 602 |
| 2063 | Dickey Bull B | 75 | Oct. 30- Nov. 10 | 3-Pt. Bull Min. | WL or WM | GMU 602 |
| 2064 | Soleduck | 30 | Nov. 12-17 | Antlerless Only | WL or WM | GMU 607 |
| 2065 | Goodman | 50 | Nov. 12-17 | Antlerless Only | WL or WM | GMU 612 |
| 2066 | Matheny | 50 | Nov. 12-17 | Antlerless Only | WL or WM | GMU 618 |
| 2067 | Quinault Ridge | 5 | Sept. 28- Oct. 11 | 3-Pt. Bull Min. | WL or WM | GMU 638 |
| 2068 | Humptulips | 15 | Nov. 12-17 | Antlerless Only | WL or WM | GMU 639 |
| 2069 | Wynoochee | 50 | Nov. 12-17 | Antlerless Only | WL or WM | GMU 648 |
| 2070 | Minot Peak | 20 | Nov. 12-17 | Antlerless Only | WL or WM | GMU 660 |
| 2071 | Palix | 40 | Nov. 12-17 | Antlerless Only | WL or WM | GMU 669 |
| 2072 | Nemah | 50 | Nov. 12-17 | Antlerless Only | WL or WM | GMU 678 |
| 2073 | Backbone | 55 | Nov. 27- Dec. 15 | Either Sex | WL or WM | Elk Area 025 |
| 2074 | Curtis | 50 | Dec. 21-31 | Antlerless Only | WL or WM | Elk Area 050 |
| 2075 | Boistfort | 50 | Jan. 2- 19, 1992 | Antlerless Only | WL or WM | Elk Area 054 |
| 2076 | Carlton | 5 | Sept. 28- Oct. 11 | 3-Pt. Bull Min. | WL or WM | Elk Area 057 |
| 2077 | West Goat Rocks | 5 | Sept. 28- Oct. 11 | 3-Pt. Bull Min. | WL or WM | Elk Area 058 |
| 2078 | Mt. Adams | 5 | Sept. 28- Oct. 11 | 3-Pt. Bull Min. | WL or WM | Elk Area 059 |

| Hunt No. | Hunt Name | No. Permits | Open Season | Special Restrictions | Elk Tag Prefix | Boundary Description |
|----------|----------------|-------------|----------------------|----------------------|----------------|----------------------|
| 2079 | Mt. Tebo | 5 | Sept. 28- Oct. 11 | 3-Pt. Bull Min. | WL or WM | Elk Area 061 |
| 2080 | Willapa Valley | 25 | Jan. 1- 15, 1992 | Antlerless Only | WL or WM | Elk Area 065 |
| 2081 | Twin Valley A | 20 | Jan. 1- 15, 1992 | Antlerless Only | WL or WM | Elk Area 066 |
| 2082 | South Willapa | 10 | Jan. 1- 15, 1992 | Antlerless Only | WL or WM | Elk Area 067 |

*Outside of Umatilla National Forest.

**Special damage control hunt in Malaga and Peshastin areas. Please send application for this hunt to Yakima regional office. Address - Washington Department of Wildlife, 2802 Fruitvale Boulevard, Yakima, Washington 98902-1120.

SPECIAL HUNT FOR DISABLED

Hunters must purchase a hunting license and modern firearm or muzzleloader elk tag prior to purchase of a special hunting season permit application. Note elk tag required. Only those hunters with a Washington Disabled Hunter permit may apply.

| Hunt No. | Hunt Name | Open Permits | Season | Special Restrictions | Elk Tag Prefix | Boundary Description |
|----------|----------------|--------------|--------------------|--|----------------|-----------------------|
| 2083 | Centralia Mine | 20 | Nov. 18- Dec. 1 | Antlerless Only, Disabled Hunter Only | WL or WM | Portion of GMU 667 |

MUZZLELOADER ONLY

Hunters must purchase a hunting license and muzzleloader elk tag prior to purchase of a special hunting season permit application. Note the elk tag required for each hunt.

| Hunt No. | Hunt Name | No. Permits | Open Season | Special Restrictions | Elk Tag Prefix | Boundary Description |
|----------|-----------------|-------------|---------------------------|-----------------------------|----------------|----------------------|
| 2084 | Bluecreek | 100 | Dec. 1- Jan. 31, 1992 | Antlerless Only | BM | GMU 154 |
| 2085 | Mountain View A | 50 | Oct. 5-11 | Spike Bull or Antlerless | BM | GMU 172 |
| 2086 | Mountain View B | 4 | Oct. 5-11 | Any Bull | BM | GMU 172 |
| 2087 | Umtanum | 200 | Sept. 28- Oct. 11 | Antlerless Only | YM | GMU 342 |
| 2088 | Naches Cow | 250 | Nov. 16-19 | Antlerless Only | YM | GMU 346 |
| 2089 | Twin Valleys B | 20 | Jan. 16- Feb. 15, 1992 | Antlerless Only | WM | Elk Area 066 |
| 2090 | Coal Creek | 35 | Nov. 21- Dec. 9 | Antlerless Only | WM | ML Area 940 |
| 2091 | Yale | 50 | Nov. 22- Dec. 10 | Either Sex | WM | GMU 554 |
| 2092 | Hoko River A | 15 | Jan. 1- 15, 1992 | Antlerless Only | WM | ML Area 961 |
| 2093 | Hoko River B | 15 | Jan. 16- Feb. 15, 1992 | Antlerless Only | WM | ML Area 961 |
| 2094 | Chinook | 10 | Jan. 16- Feb. 15, 1992 | Antlerless Only | WM | Elk Area 069 |
| 2095 | North River | 30 | Nov. 20- Dec. 8 | Antlerless Only | WM | GMU 658 |
| 2096 | Elwha A | 5 | Dec. 15- Jan. 15, 1992 | Antlerless Only | WM | ML Area 962 |
| 2097 | Elwha B | 5 | Jan. 16- Feb. 15, 1992 | Antlerless Only | WM | ML Area 962 |

ARCHERY ONLY

Hunters must purchase a hunting license and Blue Mountain archery elk tag prior to purchase of a special hunting season permit application.

| Hunt No. | Hunt Name | No. Permits | Open Season | Special Restrictions | Elk Tag Prefix | Boundary Description |
|----------|---------------------|-------------|----------------------|----------------------|----------------|--------------------------------|
| 2098 | Blue Mountains West | 7 | Sept 28.- Oct. 11 | Either Sex | BA | GMUs 154, 160 161, 166, 169 |
| 2099 | Blue Mountains East | 2 | Sept 28.- Oct. 11 | Either Sex | BA | GMUs 178, 181, 184, 185 |

WSR 91-14-108
PROPOSED RULES
DEPARTMENT OF WILDLIFE
 [Filed July 3, 1991, 11:20 a.m.]

Original Notice.

Title of Rule: Amending WAC 232-28-227 1991-92, 1992-93, 1993-94 Elk hunting seasons and regulations.

Purpose: To amend the 1991-92, 1992-93, and 1993-94 Elk hunting seasons and regulations.

Statutory Authority for Adoption: RCW 77.12.040.

Statute Being Implemented: RCW 77.12.040.

Summary: Amends the 1991-92, 1992-93, and 1993-94 Elk hunting seasons and regulations (WAC 232-28-227) that were adopted March 9, 1991. This rule expands the late elk season in central Washington to include GMU 304 and Elk Area 033, and remove Elk Area 031 which was listed in error.

Reasons Supporting Proposal: Advises hunters of the proper time, place, and manner of taking antlerless elk within identified hunting areas in eastern Washington.

Name of Agency Personnel Responsible for Drafting and Implementation: Tom Juelson, AD, Wildlife Management Division, Olympia, (206) 753-5728; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Amends the time, place, and manner for public hunting opportunities of antlerless elk in central Washington.

Proposal Changes the Following Existing Rules: See Summary above.

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

Hearing Location: Mark 205 Motor Inn, 221 N.E. Chkalov Drive, Vancouver, WA 98684, on August 15, 1991, at 8:00 a.m.

Submit Written Comments to: Pam Madson, 600 Capitol Way North, Olympia, WA 98501-1091, by August 5, 1991.

Date of Intended Adoption: August 15, 1991.

July 3, 1991

Pamela K. Madson

Administrative Rules Officer

AMENDATORY SECTION (Amending Order 493, filed 5/2/91)

WAC 232-28-227 1991-92, 1992-93, 1993-94 ELK HUNTING SEASONS AND REGULATIONS

ELK SEASONS

Bag Limit: One (1) elk per hunter during the annual (July 1-March 31) hunting season.

Hunting Method: Elk hunters must select one of the hunting methods (modern firearm, archery, muzzleloader).

Tag Required: Elk hunters must choose one of the four elk hunting areas (Blue Mountains, Yakima, Colockum or Western Washington) to hunt in and buy the appropriate tag for that area. (Archery elk hunters may hunt in any tag area in late seasons.)

Bull Elk Seasons: Open only to the taking of male elk with visible antlers (bull calves are illegal).

Definition: Visible Antler is defined as a horn-like growth projecting above the hairline.

Spike Bull Restriction GMUs: Bull elk taken in these GMUs must have at least one antler that is a spike above the ears (does not branch above ears). An animal with branch antlers on both sides is illegal but an animal with a spike on one side is legal in spike only units.

Spike Only GMUs: 145-185.

Branched Antler Restriction GMUs: Bull elk taken in these GMUs must meet minimum antler point requirements. Minimum antler point requirements are antler points on one side only. Antler points include eye guards but all antler points must be at least one inch long. Antler restrictions apply to all hunters during any open season.

3 Point GMUs: 418, 460, 466, 472, 478, 490, 506, 524, 530, 556, 558, 572, 601, 602, 607, 621, 636, 638, 639, 681; and GMUs 157 and 485 by permit only.

Special Permits: Modern firearm late season elk tag holders along with muzzleloader tag holders may apply to be drawn in special elk permit seasons. Blue Mountain archery, muzzleloader, and early modern firearm tag holders may apply for bull permits in the Blue Mountains. Hunters drawn for a special permit may hunt only with a weapon in compliance with their tag. Hunters drawn for bull permits in the Blue Mountains may hunt bulls during the following season for their user group. Modern Firearm - during early Blue Mountain season. Archery - during early Blue Mountain archery season. Muzzleloader - during any Blue Mountain muzzleloader season.

Modern Firearm Elk Information

Modern firearm elk hunters have early and late hunts in all elk areas. Those who choose the early tag have the first opportunity to hunt bulls, but only those who choose the late tag are able to apply for special elk permits except as outlined above for the Blue Mountains bull permits.

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched modern firearm elk tag as listed below on his/her person.

Hunting Method: May use rifle, bow and arrow, or muzzleloader, but only during modern firearm seasons.

Modern Firearm Elk Seasons

Legal Elk: Male elk with visible antlers are legal throughout the state except in GMUs 145-185 only spike bull restrictions apply and in branched-antler areas branched antler restrictions apply.

Blue Mountains - Open Area: 100 series GMUs; GMU 157 limited to permit hunters only. GMUs 145-185 are spike bull only, except by permit.

- BE - Blue Mountain Early Tag
- BL - Blue Mountain Late Tag
- BA - Blue Mountain Archery Tag
- BM - Blue Mountain Muzzleloader Tag

Colockum - Open Area: GMUs 300, 301, 302, 304, 306, 308, 314, 316, 328, 329, 330 (permit only in GMU 330), and the portion of GMU 334 north of I-90 (modern firearm restrictions in GMU 334).

- CE - Colockum Early Tag
- CL - Colockum Late Tag
- CA - Colockum Archery Tag
- CM - Colockum Muzzleloader Tag

Yakima - Open Area: GMUs 335, 336, 340, 342, 346, 352, 356, 360, 364, 366, 368, 370, and that portion of GMU 334 South of I-90 (modern firearm restrictions in GMU 334).

- YE - Yakima Early Tag
- YL - Yakima Late Tag
- YA - Yakima Archery Tag
- YM - Yakima Muzzleloader Tag

Western Washington - Open Area: All 400, 500, and 600 GMUs except closed in GMU 522. Permit only in GMUs 485, 524, 554, 556, and 602.

WE – Western Washington Early Tag
 WL – Western Washington Late Tag
 WA – Western Washington Archery Tag
 WM – Western Washington Muzzleloader Tag

| | Year | | |
|-----------------------------------|-----------------|----------------|----------------|
| | 1991 | 1992 | 1993 |
| Blue Mountains | | | |
| BE – Blue Mountains Early Elk Tag | Oct. 30–Nov. 10 | Oct. 28–Nov. 8 | Oct. 27–Nov. 7 |
| BL – Blue Mountains Late Elk Tag | Nov. 2–10 | Oct. 31–Nov. 8 | Oct. 30–Nov. 7 |
| Colockum | | | |
| CE – Colockum Early Elk Tag | Oct. 23–29 | Oct. 28–Nov. 3 | Oct. 27–Nov. 2 |
| CL – Colockum Late Elk Tag | Oct. 26–29 | Oct. 31–Nov. 3 | Oct. 30–Nov. 2 |
| Yakima | | | |
| YE – Yakima Early Elk Tag | Nov. 5–13 | Nov. 5–13 | Nov. 5–13 |
| YL – Yakima Late Elk Tag | Nov. 8–13 | Nov. 8–13 | Nov. 8–13 |

| | Year | | |
|---------------------------------------|-----------|-----------|-----------|
| | 1991 | 1992 | 1993 |
| Western Washington | | | |
| WE – Western Washington Early Elk Tag | Nov. 6–17 | Nov. 4–15 | Nov. 3–14 |
| WL – Western Washington Late Elk Tag | Nov. 9–17 | Nov. 7–15 | Nov. 6–14 |

Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery elk tag on his/her person.

Hunting Method: Bow and arrow only.

Special Notes: Archery tag holders can only hunt during archery seasons. Only Blue Mountain archers may apply for Blue Mountains bull archery permits. If drawn, archers must hunt with archery equipment and only during the permit archery season.

Early Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery elk tag on his/her person for the area hunted: Blue Mountain (BA), Colockum (CA), Yakima (YA), or Western Washington (WA).

| GMUs | Elk Tag | Dates | | | Legal Elk |
|---|---------|------------------|-----------|-----------|--|
| | | 1991 | 1992 | 1993 | |
| 100–118 121–142 | BA | Sept. 28–Oct. 11 | Oct. 1–14 | Oct. 1–14 | Either sex |
| 145–154, 160–169, 175–185 | BA | Sept. 28–Oct. 11 | Oct. 1–14 | Oct. 1–14 | Antlerless or spike only |
| 300, 306, 308, 316 | CA | Sept. 28–Oct. 11 | Oct. 1–14 | Oct. 1–14 | Either sex |
| 328–329, 334* | CA | Oct. 5–11 | Oct. 5–14 | Oct. 4–14 | Either Sex |
| 334**, 335, 336–340, 352–356, 364, 370 | YA | Sept. 28–Oct. 11 | Oct. 1–14 | Oct. 1–14 | Either sex |
| 405–466 478, 490, 504, 505, 510, 512, 514, 516, 520, 530, 550, 554, 558, 560, 568, 572, 574, 576, 580, 586, 588–601, 607, 615, 618, 638–663, 667, 669, 678, 681 | WA | Sept. 28–Oct. 11 | Oct. 1–14 | Oct. 1–14 | Either sex except antlerless or 3 pt. min. in GMUs 418, 460, 466, 478, 490, 530, 558, 572, 601, 607, 638, 639 and 681. |
| 484 | | Sept. 28–Oct. 4 | Oct. 1–7 | Oct. 1–7 | Either sex |
| 472, 621 | | Sept. 28–Oct. 11 | Oct. 1–14 | Oct. 1–14 | 3–Pt. min. |
| Bow Area 802 | | Sept. 28–Oct. 11 | Oct. 1–14 | Oct. 1–14 | Either sex |

* That part of GMU 334 north of Interstate 90.
 ** That part of GMU 334 south of Interstate 90.

Late Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery elk tag on his/her person for any area.

| GMUs | Dates | | | Legal Elk |
|----------------------------|-----------------|-----------------|-----------------|-----------------|
| | 1991 | 1992 | 1993 | |
| 118, 121, 124, 127, 178 | Nov. 27–Dec. 15 | Nov. 25–Dec. 15 | Nov. 24–Dec. 15 | Either sex |
| 166 | Nov. 27–Dec. 15 | Nov. 25–Dec. 15 | Nov. 24–Dec. 15 | Antlerless only |

| GMUs | Dates | | | Legal Elk |
|--|-----------------|-----------------|-----------------|--------------------------|
| | 1991 | 1992 | 1993 | |
| 328*, 334, 336, 346, 352 | Nov. 27-Dec. 8 | Nov. 25-Dec. 8 | Nov. 24-Dec. 8 | Either sex |
| 405, 433, 454, 484, 505, 520, 564, 588, 603, 612, 615, 648, 672 | Nov. 27-Dec. 15 | Nov. 25-Dec. 15 | Nov. 24-Dec. 15 | Either sex |
| 506, 530, 638, 681** | Nov. 27-Dec. 15 | Nov. 25-Dec. 15 | Nov. 24-Dec. 15 | Antlerless or 3-pt. min. |
| 636 | Nov. 27-Dec. 15 | Nov. 25-Dec. 15 | Nov. 24-Dec. 15 | 3 Pt. min. |
| * Portion of GMU 328 in the Caribou and Reeser elk areas will overlap with modern firearm permit hunt. | | | | |
| ** Except closed between U.S. Highway 101 and the Columbia River from Astoria-Megler toll bridge to the Wallcut River. | | | | |
| Bow Areas | | | | |
| 802 | Nov. 27-Dec. 15 | Nov. 25-Dec. 15 | Nov. 24-Dec. 15 | Either sex |
| 806, 807 | Nov. 27-Dec. 8 | Nov. 25-Dec. 8 | Nov. 23-Dec. 8 | Either sex |
| 808 | Feb. 1-7, 1992 | Feb. 1-7, 1993 | Feb. 1-7, 1994 | Either sex |
| 831 | Nov. 27-Dec. 15 | Nov. 25-Dec. 15 | Nov. 24-Dec. 15 | Antlerless or 3-pt. min. |

Muzzleloader Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as listed below on his/her person.

Hunting Method: Muzzleloader only.

Special Notes: Hunters selecting the muzzleloader elk tag may apply for special hunt permit seasons, if eligible.

Early Muzzleloader Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as designated below on his/her person.

| GMUs | Elk Tag | Dates | | | Legal Elk |
|-----------------------|---------|-----------|-----------|-----------|-----------------|
| | | 1991 | 1992 | 1993 | |
| 172 | BM | Oct. 5-11 | Oct. 8-14 | Oct. 8-14 | Spike bull only |
| 302 | CM, YM | Oct. 5-11 | Oct. 8-14 | Oct. 8-14 | Bull only |
| 314* | CM | Oct. 5-11 | Oct. 8-14 | Oct. 8-14 | Bull only |
| 368 | YM | Oct. 5-11 | Oct. 8-14 | Oct. 8-14 | Bull only |
| 603, 612 | WM | Oct. 5-11 | Oct. 8-14 | Oct. 8-14 | Bull only |
| 460, 506, 636 | WM | Oct. 5-11 | Oct. 8-14 | Oct. 8-14 | 3-Pt. min. |
| 484, 501, 564, 684 | WM | Oct. 5-11 | Oct. 8-14 | Oct. 8-14 | Either sex |
| Muzzleloader Area 910 | YM | Oct. 5-11 | Oct. 8-14 | Oct. 8-14 | Either sex |

* Closed in that portion of GMU 314 north of the Colockum Pass Road (Road 10) and Naneum Ridge Road (Road 9) and east and south of the Ingersol Road (Road 1).

Late Muzzleloader Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as designated below on his/her person.

| GMUs | Elk Tag | Dates | | | Legal Elk |
|------------------------------|---------|-----------------|-----------------|-----------------|-----------------|
| | | 1991 | 1992 | 1993 | |
| 130, 133, 136 | BM | Nov. 27-Dec. 15 | Nov. 25-Dec. 15 | Nov. 24-Dec. 15 | Either sex |
| 184 | BM | Nov. 27-Dec. 15 | Nov. 25-Dec. 15 | Nov. 24-Dec. 15 | Antlerless only |
| 484 | WM | Nov. 27-Dec. 15 | Nov. 25-Dec. 15 | Nov. 24-Dec. 15 | Either sex |
| 501, 568, 574, 576, 580, 586 | WM | Nov. 27-Dec. 15 | Nov. 25-Dec. 15 | Nov. 24-Dec. 15 | Either sex |
| 505 | WM | Nov. 19-24 | Nov. 17-22 | Nov. 16-21 | Either sex |

| GMUs | Elk Tag | Dates | | | Legal Elk |
|--------------------|---------|-----------------|-----------------|-----------------|-----------------|
| | | 1991 | 1992 | 1993 | |
| 504, 550 | WM | Nov. 27-Dec. 15 | Nov. 25-Dec. 15 | Nov. 24-Dec. 15 | Bull only |
| 601 | WM | Nov. 27-Dec. 15 | Nov. 25-Dec. 15 | Nov. 24-Dec. 15 | 3-Pt. bull min. |
| 684 | WM | Nov. 27-Dec. 15 | Nov. 25-Dec. 15 | Nov. 24-Dec. 15 | Either sex |
| Elk Area 003 | CM | Dec. 7-22 | Dec. 5-20 | Dec. 4-19 | Antlerless only |
| Muzzleloader Areas | | | | | |
| 908 | WM | Jan 1-31, 1992 | Jan 1-31, 1993 | Jan 1-31, 1994 | Either sex |
| 910 | YM | Nov. 17-Dec. 8 | Nov. 17-Dec. 6 | Nov. 17-Dec. 5 | Antlerless only |
| 944 | YM | Nov. 17-20 | Nov. 17-20 | Nov. 17-20 | Either sex |

Special Elk Hunts Open to Specified Tag Holders

Tag Required: Proper elk tags are listed with each GMU below.

Hunting Method: Hunters must use method listed on their tag, except in Firearm Restriction Areas, where some types of weapons are banned from use. See elk tag required, dates, and legal elk in table below.

Antlerless or Either Sex Elk Hunts

| GMUs | Elk Tag | Dates | | | Legal Elk |
|---|-------------------|-----------------|-----------------|-----------------|----------------------------------|
| | | 1991 | 1992 | 1993 | |
| 100, 103, 105, 108, 121, 124 west of SR 395, 127, 130, 133, 136 | BE, BL | Nov. 2-10 | Oct. 31-Nov. 8 | Oct. 30-Nov. 7 | Either sex |
| 178 | BE, BL | Nov. 9-10 | Nov. 7-8 | Nov. 6-7 | Antlerless or spike bull only |
| 200-284 | Any Elk Tag | Oct. 24-Nov. 15 | Oct. 24-Nov. 15 | Oct. 24-Nov. 15 | Either sex |
| 370 | CM, YE, YL, YM | Nov. 1-30 | Nov. 1-30 | Nov. 1-30 | Either sex |
| 564* | WA, WM, WE, WL | Nov. 6-17 | Nov. 4-15 | Nov. 3-14 | Either sex |
| 501, 568, 574, 576, 586, 588 | WE, WL | Nov. 6-17 | Nov. 4-15 | Nov. 3-14 | Either sex |
| GMUs 300, 304, 306, 308, 316, that part of GMU 302 in Chelan County and Elk Areas ((031 and)) 032 and 033. | CE, CL, CM | Dec. 7-22 | Dec. 5-20 | Dec. 4-19 | Antlerless only |

* Archery or Muzzleloader Equipment Only. Modern Firearm elk tag holders may hunt but must use primitive weapons.

Report Cards

Each successful hunter must fill out and return a Game Harvest Report Card to the Department of Wildlife within 10 days after taking an elk.

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

Purpose: To modify the game fishing seasons on West Medical Lake (Spokane County), Burke and Quincy lakes (Grant County), by extending the seasons through October 31, 1991.

Statutory Authority for Adoption: RCW 77.12.040.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: West Medical Lake (Spokane County), Burke and Quincy lakes (Grant County) are scheduled for rehabilitations this fall. Extending the seasons on these waters will let anglers catch as many of the remaining trout as possible prior to the treatment of these lakes.

WSR 91-14-109
EMERGENCY RULES
WILDLIFE COMMISSION
 [Order 496—Filed July 3, 1991, 11:23 a.m.]

Date of Adoption: July 2, 1991.

Effective Date of Rule: Immediately.

July 2, 1991
Curt Smitch
for John C. McGlenn
Chair

NEW SECTION

WAC 232-28-61819 1990-92 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS - WEST MEDICAL LAKE (SPOKANE COUNTY), AND BURKE AND QUINCY LAKES (GRANT COUNTY). Notwithstanding the provisions of WAC 232-28-618, the following regulations apply to the game fish seasons for West Medical Lake (Spokane County), and Burke and Quincy Lakes (Grant County):

WEST MEDICAL LAKE (Spokane Co.): Apr. 21, 1991-July 4, 1991, and Sep. 1-Sep. 30, 1991 seasons. Additional seasons July 5 - Aug. 31, 1991 and Oct. 1 - Oct. 31, 1991.

BURKE LAKE (GRANT COUNTY): Mar. 1 - July 31, 1991 season. Additional season Aug. 1 - Oct. 31, 1991.

QUINCY LAKE (GRANT COUNTY): Mar. 1 - July 31, 1991 season. Additional season Aug. 1 - Oct. 31, 1991.

WSR 91-14-110

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 91-12—Filed July 3, 1991, 11:33 a.m.]

Original Notice.

Title of Rule: Chapter 173-181 WAC, Facility contingency plans and response contractor standards.

Purpose: To implement the provisions of RCW 90.48.315 and 90.48.371 through 90.48.377 relating to oil spill response requirements and standards for oil handling facilities and response contractors.

Statutory Authority for Adoption: RCW 90.48.035.

Statute Being Implemented: RCW 90.48.315 and 90.48.371 through 90.48.377.

Summary: The Department of Ecology is required to adopt standards for the preparation of contingency plans for the containment and cleanup of oil spills (RCW 90.48.371); establish standards for response contractors (RCW 90.48.372); and adopt procedures to determine the adequacy of contingency plans (RCW 90.48.374).

Reasons Supporting Proposal: To provide minimum response standards for oil spills occurring in Washington state waters.

Name of Agency Personnel Responsible for Drafting: Paul Heimowitz, Ecology Headquarters, Mailstop PV-11, Olympia, 98504, 493-2819; Implementation and Enforcement: Greg Sorlie, Ecology Headquarters, Mailstop PV-11, Olympia, 98504, 459-6037.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule requires oil handling facilities to meet minimum standards in preparing contingency plans for

oil spill response; outlines the procedures ecology will use to determine the adequacy of contingency plans submitted for approval; and creates minimum standards for contractors who provide cleanup and containment services as a primary response contractor. Contingency plans will be used in the event of an oil spill for containment, cleanup, and prevention of further damage to the environment. This rule will help to assure a timely and appropriate response to oil spills and will also assure that resources (contractor equipment and personnel) are available to respond to spills in Washington state waters.

Proposal does not change existing rules.

Small Business Economic Impact Statement

Facility contingency plans and response contractor standards rule, chapter 173-181 WAC, provides the requirements for contingency plans and standards for response contractors. Onshore and offshore facilities must prepare contingency plans and primary response contractors must meet approval criteria.

The State Economic Policy Act (chapter 43.21H RCW) requires that economic values be given appropriate consideration in the promulgation of rules. The Regulatory Fairness Act (chapter 19.85 RCW) requires a small business economic impact statement (SBEIS) if rules have an effect on more than 20% of all industry or more than 10% of any three digit standard industrial classification (SIC) industry. The SBEIS analyzes compliance costs and the disproportionate impacts of the rule. If impacts exist and are disproportionate mitigation is required.

This rule has been reviewed and found to affect the SIC coded industries in the table below. For industries marked with an "*" more than 10% of the three digit industry is affected. The rule is likely to have a disproportionate impact on the small businesses in most industries affected.

There are economies of scale in writing and in maintaining the services associated with a contingency plan. Impacts and disproportionate impacts are difficult to avoid given the requirements of ESHB 1027. Mitigation is required however where it is legal. The mitigation has been offered.

The complexity of the plan required will depend on the volume of oil handled. The response capabilities required for smaller volumes will be less. Facilities handling large quantities of oil are required to file plans within six months. Other facilities will have until January 1, 1993, to file a plan. While the correlation between the number of employees and the quantity of oil handled is not perfect, ecology believes the extended timetable as well as the reduced complexity of small volume plans will help some small businesses. These will constitute mitigation under RCW 19.85.030 (a) and (b) respectively. Further, ecology will consider in reviewing the plans "the extent to which reasonable, cost-effective spill prevention measures have been incorporated into the plan." While this is a small factor in the considerations for plan review it is offered as further mitigation. Finally, new companies offering primary response which have no adverse safety record will not be denied approval if

the equipment, personnel, and training meet contractor standards.

Number of Companies in Each SIC Owning Facilities

| SIC ¹ | | Percent of Industry Affected | Total with Facilities ² |
|------------------|---|------------------------------|------------------------------------|
| *261 | Pulp Mills | 60% | 3 |
| *262 | Paper Mills (exc. bldg. paper) | 43% | 6 |
| 28 | Chemicals and Allied Products | 4% | 6 |
| *291 | Petroleum Refining | 55% | 5 |
| 373 | Ship & Boat Bldg. & Repair | 2% | 3 |
| 42 | Motor Freight | <0% | 3 |
| *441 442 | Deep Sea Transportation | 53% | 9 |
| 449 | Incidental Serv. Water Transp. | 7% | 13 |
| 51 | Wholesale Trade Nondurable ³ | <0% | 13 |
| 554 | Gasoline Service Stations | <0% | 3 |
| 598 | Fuel and Ice Dealers | <0% | 4 |
| Other | NA | NA | 22 |
| Missing Data | | | 16 |

¹ SIC codes grouped from three into two digit categories if there were fewer than three entities in a three digit category.

² This is an estimate of the number of firms affected. Some firms have multiple facilities.

³ Includes petroleum products and petroleum bulk stations.

For a complete copy of the small business economic impact statement please contact Denise Clifford, Department of Ecology, Spills Program, Mailstop PV-11, Olympia, Washington 98504-8711, phone, (206) 459-6852.

Hearing Location: August 7, 1991, Clark County P.U.D. Community Room, 1200 Ft. Vancouver Way, Vancouver, WA, at 7 p.m.; on August 8, 1991, Skagit County Administration Building, 700 South 2nd Room B, Mt. Vernon, WA, at 7 p.m.; on August 14, 1991, City of Tacoma Council Chambers, 740 St. Helens Avenue, Tacoma, WA, at 7 p.m.; and on August 15, 1991, City of Port Angeles Council Chambers, 321 East 5th Street, Port Angeles, WA, at 7 p.m.

Submit Written Comments to: Denise Clifford, Mailstop PV-11, Olympia, Washington 98504, by August 23, 1991.

Date of Intended Adoption: November 5, 1991.

July 3, 1991
Fred Olson
Deputy Director

Chapter 173-181 WAC
FACILITY CONTINGENCY PLAN AND RESPONSE CONTRACTOR STANDARDS

WAC

| | |
|-------------|--|
| 173-181-010 | Purpose. |
| 173-181-020 | Authority. |
| 173-181-030 | Definitions. |
| 173-181-035 | Applicability. |
| 173-181-040 | Plan preparation. |
| 173-181-045 | Plan format requirements. |
| 173-181-050 | Plan content requirements. |
| 173-181-060 | Plan submittal. |
| 173-181-065 | Plan review. |
| 173-181-070 | Drills and inspections. |
| 173-181-075 | Plan maintenance and use. |
| 173-181-080 | Plan update timeline. |
| 173-181-085 | Noncompliance with plan requirements. |
| 173-181-090 | Contractor standards. |
| 173-181-092 | Contractor approval information required. |
| 173-181-094 | Submittal of contractor approval applications. |

173-181-096 Contractor application review.
173-181-098 Severability.

NEW SECTION

WAC 173-181-010 PURPOSE. The purpose of this chapter is to establish onshore and offshore facility oil spill contingency plan requirements and response contractor standards which, when followed, will:

- (1) Maximize the effectiveness and timeliness of oil spill response by responsible parties and response contractors;
- (2) Ensure readiness of equipment and personnel;
- (3) Support coordination with state, federal, and other contingency plans; and
- (4) Provide improved protection of Washington waters and natural resources from the impacts of oil spills.

NEW SECTION

WAC 173-181-020 AUTHORITY. RCW 90.48.035, 90.48.345, 90.48.371, 90.48.372, 90.48.373, 90.48.374, 90.48.375, 90.48.376, 90.48.377, and 90.48.380 provide statutory authority for the contingency plan preparation and review requirements and response contractor standards established by this chapter.

NEW SECTION

WAC 173-181-030 DEFINITIONS. (1) "Average efficiency factor" means a factor used to estimate limitations of equipment efficiency from variables such as sea state, current velocity, or visibility.

(2) "Board" means the pollution control hearings board.
(3) "Department" means the state of Washington department of ecology.

(4) "Director" means the director of the state of Washington department of ecology.

(5) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(6) (a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that:

- (i) Transfers oil in bulk to or from a tank vessel or pipeline; and
- (ii) Is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) A facility does not include any:

- (i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state;
- (ii) Underground storage tank regulated by the department or a local government under chapter 90.76 RCW;
- (iii) A motor vehicle motor fuel outlet;
- (iv) A facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; or
- (v) A marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(7) "Interim storage site" means a site used to temporarily store recovered oil or oily waste until the recovered oil or oily waste is disposed of at a permanent disposal site. Interim storage sites include trucks, barges, and other vehicles used to store recovered oil or oily waste until transport begins.

(8) "Liquefied petroleum gas" means petroleum gas converted to a liquid state by pressure and cooling, including but not limited to natural gas, butane, and propane.

(9) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(10) "Maximum extent practicable" means the highest level of effectiveness that can be achieved through staffing levels, training procedures, and best achievable technology. In determining what is the maximum extent practicable, the director shall consider the effectiveness, engineering feasibility, commercial availability, and the cost of the measures.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Offshore facility" means any facility, as defined in subsection (6) of this section, located in, on, or under any of the navigable waters

of the state, but does not include a facility, any part of which is located in, on, or under any land of the state, other than submerged land.

(13) "Oil" or "oils" means naturally occurring liquid hydrocarbons at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline, and any fractionation thereof, including, but not limited to, crude oil, petroleum, gasoline, fuel oil, diesel oil, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section 101(14) of the Federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by P.L. 99-499.

(14) "Oily waste" means oil contaminated waste resulting from an oil spill or oil spill response operations.

(15) "Onshore facility" means any facility, as defined in subsection (6) of this section, any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(16)(a) "Owner or operator" means:

(i) In the case of an onshore or offshore facility, any person owning or operating the facility; and

(ii) In the case of an abandoned onshore or offshore facility, the person who owned or operated the facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(17) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(18) "Pipeline" means, for the purposes of subsection (6)(a)(i) of this section, a pipeline connected to a marine facility, and not owned or operated by the facility referred to in subsection (6)(a) of this section.

(19) "Plan" means oil spill response, cleanup, and disposal contingency plan.

(20) "Primary response contractor" means a response contractor that is directly responsible to a contingency plan holder, either by a contract or written agreement. Contingency plans may use more than one primary response contractor. All primary response contractors must be approved by the department. However, subcontractors responsible to a primary response contractor are exempt from approval by the department.

(21) "Response contractor" means an individual, organization, association, or cooperative that provides or intends to provide equipment and/or personnel for oil spill containment, cleanup, and/or removal activities.

(22) "Spill" means an unauthorized discharge of oil or hazardous substances which enters waters of the state.

(23) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(24) "Worst case spill" means:

(a) For an offshore facility, the largest possible spill considering storage, production, and transfer capacity complicated by adverse weather conditions; or

(b) For an onshore facility, the entire volume of the largest above ground storage tank on the facility site complicated by adverse weather conditions, unless the department determines that a larger volume is more appropriate given a particular facility's site characteristics and storage, production, and transfer capacity.

NEW SECTION

WAC 173-181-035 **APPLICABILITY.** (1) Onshore and offshore facilities must prepare, submit, and use oil spill response, cleanup, and disposal contingency plans pursuant to requirements in this chapter.

(2) Federal plans required under 33 C.F.R. 154, 40 C.F.R. 109, 40 C.F.R. 110, or the Federal Oil Pollution Act of 1990 shall substitute for plans required under this chapter if the department deems that such federal requirements possess approval criteria which equal or exceed those of the department.

(3) Response contractors must be approved by the department before they may serve as primary response contractors for an onshore or offshore facility contingency plan.

(4) For those sections of contingency plans which address liquified petroleum gases, the department may exempt plan holders from meeting requirements in this chapter that are not applicable to spill response for liquified petroleum gases due to their physical properties.

NEW SECTION

WAC 173-181-040 **PLAN PREPARATION.** (1) Each onshore and offshore facility shall prepare a contingency plan for the containment and cleanup of oil spills from the facility into the waters of the state, and for the protection of fisheries and wildlife, other natural resources, and public or private property from such spills.

(2) Plans shall be in a form usable for oil spill control, containment, cleanup, and disposal operations and capable of being located according to requirements in WAC 173-181-075.

(3) Plans shall be thorough and contain enough information, analyses, supporting data, and documentation to demonstrate the plan holder's ability to meet the requirements of this chapter.

(4) Plans shall be designed to be capable to the maximum extent practicable of promptly and properly removing oil and minimizing environmental damage from a variety of spill sizes, including small chronic spills, and worst case spills. At a minimum, plans shall meet the criteria specified in WAC 173-181-045 and 173-181-050; criteria are presented in suggested but not requisite order.

NEW SECTION

WAC 173-181-045 **PLAN FORMAT REQUIREMENTS.** (1) Plans shall utilize a combined narrative and graphic format which facilitates both the study of detailed spill response information and quick access to general information given emergency information needs and time constraints.

(2) Plans shall be divided into a system of chapters and appendices. Chapters and sections shall be numbered. Chapters should be reserved primarily for permanent information of general nature, such as spill response organization structure. Appendices should be used primarily for technical and variable information, such as call-down lists and equipment inventories.

(3) A system of index tabs shall be used to provide easy reference to particular chapters or appendices.

(4) Plans shall be formatted to allow replacement of chapter or appendix pages with revisions without requiring replacement of the entire plan.

(5) A simplified field document suitable for on-site use in the event of a spill and summarizing key notification and action elements of the plan shall also be prepared and submitted as part of the plan.

(6) Computerized plans may be submitted to the department in addition to a hard copy. Computerized plans may be used to meet the requirements of WAC 173-181-075.

NEW SECTION

WAC 173-181-050 **PLAN CONTENT REQUIREMENTS.** (1) Each plan shall contain a submittal agreement which:

(a) Includes the name, address, and phone number of submitting party;

(b) Verifies acceptance of the plan, including any incorporated contingency plans, by the owner or operator of the facility by either signature of the owner or operator or signature by a person with authority to bind the corporation which owns such facility;

(c) Commits execution of the plan, including any incorporated contingency plans, by the owner or operator of the facility, and verifies authority for the plan holder to make appropriate expenditures in order to execute plan provisions; and

(d) Includes the name, location, and address of the facility, type of facility, starting date of operations, types of oil(s) handled, and oil volume capacity.

(2) Each plan shall include a log sheet to record amendments to the plan. The log sheet shall be placed at the front of the plan. The log sheet shall provide for a record of the section amended, the date that the old section was replaced with the amended section, and the initials of the individual making the change. A description of the amendment and its purpose shall also be included in the log sheet, or filed in the form of an amendment letter immediately after the log sheet.

(3) Each plan shall include a detailed table of contents based on chapter, section, and appendix numbers and titles, as well as tables and figures.

(4) Each plan shall describe the purpose and scope of that plan, including:

- (a) The geographic area covered by the plan;
- (b) The onshore facility or offshore facility operations covered by the plan; and
- (c) The size of the worst case spill from the facility.

(5) Each plan shall describe the procedures and time periods corresponding to updates of the plan and distribution of the plan and updates to affected and interested parties.

(6) Each plan shall present a strategy to ensure use of the plan for spill response and cleanup operations pursuant to requirements in WAC 173-181-075.

(7) Each plan shall describe the organization of the spill response system, including all task assignments addressed by requirements of this section. This description shall identify the role of an incident commander or primary spill response manager, who shall possess the lead authority in spill response and cleanup decisions. The plan shall describe how a smooth transfer of the incident commander or primary spill response manager position will be accomplished. An organizational diagram depicting the chain of command shall also be included.

(8)(a) For each primary response contractor which a plan holder may or does rely on to perform or supplement its response operations within the geographic area covered by the plan, the plan shall state that contractor's name, address, phone number, or other means of contact at any hour of the day, and response capability (e.g., land spills only). For each primary response contractor, the plan shall include a letter of intent signed by the primary response contractor which indicates the contractor's willingness to respond. Copies of written contracts or agreements with primary response contractors shall be available if requested by the department for inspection.

(b) If a plan holder is a member of an oil spill response cooperative and relies on that cooperative to perform or supplement its response operations within the geographic area covered by the plan, the plan shall state the cooperative's name, address, phone number, and response capability. The plan shall also include proof of cooperative membership.

(c) Plans which rely on primary response contractors shall rely only on primary response contractors approved by the department under WAC 173-181-090.

(9) Each plan shall briefly describe its relation to all applicable local, state, regional, and federal government response plans. Plans shall address how the plan holder's response organization will be coordinated with an incident command system utilized by state and federal authorities.

(10) Each plan shall list procedures which will be used to detect and document the presence and size of a spill, including methods which are effective during low visibility conditions. In addition, the plan shall describe the use, if any, of mechanical or electronic monitoring or alarm systems (including threshold sensitivities) used to detect oil discharges into adjacent land or water from tanks, pipes, manifolds, and other transfer or storage equipment.

(11) Each plan shall describe procedures which will be taken to immediately notify appropriate parties that a spill has occurred.

(a) The plan holder shall maintain a notification call-down list which shall be available if requested by the department for inspection, and which:

(i) Provides a contact at any hour of the day for all spill response personnel identified under subsection (7) of this section, including a primary contact's name, position title, phone number, or other means of contact for any hour of the day, and an alternate contact in the event the individual is unavailable;

(ii) Lists the name and phone number of all government agencies which must be notified in the event of an oil spill pursuant to requirements under RCW 90.48.360 and other local, state, and federal requirements; and

(iii) Establishes a clear order of priority for immediate notification;

(b) The plan shall identify a central reporting office or individual who is responsible for implementing the call-down process; and

(c) The plan shall utilize the system of categorizing incident type and severity established by the department in the Washington state-wide master oil and hazardous substance spill contingency plan as developed pursuant to RCW 90.48.378.

(12) Each plan shall describe the personnel (including contract personnel) available to respond to an oil spill, including:

(a) A job description for each type of spill response position needed as indicated in the spill response organization scheme addressed in subsection (7) of this section;

(b) The number of personnel available to perform each type of spill response position;

(c) Arrangements for prepositioning personnel at strategic locations which will meet criteria pursuant to WAC 173-181-065 (3)(d);

(d) The type and frequency of spill response operations and safety training that each individual in a spill response position receives to attain the level of qualification demanded by their job description; and

(e) The procedures, if any, to train and use volunteers willing to assist in spill response operations. Volunteer procedures for wildlife rescue shall conform to requirements by the Washington wildlife coalition pursuant to RCW 90.48.387 and 90.48.388.

(13)(a) Each plan shall list the type, quantity, age, location, maintenance schedule, and availability of equipment used during spill response, including equipment used for oil containment, recovery, storage, and removal, shoreline and adjacent lands cleanup, wildlife rescue and rehabilitation, and communication.

(b) For equipment listed under (a) of this subsection that is not owned by or available exclusively to the plan holder, the plan shall also estimate the extent to which other contingency plans rely on that same equipment.

(c) For oil containment and recovery equipment, the plan also shall include equipment make and model, and the manufacturer's nameplate capacity of the response equipment (in gallons per minute), and applicable design limits (e.g., maximum wave height capability; inland waters vs. open ocean).

(d) Based on information described in (c) of this subsection, the plan shall state the maximum amount of oil which could be recovered per twenty-four-hour period.

(e) For purposes of determining plan adequacy under WAC 173-181-065, and to assess realistic capabilities based on potential limitations by weather, sea state, and other variables, the data presented in (c) and (d) of this subsection will be multiplied by an average efficiency factor of twenty percent. The department will apply a higher efficiency factor for equipment listed in a plan if that plan holder provides adequate evidence that the higher efficiency factor is warranted for particular equipment. The department may assign a lower efficiency factor to particular equipment listed in a plan if it determines that the performance of that equipment warrants such a reduction.

(f) The plan shall provide arrangements for prepositioning of oil spill response equipment at strategic locations which will meet criteria pursuant to WAC 173-181-065 (3)(d).

(14) Each plan shall describe the communication system used for spill notification and response operations, including:

(a) Communication procedures;

(b) The communication function (e.g., ground-to-air) assigned to each channel or frequency used; and

(c) The maximum geographic range for each channel or frequency used.

(15) Each plan shall describe the process to establish sites needed for spill response operations, including location or location criteria for:

(a) A central command post;

(b) A central communications post if located away from the command post; and

(c) Equipment and personnel staging areas.

(16)(a) Each plan shall present a flowchart or decision tree describing the procession of each stage of spill response operations from spill discovery to completion of cleanup. The flowchart or decision tree shall describe the order and priority in which spill response activities are performed.

(b) Each plan shall describe all key spill response operations in checklist form to be used by spill response managers in the event of an oil spill.

(17)(a) Each plan shall list the local, state, and other government authorities responsible for the emergency operation procedures peripheral to spill containment and cleanup, including:

(i) Procedures to control fires and explosions, and to rescue people or property threatened by fire or explosion;

(ii) Procedures to control ground traffic which may interfere with spill response operations; and

(iii) Procedures to manage access to the spill response site.

(b) Each plan shall describe the plan holder's role in these emergency operation procedures prior to the arrival of proper authorities.

(18) Each plan shall describe equipment and procedures to be used by the facility personnel to minimize the magnitude of the spill and minimize structural damage which may increase the quantity of oil spilled. Damage control procedures shall include methods to slow or

stop pipeline, storage tank, and other leaks, and methods to achieve immediate emergency shutdown.

(19) Each plan shall describe, in detail, methods to contain spilled oil and remove it from the environment. Methods shall describe deployment of equipment and personnel, using diagrams or other visual aids when possible. Response methods covered must include:

(a) Surveillance methods used to detect and track the extent and movement of the spill;

(b) Methods to contain and remove oil in offshore waters;

(c) Methods to contain and remove oil in near-shore waters, including shoreline protection procedures and oil diversion/pooling procedures; and

(d) Methods to contain and remove oil from a variety of shoreline, adjacent land, and beach types, including surface oil, subsurface oil, and oiled debris and vegetation.

(20) Each plan shall include estimates of the total time between oil spill discovery and initial deployment of oil spill response personnel and equipment.

(21) If dispersants, coagulants, bioremediants, or other chemical agents may be used for response operations, the plan shall describe:

(a) Type and toxicity of chemicals;

(b) Under what conditions they will be applied in conformance with all applicable local, state, and federal requirements, including the state-wide master oil and hazardous substance spill contingency plan;

(c) Methods of deployment; and

(d) Location and accessibility of supplies and deployment equipment.

(22) If in-situ burning may be used for response operations, the plan shall describe:

(a) Type of burning operations;

(b) Under what conditions burning will be applied in conformance with all applicable local, state, and federal requirements, including the state-wide master oil and hazardous substance spill contingency plan;

(c) Methods of application; and

(d) Location and accessibility of supplies and deployment equipment.

(23) Each plan shall describe how environmental protection will be achieved, including:

(a) Protection of sensitive shoreline and island habitat by diverting or blocking oil movement;

(b) Priorities for sensitive area protection in the geographic area covered by the plan in conformance with priority areas designated by the department;

(c) Rescue and rehabilitation of birds, marine mammals, and other wildlife contaminated or otherwise affected by the oil spill in conformance to Washington department of wildlife policies; and

(d) Measures taken to reduce damages to the environment caused by shoreline and adjacent land cleanup operations, such as impacts to sensitive shoreline habitat by heavy machinery.

(24)(a) Each plan shall describe site criteria and methods used for interim storage of recovered oil and oily wastes generated during response and cleanup operations, including sites available within the facility. Interim storage methods and sites shall be designed to prevent contamination by recovered oil and oily wastes.

(b) If use of interim storage sites will require approval by local, state, or federal officials, the plan shall include information which could expedite the approval process, including a list of appropriate contacts and a brief description of procedures to follow for each applicable approval process.

(c) Each plan shall describe methods and sites used for permanent disposal of recovered oil and oily wastes generated during response and cleanup operations.

(d) Interim storage and permanent disposal methods and sites shall be sufficient to keep up with oil recovery operations and handle the entire volume of recovered oil and oily wastes generated.

(e) Interim storage and permanent disposal methods and sites shall comply with all applicable local, state, and federal requirements.

(25) Each plan shall describe procedures to protect the health and safety of oil spill response workers, volunteers, and other individuals on-site. Provisions for training, decontamination facilities, safety gear, and a safety officer position shall be addressed.

(26) Each plan shall explain post-spill review procedures, including methods to review both the effectiveness of the plan and the need for plan amendments. Post-spill procedures shall provide for a debrief of the department.

(27)(a) Each plan shall describe the schedule and type of drills and other exercises which will be practiced to ensure readiness of the plan elements, including drills which satisfy WAC 173-181-070(3).

(b) Tests of internal call-down procedures shall be performed at least once every ninety calendar days and documented by the plan holder.

(28) Unless the plan holder has received approval for a prevention plan submitted pursuant to ESHB 1027, Laws of 1991, each onshore facility and offshore facility plan shall describe measures taken to reduce the likelihood that a spill will occur which exceed or are not covered by existing state and federal requirements, including:

(a) Type and frequency of personnel training on methods to minimize operational risks;

(b) Methods to ensure equipment integrity, including inspection and maintenance schedules;

(c) Methods to reduce spills during transfer operations, including overflow prevention; and

(d) Secondary containment for tanks, pipes, manifolds, or other structures used for storage or movement of oil other than liquefied petroleum gases.

(29) Each facility plan shall list the spill risk variables within the geographic area covered by the plan, including:

(a) Types, physical properties, and amounts of oil handled;

(b) A written description and map indicating site topography, storm water and other drainage systems, mooring areas, pipelines, tanks, and other oil processing, storage, and transfer sites and operations; and

(c) A written description of sites or operations with a history of or high potential for oil spills.

(30) Each plan shall demonstrate access to an index of the environmental variables within the geographic area covered by the plan, including:

(a) Natural resources, including coastal and aquatic habitat types and sensitivity by season, breeding sites, presence of endangered or threatened species, and presence of commercial and recreational species;

(b) Public resources, including public beaches, water intakes, drinking water supplies, and marinas;

(c) Seasonal hydrographic and climatic conditions; and

(d) Physical geographic features, including relative isolation of coastal regions, beach types, and other geological characteristics.

(31) Each plan shall demonstrate access to an index of the logistical resources within the geographic area covered by the plan, including:

(a) Facilities for fire services, medical services, and accommodations; and

(b) Shoreline access areas, including boat launches.

(32)(a) Each plan shall describe detailed, plausible, step-by-step response scenarios for:

(i) A small chronic oil spill less than five hundred gallons; and

(ii) A worst case spill as described in the plan pursuant to subsection (4)(c) of this section.

(b) Each scenario description shall include:

(i) The circumstances surrounding the spill, including size, type, location, climatic and hydrographic conditions, time, and cause;

(ii) An estimate of oil movement during the first seventy-two hours, including likely shoreline contact points; and

(iii) Estimates on response time and percent recovery for each distinct phase of operations.

(c) If a plan applies to multiple facilities, each scenario description shall discuss implementation of the plan in the event of simultaneous separate spills.

(33) Each plan shall include a glossary of technical terms and abbreviations used in the plan.

NEW SECTION

WAC 173-181-060 PLAN SUBMITTAL. (1)(a) Onshore facilities capable of storing one million gallons or more of oil, and offshore facilities currently operating shall submit plans to the department within six months after adoption of this chapter.

(b) All other applicable and currently operating facilities shall submit plans to the department by January 1, 1993.

(2) After the above deadlines, plans for facilities shall be submitted sixty-five calendar days prior to the beginning of operations.

(3) Three copies of the plan and appendices shall be delivered to:

Spill Management Section, Contingency Plan Review
 Washington Department of Ecology
 Mailstop: PV-11
 Olympia, WA 98504-8711

- (4)(a) Onshore and offshore facility plans may be submitted by:
- (i) The facility owner or operator; or
 - (ii) A primary response contractor approved by the department pursuant to WAC 173-181-090, in conformance with requirements under WAC 173-181-050(1).
- (b) A single plan may be submitted for more than one facility, provided that the plan contents meet the requirements in this chapter for each facility listed.
- (5) The plan submitter may request that proprietary information be kept confidential under RCW 43.21B.160.

NEW SECTION

WAC 173-181-065 PLAN REVIEW. (1) The department shall have sixty-five calendar days to review each plan. If the department determines that a plan is incomplete, the submitter shall be notified of deficiencies. The review period shall not begin until the department receives a complete plan.

(2) The department shall regularly notify interested parties of any contingency plans which are under review by the department, and make plans available for review to all department programs, other state, local, and federal agencies, and the public. The department shall accept comments from these interested parties on the plan during the first thirty calendar days of review by the department.

(3) A plan shall be approved if, in addition to meeting criteria in WAC 173-181-045 and 173-181-050, it demonstrates that when implemented, it can:

- (a) To the maximum extent practicable, provide for prompt and proper response to and clean up of a variety of spills, including small chronic spills, and worst case spills;
- (b) To the maximum extent practicable, provide for prompt and proper protection of the environment from oil spills;
- (c) Provide for immediate notification and mobilization of resources upon discovery of a spill;
- (d) Provide for initial deployment of response equipment and personnel at the site of the spill within one hour of the plan holder's awareness that a spill has occurred given suitable safety conditions; and
- (e) Use as primary response contractors, only those response contractors approved by the department pursuant to WAC 173-181-090.

(4) When reviewing plans, the department shall, in addition to the above criteria, consider the following:

- (a) The volume and type of oil(s) addressed by the plan;
- (b) The history and circumstances of prior spills by similar types of facilities, including spill reports by department on-scene coordinators;
- (c) The presence of unique operating hazards;
- (d) The sensitivity and value of natural resources within the geographic area covered by the plan;
- (e) Any pertinent local, state, federal agency, or public comments received on the plan;
- (f) The extent to which reasonable, cost-effective spill prevention measures have been incorporated into the plan.

(5) The department may approve a plan if that plan has been approved by a federal agency or other state which the department has deemed to possess approval criteria which equal or exceed those of the department.

(6) The department shall prepare a manual to aid department staff responsible for plan review. This manual shall be made available to provide guidance for plan preparers.

(7) The department shall notify the facility owner or operator within five working days after the review is completed whether the plan has been approved.

(a) If the plan receives approval, the facility owner or operator shall receive a certificate of approval describing the terms of approval, including expiration dates.

(b)(i) The department may approve a plan conditionally by requiring a facility owner or operator to operate with specific precautionary measures until unacceptable components of the plan are resubmitted and approved.

(ii) Precautionary measures may include, but are not limited to, reducing oil transfer rates, increasing personnel levels, or restricting operations to daylight hours. Precautionary measures may also include additional requirements to ensure availability of response equipment.

(iii) A plan holder shall have thirty calendar days upon notification of conditional status to submit and implement required changes to the department, with the option for an extension based on the department's discretion. Plan holders which fail to meet conditional requirements or provide required changes in the time allowed shall lose conditional approval status.

(c) If plan approval is denied, the facility owner or operator shall receive an explanation of the factors for disapproval and a list of actions to be taken to gain approval. The facility shall not continue oil storage, transfer, production, or other operations until an approved plan is in possession.

(d) A plan holder may appeal the department's decision under WAC 173-04-010.

(e) If a plan holder demonstrates an inability to comply with an approved contingency plan or otherwise fails to comply with requirements of this chapter, the department may, at its discretion:

(i) Place conditions on approval pursuant to (b) of this subsection; or

(ii) Revoke its approval pursuant to (c) of this subsection.

(f) Approval of a plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under state law.

(8) The department shall work with the office of marine safety to ensure that no duplication of regulatory responsibilities occurs in the review of contingency plans from marine facilities.

NEW SECTION

WAC 173-181-070 DRILLS AND INSPECTIONS. (1) For the purpose of determining plan adequacy, the department may require a plan holder to participate in one unannounced full deployment drill annually. The department shall choose plan holders for such drills through a random process.

(2) The department may require a plan holder to participate in one announced, limited deployment drill annually. The department shall choose plan holders for such drills through a random process.

(3) Requirements under subsections (1) and (2) of this section may be met:

(a) By drills led by other state, local, or federal authorities if the department finds that the criteria for drill execution and review equal or exceed those of the department;

(b) By drills initiated by the plan holder, if the department is involved in participation, review, and evaluation of the drill, and if the department finds that the drill adequately tests the plan; and

(c) By responses to actual spill events, if the department is involved in participation, review, and evaluation of the spill response, and if the department finds that the spill event adequately tests the plan.

(4) The department may exempt a primary response contractor from full deployment participation in more than one drill, if in the past twelve months, the primary response contractor has performed in a full deployment drill to the department's approval.

(5) The department shall review the degree to which the specifications of the plan are implemented during the drill. Within thirty calendar days following the drill, the department shall notify the facility owner or operator of the review results. If the department finds deficiencies in plan implementation, the department shall report those deficiencies to the plan holder and require the plan holder to make specific amendments to the plan pursuant to requirements in WAC 173-181-080.

(6) The department shall publish an annual report on plan drills, including a summary of response times, actual equipment and personnel use, recommendations for plan requirement changes, and industry response to those recommendations.

(7) The department may require the facility owner or operator to participate in additional drills beyond those required in subsections (1) and (2) of this section if the department is not satisfied with the adequacy of the plan during exercises or spill response events.

(8) The department may verify compliance with this chapter by unannounced inspections.

NEW SECTION

WAC 173-181-075 PLAN MAINTENANCE AND USE. (1) At least one copy of the plan shall be kept in a central location accessible at any hour by the spill response manager. Each facility covered by the plan shall possess a copy of the plan and keep it in a conspicuous and accessible location.

(2) A field document prepared under WAC 173-181-045(5) shall be available to all appropriate personnel.

(3) A facility owner or operator shall implement the plan in the event of a spill. The facility owner or operator must receive approval from the department before it conducts any major aspect of the spill response contrary to the plan unless:

- (a) Such actions are necessary to protect human health and safety;
- (b) Such actions must be performed immediately in response to unforeseen conditions to avoid additional environmental damage; or
- (c) The plan holder has been directed to perform such actions by the department or the United States Coast Guard.

NEW SECTION

WAC 173-181-080 PLAN UPDATE TIMELINE. (1) The department shall be notified in writing as soon as possible and within twenty-four hours of any significant change which could affect implementation of the plan, including a substantial decrease in available spill response equipment or personnel. The plan holder shall also provide a schedule for the prompt return of the plan to full operational status. A facsimile will be considered written notice for the purposes of this subsection. Changes which are not considered significant include minor variations in equipment or personnel characteristics, call-down lists, or operating procedures. Failure to notify the department of significant changes shall be considered noncompliance with this chapter and subject to provisions of WAC 173-181-065 (7)(e).

(2) If the department finds that, as a result of the change, the plan no longer meets approval criteria pursuant to WAC 173-181-065, the department may, in its discretion, place conditions on approval or revoke approval in accordance to WAC 173-181-065 (7)(e). Plan holders are encouraged to maintain back-up response resources in order to ensure that their plans can always be fully implemented.

(3) Within thirty calendar days of an approved change, the facility owner or operator shall distribute the amended page(s) of the plan to the department and other plan holders.

(4) Plans shall be reviewed by the department every five years pursuant to WAC 173-181-065. Plans shall be submitted for reapproval sixty-five calendar days in advance of the plan expiration date.

(5) The department may request submittal of the plan for review following any spill for which the plan holder is responsible.

NEW SECTION

WAC 173-181-085 NONCOMPLIANCE WITH PLAN REQUIREMENTS. (1) Any violation of this chapter may be subject to the enforcement and penalty sanctions of RCW 90.48.376.

(2) The department may notify the secretary of state to suspend the business license of any onshore or offshore facility or other person that is in violation of this section. The department may assess a civil penalty of up to one hundred thousand dollars against any person who is in violation of this section. Each day that a facility or person is in violation of this section shall be considered a separate violation.

NEW SECTION

WAC 173-181-090 CONTRACTOR STANDARDS. (1) Approval is required for all primary response contractors, i.e., response contractors that contract directly with a plan holder to provide oil spill containment and cleanup services as part of a plan.

(2) Primary response contractors shall be approved by the department subject to the following conditions:

(a) Equipment, equipment maintenance, and equipment and personnel deployment readiness must be verifiable by departmental inspection. Any resources not on site at the time of an inspection must be accounted for by company records. Approval of personnel readiness shall require capability of a one hour call out time in which personnel must be able to begin mobilization of response efforts. Equipment readiness shall include being available and able to be deployed to a spill site without delay, not counting normal maintenance and repairs;

(b) Response personnel shall comply with all appropriate safety and training requirements listed in WAC 296-62-300. Training records may be audited for verification; and

(c) Determination of an acceptable safety history by review of pertinent records on a case-by-case, best-professional-judgment basis. Lack of a safety history will not be grounds for denying approval.

NEW SECTION

WAC 173-181-092 CONTRACTOR APPROVAL INFORMATION REQUIRED. To determine approval, the following items shall be submitted to the department:

- (1) Contractor's name, UBI number, address, and phone number;
- (2) Response capability, including geographic area of response coverage, with any exclusions;
- (3) The types of oil and media (e.g., marine, fresh water, or land) the contractor is willing and able to respond to;
- (4) An organizational diagram depicting chain of command;
- (5) A call-down list within the organization as described in WAC 173-181-050 (11)(a)(i) and (iii);
- (6) All information described in WAC 173-181-050 (12)(a), (b), and (d) and (13)(a); and
- (7) List all OSHA/WISHA citations and reports, lost-time accidents, and accident claims related to oil spill response operations for the last five years. Any applicant with less than five years under their current business name or organization shall provide a listing of any oil spill response contract businesses owned or operated by the principals in the new company within the last five years, including a brief description of the company(ies) and their safety history information listed above.

NEW SECTION

WAC 173-181-094 SUBMITTAL OF CONTRACTOR APPROVAL APPLICATIONS. (1) Three copies of the contractor's approval application shall be delivered to:

Spill Management Section, Response Contractor Approval
Washington Department of Ecology
Mailstop: PV-11
Olympia, WA 98504-8711

(2) Applications may be submitted at any time after adoption of this chapter. If submitted with a contingency plan, the information required pursuant to WAC 173-181-092 shall be presented separately.

NEW SECTION

WAC 173-181-096 CONTRACTOR APPLICATION REVIEW. (1) The department shall have forty-five calendar days to review each application for primary response contractor approval. If the department determines that an application is incomplete, the submitter shall be notified of deficiencies. The forty-five day review period shall begin when the application is complete.

(2) An application shall be approved if it meets the conditions specified in WAC 173-181-090.

(3) The department shall notify the applicant that the application has been approved/not approved within five working days after the review is completed.

(a) If the application is approved, the contractor shall receive a certificate of approval describing the terms of approval, including expiration dates.

(b) If the application is not approved, the contractor shall receive an explanation of the factors for disapproval and a list of actions to be taken to gain approval. The contractor may not act as a primary response contractor for a facility contingency plan until approved by the department.

(c) If the application is not approved, the contractor shall have ten working days after notification to appeal the department's decision. Appeals shall be ruled on by the pollution control hearings board.

(d) Approval of a response contractor by the department does not constitute an express assurance regarding the adequacy of the contractor nor constitute a defense to liability imposed under state law.

(4) Response contractor approvals shall be reviewed by the department every two years pursuant to WAC 173-181-094. Reapproval applications shall be submitted sixty calendar days in advance of the approval expiration date.

NEW SECTION

WAC 173-181-098 SEVERABILITY. If any provision of this chapter is held invalid, the remainder of the rule is not affected.

WSR 91-14-111
PROPOSED RULES
OFFICE OF MARINE SAFETY
 [Filed July 3, 1991, 11:35 a.m.]

Original Notice.

Title of Rule: Chapter 317-10 WAC, Vessel contingency plan standards.

Purpose: To implement the provisions of the 1991 Spill Prevention Act (ESHB 1027) relating to oil spill response requirements for cargo and passenger vessels, and oil tank vessels.

Statutory Authority for Adoption: ESHB 1027.

Statute Being Implemented: ESHB 1027.

Summary: The Office of Marine Safety is required to adopt standards for the preparation of vessel contingency plans for the containment and cleanup of oil spills; and adopt procedures to determine the adequacy of vessel contingency plans.

Reasons Supporting Proposal: To provide minimum response requirements for oil spills occurring in Washington waters.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bob Nichols, OFM, Mailstop AQ-44, 586-0826.

Name of Proponent: Office of Marine Safety, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule requires minimum standards for the preparation of vessel contingency plans for oil spill response and outlines the procedures the Office of Marine Safety will use to determine the adequacy of contingency plans. Contingency plans will be used in the event of an oil spill for containment, cleanup, and prevention of further damage to the environment. This rule will help to assure a timely and appropriate response to oil spills in Washington waters.

Proposal does not change existing rules.

Small Business Economic Impact Statement

Vessel contingency plans rule, chapter 317-10 WAC, provides the requirements for contingency plans for vessels carrying oil. Tank, passenger, and cargo vessels as defined by the rule must prepare contingency plans. Vessel owner/operators may rely on primary spill response contractors approved by the Department of Ecology under chapter 173-181 WAC.

The State Economic Policy Act (chapter 43.21H RCW) requires that economic values be given appropriate consideration in the promulgation of rules. The Regulatory Fairness Act (chapter 19.85 RCW) requires a small business economic impact statement (SBEIS) if rules have an effect on more than 20% of all industry or more than 10% of any three digit standard industrial classification (SIC) industry. The SBEIS analyzes compliance costs and the disproportionate impacts of the rule. If impacts exist and are disproportionate mitigation is required.

This rule has been reviewed and found to affect the SIC coded industries in the table below. For industries

marked with an "*" more than 10% of the three digit industry is affected. The rule is likely to have a disproportionate impact on the small businesses in most industries affected.

There are economies of scale in writing and in maintaining the services associated with a contingency plan. Impacts and disproportionate impacts are difficult to avoid given the requirements of the law. Mitigation is required however, where it is legal. The following mitigation has been offered.

The complexity of the plan required will depend on the volume of oil handled. The response capabilities required for smaller volumes will be less. Tank vessels of 3,000 gross tons or more are required to file plans within six months. Other vessels will have 18 months to file a plan. While the correlation between the number of employees and the quantity of oil handled is not perfect, ecology believes the extended timetable as well as the reduced complexity of small volume plans will help some small businesses. These will constitute mitigation under RCW 19.85.030 (a) and (b) respectively. Further, ecology will consider in reviewing the plans "the extent to which reasonable, cost-effective spill prevention measures have been incorporated into the plan." While this is a small factor in the considerations for plan review it is offered as further mitigation.

| Number of Companies in Each SIC Owning Vessels | | | | |
|--|-----|---|---------------------------------|----|
| SIC | | Percent of Industry Affected ² | Total with Vessels ¹ | |
| *441 | 442 | Deep Sea Transportation | 59% | 10 |
| *444 | | Trans. on Rivers and Canals | 33% | 4 |
| 449 | | Incidental Serv. Water Trans. | 3% | 5 |
| Other | | NA | NA | 12 |
| Missing Data | | (estimate) | | 8 |

¹ Note: Several vessel owner/operators have multiple vessels.

² Source: Washington State Employment Security Department, June 1991.

For a complete copy of the small business economic impact statement please contact Denise Clifford, Department of Ecology, Spills Program, Mailstop PV-11, Olympia, Washington 98504-8711, phone (206) 459-6852.

Hearing Location: August 7, 1991, Clark County P.U.D. Community Room, 1200 Ft. Vancouver Way, Vancouver, WA, at 7 p.m.; on August 8, 1991, Skagit County Administration Building, 700 South 2nd Room B, Mt. Vernon, WA, at 7 p.m.; on August 14, 1991, City of Tacoma Council Chambers, 740 St. Helens Avenue, Tacoma, WA, at 7 p.m.; and on August 15, 1991, City of Port Angeles Council Chambers, 321 East 5th Street, Port Angeles, WA, at 7 p.m.

Submit Written Comments to: Bob Nichols, OFM, Mailstop AQ-44, Olympia, Washington 98504, by August 23, 1991.

Date of Intended Adoption: November 5, 1991.

July 1, 1991
 Bob Nichols
 Acting Administrator

Chapter 317-10 WAC
VESSEL CONTINGENCY PLAN STANDARDS

WAC

| | |
|------------|---------------------------------------|
| 317-10-010 | Purpose. |
| 317-10-020 | Authority. |
| 317-10-030 | Definitions. |
| 317-10-035 | Applicability. |
| 317-10-040 | Plan preparation. |
| 317-10-045 | Plan format requirements. |
| 317-10-050 | Plan content requirements. |
| 317-10-060 | Plan submittal. |
| 317-10-065 | Plan review. |
| 317-10-070 | Drills and inspections. |
| 317-10-075 | Plan maintenance and use. |
| 317-10-080 | Plan update timeline. |
| 317-10-085 | Noncompliance with plan requirements. |
| 317-10-098 | Severability. |

NEW SECTION

WAC 317-10-010 **PURPOSE.** The purpose of this chapter is to establish vessel oil spill contingency plan requirements which, when followed, will:

- (1) Maximize the effectiveness and timeliness of oil spill response by responsible parties and response contractors;
- (2) Ensure readiness of equipment and personnel;
- (3) Support coordination with state, federal, and other contingency plans; and
- (4) Provide improved protection of Washington waters and natural resources from the impacts of oil spills.

NEW SECTION

WAC 317-10-020 **AUTHORITY.** RCW 90.48.035, 90.48.345, 90.48.371, 90.48.373, 90.48.374, 90.48.375, 90.48.376, 90.48.377, and 90.48.380 provide statutory authority for the contingency plan preparation and review requirements established by this chapter.

NEW SECTION

WAC 317-10-030 **DEFINITIONS.** (1) "Administrator" means the administrator of the Washington office of marine safety.

(2) "Average efficiency factor" means a factor used to estimate limitations of equipment efficiency from variables such as sea state, current velocity, or visibility.

(3) "Board" means the pollution control hearings board.

(4) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(5) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, of greater than three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(6) "Columbia River" means the length of the Columbia River from its mouth at the Pacific Ocean to the confluence with the Snake River.

(7) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(8) "Department" means the state of Washington department of ecology.

(9) "Deadweight ton" means the difference, in metric tons, between the lightweight displacement and the total displacement of a vessel, as defined under Chapter 30 of Title 46, United States Code of Federal Regulations.

(10) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(11)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that:

- (i) Transfers oil in bulk to or from a tank vessel or pipeline; and
- (ii) Is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) A facility does not include any:

- (i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state;
- (ii) Underground storage tank regulated by the department or a local government under chapter 90.76 RCW;
- (iii) A motor vehicle motor fuel outlet;

(iv) A facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; or

(v) A marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(12) "Gross ton" means a vessel's approximate volume as defined under Chapter 69 of Title 46, United States Code of Federal Regulations.

(13) "Interim storage site" means a site used to temporarily store recovered oil or oily waste until the recovered oil or oily waste is disposed of at a permanent disposal site. Interim storage sites include trucks, barges, and other vehicles used to store recovered oil or oily waste until transport begins.

(14) "Liquefied petroleum gas" means petroleum gas converted to a liquid state by pressure and cooling, including but not limited to natural gas, butane, and propane.

(15) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(16) "Maximum extent practicable" means the highest level of effectiveness that can be achieved through staffing levels, training procedures, and best achievable technology. In determining what is the maximum extent practicable, the administrator shall consider the effectiveness, engineering feasibility, commercial availability, and the cost of the measures.

(17) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(18) "Office" means the state of Washington office of marine safety.

(19) "Oil" or "oils" means naturally occurring liquid hydrocarbons at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline, and any fractionation thereof, including, but not limited to, crude oil, petroleum, gasoline, fuel oil, diesel oil, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section 101(14) of the Federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by P.L. 99-499.

(20) "Oily waste" means oil contaminated waste resulting from an oil spill or oil spill response operations.

(21) "Owner or operator" means:

(a) In the case of a vessel, any person owning, operating, or chartering by demise, the vessel; or

(b) In the case of an abandoned vessel, the person who owned or operated the vessel immediately before its abandonment.

(22) "Passenger vessel" means a ship of greater than three hundred or more gross tons or five hundred or more international gross tons carrying passengers for compensation.

(23) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(24) "Pipeline" means, for the purposes of subsection (11)(a)(i) of this section, a pipeline connected to a marine facility, and not owned or operated by the facility referred to in subsection (11)(a) of this section.

(25) "Plan" means oil spill response, cleanup, and disposal contingency plan.

(26) "Primary response contractor" means a response contractor that is directly responsible to a contingency plan holder, either by a contract or written agreement. Contingency plans may use more than one primary response contractor. All primary response contractors must be approved by the department. However, subcontractors responsible to a primary response contractor are exempt from approval by the department.

(27) "Response contractor" means an individual, organization, association, or cooperative that provides or intends to provide equipment and/or personnel for oil spill containment, cleanup, and/or removal activities.

(28) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(29) "Spill" means an unauthorized discharge of oil or hazardous substances which enters waters of the state.

(30) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

- (a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(31) "Vessel type" means a general category of vessel based on form and function, such as tank barge, tanker, freighter, cruise ship, ferry, or fish-processing vessel.

(32) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(33) "Worst case spill" means a spill of the vessel's entire cargo and fuel complicated by adverse weather conditions.

NEW SECTION

WAC 317-10-035 APPLICABILITY. (1) Oil spill response, cleanup, and disposal contingency plans must be prepared, submitted, and used, pursuant to requirements in this chapter, by:

(a) Tank vessels of twenty thousand or more dead weight tons, including those operating on the Columbia River;

(b) Tank vessels less than twenty thousand dead weight tons not operating on the Columbia River; and

(c) Cargo vessels and passenger vessels of three hundred or more gross tons which are not operating on the Columbia River but otherwise operating on waters of the state.

(2) Federal plans required under 33 C.F.R. 154, 40 C.F.R. 109, 40 C.F.R. 110, or the Federal Oil Pollution Act of 1990 shall substitute for plans required under this chapter if the office deems that such federal requirements possess approval criteria which equal or exceed those of the office.

(3) Response contractors must be approved by the department before they may serve as primary response contractors for a vessel contingency plan.

(4) For those sections of contingency plans which address liquefied petroleum gases, the office may exempt plan holders from meeting requirements in this chapter that are not applicable to spill response for liquefied petroleum gases due to their physical properties.

NEW SECTION

WAC 317-10-040 PLAN PREPARATION. (1) Each covered vessel shall prepare a contingency plan for the containment and cleanup of oil spills from the covered vessel into the waters of the state, and for the protection of fisheries and wildlife, other natural resources, and public or private property from such spills.

(2) Plans shall be in a form usable for oil spill control, containment, cleanup, and disposal operations and capable of being located according to requirements in WAC 317-10-075.

(3) Plans shall be thorough and contain enough information, analyses, supporting data, and documentation to demonstrate the plan holder's ability to meet the requirements of this chapter.

(4) Plans shall be designed to be capable to the maximum extent practicable of promptly and properly removing oil and minimizing environmental damage from a variety of spill sizes, including small chronic spills, and worst case spills. At a minimum, plans shall meet the criteria specified in WAC 317-10-045 and 317-10-050; criteria are presented in suggested but not requisite order.

NEW SECTION

WAC 317-10-045 PLAN FORMAT REQUIREMENTS. (1) Plans shall utilize a combined narrative and graphic format which facilitates both the study of detailed spill response information and quick access to general information given emergency information needs and time constraints.

(2) Plans shall be divided into a system of chapters and appendices. Chapters and sections shall be numbered. Chapters should be reserved primarily for permanent information of general nature, such as spill response organization structure. Appendices should be used primarily for technical and variable information, such as call-down lists and equipment inventories.

(3) A system of index tabs shall be used to provide easy reference to particular chapters or appendices.

(4) Plans shall be formatted to allow replacement of chapter or appendix pages with revisions without requiring replacement of the entire plan.

(5) A simplified field document suitable for on-site use in the event of a spill and summarizing key notification and action elements of the plan shall also be prepared and submitted as part of the plan.

(6) Computerized plans may be submitted to the office in addition to a hard copy. Computerized plans may be used to meet the requirements of WAC 317-10-075.

NEW SECTION

WAC 317-10-050 PLAN CONTENT REQUIREMENTS. (1) Each plan shall contain a submittal agreement which:

(a) Includes the name, address, and phone number of submitting party;

(b) Verifies acceptance of the plan, including any incorporated contingency plans, by the owner or operator of the covered vessel, by signature of the owner or operator or their designee;

(c) Commits execution of the plan, including any incorporated contingency plans, by the owner or operator or their designee, and verifies authority for the plan holder to make appropriate expenditures in order to execute plan provisions; and

(d) Except for plans filed by the Washington state maritime commission or a maritime association defined under Oregon law, includes the vessel's name, the name, location, and address of the owner or operator, official identification code or call sign, country of registry, common ports of call in Washington waters, type of oil(s) handled, oil volume capacity, expected period of operation in state waters, and passenger capacity if a passenger vessel.

(2) Each plan shall include a log sheet to record amendments to the plan. The log sheet shall be placed at the front of the plan. The log sheet shall provide for a record of the section amended, the date that the old section was replaced with the amended section, and the initials of the individual making the change. A description of the amendment and its purpose shall also be included in the log sheet, or filed in the form of an amendment letter immediately after the log sheet.

(3) Each plan shall include a detailed table of contents based on chapter, section, and appendix numbers and titles, as well as tables and figures.

(4) Each plan shall describe the purpose and scope of that plan, including:

(a) The geographic area covered by the plan;

(b) The covered vessel operations covered by the plan; and

(c) The size of the worst case spill from the covered vessel.

(5) Each plan shall describe the procedures and time periods corresponding to updates of the plan and distribution of the plan and updates to affected and interested parties.

(6) Each plan shall present a strategy to ensure use of the plan for spill response and cleanup operations pursuant to requirements in WAC 317-10-075.

(7) Each plan shall describe the organization of the spill response system, including all task assignments addressed by requirements of this section. This description shall identify the role of an incident commander or primary spill response manager, who shall possess the lead authority in spill response and cleanup decisions. The plan shall describe how a smooth transfer of the incident commander or primary spill response manager position will be accomplished. An organizational diagram depicting the chain of command shall also be included.

(8)(a) For each primary response contractor which a plan holder may or does rely on to perform or supplement its response operations within the geographic area covered by the plan, the plan shall state that contractor's name, address, phone number, or other means of contact at any hour of the day, and response capability (e.g., land spills only). For each primary response contractor, the plan shall include a letter of intent signed by the primary response contractor which indicates the contractor's willingness to respond. Copies of written contracts or agreements with primary response contractors shall be available if requested by the office for inspection.

(b) If a plan holder is a member of an oil spill response cooperative and relies on that cooperative to perform or supplement its response operations within the geographic area covered by the plan, the plan shall state the cooperative's name, address, phone number, and response capability. The plan shall also include proof of cooperative membership.

(c) Plans which rely on primary response contractors shall rely only on primary response contractors approved by the department under chapter 173-181 WAC.

(9) Each plan shall briefly describe its relation to all applicable local, state, regional, and federal government response plans. Plans shall

address how the plan holder's response organization will be coordinated with an incident command system utilized by state and federal authorities.

(10) Each plan shall list procedures which will be used to detect and document the presence and size of a spill, including methods which are effective during low visibility conditions. For tank vessels, the plan shall describe the use, if any, of mechanical or electronic monitoring or alarm systems (including threshold sensitivities) used to detect oil discharges into adjacent land or water from tanks, pipes, manifolds, and other transfer or storage equipment.

(11) Each plan shall describe procedures which will be taken to immediately notify appropriate parties that a spill has occurred.

(a) The plan holder shall maintain a notification call-down list which shall be available if requested by the office for inspection, and which:

(i) Provides a contact at any hour of the day for all spill response personnel identified under subsection (7) of this section, including a primary contact's name, position title, phone number, or other means of contact for any hour of the day, and an alternate contact in the event the individual is unavailable;

(ii) Lists the name and phone number of all government agencies which must be notified in the event of an oil spill pursuant to requirements under RCW 90.48.360 and other local, state, and federal requirements; and

(iii) Establishes a clear order of priority for immediate notification;

(b) The plan shall identify a central reporting office or individual who is responsible for implementing the call-down process; and

(c) The plan shall utilize the system of categorizing incident type and severity established by the department in the Washington state-wide master oil and hazardous substance spill contingency plan as developed pursuant to RCW 90.48.378.

(12) Each plan shall describe the personnel (including contract personnel) available to respond to an oil spill, including:

(a) A job description for each type of spill response position needed as indicated in the spill response organization scheme addressed in subsection (7) of this section;

(b) The number of personnel available to perform each type of spill response position;

(c) Arrangements for prepositioning personnel at strategic locations which will meet criteria pursuant to WAC 317-10-065 (3)(d);

(d) The type and frequency of spill response operations and safety training that each individual in a spill response position receives to attain the level of qualification demanded by their job description; and

(e) The procedures, if any, to train and use volunteers willing to assist in spill response operations. Volunteer procedures for wildlife rescue shall conform to requirements by the Washington wildlife coalition pursuant to RCW 90.48.387 and 90.48.388.

(13)(a) Each plan shall list the type, quantity, age, location, maintenance schedule, and availability of equipment used during spill response, including equipment used for oil containment, recovery, storage, and removal, shoreline and adjacent lands cleanup, wildlife rescue and rehabilitation, and communication.

(b) For equipment listed under (a) of this subsection that is not owned by or available exclusively to the plan holder, the plan shall also estimate the extent to which other contingency plans rely on that same equipment.

(c) For oil containment and recovery equipment, the plan also shall include equipment make and model, and the manufacturer's nameplate capacity of the response equipment (in gallons per minute), and applicable design limits (e.g., maximum wave height capability; inland waters vs. open ocean).

(d) Based on information described in (c) of this subsection, the plan shall state the maximum amount of oil which could be recovered per twenty-four-hour period.

(e) For purposes of determining plan adequacy under WAC 317-10-065, and to assess realistic capabilities based on potential limitations by weather, sea state, and other variables, the data presented in (c) and (d) of this subsection will be multiplied by an average efficiency factor of twenty percent. The office will apply a higher efficiency factor for equipment listed in a plan if that plan holder provides adequate evidence that the higher efficiency factor is warranted for particular equipment. The office may assign a lower efficiency factor to particular equipment listed in a plan if it determines that the performance of that equipment warrants such a reduction.

(f) The plan shall provide arrangements for prepositioning of oil spill response equipment at strategic locations which will meet criteria pursuant to WAC 317-10-065 (3)(d).

(14) Each plan shall describe the communication system used for spill notification and response operations, including:

(a) Communication procedures;

(b) The communication function (e.g., ground-to-air) assigned to each channel or frequency used; and

(c) The maximum geographic range for each channel or frequency used.

(15) Each plan shall describe the process to establish sites needed for spill response operations, including location or location criteria for:

(a) A central command post;

(b) A central communications post if located away from the command post; and

(c) Equipment and personnel staging areas.

(16)(a) Each plan shall present a flowchart or decision tree describing the procession of each stage of spill response operations from spill discovery to completion of cleanup. The flowchart or decision tree shall describe the order and priority in which spill response activities are performed.

(b) Each plan shall describe all key spill response operations in checklist form to be used by spill response managers in the event of an oil spill.

(17)(a) Each plan shall list the local, state, and other government authorities responsible for the emergency operation procedures peripheral to spill containment and cleanup, including:

(i) Procedures to control fires and explosions, and to rescue people or property threatened by fire or explosion;

(ii) Procedures to control ground traffic which may interfere with spill response operations; and

(iii) Procedures to manage access to the spill response site.

(b) Each plan shall describe the plan holder's role in these emergency operation procedures prior to the arrival of proper authorities.

(18) Each plan shall describe equipment and procedures to be used by the vessel personnel to minimize the magnitude of the spill and minimize structural damage which may increase the quantity of oil spilled.

(a) For tank vessels, damage control procedures shall include methods and onboard equipment to achieve vessel stability and prevent further vessel damage, slow or stop pipe, tank, and other leaks, and achieve emergency shutdown during oil transfer.

(b) For other covered vessels, damage control procedures shall address methods to achieve vessel stability and slow or stop leaks from fuel tanks and lines.

(19) Each plan shall describe, in detail, methods to contain spilled oil and remove it from the environment. Methods shall describe deployment of equipment and personnel, using diagrams or other visual aids when possible. Response methods covered must include:

(a) Surveillance methods used to detect and track the extent and movement of the spill;

(b) Methods to contain and remove oil in offshore waters;

(c) Methods to contain and remove oil in near-shore waters, including shoreline protection procedures and oil diversion/pooling procedures; and

(d) Methods to contain and remove oil from a variety of shoreline, adjacent land, and beach types, including surface oil, subsurface oil, and oiled debris and vegetation.

(20) Each plan shall include estimates of the total time between oil spill discovery and initial deployment of oil spill response personnel and equipment.

(21) If dispersants, coagulants, bioremediants, or other chemical agents may be used for response operations, the plan shall describe:

(a) Type and toxicity of chemicals;

(b) Under what conditions they will be applied in conformance with all applicable local, state, and federal requirements, including the state-wide master oil and hazardous substance spill contingency plan;

(c) Methods of deployment; and

(d) Location and accessibility of supplies and deployment equipment.

(22) If in-situ burning may be used for response operations, the plan shall describe:

(a) Type of burning operations;

(b) Under what conditions burning will be applied in conformance with all applicable local, state, and federal requirements, including the state-wide master oil and hazardous substance spill contingency plan;

(c) Methods of application; and

(d) Location and accessibility of supplies and deployment equipment.

(23) Each plan shall describe how environmental protection will be achieved, including:

(a) Protection of sensitive shoreline and island habitat by diverting or blocking oil movement;

(b) Priorities for sensitive area protection in the geographic area covered by the plan in conformance with priority areas designated by the department;

(c) Rescue and rehabilitation of birds, marine mammals, and other wildlife contaminated or otherwise affected by the oil spill in conformance to Washington department of wildlife policies; and

(d) Measures taken to reduce damages to the environment caused by shoreline and adjacent land cleanup operations, such as impacts to sensitive shoreline habitat by heavy machinery.

(24)(a) Each plan shall describe site criteria and methods used for interim storage of recovered oil and oily wastes generated during response and cleanup operations. Interim storage methods and sites shall be designed to prevent contamination by recovered oil and oily wastes.

(b) If use of interim storage sites will require approval by local, state, or federal officials, the plan shall include information which could expedite the approval process, including a list of appropriate contacts and a brief description of procedures to follow for each applicable approval process.

(c) Each plan shall describe methods and sites used for permanent disposal of recovered oil and oily wastes generated during response and cleanup operations.

(d) Interim storage and permanent disposal methods and sites shall be sufficient to keep up with oil recovery operations and handle the entire volume of recovered oil and oily wastes generated.

(e) Interim storage and permanent disposal methods and sites shall comply with all applicable local, state, and federal requirements.

(25) Each plan shall describe procedures to protect the health and safety of oil spill response workers, volunteers, and other individuals on-site. Provisions for training, decontamination facilities, safety gear, and a safety officer position shall be addressed.

(26) Each plan shall explain post-spill review procedures, including methods to review both the effectiveness of the plan and the need for plan amendments. Post-spill procedures shall provide for a debrief of the office.

(27)(a) Each plan shall describe the schedule and type of drills and other exercises which will be practiced to ensure readiness of the plan elements, including drills which satisfy WAC 317-10-070(3).

(b) Tests of internal call-down procedures shall be performed at least once every ninety calendar days and documented by the plan holder.

(28) Unless the plan holder has received approval for a prevention plan submitted pursuant to ESHB 1027, Laws of 1991, each tank vessel plan shall describe measures taken to reduce the likelihood that a spill will occur which exceed or are not covered by existing state and federal requirements, including:

(a) Type and frequency of personnel training on methods to minimize operational risks;

(b) Methods to ensure equipment integrity, including inspection and maintenance schedules;

(c) Methods to reduce spills during transfer operations, including overflow prevention; and

(d) For tank vessels, key measures used to reduce risks during navigation.

(29) Each covered vessel plan shall list the spill risk variables within the geographic area covered by the plan, including:

(a) Types, physical properties, and amounts of oil handled;

(b) Except for plans filed by the Washington state maritime commission or a maritime association defined under Oregon law, a written description and diagram indicating cargo, fuel, and ballast tanks and piping, power plants, and other oil storage and transfer sites and operations; and

(c) A written description of operations with a history of or high potential for oil spills, including key areas which pose significant navigation risk within the geographic area covered by the plan.

(30) Each plan shall demonstrate access to an index of the environmental variables within the geographic area covered by the plan, including:

(a) Natural resources, including coastal and aquatic habitat types and sensitivity by season, breeding sites, presence of endangered or threatened species, and presence of commercial and recreational species;

(b) Public resources, including public beaches, water intakes, drinking water supplies, and marinas;

(c) Seasonal hydrographic and climatic conditions; and

(d) Physical geographic features, including relative isolation of coastal regions, beach types, and other geological characteristics.

(31) Each plan shall demonstrate access to an index of the logistical resources within the geographic area covered by the plan, including:

(a) Facilities for fire services, medical services, and accommodations; and

(b) Shoreline access areas, including boat launches.

(32)(a) Each plan shall describe detailed, plausible, step-by-step response scenarios for:

(i) A small chronic oil spill less than five hundred gallons; and

(ii) A worst case spill as described in the plan pursuant to subsection (4)(c) of this section.

(b) Each scenario description shall include:

(i) The circumstances surrounding the spill, including size, type, location, climatic and hydrographic conditions, time, and cause;

(ii) An estimate of oil movement during the first seventy-two hours, including likely shoreline contact points; and

(iii) Estimates on response time and percent recovery for each distinct phase of operations.

(c) If a plan applies to multiple covered vessels, each scenario description shall discuss implementation of the plan in the event of simultaneous separate spills.

(33) Each plan shall include a glossary of technical terms and abbreviations used in the plan.

NEW SECTION

WAC 317-10-060 PLAN SUBMITTAL. (1)(a) Tank vessels of three thousand gross tons or more and currently operating shall submit plans to the office within six months after adoption of this chapter.

(b) All other applicable and currently operating covered vessels shall submit plans to the office within eighteen months after adoption of this chapter.

(2)(a) After the above deadlines, plans for covered vessels shall be submitted sixty-five calendar days prior to the beginning of operations in Washington waters, with the exception of transient covered vessels which fall under the jurisdiction of the Washington maritime commission pursuant to chapter 88.44 RCW.

(b) Covered vessels which fall under the jurisdiction of the Washington maritime commission pursuant to chapter 88.44 RCW shall be incorporated into the maritime commission contingency plan pursuant to WAC 317-10-080.

(3) Three copies of the plan and appendices shall be delivered to:

Contingency Plan Review
Washington Office of Marine Safety

(4)(a) Tank vessel plans may be submitted by:

(i) The tank vessel owner or operator;

(ii) The owner or operator of a facility where the tank vessel unloads cargo, in conformance with requirements under WAC 317-10-050(1); or

(iii) A primary response contractor approved by the department under chapter 173-181 WAC, in conformance with requirements under WAC 317-10-050(1).

(b) Cargo and passenger vessel plans may be submitted by:

(i) The vessel owner or operator;

(ii) The agent for the vessel, in conformance with requirements under WAC 317-10-050(1); or

(iii) A response contractor approved by the department under chapter 173-181 WAC, in conformance with requirements under WAC 317-10-050(1).

(c) Plans for covered vessels which fall under the jurisdiction of the Washington maritime commission pursuant to chapter 88.44 RCW may be submitted by the Washington maritime commission, in conformance with requirements under WAC 317-10-050(1).

(d) A single plan may be submitted for multiple vessels of the same vessel type, provided that the plan contents meet the requirements in this chapter for each vessel listed.

(5) The plan submitter may request that proprietary information be kept confidential under RCW 43.21B.160.

NEW SECTION

WAC 317-10-065 PLAN REVIEW. (1) The office shall have sixty-five calendar days to review each plan. If the office determines that a plan is incomplete, the submitter shall be notified of deficiencies.

The review period shall not begin until the office receives a complete plan.

(2) The office shall regularly notify interested parties of any contingency plans which are under review by the office, and make plans available for review to all other state, local, and federal agencies, and the public. The office shall accept comments from these interested parties on the plan during the first thirty calendar days of review by the office.

(3) A plan shall be approved if, in addition to meeting criteria in WAC 317-10-045 and 317-10-050, it demonstrates that when implemented, it can:

(a) To the maximum extent practicable, provide for prompt and proper response to and clean up of a variety of spills, including small chronic spills, and worst case spills;

(b) To the maximum extent practicable, provide for prompt and proper protection of the environment from oil spills;

(c) Provide for immediate notification and mobilization of resources upon discovery of a spill;

(d) Provide for initial deployment of response equipment and personnel at the site of the spill within two hours of the plan holder's awareness that a spill has occurred given suitable safety conditions; and

(e) Use as primary response contractors, only those response contractors approved by the department under chapter 173-181 WAC.

(4) When reviewing plans, the office shall, in addition to the above criteria, consider the following:

(a) The volume and type of oil(s) addressed by the plan;

(b) The history and circumstances of prior spills by similar types of vessels, including spill reports by department on-scene coordinators;

(c) The presence of unique operating hazards;

(d) The sensitivity and value of natural resources within the geographic area covered by the plan;

(e) Any pertinent local, state, federal agency, or public comments received on the plan;

(f) The extent to which reasonable, cost-effective spill prevention measures have been incorporated into the plan; and

(g) The nature and amount of vessel traffic and navigational hazards within the geographic area covered by the plan.

(5) The office may approve a plan if that plan has been approved by a federal agency or other state which the office has deemed to possess approval criteria which equal or exceed those of the office.

(6) The office shall prepare a manual to aid office staff responsible for plan review. This manual shall be made available to provide guidance for plan preparers.

(7) The office shall notify the covered vessel owner or operator or their designee within five working days after the review is completed whether the plan has been approved.

(a) If the plan receives approval, the covered vessel owner or operator shall receive a certificate of approval describing the terms of approval, including expiration dates.

(b)(i) The office may approve a plan conditionally by requiring a covered vessel owner or operator to operate with specific precautionary measures until unacceptable components of the plan are resubmitted and approved.

(ii) Precautionary measures may include, but are not limited to, reducing oil transfer rates, increasing personnel levels, or restricting operations to daylight hours. Precautionary measures may also include additional requirements to ensure availability of response equipment.

(iii) A plan holder shall have thirty calendar days upon notification of conditional status to submit and implement required changes to the office, with the option for an extension based on the office's discretion. Plan holders which fail to meet conditional requirements or provide required changes in the time allowed shall lose conditional approval status.

(c) If plan approval is denied, the covered vessel owner or operator shall receive an explanation of the factors for disapproval and a list of actions to be taken to gain approval. The covered vessel shall not continue oil storage, transfer, production, or other operations until an approved plan is in possession.

(d) If a plan holder demonstrates an inability to comply with an approved contingency plan or otherwise fails to comply with requirements of this chapter, the office may, at its discretion:

(i) Place conditions on approval pursuant to (b) of this subsection; or

(ii) Revoke its approval pursuant to (c) of this subsection.

(e) Approval of a plan by the office does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under state law.

(8) The office shall work with the department to ensure that no duplication of regulatory responsibilities occurs in the review of contingency plans from marine facilities.

NEW SECTION

WAC 317-10-070 DRILLS AND INSPECTIONS. (1) For the purpose of determining plan adequacy, the office may require a plan holder to participate in one unannounced full deployment drill annually. The office shall choose plan holders for such drills through a random process.

(2) The office may require a plan holder to participate in one announced, limited deployment drill annually. The office shall choose plan holders for such drills through a random process.

(3) Requirements under subsections (1) and (2) of this section may be met:

(a) By drills led by other state, local, or federal authorities if the office finds that the criteria for drill execution and review equal or exceed those of the office;

(b) By drills initiated by the plan holder, if the office is involved in participation, review, and evaluation of the drill, and if the office finds that the drill adequately tests the plan; and

(c) By responses to actual spill events, if the office is involved in participation, review, and evaluation of the spill response, and if the office finds that the spill event adequately tests the plan.

(4) The office may exempt a primary response contractor from full deployment participation in more than one drill, if in the past twelve months, the primary response contractor has performed in a full deployment drill to the office's approval.

(5) The office shall review the degree to which the specifications of the plan are implemented during the drill. Within thirty calendar days following the drill, the office shall notify the covered vessel owner or operator of the review results. If the office finds deficiencies in plan implementation, the office shall report those deficiencies to the plan holder and require the plan holder to make specific amendments to the plan pursuant to requirements in WAC 317-10-080.

(6) The department shall publish an annual report on plan drills, including a summary of response times, actual equipment and personnel use, recommendations for plan requirement changes, and industry response to those recommendations.

(7) The office may require the covered vessel owner or operator to participate in additional drills beyond those required in subsections (1) and (2) of this section if the office is not satisfied with the adequacy of the plan during exercises or spill response events.

(8) The office may verify compliance with this chapter by unannounced inspections.

NEW SECTION

WAC 317-10-075 PLAN MAINTENANCE AND USE. (1) At least one copy of the plan shall be kept in a central location accessible at any hour by the spill response manager.

(2) A field document prepared under WAC 317-10-045(5) shall be available to all appropriate personnel. Each covered vessel covered by the plan shall possess a copy of the field document and keep it in a conspicuous and accessible location.

(3) A covered vessel owner or operator or their designee shall implement the plan in the event of a spill. The covered vessel owner or operator or their designee must receive approval from the office before it conducts any major aspect of the spill response contrary to the plan unless:

(a) Such actions are necessary to protect human health and safety;

(b) Such actions must be performed immediately in response to unforeseen conditions to avoid additional environmental damage; or

(c) The plan holder has been directed to perform such actions by the department or the United States Coast Guard.

NEW SECTION

WAC 317-10-080 PLAN UPDATE TIMELINE. (1) The office shall be notified in writing as soon as possible and within twenty-four hours of any significant change which could affect implementation of the plan, including a substantial decrease in available spill response equipment or personnel. The plan holder shall also provide a schedule for the prompt return of the plan to full operational status. A facsimile

will be considered written notice for the purposes of this subsection. Changes which are not considered significant include minor variations in equipment or personnel characteristics, call-down lists, or operating procedures. Failure to notify the office of significant changes shall be considered noncompliance with this chapter and subject to provisions of WAC 317-10-065 (7)(d).

(2) If the office finds that, as a result of the change, the plan no longer meets approval criteria pursuant to WAC 317-10-065, the office may, in its discretion, place conditions on approval or revoke approval in accordance to WAC 317-10-065 (7)(d). Plan holders are encouraged to maintain back-up resources in order to ensure that their plans can always be fully implemented.

(3) Within thirty calendar days of an approved change, the covered vessel owner or operator or their designee shall distribute the amended page(s) of the plan to the office and other plan holders.

(4) Plans shall be reviewed by the office every five years pursuant to WAC 317-10-065. Plans shall be submitted for reapproval sixty-five calendar days in advance of the plan expiration date.

(5) The office may request submittal of the plan for review following any spill for which the plan holder is responsible.

NEW SECTION

WAC 317-10-085 NONCOMPLIANCE WITH PLAN REQUIREMENTS. (1) Any violation of this chapter may be subject to the enforcement and penalty sanctions of ESHB 1027, Laws of 1991.

(2) The office may deny entry onto the waters of the state to any covered vessel that does not have an approved plan and is so required.

(3) The office may notify the secretary of state to suspend the business license of any onshore or offshore facility or other person that is in violation of this section. The office may assess a civil penalty of up to one hundred thousand dollars against any person who is in violation of this section. Each day that a facility, person, or covered vessel is in violation of this section shall be considered a separate violation.

NEW SECTION

WAC 317-10-098 SEVERABILITY. If any provision of this chapter is held invalid, the remainder of the rule is not affected.

WSR 91-14-112 PUGET SOUND WATER QUALITY AUTHORITY

[Filed July 3, 1991, 1:31 p.m.]

Reviser's note: The following material has not been adopted under the Administrative Procedure Act, chapter 34.05 RCW, but has been filed in the office of the code reviser and is published in the Register exactly as filed.

NOTICE OF PROPOSED PLAN AMENDMENT AND PUBLIC HEARINGS

Title of Proposal: Puget Sound local government wetland protection programs

Purpose: To amend subelement W-4.1, Puget Sound local government wetland protection programs, in the 1991 Puget Sound Water Quality Management Plan. Subelement W-4.1 (adopted November 1990) requires the authority to develop and adopt minimum standards or guidelines for local government wetland protection programs. Draft minimum standards or guidelines were proposed in the adopted 1991 plan. As a result of several events, the authority has developed a significantly different approach than the version published in the final 1991 plan.

Statutory Authority for Revising Plan: RCW 90.70.075.

Statute Being Implemented: Chapter 90.70 RCW and Section 320 of the Federal Clean Water Act, as amended by the Water Quality Act of 1987, P.L. 100-4, 33 U.S.C. 1330.

Name of Agency Personnel Responsible for Drafting, Implementing, and Enforcement: Nancy McKay, Executive Director, Mailstop PV-15, Olympia, Washington 98504. (206) 493-9300 or 1-800-54-SOUND.

Name of Proponent: Puget Sound Water Quality Authority (government agency).

Date of Intended Adoption: On or after September 18, 1991.

Opportunity for Public Review and Comment: Copies of the proposal may be obtained from the authority - phone (206) 493-9300 or 1-800-54-SOUND. Written comments must be received by 5 p.m., August 21, 1991. Please direct comments to Steve Tilley, Water Quality Supervisor, Mailstop PV-15, Olympia, Washington 98504.

Four public hearings will be held: Tuesday, August 6, 7-10 p.m., NOAA, Sandpoint, Auditorium, 7600 Sandpoint Way N.E., Seattle, WA; on Wednesday, August 7, 7-10 p.m., Skagit County Court House, Hearing Room C, Second and Kincaid Street, Mt. Vernon, WA; on Thursday, August 8, 7-10 p.m., 101 Cherberg Building, Hearing Room 2, Olympia, WA; and on Thursday, August 8, 7-10 p.m., Pt. Townsend Public Library, 1220 Lawrence Street, Port Townsend, WA.

Summary: The originally adopted text of subelement W-4.1 will be deleted. The newly proposed text for subelement W-4.1 of the 1991 Puget Sound Water Quality Management Plan consists of three major sections: Recommendations for the development of comprehensive local government wetland protection programs; provisions for authority review and comment on local programs; and provisions for tracking the success of local government programs. The proposal recommends that local governments use ecology's model wetland protection ordinance (included as Appendix F of the plan) in developing their regulatory programs. Following is a summary of the three major sections.

4.1.1. RECOMMENDATIONS FOR LOCAL GOVERNMENT WETLAND PROTECTION PROGRAMS

The goal of local government comprehensive wetland protection programs should be to ensure that, in the short term there is no net loss of wetlands function and acreage, and in the long term there is a measurable gain of wetlands function and acreage in the local government planning area.

Local government comprehensive wetland protection programs should encompass regulatory and non-regulatory methods of protecting wetlands, including the following:

1. Comprehensive land use planning. Wetland protection should be incorporated into local government comprehensive land use planning. Comprehensive land use plans are required by the Growth Management Act and must be adopted by July 1, 1993. Specific techniques are suggested.

2. Preservation. Local governments should develop wetland preservation programs to address protection of significant wetlands and associated buffer areas. Local preservation programs should address public acquisition, land trusts, and private stewardship.

3. Restoration. Local governments should integrate restoration actions into their wetland protection programs.

4. Regulation. Regulations to protect wetland resources are required by the Growth Management Act and must be adopted by July 1, 1994. Local governments should adopt standards addressing a no net loss goal, definition of regulated wetlands, methods for delineating and categorizing wetlands, a definition of regulated activities, and standards for wetlands buffers and for use and protection of wetlands. Local regulations should be equivalent to those in Ecology's Model Wetlands Protection Ordinance.

5. Education. Local governments should develop wetland education programs to increase public awareness of wetland issues.

Local governments should develop evaluation processes to determine the effectiveness of their comprehensive wetland protection programs.

4.1.2. ASSISTING LOCAL GOVERNMENTS IN THEIR EFFORTS TO ACHIEVE CONSISTENCY WITH THE W-4.1.A RECOMMENDATIONS

The Authority will review and comment on local government wetland protection programs. The review will take place in two phases and will be compatible with the local government public review process. During the first phase, local governments should provide the Authority with copies of draft comprehensive land use plans. The Authority, with assistance from the Department of Community Development, will review the plans for consistency with the Authority's recommendations and provide comments accordingly. This review will take place within the local public comment period. Local government comprehensive land use plans must be completed by July 1, 1993.

During the second phase, local governments should provide the Authority with copies of their draft comprehensive wetland protection programs. The Authority, with assistance from the Department of Ecology, will review the programs for consistency with the Authority's recommendations and provide comments accordingly. This review will take place within the local public comment period. Local government comprehensive wetland protection programs should be completed by July 1, 1994.

Local governments which have enacted wetlands protection programs as of the date of adoption of this proposed plan amendment shall provide copies of their programs to the Authority. The Authority, with assistance from the Department of Ecology, will provide recommendations for future revisions.

The Authority will prepare periodic reports on local government wetland protection programs.

4.1.3. TRACKING STRATEGY FOR LOCAL GOVERNMENT WETLAND PROTECTION PROGRAMS

The Authority and the Departments of Ecology and Community Development will together define local government responsibilities for providing information to contribute to Ecology's tracking system (see subelement W-4.3). This effort will include the development of reporting standards for local governments.

OTHER AMENDMENTS TO THE WETLANDS PROTECTION PROGRAM

Minor amendments will be made in elements W-4.2 and W-6 to ensure compatibility with revision of W-4.1.

WSR 91-14-113

PROPOSED RULES DEPARTMENT OF AGRICULTURE

[Filed July 3, 1991, 1:44 p.m.]

Continuance of WSR 91-09-057.

Title of Rule: Amending WAC 16-532-040 Assessments and collections.

Statutory Authority for Adoption: Chapter 15.65 RCW.

Date of Intended Adoption: July 10, 1991.

July 3, 1991

Arthur C. Scheunemann
Assistant Director

WSR 91-14-114

RULES COORDINATOR THE EVERGREEN STATE COLLEGE

[Filed July 3, 1991, 2:10 p.m.]

This is to advise you of the designation of a rules coordinator for The Evergreen State College: D. Lee Hoemann, Executive Assistant to the President, The Evergreen State College, Olympia, Washington 98505, (206) 866-6000, extension -6116.

D. Lee Hoemann
Executive Assistant
to the President

WSR 91-14-115

PROPOSED RULES EMPLOYMENT SECURITY DEPARTMENT

[Filed July 3, 1991, 3:06 p.m.]

Original Notice.

Title of Rule: Timber retraining benefit and related program rules.

Purpose: To implement timber retraining benefits authorized by section 4, chapter 315, Laws of 1991, and other employment security responsibilities related to the implementation of chapters 314 and 315, Laws of 1991.

Statutory Authority for Adoption: Section 4, chapter 315, Laws of 1991, RCW 50.12.010 and 50.12.040.

Statute Being Implemented: Chapters 314 and 315, Laws of 1991.

Summary: These rules are intended to assist in the establishment administration of the training related benefits program established in section 4, chapter 315, Laws of 1991, and other employment security responsibilities related to chapters 314 and 315, Laws of 1991. This includes the department's responsibility for data necessary for the identification of timber impact areas.

Reasons Supporting Proposal: These rules are necessary for the efficient and consistent administration of the programs.

Name of Agency Personnel Responsible for Drafting: Wm. Eric Jordan, 212 Maple Park, Olympia, WA, (206) 586-2915; Implementation and Enforcement: Marie Brillante, Assistant Commissioner, UI, 212 Maple Park, Olympia, WA, (206) 753-5120.

Name of Proponent: Employment Security Department, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rules define terms and provide guidance for the payment of timber retraining benefits. In addition, definitions necessary for the determination of timber impact areas are provided. Timber retraining benefits is a special unemployment insurance additional benefit program that pays benefits to workers that need training because of declining needs for timber workers and for other workers in timber impact areas.

Listing of new sections: Chapter 192-32 WAC Timber retraining benefits and related programs; WAC 192-32-001 Scope of chapter; 192-32-010 Definitions; 192-32-015 Interpretive rule—Effective date of section 4, chapter 315, Laws of 1991; 192-32-025 Post training benefits; 192-32-035 Residence or employment in targeted county at time of last separation from employment; 192-32-040 Employment in the forest products industry; 192-32-045 Unlikely to return to employment; 192-32-050 Training related benefits payable only to workers enrolled in approved training; 192-32-055 Timeliness of training program submission and commencement; 192-32-065 Training program application requirements; 192-32-075 Occupation in demand outside labor market; 192-32-085 Full-time enrollment; 192-32-095 Satisfactory programs; 192-32-105 Interstate claims; and 192-32-115 Out-of-state training.

Proposal does not change existing rules.

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

The proposed rules have a minor or negligible economic impact on businesses. These rules place no requirements on business, but are primarily related to the payment of unemployment insurance benefits.

Hearing Location: Training Room 1, Employment Security Training Facility, 106 Maple Park, Olympia, WA, on Friday, August 16, 1991, at 9:00 a.m.; at Wenatchee Valley College, Campus Theatre, A. Z. Wells Hall, Wenatchee, Washington, at 9:00 a.m.,

Tuesday, August 13, 1991; and at IWA Local 3-2 Hall, 2600 Sumner Avenue, Aberdeen, WA, at 10:00 a.m., Thursday, August 15, 1991.

Submit Written Comments to: Wm. Eric Jordan, Rules Coordinator, Employment Security Department, 212 Maple Park, Mailstop KG-11, Olympia, WA 98504, by August 12, 1991.

Date of Intended Adoption: September 20, 1991.

July 3, 1991
Vernon E. Stoner
Commissioner

Chapter 192-32 WAC
Timber Retraining Benefits and Related Programs

NEW SECTION

WAC 192-32-001 SCOPE OF CHAPTER. This chapter is intended to govern the implementation of employment security department responsibilities relating to the implementation of Chapter 314, Laws of 1991, and Chapter 315, Laws of 1991. This includes the operation of programs authorized by the acts and the determination of timber impact areas required by the acts.

NEW SECTION

WAC 192-32-010 DEFINITIONS. For the purpose of this chapter:

(1) "Actual job loss" means the absolute loss of jobs in SIC codes 24 as compared to the previous year as calculated by the department.

(2) "Actual or projected job loss" means the greater of actual job loss or projected job loss. The value of actual or projected job loss is that value released by the commissioner and filed for publication in the state register.

(3) "Annual unemployment rate" means the total unemployment rate calculated according to the method defined by the U.S. Department of Labor, Bureau of Labor Statistics. The information is considered available when released to the public by the commissioner of the Employment Security Department. The value of the annual unemployment rate is that value released by the commissioner and filed for publication in the state register.

(4) "Commissioner" means commissioner of the employment security department.

(5) "Department" means the employment security department.

(6) "Labor market" means the area in which workers of specific occupation customarily have found work. Labor market is based on the worker's place of residence and occupation.

(7) "Lumber and wood products location quotient" is determined by dividing the percentage of the average covered employment in lumber and wood products (SIC code 24) in the county by the percentage of the average covered employment in lumber and wood products (SIC code 24) statewide. The information is considered available when released by the commissioner. The value of the location quotient is the value released by the commissioner and filed for publication in the state register.

(8) "Projected job loss" means the estimated job loss in SIC codes 24 in the current year, compared to the previous year, as calculated by the department from information provided by the department of natural resources.

(9) "Targeted county" means a county selected by the criteria of subsection (2), section 4, Chapter 315, Laws of 1991.

(10) "Timber retraining benefits", abbreviated TRB, means the unemployment insurance additional benefits authorized by section 4, Chapter 315, Laws of 1991.

(11) "Wages" means wages earned in employment as defined in Chapter 50.04 RCW. This means that only wages in covered employment can be considered in determining if a worker has earned wages in employment in the forest products industry.

NEW SECTION

WAC 192-32-015 INTERPRETIVE RULE—EFFECTIVE DATE OF SECTION 4, CHAPTER 315, LAWS OF 1991. (1) The first week for which timber retraining benefits will be payable will be the week beginning Sunday, July 21, 1991.

(2) Any exhaustee whose benefit year ends after July 21, 1991 may be considered as potentially eligible for timber retraining benefits if the other provisions of Section 4, Chapter 315, Laws of 1991 are met.

NEW SECTION

WAC 192-32-025 POST TRAINING BENEFITS. Section 4 (3)(b) of Chapter 315, Laws of 1991 authorizes the payment of timber retraining benefits during the five week period following completion of training. These benefits do not serve to increase the total amount of training related benefits payable, but are included in the amount maximum amount payable calculated by subtracting regular and extended benefits from 52 times the worker's weekly benefit amount.

NEW SECTION

WAC 192-32-035 RESIDENCE OR EMPLOYMENT IN TARGETED COUNTY AT TIME OF LAST SEPARATION FROM EMPLOYMENT. (1) A worker who has met the county of residence or county of last employment requirements at the time of filing an initial claim will be considered to have met those requirements until a new benefit year is established, regardless of subsequent employment or relocation to another county.

(2) A worker who has met the county of residence or county of last employment requirements at the time of filing an initial claim will be considered to have met those requirements until a new benefit year is established, even if the county ceases to be a targeted county.

(3) A worker who has not met the county of residence or county of last employment requirements at the time of filing a new claim, may meet those requirements at the time of filing an additional claim (re-opened claim after subsequent employment) for benefits if, at that time, the worker worked or lived in a targeted county at time of last separation from employment.

(4) A worker who performs services in more than one county will be considered to have worked in a targeted county if any bona fide work is performed in a targeted county.

NEW SECTION

WAC 192-32-040 EMPLOYMENT IN THE FOREST PRODUCTS INDUSTRY. "Earned wages in the forest products industry" means earned wages in employment in the forest products industry.

(1) Employment reported in the following SIC codes is considered to be employment in the forest products industry:

| | |
|------|--|
| 24 | Lumber and Wood Products, Except Furniture |
| 26 | Paper and Allied Products |
| 08 | Forestry |
| 2861 | Gum and Wood Chemicals |
| 3553 | Woodworking Machinery |
| 3554 | Paper Industry Machinery |

(2) Employment reported in the following SIC codes may be employment in the forest products industry. The specific nature of the business of the employer may be reviewed to determine whether it represents employment in the forest products industry:

| | |
|------|---|
| 2823 | Cellulistic Manmade Fibers (Rayon, etc.) |
| 3425 | Saw Blades and Handsaws |
| 3531 | Construction Machinery and Equipment (Trucks, off-highway; chippers; draglines; log splitters; logging equipment) |
| 3711 | Motor Vehicles and Passenger Car Bodies (tractors, trucks: for highway use) |
| 4212 | Local Trucking without storage (log trucking, trucking timber) |
| 4449 | Water Transportation of Freight, NEC (Log rafting and towing) |
| 4491 | Marine Cargo Handling |

(3) Other employment may be considered to be employment in the forest products industry if it involves:

- The planting and/or cultivation of trees for eventual harvest for lumber or paper manufacturing;
- The harvest of logs for lumber or pulp production;
- Hauling logs;
- Hauling lumber or paper products from point of manufacture;
- Scaling logs;
- Repair of logging trucks or equipment; or,
- Manufacture of wood processing or logging equipment,
- Distribution of wood processing or logging equipment
- Other activities clearly involved in the forest products industry.

(4) Examples of employment in the forest products industry that may be performed for businesses not primarily involved in the forest products industry include:

- Cutting or hauling timber as part of right-of-way clearing for a highway or building construction project;
- Driving wood chip truck for a general transportation company;
- Manufacturing forest products material handling equipment—such as log stackers—for a firm involved in general heavy equipment manufacturing;
- Sales of logging equipment at a used equipment dealer.

NEW SECTION

WAC 192-32-045 UNLIKELY TO RETURN TO EMPLOYMENT. (1) For the purposes of paying timber retraining benefits, a worker will have met the unlikely to return to work requirement of subsection (4)(b)(ii) of section 4, Chapter 315, Laws of 1991, if the tests in subsections (2) and (3) of this section are met.

- He or she has
 - become unemployed due to a permanent plant closure;
 - received a federal WARN Act notice; or
 - received a notice of indefinite layoff as a result of a permanent reduction of operations at the worker's place of employment;
- His or her skills are in diminishing demand in his or her principal occupation or previous industry.

(4) A worker will not be considered unlikely to return to work if he or she:

- is on standby from the principal employer;
- has a definite date of recall with the principal employer within six months; or
- is unemployed due to a regular seasonal layoff.

(5) A worker who has been determined to be a dislocated worker by the local JTPA authority will be considered to have met the requirements of subsections (2) and (3).

NEW SECTION

WAC 192-32-050 TRAINING RELATED BENEFITS PAYABLE ONLY TO WORKERS ENROLLED IN APPROVED TRAINING. No individual will be eligible to receive timber retraining benefits unless enrolled in and making satisfactory progress in an approved training program. Workers will be considered to be enrolled in training if:

- Preregistered for classes or on a waiting list; and
- Have a commitment from the educational institution for a starting date of training; and
- The starting date is not more than one regular school quarter or term, or equivalent period of time away.

NEW SECTION

WAC 192-32-055 TIMELINESS OF TRAINING PROGRAM SUBMISSION AND COMMENCEMENT. (1) The 60 day training plan submission requirement will be counted from the filing of new or additional claim for unemployment insurance benefits. This means if a worker who is eligible for TRB returns to work, and subsequently becomes involuntarily unemployed, the 60 day period is counted from the most recent claim reopening, even if the period had expired after the original filing of the new claim.

(2) The 90 day training program commencement requirement will be counted from last separation from employment at the time of the filing of new or additional claim for unemployment insurance benefits, whichever is latest. This means if a worker who is eligible for TRB returns to work, and subsequently becomes involuntarily unemployed, the 90 day period is counted from the most recent separation from employment, even if the period has expired after the new claim.

NEW SECTION

WAC 192-32-065 TRAINING PROGRAM APPLICATION REQUIREMENTS. Required elements for a training program submission include:

- Name and Social Security Account number of applicant;
- Name of educational institution;
- Address of education institution;
- Department of educational institution, if applicable;
- Name of training program;
- Description of training program, including remedial requirements if necessary;

- (7) Duration of training program;
- (8) Occupation(s) trained for;
- (9) Beginning enrollment date or place on waiting list and expected enrollment date;
- (10) Release of information form authorizing education institution to release grades, attendance, and other measures of program progress to the department; and
- (11) Signature of applicant.

NEW SECTION

WAC 192-32-075 OCCUPATION IN DEMAND OUTSIDE LABOR MARKET. A training program may be approved in an occupation not in demand in the local labor market if:

- (1) The occupation is in demand in another labor market; and,
- (2) The worker is willing and able to relocate to that labor market upon completion of training.

NEW SECTION

WAC 192-32-085 FULL-TIME ENROLLMENT. The educational institution providing the training will determine whether the worker is enrolled in training on a full time basis.

NEW SECTION

WAC 192-32-095 SATISFACTORY PROGRESS. A worker will be determined to be making satisfactory progress in a training program if the educational institution certifies to the department that the worker is making satisfactory progress.

NEW SECTION

WAC 192-32-105 INTERSTATE CLAIMS. The additional benefit period for targeted counties applies only to counties within the state of Washington. Individuals filing interstate claims (with Washington as the liable state) may qualify for timber retraining benefits based on employment in the forest products industry.

NEW SECTION

WAC 192-32-115 OUT-OF-STATE TRAINING. Training programs may be approved at educational institutions outside the state of Washington equivalent to those described in RCW 28B.10.016 and RCW 28C.04.410(3).

**WSR 91-14-116
EMERGENCY RULES
EMPLOYMENT SECURITY DEPARTMENT**

[Filed July 3, 1991, 3:07 p.m.]

Date of Adoption: July 3, 1991.

Purpose: To implement timber retraining benefits, section 4, chapter 315, Laws of 1991 and employment security responsibilities for the definition of timber impact areas for chapters 314 and 315, Laws of 1991.

Statutory Authority for Adoption: RCW 50.12.010 and 50.12.040, section 4, chapter 315, Laws of 1991.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The effective date of section 4, chapter 315, Laws of 1991, was July 1, 1991. Other programs in chapters 314 and 315, Laws of 1991, were effective upon the governor's signature. These rules are necessary for the interpretation and implementation of the statutes.

Effective Date of Rule: Immediately.

July 3, 1991
Vernon E. Stoner
Commissioner

*Chapter 192-32 WAC
Timber Retraining Benefits and Related Programs*

NEW SECTION

WAC 192-32-001 SCOPE OF CHAPTER. This chapter is intended to govern the implementation of employment security department responsibilities relating to the implementation of Chapter 314, Laws of 1991, and Chapter 315, Laws of 1991. This includes the operation of programs authorized by the acts and the determination of timber impact areas required by the acts.

NEW SECTION

WAC 192-32-010 DEFINITIONS. For the purpose of this chapter:

(1) "Actual job loss" means the absolute loss of jobs in SIC codes 24 as compared to the previous year as calculated by the department.

(2) "Actual of projected job loss" means the greater of actual job loss or projected job loss. The value of actual or projected job loss is that value released by the commissioner and filed for publication in the state register.

(3) "Annual unemployment rate" means the total unemployment rate calculated according to the method defined by the U.S. Department of Labor, Bureau of Labor Statistics. The information is considered available when released to the public by the commissioner of the Employment Security Department. The value of the annual unemployment rate is that value released by the commissioner and filed for publication in the state register.

(4) "Commissioner" means commissioner of the employment security department.

(5) "Department" means the employment security department.

(6) "Labor market" means the area in which workers of specific occupation customarily have found work. Labor market is based on the worker's place of residence and occupation.

(7) "Lumber and wood products location quotient" is determined by dividing the percentage of the average covered employment in lumber and wood products (SIC code 24) in the county by the percentage of the average covered employment in lumber and wood products (SIC code 24) statewide. The information is considered available when released by the commissioner. The value of the location quotient is the value released by the commissioner and filed for publication in the state register.

(8) "Projected job loss" means the estimated job loss in SIC codes 24 in the current year, compared to the previous year, as calculated by the department from information provided by the department of natural resources.

(9) "Targeted county" means a county selected by the criteria of subsection (2), section 4, Chapter 315, Laws of 1991.

(10) "Timber retraining benefits", abbreviated TRB, means the unemployment insurance additional benefits authorized by section 4, Chapter 315, Laws of 1991.

(11) "Wages" means wages earned in employment as defined in Chapter 50.04 RCW. This means that only wages in covered employment can be considered in determining if a worker has earned wages in employment in the forest products industry.

NEW SECTION

WAC 192-32-015 INTERPRETIVE RULE—EFFECTIVE DATE OF SECTION 4, CHAPTER 315, LAWS OF 1991. (1) The first week for which timber retraining benefits will be payable will be the week beginning Sunday, July 21, 1991.

(2) Any exhaustee whose benefit year ends after July 21, 1991 may be considered as potentially eligible for timber retraining benefits if the other provisions of Section 4, Chapter 315, Laws of 1991 are met.

NEW SECTION

WAC 192-32-025 POST TRAINING BENEFITS. Section 4 (3)(b) of Chapter 315, Laws of 1991 authorizes the payment of timber retraining benefits during the five week period following completion of training. These benefits do not serve to increase the total amount of training related benefits payable, but are included in the amount maximum amount payable calculated by subtracting regular and extended benefits from 52 times the worker's weekly benefit amount.

NEW SECTION

WAC 192-32-035 RESIDENCE OR EMPLOYMENT IN TARGETED COUNTY AT TIME OF LAST SEPARATION FROM EMPLOYMENT. (1) A worker who has met the county of residence or county of last employment requirements at the time of filing an initial claim will be considered to have met those requirements until a new benefit year is established, regardless of subsequent employment or relocation to another county.

(2) A worker who has met the county of residence or county of last employment requirements at the time of filing an initial claim will be considered to have met those requirements until a new benefit year is established, even if the county ceases to be a targeted county.

(3) A worker who has not met the county of residence or county of last employment requirements at the time of filing a new claim, may meet those requirements at the time of filing an additional claim (reopened claim after subsequent employment) for benefits if, at that time, the worker worked or lived in a targeted county at time of last separation from employment.

(4) A worker who performs services in more than one county will be considered to have worked in a targeted county if any bona fide work is performed in a targeted county.

NEW SECTION

WAC 192-32-040 EMPLOYMENT IN THE FOREST PRODUCTS INDUSTRY. "Earned wages in the forest products industry" means earned wages in employment in the forest products industry.

(1) Employment reported in the following SIC codes is considered to be employment in the forest products industry:

| | |
|------|--|
| 24 | Lumber and Wood Products, Except Furniture |
| 26 | Paper and Allied Products |
| 08 | Forestry |
| 2861 | Gum and Wood Chemicals |
| 3553 | Woodworking Machinery |
| 3554 | Paper Industry Machinery |

(2) Employment reported in the following SIC codes may be employment in the forest products industry. The specific nature of the business of the employer may be reviewed to determine whether it represents employment in the forest products industry:

| | |
|------|---|
| 2823 | Cellulistic Manmade Fibers (Rayon, etc.) |
| 3425 | Saw Blades and Handsaws |
| 3531 | Construction Machinery and Equipment (Trucks, off-highway; chippers; draglines; log splitters; logging equipment) |
| 3711 | Motor Vehicles and Passenger Car Bodies (tractors, trucks: for highway use) |
| 4212 | Local Trucking without storage (log trucking, trucking timber) |
| 4449 | Water Transportation of Freight, NEC (Log rafting and towing) |
| 4491 | Marine Cargo Handling |

(3) Other employment may be considered to be employment in the forest products industry if it involves:

- (a) The planting and/or cultivation of trees for eventual harvest for lumber or paper manufacturing;
- (b) The harvest of logs for lumber or pulp production;
- (c) Hauling logs;
- (d) Hauling lumber or paper products from point of manufacture;
- (e) Scaling logs;
- (f) Repair of logging trucks or equipment; or,
- (g) Manufacture of wood processing or logging equipment;
- (h) Distribution of wood processing or logging equipment

(i) Other activities clearly involved in the forest products industry.

(4) Examples of employment in the forest products industry that may be performed for businesses not primarily involved in the forest products industry include:

- (a) Cutting or hauling timber as part of right-of-way clearing for a highway or building construction project;
- (b) Driving wood chip truck for a general transportation company;
- (c) Manufacturing forest products material handling equipment—such as log stackers—for a firm involved in general heavy equipment manufacturing;

(d) Sales of logging equipment at a used equipment dealer.

NEW SECTION

WAC 192-32-045 UNLIKELY TO RETURN TO EMPLOYMENT. (1) For the purposes of paying timber retraining benefits, a worker will have met the unlikely to return to work requirement of subsection (4)(b)(ii) of section 4, Chapter 315, Laws of 1991, if the tests in subsections (2) and (3) of this section are met.

(2) He or she has

(a) become unemployed due to a permanent plant closure;

(b) received a federal WARN Act notice; or

(c) received a notice of indefinite layoff as a result of a permanent reduction of operations at the worker's place of employment;

(3) His or her skills are in diminishing demand in his or her principal occupation or previous industry.

(4) A worker will not be considered unlikely to return to work if he or she:

(a) is on standby from the principal employer;

(b) has a definite date of recall with the principal employer within six months; or

(c) is unemployed due to a regular seasonal layoff.

(5) A worker who has been determined to be a dislocated worker by the local JTPA authority will be considered to have met the requirements of subsections (2) and (3).

NEW SECTION

WAC 192-32-050 TRAINING RELATED BENEFITS PAYABLE ONLY TO WORKERS ENROLLED IN APPROVED TRAINING. No individual will be eligible to receive timber retraining benefits unless enrolled in and making satisfactory progress in an approved training program. Workers will be considered to be enrolled in training if:

(1) Preregistered for classes or on a waiting list; and

(2) Have a commitment from the educational institution for a starting date of training; and

(3) The starting date is not more than one regular school quarter or term, or equivalent period of time away.

NEW SECTION

WAC 192-32-055 TIMELINESS OF TRAINING PROGRAM SUBMISSION AND COMMENCEMENT. (1) The 60 day training plan submission requirement will be counted from the filing of new or additional claim for unemployment insurance benefits. This means if a worker who is eligible for TRB returns to work, and subsequently becomes involuntarily unemployed, the 60 day period is counted from the most recent claim reopening, even if the period had expired after the original filing of the new claim.

(2) The 90 day training program commencement requirement will be counted from last separation from employment at the time of the filing of new or additional

claim for unemployment insurance benefits, whichever is latest. This means if a worker who is eligible for TRB returns to work, and subsequently becomes involuntarily unemployed, the 90 day period is counted from the most recent separation from employment, even if the period has expired after the new claim.

NEW SECTION

WAC 192-32-065 TRAINING PROGRAM APPLICATION REQUIREMENTS. Required elements for a training program submission include:

(1) Name and Social Security Account number of applicant;

(2) Name of educational institution;

(3) Address of education institution;

(4) Department of educational institution, if applicable;

(5) Name of training program;

(6) Description of training program, including remedial requirements if necessary;

(7) Duration of training program;

(8) Occupation(s) trained for;

(9) Beginning enrollment date or place on waiting list and expected enrollment date;

(10) Release of information form authorizing education institution to release grades, attendance, and other measures of program progress to the department; and

(11) Signature of applicant.

NEW SECTION

WAC 192-32-075 OCCUPATION IN DEMAND OUTSIDE LABOR MARKET. A training program may be approved in an occupation not in demand in the local labor market if:

(1) The occupation is in demand in another labor market; and,

(2) The worker is willing and able to relocate to that labor market upon completion of training.

NEW SECTION

WAC 192-32-085 FULL-TIME ENROLLMENT. The educational institution providing the training will determine whether the worker is enrolled in training on a full time basis.

NEW SECTION

WAC 192-32-095 SATISFACTORY PROGRESS. A worker will be determined to be making satisfactory progress in a training program if the educational institution certifies to the department that the worker is making satisfactory progress.

NEW SECTION

WAC 192-32-105 INTERSTATE CLAIMS. The additional benefit period for targeted counties applies only to counties within the state of Washington. Individuals filing interstate claims (with Washington as the liable state) may qualify for timber retraining benefits based on employment in the forest products industry.

NEW SECTION

WAC 192-32-115 OUT-OF-STATE TRAINING. Training programs may be approved at educational institutions outside the state of Washington equivalent to those described in RCW 28B.10.016 and RCW 28C.04.410(3).

WSR 91-14-117

EMPLOYMENT SECURITY DEPARTMENT

[Filed July 3, 1991, 3:10 p.m.]

Timber Dependence Indicators by County

The following values are provided for publication in the state Register pursuant to WAC 192-32-010, as a basis for the payment of timber retraining benefits (section 4, chapter 315, Laws of 1991) and for the determination of timber impact areas for chapters 314 and 314, Laws of 1991.

| County | 1990 Annual Unemployment Rate | Timber Location Quotient | Actual or Projected Job Loss |
|--------------|-------------------------------|--------------------------|------------------------------|
| Adams | 12.4% | 0.0000 | less than 20 |
| Asotin | 4.2% | 3.1704 | less than 20 |
| Benton | 6.5% | 0.0126 | less than 20 |
| Chelan | 9.5% | 0.7889 | 158 |
| Clallam | 7.6% | 5.0004 | 521 |
| Clark | 5.3% | 1.1631 | 451 |
| Columbia | 10.8% | 1.4003 | less than 20 |
| Cowlitz | 7.5% | 5.1910 | 79 |
| Douglas | 8.3% | 0.0776 | less than 20 |
| Ferry | 9.3% | 8.9768 | less than 20 |
| Franklin | 11.3% | 0.0476 | less than 20 |
| Garfield | 4.7% | 0.0000 | less than 20 |
| Grant | 9.3% | 0.0291 | less than 20 |
| Grays Harbor | 9.4% | 7.5398 | 658 |
| Island | 3.9% | 0.1756 | less than 20 |
| Jefferson | 5.2% | 0.9932 | 20 |
| King | 3.6% | 0.3392 | 520 |
| Kitsap | 4.7% | 0.2171 | 73 |
| Kittitas | 7.8% | 1.0920 | 40 |
| Klickitat | 12.2% | 9.4992 | 146 |
| Lewis | 8.4% | 6.2986 | 640 |
| Lincoln | 4.8% | 0.4758 | less than 20 |
| Mason | 7.2% | 8.0855 | 107 |
| Okanogan | 11.3% | 4.6010 | 313 |
| Pacific | 8.8% | 5.6868 | less than 20 |
| Pend Oreille | 14.2% | 4.1085 | less than 20 |
| Pierce | 5.2% | 1.2227 | 1,422 |
| San Juan | 3.0% | 0.5409 | less than 20 |
| Skagit | 7.3% | 1.8653 | 266 |
| Skamania | 17.6% | 14.5787 | 289 |
| Snohomish | 4.3% | 1.1573 | 1,228 |
| Spokane | 5.8% | 0.3751 | less than 20 |
| Stevens | 9.8% | 8.4465 | less than 20 |
| Thurston | 5.5% | 0.8375 | 42 |
| Wahkiakum | 9.0% | 8.1742 | less than 20 |
| Walla Walla | 6.3% | 0.7429 | less than 20 |
| Whatcom | 5.3% | 1.1340 | 327 |
| Whitman | 2.3% | 0.0039 | less than 20 |
| Yakima | 10.7% | 0.8723 | 246 |
| Statewide | 5.3% | 1.0000 | 7,562 |

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

WSR 91-14-118

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 91-48—Filed July 3, 1991, 4:23 p.m., effective July 8, 1991, 12:01 a.m.]

Date of Adoption: July 2, 1991.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-19000G and 220-57-43000C; and amending WAC 220-56-190 and 220-57-430.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The harvestable number of salmon in saltwater areas needs to be reduced in order to protect returning coho; and the Skokomish River is closed until August 1st to protect potential spring chinook, and after September 15th to protect coho.

Effective Date of Rule: 12:01 a.m., July 8, 1991.

July 2, 1991

Joseph R. Blum
Director

NEW SECTION

WAC 220-56-19000H SALTWATER SEASONS AND BAG LIMITS. Notwithstanding the provisions of WAC 220-56-180 and 220-56-190:

(1) Effective July 1 through September 30, 1991, the daily bag limit is two salmon in Catch Record Card Areas 5, 6, 7, 8-1, 8-2, and 9.

(2) Effective July 12 through September 27, 1991, it is unlawful to fish for or possess salmon taken for personal use on Friday of each week from Catch Record Card Areas 5, 6 and 9.

(3) Effective September 3 through September 15, 1991, it is unlawful to fish for or possess salmon taken for personal use from Catch Record Card Areas 5, 6, and 9.

(4) Effective September 3 through October 18, 1991, it is unlawful to fish for or possess salmon taken for personal use from Catch Record Card Area 12, except that waters of Daybob and Quilcene Bays north of a line projected true east from Pulali Point remain open during this period.

NEW SECTION

WAC 220-57-43000D SKOKOMISH RIVER. Notwithstanding the provisions of WAC 220-57-430:

(1) Effective August 1 through September 15, 1991, Bag limit A, downstream from Vance creek. Only chinook salmon may be retained. Terminal fishing gear is restricted to a single lure or bait using a single point hook measuring not more than 1/2 inch from point to shank.

(2) Effective September 16, 1991, until further notice, it is unlawful to fish for or possess salmon taken for personal use from the waters of the Skokomish River.

REPEALER

The following sections of the Washington Administrative Code are repealed effective 12:01 a.m. July 8, 1991:

WAC 220-56-19000G SALTWATER SEASONS AND BAG LIMITS. (91-46)

WAC 220-57-43000C SKOKOMISH RIVER. (91-46)

**WSR 91-14-119
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Filed July 3, 1991, 4:46 p.m.]

Original Notice.

Title of Rule: Chapter 388-62 WAC, Repatriated United States citizens—Assistance.

Purpose: To bring chapter 388-62 WAC up-to-date by removing obsolete language and incorporating sections to improve readability; and to specify current eligibility requirements and program standards.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Remove obsolete language and incorporate sections for readability. Specify conditions of eligibility and define eligible persons; and specify allowable benefits and current standards.

Reasons Supporting Proposal: This rule amendment is necessary to bring chapter 388-62 WAC into compliance with 45 CFR, Sections 211 and 212.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Doug Sevin, Income Assistance, 753-0478.

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

Rule is necessary because of federal law, 45 CFR Sections 211 and 212 Transmittal # FSA-AT-90-1.

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 6, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 6, 1991.

Date of Intended Adoption: August 20, 1991.

July 3, 1991
Dewey Brock
for Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 546, filed 3/31/71, effective 5/1/71)

WAC 388-62-020 (~~(REPATRIATED)~~) UNITED STATES (~~(CITIZENS)~~) (U.S.) REPATRIATES—PROGRAM OBJECTIVES. The purpose of this program is to (~~(help needy U.S.)~~) assist eligible U.S. citizens (~~(and)~~) or their dependents returned or brought to the U.S. from foreign countries (~~(for the period necessary and to enable them to utilize other resources for maintenance as soon as possible. A person is needy who does not have sufficient resources immediately available to meet his requirements for living)~~) to resettle in the U.S. The intent is to provide temporary assistance, as described in this chapter, to eligible repatriates only (~~(for a limited period of time to persons who are without)~~) until other resources become available (~~(resources)~~). (~~(Recipients of temporary assistance, with some exceptions)~~) Repatriates are required to repay the cost of (~~(such)~~) this assistance to the (~~(United States)~~) U.S. Government in accordance with their ability.

NEW SECTION

WAC 388-62-025 UNITED STATES (U.S.) REPATRIATES—DEFINITIONS. (1) "Dependent of U.S. citizen," for the purposes of the U.S. Repatriates program, is limited to the following:

- (a) An adult repatriated U.S. citizen's:
 - (i) Spouse;
 - (ii) Unmarried minor children, including adopted and stepchildren;
 - (iii) Unmarried adult children with disabilities when dependency is based on the disability; or
 - (iv) Parents.
 - (b) A minor repatriated U.S. citizen's:
 - (i) Spouse;
 - (ii) Parents or grandparents;
 - (iii) Minor siblings.
 - (c) The U.S. citizen's repatriated spouse's:
 - (i) Parents; or
 - (ii) Minor siblings.
- (2) "Repatriate" means the U.S. citizen or the dependent of a U.S. citizen who is without available resources and is returned or brought back from a foreign country to the U.S. because of:
- (a) Destitution of the U.S. citizen; or
 - (b) Illness of the U.S. citizen or the dependent of a U.S. citizen; or
 - (c) War, threat of war, invasion, or similar crisis.

AMENDATORY SECTION (Amending Order 969, filed 9/13/74)

WAC 388-62-035 (~~(REPATRIATED)~~) UNITED STATES (~~(CITIZENS)~~) (U.S.) REPATRIATES—DEPARTMENT RESPONSIBILITIES. (1) (~~(Persons returning from foreign countries because of destitution or illness are likely to have urgent needs and hence it is essential that needed services are rendered as quickly as possible.~~)

(2) The (~~(local office is responsible for developing)~~) department shall assess the needs of repatriates and develop a plan (~~(with relatives, the person and dependents who return, and with social agencies)~~) for the repatriate's reception and resettlement. (~~(In carrying out the plan, the local office provides transportation, financial assistance, medical care and hospitalization, and social service for adults and unaccompanied children as needed)~~) Effective assessment and planning may require that the department consult with relatives, other supportive persons, or social service agencies. (~~(It may be necessary to)~~) The department may perform any or all of the following activities (~~(in carrying out)~~) as part of this responsibility:

- (a) Conduct a social study, before or after the repatriate returns to this country, regarding:
 - (i) Problems induced or aggravated by physical or mental illness;
 - (ii) Possibilities of employment(;;);
 - (iii) The willingness and ability of relatives or other supportive persons to assist the (~~(individual, and)~~) repatriate;
 - (iv) Other resources available for self-support(;;); or

(v) If ~~((it appears that there may be need for))~~ assistance may be needed indefinitely ~~((the possibility of))~~, obtaining assistance in the state of ~~((residence or elsewhere))~~ final destination.

(b) Meet the ~~((returning person and dependents))~~ repatriate or repatriates at the port of entry ~~((and help them with problems aggravated or induced by illness, and to develop resources available for self-support, or, if it appears they may be in need indefinitely, the possibility of obtaining assistance in the state of residence or elsewhere.))~~;

(c) Arrange for the repatriate's transportation from the port of entry to ~~((place of residence or other))~~ final destination~~(s);~~ if, after social study, this is in the best interests of the ~~((individual))~~ repatriate;

(d) Refer ~~((persons))~~ repatriates to available employment, retraining, vocational rehabilitation, ~~((and))~~ or medical services~~(-);~~;

(e) Assure safeguards for ~~((children))~~ repatriated minors not under the immediate care and protection of ~~((their parents))~~ a parent or grandparent. ~~((Agency))~~ Department responsibility for unaccompanied ~~((minor children should))~~ minors shall not end until adequate legal protection is established~~(-);~~ and

(f) Inform all persons requesting repatriation assistance ~~((of the provisions governing repayment))~~ that they must agree to repay to the ~~((United States of))~~ U.S. Government the cost of such assistance ~~((and make recommendations to USDHEW as to their financial ability to repay)).~~

(2) For mentally ill repatriates, the department shall provide related hospitalization and other medical assistance, including involuntary treatment in a mental health hospital, as necessary.

AMENDATORY SECTION (Amending Order 1082, filed 12/24/75)

WAC 388-62-070 ~~((REPATRIATED))~~ UNITED STATES ~~((CITIZENS))~~ (U.S. REPATRIATES—ELIGIBILITY. (1) To ~~((qualify))~~ be eligible for ~~((help from))~~ assistance under the U.S. Repatriates program, ~~((an individual must be))~~ a person shall:

(a) ~~((A U.S. citizen or a dependent of a U.S. citizen returning from a foreign country.))~~ Meet the definition of repatriate under WAC 388-62-025; and

(b) Be identified by the U.S. Department of State (U.S. State Department) as returned or brought from a foreign country to the U.S. because of destitution, ~~((or))~~ illness ~~((other than mental illness)), war, or similar crisis; and~~

(c) Be without available resources ~~((immediately accessible to meet his needs)).~~

(2) ~~((Within the above identified coverage are U.S. citizens and their dependents who have returned from Cuba on or after September 1, 1960))~~ In case of war or similar crisis, a person shall be eligible for assistance under the U.S. Repatriates program if the U.S. State Department determines that such crisis is the general cause for the return of a U.S. citizen or dependent from a particular foreign country to the U.S. The person shall provide sufficient evidence that they were either:

(a) Brought by special airlift from that foreign country; or

(b) Returned from that foreign country by means other than special airlift after the U.S. State Department had made such determination.

(3) ~~((Except in the case of U.S. citizens who have returned from Cuba, the need for financial assistance and medical care is the only factor of eligibility to be determined by the ESSO. The fact that an individual may have resources in a foreign country does not make him ineligible if the foreign country prohibits their removal.))~~

(4) Temporary Assistance under ~~((this))~~ the U.S. Repatriates program ~~((is))~~ shall be limited to the first ~~((90))~~ ninety days from the date of the repatriate's arrival ~~((of the person))~~ in the ~~((United States))~~ U.S. ~~((If a person is handicapped in attaining))~~ The department may extend repatriate assistance an additional nine months upon prior approval by the Administration for Children and Families. Approval is based on the repatriate being unable to attain self-support or self-care ~~((due to))~~ for reasons such as age, disability, or lack of vocational preparation ~~((or similar reasons, an extension beyond the above limit may be requested from the Secretary of USDHEW)).~~

(4) The department shall immediately terminate a repatriate's assistance under the U.S. Repatriates program upon the repatriate's receipt of financial benefits under either the Aid to Families with Dependent Children (AFDC) or Supplemental Security Income (SSI) programs.

AMENDATORY SECTION (Amending Order 969, filed 9/13/74)

WAC 388-62-075 ~~((REPATRIATED))~~ UNITED STATES ~~((CITIZENS))~~ (U.S. REPATRIATES—STANDARDS OF ASSISTANCE. (1) Temporary assistance ~~((as used herein means money~~

payments)) under the U.S. Repatriates program means the department shall provide the repatriate cash assistance at the port of entry, medical care, temporary ~~((billeting))~~ lodging and meals, transportation to reach final destination, ~~((and other goods and services necessary for the health or welfare of individuals including guidance, counseling, and other welfare))~~ or subsistence and resettlement expenses. The department shall provide a repatriate with social services as needed.

(2) The repatriate's subsistence and resettlement expenses for the first month shall not exceed five hundred and sixty dollars per person. Assistance provided to ~~((adult))~~ repatriates after the first month shall be based upon ~~((supplemental security income standards, including the state supplement.))~~ the department's standards for the ~~((aid to families with dependent children or))~~ AFDC program as appropriate for ~~((foster care shall be used in determining the amount of financial assistance needed for families, with such adaptation as may be necessary due to the composition of the family, and without the use of the maximum cost standards for requirements.))~~

(2) In determining the amount necessary for current and continuing self-support, consideration shall be given to the requirements of dependents, mortgage payments on real property occupied by the recipient as his home, for life insurance premiums, and for payments on obligations including medical bills) the number of eligible repatriates.

(3) Depending ~~((upon the circumstances relating to repatriation))~~ on particular resettlement needs, the department may grant assistance ~~((may be granted))~~ to ~~((individuals and families))~~ repatriates:

(a) In their own homes ~~((or))~~;

(b) For their maintenance in congregate facilities~~(-and))~~; or

(c) For board and room in hotels or private homes. ~~((Provision may also be made for~~

~~((a))~~ (4) Transportation to reach final destination shall mean travel costs for repatriates to return to:

(a) Their place of residence~~(-to their))~~;

(b) The residence of a relative~~((s));~~ or ~~((to a))~~

(c) Other place where ~~((they))~~ the repatriates can ~~((be resettled))~~ reside. The department shall use the least costly and most direct means of transportation ~~((should be used))~~ unless effective service ~~((to the individual))~~ calls for ~~((providing))~~ other accommodations. Transportation ~~((also))~~ of repatriates shall include~~((s))~~ related travel expenses, such as meals and lodging enroute and assistance with ~~((truggage))~~ checking, storage, or transportation of personal effects or luggage. The department may also provide the repatriate with sufficient funds for meals and lodging to cover the time period until the repatriate can contact the state or local public assistance agency at their final destination.

(5) The department shall allow repatriates other subsistence and resettlement expenses including:

(a) Communication by phone or telegraph to contact relatives, friends, or former employers to obtain access to resources for self-support;

(b) The cost of a special diet recommended by a physician;

(c) Purchase of restaurant meals;

(d) Housing arrangements to provide adequate accommodations, including housing or utility deposits; and

(e) Essential items of clothing ~~((for an initial supply and for the maintenance and replacement of such supply (f))).~~

(6) The department shall provide a repatriate with medical and hospital care ~~((which))~~ that a physician considers necessary ~~((because of the condition of))~~ to stabilize or protect the ~~((individual's))~~ repatriate's physical or mental health. ~~((Ordinarily, medical or hospital care at))~~ When this state is the repatriate's port of entry ~~((is intended for))~~ and their final destination is in another state, the department shall only provide medical treatment of acute illness which prevents ~~((the individual))~~ repatriates from traveling to ~~((his))~~ their final destination where ~~((he would be able to))~~ the repatriate can obtain more complete care ~~((-see WAC 388-83-045)).~~

~~((g))~~ Communication by phone or telegraph to contact relatives, friends, or former employers to obtain access to resources for self-support.

(4) If it appears that a person may need financial assistance for maintenance after he reaches his destination, the local office, in addition to supplying transportation from the port of entry, may also provide sufficient funds for maintenance until he can contact the state-local agency on arrival at his destination. If foster care is required, standards for that program are used.

(5) Within 60 days after arrival in the United States, all persons who are 65 years of age, blind or disabled, shall be referred to the Social Security administration to apply for supplemental security income

benefits. Assistance from the repatriate program shall be terminated immediately upon determination of eligibility for supplemental security income benefits:)

AMENDATORY SECTION (Amending Order 546, filed 3/31/71, effective 5/1/71)

WAC 388-62-080 ((~~REPATRIATED~~)) UNITED STATES ((~~CITIZENS~~)) (U.S.) ~~REPATRIATES—RESOURCES.~~ (1) ((~~The resources considered in an emergency~~)) To determine eligibility for the U.S. Repatriates program, the department shall ((~~be~~)) only consider those resources immediately ((~~accessible for use~~)) available to the repatriate at the time financial assistance is needed. A resource((s)) may be considered ((~~to be~~)) immediately ((~~accessible~~)) available when ((~~they are in existence~~)) the:

- (a) Value of the resource is ascertainable((~~they are~~));
- (b) Resource is under the control of the ((~~individual~~)) repatriate; and ((~~he~~))
- (c) Repatriate can draw upon ((~~them~~)) the resource for maintenance.

(2) ((~~An individual may have resources through the company which employed him prior to repatriation. This company or former employer may assist their employee by financing transportation costs, living expenses, medical care, etc. Eligibility for benefits and assistance under established income maintenance programs should be considered a resource and help in securing such resources should be provided as soon as possible~~)) Within sixty days after the repatriate's arrival in the U.S., the department shall refer all repatriates who are sixty-five years of age or older, blind, or disabled to the Social Security Administration to apply for SSI benefits.

AMENDATORY SECTION (Amending Order 546, filed 3/31/71, effective 5/1/71)

WAC 388-62-095 ((~~REPATRIATED~~)) UNITED STATES ((~~CITIZENS~~)) (U.S.) ~~REPATRIATES—ASSISTANCE PAYMENTS—TYPES OF GRANTS.~~ The department's assistance ((~~is~~)) shall be granted in cash, voucher, or ((~~in-kind~~)) warrant to the ((~~recipient~~)) repatriate or in ((~~his~~)) the repatriate's behalf. ((~~It may be more convenient to grant assistance in kind at the port of entry and for transportation to the place of residence or resettlement. Cash assistance when needed temporarily in the place of residence or resettlement may be more appropriate. If there is no adult to whom a money payment can be made, or when congregate or other group care is purchased, payment can be made to vendors~~))

AMENDATORY SECTION (Amending Order 969, filed 9/13/74)

WAC 388-62-135 ((~~REPATRIATED~~)) UNITED STATES ((~~CITIZENS~~)) (U.S.) ~~REPATRIATES—CARE AND PROTECTION OF CHILDREN.~~ ((~~Services should be provided~~)) The department shall provide services for the care and protection of ((~~children, including care of children in foster homes or institutions~~)) unattended repatriate minors. The department shall provide social services or ((~~arrangements~~)) arrange for placement of the repatriate minor in facilities that supplement or substitute for parental care and supervision ((~~shall be made available~~)), as needed, through the child welfare services program. Such services and assistance shall conform to the department's standards for foster home, receiving home, or institutional care. The department shall observe recognized child welfare practices ((~~shall be observed~~)) in protecting ((~~the welfare of~~)) an unaccompanied repatriate minor ((~~child~~)).

AMENDATORY SECTION (Amending Order 969, filed 9/13/74)

WAC 388-62-190 ((~~REPATRIATED~~)) UNITED STATES ((~~CITIZENS~~)) (U.S.) ~~REPATRIATES—SAFEGUARDING INFORMATION.~~ (1) The department shall limit use of information obtained about ((~~persons who receive temporary assistance under this program must be limited to the purpose for which information was received~~)) repatriates to the provision of services under or administration of the U.S. Repatriates program. ((~~This limitation applies to~~)) Except as noted in subsection (2) of this section, the department shall not disclose the following:

- (a) ((~~Information about~~)) Names and addresses of repatriates including lists((~~;~~)) or passenger manifests; or
- (b) Personal information identifying the repatriate, their circumstances or physical or mental health as furnished on applications, reports of investigations, medical reports, ((~~correspondence, and~~)) or any

other department records ((~~concerning the condition or circumstances of any person from whom or about whom information is obtained, whether recorded or not recorded~~)) in any form.

(2) ((~~Local office evaluations of~~)) The department may release personal information ((~~may be released~~)) to another agency from whom the ((~~applicant~~)) repatriate has requested services ((~~and whose~~)) when the objective is the protection or advancement of ((~~his~~)) the repatriate's welfare. The ((~~basis for this~~)) department shall base disclosure ((~~is that the~~)) on:

- (a) A request ((~~constitutes an actual or implied consent for~~)) to the department by the repatriate; or
- (b) Receipt of release of relevant information ((~~to such~~)) from the other agency ((~~and a recognition that the release is to secure services for his benefit~~)) which specifies disclosure of the information will not be made by the other agency.

the other agency.
((~~3~~)) Disclosure should be made only to representatives of other agencies which can give assurance that

- (a) The confidential character of such information will be preserved;
- (b) The information will be used only for the purposes for which it is made available, and for the functioning of the inquiring agency; and
- (c) The standards of protection of the inquiring agency are equal to those of the department as to staff use of information and protective office equipment and procedures. This does not preclude disclosure upon proper inquiry of information about the presence of an eligible person in a hospital, or about his general condition and progress.

(4) Inspection of lists or rolls of persons furnished assistance under this program and publication of their names if prohibited:))

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

AMENDATORY SECTION (Amending Order 969, filed 9/13/74)

WAC 388-62-200 ((~~REPATRIATED~~)) UNITED STATES ((~~CITIZENS~~)) (U.S.) ~~REPATRIATES—REIMBURSEMENT AND ASSIGNMENT OF CLAIMS.~~ (1) The ((~~local office~~)) department function with respect to repayment ((~~is~~)) shall be to:

- (a) Explain to ((~~an applicant~~)) the repatriate that ((~~repayment is expected of persons with sufficient financial ability~~)) assistance received under the U.S. Repatriate program is a loan which the repatriate is expected to repay;
- (b) Obtain a signed statement that the repatriate understands the repayment requirement and agrees to make repayment;
- (c) Determine ((~~his~~)) the repatriate's ability to repay((~~;~~));
- (d) Develop a plan of repayment when possible, and
- (e) Recommend whether repayment is indicated));
- (d) Assist the repatriate in developing a repayment plan; or
- (e) Document reasons why repatriate is unable to make repayment; and
- (f) Advise the repatriate repayment shall be made to the U.S. Department of Health and Human Services (HHS).

(2) The ((~~kind and value of resources available to the individual or family and the obligations which must be met from these resources in the future must be explored. When possible, this evaluation should be made at the time assistance is approved for the individual~~))

(3) The department's rules and procedures for determining eligibility and need for federal aid are to be applied in this exploration, subject to the following:

- (a) Ability)) department shall consider the repatriate able to repay ((~~is considered to exist~~)) assistance when income or resources in excess of continuing needs ((~~can be expected to~~)) will become ((~~readily~~)) available ((~~to an individual~~)) within a reasonable period of time after ((~~self-support is attained~~)) resettlement. The department shall use one year ((~~may be used~~)) as a maximum in determining a reasonable period of time((~~It is not intended that an individual, in repaying the federal government, deplete himself of resources which he needs to become independent or to maintain his independence. Resources are considered readily available when they are under control of the individual and are sufficient both for this maintenance and for repayment~~)).

(b) Real and personal property may be considered according to the department's rules as to kind and method of determining the value. Resources intended for a future contingency, such as life insurance, ordinarily would not be considered readily available for repayment.

(c) In exploring an individual's resources, any claim he has against any person, trust or estate, partnership, corporation, or government in

a foreign country shall be considered. Such claims may be assigned to the United States according to section 1113 of the Social Security act in making repayment of assistance. Assignment of such claim to the United States shall be required if no other resource in excess of that necessary for maintenance is available to an individual for repayment of assistance. Assignments are governed by the law of the state in which the assignment is executed.

(d) Assistance of less than fifty dollars is impracticable for collection. Repayment ordinarily will not be sought for assistance to cover incidental small expenses, such as overnight accommodations and meals in the course of reception, if no other assistance is furnished)) for the repatriate to make repayment.

(3) If the department determines the repatriate is able to repay repatriation assistance provided, the department shall:

(a) Notify the repatriate of this determination; and

(b) Assist the repatriate in developing a repayment plan.

(4) ((As soon as an individual is found financially able to repay he shall be informed of the determination and the basis for it, and to discuss his plans for repayment.

(5) On termination of assistance, the USDHEW will notify the individual of the amount paid to him or in his behalf from information furnished by the department and will request repayment. Repayment should be made by personal check, cashier's check, or money order, payable (and sent directly) to the USDHEW, Washington, D.C., with sufficient identifying information to credit the payment properly. Checks made payable to the department of social and health services should be endorsed to the USDHEW)) When repatriation is terminated, the department shall inform the repatriate:

(a) Of the total amount of repatriation assistance paid to the repatriate or in the repatriate's behalf; and

(b) That the repatriate must remain in contact with HHS until repayment is complete or waived by HHS.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 388-62-050 Persons served.
- WAC 388-62-100 Payments of assistance—Grants.
- WAC 388-62-115 Repatriated united states citizens—Duration of assistance.
- WAC 388-62-130 Repatriated united states citizens—Welfare services.
- WAC 388-62-155 Repatriated united states citizens—Food stamps.
- WAC 388-62-160 Repatriated united states citizens—Work incentive program.
- WAC 388-62-165 Repatriated united states citizens—Funeral-Burial expenses.
- WAC 388-62-170 Repatriated united states citizens—Related social services.

WSR 91-14-120

PROPOSED RULES

DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Public Assistance)

[Filed July 3, 1991, 4:48 p.m.]

Original Notice.

Title of Rule: WAC 388-49-500 Income—Deductions.

Purpose: To incorporate 7 CFR 273.10 (d)(1)(ii).

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: Specifies that someone outside of a food stamp household must provide dependent care services in order for the household to claim such costs.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dan Ohlson, Income Assistance, 753-6745.

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

Rule is necessary because of federal law, 7 CFR 273.10 (d)(1)(ii).

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 6, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 6, 1991.

Date of Intended Adoption: August 20, 1991.

July 3, 1991

Dewey Brock
for Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 3099, filed 11/20/90, effective 12/21/90)

WAC 388-49-500 INCOME—DEDUCTIONS. (1) The department shall allow the following deductions when computing net income:

(a) A standard deduction of one hundred sixteen dollars per household per month;

(b) An earned income deduction of twenty percent of gross earned income except as provided in WAC 388-49-640(8);

(c) A dependent care deduction ((of the)), limited to actual ((amount)) incurred costs per dependent not to exceed one hundred sixty dollars per dependent, when:

(i) The care is necessary for a Food Stamp household member to ((+)) seek, accept, or continue employment((:)) or ((+)) attend training or education preparatory to employment((:)); and

(ii) Someone outside the Food Stamp household provides the service; and

(iii) The Food Stamp household incurs out-of-pocket expenses for the service.

(d) A deduction for nonreimbursable monthly medical expenses over thirty-five dollars incurred by an elderly or disabled household member;

(e) Shelter costs in excess of fifty percent of the household's income after deducting the standard, earned income, medical, and dependent care deductions. The shelter deduction shall not exceed one hundred eighty-six dollars; and

(f) An excess shelter deduction for the monthly amount exceeding fifty percent of the household's monthly income after all applicable deductions for households containing an elderly or disabled person.

(2) A household's shelter costs may include:

(a) Costs for a home not occupied because of employment, training away from the home, illness, or abandonment caused by casualty loss or natural disaster shall be allowed if the:

(i) Household intends to return to the home;

(ii) Current occupants, if any, are not claiming shelter costs for food stamp purposes; and

(iii) Home is not being leased or rented during the household's absence.

(b) Charges for the repair of the home substantially damaged or destroyed due to a natural disaster;

(c) The standard utility allowance when a household incurs any separate utility charges for heating or cooling costs. A household may incur a separate utility charge when the household:

- (i) Has not yet received a billing for utilities; or
- (ii) Is billed monthly by the landlord for actual usage as determined through individual metering; or
- (iii) Shares residence and utility costs with other persons, in which case the deduction is for the household's prorated share of the standard allowance.
- (d) Actual utility costs rather than the standard utility allowance if the household is:
 - (i) Not entitled to the standard utility allowance; or
 - (ii) Requesting use of actual utility bills. A monthly telephone standard shall be allowed for households incurring telephone expenses if the household is not entitled to claim the standard utility allowance.
- (3) A household may switch between actual utility costs and the standard utility allowance:
 - (a) At each recertification; and
 - (b) One additional time during each twelve-month period following the initial certification action.
- (4) The department shall provide excess medical or shelter deductions effective with supplemental security income (SSI) eligibility when households:
 - (a) Become categorically eligible within the time limits specified under WAC 388-49-120 and 388-49-150 after a food stamp application;
 - (b) Receive food stamps as a nonassistance household until becoming categorically eligible; or
 - (c) Become categorically eligible after denial of nonassistance food stamps.
- (5) The department shall not provide a deduction for that portion of a deductible expense, described under this section, paid by an excluded:
 - (a) Reimbursement; or
 - (b) Vendor payment, except for Low Income Home Energy Assistance Act (LIHEAA) payments.
- (6) The department shall verify:
 - (a) Dependent care costs including changes, except in prospective budgeting; and
 - (b) Medical expenses and the reimbursement amounts resulting in a deduction:
 - (i) At recertification, if the amount has changed more than twenty-five dollars; and
 - (ii) On a monthly basis for a household subject to monthly reporting.
- (7) If medical reimbursement cannot be verified, the department shall certify the household without allowing the deduction, except in prospective budgeting.

WSR 91-14-121
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed July 3, 1991, 4:51 p.m.]

Original Notice.

Title of Rule: WAC 388-14-030 Confidentiality.

Purpose: The amendments will provide procedures for the address disclosure hearings authorized by RCW 26.23.120.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: The amended rule brings the hearing authorized by RCW 26.23.120 under the provisions of the APA; clarifies the parties status and rights to participate in the hearing; sets the burden of proof; and establishes telephone hearing procedures for the protection of the physical custodian.

Reasons Supporting Proposal: This rule amendment is necessary to clarify the nature of the hearing authorized by RCW 26.23.120.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bill Kellington, Support Enforcement, 586-3426.

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

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

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 6, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 6, 1991.

Date of Intended Adoption: August 20, 1991.

July 3, 1991

Dewey Brock

for Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 2738, filed 12/14/88)

WAC 388-14-030 CONFIDENTIALITY. (1) Under RCW 26.23.120, all information and records, concerning persons who owe a support obligation or for whom the office provides support enforcement services, are private and confidential. The office shall disclose information and records only as follows:

- (a) The office shall disclose information and records only to:
 - (i) A person(s) or ((entities)) entity listed and for the specific purpose or purposes stated in federal law;
 - (ii) The person who is the subject of the information or records, unless the information or records ((is)) are exempt under RCW 42.17.310;
 - (iii) Local, state, and federal government agencies for support enforcement and related purposes;
 - (iv) A party to a judicial proceeding or a hearing under chapter ~~((34.04))~~ 34.05 RCW, if the presiding officer enters an order to disclose. The order shall be based ~~((upon)) on~~ a written finding that the need for the information outweighs any reason for maintaining privacy and confidentiality;
 - (v) ~~((Parties))~~ A party under contract, if disclosure will allow ~~((them)) the party~~ to assist in the program's management or operation ~~((of the program))~~;
 - (vi) ~~((To))~~ A person(s) or ((entities)) entity when necessary to the administration of the program or the performance of functions and duties ~~((as set forth))~~ in state and federal law. The office may publish information about a responsible parent~~((s))~~ for locate and enforcement purposes;
 - (vii) A person(s), representative~~((s))~~, or ~~((entities))~~ entity if the person who is the subject of the information and records consents, in writing, to disclosure;
 - (viii) The office of administrative hearings or the office of appeals for administration of the hearing process under chapter ~~((34.04))~~ 34.05 RCW: Provided however, that the ~~((office of hearings))~~ presiding officer or review judge shall not include the address of the physical custodian in an administrative ~~((support))~~ order, or disclose the physical custodian's address to the responsible parent~~((except as provided in subsection (1)(a)(iv) of this section))~~. ~~((The))~~ A support order shall state that the address is known by the Washington state support registry and inform the parties they may obtain the address by submitting a request for disclosure to the office of support enforcement (OSE) under this section.
 - (b) The last known address of, or employment information about, a party to a court or administrative order for, or a proceeding involving,

child support may be given to another party to the order. This information may only be used to establish, enforce, or modify a support order. Disclosure of this information is subject to other limitations listed in this section;

(c) The last known address of natural or adoptive children may be given to a parent ~~(, who has)~~ having a court order granting ~~((him or her))~~ that parent visitation rights with, legal custody of or residential time with ~~((their))~~ the parent's natural or adoptive children. This information may only be used to enforce the terms of the court order;

(d) The social security number ~~((or numbers))~~ of ~~((the))~~ a dependent child ~~((or children))~~ may be disclosed to the absent parent to enable the parent to claim the dependency exemption ~~((or exemptions))~~ as authorized by the Internal Revenue Service.

(2) The rules and procedures ~~((set forth))~~ in chapter 388-320 WAC, relating to the process for requesting and disclosing information and records, ~~((are applicable))~~ apply to requests for disclosure under this section.

(3) The office shall take timely action on requests for disclosure. The office shall respond in writing within ten working days of receipt of the request, unless the request is for disclosure of the address of the physical custodian or the dependent children. The office shall respond to a request ~~((s))~~ for ~~((addresses))~~ an address within ten working days of the date the thirty-day notice period, provided for in subsection (5) of this section, expires, unless the physical custodian requests an adjudicative proceeding to contest the address release.

(4) The following provisions apply to a request ~~((s))~~ for disclosure of ~~((the address of))~~ the physical custodian's or a dependent ~~((children))~~ child's address under subsection (1)(b) and (c) of this section:

(a) The office shall not release the address if:

(i) The department has determined, under WAC 388-24-111, that the physical custodian has good cause for refusing to cooperate;

(ii) The order, ~~((upon))~~ on which the request is based, restricts or limits a requesting party's right to contact or visit the other party or the ~~((children))~~ child by imposing conditions to protect the physical custodian or the ~~((children))~~ child from harm.

(b) A person ~~((s))~~ shall submit a request ~~((s))~~ for disclosure in writing and in person, with satisfactory evidence of identity, at any OSE office ~~((of the office of support enforcement));~~

(c) If the request is made by the person's attorney, the office shall waive the provisions regarding submission in person with satisfactory evidence of identity;

(d) If the person resides outside the state of Washington, the office shall waive the provision requiring submission in person if the person submits a notarized request for disclosure and complies with the requirements of subsection (4)(e) of this section;

(e) The requester shall attach the following to a request for disclosure of an address:

(i) A copy of the superior court ~~((or administrative))~~ order ~~((upon))~~ on which the request is based. The office shall waive this provision if the office has a true copy of the order on file;

(ii) A sworn statement by the individual that the order has not been modified;

(iii) A statement explaining the purpose of the request and how the information will be used.

(5) Prior to disclosing ~~((the address of))~~ the physical custodian's or ~~((children))~~ a child's address, the office shall mail a notice to the last known address of the physical custodian, except as provided in subsection ~~((6))~~ (7) of this section. The notice shall advise the physical custodian that:

(a) A request for disclosure has been made; ~~((and))~~

(b) The office will disclose the address, to a person under subsections (1)(b) and (c) of this section, after thirty days from the date of the notice, unless:

(i) The office receives a copy of a court order which:

~~((7))~~ (A) Enjoins disclosure of the address; or

~~((8))~~ (B) Restricts the requesting party's right to contact or visit the other party or ~~((the children))~~ a child by imposing conditions to protect the physical custodian or the ~~((children))~~ child from harm, including, but not limited to, temporary orders for protection under chapter 26.50 RCW; or

(ii) The physical custodian requests an adjudicative proceeding which ultimately results in a decision that release of the address is reasonably anticipated to result in harm to the physical custodian or a dependent child.

(c) If the physical custodian requests an adjudicative proceeding to contest the address release, the physical custodian may participate in

the proceeding by telephone, from any pre-arranged location. The location and phone number shall not be disclosed by the presiding officer.

(6) In any adjudicative proceeding requested under subsection (5)(b)(ii) of this section:

(a) The responsible parent may participate as an independent party in the adjudicative proceeding;

(b) The physical custodian may participate by telephone, provided the physical custodian:

(i) States in the request for the adjudicative proceeding that participation will be by telephone; and

(ii) Provides the office of appeals or the office of administrative hearings with a telephone number where the physical custodian can be reached for the hearing, at least five calendar days before the scheduled hearing.

(c) The presiding officer shall not disclose the location or phone number from which the physical custodian is appearing;

(d) The initial burden of proof is on the requesting party, to show that the address request is for a purpose for which disclosure is specifically permitted under this section. If the requesting party fails to meet this burden, the presiding officer shall enter an order denying the address request;

(e) If the requesting party establishes that the address was requested for a purpose for which disclosure is permitted, the physical custodian must then show that it is reasonable to anticipate that physical or emotional harm to the physical custodian or a child will result from release of the address:

(i) The physical custodian may demonstrate reasonable anticipation of harm by any form of evidence admissible under chapter 34.05 RCW;

(ii) If the physical custodian is not required to provide corroborative evidence required by WAC 388-24-111(7), to establish a reasonable anticipation of harm.

(f) If either party fails to appear, the presiding officer may enter an order on default:

(i) If the default order is based on the physical custodian's failure to appear, the order shall require OSE to release the physical custodian's address;

(ii) If the default is based on the requesting party's failure to appear, the default order shall deny the request for address information.

(g) The office of administrative hearings shall arrange the attendance of the parties by telephone or other procedure showing due regard for the safety of the physical custodian and the children;

(h) If the physical custodian requests an adjudicative proceeding the office will respond to the disclosure request within ten working days of the exhaustion of administrative remedies.

(7) The office will not mail a notice prior to disclosure:

(a) If the requesting party can show the other party will likely flee and that:

(i) A court of competent jurisdiction of this state or another state has entered an order giving legal and physical custody of ~~((the))~~ a child ~~((or children))~~ whose address is requested to the requesting party; and

(ii) The custody order has not been altered, changed, modified, superseded, or dismissed; and

(iii) ~~((The))~~ A child ~~((or children were))~~ was taken or enticed from the requesting party's physical custody ~~((of the requesting party))~~ without the requesting party's consent; and

(iv) The requesting party has not subsequently assented to being deprived of physical custody of the children; and

(v) The requesting party is making reasonable efforts to regain physical custody of the child ~~((or children));~~ or

(b) When ~~((the))~~ a child ~~((or children are))~~ whose address is requested is receiving foster care services under chapter 74.13 RCW.

~~((7))~~ (8) If ~~((the))~~ a child ~~((or children are))~~ is receiving foster care services, ~~((parties))~~ the party shall contact ~~((their))~~ the party's local community services office for disclosure of that child's address information.

~~((8))~~ (9) The rules of confidentiality and penalties for misuse of information and reports that apply to a department employee ~~((s of the department)),~~ also apply to a person ~~((s))~~ who receives information under this section.

~~((9))~~ (10) Nothing in these rules shall be construed:

(a) To prevent the office from disclosing information and records when such disclosure is necessary to the performance of its duties and functions as provided by state and federal law;

(b) To require the office to disclose information and records obtained from a confidential source.

**WSR 91-14-122
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Filed July 3, 1991, 4:52 p.m.]

Original Notice.

Title of Rule: WAC 388-29-100 Standards of assistance—Basic requirements.

Purpose: The need standards for basic requirements are reviewed/updated annually.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Updates the need and 185 percent need standards effective September 1, 1991.

Reasons Supporting Proposal: This rule amendment is necessary to conform to RCW 74.04.770; and enable field staff to use the correct standards in making benefit payments to clients.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dave Monfort, Income Assistance, 586-4594.

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

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

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 6, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 6, 1991.

Date of Intended Adoption: August 20, 1991.

July 3, 1991
Dewey Brock
for Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 3122, filed 12/28/90, effective 1/28/91)

WAC 388-29-100 STANDARDS OF ASSISTANCE—BASIC REQUIREMENTS. (1) The statewide monthly need standard for basic requirements shall be:

(a) A household with an obligation to pay shelter costs effective ((January 1, 1991)) September 1, 1991.

Treat a household residing in a lower income housing project, assisted under the United States Housing Act of 1937 or Section 236 of the National Housing Act, as a renter if the household member makes a utility payment in lieu of a rental payment.

This need standard includes ((x)) recipients owning, purchasing, or renting their home.

Effective April 23, 1990, this need standard includes a homeless family or person:

- (i) Lacking a fixed, regular, and adequate nighttime residence;
- (ii) Residing in a public or privately operated shelter designed to provide temporary living accommodations; or

(iii) Provided temporary lodging through a public or privately funded emergency shelter program.

| Recipients in Household | Need Standard |
|----------------------------|------------------|
| 1 | \$ ((628)) 648 |
| 2 | ((794)) 820 |
| 3 | ((983)) 1,014 |
| 4 | ((1,157)) 1,194 |
| 5 | ((1,333)) 1,375 |
| 6 | ((1,512)) 1,560 |
| 7 | ((1,747)) 1,802 |
| 8 | ((1,933)) 1,995 |
| 9 | ((2,123)) 2,190 |
| 10 or more | ((2,307)) 2,380 |

(b) A household with shelter provided at no cost effective ((January 1, 1991)) September 1, 1991, except as described under subsection (1)(a) of this section.

The monthly standard for a client((s)) with shelter provided at no cost includes requirements for food, clothing, personal maintenance and necessary incidentals, household maintenance, and transportation.

| Recipients in Household | Need Standard |
|----------------------------|------------------|
| 1 | \$ ((383)) 395 |
| 2 | ((484)) 500 |
| 3 | ((599)) 618 |
| 4 | ((705)) 728 |
| 5 | ((813)) 838 |
| 6 | ((922)) 951 |
| 7 | ((1,065)) 1,099 |
| 8 | ((1,179)) 1,216 |
| 9 | ((1,295)) 1,335 |
| 10 or more | ((1,407)) 1,451 |

(2) One hundred eighty-five percent of the statewide monthly need standard for basic requirements is:

(a) A household with shelter costs effective ((January 1, 1991)) September 1, 1991.

| Recipients in Household | 185% of Need Standard |
|----------------------------|--------------------------|
| 1 | \$ ((1,161)) 1,198 |
| 2 | ((1,468)) 1,517 |
| 3 | ((1,818)) 1,875 |
| 4 | ((2,140)) 2,208 |
| 5 | ((2,466)) 2,543 |
| 6 | ((2,797)) 2,886 |
| 7 | ((3,231)) 3,333 |
| 8 | ((3,576)) 3,690 |
| 9 | ((3,927)) 4,051 |
| 10 or more | ((4,267)) 4,403 |

(b) A household with shelter provided at no cost effective ((January 1, 1991)) September 1, 1991.

| Recipients in Household | 185% of Need Standard |
|----------------------------|--------------------------|
| 1 | \$ ((708)) 730 |
| 2 | ((895)) 925 |
| 3 | ((1,108)) 1,143 |
| 4 | ((1,304)) 1,346 |
| 5 | ((1,504)) 1,550 |
| 6 | ((1,705)) 1,759 |
| 7 | ((1,970)) 2,033 |
| 8 | ((2,181)) 2,249 |
| 9 | ((2,395)) 2,469 |
| 10 or more | ((2,602)) 2,684 |

(3) The statewide monthly payment standard shall be:

(a) Payment standard for a household with an obligation to pay shelter costs effective January 1, 1991.

Treat a household residing in a lower income housing project, assisted under the United States Housing Act of 1937 or Section 236 of the National Housing Act, as a renter if the household member makes a utility payment in lieu of a rental payment.

This payment standard includes ((a)) recipients owning, purchasing, or renting their home.

Effective April 23, 1990, this payment standard includes a homeless family or person:

- (i) Lacking a fixed, regular, and adequate nighttime residence;
- (ii) Residing in a public or privately operated shelter designed to provide temporary living accommodations; or
- (iii) Provided temporary lodging through a public or privately funded emergency shelter program.

| Recipients in Household | Payment Standard |
|-------------------------|------------------|
| 1 | \$ 339 |
| 2 | 428 |
| 3 | 531 |
| 4 | 624 |
| 5 | 719 |
| 6 | 817 |
| 7 | 943 |
| 8 | 1,044 |
| 9 | 1,146 |
| 10 or more | 1,246 |

(b) Payment standard for a household with shelter provided at no cost effective January 1, 1991, except as described under subsection (3)(a) of this section.

The monthly payment standard for a client((s)) with shelter provided at no cost includes requirements for food, clothing, personal maintenance and necessary incidentals, transportation, and household maintenance.

| Recipients in Household | Payment Standard |
|-------------------------|------------------|
| 1 | \$ 206 |
| 2 | 261 |
| 3 | 323 |
| 4 | 380 |
| 5 | 438 |
| 6 | 497 |
| 7 | 574 |
| 8 | 635 |
| 9 | 698 |
| 10 or more | 758 |

WSR 91-14-123
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3200—Filed July 3, 1991, 4:54 p.m., effective July 4, 1991, 12:01 a.m.]

Date of Adoption: July 3, 1991.

Purpose: The amendments will provide procedures for the address disclosure hearings authorized by RCW 26.23.120.

Citation of Existing Rules Affected by this Order: Amending WAC 388-14-030 Confidentiality.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule amendment is necessary to clarify the nature of the hearing authorized by RCW 26.23.120.

Effective Date of Rule: July 4, 1991, 12:01 a.m.

July 3, 1991
 Dewey Brock
 for Rosemary Carr
 Acting Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2738, filed 12/14/88)

WAC 388-14-030 CONFIDENTIALITY. (1) Under RCW 26.23.120, all information and records, concerning persons who owe a support obligation or for whom the office provides support enforcement services, are private and confidential. The office shall disclose information and records only as follows:

(a) The office shall disclose information and records only to:

(i) A person((s)) or ((entities)) entity listed and for the specific purpose or purposes stated in federal law;

(ii) The person who is the subject of the information or records, unless the information or records ((is)) are exempt under RCW 42.17.310;

(iii) Local, state, and federal government agencies for support enforcement and related purposes;

(iv) A party to a judicial proceeding or a hearing under chapter ((34.04)) 34.05 RCW, if the presiding officer enters an order to disclose. The order shall be based ((upon)) on a written finding that the need for the information outweighs any reason for maintaining privacy and confidentiality;

(v) ((Parties)) A party under contract, if disclosure will allow ((them)) the party to assist in the program's management or operation ((of the program));

(vi) ((To)) A person((s)) or ((entities)) entity when necessary to the administration of the program or the performance of functions and duties ((as set forth)) in state and federal law. The office may publish information about a responsible parent((s)) for locate and enforcement purposes;

(vii) A person((s)), representative((s)), or ((entities)) entity if the person who is the subject of the information and records consents, in writing, to disclosure;

(viii) The office of administrative hearings or the office of appeals for administration of the hearing process under chapter ((34.04)) 34.05 RCW: Provided however, that the ((office of hearings)) presiding officer or review judge shall not include the address of the physical custodian in an administrative ((support)) order, or disclose the physical custodian's address to the responsible parent((, except as provided in subsection (1)(a)(iv) of this section)). ((The)) A support order shall state that the address is known by the Washington state support registry and inform the parties they may obtain the address by submitting a request for disclosure to the office of support enforcement (OSE) under this section.

(b) The last known address of, or employment information about, a party to a court or administrative order for, or a proceeding involving, child support may be given to another party to the order. This information may only be used to establish, enforce, or modify a support order. Disclosure of this information is subject to other limitations listed in this section;

(c) The last known address of natural or adoptive children may be given to a parent ~~((, who has))~~ having a court order granting ((him or her)) that parent visitation rights with, legal custody of or residential time with ((their)) the parent's natural or adoptive children. This information may only be used to enforce the terms of the court order.

(d) The social security number ~~((or numbers))~~ of ~~((the))~~ a dependent child ((or children)) may be disclosed to the absent parent to enable the parent to claim the dependency exemption ~~((or exemptions))~~ as authorized by the Internal Revenue Service.

(2) The rules and procedures ~~((set forth))~~ in chapter 388-320 WAC, relating to the process for requesting and disclosing information and records, ~~((are applicable))~~ apply to requests for disclosure under this section.

(3) The office shall take timely action on requests for disclosure. The office shall respond in writing within ten working days of receipt of the request, unless the request is for disclosure of the address of the physical custodian or the dependent children. The office shall respond to a request ~~((s))~~ for ~~((addresses))~~ an address within ten working days of the date the thirty-day notice period, provided for in subsection (5) of this section, expires, unless the physical custodian requests an adjudicative proceeding to contest the address release.

(4) The following provisions apply to a request ~~((s))~~ for disclosure of ~~((the address of))~~ the physical custodian's or a dependent ~~((children))~~ child's address under subsection (1)(b) and (c) of this section:

(a) The office shall not release the address if:

(i) The department has determined, under WAC 388-24-111, that the physical custodian has good cause for refusing to cooperate;

(ii) The order, ~~((upon))~~ on which the request is based, restricts or limits a requesting party's right to contact or visit the other party or the ((children)) child by imposing conditions to protect the physical custodian or the ((children)) child from harm.

(b) A person ~~((s))~~ shall submit a request ~~((s))~~ for disclosure in writing and in person, with satisfactory evidence of identity, at any OSE office ((of the office of support enforcement));

(c) If the request is made by the person's attorney, the office shall waive the provisions regarding submission in person with satisfactory evidence of identity;

(d) If the person resides outside the state of Washington, the office shall waive the provision requiring submission in person if the person submits a notarized request for disclosure and complies with the requirements of subsection (4)(e) of this section;

(e) The requester shall attach the following to a request for disclosure of an address:

(i) A copy of the superior court ~~((or administrative))~~ order ~~((upon))~~ on which the request is based. The office shall waive this provision if the office has a true copy of the order on file;

(ii) A sworn statement by the individual that the order has not been modified;

(iii) A statement explaining the purpose of the request and how the information will be used.

(5) Prior to disclosing ~~((the address of))~~ the physical custodian's or ~~((children))~~ a child's address, the office shall mail a notice to the last known address of the physical custodian, except as provided in subsection ~~((6))~~ (7) of this section. The notice shall advise the physical custodian that:

(a) A request for disclosure has been made; ~~((and))~~

(b) The office will disclose the address, to a person under subsections (1)(b) and (c) of this section, after thirty days from the date of the notice, unless:

(i) The office receives a copy of a court order which:

~~((i))~~ (A) Enjoins disclosure of the address; or

~~((ii))~~ (B) Restricts the requesting party's right to contact or visit the other party or ((the children)) a child by imposing conditions to protect the physical custodian or the ((children)) child from harm, including, but not limited to, temporary orders for protection under chapter 26.50 RCW; or

(ii) The physical custodian requests an adjudicative proceeding which ultimately results in a decision that release of the address is reasonably anticipated to result in harm to the physical custodian or a dependent child.

(c) If the physical custodian requests an adjudicative proceeding to contest the address release, the physical custodian may participate in the proceeding by telephone, from any pre-arranged location. The location and phone number shall not be disclosed by the presiding officer.

(6) In any adjudicative proceeding requested under subsection (5)(b)(ii) of this section:

(a) The responsible parent may participate as an independent party in the adjudicative proceeding;

(b) The physical custodian may participate by telephone, provided the physical custodian:

(i) States in the request for the adjudicative proceeding that participation will be by telephone; and

(ii) Provides the office of appeals or the office of administrative hearings with a telephone number where the physical custodian can be reached for the hearing, at least five calendar days before the scheduled hearing.

(c) The presiding officer shall not disclose the location or phone number from which the physical custodian is appearing;

(d) The initial burden of proof is on the requesting party, to show that the address request is for a purpose for which disclosure is specifically permitted under this section. If the requesting party fails to meet this burden, the presiding officer shall enter an order denying the address request;

(e) If the requesting party establishes that the address was requested for a purpose for which disclosure is permitted, the physical custodian must then show that it is reasonable to anticipate that physical or emotional harm to the physical custodian or a child will result from release of the address:

(i) The physical custodian may demonstrate reasonable anticipation of harm by any form of evidence admissible under chapter 34.05 RCW;

(ii) The physical custodian is not required to provide corroborative evidence required by WAC 388-24-111(7), to establish a reasonable anticipation of harm.

(f) If either party fails to appear, the presiding officer may enter an order on default:

(i) If the default order is based on the physical custodian's failure to appear, the order shall require OSE to release the physical custodian's address;

(ii) If the default is based on the requesting party's failure to appear, the default order shall deny the request for address information.

(g) The office of administrative hearings shall arrange the attendance of the parties by telephone or other procedure showing due regard for the safety of the physical custodian and the children;

(h) If the physical custodian requests an adjudicative proceeding the office will respond to the disclosure request within ten working days of the exhaustion of administrative remedies.

(7) The office will not mail a notice prior to disclosure:

(a) If the requesting party can show the other party will likely flee and that:

(i) A court of competent jurisdiction of this state or another state has entered an order giving legal and physical custody of ~~((the))~~ a child ~~((or children))~~ whose address is requested to the requesting party; and

(ii) The custody order has not been altered, changed, modified, superseded, or dismissed; and

(iii) ~~((The))~~ A child ~~((or children were))~~ was taken or enticed from the requesting party's physical custody ~~((of the requesting party))~~ without the requesting party's consent; and

(iv) The requesting party has not subsequently assented to being deprived of physical custody of the children; and

(v) The requesting party is making reasonable efforts to regain physical custody of the child ~~((or children))~~; or

(b) When ~~((the))~~ a child ~~((or children are))~~ whose address is requested is receiving foster care services under chapter 74.13 RCW.

~~((7))~~ (8) If ~~((the))~~ a child ~~((or children are))~~ is receiving foster care services, ~~((parties))~~ the party shall contact ~~((their))~~ the party's local community services office for disclosure of that child's address information.

~~((8))~~ (9) The rules of confidentiality and penalties for misuse of information and reports that apply to a department employee ~~((s of the department))~~, also apply to a person ~~((s))~~ who receives information under this section.

~~((9))~~ (10) Nothing in these rules shall be construed:

(a) To prevent the office from disclosing information and records when such disclosure is necessary to the performance of its duties and functions as provided by state and federal law;

(b) To require the office to disclose information and records obtained from a confidential source.

WSR 91-14-124

EMERGENCY RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 3201—Filed July 3, 1991, 4:55 p.m., effective August 1, 1991, 12:01 a.m.]

Date of Adoption: July 3, 1991.

Purpose: The need standards for basic requirements are reviewed/updated annually.

Citation of Existing Rules Affected by this Order: Amending WAC 388-29-100 Standards of assistance—Basic requirements.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule amendment is necessary to conform to RCW 74.04.770; and to enable field staff to use the correct standards in making benefit payments to clients.

Effective Date of Rule: August 1, 1991, 12:01 a.m.

July 3, 1991

Dewey Brock

for Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 3122, filed 12/28/90, effective 1/28/91)

WAC 388-29-100 STANDARDS OF ASSISTANCE—BASIC REQUIREMENTS. (1) The statewide monthly need standard for basic requirements shall be:

(a) A household with an obligation to pay shelter costs effective ~~((January 1, 1991))~~ September 1, 1991.

Treat a household residing in a lower income housing project, assisted under the United States Housing Act of 1937 or Section 236 of the National Housing Act, as a renter if the household member makes a utility payment in lieu of a rental payment.

This need standard includes ~~((a))~~ recipients owning, purchasing, or renting their home.

Effective April 23, 1990, this need standard includes a homeless family or person:

(i) Lacking a fixed, regular, and adequate nighttime residence;

(ii) Residing in a public or privately operated shelter designed to provide temporary living accommodations; or

(iii) Provided temporary lodging through a public or privately funded emergency shelter program.

| Recipients in Household | Need Standard |
|----------------------------|---------------------------|
| 1 | \$ ((628)) 648 |
| 2 | ((794)) 820 |

| Recipients in Household | Need Standard |
|-------------------------|-----------------|
| 3 | ((983)) 1,014 |
| 4 | ((1,157)) 1,194 |
| 5 | ((1,333)) 1,375 |
| 6 | ((1,512)) 1,560 |
| 7 | ((1,747)) 1,802 |
| 8 | ((1,933)) 1,995 |
| 9 | ((2,123)) 2,190 |
| 10 or more | ((2,307)) 2,380 |

(b) A household with shelter provided at no cost effective ((January 1, 1991)) September 1, 1991, except as described under subsection (1)(a) of this section.

The monthly standard for a client((s)) with shelter provided at no cost includes requirements for food, clothing, personal maintenance and necessary incidentals, household maintenance, and transportation.

| Recipients in Household | Need Standard |
|-------------------------|-----------------|
| 1 | \$ ((383)) 395 |
| 2 | ((484)) 500 |
| 3 | ((599)) 618 |
| 4 | ((705)) 728 |
| 5 | ((813)) 838 |
| 6 | ((922)) 951 |
| 7 | ((1,065)) 1,099 |
| 8 | ((1,179)) 1,216 |
| 9 | ((1,295)) 1,335 |
| 10 or more | ((1,407)) 1,451 |

(2) One hundred eighty-five percent of the statewide monthly need standard for basic requirements is:

(a) A household with shelter costs effective ((January 1, 1991)) September 1, 1991.

| Recipients in Household | 185% of Need Standard |
|-------------------------|-----------------------|
| 1 | \$ ((1,161)) 1,198 |
| 2 | ((1,468)) 1,517 |
| 3 | ((1,818)) 1,875 |
| 4 | ((2,140)) 2,208 |
| 5 | ((2,466)) 2,543 |
| 6 | ((2,797)) 2,886 |
| 7 | ((3,231)) 3,333 |
| 8 | ((3,576)) 3,690 |
| 9 | ((3,927)) 4,051 |
| 10 or more | ((4,267)) 4,403 |

(b) A household with shelter provided at no cost effective ((January 1, 1991)) September 1, 1991.

| Recipients in Household | 185% of Need Standard |
|-------------------------|-----------------------|
| 1 | \$ ((708)) 730 |
| 2 | ((895)) 925 |
| 3 | ((1,108)) 1,143 |
| 4 | ((1,304)) 1,346 |
| 5 | ((1,504)) 1,550 |
| 6 | ((1,705)) 1,759 |

| Recipients in Household | 185% of Need Standard |
|-------------------------|-----------------------|
| 7 | ((1,970)) 2,033 |
| 8 | ((2,181)) 2,249 |
| 9 | ((2,395)) 2,469 |
| 10 or more | ((2,602)) 2,684 |

(3) The statewide monthly payment standard shall be:

(a) Payment standard for a household with an obligation to pay shelter costs effective January 1, 1991.

Treat a household residing in a lower income housing project, assisted under the United States Housing Act of 1937 or Section 236 of the National Housing Act, as a renter if the household member makes a utility payment in lieu of a rental payment.

This payment standard includes ((a)) recipients owning, purchasing, or renting their home.

Effective April 23, 1990, this payment standard includes a homeless family or person:

(i) Lacking a fixed, regular, and adequate nighttime residence;

(ii) Residing in a public or privately operated shelter designed to provide temporary living accommodations; or

(iii) Provided temporary lodging through a public or privately funded emergency shelter program.

| Recipients in Household | Payment Standard |
|-------------------------|------------------|
| 1 | \$ 339 |
| 2 | 428 |
| 3 | 531 |
| 4 | 624 |
| 5 | 719 |
| 6 | 817 |
| 7 | 943 |
| 8 | 1,044 |
| 9 | 1,146 |
| 10 or more | 1,246 |

(b) Payment standard for a household with shelter provided at no cost effective January 1, 1991, except as described under subsection (3)(a) of this section.

The monthly payment standard for a client((s)) with shelter provided at no cost includes requirements for food, clothing, personal maintenance and necessary incidentals, transportation, and household maintenance.

| Recipients in Household | Payment Standard |
|-------------------------|------------------|
| 1 | \$ 206 |
| 2 | 261 |
| 3 | 323 |
| 4 | 380 |
| 5 | 438 |
| 6 | 497 |
| 7 | 574 |
| 8 | 635 |
| 9 | 698 |
| 10 or more | 758 |

Table of WAC Sections Affected

KEY TO TABLE

Symbols:

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule

Suffixes:

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- S = Supplemental notice
- W = Withdrawal of proposed action
- No suffix means permanent action

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # |
|----------|-----------------|----------|-----------------|-----------|-----------------|
| 1-06-040 | AMD-P 91-06-067 | 1-08-240 | REP-P 91-06-067 | 1-08-490 | REP-P 91-06-067 |
| 1-06-040 | AMD 91-10-010 | 1-08-240 | REP 91-10-010 | 1-08-490 | REP 91-10-010 |
| 1-08-005 | REP-P 91-06-067 | 1-08-250 | REP-P 91-06-067 | 1-08-500 | REP-P 91-06-067 |
| 1-08-005 | REP 91-10-010 | 1-08-250 | REP 91-10-010 | 1-08-500 | REP 91-10-010 |
| 1-08-007 | REP-P 91-06-067 | 1-08-260 | REP-P 91-06-067 | 1-08-510 | REP-P 91-06-067 |
| 1-08-007 | REP 91-10-010 | 1-08-260 | REP 91-10-010 | 1-08-510 | REP 91-10-010 |
| 1-08-010 | REP-P 91-06-067 | 1-08-270 | REP-P 91-06-067 | 1-08-520 | REP-P 91-06-067 |
| 1-08-010 | REP 91-10-010 | 1-08-270 | REP 91-10-010 | 1-08-520 | REP 91-10-010 |
| 1-08-030 | REP-P 91-06-067 | 1-08-280 | REP-P 91-06-067 | 1-08-530 | REP-P 91-06-067 |
| 1-08-030 | REP 91-10-010 | 1-08-280 | REP 91-10-010 | 1-08-530 | REP 91-10-010 |
| 1-08-040 | REP-P 91-06-067 | 1-08-290 | REP-P 91-06-067 | 1-08-540 | REP-P 91-06-067 |
| 1-08-040 | REP 91-10-010 | 1-08-290 | REP 91-10-010 | 1-08-540 | REP 91-10-010 |
| 1-08-050 | REP-P 91-06-067 | 1-08-300 | REP-P 91-06-067 | 1-08-550 | REP-P 91-06-067 |
| 1-08-050 | REP 91-10-010 | 1-08-300 | REP 91-10-010 | 1-08-550 | REP 91-10-010 |
| 1-08-060 | REP-P 91-06-067 | 1-08-310 | REP-P 91-06-067 | 1-08-560 | REP-P 91-06-067 |
| 1-08-060 | REP 91-10-010 | 1-08-310 | REP 91-10-010 | 1-08-560 | REP 91-10-010 |
| 1-08-070 | REP-P 91-06-067 | 1-08-320 | REP-P 91-06-067 | 1-08-570 | REP-P 91-06-067 |
| 1-08-070 | REP 91-10-010 | 1-08-320 | REP 91-10-010 | 1-08-570 | REP 91-10-010 |
| 1-08-080 | REP-P 91-06-067 | 1-08-330 | REP-P 91-06-067 | 1-08-580 | REP-P 91-06-067 |
| 1-08-080 | REP 91-10-010 | 1-08-330 | REP 91-10-010 | 1-08-580 | REP 91-10-010 |
| 1-08-090 | REP-P 91-06-067 | 1-08-340 | REP-P 91-06-067 | 1-08-590 | REP-P 91-06-067 |
| 1-08-090 | REP 91-10-010 | 1-08-340 | REP 91-10-010 | 1-08-590 | REP 91-10-010 |
| 1-08-100 | REP-P 91-06-067 | 1-08-350 | REP-P 91-06-067 | 1-21-040 | PREP 91-12-007 |
| 1-08-100 | REP 91-10-010 | 1-08-350 | REP 91-10-010 | 4-25-190 | AMD-P 91-14-091 |
| 1-08-110 | REP-P 91-06-067 | 1-08-360 | REP-P 91-06-067 | 4-25-190 | AMD-P 91-14-090 |
| 1-08-110 | REP 91-10-010 | 1-08-360 | REP 91-10-010 | 4-25-192 | NEW-P 91-14-090 |
| 1-08-120 | REP-P 91-06-067 | 1-08-370 | REP-P 91-06-067 | 16-22-011 | NEW-P 91-13-106 |
| 1-08-120 | REP 91-10-010 | 1-08-370 | REP 91-10-010 | 16-22-015 | NEW-P 91-13-106 |
| 1-08-130 | REP-P 91-06-067 | 1-08-380 | REP-P 91-06-067 | 16-23-012 | NEW-P 91-13-106 |
| 1-08-130 | REP 91-10-010 | 1-08-380 | REP 91-10-010 | 16-23-014 | NEW-P 91-13-106 |
| 1-08-140 | REP-P 91-06-067 | 1-08-390 | REP-P 91-06-067 | 16-23-014 | NEW-P 91-13-106 |
| 1-08-140 | REP 91-10-010 | 1-08-390 | REP 91-10-010 | 16-80-005 | NEW-P 91-05-076 |
| 1-08-150 | REP-P 91-06-067 | 1-08-400 | REP-P 91-06-067 | 16-80-005 | NEW 91-08-027 |
| 1-08-150 | REP 91-10-010 | 1-08-400 | REP 91-10-010 | 16-80-007 | NEW-P 91-05-076 |
| 1-08-160 | REP-P 91-06-067 | 1-08-410 | REP-P 91-06-067 | 16-80-007 | NEW 91-08-027 |
| 1-08-160 | REP 91-10-010 | 1-08-410 | REP 91-10-010 | 16-80-010 | NEW-P 91-05-076 |
| 1-08-170 | REP-P 91-06-067 | 1-08-420 | REP-P 91-06-067 | 16-80-010 | NEW 91-08-027 |
| 1-08-170 | REP 91-10-010 | 1-08-420 | REP 91-10-010 | 16-80-015 | NEW-P 91-05-076 |
| 1-08-180 | REP-P 91-06-067 | 1-08-430 | REP-P 91-06-067 | 16-80-015 | NEW 91-08-027 |
| 1-08-180 | REP 91-10-010 | 1-08-430 | REP 91-10-010 | 16-80-020 | NEW-P 91-05-076 |
| 1-08-190 | REP-P 91-06-067 | 1-08-440 | REP-P 91-06-067 | 16-80-020 | NEW 91-08-027 |
| 1-08-190 | REP 91-10-010 | 1-08-440 | REP 91-10-010 | 16-80-025 | NEW-P 91-05-076 |
| 1-08-200 | REP-P 91-06-067 | 1-08-450 | REP-P 91-06-067 | 16-80-025 | NEW 91-08-027 |
| 1-08-200 | REP 91-10-010 | 1-08-450 | REP 91-10-010 | 16-80-030 | NEW-P 91-05-076 |
| 1-08-210 | REP-P 91-06-067 | 1-08-460 | REP-P 91-06-067 | 16-80-030 | NEW 91-08-027 |
| 1-08-210 | REP 91-10-010 | 1-08-460 | REP 91-10-010 | 16-80-035 | NEW-P 91-05-076 |
| 1-08-220 | REP-P 91-06-067 | 1-08-470 | REP-P 91-06-067 | 16-80-035 | NEW 91-08-027 |
| 1-08-220 | REP 91-10-010 | 1-08-470 | REP 91-10-010 | 16-80-040 | NEW-P 91-05-076 |
| 1-08-230 | REP-P 91-06-067 | 1-08-480 | REP-P 91-06-067 | 16-80-040 | NEW 91-08-027 |
| 1-08-230 | REP 91-10-010 | 1-08-480 | REP 91-10-010 | 16-80-045 | NEW-P 91-05-076 |
| | | | | 16-80-045 | NEW 91-08-027 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|------------|-------|-----------|------------|-------|-----------|------------|-------|-----------|
| 16-80-047 | NEW-P | 91-05-076 | 16-230-400 | AMD-P | 91-02-106 | 16-231-600 | AMD | 91-06-019 |
| 16-80-047 | NEW | 91-08-027 | 16-230-400 | AMD | 91-06-019 | 16-231-605 | AMD-P | 91-02-106 |
| 16-80-050 | NEW-P | 91-05-076 | 16-230-410 | AMD-P | 91-02-106 | 16-231-605 | AMD | 91-06-019 |
| 16-80-050 | NEW | 91-08-027 | 16-230-410 | AMD | 91-06-019 | 16-231-610 | AMD-P | 91-02-106 |
| 16-122-001 | NEW-P | 91-13-106 | 16-230-440 | AMD-P | 91-02-106 | 16-231-610 | AMD | 91-06-019 |
| 16-124-011 | NEW-P | 91-13-106 | 16-230-440 | AMD | 91-06-019 | 16-231-615 | AMD-P | 91-02-106 |
| 16-126-001 | NEW-P | 91-13-106 | 16-230-450 | AMD-P | 91-02-106 | 16-231-615 | AMD | 91-06-019 |
| 16-146-100 | NEW-P | 91-13-106 | 16-230-450 | AMD | 91-06-019 | 16-231-620 | AMD-P | 91-02-106 |
| 16-146-110 | NEW-P | 91-13-106 | 16-230-460 | AMD-P | 91-02-106 | 16-231-620 | AMD | 91-06-019 |
| 16-154 | AMD-P | 91-05-006 | 16-230-460 | AMD | 91-06-019 | 16-231-700 | AMD-P | 91-02-106 |
| 16-154 | AMD | 91-09-028 | 16-230-470 | AMD-P | 91-02-106 | 16-231-700 | AMD | 91-06-019 |
| 16-154-010 | AMD-P | 91-05-006 | 16-230-470 | AMD | 91-06-019 | 16-231-705 | AMD-P | 91-02-106 |
| 16-154-010 | AMD | 91-09-028 | 16-230-475 | REP-P | 91-02-106 | 16-231-705 | AMD | 91-06-019 |
| 16-154-020 | AMD-P | 91-05-006 | 16-230-475 | REP | 91-06-019 | 16-231-715 | AMD-P | 91-02-106 |
| 16-154-020 | AMD | 91-09-028 | 16-230-605 | AMD-P | 91-02-106 | 16-231-715 | AMD | 91-06-019 |
| 16-154-030 | NEW-P | 91-05-006 | 16-230-605 | AMD | 91-06-019 | 16-231-720 | AMD-P | 91-02-106 |
| 16-154-030 | NEW | 91-09-028 | 16-230-610 | AMD-P | 91-02-106 | 16-231-720 | AMD | 91-06-019 |
| 16-154-040 | NEW-P | 91-05-006 | 16-230-610 | AMD | 91-06-019 | 16-231-800 | AMD-P | 91-02-106 |
| 16-154-040 | NEW | 91-09-028 | 16-230-615 | AMD-P | 91-02-106 | 16-231-800 | AMD | 91-06-019 |
| 16-154-050 | NEW-P | 91-05-006 | 16-230-615 | AMD | 91-06-019 | 16-231-805 | AMD-P | 91-02-106 |
| 16-154-050 | NEW | 91-09-028 | 16-230-625 | AMD-P | 91-02-106 | 16-231-805 | AMD | 91-06-019 |
| 16-154-060 | NEW-P | 91-05-006 | 16-230-625 | AMD | 91-06-019 | 16-231-825 | AMD-P | 91-02-106 |
| 16-154-060 | NEW | 91-09-028 | 16-230-670 | AMD-P | 91-02-106 | 16-231-825 | AMD | 91-06-019 |
| 16-154-070 | NEW-P | 91-05-006 | 16-230-670 | AMD | 91-06-019 | 16-231-840 | AMD-P | 91-02-106 |
| 16-154-070 | NEW | 91-09-028 | 16-230-675 | AMD-P | 91-02-106 | 16-231-840 | AMD | 91-06-019 |
| 16-154-080 | NEW-P | 91-05-006 | 16-230-675 | AMD | 91-06-019 | 16-231-900 | AMD-P | 91-02-106 |
| 16-154-080 | NEW | 91-09-028 | 16-231-001 | AMD-P | 91-02-106 | 16-231-900 | AMD | 91-06-019 |
| 16-154-090 | NEW-P | 91-05-006 | 16-231-001 | AMD | 91-06-019 | 16-231-905 | AMD-P | 91-02-106 |
| 16-154-090 | NEW | 91-09-028 | 16-231-033 | REP-P | 91-02-106 | 16-231-905 | AMD | 91-06-019 |
| 16-154-100 | NEW-P | 91-05-006 | 16-231-033 | REP | 91-06-019 | 16-231-935 | AMD-P | 91-02-106 |
| 16-154-100 | NEW | 91-09-028 | 16-231-100 | AMD-P | 91-02-106 | 16-231-935 | AMD | 91-06-019 |
| 16-154-110 | NEW-P | 91-05-006 | 16-231-100 | AMD | 91-06-019 | 16-231-938 | REP-P | 91-02-106 |
| 16-154-110 | NEW | 91-09-028 | 16-231-148 | REP-P | 91-02-106 | 16-231-938 | REP | 91-06-019 |
| 16-154-120 | NEW-P | 91-05-006 | 16-231-148 | REP | 91-06-019 | 16-231-950 | REP-P | 91-02-106 |
| 16-154-120 | NEW | 91-09-028 | 16-231-200 | AMD-P | 91-02-106 | 16-231-950 | REP | 91-06-019 |
| 16-156-005 | AMD-P | 91-05-006 | 16-231-200 | AMD | 91-06-019 | 16-232-001 | AMD-P | 91-02-106 |
| 16-156-005 | AMD | 91-09-028 | 16-231-205 | AMD-P | 91-02-106 | 16-232-001 | AMD | 91-06-019 |
| 16-156-020 | AMD-P | 91-05-006 | 16-231-205 | AMD | 91-06-019 | 16-232-100 | AMD-P | 91-02-106 |
| 16-156-020 | AMD | 91-09-028 | 16-231-210 | AMD-P | 91-02-106 | 16-232-100 | AMD | 91-06-019 |
| 16-156-035 | AMD-P | 91-05-006 | 16-231-210 | AMD | 91-06-019 | 16-232-105 | AMD-P | 91-02-106 |
| 16-156-035 | AMD | 91-09-028 | 16-231-235 | AMD-P | 91-02-106 | 16-232-105 | AMD | 91-06-019 |
| 16-156-060 | AMD-P | 91-05-006 | 16-231-235 | AMD | 91-06-019 | 16-232-110 | AMD-P | 91-02-106 |
| 16-156-060 | AMD | 91-09-028 | 16-231-238 | REP-P | 91-02-106 | 16-232-110 | AMD | 91-06-019 |
| 16-158-120 | AMD-P | 91-05-006 | 16-231-238 | REP | 91-06-019 | 16-232-120 | AMD-P | 91-02-106 |
| 16-158-120 | AMD | 91-09-028 | 16-231-300 | AMD-P | 91-02-106 | 16-232-120 | AMD | 91-06-019 |
| 16-160-010 | NEW | 91-05-007 | 16-231-300 | AMD | 91-06-019 | 16-232-200 | AMD-P | 91-02-106 |
| 16-160-020 | NEW | 91-05-007 | 16-231-305 | AMD-P | 91-02-106 | 16-232-200 | AMD | 91-06-019 |
| 16-160-030 | NEW | 91-05-007 | 16-231-305 | AMD | 91-06-019 | 16-232-205 | AMD-P | 91-02-106 |
| 16-160-040 | NEW | 91-05-007 | 16-231-310 | AMD-P | 91-02-106 | 16-232-205 | AMD | 91-06-019 |
| 16-160-050 | NEW | 91-05-007 | 16-231-310 | AMD | 91-06-019 | 16-232-220 | AMD-P | 91-02-106 |
| 16-160-060 | NEW | 91-05-007 | 16-231-330 | AMD-P | 91-02-106 | 16-232-220 | AMD | 91-06-019 |
| 16-160-070 | NEW | 91-05-007 | 16-231-330 | AMD | 91-06-019 | 16-232-225 | AMD-P | 91-02-106 |
| 16-160-090 | NEW | 91-05-007 | 16-231-340 | AMD-P | 91-02-106 | 16-232-225 | AMD | 91-06-019 |
| 16-160-100 | NEW | 91-05-007 | 16-231-340 | AMD | 91-06-019 | 16-232-300 | AMD-P | 91-02-106 |
| 16-212-125 | NEW-P | 91-13-106 | 16-231-343 | REP-P | 91-02-106 | 16-232-300 | AMD | 91-06-019 |
| 16-212-126 | NEW-P | 91-13-106 | 16-231-343 | REP | 91-06-019 | 16-232-305 | AMD-P | 91-02-106 |
| 16-212-127 | NEW-P | 91-13-106 | 16-231-400 | AMD-P | 91-02-106 | 16-232-305 | AMD | 91-06-019 |
| 16-212-128 | NEW-P | 91-13-106 | 16-231-400 | AMD | 91-06-019 | 16-232-315 | AMD-P | 91-02-106 |
| 16-228-020 | NEW-P | 91-13-106 | 16-231-405 | AMD-P | 91-02-106 | 16-232-315 | AMD | 91-06-019 |
| 16-228-164 | AMD-P | 91-02-106 | 16-231-405 | AMD | 91-06-019 | 16-232-950 | REP-P | 91-02-106 |
| 16-228-164 | AMD | 91-06-019 | 16-231-410 | AMD-P | 91-02-106 | 16-232-950 | REP | 91-06-019 |
| 16-230-110 | REP-P | 91-02-106 | 16-231-410 | AMD | 91-06-019 | 16-316-280 | AMD-P | 91-04-066 |
| 16-230-110 | REP | 91-06-019 | 16-231-420 | AMD-P | 91-02-106 | 16-316-280 | AMD | 91-08-017 |
| 16-230-115 | REP-P | 91-02-106 | 16-231-420 | AMD | 91-06-019 | 16-316-285 | AMD-P | 91-04-066 |
| 16-230-115 | REP | 91-06-019 | 16-231-425 | AMD-P | 91-02-106 | 16-316-285 | AMD | 91-08-017 |
| 16-230-120 | REP-P | 91-02-106 | 16-231-425 | AMD | 91-06-019 | 16-316-290 | AMD-P | 91-04-066 |
| 16-230-120 | REP | 91-06-019 | 16-231-500 | AMD-P | 91-02-106 | 16-316-290 | AMD | 91-08-017 |
| 16-230-150 | AMD-P | 91-04-078 | 16-231-500 | AMD | 91-06-019 | 16-316-620 | AMD-P | 91-10-082 |
| 16-230-150 | AMD | 91-08-058 | 16-231-505 | AMD-P | 91-02-106 | 16-316-620 | AMD | 91-14-001 |
| 16-230-160 | AMD-P | 91-04-078 | 16-231-505 | AMD | 91-06-019 | 16-316-622 | AMD-P | 91-10-082 |
| 16-230-160 | AMD | 91-08-058 | 16-231-510 | AMD-P | 91-02-106 | 16-316-622 | AMD | 91-14-001 |
| 16-230-170 | AMD-P | 91-04-078 | 16-231-510 | AMD | 91-06-019 | 16-316-715 | AMD-P | 91-10-082 |
| 16-230-170 | AMD | 91-08-058 | 16-231-525 | AMD-P | 91-02-106 | 16-316-715 | AMD | 91-14-001 |
| 16-230-180 | AMD-P | 91-04-078 | 16-231-525 | AMD | 91-06-019 | 16-316-800 | AMD-P | 91-10-082 |
| 16-230-180 | AMD | 91-08-058 | 16-231-530 | AMD-P | 91-02-106 | 16-316-800 | AMD | 91-14-001 |
| 16-230-190 | AMD-P | 91-04-078 | 16-231-530 | AMD | 91-06-019 | 16-316-820 | AMD-P | 91-10-082 |
| 16-230-190 | AMD | 91-08-058 | 16-231-600 | AMD-P | 91-02-106 | 16-316-820 | AMD | 91-14-001 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|------------|-------|-----------|------------|-------|-----------|------------|-------|-----------|
| 16-316-970 | NEW-P | 91-10-082 | 16-482-015 | NEW-P | 91-03-105 | 16-494-013 | NEW-P | 91-04-066 |
| 16-316-970 | NEW | 91-13-087 | 16-482-015 | NEW | 91-07-016 | 16-494-013 | NEW | 91-08-017 |
| 16-316-975 | NEW-P | 91-10-082 | 16-482-016 | NEW-P | 91-03-105 | 16-494-015 | REP-P | 91-04-066 |
| 16-316-975 | NEW | 91-13-087 | 16-482-016 | NEW | 91-07-016 | 16-494-015 | REP | 91-08-017 |
| 16-316-980 | NEW-P | 91-10-082 | 16-482-017 | NEW-P | 91-03-105 | 16-494-020 | AMD-P | 91-04-066 |
| 16-316-980 | NEW | 91-13-087 | 16-482-017 | NEW | 91-07-016 | 16-494-020 | AMD | 91-08-017 |
| 16-316-985 | NEW-P | 91-10-082 | 16-482-020 | AMD-P | 91-03-105 | 16-494-030 | AMD-P | 91-04-066 |
| 16-316-985 | NEW | 91-13-087 | 16-482-020 | AMD | 91-07-016 | 16-494-030 | AMD | 91-08-017 |
| 16-316-990 | NEW-P | 91-10-082 | 16-482-030 | REP-P | 91-03-105 | 16-494-042 | AMD-P | 91-04-066 |
| 16-316-990 | NEW | 91-13-087 | 16-482-030 | REP | 91-07-016 | 16-494-042 | AMD | 91-08-017 |
| 16-316-995 | NEW-P | 91-10-082 | 16-482-040 | REP-P | 91-03-105 | 16-494-043 | NEW-P | 91-04-066 |
| 16-316-995 | NEW | 91-13-087 | 16-482-040 | REP | 91-07-016 | 16-494-043 | NEW | 91-08-017 |
| 16-316-997 | NEW-P | 91-10-082 | 16-483 | PREP | 91-10-013 | 16-494-044 | AMD-P | 91-04-066 |
| 16-316-997 | NEW | 91-13-087 | 16-484-020 | REP-P | 91-07-037 | 16-494-044 | AMD | 91-08-017 |
| 16-324-375 | AMD-P | 91-10-029 | 16-484-020 | REP | 91-11-053 | 16-494-045 | NEW-P | 91-04-066 |
| 16-324-375 | AMD | 91-10-029 | 16-484-022 | REP-P | 91-07-037 | 16-494-045 | NEW | 91-08-017 |
| 16-324-380 | AMD-P | 91-06-061 | 16-484-022 | REP | 91-11-053 | 16-494-046 | NEW-P | 91-04-066 |
| 16-324-380 | AMD | 91-10-029 | 16-484-030 | REP-P | 91-07-037 | 16-494-046 | NEW | 91-08-017 |
| 16-324-605 | AMD-P | 91-06-061 | 16-484-030 | REP | 91-11-053 | 16-494-047 | NEW-P | 91-04-066 |
| 16-324-605 | AMD | 91-10-029 | 16-484-040 | REP-P | 91-07-037 | 16-494-047 | NEW | 91-08-017 |
| 16-333-200 | NEW-P | 91-04-068 | 16-484-040 | REP | 91-11-053 | 16-494-062 | AMD-P | 91-04-066 |
| 16-333-200 | NEW | 91-08-015 | 16-484-050 | REP-P | 91-07-037 | 16-494-062 | AMD | 91-08-017 |
| 16-333-205 | NEW-P | 91-04-068 | 16-484-050 | REP | 91-11-053 | 16-494-063 | NEW-P | 91-04-066 |
| 16-333-205 | NEW | 91-08-015 | 16-484-080 | REP-P | 91-07-037 | 16-494-063 | NEW | 91-08-017 |
| 16-333-210 | NEW-P | 91-04-068 | 16-484-080 | REP | 91-11-053 | 16-494-064 | NEW-P | 91-04-066 |
| 16-333-210 | NEW | 91-08-015 | 16-484-090 | REP-P | 91-07-037 | 16-494-064 | NEW | 91-08-017 |
| 16-333-215 | NEW-P | 91-04-068 | 16-484-090 | REP | 91-11-053 | 16-495-004 | AMD-P | 91-10-082 |
| 16-333-215 | NEW | 91-08-015 | 16-484-100 | REP-P | 91-07-037 | 16-495-004 | AMD | 91-13-087 |
| 16-333-220 | NEW-P | 91-04-068 | 16-484-100 | REP | 91-11-053 | 16-495-010 | AMD-P | 91-10-082 |
| 16-333-220 | NEW | 91-08-015 | 16-484-200 | NEW-E | 91-06-035 | 16-495-010 | AMD | 91-13-087 |
| 16-333-225 | NEW-P | 91-04-068 | 16-484-200 | NEW-P | 91-10-095 | 16-495-020 | AMD-P | 91-10-082 |
| 16-333-225 | NEW | 91-08-015 | 16-484-200 | NEW | 91-13-026 | 16-495-020 | AMD | 91-13-087 |
| 16-333-230 | NEW-P | 91-04-068 | 16-484-205 | NEW-E | 91-06-035 | 16-495-030 | AMD-P | 91-10-082 |
| 16-333-230 | NEW | 91-08-015 | 16-484-205 | NEW-P | 91-10-095 | 16-495-030 | AMD | 91-13-087 |
| 16-333-235 | NEW-P | 91-04-068 | 16-484-205 | NEW | 91-13-026 | 16-495-040 | AMD-P | 91-10-082 |
| 16-333-235 | NEW | 91-08-015 | 16-484-210 | NEW-E | 91-06-035 | 16-495-040 | AMD | 91-13-087 |
| 16-333-240 | NEW-P | 91-04-068 | 16-484-210 | NEW-P | 91-10-095 | 16-495-050 | AMD-P | 91-10-082 |
| 16-333-240 | NEW | 91-08-015 | 16-484-210 | NEW | 91-13-026 | 16-495-050 | AMD | 91-13-087 |
| 16-333-245 | NEW-P | 91-04-068 | 16-484-220 | NEW-E | 91-06-035 | 16-495-060 | AMD-P | 91-10-082 |
| 16-333-245 | NEW | 91-08-015 | 16-484-220 | NEW-P | 91-10-095 | 16-495-060 | AMD | 91-13-087 |
| 16-354-005 | AMD-P | 91-04-067 | 16-484-220 | NEW | 91-13-026 | 16-495-080 | REP-P | 91-10-082 |
| 16-354-005 | AMD | 91-08-016 | 16-484-230 | NEW-E | 91-06-035 | 16-495-080 | REP | 91-13-087 |
| 16-354-010 | AMD-P | 91-04-067 | 16-484-230 | NEW-P | 91-10-095 | 16-495-085 | REP-P | 91-10-082 |
| 16-354-010 | AMD | 91-08-016 | 16-484-230 | NEW | 91-13-026 | 16-495-085 | REP | 91-13-087 |
| 16-354-020 | AMD-P | 91-04-067 | 16-484-240 | NEW-E | 91-06-035 | 16-495-090 | AMD-P | 91-10-082 |
| 16-354-020 | AMD | 91-08-016 | 16-484-240 | NEW-P | 91-10-095 | 16-495-090 | AMD | 91-13-087 |
| 16-354-030 | AMD-P | 91-04-067 | 16-484-240 | NEW | 91-13-026 | 16-495-095 | AMD-P | 91-10-082 |
| 16-354-030 | AMD | 91-08-016 | 16-484-250 | NEW-E | 91-06-035 | 16-495-095 | AMD | 91-13-087 |
| 16-354-040 | AMD-P | 91-04-067 | 16-484-250 | NEW-P | 91-10-095 | 16-495-100 | AMD-P | 91-10-082 |
| 16-354-040 | AMD | 91-08-016 | 16-484-250 | NEW | 91-13-026 | 16-495-100 | AMD | 91-13-087 |
| 16-354-070 | AMD-P | 91-04-067 | 16-484-260 | NEW-E | 91-06-035 | 16-495-105 | AMD-P | 91-10-082 |
| 16-354-070 | AMD | 91-08-016 | 16-484-260 | NEW-P | 91-10-095 | 16-495-105 | AMD | 91-13-087 |
| 16-354-100 | AMD-P | 91-04-067 | 16-484-260 | NEW | 91-13-026 | 16-495-110 | AMD-P | 91-10-082 |
| 16-354-100 | AMD | 91-08-016 | 16-486-001 | REP-P | 91-07-036 | 16-495-110 | AMD | 91-13-087 |
| 16-403-141 | AMD-P | 91-03-093 | 16-486-001 | REP | 91-11-054 | 16-497-001 | AMD-P | 91-04-067 |
| 16-403-141 | AMD-W | 91-07-015 | 16-486-010 | REP-P | 91-07-036 | 16-497-001 | AMD | 91-08-016 |
| 16-470-100 | AMD | 91-03-115 | 16-486-010 | REP | 91-11-054 | 16-497-005 | NEW-P | 91-04-067 |
| 16-471-010 | NEW | 91-03-046 | 16-486-015 | REP-P | 91-07-036 | 16-497-005 | NEW | 91-08-016 |
| 16-471-015 | NEW | 91-03-046 | 16-486-015 | REP | 91-11-054 | 16-497-020 | AMD-P | 91-04-067 |
| 16-471-020 | NEW | 91-03-046 | 16-486-020 | REP-P | 91-07-036 | 16-497-020 | AMD | 91-08-016 |
| 16-471-030 | NEW | 91-03-046 | 16-486-020 | REP | 91-11-054 | 16-497-030 | AMD-P | 91-04-067 |
| 16-471-040 | NEW | 91-03-046 | 16-486-025 | REP-P | 91-07-036 | 16-497-030 | AMD | 91-08-016 |
| 16-471-050 | NEW | 91-03-046 | 16-486-025 | REP | 91-11-054 | 16-497-040 | AMD-P | 91-04-067 |
| 16-471-060 | NEW | 91-03-046 | 16-486-030 | REP-P | 91-07-036 | 16-497-040 | AMD | 91-08-016 |
| 16-471-070 | NEW | 91-03-046 | 16-486-030 | REP | 91-11-054 | 16-497-050 | AMD-P | 91-04-067 |
| 16-471-080 | NEW | 91-03-046 | 16-486-035 | REP-P | 91-07-036 | 16-497-050 | AMD | 91-08-016 |
| 16-481 | PREP | 91-10-013 | 16-486-035 | REP | 91-11-054 | 16-497-060 | AMD-P | 91-04-067 |
| 16-482-001 | AMD-P | 91-03-105 | 16-486-040 | REP-P | 91-07-036 | 16-497-060 | AMD | 91-08-016 |
| 16-482-001 | AMD | 91-07-016 | 16-486-040 | REP | 91-11-054 | 16-528-105 | NEW | 91-05-065 |
| 16-482-005 | NEW-P | 91-03-105 | 16-486-045 | REP-P | 91-07-036 | 16-528-110 | AMD | 91-05-065 |
| 16-482-005 | NEW | 91-07-016 | 16-486-045 | REP | 91-11-054 | 16-528-150 | AMD | 91-05-065 |
| 16-482-006 | NEW-P | 91-03-105 | 16-494-001 | AMD-P | 91-04-066 | 16-528-170 | NEW | 91-05-065 |
| 16-482-006 | NEW | 91-07-016 | 16-494-001 | AMD | 91-08-017 | 16-532-040 | AMD-P | 91-09-057 |
| 16-482-007 | NEW-P | 91-03-105 | 16-494-010 | AMD-P | 91-04-066 | 16-532-040 | AMD-C | 91-14-113 |
| 16-482-007 | NEW | 91-07-016 | 16-494-010 | AMD | 91-08-017 | 16-557-010 | NEW-E | 91-08-021 |
| 16-482-010 | AMD-P | 91-03-105 | 16-494-012 | NEW-P | 91-04-066 | 16-557-010 | NEW | 91-09-003 |
| 16-482-010 | AMD | 91-07-016 | 16-494-012 | NEW | 91-08-017 | 16-557-020 | NEW-E | 91-08-021 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|--------------|-------|-----------|-------------|-------|-----------|-------------|-------|-----------|
| 16-557-020 | NEW | 91-09-003 | 36-12-200 | AMD-P | 91-05-032 | 106-120-024 | AMD | 91-04-054 |
| 16-557-030 | NEW-E | 91-08-021 | 36-12-200 | AMD | 91-11-038 | 106-120-026 | AMD | 91-04-054 |
| 16-557-030 | NEW | 91-09-003 | 36-12-220 | AMD-P | 91-05-032 | 106-120-027 | AMD | 91-04-054 |
| 16-557-040 | NEW-E | 91-08-021 | 36-12-220 | AMD | 91-11-038 | 106-120-028 | AMD | 91-04-054 |
| 16-557-040 | NEW | 91-09-003 | 36-12-230 | REP-P | 91-05-032 | 106-120-033 | AMD | 91-04-054 |
| 16-557-041 | NEW-E | 91-08-021 | 36-12-230 | REP | 91-11-038 | 106-120-131 | AMD | 91-04-054 |
| 16-557-041 | NEW | 91-09-003 | 36-12-240 | AMD-P | 91-05-032 | 106-120-132 | AMD | 91-04-054 |
| 16-557-050 | NEW-E | 91-08-021 | 36-12-240 | AMD | 91-11-038 | 106-120-143 | AMD | 91-04-054 |
| 16-557-050 | NEW | 91-09-003 | 36-12-250 | AMD-P | 91-05-032 | 113-10-010 | DECOD | 91-05-095 |
| 16-557-060 | NEW-E | 91-08-021 | 36-12-250 | AMD | 91-11-038 | 113-10-020 | DECOD | 91-05-095 |
| 16-557-060 | NEW | 91-09-003 | 36-12-260 | AMD-P | 91-05-032 | 113-10-030 | DECOD | 91-05-095 |
| 16-557-070 | NEW-E | 91-08-021 | 36-12-260 | AMD | 91-11-038 | 113-10-040 | DECOD | 91-05-095 |
| 16-557-070 | NEW | 91-09-003 | 36-12-270 | AMD-P | 91-05-032 | 113-10-050 | DECOD | 91-05-095 |
| 16-557-080 | NEW-E | 91-08-021 | 36-12-270 | AMD | 91-11-038 | 113-10-060 | DECOD | 91-05-095 |
| 16-557-080 | NEW | 91-09-003 | 36-12-280 | AMD-P | 91-05-032 | 113-10-070 | DECOD | 91-05-095 |
| 16-560-06001 | AMD-P | 91-13-105 | 36-12-280 | AMD | 91-11-038 | 113-10-090 | DECOD | 91-05-095 |
| 16-603-010 | NEW-P | 91-04-076 | 36-12-290 | AMD-P | 91-05-032 | 113-10-100 | DECOD | 91-05-095 |
| 16-603-010 | NEW-C | 91-09-042 | 36-12-290 | AMD | 91-11-038 | 113-10-110 | DECOD | 91-05-095 |
| 16-603-010 | AMD | 91-13-018 | 36-12-300 | AMD-P | 91-05-032 | 113-12-010 | DECOD | 91-05-095 |
| 16-605A-005 | NEW-P | 91-13-106 | 36-12-300 | AMD | 91-11-038 | 113-12-075 | DECOD | 91-05-095 |
| 16-620-390 | NEW-P | 91-13-106 | 36-12-310 | AMD-P | 91-05-032 | 113-12-080 | DECOD | 91-05-095 |
| 16-674-030 | NEW-P | 91-13-106 | 36-12-310 | AMD | 91-11-038 | 113-12-085 | DECOD | 91-05-095 |
| 16-674-040 | NEW-P | 91-13-106 | 36-12-320 | AMD-P | 91-05-032 | 113-12-087 | DECOD | 91-05-095 |
| 16-674-050 | NEW-P | 91-13-106 | 36-12-320 | AMD | 91-11-038 | 113-12-101 | DECOD | 91-05-095 |
| 16-694-020 | NEW-P | 91-13-106 | 36-12-330 | AMD-P | 91-05-032 | 113-12-101 | REP-P | 91-06-090 |
| 16-694-021 | NEW-P | 91-13-106 | 36-12-330 | AMD | 91-11-038 | 113-12-103 | DECOD | 91-05-095 |
| 16-752-300 | AMD | 91-03-045 | 36-12-340 | AMD-P | 91-05-032 | 113-12-104 | DECOD | 91-05-095 |
| 16-752-305 | AMD | 91-03-045 | 36-12-340 | AMD | 91-11-038 | 113-12-115 | DECOD | 91-05-095 |
| 16-752-310 | RE-AD | 91-03-045 | 36-12-350 | AMD-P | 91-05-032 | 113-12-120 | DECOD | 91-05-095 |
| 16-752-315 | AMD | 91-03-045 | 36-12-350 | AMD | 91-11-038 | 113-12-150 | DECOD | 91-05-095 |
| 16-752-320 | RE-AD | 91-03-045 | 36-12-360 | AMD-P | 91-05-032 | 113-12-165 | DECOD | 91-05-095 |
| 16-752-325 | REP | 91-03-045 | 36-12-360 | AMD | 91-11-038 | 113-12-170 | DECOD | 91-05-095 |
| 16-752-330 | AMD | 91-03-045 | 36-12-365 | NEW-P | 91-05-032 | 113-12-175 | DECOD | 91-05-095 |
| 36-12 | AMD-P | 91-05-032 | 36-12-365 | NEW | 91-11-038 | 113-12-180 | DECOD | 91-05-095 |
| 36-12-010 | AMD | 91-11-038 | 36-12-367 | NEW-P | 91-05-032 | 113-12-190 | DECOD | 91-05-095 |
| 36-12-010 | AMD-P | 91-05-032 | 36-12-367 | NEW | 91-11-038 | 113-12-195 | DECOD | 91-05-095 |
| 36-12-010 | AMD | 91-11-038 | 36-12-370 | AMD-P | 91-05-032 | 113-12-197 | DECOD | 91-05-095 |
| 36-12-011 | AMD-P | 91-05-032 | 36-12-370 | AMD | 91-11-038 | 113-12-200 | DECOD | 91-05-095 |
| 36-12-011 | AMD | 91-11-038 | 36-12-380 | REP-P | 91-05-032 | 113-12-210 | DECOD | 91-05-095 |
| 36-12-020 | AMD-P | 91-05-032 | 36-12-380 | REP | 91-11-038 | 113-12-220 | DECOD | 91-05-095 |
| 36-12-020 | AMD | 91-11-038 | 36-12-385 | NEW-P | 91-05-032 | 113-12-230 | DECOD | 91-05-095 |
| 36-12-030 | AMD-P | 91-05-032 | 36-12-385 | NEW | 91-11-038 | 113-12-300 | DECOD | 91-05-095 |
| 36-12-030 | AMD | 91-11-038 | 36-12-390 | REP-P | 91-05-032 | 113-12-310 | DECOD | 91-05-095 |
| 36-12-040 | AMD-P | 91-05-032 | 36-12-390 | REP | 91-11-038 | 113-12-320 | DECOD | 91-05-095 |
| 36-12-040 | AMD | 91-11-038 | 36-12-400 | AMD-P | 91-05-032 | 113-12-330 | DECOD | 91-05-095 |
| 36-12-050 | AMD-P | 91-05-032 | 36-12-400 | AMD | 91-11-038 | 113-12-340 | DECOD | 91-05-095 |
| 36-12-050 | AMD | 91-11-038 | 36-12-410 | AMD-P | 91-05-032 | 113-12-350 | DECOD | 91-05-095 |
| 36-12-060 | AMD-P | 91-05-032 | 36-12-410 | AMD | 91-11-038 | 114-12-011 | DECOD | 91-05-026 |
| 36-12-060 | AMD | 91-11-038 | 36-12-415 | NEW-P | 91-05-032 | 114-12-021 | DECOD | 91-05-026 |
| 36-12-070 | AMD-P | 91-05-032 | 36-12-415 | NEW | 91-11-038 | 114-12-031 | DECOD | 91-05-026 |
| 36-12-070 | AMD | 91-11-038 | 36-12-420 | REP-P | 91-05-032 | 114-12-041 | DECOD | 91-05-026 |
| 36-12-080 | AMD-P | 91-05-032 | 36-12-420 | REP | 91-11-038 | 114-12-115 | DECOD | 91-05-026 |
| 36-12-080 | AMD | 91-11-038 | 36-12-425 | NEW-P | 91-05-032 | 114-12-126 | DECOD | 91-05-026 |
| 36-12-090 | REP-P | 91-05-032 | 36-12-425 | NEW | 91-11-038 | 114-12-132 | DECOD | 91-05-026 |
| 36-12-090 | REP | 91-11-038 | 36-12-430 | REP-P | 91-05-032 | 114-12-136 | DECOD | 91-05-031 |
| 36-12-100 | AMD-P | 91-05-032 | 36-12-430 | REP | 91-11-038 | 114-12-150 | DECOD | 91-05-026 |
| 36-12-100 | AMD | 91-11-038 | 36-12-435 | NEW-P | 91-05-032 | 114-12-155 | DECOD | 91-05-026 |
| 36-12-110 | AMD-P | 91-05-032 | 36-12-435 | NEW | 91-11-038 | 114-12-164 | DECOD | 91-05-026 |
| 36-12-110 | AMD | 91-11-038 | 36-12-440 | REP-P | 91-05-032 | 114-12-170 | DECOD | 91-05-026 |
| 36-12-120 | AMD-P | 91-05-032 | 36-12-440 | REP | 91-11-038 | 114-12-180 | DECOD | 91-05-026 |
| 36-12-120 | AMD | 91-11-038 | 36-12-445 | NEW-P | 91-05-032 | 114-12-190 | DECOD | 91-05-026 |
| 36-12-120 | AMD-P | 91-11-101 | 36-12-445 | NEW | 91-11-038 | 114-12-190 | DECOD | 91-05-026 |
| 36-12-120 | AMD | 91-14-063 | 36-12-450 | AMD-P | 91-05-032 | 114-12-200 | DECOD | 91-05-026 |
| 36-12-130 | AMD-P | 91-05-032 | 36-12-450 | AMD | 91-11-038 | 131-16-005 | AMD-P | 91-09-036 |
| 36-12-130 | AMD | 91-11-038 | 36-12-460 | REP-P | 91-05-032 | 131-16-005 | AMD-E | 91-12-030 |
| 36-12-150 | AMD-P | 91-05-032 | 36-12-460 | REP | 91-11-038 | 131-16-010 | AMD-P | 91-09-036 |
| 36-12-150 | AMD | 91-11-038 | 36-12-470 | REP-P | 91-05-032 | 131-16-010 | AMD-E | 91-12-030 |
| 36-12-160 | AMD-P | 91-05-032 | 36-12-470 | REP | 91-11-038 | 131-16-010 | AMD | 91-13-048 |
| 36-12-160 | AMD | 91-11-038 | 36-12-480 | REP-P | 91-05-032 | 131-16-011 | AMD-P | 91-09-036 |
| 36-12-170 | AMD-P | 91-05-032 | 36-12-480 | REP | 91-11-038 | 131-16-011 | AMD-E | 91-12-030 |
| 36-12-170 | AMD | 91-11-038 | 51-11-0600 | NEW | 91-06-065 | 131-16-011 | AMD | 91-13-048 |
| 36-12-180 | AMD-P | 91-05-032 | 51-13-502 | AMD-P | 91-07-047 | 131-16-015 | AMD-P | 91-09-036 |
| 36-12-180 | AMD | 91-11-038 | 51-13-502 | AMD | 91-12-045 | 131-16-015 | AMD-E | 91-12-030 |
| 36-12-190 | AMD-P | 91-05-032 | 51-19-470 | NEW-W | 91-06-064 | 131-16-015 | AMD | 91-13-048 |
| 36-12-190 | AMD | 91-11-038 | 106-120-004 | AMD | 91-04-054 | 131-16-020 | REP-E | 91-06-069 |
| 36-12-195 | NEW-P | 91-05-032 | 106-120-005 | AMD | 91-04-054 | 131-16-020 | REP-P | 91-09-036 |
| 36-12-195 | NEW | 91-11-038 | 106-120-023 | AMD | 91-04-054 | 131-16-020 | REP-E | 91-12-030 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # |
|--------------|-------|-----------|-------------|-------|-----------|
| 131-16-020 | REP | 91-13-048 | 132K-16-150 | NEW | 91-09-027 |
| 131-16-021 | NEW-E | 91-06-069 | 132K-16-160 | NEW-E | 91-03-084 |
| 131-16-021 | AMD-E | 91-09-008 | 132K-16-160 | NEW-P | 91-03-150 |
| 131-16-021 | NEW-P | 91-09-036 | 132K-16-160 | NEW | 91-09-027 |
| 131-16-021 | NEW-E | 91-12-030 | 132K-16-170 | NEW-E | 91-03-084 |
| 131-16-021 | NEW | 91-13-048 | 132K-16-170 | NEW-P | 91-03-150 |
| 131-16-030 | REP-P | 91-09-036 | 132K-16-170 | NEW | 91-09-027 |
| 131-16-030 | REP-E | 91-12-030 | 132K-16-180 | NEW-E | 91-03-084 |
| 131-16-030 | REP | 91-13-048 | 132K-16-180 | NEW-P | 91-03-150 |
| 131-16-031 | NEW-P | 91-09-036 | 132K-16-180 | NEW | 91-09-027 |
| 131-16-031 | NEW-E | 91-12-030 | 132K-16-190 | NEW-E | 91-03-084 |
| 131-16-031 | NEW | 91-13-048 | 132K-16-190 | NEW-P | 91-03-150 |
| 131-16-040 | AMD-P | 91-09-036 | 132K-16-190 | NEW | 91-09-027 |
| 131-16-040 | AMD-E | 91-12-030 | 132K-16-200 | NEW-E | 91-03-084 |
| 131-16-040 | AMD | 91-13-048 | 132K-16-200 | NEW-P | 91-03-150 |
| 131-16-050 | AMD-P | 91-09-036 | 132K-16-200 | NEW | 91-09-027 |
| 131-16-050 | AMD-E | 91-12-030 | 132K-16-210 | NEW-E | 91-03-084 |
| 131-16-050 | AMD | 91-13-048 | 132K-16-210 | NEW-P | 91-03-150 |
| 131-16-055 | NEW-P | 91-09-036 | 132K-16-210 | NEW | 91-09-027 |
| 131-16-055 | NEW-E | 91-12-030 | 132K-16-220 | NEW-E | 91-03-084 |
| 131-16-055 | NEW | 91-13-048 | 132K-16-220 | NEW-P | 91-03-150 |
| 131-16-060 | AMD-P | 91-09-036 | 132K-16-220 | NEW | 91-09-027 |
| 131-16-060 | AMD-E | 91-12-030 | 132K-16-230 | NEW-E | 91-03-084 |
| 131-16-060 | AMD | 91-13-048 | 132K-16-230 | NEW-P | 91-03-150 |
| 131-16-061 | AMD-P | 91-09-036 | 132K-16-230 | NEW | 91-09-027 |
| 131-16-061 | AMD-E | 91-12-030 | 132K-16-240 | NEW-E | 91-03-084 |
| 131-16-061 | AMD | 91-13-048 | 132K-16-240 | NEW-P | 91-03-150 |
| 131-16-062 | NEW-P | 91-09-036 | 132K-16-240 | NEW | 91-09-027 |
| 131-16-062 | NEW-E | 91-12-030 | 132K-16-250 | NEW-E | 91-03-084 |
| 131-16-062 | NEW | 91-13-048 | 132K-16-250 | NEW-P | 91-03-150 |
| 131-16-065 | AMD-P | 91-09-036 | 132K-16-250 | NEW | 91-09-027 |
| 131-16-065 | AMD-E | 91-12-030 | 132K-16-260 | NEW-E | 91-03-084 |
| 131-16-065 | AMD | 91-13-048 | 132K-16-260 | NEW-P | 91-03-150 |
| 131-16-066 | AMD-P | 91-09-036 | 132K-16-260 | NEW | 91-09-027 |
| 131-16-066 | AMD-E | 91-12-030 | 132K-16-270 | NEW-E | 91-03-084 |
| 131-16-066 | AMD | 91-13-048 | 132K-16-270 | NEW-P | 91-03-150 |
| 131-16-069 | REP-P | 91-09-036 | 132K-16-270 | NEW | 91-09-027 |
| 131-16-069 | REP-E | 91-12-030 | 132K-16-280 | NEW-E | 91-03-084 |
| 131-16-069 | REP | 91-13-048 | 132K-16-280 | NEW-P | 91-03-150 |
| 131-16-500 | AMD-E | 91-13-001 | 132K-16-280 | NEW | 91-09-027 |
| 131-32-050 | NEW-E | 91-06-075 | 132K-16-290 | NEW-E | 91-03-084 |
| 132B-120-010 | AMD-P | 91-05-033 | 132K-16-290 | NEW-P | 91-03-150 |
| 132B-120-010 | AMD | 91-11-102 | 132K-16-290 | NEW | 91-09-027 |
| 132B-120-045 | NEW-P | 91-05-033 | 132K-16-300 | NEW-E | 91-03-084 |
| 132B-120-045 | NEW | 91-11-102 | 132K-16-300 | NEW-P | 91-03-150 |
| 132B-120-060 | AMD-P | 91-05-033 | 132K-16-300 | NEW | 91-09-027 |
| 132B-120-060 | AMD | 91-11-102 | 132K-16-310 | NEW-E | 91-03-084 |
| 132B-120-090 | AMD-P | 91-05-033 | 132K-16-310 | NEW-P | 91-03-150 |
| 132B-120-090 | AMD | 91-11-102 | 132K-16-310 | NEW | 91-09-027 |
| 132B-120-100 | AMD-P | 91-05-033 | 132K-16-320 | NEW-E | 91-03-084 |
| 132B-120-100 | AMD | 91-11-102 | 132K-16-320 | NEW-P | 91-03-150 |
| 132B-120-120 | AMD-P | 91-05-033 | 132K-16-320 | NEW | 91-09-027 |
| 132B-120-120 | AMD | 91-11-102 | 132K-16-330 | NEW-E | 91-03-084 |
| 132B-120-140 | AMD-P | 91-05-033 | 132K-16-330 | NEW-P | 91-03-150 |
| 132B-120-140 | AMD | 91-11-102 | 132K-16-330 | NEW | 91-09-027 |
| 132B-120-160 | AMD-P | 91-05-033 | 132K-16-340 | NEW-E | 91-03-084 |
| 132B-120-160 | AMD | 91-11-102 | 132K-16-340 | NEW-P | 91-03-150 |
| 132B-120-170 | AMD-P | 91-05-033 | 132K-16-340 | NEW | 91-09-027 |
| 132B-120-170 | AMD | 91-11-102 | 132K-16-350 | NEW-E | 91-03-084 |
| 132B-120-180 | AMD-P | 91-05-033 | 132K-16-350 | NEW-P | 91-03-150 |
| 132B-120-180 | AMD | 91-11-102 | 132K-16-350 | NEW | 91-09-027 |
| 132B-120-190 | AMD-P | 91-05-033 | 132K-16-360 | NEW-E | 91-03-084 |
| 132B-120-190 | AMD | 91-11-102 | 132K-16-360 | NEW-P | 91-03-150 |
| 132K-16-110 | NEW-E | 91-03-084 | 132K-16-360 | NEW | 91-09-027 |
| 132K-16-110 | NEW-P | 91-03-150 | 132K-16-370 | NEW-E | 91-03-084 |
| 132K-16-110 | NEW | 91-09-027 | 132K-16-370 | NEW-P | 91-03-150 |
| 132K-16-120 | NEW-E | 91-03-084 | 132K-16-370 | NEW | 91-09-027 |
| 132K-16-120 | NEW-P | 91-03-150 | 132K-16-380 | NEW-E | 91-03-084 |
| 132K-16-120 | NEW | 91-09-027 | 132K-16-380 | NEW-P | 91-03-150 |
| 132K-16-130 | NEW-E | 91-03-084 | 132K-16-380 | NEW | 91-09-027 |
| 132K-16-130 | NEW-P | 91-03-150 | 132K-16-390 | NEW-E | 91-03-084 |
| 132K-16-130 | NEW | 91-09-027 | 132K-16-390 | NEW-P | 91-03-150 |
| 132K-16-140 | NEW-E | 91-03-084 | 132K-16-390 | NEW | 91-09-027 |
| 132K-16-140 | NEW-P | 91-03-150 | 132K-16-400 | NEW-E | 91-03-084 |
| 132K-16-140 | NEW | 91-09-027 | 132K-16-400 | NEW-P | 91-03-150 |
| 132K-16-150 | NEW-E | 91-03-084 | 132K-16-400 | NEW | 91-09-027 |
| 132K-16-150 | NEW-P | 91-03-150 | 132K-16-410 | NEW-E | 91-03-084 |
| 132K-16-410 | NEW-P | 91-03-150 | | | |
| 132K-16-410 | NEW | 91-09-027 | | | |
| 132K-16-420 | NEW-E | 91-03-084 | | | |
| 132K-16-420 | NEW-P | 91-03-150 | | | |
| 132K-16-420 | NEW | 91-09-027 | | | |
| 132K-16-430 | NEW-E | 91-03-084 | | | |
| 132K-16-430 | NEW-P | 91-03-150 | | | |
| 132K-16-430 | NEW | 91-09-027 | | | |
| 132K-16-440 | NEW-E | 91-03-084 | | | |
| 132K-16-440 | NEW-P | 91-03-150 | | | |
| 132K-16-440 | NEW | 91-09-027 | | | |
| 132K-16-450 | NEW-E | 91-03-084 | | | |
| 132K-16-450 | NEW-P | 91-03-150 | | | |
| 132K-16-450 | NEW | 91-09-027 | | | |
| 132K-16-460 | NEW-E | 91-03-084 | | | |
| 132K-16-460 | NEW-P | 91-03-150 | | | |
| 132K-16-460 | NEW | 91-09-027 | | | |
| 132K-16-470 | NEW-E | 91-03-084 | | | |
| 132K-16-470 | NEW-P | 91-03-150 | | | |
| 132K-16-470 | NEW | 91-09-027 | | | |
| 132K-16-480 | NEW-E | 91-03-084 | | | |
| 132K-16-480 | NEW-P | 91-03-150 | | | |
| 132K-16-480 | NEW | 91-09-027 | | | |
| 132K-16-490 | NEW-E | 91-03-084 | | | |
| 132K-16-490 | NEW-P | 91-03-150 | | | |
| 132K-16-490 | NEW | 91-09-027 | | | |
| 132K-16-500 | NEW-E | 91-03-084 | | | |
| 132K-16-500 | NEW-P | 91-03-150 | | | |
| 132K-16-500 | NEW | 91-09-027 | | | |
| 132K-16-510 | NEW-E | 91-03-084 | | | |
| 132K-16-510 | NEW-P | 91-03-150 | | | |
| 132K-16-510 | NEW | 91-09-027 | | | |
| 132K-16-520 | NEW-E | 91-03-084 | | | |
| 132K-16-520 | NEW-P | 91-03-150 | | | |
| 132K-16-520 | NEW | 91-09-027 | | | |
| 132K-16-530 | NEW-E | 91-03-084 | | | |
| 132K-16-530 | NEW-P | 91-03-150 | | | |
| 132K-16-530 | NEW | 91-09-027 | | | |
| 132K-16-540 | NEW-E | 91-03-084 | | | |
| 132K-16-540 | NEW-P | 91-03-150 | | | |
| 132K-16-540 | NEW | 91-09-027 | | | |
| 132K-16-550 | NEW-E | 91-03-084 | | | |
| 132K-16-550 | NEW-P | 91-03-150 | | | |
| 132K-16-550 | NEW | 91-09-027 | | | |
| 132K-16-560 | NEW-E | 91-03-084 | | | |
| 132K-16-560 | NEW-P | 91-03-150 | | | |
| 132K-16-560 | NEW | 91-09-027 | | | |
| 132Q-03-005 | NEW-P | 91-14-057 | | | |
| 132Q-03-010 | NEW-P | 91-14-057 | | | |
| 132Q-03-020 | NEW-P | 91-14-057 | | | |
| 132Q-03-030 | NEW-P | 91-14-057 | | | |
| 132Q-06-016 | NEW-P | 91-14-060 | | | |
| 132Q-108-010 | NEW-P | 91-14-058 | | | |
| 132Q-108-020 | NEW-P | 91-14-058 | | | |
| 132Q-108-030 | NEW-P | 91-14-058 | | | |
| 132Q-108-040 | NEW-P | 91-14-058 | | | |
| 132Q-108-050 | NEW-P | 91-14-058 | | | |
| 132Q-108-060 | NEW-P | 91-14-058 | | | |
| 132Q-108-070 | NEW-P | 91-14-058 | | | |
| 132Q-108-080 | NEW-P | 91-14-058 | | | |
| 132Q-108-090 | NEW-P | 91-14-058 | | | |
| 132Q-108-100 | NEW-P | 91-14-058 | | | |
| 132Q-135-050 | NEW-P | 91-14-059 | | | |
| 132S-30-036 | AMD-P | 91-02-101 | | | |
| 132S-30-036 | AMD | 91-08-001 | | | |
| 132Y-100-066 | NEW-P | 91-12-016 | | | |
| 132Y-100-072 | AMD-P | 91-12-016 | | | |
| 132Y-100-104 | AMD-P | 91-12-016 | | | |
| 132Y-400-010 | NEW | 91-05-012 | | | |
| 132Y-400-020 | NEW | 91-05-012 | | | |
| 132Y-400-030 | NEW | 91-05-012 | | | |
| 132Y-400-040 | NEW | 91-05-012 | | | |
| 137-12A-010 | AMD | 91-10-018 | | | |
| 137-12A-020 | AMD | 91-10-018 | | | |
| 137-12A-030 | AMD | 91-10-018 | | | |
| 137-12A-050 | AMD | 91-10-018 | | | |
| 137-12A-060 | AMD | 91-10-018 | | | |
| 137-12A-070 | AMD | 91-10-018 | | | |
| 137-12A-090 | AMD | 91-10-018 | | | |
| 139-05-230 | AMD-P | 91-10-089 | | | |
| 139-05-230 | AMD | 91-14-011 | | | |
| 139-10-212 | AMD-P | 91-10-088 | | | |
| 139-10-212 | AMD | 91-14-010 | | | |
| 143-06-130 | AMD-P | 91-04-090 | | | |
| 143-06-130 | AMD | 91-07-033 | | | |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # |
|-------------|-------|-----------|-------------|-------|-----------|
| 154-300-005 | NEW-P | 91-02-098 | 173-181-030 | NEW-P | 91-14-110 |
| 154-300-005 | NEW | 91-05-084 | 173-181-035 | NEW-P | 91-14-110 |
| 154-300-010 | NEW-P | 91-02-098 | 173-181-040 | NEW-P | 91-14-110 |
| 154-300-010 | NEW | 91-05-084 | 173-181-045 | NEW-P | 91-14-110 |
| 154-300-020 | NEW-P | 91-02-098 | 173-181-050 | NEW-P | 91-14-110 |
| 154-300-020 | NEW | 91-05-084 | 173-181-060 | NEW-P | 91-14-110 |
| 154-300-030 | NEW-P | 91-02-098 | 173-181-065 | NEW-P | 91-14-110 |
| 154-300-030 | NEW | 91-05-084 | 173-181-070 | NEW-P | 91-14-110 |
| 154-300-040 | NEW-P | 91-02-098 | 173-181-075 | NEW-P | 91-14-110 |
| 154-300-040 | NEW | 91-05-084 | 173-181-080 | NEW-P | 91-14-110 |
| 154-300-050 | NEW-P | 91-02-098 | 173-181-085 | NEW-P | 91-14-110 |
| 154-300-050 | NEW | 91-05-084 | 173-181-090 | NEW-P | 91-14-110 |
| 154-300-060 | NEW-P | 91-02-098 | 173-181-092 | NEW-P | 91-14-110 |
| 154-300-060 | NEW | 91-05-084 | 173-181-094 | NEW-P | 91-14-110 |
| 154-300-070 | NEW-P | 91-02-098 | 173-181-096 | NEW-P | 91-14-110 |
| 154-300-070 | NEW | 91-05-084 | 173-181-098 | NEW-P | 91-14-110 |
| 154-300-080 | NEW-P | 91-02-098 | 173-201-010 | REP-P | 91-09-056 |
| 154-300-080 | NEW | 91-05-084 | 173-201-010 | REP-W | 91-10-048 |
| 154-300-090 | NEW-P | 91-02-098 | 173-201-010 | REP-P | 91-11-089 |
| 154-300-090 | NEW | 91-05-084 | 173-201-025 | REP-P | 91-09-056 |
| 154-300-100 | NEW-P | 91-02-098 | 173-201-025 | REP-W | 91-10-048 |
| 154-300-100 | NEW | 91-05-084 | 173-201-025 | REP-P | 91-11-089 |
| 154-300-110 | NEW-P | 91-02-098 | 173-201-035 | REP-P | 91-09-056 |
| 154-300-110 | NEW | 91-05-084 | 173-201-035 | REP-W | 91-10-048 |
| 154-300-120 | NEW-P | 91-02-098 | 173-201-035 | REP-P | 91-11-089 |
| 154-300-120 | NEW | 91-05-084 | 173-201-045 | REP-P | 91-09-056 |
| 173-16-064 | NEW-P | 91-04-069 | 173-201-045 | REP-W | 91-10-048 |
| 173-16-064 | NEW-W | 91-05-042 | 173-201-045 | REP-P | 91-11-089 |
| 173-16-064 | NEW | 91-10-033 | 173-201-047 | REP-P | 91-09-056 |
| 173-19-120 | AMD-W | 91-02-112 | 173-201-047 | REP-W | 91-10-048 |
| 173-19-120 | AMD-P | 91-14-054 | 173-201-047 | REP-P | 91-11-089 |
| 173-19-220 | AMD-P | 91-09-054 | 173-201-070 | REP-P | 91-09-056 |
| 173-19-2207 | AMD-P | 91-03-144 | 173-201-070 | REP-W | 91-10-048 |
| 173-19-2207 | AMD | 91-12-053 | 173-201-070 | REP-P | 91-11-089 |
| 173-19-230 | AMD | 91-03-145 | 173-201-080 | REP-P | 91-09-056 |
| 173-19-250 | AMD | 91-03-149 | 173-201-080 | REP-W | 91-10-048 |
| 173-19-2516 | AMD-P | 91-14-053 | 173-201-080 | REP-P | 91-11-089 |
| 173-19-2519 | AMD-W | 91-12-036 | 173-201-085 | REP-P | 91-09-056 |
| 173-19-280 | AMD-P | 91-03-141 | 173-201-085 | REP-W | 91-10-048 |
| 173-19-280 | AMD-W | 91-11-088 | 173-201-085 | REP-P | 91-11-089 |
| 173-19-280 | AMD-P | 91-14-100 | 173-201-090 | REP-P | 91-09-056 |
| 173-19-3203 | AMD | 91-03-147 | 173-201-090 | REP-W | 91-10-048 |
| 173-19-3204 | AMD-P | 91-14-052 | 173-201-090 | REP-P | 91-11-089 |
| 173-19-3205 | AMD | 91-03-146 | 173-201-100 | REP-P | 91-09-056 |
| 173-19-3208 | AMD | 91-03-148 | 173-201-100 | REP-W | 91-10-048 |
| 173-19-3209 | AMD | 91-04-070 | 173-201-100 | REP-P | 91-11-089 |
| 173-19-3210 | AMD | 91-04-071 | 173-201-110 | REP-P | 91-09-056 |
| 173-19-350 | AMD-P | 91-03-143 | 173-201-110 | REP-W | 91-10-048 |
| 173-19-350 | AMD | 91-12-052 | 173-201-110 | REP-P | 91-11-089 |
| 173-19-360 | AMD | 91-04-072 | 173-201-120 | REP-P | 91-09-056 |
| 173-19-360 | AMD-P | 91-05-063 | 173-201-120 | REP-W | 91-10-048 |
| 173-19-360 | AMD-C | 91-06-094 | 173-201-120 | REP-P | 91-11-089 |
| 173-19-360 | AMD | 91-12-054 | 173-203-010 | NEW-P | 91-09-056 |
| 173-19-420 | AMD-P | 91-14-051 | 173-203-010 | NEW-W | 91-10-048 |
| 173-19-4205 | AMD-P | 91-04-079 | 173-203-010 | NEW-P | 91-11-089 |
| 173-19-4205 | AMD | 91-09-055 | 173-203-020 | NEW-P | 91-09-056 |
| 173-160-040 | AMD-E | 91-04-073 | 173-203-020 | NEW-W | 91-10-048 |
| 173-160-040 | AMD-P | 91-12-039 | 173-203-020 | NEW-P | 91-11-089 |
| 173-160-040 | AMD-E | 91-12-041 | 173-203-030 | NEW-P | 91-09-056 |
| 173-166 | AMD-C | 91-02-099 | 173-203-030 | NEW-W | 91-10-048 |
| 173-166 | AMD | 91-03-081 | 173-203-030 | NEW-P | 91-11-089 |
| 173-166-010 | AMD | 91-03-081 | 173-203-040 | NEW-P | 91-09-056 |
| 173-166-020 | AMD | 91-03-081 | 173-203-040 | NEW-W | 91-10-048 |
| 173-166-030 | AMD | 91-03-081 | 173-203-040 | NEW-P | 91-11-089 |
| 173-166-040 | AMD | 91-03-081 | 173-203-050 | NEW-P | 91-09-056 |
| 173-166-050 | AMD | 91-03-081 | 173-203-050 | NEW-W | 91-10-048 |
| 173-166-060 | AMD | 91-03-081 | 173-203-050 | NEW-P | 91-11-089 |
| 173-166-070 | AMD | 91-03-081 | 173-203-060 | NEW-P | 91-09-056 |
| 173-166-080 | NEW | 91-03-081 | 173-203-060 | NEW-W | 91-10-048 |
| 173-166-090 | NEW | 91-03-081 | 173-203-060 | NEW-P | 91-11-089 |
| 173-166-100 | NEW | 91-03-081 | 173-203-070 | NEW-P | 91-09-056 |
| 173-166-110 | NEW | 91-03-081 | 173-203-070 | NEW-W | 91-10-048 |
| 173-166-120 | NEW | 91-03-081 | 173-203-070 | NEW-P | 91-11-089 |
| 173-166-130 | NEW | 91-03-081 | 173-203-080 | NEW-P | 91-09-056 |
| 173-166-140 | NEW | 91-03-081 | 173-203-080 | NEW-W | 91-10-048 |
| 173-181-010 | NEW-P | 91-14-110 | 173-203-080 | NEW-P | 91-11-089 |
| 173-181-020 | NEW-P | 91-14-110 | 173-203-090 | NEW-P | 91-09-056 |
| 173-203-090 | NEW-W | 91-10-048 | 173-203-090 | NEW-P | 91-11-089 |
| 173-203-090 | NEW-P | 91-11-089 | 173-203-100 | NEW-P | 91-09-056 |
| 173-203-100 | NEW-W | 91-10-048 | 173-203-100 | NEW-W | 91-10-048 |
| 173-203-100 | NEW-P | 91-11-089 | 173-203-110 | NEW-P | 91-09-056 |
| 173-203-110 | NEW-W | 91-10-048 | 173-203-110 | NEW-W | 91-10-048 |
| 173-203-120 | NEW-P | 91-09-056 | 173-203-120 | NEW-P | 91-09-056 |
| 173-203-120 | NEW-W | 91-10-048 | 173-203-120 | NEW-W | 91-10-048 |
| 173-203-130 | NEW-P | 91-09-056 | 173-203-130 | NEW-P | 91-09-056 |
| 173-203-130 | NEW-W | 91-10-048 | 173-203-130 | NEW-W | 91-10-048 |
| 173-203-140 | NEW-P | 91-11-089 | 173-203-140 | NEW-P | 91-11-089 |
| 173-203-140 | NEW-W | 91-10-048 | 173-203-140 | NEW-W | 91-10-048 |
| 173-203-150 | NEW-W | 91-10-048 | 173-203-150 | NEW-P | 91-09-056 |
| 173-203-150 | NEW-P | 91-11-089 | 173-203-160 | NEW-P | 91-11-089 |
| 173-203-160 | NEW-P | 91-09-056 | 173-203-160 | NEW-P | 91-11-089 |
| 173-203-160 | NEW-W | 91-10-048 | 173-203-160 | NEW-W | 91-10-048 |
| 173-203-170 | NEW-P | 91-11-089 | 173-203-170 | NEW-P | 91-11-089 |
| 173-203-170 | NEW-W | 91-10-048 | 173-203-170 | NEW-W | 91-10-048 |
| 173-203-180 | NEW-P | 91-09-056 | 173-203-180 | NEW-P | 91-09-056 |
| 173-203-180 | NEW-W | 91-10-048 | 173-203-180 | NEW-W | 91-10-048 |
| 173-204 | NEW-C | 91-03-094 | 173-204 | NEW-C | 91-06-098 |
| 173-204 | NEW-C | 91-06-098 | 173-204-100 | NEW | 91-08-019 |
| 173-204-100 | NEW | 91-08-019 | 173-204-110 | NEW | 91-08-019 |
| 173-204-110 | NEW | 91-08-019 | 173-204-120 | NEW | 91-08-019 |
| 173-204-120 | NEW | 91-08-019 | 173-204-130 | NEW | 91-08-019 |
| 173-204-130 | NEW | 91-08-019 | 173-204-200 | NEW | 91-08-019 |
| 173-204-200 | NEW | 91-08-019 | 173-204-300 | NEW | 91-08-019 |
| 173-204-300 | NEW | 91-08-019 | 173-204-315 | NEW | 91-08-019 |
| 173-204-315 | NEW | 91-08-019 | 173-204-320 | NEW | 91-08-019 |
| 173-204-320 | NEW | 91-08-019 | 173-204-330 | NEW | 91-08-019 |
| 173-204-330 | NEW | 91-08-019 | 173-204-340 | NEW | 91-08-019 |
| 173-204-340 | NEW | 91-08-019 | 173-204-350 | NEW | 91-08-019 |
| 173-204-350 | NEW | 91-08-019 | 173-204-400 | NEW | 91-08-019 |
| 173-204-400 | NEW | 91-08-019 | 173-204-410 | NEW | 91-08-019 |
| 173-204-410 | NEW | 91-08-019 | 173-204-415 | NEW | 91-08-019 |
| 173-204-415 | NEW | 91-08-019 | 173-204-420 | NEW | 91-08-019 |
| 173-204-420 | NEW | 91-08-019 | 173-204-500 | NEW | 91-08-019 |
| 173-204-500 | NEW | 91-08-019 | 173-204-510 | NEW | 91-08-019 |
| 173-204-510 | NEW | 91-08-019 | 173-204-520 | NEW | 91-08-019 |
| 173-204-520 | NEW | 91-08-019 | 173-204-530 | NEW | 91-08-019 |
| 173-204-530 | NEW | 91-08-019 | 173-204-540 | NEW | 91-08-019 |
| 173-204-540 | NEW | 91-08-019 | 173-204-550 | NEW | 91-08-019 |
| 173-204-550 | NEW | 91-08-019 | 173-204-560 | NEW | 91-08-019 |
| 173-204-560 | NEW | 91-08-019 | 173-204-570 | NEW | 91-08-019 |
| 173-204-570 | NEW | 91-08-019 | 173-204-580 | NEW | 91-08-019 |
| 173-204-580 | NEW | 91-08-019 | 173-204-590 | NEW | 91-08-019 |
| 173-204-590 | NEW | 91-08-019 | 173-204-600 | NEW | 91-08-019 |
| 173-204-600 | NEW | 91-08-019 | 173-204-610 | NEW | 91-08-019 |
| 173-204-610 | NEW | 91-08-019 | 173-204-620 | NEW | 91-08-019 |
| 173-204-620 | NEW | 91-08-019 | 173-224-015 | AMD-P | 91-03-080 |
| 173-224-015 | AMD-P | 91-03-080 | 173-224-015 | AMD-W | 91-11-047 |
| 173-224-015 | AMD-W | 91-11-047 | 173-224-030 | AMD-P | 91-03-080 |
| 173-224-030 | AMD-P | 91-03-080 | 173-224-030 | AMD-W | 91-11-047 |
| 173-224-030 | AMD-W | 91-11-047 | 173-224-040 | AMD-P | 91-03-080 |
| 173-224-040 | AMD-P | 91-03-080 | 173-224-040 | AMD-W | 91-11-047 |
| 173-224-040 | AMD-W | 91-11-047 | 173-224-050 | AMD-P | 91-03-080 |
| 173-224-050 | AMD-P | 91-03-080 | 173-224-050 | AMD-W | 91-11-047 |
| 173-224-050 | AMD-W | 91-11-047 | 173-224-090 | AMD-P | 91-03-080 |
| 173-224-090 | AMD-P | 91-03-080 | 173-224-090 | AMD-W | 91-11-047 |
| 173-224-090 | AMD-W | 91-11-047 | 173-230-090 | AMD | 91-13-058 |
| 173-230-090 | AMD | 91-13-058 | 173-270-010 | NEW-P | 91-04-091 |
| 173-270-010 | NEW-P | 91-04-091 | 173-270-010 | NEW | 91-11-091 |
| 173-270-010 | NEW | 91-11-091 | 173-270-020 | NEW-P | 91-04-091 |
| 173-270-020 | NEW-P | 91-04-091 | 173-270-020 | NEW | 91-11-091 |
| 173-270-020 | NEW | 91-11-091 | 173-270-030 | NEW-P | 91-04-091 |
| 173-270-030 | NEW-P | 91-04-091 | 173-270-030 | NEW | 91-11-091 |
| 173-270-030 | NEW | 91-11-091 | | | |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|---------------|-------|-----------|---------------|-------|-----------|-------------|-------|-----------|
| 173-270-040 | NEW-P | 91-04-091 | 173-305-030 | REP-E | 91-03-139 | 173-340-702 | NEW | 91-04-019 |
| 173-270-040 | NEW | 91-11-091 | 173-305-030 | AMD | 91-08-040 | 173-340-704 | NEW | 91-04-019 |
| 173-270-050 | NEW-P | 91-04-091 | 173-305-03001 | NEW-E | 91-03-139 | 173-340-705 | NEW | 91-04-019 |
| 173-270-050 | NEW | 91-11-091 | 173-305-040 | REP-E | 91-03-139 | 173-340-706 | NEW | 91-04-019 |
| 173-270-060 | NEW-P | 91-04-091 | 173-305-040 | AMD | 91-08-040 | 173-340-707 | NEW | 91-04-019 |
| 173-270-060 | NEW | 91-11-091 | 173-305-04001 | NEW-E | 91-03-139 | 173-340-708 | NEW | 91-04-019 |
| 173-270-070 | NEW-P | 91-04-091 | 173-305-050 | REP-E | 91-03-139 | 173-340-710 | NEW | 91-04-019 |
| 173-270-070 | NEW | 91-11-091 | 173-305-050 | AMD | 91-08-040 | 173-340-720 | NEW | 91-04-019 |
| 173-270-080 | NEW-P | 91-04-091 | 173-305-05001 | NEW-E | 91-03-139 | 173-340-730 | NEW | 91-04-019 |
| 173-270-080 | NEW | 91-11-091 | 173-305-060 | REP-E | 91-03-139 | 173-340-740 | NEW | 91-04-019 |
| 173-270-090 | NEW-P | 91-04-091 | 173-305-06001 | NEW-E | 91-03-139 | 173-340-745 | NEW | 91-04-019 |
| 173-270-090 | NEW | 91-11-091 | 173-305-070 | REP-E | 91-03-139 | 173-340-750 | NEW | 91-04-019 |
| 173-270-100 | NEW-P | 91-04-091 | 173-305-07001 | NEW-E | 91-03-139 | 173-340-760 | NEW | 91-04-019 |
| 173-270-100 | NEW | 91-11-091 | 173-305-080 | REP-E | 91-03-139 | 173-340-830 | AMD | 91-04-019 |
| 173-300-070 | AMD-P | 91-09-053 | 173-305-090 | REP-E | 91-03-139 | 173-360-220 | NEW-W | 91-04-022 |
| 173-300-070 | AMD | 91-12-040 | 173-305-110 | NEW | 91-08-040 | 173-360-230 | NEW-W | 91-04-022 |
| 173-303-016 | AMD | 91-07-005 | 173-305-120 | NEW | 91-08-040 | 173-360-620 | NEW-W | 91-04-022 |
| 173-303-017 | AMD | 91-07-005 | 173-305-210 | NEW | 91-08-040 | 173-400-010 | AMD | 91-05-064 |
| 173-303-040 | AMD | 91-07-005 | 173-305-220 | NEW | 91-08-040 | 173-400-020 | AMD | 91-05-064 |
| 173-303-045 | AMD | 91-07-005 | 173-305-230 | NEW | 91-08-040 | 173-400-030 | AMD | 91-05-064 |
| 173-303-070 | AMD | 91-07-005 | 173-305-240 | NEW | 91-08-040 | 173-400-040 | AMD | 91-05-064 |
| 173-303-071 | AMD | 91-07-005 | 173-307-010 | NEW | 91-08-041 | 173-400-050 | AMD | 91-05-064 |
| 173-303-072 | AMD | 91-07-005 | 173-307-010 | AMD-P | 91-14-099 | 173-400-060 | AMD | 91-05-064 |
| 173-303-081 | AMD | 91-07-005 | 173-307-015 | NEW | 91-08-041 | 173-400-070 | AMD | 91-05-064 |
| 173-303-084 | AMD | 91-07-005 | 173-307-015 | AMD-P | 91-14-099 | 173-400-075 | AMD | 91-05-064 |
| 173-303-090 | AMD | 91-07-005 | 173-307-020 | NEW | 91-08-041 | 173-400-100 | AMD | 91-05-064 |
| 173-303-103 | AMD | 91-07-005 | 173-307-020 | AMD-P | 91-14-099 | 173-400-105 | AMD | 91-05-064 |
| 173-303-110 | AMD | 91-07-005 | 173-307-030 | NEW | 91-08-041 | 173-400-110 | AMD | 91-05-064 |
| 173-303-120 | AMD | 91-07-005 | 173-307-030 | AMD-P | 91-14-099 | 173-400-115 | AMD | 91-05-064 |
| 173-303-145 | AMD | 91-07-005 | 173-307-040 | NEW | 91-08-041 | 173-400-120 | AMD | 91-05-064 |
| 173-303-160 | AMD | 91-07-005 | 173-307-040 | AMD-P | 91-14-099 | 173-400-131 | NEW | 91-05-064 |
| 173-303-200 | AMD | 91-07-005 | 173-307-050 | NEW | 91-08-041 | 173-400-136 | NEW | 91-05-064 |
| 173-303-201 | AMD | 91-07-005 | 173-307-060 | NEW | 91-08-041 | 173-400-141 | NEW | 91-05-064 |
| 173-303-210 | AMD | 91-07-005 | 173-307-060 | AMD-P | 91-14-099 | 173-400-151 | NEW | 91-05-064 |
| 173-303-220 | AMD | 91-07-005 | 173-307-070 | NEW | 91-08-041 | 173-400-161 | NEW | 91-05-064 |
| 173-303-230 | AMD | 91-07-005 | 173-307-070 | AMD-P | 91-14-099 | 173-400-171 | NEW | 91-05-064 |
| 173-303-320 | AMD | 91-07-005 | 173-307-080 | NEW | 91-08-041 | 173-400-180 | NEW | 91-05-064 |
| 173-303-360 | AMD | 91-07-005 | 173-307-080 | AMD-P | 91-14-099 | 173-400-190 | NEW | 91-05-064 |
| 173-303-380 | AMD | 91-07-005 | 173-307-090 | NEW | 91-08-041 | 173-400-200 | NEW | 91-05-064 |
| 173-303-390 | AMD | 91-07-005 | 173-307-100 | NEW | 91-08-041 | 173-400-205 | NEW | 91-05-064 |
| 173-303-400 | AMD | 91-07-005 | 173-307-110 | NEW | 91-08-041 | 173-400-210 | NEW | 91-05-064 |
| 173-303-500 | AMD | 91-07-005 | 173-307-120 | NEW | 91-08-041 | 173-400-220 | NEW | 91-05-064 |
| 173-303-510 | RE-AD | 91-07-005 | 173-307-130 | NEW | 91-08-041 | 173-400-230 | NEW | 91-05-064 |
| 173-303-515 | RE-AD | 91-07-005 | 173-307-140 | NEW | 91-08-041 | 173-400-240 | NEW | 91-05-064 |
| 173-303-520 | RE-AD | 91-07-005 | 173-312 | AMD | 91-11-090 | 173-400-250 | NEW | 91-05-064 |
| 173-303-525 | AMD | 91-07-005 | 173-312-010 | AMD | 91-11-090 | 173-400-260 | NEW | 91-05-064 |
| 173-303-550 | AMD | 91-07-005 | 173-312-020 | AMD | 91-11-090 | 173-403-010 | REP | 91-05-064 |
| 173-303-560 | RE-AD | 91-07-005 | 173-312-030 | AMD | 91-11-090 | 173-403-020 | REP | 91-05-064 |
| 173-303-600 | AMD | 91-07-005 | 173-312-040 | AMD | 91-11-090 | 173-403-030 | REP | 91-05-064 |
| 173-303-610 | AMD | 91-07-005 | 173-312-050 | AMD | 91-11-090 | 173-403-050 | REP | 91-05-064 |
| 173-303-620 | AMD | 91-07-005 | 173-312-060 | NEW | 91-11-090 | 173-403-060 | REP | 91-05-064 |
| 173-303-630 | AMD | 91-07-005 | 173-312-070 | NEW | 91-11-090 | 173-403-070 | REP | 91-05-064 |
| 173-303-645 | AMD | 91-07-005 | 173-312-080 | NEW | 91-11-090 | 173-403-075 | REP | 91-05-064 |
| 173-303-650 | RE-AD | 91-07-005 | 173-312-090 | NEW | 91-11-090 | 173-403-080 | REP | 91-05-064 |
| 173-303-680 | NEW | 91-07-005 | 173-312-100 | NEW | 91-11-090 | 173-403-090 | REP | 91-05-064 |
| 173-303-800 | AMD | 91-07-005 | 173-319 | PREP | 91-10-032 | 173-403-100 | REP | 91-05-064 |
| 173-303-802 | AMD | 91-07-005 | 173-331-010 | NEW | 91-05-020 | 173-403-110 | REP | 91-05-064 |
| 173-303-805 | AMD | 91-07-005 | 173-331-100 | NEW | 91-05-020 | 173-403-120 | REP | 91-05-064 |
| 173-303-806 | AMD | 91-07-005 | 173-331-200 | NEW | 91-05-020 | 173-403-130 | REP | 91-05-064 |
| 173-303-807 | AMD | 91-07-005 | 173-331-210 | NEW | 91-05-020 | 173-403-141 | REP | 91-05-064 |
| 173-303-808 | AMD | 91-07-005 | 173-331-220 | NEW | 91-05-020 | 173-403-145 | REP | 91-05-064 |
| 173-303-810 | AMD | 91-07-005 | 173-331-300 | NEW | 91-05-020 | 173-403-150 | REP | 91-05-064 |
| 173-303-830 | AMD | 91-07-005 | 173-331-400 | NEW | 91-05-020 | 173-403-160 | REP | 91-05-064 |
| 173-303-902 | PREP | 91-08-018 | 173-331-410 | NEW | 91-05-020 | 173-403-170 | REP | 91-05-064 |
| 173-303-9903 | AMD | 91-07-005 | 173-331-500 | NEW | 91-05-020 | 173-403-180 | REP | 91-05-064 |
| 173-303-9904 | AMD | 91-07-005 | 173-331-600 | NEW | 91-05-020 | 173-403-190 | REP | 91-05-064 |
| 173-303-9906 | AMD | 91-07-005 | 173-340-120 | AMD | 91-04-019 | 173-405-012 | AMD | 91-05-064 |
| 173-303-9907 | AMD | 91-07-005 | 173-340-200 | AMD | 91-04-019 | 173-405-021 | AMD | 91-05-064 |
| 173-305-010 | REP-E | 91-03-139 | 173-340-210 | AMD | 91-04-019 | 173-405-033 | AMD | 91-05-064 |
| 173-305-010 | AMD | 91-08-040 | 173-340-300 | AMD | 91-04-019 | 173-405-035 | AMD | 91-05-064 |
| 173-305-01001 | NEW-E | 91-03-139 | 173-340-350 | AMD | 91-04-019 | 173-405-040 | AMD | 91-05-064 |
| 173-305-015 | REP-E | 91-03-139 | 173-340-360 | AMD | 91-04-019 | 173-405-041 | REP | 91-05-064 |
| 173-305-015 | AMD | 91-08-040 | 173-340-420 | AMD | 91-04-019 | 173-405-045 | AMD | 91-05-064 |
| 173-305-01501 | NEW-E | 91-03-139 | 173-340-430 | AMD | 91-04-019 | 173-405-061 | AMD | 91-05-064 |
| 173-305-020 | REP-E | 91-03-139 | 173-340-440 | NEW | 91-04-019 | 173-405-072 | AMD | 91-05-064 |
| 173-305-020 | AMD | 91-08-040 | 173-340-450 | NEW | 91-04-019 | 173-405-077 | AMD | 91-05-064 |
| 173-305-02001 | NEW-E | 91-03-139 | 173-340-700 | AMD | 91-04-019 | 173-405-078 | AMD | 91-05-064 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|-------------|-------|-----------|-------------|-------|-----------|------------|-------|-----------|
| 173-405-086 | AMD | 91-05-064 | 173-491-020 | NEW-P | 91-02-107 | 182-18-005 | NEW-P | 91-05-079 |
| 173-405-087 | AMD | 91-05-064 | 173-491-020 | NEW | 91-14-101 | 182-18-010 | NEW-P | 91-05-079 |
| 173-405-091 | AMD | 91-05-064 | 173-491-030 | NEW-P | 91-02-107 | 182-18-020 | NEW-P | 91-05-079 |
| 173-410-012 | AMD | 91-05-064 | 173-491-030 | NEW | 91-14-101 | 182-18-030 | NEW-P | 91-05-079 |
| 173-410-021 | AMD | 91-05-064 | 173-491-040 | NEW-P | 91-02-107 | 182-18-040 | NEW-P | 91-05-079 |
| 173-410-035 | AMD | 91-05-064 | 173-491-040 | NEW | 91-14-101 | 182-18-050 | NEW-P | 91-05-079 |
| 173-410-040 | AMD | 91-05-064 | 173-491-050 | NEW-P | 91-02-107 | 182-18-060 | NEW-P | 91-05-079 |
| 173-410-042 | REP | 91-05-064 | 173-491-050 | NEW | 91-14-101 | 182-18-070 | NEW-P | 91-05-079 |
| 173-410-045 | AMD | 91-05-064 | 173-500-080 | NEW-E | 91-04-080 | 182-18-080 | NEW-P | 91-05-079 |
| 173-410-062 | AMD | 91-05-064 | 173-500-080 | NEW-P | 91-12-038 | 182-18-090 | NEW-P | 91-05-079 |
| 173-410-067 | AMD | 91-05-064 | 173-500-080 | NEW-E | 91-12-042 | 182-18-100 | NEW-P | 91-05-079 |
| 173-410-071 | AMD | 91-05-064 | 173-548-050 | AMD-E | 91-04-073 | 182-18-110 | NEW-P | 91-05-079 |
| 173-410-086 | AMD | 91-05-064 | 173-548-050 | AMD-P | 91-12-039 | 182-18-120 | NEW-P | 91-05-079 |
| 173-410-087 | AMD | 91-05-064 | 173-548-050 | AMD-E | 91-12-041 | 182-18-130 | NEW-P | 91-05-079 |
| 173-410-100 | NEW | 91-05-064 | 180-25-025 | AMD-P | 91-08-070 | 182-18-140 | NEW-P | 91-05-079 |
| 173-415-010 | AMD | 91-05-064 | 180-25-025 | AMD | 91-12-058 | 182-18-150 | NEW-P | 91-05-079 |
| 173-415-020 | AMD | 91-05-064 | 180-26-020 | AMD-P | 91-08-071 | 182-18-160 | NEW-P | 91-05-079 |
| 173-415-030 | AMD | 91-05-064 | 180-26-020 | AMD | 91-12-057 | 192-12-300 | AMD-E | 91-03-054 |
| 173-415-040 | AMD | 91-05-064 | 180-26-060 | AMD-P | 91-08-067 | 192-12-300 | AMD-P | 91-11-051 |
| 173-415-041 | REP | 91-05-064 | 180-26-060 | AMD | 91-12-055 | 192-12-300 | AMD-E | 91-11-052 |
| 173-415-045 | AMD | 91-05-064 | 180-27-018 | AMD-P | 91-08-068 | 192-12-305 | REP-E | 91-03-054 |
| 173-415-050 | AMD | 91-05-064 | 180-27-018 | AMD | 91-12-059 | 192-12-305 | AMD-P | 91-11-051 |
| 173-415-051 | AMD | 91-05-064 | 180-27-032 | NEW-P | 91-08-069 | 192-12-305 | AMD-E | 91-11-052 |
| 173-415-060 | AMD | 91-05-064 | 180-27-032 | NEW | 91-12-056 | 192-12-310 | REP-E | 91-03-054 |
| 173-415-070 | AMD | 91-05-064 | 180-27-058 | AMD-P | 91-08-068 | 192-12-310 | AMD-P | 91-11-051 |
| 173-415-080 | AMD | 91-05-064 | 180-27-058 | AMD | 91-12-059 | 192-12-320 | AMD-E | 91-03-054 |
| 173-433 | AMD | 91-07-066 | 180-27-115 | AMD-P | 91-08-068 | 192-12-320 | AMD-P | 91-11-051 |
| 173-433-030 | AMD | 91-07-066 | 180-27-115 | AMD | 91-12-059 | 192-12-320 | AMD-E | 91-11-052 |
| 173-433-100 | AMD | 91-07-066 | 180-29-107 | AMD-P | 91-08-067 | 192-12-330 | AMD-E | 91-03-054 |
| 173-433-110 | AMD | 91-07-066 | 180-29-107 | AMD | 91-12-055 | 192-12-330 | AMD-P | 91-11-051 |
| 173-433-120 | AMD | 91-07-066 | 180-33-013 | NEW-P | 91-08-070 | 192-12-330 | AMD-E | 91-11-052 |
| 173-433-130 | AMD | 91-07-066 | 180-33-013 | NEW | 91-12-058 | 192-12-370 | NEW-E | 91-03-054 |
| 173-433-140 | NEW | 91-07-066 | 180-33-015 | AMD-P | 91-08-070 | 192-12-370 | NEW-P | 91-11-051 |
| 173-433-150 | AMD | 91-07-066 | 180-33-015 | AMD | 91-12-058 | 192-12-370 | NEW-E | 91-11-052 |
| 173-433-170 | AMD | 91-07-066 | 180-33-020 | AMD-P | 91-08-070 | 192-32-001 | NEW-P | 91-14-115 |
| 173-460-010 | NEW | 91-13-079 | 180-33-020 | AMD | 91-12-058 | 192-32-001 | NEW-E | 91-14-116 |
| 173-460-020 | NEW | 91-13-079 | 180-33-023 | NEW-P | 91-08-070 | 192-32-010 | NEW-P | 91-14-115 |
| 173-460-030 | NEW | 91-13-079 | 180-33-023 | NEW | 91-12-058 | 192-32-010 | NEW-E | 91-14-116 |
| 173-460-040 | NEW | 91-13-079 | 180-33-035 | AMD-P | 91-08-070 | 192-32-015 | NEW-P | 91-14-115 |
| 173-460-050 | NEW | 91-13-079 | 180-33-035 | AMD | 91-12-058 | 192-32-015 | NEW-E | 91-14-116 |
| 173-460-060 | NEW | 91-13-079 | 180-44-050 | AMD-P | 91-05-068 | 192-32-025 | NEW-P | 91-14-115 |
| 173-460-070 | NEW | 91-13-079 | 180-44-050 | AMD | 91-08-055 | 192-32-025 | NEW-E | 91-14-116 |
| 173-460-080 | NEW | 91-13-079 | 180-51-085 | AMD | 91-11-018 | 192-32-035 | NEW-P | 91-14-115 |
| 173-460-090 | NEW | 91-13-079 | 180-55-005 | AMD | 91-04-015 | 192-32-035 | NEW-E | 91-14-116 |
| 173-460-100 | NEW | 91-13-079 | 180-55-015 | AMD | 91-04-015 | 192-32-040 | NEW-P | 91-14-115 |
| 173-460-110 | NEW | 91-13-079 | 180-79-003 | AMD | 91-04-016 | 192-32-040 | NEW-E | 91-14-116 |
| 173-460-120 | NEW | 91-13-079 | 180-79-080 | AMD | 91-04-016 | 192-32-045 | NEW-P | 91-14-115 |
| 173-460-130 | NEW | 91-13-079 | 180-79-230 | AMD | 91-05-056 | 192-32-045 | NEW-E | 91-14-116 |
| 173-460-140 | NEW | 91-13-079 | 180-79-236 | NEW | 91-05-056 | 192-32-050 | NEW-P | 91-14-115 |
| 173-460-150 | NEW | 91-13-079 | 180-79-241 | NEW | 91-05-056 | 192-32-050 | NEW-E | 91-14-116 |
| 173-460-160 | NEW | 91-13-079 | 180-85-005 | AMD | 91-04-016 | 192-32-055 | NEW-P | 91-14-115 |
| 173-490-010 | AMD | 91-05-064 | 180-85-045 | AMD | 91-04-016 | 192-32-055 | NEW-E | 91-14-116 |
| 173-490-020 | AMD | 91-05-064 | 180-86-100 | AMD-P | 91-05-024 | 192-32-065 | NEW-P | 91-14-115 |
| 173-490-025 | AMD | 91-05-064 | 180-86-100 | AMD | 91-08-056 | 192-32-065 | NEW-E | 91-14-116 |
| 173-490-030 | AMD | 91-05-064 | 182-08-111 | REP-P | 91-11-093 | 192-32-075 | NEW-P | 91-14-115 |
| 173-490-040 | AMD | 91-05-064 | 182-08-111 | REP-P | 91-11-094 | 192-32-075 | NEW-E | 91-14-116 |
| 173-490-070 | REP | 91-05-064 | 182-08-220 | AMD-P | 91-11-093 | 192-32-085 | NEW-P | 91-14-115 |
| 173-490-071 | REP | 91-05-064 | 182-12-115 | AMD-P | 91-11-096 | 192-32-085 | NEW-E | 91-14-116 |
| 173-490-080 | AMD | 91-05-064 | 182-12-115 | AMD | 91-14-084 | 192-32-095 | NEW-P | 91-14-115 |
| 173-490-090 | AMD | 91-05-064 | 182-12-127 | REP-P | 91-04-086 | 192-32-095 | NEW-E | 91-14-116 |
| 173-490-120 | REP | 91-05-064 | 182-12-127 | REP | 91-11-010 | 192-32-105 | NEW-P | 91-14-115 |
| 173-490-130 | REP | 91-05-064 | 182-12-130 | AMD-P | 91-11-095 | 192-32-105 | NEW-E | 91-14-116 |
| 173-490-135 | REP | 91-05-064 | 182-12-130 | AMD | 91-14-084 | 192-32-115 | NEW-P | 91-14-115 |
| 173-490-140 | REP | 91-05-064 | 182-12-210 | REP-P | 91-04-086 | 192-32-115 | NEW-E | 91-14-116 |
| 173-490-150 | REP | 91-05-064 | 182-12-210 | REP | 91-11-010 | 196-24-060 | AMD-P | 91-07-064 |
| 173-490-200 | AMD | 91-05-064 | 182-12-215 | NEW-P | 91-04-086 | 196-24-060 | AMD | 91-11-075 |
| 173-490-201 | AMD | 91-05-064 | 182-12-215 | NEW | 91-11-010 | 196-24-095 | AMD-P | 91-05-078 |
| 173-490-202 | AMD | 91-05-064 | 182-16-010 | NEW-P | 91-04-087 | 196-24-095 | AMD-C | 91-06-018 |
| 173-490-203 | AMD | 91-05-064 | 182-16-010 | NEW | 91-14-025 | 196-24-095 | AMD | 91-11-099 |
| 173-490-204 | AMD | 91-05-064 | 182-16-020 | NEW-P | 91-04-087 | 196-24-097 | NEW-P | 91-05-078 |
| 173-490-205 | AMD | 91-05-064 | 182-16-020 | NEW | 91-14-025 | 196-24-097 | NEW-C | 91-06-018 |
| 173-490-207 | AMD | 91-05-064 | 182-16-030 | NEW-P | 91-04-087 | 196-24-097 | NEW-W | 91-11-098 |
| 173-490-208 | AMD | 91-05-064 | 182-16-030 | NEW | 91-14-025 | 196-24-098 | PREP | 91-05-041 |
| 173-491-010 | NEW-P | 91-02-107 | 182-16-040 | NEW-P | 91-04-087 | 196-26-020 | AMD-P | 91-07-065 |
| 173-491-010 | NEW | 91-14-101 | 182-16-040 | NEW | 91-14-025 | 196-26-020 | AMD | 91-10-046 |
| 173-491-015 | NEW-P | 91-02-107 | 182-16-050 | NEW-P | 91-04-087 | 196-26-030 | AMD-P | 91-07-065 |
| 173-491-015 | NEW | 91-14-101 | 182-16-050 | NEW | 91-14-025 | 196-26-030 | AMD | 91-10-046 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|------------|-------|-----------|-------------|-------|-----------|-------------|-------|-----------|
| 204-24-050 | AMD-P | 91-10-053 | 212-55-010 | REP | 91-11-001 | 212-56A-045 | NEW-E | 91-06-021 |
| 204-24-050 | AMD | 91-14-004 | 212-55-015 | REP-P | 91-06-020 | 212-56A-045 | NEW | 91-11-001 |
| 204-53-010 | NEW | 91-05-019 | 212-55-015 | REP-E | 91-06-021 | 212-56A-050 | NEW-P | 91-06-020 |
| 204-88-030 | AMD-P | 91-10-015 | 212-55-015 | REP | 91-11-001 | 212-56A-050 | NEW-E | 91-06-021 |
| 204-88-030 | AMD | 91-14-003 | 212-55-020 | REP-P | 91-06-020 | 212-56A-050 | NEW | 91-11-001 |
| 212-12-010 | AMD-W | 91-05-043 | 212-55-020 | REP-E | 91-06-021 | 212-56A-055 | NEW-P | 91-06-020 |
| 212-54-001 | REP-P | 91-06-020 | 212-55-020 | REP | 91-11-001 | 212-56A-055 | NEW-E | 91-06-021 |
| 212-54-001 | REP-E | 91-06-021 | 212-55-025 | REP-P | 91-06-020 | 212-56A-055 | NEW | 91-11-001 |
| 212-54-001 | REP | 91-11-001 | 212-55-025 | REP-E | 91-06-021 | 212-56A-060 | NEW-P | 91-06-020 |
| 212-54-005 | REP-P | 91-06-020 | 212-55-025 | REP | 91-11-001 | 212-56A-060 | NEW-E | 91-06-021 |
| 212-54-005 | REP-E | 91-06-021 | 212-55-030 | REP-P | 91-06-020 | 212-56A-060 | NEW | 91-11-001 |
| 212-54-005 | REP | 91-11-001 | 212-55-030 | REP-E | 91-06-021 | 212-56A-065 | NEW-P | 91-06-020 |
| 212-54-010 | REP-P | 91-06-020 | 212-55-030 | REP | 91-11-001 | 212-56A-065 | NEW-E | 91-06-021 |
| 212-54-010 | REP-E | 91-06-021 | 212-55-035 | REP-P | 91-06-020 | 212-56A-065 | NEW | 91-11-001 |
| 212-54-010 | REP | 91-11-001 | 212-55-035 | REP-E | 91-06-021 | 212-56A-070 | NEW-P | 91-06-020 |
| 212-54-015 | REP-P | 91-06-020 | 212-55-035 | REP | 91-11-001 | 212-56A-070 | NEW-E | 91-06-021 |
| 212-54-015 | REP-E | 91-06-021 | 212-55-040 | REP-P | 91-06-020 | 212-56A-070 | NEW | 91-11-001 |
| 212-54-015 | REP | 91-11-001 | 212-55-040 | REP-E | 91-06-021 | 212-56A-075 | NEW-P | 91-06-020 |
| 212-54-020 | REP-P | 91-06-020 | 212-55-040 | REP | 91-11-001 | 212-56A-075 | NEW-E | 91-06-021 |
| 212-54-020 | REP-E | 91-06-021 | 212-55-045 | REP-P | 91-06-020 | 212-56A-075 | NEW | 91-11-001 |
| 212-54-020 | REP | 91-11-001 | 212-55-045 | REP-E | 91-06-021 | 212-56A-080 | NEW-P | 91-06-020 |
| 212-54-025 | REP-P | 91-06-020 | 212-55-045 | REP | 91-11-001 | 212-56A-080 | NEW-E | 91-06-021 |
| 212-54-025 | REP-E | 91-06-021 | 212-55-050 | REP-P | 91-06-020 | 212-56A-080 | NEW | 91-11-001 |
| 212-54-025 | REP | 91-11-001 | 212-55-050 | REP-E | 91-06-021 | 212-56A-085 | NEW-P | 91-06-020 |
| 212-54-030 | REP-P | 91-06-020 | 212-55-050 | REP | 91-11-001 | 212-56A-085 | NEW-E | 91-06-021 |
| 212-54-030 | REP-E | 91-06-021 | 212-55-055 | REP-P | 91-06-020 | 212-56A-085 | NEW | 91-11-001 |
| 212-54-030 | REP | 91-11-001 | 212-55-055 | REP-E | 91-06-021 | 212-56A-090 | NEW-P | 91-06-020 |
| 212-54-035 | REP-P | 91-06-020 | 212-55-055 | REP | 91-11-001 | 212-56A-090 | NEW-E | 91-06-021 |
| 212-54-035 | REP-E | 91-06-021 | 212-55-060 | REP-P | 91-06-020 | 212-56A-090 | NEW | 91-11-001 |
| 212-54-035 | REP | 91-11-001 | 212-55-060 | REP-E | 91-06-021 | 212-56A-095 | NEW-P | 91-06-020 |
| 212-54-040 | REP-P | 91-06-020 | 212-55-060 | REP | 91-11-001 | 212-56A-095 | NEW-E | 91-06-021 |
| 212-54-040 | REP-E | 91-06-021 | 212-55-065 | REP-P | 91-06-020 | 212-56A-095 | NEW | 91-11-001 |
| 212-54-040 | REP | 91-11-001 | 212-55-065 | REP-E | 91-06-021 | 212-56A-100 | NEW-P | 91-06-020 |
| 212-54-045 | REP-P | 91-06-020 | 212-55-065 | REP | 91-11-001 | 212-56A-100 | NEW-E | 91-06-021 |
| 212-54-045 | REP-E | 91-06-021 | 212-55-070 | REP-P | 91-06-020 | 212-56A-100 | NEW | 91-11-001 |
| 212-54-045 | REP | 91-11-001 | 212-55-070 | REP-E | 91-06-021 | 212-56A-105 | NEW-P | 91-06-020 |
| 212-54-050 | REP-P | 91-06-020 | 212-55-070 | REP | 91-11-001 | 212-56A-105 | NEW-E | 91-06-021 |
| 212-54-050 | REP-E | 91-06-021 | 212-55-075 | REP-P | 91-06-020 | 212-56A-105 | NEW | 91-11-001 |
| 212-54-050 | REP | 91-11-001 | 212-55-075 | REP-E | 91-06-021 | 212-56A-110 | NEW-P | 91-06-020 |
| 212-54-055 | REP-P | 91-06-020 | 212-55-075 | REP | 91-11-001 | 212-56A-110 | NEW-E | 91-06-021 |
| 212-54-055 | REP-E | 91-06-021 | 212-55-080 | REP-P | 91-06-020 | 212-56A-110 | NEW | 91-11-001 |
| 212-54-055 | REP | 91-11-001 | 212-55-080 | REP-E | 91-06-021 | 212-56A-115 | NEW-P | 91-06-020 |
| 212-54-060 | REP-P | 91-06-020 | 212-55-080 | REP | 91-11-001 | 212-56A-115 | NEW-E | 91-06-021 |
| 212-54-060 | REP-E | 91-06-021 | 212-55-085 | REP-P | 91-06-020 | 212-56A-115 | NEW | 91-11-001 |
| 212-54-060 | REP | 91-11-001 | 212-55-085 | REP-E | 91-06-021 | 212-56A-120 | NEW-P | 91-06-020 |
| 212-54-065 | REP-P | 91-06-020 | 212-55-085 | REP | 91-11-001 | 212-56A-120 | NEW-E | 91-06-021 |
| 212-54-065 | REP-E | 91-06-021 | 212-55-090 | REP-P | 91-06-020 | 212-56A-120 | NEW | 91-11-001 |
| 212-54-065 | REP | 91-11-001 | 212-55-090 | REP-E | 91-06-021 | 212-56A-125 | NEW-P | 91-06-020 |
| 212-54-070 | REP-P | 91-06-020 | 212-55-090 | REP | 91-11-001 | 212-56A-125 | NEW-E | 91-06-021 |
| 212-54-070 | REP-E | 91-06-021 | 212-55-095 | REP-P | 91-06-020 | 212-56A-125 | NEW | 91-11-001 |
| 212-54-070 | REP | 91-11-001 | 212-55-095 | REP-E | 91-06-021 | 212-56A-130 | NEW-P | 91-06-020 |
| 212-54-075 | REP-P | 91-06-020 | 212-55-095 | REP | 91-11-001 | 212-56A-130 | NEW-E | 91-06-021 |
| 212-54-075 | REP-E | 91-06-021 | 212-56A-001 | NEW-P | 91-06-020 | 212-56A-130 | NEW | 91-11-001 |
| 212-54-075 | REP | 91-11-001 | 212-56A-001 | NEW-E | 91-06-021 | 212-56A-135 | NEW-P | 91-06-020 |
| 212-54-080 | REP-P | 91-06-020 | 212-56A-001 | NEW | 91-11-001 | 212-56A-135 | NEW-E | 91-06-021 |
| 212-54-080 | REP-E | 91-06-021 | 212-56A-005 | NEW-P | 91-06-020 | 212-56A-135 | NEW | 91-11-001 |
| 212-54-080 | REP | 91-11-001 | 212-56A-005 | NEW-E | 91-06-021 | 212-56A-140 | NEW-P | 91-06-020 |
| 212-54-085 | REP-P | 91-06-020 | 212-56A-005 | NEW | 91-11-001 | 212-56A-140 | NEW-E | 91-06-021 |
| 212-54-085 | REP-E | 91-06-021 | 212-56A-010 | NEW-P | 91-06-020 | 212-56A-140 | NEW | 91-11-001 |
| 212-54-085 | REP | 91-11-001 | 212-56A-010 | NEW-E | 91-06-021 | 212-80-001 | NEW-P | 91-10-083 |
| 212-54-090 | REP-P | 91-06-020 | 212-56A-010 | NEW | 91-11-001 | 212-80-001 | NEW-E | 91-10-084 |
| 212-54-090 | REP-E | 91-06-021 | 212-56A-015 | NEW-P | 91-06-020 | 212-80-001 | NEW | 91-14-086 |
| 212-54-090 | REP | 91-11-001 | 212-56A-015 | NEW-E | 91-06-021 | 212-80-005 | NEW-P | 91-10-083 |
| 212-54-095 | REP-P | 91-06-020 | 212-56A-015 | NEW | 91-11-001 | 212-80-005 | NEW-E | 91-10-084 |
| 212-54-095 | REP-E | 91-06-021 | 212-56A-020 | NEW-P | 91-06-020 | 212-80-005 | NEW | 91-14-086 |
| 212-54-095 | REP | 91-11-001 | 212-56A-020 | NEW-E | 91-06-021 | 212-80-010 | NEW-P | 91-10-083 |
| 212-54-100 | REP-P | 91-06-020 | 212-56A-020 | NEW | 91-11-001 | 212-80-010 | NEW-E | 91-10-084 |
| 212-54-100 | REP-E | 91-06-021 | 212-56A-030 | NEW-P | 91-06-020 | 212-80-010 | NEW | 91-14-086 |
| 212-54-100 | REP | 91-11-001 | 212-56A-030 | NEW-E | 91-06-021 | 212-80-015 | NEW-P | 91-10-083 |
| 212-55-001 | REP-P | 91-06-020 | 212-56A-030 | NEW | 91-11-001 | 212-80-015 | NEW-E | 91-10-084 |
| 212-55-001 | REP-E | 91-06-021 | 212-56A-035 | NEW-P | 91-06-020 | 212-80-015 | NEW | 91-14-086 |
| 212-55-001 | REP | 91-11-001 | 212-56A-035 | NEW-E | 91-06-021 | 212-80-020 | NEW-P | 91-10-083 |
| 212-55-005 | REP-P | 91-06-020 | 212-56A-035 | NEW | 91-11-001 | 212-80-020 | NEW-E | 91-10-084 |
| 212-55-005 | REP-E | 91-06-021 | 212-56A-040 | NEW-P | 91-06-020 | 212-80-020 | NEW | 91-14-086 |
| 212-55-005 | REP | 91-11-001 | 212-56A-040 | NEW-E | 91-06-021 | 212-80-025 | NEW-P | 91-10-083 |
| 212-55-010 | REP-P | 91-06-020 | 212-56A-040 | NEW | 91-11-001 | 212-80-025 | NEW-E | 91-10-084 |
| 212-55-010 | REP-E | 91-06-021 | 212-56A-045 | NEW-P | 91-06-020 | 212-80-025 | NEW | 91-14-086 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|------------|-------|-----------|---------------|-------|-----------|---------------|-------|-----------|
| 212-80-030 | NEW-P | 91-10-083 | 220-20-01700A | NEW-E | 91-03-108 | 220-52-07100I | NEW-E | 91-11-015 |
| 212-80-030 | NEW-E | 91-10-084 | 220-20-01700A | REP-E | 91-10-071 | 220-52-07100I | REP-E | 91-11-055 |
| 212-80-030 | NEW | 91-14-086 | 220-20-01700B | NEW-E | 91-10-071 | 220-52-07100J | NEW-E | 91-11-055 |
| 212-80-035 | NEW-P | 91-10-083 | 220-24-02000D | NEW-E | 91-10-058 | 220-52-073 | AMD-P | 91-05-102 |
| 212-80-035 | NEW-E | 91-10-084 | 220-32-05100D | REP-E | 91-04-031 | 220-52-073 | AMD | 91-10-024 |
| 212-80-035 | NEW | 91-14-086 | 220-32-05100E | NEW-E | 91-04-031 | 220-52-073 | AMD-P | 91-11-111 |
| 212-80-040 | NEW-P | 91-10-083 | 220-32-05500W | NEW-E | 91-10-011 | 220-52-07300I | REP-E | 91-04-029 |
| 212-80-040 | NEW-E | 91-10-084 | 220-32-05500W | REP-E | 91-11-014 | 220-52-07300J | NEW-E | 91-04-029 |
| 212-80-040 | NEW | 91-14-086 | 220-32-05500X | NEW-E | 91-11-014 | 220-52-075 | AMD-P | 91-05-102 |
| 212-80-045 | NEW-P | 91-10-083 | 220-32-05500Y | REP-E | 91-11-076 | 220-52-075 | AMD | 91-10-024 |
| 212-80-045 | NEW-E | 91-10-084 | 220-32-05500Z | NEW-E | 91-11-076 | 220-55-055 | AMD-P | 91-03-153 |
| 212-80-045 | NEW | 91-14-086 | 220-32-05500A | REP-E | 91-12-004 | 220-55-055 | AMD | 91-08-054 |
| 212-80-050 | NEW-P | 91-10-083 | 220-32-05500B | NEW-E | 91-12-004 | 220-55-065 | AMD-P | 91-03-153 |
| 212-80-050 | NEW-E | 91-10-084 | 220-32-05700F | NEW-E | 91-03-083 | 220-55-065 | AMD | 91-08-054 |
| 212-80-050 | NEW | 91-14-086 | 220-32-05700F | REP-E | 91-10-058 | 220-55-070 | AMD-P | 91-03-153 |
| 212-80-055 | NEW-P | 91-10-083 | 220-32-05700G | NEW-E | 91-08-065 | 220-55-070 | AMD | 91-08-054 |
| 212-80-055 | NEW-E | 91-10-084 | 220-32-05700H | REP-E | 91-11-013 | 220-55-075 | AMD-P | 91-03-153 |
| 212-80-055 | NEW | 91-14-086 | 220-32-05700H | NEW-E | 91-11-013 | 220-55-075 | AMD | 91-08-054 |
| 212-80-060 | NEW-P | 91-10-083 | 220-33-01000V | NEW-E | 91-05-005 | 220-55-080 | AMD-P | 91-03-153 |
| 212-80-060 | NEW-E | 91-10-084 | 220-33-01000V | REP-E | 91-05-036 | 220-55-080 | AMD | 91-08-054 |
| 212-80-060 | NEW | 91-14-086 | 220-33-01000W | NEW-E | 91-05-036 | 220-55-086 | AMD-P | 91-03-153 |
| 212-80-065 | NEW-P | 91-10-083 | 220-33-03000C | NEW-E | 91-11-100 | 220-55-086 | AMD | 91-08-054 |
| 212-80-065 | NEW-E | 91-10-084 | 220-40-030 | AMD-P | 91-03-153 | 220-55-125 | AMD-P | 91-03-153 |
| 212-80-065 | NEW | 91-14-086 | 220-40-030 | AMD | 91-08-054 | 220-55-125 | AMD | 91-08-054 |
| 212-80-070 | NEW-P | 91-10-083 | 220-40-031 | AMD-P | 91-03-153 | 220-56-100 | AMD-P | 91-03-153 |
| 212-80-070 | NEW-E | 91-10-084 | 220-40-031 | AMD | 91-08-054 | 220-56-100 | AMD | 91-08-054 |
| 212-80-070 | NEW | 91-14-086 | 220-44-030 | AMD-W | 91-11-027 | 220-56-105 | AMD-P | 91-03-153 |
| 212-80-075 | NEW-P | 91-10-083 | 220-44-050 | AMD-P | 91-03-152 | 220-56-105 | AMD | 91-08-054 |
| 212-80-075 | NEW-E | 91-10-084 | 220-44-050 | AMD | 91-07-050 | 220-56-115 | AMD-P | 91-03-153 |
| 212-80-075 | NEW | 91-14-086 | 220-44-050 | AMD-W | 91-11-027 | 220-56-115 | AMD | 91-08-054 |
| 212-80-080 | NEW-P | 91-10-083 | 220-44-05000I | REP-E | 91-08-023 | 220-56-128 | AMD-P | 91-03-153 |
| 212-80-080 | NEW-E | 91-10-084 | 220-44-05000J | NEW-E | 91-08-023 | 220-56-128 | AMD | 91-08-054 |
| 212-80-080 | NEW | 91-14-086 | 220-44-05000J | REP-E | 91-10-012 | 220-56-175 | AMD-P | 91-03-153 |
| 212-80-085 | NEW-P | 91-10-083 | 220-44-05000K | NEW-E | 91-10-012 | 220-56-175 | AMD | 91-08-054 |
| 212-80-085 | NEW-E | 91-10-084 | 220-44-05000K | REP-E | 91-11-077 | 220-56-180 | AMD-P | 91-03-153 |
| 212-80-085 | NEW | 91-14-086 | 220-44-05000L | NEW-E | 91-11-077 | 220-56-180 | AMD-C | 91-08-051 |
| 212-80-090 | NEW-P | 91-10-083 | 220-44-05000L | REP-E | 91-14-026 | 220-56-180 | AMD | 91-08-054 |
| 212-80-090 | NEW-E | 91-10-084 | 220-44-05000M | NEW-E | 91-14-026 | 220-56-180 | AMD-C | 91-14-045 |
| 212-80-090 | NEW | 91-14-086 | 220-47-304 | AMD-P | 91-13-031 | 220-56-180 | AMD | 91-14-046 |
| 212-80-095 | NEW-P | 91-10-083 | 220-47-307 | AMD-P | 91-13-031 | 220-56-185 | AMD-P | 91-03-153 |
| 212-80-095 | NEW-E | 91-10-084 | 220-47-311 | AMD-P | 91-13-031 | 220-56-185 | AMD | 91-08-054 |
| 212-80-095 | NEW | 91-14-086 | 220-47-319 | AMD-P | 91-13-031 | 220-56-190 | AMD-P | 91-03-153 |
| 212-80-100 | NEW-P | 91-10-083 | 220-47-401 | AMD-P | 91-13-031 | 220-56-190 | AMD | 91-08-054 |
| 212-80-100 | NEW-E | 91-10-084 | 220-47-411 | AMD-P | 91-13-031 | 220-56-19000F | NEW-E | 91-14-008 |
| 212-80-100 | NEW | 91-14-086 | 220-48-011 | AMD-P | 91-09-064 | 220-56-19000G | NEW-E | 91-14-048 |
| 212-80-105 | NEW-P | 91-10-083 | 220-48-011 | AMD | 91-13-051 | 220-56-19000G | REP-E | 91-14-118 |
| 212-80-105 | NEW-E | 91-10-084 | 220-48-015 | AMD-P | 91-09-064 | 220-56-19000H | NEW-E | 91-14-118 |
| 212-80-105 | NEW | 91-14-086 | 220-48-015 | AMD | 91-13-051 | 220-56-205 | AMD-P | 91-03-153 |
| 212-80-110 | NEW-P | 91-10-083 | 220-48-01500E | NEW-E | 91-05-037 | 220-56-205 | AMD | 91-08-054 |
| 212-80-110 | NEW-E | 91-10-084 | 220-48-017 | AMD-P | 91-09-064 | 220-56-232 | NEW-P | 91-03-152 |
| 212-80-110 | NEW | 91-14-086 | 220-48-017 | AMD | 91-13-051 | 220-56-235 | AMD-P | 91-03-153 |
| 212-80-115 | NEW-P | 91-10-083 | 220-48-029 | AMD-P | 91-09-064 | 220-56-235 | AMD-C | 91-08-051 |
| 212-80-115 | NEW-E | 91-10-084 | 220-48-029 | AMD | 91-13-051 | 220-56-235 | AMD | 91-08-054 |
| 212-80-115 | NEW | 91-14-086 | 220-49-02300A | NEW-E | 91-10-014 | 220-56-235 | AMD-C | 91-14-045 |
| 212-80-120 | NEW-P | 91-10-083 | 220-49-056 | AMD-P | 91-09-064 | 220-56-23500F | NEW-E | 91-04-030 |
| 212-80-120 | NEW-E | 91-10-084 | 220-49-056 | AMD | 91-12-051 | 220-56-240 | AMD-P | 91-03-153 |
| 212-80-120 | NEW | 91-14-086 | 220-49-063 | AMD-P | 91-02-108 | 220-56-240 | AMD | 91-08-054 |
| 212-80-125 | NEW-P | 91-10-083 | 220-49-063 | AMD | 91-05-016 | 220-56-24000J | NEW-E | 91-14-007 |
| 212-80-125 | NEW-E | 91-10-084 | 220-52-020 | AMD-P | 91-05-102 | 220-56-250 | AMD-P | 91-03-153 |
| 212-80-125 | NEW-W | 91-14-085 | 220-52-020 | AMD | 91-10-024 | 220-56-250 | AMD | 91-08-054 |
| 212-80-130 | NEW-P | 91-10-083 | 220-52-030 | AMD-P | 91-05-102 | 220-56-25500J | NEW-E | 91-14-007 |
| 212-80-130 | NEW-E | 91-10-084 | 220-52-030 | AMD | 91-10-024 | 220-56-282 | AMD-P | 91-03-153 |
| 212-80-130 | NEW | 91-14-086 | 220-52-03000G | NEW-E | 91-08-024 | 220-56-282 | AMD | 91-08-054 |
| 212-80-135 | NEW-P | 91-10-083 | 220-52-040 | AMD-P | 91-05-102 | 220-56-32500S | NEW-E | 91-10-094 |
| 212-80-135 | NEW-E | 91-10-084 | 220-52-040 | AMD | 91-10-024 | 220-56-350 | AMD-P | 91-03-153 |
| 212-80-135 | NEW | 91-14-086 | 220-52-046 | AMD-P | 91-05-102 | 220-56-350 | AMD | 91-08-054 |
| 220-12-020 | AMD-P | 91-05-102 | 220-52-046 | AMD | 91-10-024 | 220-56-36000W | NEW-E | 91-06-057 |
| 220-12-020 | AMD | 91-10-024 | 220-52-051 | AMD-P | 91-11-111 | 220-56-36000X | REP-E | 91-10-049 |
| 220-16-055 | REP-P | 91-03-151 | 220-52-05100G | NEW-E | 91-10-094 | 220-56-36000X | NEW-E | 91-10-049 |
| 220-16-055 | REP | 91-08-053 | 220-52-05100H | NEW-E | 91-11-044 | 220-56-380 | AMD-P | 91-03-153 |
| 220-16-220 | AMD-P | 91-03-153 | 220-52-060 | AMD-P | 91-05-102 | 220-56-380 | AMD | 91-08-054 |
| 220-16-220 | AMD | 91-08-054 | 220-52-060 | AMD | 91-10-024 | 220-56-38000J | NEW-E | 91-14-039 |
| 220-16-257 | AMD-P | 91-03-153 | 220-52-069 | AMD-P | 91-05-102 | 220-57-14000N | NEW-E | 91-11-045 |
| 220-16-257 | AMD | 91-08-054 | 220-52-069 | AMD | 91-10-024 | 220-57-16000H | NEW-E | 91-08-002 |
| 220-20-010 | AMD-P | 91-03-153 | 220-52-071 | AMD-P | 91-05-102 | 220-57-16000I | NEW-E | 91-14-078 |
| 220-20-010 | AMD | 91-08-054 | 220-52-071 | AMD | 91-10-024 | 220-57-195 | AMD-P | 91-03-151 |
| 220-20-017 | AMD-P | 91-11-056 | 220-52-071 | AMD-P | 91-11-111 | 220-57-195 | AMD-C | 91-08-052 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|---------------|-------|-----------|---------------|-------|-----------|--------------|-------|-----------|
| 220-57-195 | AMD-C | 91-12-008 | 220-57-49700F | NEW-E | 91-08-025 | 230-30-220 | AMD-W | 91-09-045 |
| 220-57-195 | AMD | 91-14-047 | 220-57-50500S | NEW-E | 91-08-025 | 230-40-125 | AMD-C | 91-03-049 |
| 220-57-19500B | NEW-E | 91-14-048 | 220-57-51500G | NEW-E | 91-08-025 | 230-40-125 | AMD | 91-05-047 |
| 220-57-205 | AMD-P | 91-03-151 | 220-57A-035 | AMD-P | 91-03-153 | 230-50-030 | AMD | 91-03-063 |
| 220-57-205 | AMD-C | 91-08-052 | 220-57A-035 | AMD | 91-08-054 | 232-12-001 | AMD-P | 91-12-048 |
| 220-57-205 | AMD-C | 91-12-008 | 220-69-260 | AMD | 91-05-015 | 232-12-004 | AMD-P | 91-03-131 |
| 220-57-205 | AMD | 91-14-047 | 220-69-262 | AMD | 91-05-015 | 232-12-004 | AMD | 91-11-006 |
| 220-57-20500B | NEW-E | 91-14-048 | 220-69-264 | AMD | 91-05-015 | 232-12-007 | AMD-P | 91-03-133 |
| 220-57-210 | AMD-P | 91-03-151 | 220-69-26401 | AMD | 91-05-015 | 232-12-007 | AMD | 91-11-007 |
| 220-57-210 | AMD-C | 91-08-052 | 222-16-010 | AMD-P | 91-13-072 | 232-12-017 | AMD | 91-03-082 |
| 220-57-210 | AMD-C | 91-12-008 | 222-16-010 | AMD-E | 91-14-102 | 232-12-024 | AMD-P | 91-06-082 |
| 220-57-210 | AMD | 91-14-047 | 222-16-045 | NEW-E | 91-07-034 | 232-12-024 | AMD | 91-13-063 |
| 220-57-21000B | NEW-E | 91-14-048 | 222-16-045 | NEW-E | 91-14-102 | 232-12-055 | AMD-P | 91-03-137 |
| 220-57-265 | AMD-P | 91-03-151 | 222-16-050 | AMD-E | 91-07-034 | 232-12-055 | AMD | 91-08-075 |
| 220-57-265 | AMD-C | 91-08-052 | 222-16-050 | AMD-P | 91-13-072 | 232-12-244 | REP-P | 91-06-081 |
| 220-57-265 | AMD-C | 91-12-008 | 222-16-050 | AMD-E | 91-14-102 | 232-12-244 | REP | 91-13-061 |
| 220-57-265 | AMD | 91-14-047 | 222-16-060 | NEW-P | 91-13-072 | 232-12-245 | NEW-P | 91-06-081 |
| 220-57-26500B | NEW-E | 91-14-048 | 222-16-070 | NEW-E | 91-14-102 | 232-12-245 | NEW-W | 91-12-050 |
| 220-57-290 | AMD-P | 91-03-153 | 222-20-010 | AMD-P | 91-13-072 | 232-12-267 | AMD-P | 91-06-080 |
| 220-57-290 | AMD | 91-08-054 | 222-20-040 | AMD-P | 91-13-072 | 232-12-267 | AMD | 91-13-064 |
| 220-57-313 | NEW-P | 91-03-153 | 222-20-050 | AMD-P | 91-13-072 | 232-12-618 | REP-P | 91-12-049 |
| 220-57-313 | NEW | 91-08-054 | 222-34-050 | AMD-P | 91-13-072 | 232-12-619 | NEW-P | 91-12-048 |
| 220-57-31500U | NEW-E | 91-08-025 | 222-46-020 | AMD-P | 91-13-072 | 232-12-831 | NEW-P | 91-06-083 |
| 220-57-340 | AMD-P | 91-03-153 | 222-46-030 | AMD-P | 91-13-072 | 232-28-022 | AMD-P | 91-03-130 |
| 220-57-340 | AMD | 91-08-054 | 222-46-040 | AMD-P | 91-13-072 | 232-28-022 | AMD | 91-11-059 |
| 220-57-37000D | NEW-E | 91-14-048 | 222-50-030 | AMD-P | 91-13-072 | 232-28-215 | REP-W | 91-02-113 |
| 220-57-385 | AMD-P | 91-03-153 | 230-02-240 | NEW-P | 91-03-062 | 232-28-219 | REP-P | 91-06-084 |
| 220-57-385 | AMD | 91-08-054 | 230-02-240 | NEW | 91-07-021 | 232-28-219 | REP | 91-13-062 |
| 220-57-40500H | NEW-E | 91-14-048 | 230-02-418 | AMD-P | 91-10-006 | 232-28-220 | REP-P | 91-06-084 |
| 220-57-425 | AMD-P | 91-03-151 | 230-02-418 | AMD | 91-13-070 | 232-28-220 | REP | 91-13-062 |
| 220-57-425 | AMD-P | 91-03-153 | 230-02-505 | NEW-P | 91-03-062 | 232-28-221 | REP-P | 91-06-084 |
| 220-57-425 | AMD-C | 91-08-051 | 230-02-505 | NEW-C | 91-07-019 | 232-28-221 | REP | 91-13-062 |
| 220-57-425 | AMD-C | 91-08-052 | 230-04-022 | AMD-P | 91-03-062 | 232-28-222 | REP-P | 91-06-084 |
| 220-57-425 | AMD-C | 91-12-008 | 230-04-022 | AMD-C | 91-07-042 | 232-28-222 | REP | 91-13-062 |
| 220-57-425 | AMD-C | 91-14-045 | 230-04-022 | AMD-W | 91-10-005 | 232-28-223 | REP-P | 91-06-084 |
| 220-57-425 | AMD | 91-14-047 | 230-04-120 | AMD-P | 91-03-062 | 232-28-223 | REP | 91-13-062 |
| 220-57-42500V | NEW-E | 91-12-009 | 230-04-120 | AMD-C | 91-07-019 | 232-28-224 | NEW-W | 91-02-113 |
| 220-57-42500V | REP-E | 91-14-048 | 230-04-187 | NEW-P | 91-03-062 | 232-28-225 | NEW | 91-06-016 |
| 220-57-42500W | NEW-E | 91-14-048 | 230-04-187 | NEW-C | 91-07-019 | 232-28-226 | NEW-P | 91-03-138 |
| 220-57-430 | AMD-P | 91-03-151 | 230-04-190 | AMD-P | 91-03-062 | 232-28-226 | NEW | 91-11-009 |
| 220-57-430 | AMD-C | 91-08-052 | 230-04-190 | AMD-C | 91-07-019 | 232-28-227 | NEW-P | 91-03-135 |
| 220-57-430 | AMD-C | 91-12-008 | 230-04-201 | AMD-P | 91-03-062 | 232-28-227 | NEW | 91-11-008 |
| 220-57-430 | AMD | 91-14-047 | 230-04-201 | AMD-C | 91-07-019 | 232-28-227 | AMD-P | 91-14-108 |
| 220-57-43000C | NEW-E | 91-14-048 | 230-08-010 | AMD-P | 91-10-006 | 232-28-228 | NEW-P | 91-03-134 |
| 220-57-43000C | REP-E | 91-14-118 | 230-08-010 | AMD | 91-13-070 | 232-28-228 | NEW | 91-08-061 |
| 220-57-43000D | NEW-E | 91-14-118 | 230-08-095 | AMD-P | 91-10-006 | 232-28-228 | AMD-P | 91-08-076 |
| 220-57-435 | AMD-P | 91-03-151 | 230-08-095 | AMD | 91-13-070 | 232-28-228 | AMD | 91-13-065 |
| 220-57-435 | AMD-C | 91-08-052 | 230-12-020 | AMD-P | 91-10-006 | 232-28-229 | NEW-P | 91-06-086 |
| 220-57-435 | AMD-C | 91-12-008 | 230-12-020 | AMD | 91-13-070 | 232-28-229 | NEW | 91-13-066 |
| 220-57-43500F | NEW-E | 91-14-048 | 230-12-100 | NEW-P | 91-03-062 | 232-28-230 | NEW-P | 91-06-087 |
| 220-57-450 | AMD-P | 91-03-153 | 230-12-100 | NEW-C | 91-07-019 | 232-28-230 | NEW | 91-13-067 |
| 220-57-450 | AMD-P | 91-03-151 | 230-12-100 | NEW-W | 91-10-005 | 232-28-230 | AMD-P | 91-14-107 |
| 220-57-450 | AMD-C | 91-08-052 | 230-12-200 | AMD-W | 91-09-045 | 232-28-231 | NEW-P | 91-06-085 |
| 220-57-450 | AMD-C | 91-12-008 | 230-12-305 | AMD-P | 91-03-062 | 232-28-231 | NEW | 91-13-068 |
| 220-57-45000G | NEW-E | 91-14-048 | 230-12-305 | AMD | 91-07-021 | 232-28-414 | REP-P | 91-14-106 |
| 220-57-455 | AMD-P | 91-03-151 | 230-20-246 | AMD-P | 91-13-069 | 232-28-41402 | REP-P | 91-14-106 |
| 220-57-455 | AMD-C | 91-08-052 | 230-20-380 | AMD-C | 91-03-049 | 232-28-415 | NEW-P | 91-14-106 |
| 220-57-455 | AMD-C | 91-12-008 | 230-20-380 | AMD-W | 91-05-044 | 232-28-61717 | REP-P | 91-12-049 |
| 220-57-45500B | NEW-E | 91-14-048 | 230-20-699 | REP | 91-03-063 | 232-28-61728 | REP-P | 91-12-049 |
| 220-57-460 | AMD-P | 91-03-153 | 230-25-110 | AMD-P | 91-03-062 | 232-28-61729 | REP-P | 91-12-049 |
| 220-57-460 | AMD | 91-08-054 | 230-25-110 | AMD-C | 91-07-019 | 232-28-618 | REP-P | 91-12-049 |
| 220-57-465 | AMD-P | 91-03-151 | 230-25-265 | AMD-C | 91-03-049 | 232-28-61802 | REP-P | 91-12-049 |
| 220-57-465 | AMD-C | 91-08-052 | 230-25-265 | AMD | 91-05-047 | 232-28-61803 | REP-P | 91-12-049 |
| 220-57-465 | AMD-C | 91-12-008 | 230-25-265 | AMD | 91-06-008 | 232-28-61804 | REP-P | 91-12-049 |
| 220-57-46500E | NEW-E | 91-14-048 | 230-25-330 | NEW-P | 91-03-062 | 232-28-61805 | REP-P | 91-12-049 |
| 220-57-470 | AMD-P | 91-03-151 | 230-25-330 | NEW-C | 91-07-019 | 232-28-61807 | REP-P | 91-12-049 |
| 220-57-470 | AMD-C | 91-08-052 | 230-30-075 | AMD-C | 91-03-049 | 232-28-61808 | REP-P | 91-12-049 |
| 220-57-470 | AMD-C | 91-12-008 | 230-30-075 | AMD-C | 91-05-046 | 232-28-61809 | REP-P | 91-12-049 |
| 220-57-470 | AMD | 91-14-047 | 230-30-075 | AMD-W | 91-06-039 | 232-28-61812 | REP-P | 91-12-049 |
| 220-57-47000B | NEW-E | 91-14-048 | 230-30-075 | AMD-P | 91-07-018 | 232-28-61813 | REP-P | 91-12-049 |
| 220-57-490 | AMD-P | 91-03-151 | 230-30-075 | AMD-S | 91-07-051 | 232-28-61815 | REP-P | 91-12-049 |
| 220-57-490 | AMD-C | 91-08-052 | 230-30-075 | AMD-W | 91-12-011 | 232-28-61817 | REP-P | 91-12-049 |
| 220-57-490 | AMD-C | 91-12-008 | 230-30-075 | AMD-C | 91-03-049 | 232-28-61810 | REP-P | 91-03-136 |
| 220-57-490 | AMD | 91-14-047 | 230-30-080 | AMD-P | 91-05-045 | 232-28-61810 | REP | 91-08-074 |
| 220-57-49000B | NEW-E | 91-14-048 | 230-30-080 | AMD | 91-05-047 | 232-28-61811 | NEW-W | 91-03-066 |
| 220-57-497 | AMD-P | 91-03-153 | 230-30-080 | AMD | 91-10-004 | 232-28-61813 | NEW | 91-05-002 |
| 220-57-497 | AMD | 91-08-054 | 230-30-200 | AMD-W | 91-09-045 | 232-28-61815 | NEW | 91-05-001 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|--------------|-------|-----------|-------------|-------|-----------|---------------|-------|-----------|
| 232-28-61817 | NEW-P | 91-03-136 | 240-15-015 | AMD | 91-14-040 | 246-222-001 | AMD-P | 91-11-081 |
| 232-28-61817 | NEW | 91-08-074 | 240-15-020 | AMD | 91-02-111 | 246-222-020 | AMD-P | 91-11-081 |
| 232-28-61818 | NEW-E | 91-08-009 | 240-15-020 | AMD-P | 91-10-106 | 246-222-030 | AMD-P | 91-11-081 |
| 232-28-619 | NEW-P | 91-12-048 | 240-15-020 | AMD | 91-14-040 | 246-222-040 | AMD-P | 91-11-081 |
| 232-28-61819 | NEW-E | 91-14-109 | 240-15-025 | AMD | 91-02-111 | 246-222-050 | AMD-P | 91-11-081 |
| 232-28-713 | REP | 91-06-015 | 240-15-025 | AMD-P | 91-10-106 | 246-222-060 | AMD-P | 91-11-081 |
| 232-28-714 | NEW | 91-06-015 | 240-15-025 | AMD | 91-14-040 | 246-222-070 | AMD-P | 91-11-081 |
| 236-12-290 | AMD-P | 91-04-081 | 240-15-030 | AMD | 91-02-111 | 246-222-080 | AMD-P | 91-11-081 |
| 236-12-300 | AMD-P | 91-04-081 | 240-15-030 | AMD-P | 91-10-106 | 246-224-001 | AMD-P | 91-11-082 |
| 236-48-002 | AMD | 91-09-035 | 240-15-030 | AMD | 91-14-040 | 246-224-020 | AMD-P | 91-11-082 |
| 236-48-003 | AMD | 91-09-035 | 240-15-035 | AMD | 91-02-111 | 246-224-030 | AMD-P | 91-11-082 |
| 236-48-004 | AMD | 91-09-035 | 240-15-035 | AMD-P | 91-10-106 | 246-224-040 | AMD-P | 91-11-082 |
| 236-48-005 | AMD | 91-09-035 | 240-15-035 | AMD | 91-14-040 | 246-224-050 | AMD-P | 91-11-082 |
| 236-48-009 | AMD | 91-09-035 | 244-12-009 | NEW-P | 91-11-034 | 246-224-060 | AMD-P | 91-11-082 |
| 236-48-012 | AMD | 91-09-035 | 244-12-010 | NEW | 91-14-055 | 246-224-070 | AMD-P | 91-11-082 |
| 236-48-013 | AMD | 91-09-035 | 244-12-020 | NEW-P | 91-11-034 | 246-224-080 | AMD-P | 91-11-082 |
| 236-48-021 | AMD | 91-09-035 | 244-12-020 | NEW | 91-14-055 | 246-224-090 | AMD-P | 91-11-082 |
| 236-48-023 | AMD | 91-09-035 | 244-12-030 | NEW-P | 91-11-034 | 246-224-100 | AMD-P | 91-11-082 |
| 236-48-035 | AMD | 91-09-035 | 244-12-030 | NEW | 91-14-055 | 246-225-010 | AMD-P | 91-11-082 |
| 236-48-036 | AMD | 91-09-035 | 244-12-040 | NEW-P | 91-11-034 | 246-225-020 | AMD-P | 91-11-082 |
| 236-48-052 | AMD | 91-09-035 | 244-12-040 | NEW | 91-14-055 | 246-225-030 | AMD-P | 91-11-082 |
| 236-48-061 | AMD | 91-09-035 | 244-12-050 | NEW-P | 91-11-034 | 246-225-040 | AMD-P | 91-11-082 |
| 236-48-071 | AMD | 91-09-035 | 244-12-050 | NEW | 91-14-055 | 246-225-050 | AMD-P | 91-11-082 |
| 236-48-079 | AMD | 91-09-035 | 244-12-060 | NEW-P | 91-11-034 | 246-225-060 | AMD-P | 91-11-082 |
| 236-48-081 | AMD | 91-09-035 | 244-12-060 | NEW | 91-14-055 | 246-225-070 | AMD-P | 91-11-082 |
| 236-48-082 | AMD | 91-09-035 | 244-12-070 | NEW-P | 91-11-034 | 246-225-090 | AMD-P | 91-11-082 |
| 236-48-083 | AMD | 91-09-035 | 244-12-070 | NEW | 91-14-055 | 246-225-110 | AMD-P | 91-11-082 |
| 236-48-084 | AMD | 91-09-035 | 244-12-080 | NEW-P | 91-11-034 | 246-225-120 | AMD-P | 91-11-082 |
| 236-48-093 | AMD | 91-09-035 | 244-12-080 | NEW | 91-14-055 | 246-225-130 | AMD-P | 91-11-082 |
| 236-48-094 | AMD | 91-09-035 | 244-12-090 | NEW-P | 91-11-034 | 246-225-140 | AMD-P | 91-11-082 |
| 236-48-095 | AMD | 91-09-035 | 244-12-090 | NEW | 91-14-055 | 246-225-150 | AMD-P | 91-11-082 |
| 236-48-096 | AMD | 91-09-035 | 246-100-166 | AMD-P | 91-11-103 | 246-225-99910 | AMD-P | 91-11-082 |
| 236-48-098 | AMD | 91-09-035 | 246-100-166 | AMD-E | 91-13-050 | 246-225-99920 | AMD-P | 91-11-082 |
| 236-48-099 | AMD | 91-09-035 | 246-205-001 | NEW | 91-04-007 | 246-225-99930 | AMD-P | 91-11-082 |
| 236-48-101 | AMD | 91-09-035 | 246-205-010 | NEW | 91-04-007 | 246-228-030 | AMD-P | 91-11-082 |
| 236-48-121 | AMD | 91-09-035 | 246-205-020 | NEW | 91-04-007 | 246-228-040 | AMD-P | 91-11-082 |
| 236-48-123 | AMD | 91-09-035 | 246-205-030 | NEW | 91-04-007 | 246-228-050 | AMD-P | 91-11-082 |
| 236-48-124 | AMD | 91-09-035 | 246-205-040 | NEW | 91-04-007 | 246-229-001 | AMD-P | 91-11-082 |
| 236-48-131 | AMD | 91-09-035 | 246-205-050 | NEW | 91-04-007 | 246-229-010 | AMD-P | 91-11-082 |
| 236-48-132 | AMD | 91-09-035 | 246-205-060 | NEW | 91-04-007 | 246-229-020 | AMD-P | 91-11-082 |
| 236-48-141 | AMD | 91-09-035 | 246-205-070 | NEW | 91-04-007 | 246-229-030 | AMD-P | 91-11-082 |
| 236-48-151 | AMD | 91-09-035 | 246-205-080 | NEW | 91-04-007 | 246-229-050 | AMD-P | 91-11-082 |
| 236-48-152 | AMD | 91-09-035 | 246-205-090 | NEW | 91-04-007 | 246-229-060 | AMD-P | 91-11-082 |
| 236-48-153 | AMD | 91-09-035 | 246-205-100 | NEW | 91-04-007 | 246-229-080 | AMD-P | 91-11-082 |
| 236-48-165 | AMD | 91-09-035 | 246-205-110 | NEW | 91-04-007 | 246-229-090 | AMD-P | 91-11-082 |
| 236-48-166 | AMD | 91-09-035 | 246-205-120 | NEW | 91-04-007 | 246-229-110 | AMD-P | 91-11-082 |
| 236-48-167 | AMD | 91-09-035 | 246-205-990 | NEW | 91-04-007 | 246-232-001 | AMD-P | 91-11-081 |
| 236-48-198 | AMD | 91-09-035 | 246-220-007 | AMD-P | 91-11-081 | 246-232-010 | AMD-P | 91-11-081 |
| 236-48-230 | AMD | 91-09-035 | 246-220-010 | AMD-P | 91-11-081 | 246-232-020 | AMD-P | 91-11-081 |
| 236-49-010 | AMD | 91-09-034 | 246-220-050 | AMD-P | 91-11-081 | 246-232-040 | AMD-P | 91-11-081 |
| 236-49-020 | AMD | 91-09-034 | 246-220-090 | AMD-P | 91-11-081 | 246-232-060 | AMD-P | 91-11-081 |
| 236-49-030 | AMD | 91-09-034 | 246-220-130 | AMD-P | 91-11-081 | 246-232-080 | AMD-P | 91-11-081 |
| 236-49-040 | AMD | 91-09-034 | 246-221-001 | AMD-P | 91-11-081 | 246-232-090 | AMD-P | 91-11-081 |
| 236-100-001 | NEW-P | 91-05-101 | 246-221-010 | AMD-P | 91-11-081 | 246-232-100 | REP-P | 91-11-081 |
| 236-100-001 | NEW | 91-08-057 | 246-221-020 | AMD-P | 91-11-081 | 246-232-110 | REP-P | 91-11-081 |
| 236-100-010 | NEW-P | 91-05-101 | 246-221-030 | AMD-P | 91-11-081 | 246-232-120 | AMD-P | 91-11-081 |
| 236-100-010 | NEW | 91-08-057 | 246-221-040 | AMD-P | 91-11-081 | 246-232-130 | AMD-P | 91-11-081 |
| 236-100-011 | NEW-P | 91-05-101 | 246-221-050 | AMD-P | 91-11-081 | 246-232-990 | AMD-P | 91-11-081 |
| 236-100-011 | NEW | 91-08-057 | 246-221-060 | AMD-P | 91-11-081 | 246-233-001 | AMD-P | 91-11-081 |
| 236-100-012 | NEW-P | 91-05-101 | 246-221-070 | AMD-P | 91-11-081 | 246-233-010 | AMD-P | 91-11-081 |
| 236-100-012 | NEW | 91-08-057 | 246-221-080 | AMD-P | 91-11-081 | 246-233-020 | AMD-P | 91-11-081 |
| 236-100-013 | NEW-P | 91-05-101 | 246-221-110 | AMD-P | 91-11-081 | 246-235-001 | AMD-P | 91-11-081 |
| 236-100-013 | NEW | 91-08-057 | 246-221-120 | AMD-P | 91-11-081 | 246-235-020 | AMD-P | 91-11-081 |
| 236-100-014 | NEW-P | 91-05-101 | 246-221-130 | AMD-P | 91-11-081 | 246-235-040 | AMD-P | 91-11-081 |
| 236-100-014 | NEW | 91-08-057 | 246-221-140 | AMD-P | 91-11-081 | 246-235-050 | AMD-P | 91-11-081 |
| 236-100-015 | NEW-P | 91-05-101 | 246-221-160 | AMD-P | 91-11-081 | 246-235-060 | AMD-P | 91-11-081 |
| 236-100-015 | NEW | 91-08-057 | 246-221-170 | AMD-P | 91-11-081 | 246-235-080 | AMD-P | 91-11-081 |
| 236-100-016 | NEW-P | 91-05-101 | 246-221-190 | AMD-P | 91-11-081 | 246-235-090 | AMD-P | 91-11-081 |
| 236-100-016 | NEW | 91-08-057 | 246-221-200 | AMD-P | 91-11-081 | 246-235-100 | AMD-P | 91-11-081 |
| 240-15-005 | AMD | 91-02-111 | 246-221-210 | AMD-P | 91-11-081 | 246-235-110 | AMD-P | 91-11-081 |
| 240-15-005 | AMD-P | 91-10-106 | 246-221-220 | AMD-P | 91-11-081 | 246-235-120 | AMD-P | 91-11-081 |
| 240-15-005 | AMD | 91-14-040 | 246-221-230 | AMD-P | 91-11-081 | 246-235-130 | AMD-P | 91-11-081 |
| 240-15-010 | AMD | 91-02-111 | 246-221-240 | AMD-P | 91-11-081 | 246-235-140 | AMD-P | 91-11-081 |
| 240-15-010 | AMD-P | 91-10-106 | 246-221-250 | AMD-P | 91-11-081 | 246-239-010 | AMD-P | 91-11-081 |
| 240-15-010 | AMD | 91-14-040 | 246-221-260 | AMD-P | 91-11-081 | 246-239-020 | AMD-P | 91-11-081 |
| 240-15-015 | AMD | 91-02-111 | 246-221-280 | AMD-P | 91-11-081 | 246-239-030 | AMD-P | 91-11-081 |
| 240-15-015 | AMD-P | 91-10-106 | 246-221-300 | AMD-P | 91-11-081 | 246-239-040 | AMD-P | 91-11-081 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # |
|-------------|-----------------|-------------|-----------------|-------------|-------------------|
| 246-239-060 | AMD-P 91-11-081 | 246-314-010 | AMD-P 91-12-019 | 246-807-220 | RECOD 91-05-095 |
| 246-239-080 | AMD-P 91-11-081 | 246-314-990 | AMD-P 91-12-019 | 246-807-230 | RECOD 91-05-095 |
| 246-239-090 | AMD-P 91-11-081 | 246-338-010 | AMD-E 91-11-039 | 246-807-240 | RECOD 91-05-095 |
| 246-239-100 | AMD-P 91-11-081 | 246-338-030 | AMD-E 91-11-039 | 246-807-250 | RECOD 91-05-095 |
| 246-240-020 | AMD-P 91-11-081 | 246-338-990 | AMD-E 91-11-039 | 246-807-260 | RECOD 91-05-095 |
| 246-240-030 | AMD-P 91-11-081 | 246-453-001 | AMD 91-05-048 | 246-807-270 | RECOD 91-05-095 |
| 246-240-040 | AMD-P 91-11-081 | 246-453-010 | AMD 91-05-048 | 246-807-280 | RECOD 91-05-095 |
| 246-243-020 | AMD-P 91-11-081 | 246-453-020 | NEW 91-05-048 | 246-807-290 | RECOD 91-05-095 |
| 246-243-060 | AMD-P 91-11-081 | 246-453-030 | NEW 91-05-048 | 246-807-300 | RECOD 91-05-095 |
| 246-243-080 | AMD-P 91-11-081 | 246-453-040 | NEW 91-05-048 | 246-807-310 | RECOD 91-05-095 |
| 246-243-090 | AMD-P 91-11-081 | 246-453-050 | NEW 91-05-048 | 246-807-320 | RECOD 91-05-095 |
| 246-243-110 | AMD-P 91-11-081 | 246-453-060 | NEW 91-05-048 | 246-807-330 | RECOD 91-05-095 |
| 246-243-120 | AMD-P 91-11-081 | 246-453-070 | AMD 91-05-048 | 246-807-340 | RECOD 91-05-095 |
| 246-243-130 | AMD-P 91-11-081 | 246-453-080 | AMD 91-05-048 | 246-807-350 | RECOD 91-05-095 |
| 246-243-140 | AMD-P 91-11-081 | 246-453-085 | REP 91-05-048 | 246-807-360 | RECOD 91-05-095 |
| 246-243-150 | AMD-P 91-11-081 | 246-453-090 | AMD 91-05-048 | 246-807-370 | RECOD 91-05-095 |
| 246-243-160 | AMD-P 91-11-081 | 246-560-001 | NEW-P 91-13-093 | 246-807-380 | RECOD 91-05-095 |
| 246-243-170 | AMD-P 91-11-081 | 246-560-010 | NEW-P 91-13-093 | 246-807-390 | RECOD 91-05-095 |
| 246-243-180 | AMD-P 91-11-081 | 246-560-015 | NEW-P 91-13-093 | 246-807-400 | NEW-P 91-06-090 |
| 246-243-200 | AMD-P 91-11-081 | 246-560-020 | NEW-P 91-13-093 | 246-807-400 | NEW-W 91-10-050 |
| 246-243-210 | AMD-P 91-11-081 | 246-560-030 | NEW-P 91-13-093 | 246-807-410 | NEW-P 91-06-090 |
| 246-243-220 | AMD-P 91-11-081 | 246-560-040 | NEW-P 91-13-093 | 246-807-410 | NEW 91-10-051 |
| 246-244-001 | AMD-P 91-11-081 | 246-560-050 | NEW-P 91-13-093 | 246-815-031 | NEW-P 91-08-077 |
| 246-244-030 | AMD-P 91-11-081 | 246-560-060 | NEW-P 91-13-093 | 246-815-031 | NEW 91-11-065 |
| 246-244-040 | AMD-P 91-11-081 | 246-560-070 | NEW-P 91-13-093 | 246-815-990 | AMD-P 91-08-078 |
| 246-244-060 | AMD-P 91-11-081 | 246-560-080 | NEW-P 91-13-093 | 246-815-990 | AMD 91-13-002 |
| 246-244-080 | AMD-P 91-11-081 | 246-560-090 | NEW-P 91-13-093 | 246-816-075 | NEW 91-03-109 |
| 246-244-140 | AMD-P 91-11-081 | 246-560-100 | NEW-P 91-13-093 | 246-818-050 | AMD-P 91-10-093 |
| 246-244-150 | AMD-P 91-11-081 | 246-560-105 | NEW-P 91-13-093 | 246-818-050 | AMD 91-14-087 |
| 246-244-160 | AMD-P 91-11-081 | 246-560-110 | NEW-P 91-13-093 | 246-822-990 | AMD-P 91-08-078 |
| 246-244-180 | AMD-P 91-11-081 | 246-560-120 | NEW-P 91-13-093 | 246-822-990 | AMD 91-13-002 |
| 246-244-220 | AMD-P 91-11-081 | 246-790-070 | AMD 91-06-029 | 246-824-020 | AMD-P 91-05-087 |
| 246-244-230 | AMD-P 91-11-081 | 246-802-090 | AMD-E 91-10-069 | 246-824-020 | AMD 91-09-024 |
| 246-244-240 | AMD-P 91-11-081 | 246-802-130 | AMD-E 91-10-069 | 246-824-050 | AMD-P 91-05-087 |
| 246-249-001 | AMD-P 91-11-083 | 246-802-150 | REP-E 91-10-069 | 246-824-050 | AMD-W 91-09-023 |
| 246-249-010 | AMD-P 91-11-083 | 246-802-990 | AMD-P 91-08-078 | 246-824-075 | NEW-P 91-05-087 |
| 246-249-020 | AMD-P 91-11-083 | 246-802-990 | AMD 91-13-002 | 246-824-075 | NEW 91-09-024 |
| 246-249-030 | AMD-P 91-11-083 | 246-806-010 | RECOD 91-05-026 | 246-824-080 | AMD-P 91-05-087 |
| 246-249-040 | AMD-P 91-11-083 | 246-806-020 | RECOD 91-05-026 | 246-824-080 | AMD 91-09-024 |
| 246-249-050 | AMD-P 91-11-083 | 246-806-030 | RECOD 91-05-026 | 246-826-990 | AMD-P 91-08-078 |
| 246-249-060 | AMD-P 91-11-083 | 246-806-040 | RECOD 91-05-026 | 246-826-990 | AMD 91-13-002 |
| 246-249-070 | AMD-P 91-11-083 | 246-806-050 | RECOD 91-05-026 | 246-828-020 | RECOD-P 91-07-058 |
| 246-249-080 | AMD-P 91-11-083 | 246-806-060 | RECOD 91-05-026 | 246-828-020 | RECOD 91-11-031 |
| 246-249-090 | NEW-P 91-11-083 | 246-806-070 | RECOD 91-05-026 | 246-828-030 | RECOD-P 91-07-058 |
| 246-250-001 | AMD-P 91-11-083 | 246-806-080 | RECOD 91-05-026 | 246-828-030 | RECOD 91-11-031 |
| 246-250-010 | AMD-P 91-11-083 | 246-806-090 | RECOD 91-05-026 | 246-828-040 | RECOD-P 91-07-058 |
| 246-250-020 | AMD-P 91-11-083 | 246-806-100 | RECOD 91-05-026 | 246-828-040 | RECOD 91-11-031 |
| 246-250-030 | AMD-P 91-11-083 | 246-806-110 | RECOD 91-05-026 | 246-828-050 | RECOD-P 91-07-058 |
| 246-250-050 | AMD-P 91-11-083 | 246-806-120 | RECOD 91-05-026 | 246-828-050 | RECOD 91-11-031 |
| 246-250-060 | AMD-P 91-11-083 | 246-806-130 | RECOD 91-05-026 | 246-828-060 | RECOD-P 91-07-058 |
| 246-250-070 | AMD-P 91-11-083 | 246-806-140 | RECOD 91-05-026 | 246-828-060 | RECOD 91-11-031 |
| 246-250-090 | AMD-P 91-11-083 | 246-806-990 | RECOD 91-05-031 | 246-828-070 | RECOD-P 91-07-058 |
| 246-250-110 | AMD-P 91-11-083 | 246-807-020 | RECOD 91-05-095 | 246-828-070 | RECOD 91-11-031 |
| 246-250-120 | AMD-P 91-11-083 | 246-807-030 | RECOD 91-05-095 | 246-828-080 | RECOD-P 91-07-058 |
| 246-250-130 | AMD-P 91-11-083 | 246-807-040 | RECOD 91-05-095 | 246-828-080 | RECOD 91-11-031 |
| 246-250-140 | AMD-P 91-11-083 | 246-807-050 | RECOD 91-05-095 | 246-828-090 | RECOD-P 91-07-058 |
| 246-250-150 | AMD-P 91-11-083 | 246-807-060 | RECOD 91-05-095 | 246-828-090 | RECOD 91-11-031 |
| 246-250-160 | AMD-P 91-11-083 | 246-807-070 | RECOD 91-05-095 | 246-828-100 | RECOD-P 91-07-058 |
| 246-250-190 | AMD-P 91-11-083 | 246-807-080 | RECOD 91-05-095 | 246-828-100 | RECOD 91-11-031 |
| 246-250-330 | AMD-P 91-11-083 | 246-807-090 | RECOD 91-05-095 | 246-828-110 | RECOD-P 91-07-058 |
| 246-250-350 | AMD-P 91-11-083 | 246-807-100 | RECOD 91-05-095 | 246-828-110 | RECOD 91-11-031 |
| 246-250-600 | AMD-P 91-11-083 | 246-807-110 | RECOD 91-05-095 | 246-828-120 | RECOD-P 91-07-058 |
| 246-252-001 | AMD-P 91-11-083 | 246-807-120 | RECOD 91-05-095 | 246-828-120 | RECOD 91-11-031 |
| 246-252-010 | AMD-P 91-11-083 | 246-807-130 | RECOD 91-05-095 | 246-828-130 | RECOD-P 91-07-058 |
| 246-252-030 | AMD-P 91-11-083 | 246-807-140 | RECOD 91-05-095 | 246-828-130 | RECOD 91-11-031 |
| 246-290-010 | AMD 91-07-031 | 246-807-150 | RECOD 91-05-095 | 246-828-140 | RECOD-P 91-07-058 |
| 246-290-130 | AMD 91-07-031 | 246-807-160 | RECOD 91-05-095 | 246-828-140 | RECOD 91-11-031 |
| 246-290-300 | AMD 91-07-031 | 246-807-170 | RECOD 91-05-095 | 246-828-150 | RECOD-P 91-07-058 |
| 246-290-310 | AMD 91-07-031 | 246-807-170 | REP 91-10-051 | 246-828-150 | RECOD 91-11-031 |
| 246-290-320 | AMD 91-07-031 | 246-807-171 | NEW-P 91-06-090 | 246-828-160 | RECOD-P 91-07-058 |
| 246-290-330 | AMD 91-07-031 | 246-807-171 | NEW 91-10-051 | 246-828-160 | RECOD 91-11-031 |
| 246-310-131 | NEW-P 91-10-102 | 246-807-173 | NEW-P 91-06-090 | 246-828-170 | RECOD-P 91-07-058 |
| 246-310-131 | NEW-E 91-10-103 | 246-807-173 | NEW 91-10-051 | 246-828-170 | RECOD 91-11-031 |
| 246-310-132 | NEW-P 91-10-102 | 246-807-180 | RECOD 91-05-095 | 246-828-180 | RECOD-P 91-07-058 |
| 246-310-380 | AMD-C 91-12-020 | 246-807-190 | RECOD 91-05-095 | 246-828-180 | RECOD 91-11-031 |
| 246-310-500 | AMD 91-05-093 | 246-807-200 | RECOD 91-05-095 | 246-828-190 | RECOD-P 91-07-058 |
| 246-314-001 | AMD-P 91-12-019 | 246-807-210 | RECOD 91-05-095 | 246-828-190 | RECOD 91-11-031 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # |
|-------------|-------------------|-------------|-------------------|-------------|-----------------|
| 246-883 | RECOD-W 91-06-037 | 246-895-150 | RECOD-P 91-14-033 | 246-915-990 | AMD 91-13-002 |
| 246-883-020 | RECOD-P 91-14-033 | 246-895-160 | RECOD-P 91-14-033 | 246-917-020 | RECOD 91-06-030 |
| 246-883-030 | RECOD-P 91-14-033 | 246-895-170 | RECOD-P 91-14-033 | 246-917-030 | RECOD 91-06-030 |
| 246-883-040 | RECOD-P 91-14-033 | 246-897 | RECOD-W 91-06-037 | 246-917-040 | RECOD 91-06-030 |
| 246-885 | RECOD-W 91-06-037 | 246-897-020 | RECOD-P 91-14-033 | 246-917-050 | RECOD 91-06-030 |
| 246-885-020 | RECOD-P 91-14-033 | 246-897-030 | RECOD-P 91-14-033 | 246-917-060 | RECOD 91-06-030 |
| 246-886-001 | RECOD-P 91-14-033 | 246-897-040 | RECOD-P 91-14-033 | 246-917-070 | RECOD 91-06-030 |
| 246-886-010 | RECOD-P 91-14-033 | 246-897-050 | RECOD-P 91-14-033 | 246-917-080 | RECOD 91-06-030 |
| 246-886-020 | RECOD-P 91-14-033 | 246-897-060 | RECOD-P 91-14-033 | 246-917-090 | RECOD 91-06-030 |
| 246-886-030 | RECOD-P 91-14-033 | 246-897-120 | RECOD-P 91-14-033 | 246-917-100 | RECOD 91-06-030 |
| 246-886-040 | RECOD-P 91-14-033 | 246-897-130 | RECOD-P 91-14-033 | 246-917-110 | RECOD 91-06-030 |
| 246-886-050 | RECOD-P 91-14-033 | 246-897-140 | RECOD-P 91-14-033 | 246-917-120 | RECOD 91-06-030 |
| 246-886-060 | RECOD-P 91-14-033 | 246-897-150 | RECOD-P 91-14-033 | 246-917-121 | NEW-E 91-13-094 |
| 246-886-070 | RECOD-P 91-14-033 | 246-897-160 | RECOD-P 91-14-033 | 246-917-130 | RECOD 91-06-030 |
| 246-886-080 | RECOD-P 91-14-033 | 246-897-170 | RECOD-P 91-14-033 | 246-917-140 | RECOD 91-06-030 |
| 246-886-090 | RECOD-P 91-14-033 | 246-897-180 | RECOD-P 91-14-033 | 246-917-150 | RECOD 91-06-030 |
| 246-886-100 | RECOD-P 91-14-033 | 246-897-190 | RECOD-P 91-14-033 | 246-917-160 | RECOD 91-06-030 |
| 246-887 | RECOD-W 91-06-037 | 246-899 | RECOD-W 91-06-037 | 246-917-170 | RECOD 91-06-030 |
| 246-887-020 | RECOD-P 91-14-033 | 246-899-020 | RECOD-P 91-14-033 | 246-917-180 | RECOD 91-06-030 |
| 246-887-030 | RECOD-P 91-14-033 | 246-899-030 | RECOD-P 91-14-033 | 246-917-190 | RECOD 91-06-030 |
| 246-887-040 | RECOD-P 91-14-033 | 246-899-040 | RECOD-P 91-14-033 | 246-917-200 | RECOD 91-06-030 |
| 246-887-050 | RECOD-P 91-14-033 | 246-899-050 | RECOD-P 91-14-033 | 246-917-210 | NEW-P 91-13-092 |
| 246-887-060 | RECOD-P 91-14-033 | 246-901 | RECOD-W 91-06-037 | 246-917-990 | NEW 91-06-027 |
| 246-887-070 | RECOD-P 91-14-033 | 246-901-020 | RECOD-P 91-14-033 | 246-918-020 | RECOD 91-06-030 |
| 246-887-080 | RECOD-P 91-14-033 | 246-901-030 | RECOD-P 91-14-033 | 246-918-030 | RECOD 91-06-030 |
| 246-887-090 | RECOD-P 91-14-033 | 246-901-040 | RECOD-P 91-14-033 | 246-918-030 | AMD 91-08-007 |
| 246-887-100 | RECOD-P 91-14-033 | 246-901-050 | RECOD-P 91-14-033 | 246-918-035 | NEW-P 91-04-055 |
| 246-887-110 | RECOD-P 91-14-033 | 246-901-060 | RECOD-P 91-14-033 | 246-918-035 | NEW 91-08-007 |
| 246-887-120 | RECOD-P 91-14-033 | 246-901-070 | RECOD-P 91-14-033 | 246-918-040 | RECOD 91-06-030 |
| 246-887-130 | RECOD-P 91-14-033 | 246-901-080 | RECOD-P 91-14-033 | 246-918-050 | RECOD 91-06-030 |
| 246-887-140 | RECOD-P 91-14-033 | 246-901-090 | RECOD-P 91-14-033 | 246-918-060 | RECOD 91-06-030 |
| 246-887-150 | RECOD-P 91-14-033 | 246-901-100 | RECOD-P 91-14-033 | 246-918-070 | RECOD 91-06-030 |
| 246-887-160 | RECOD-P 91-14-033 | 246-901-110 | RECOD-P 91-14-033 | 246-918-080 | RECOD 91-06-030 |
| 246-887-170 | RECOD-P 91-14-033 | 246-901-120 | RECOD-P 91-14-033 | 246-918-090 | RECOD 91-06-030 |
| 246-887-180 | RECOD-P 91-14-033 | 246-901-130 | RECOD-P 91-14-033 | 246-918-100 | RECOD 91-06-030 |
| 246-887-190 | RECOD-P 91-14-033 | 246-903 | RECOD-W 91-06-037 | 246-918-110 | RECOD 91-06-030 |
| 246-887-200 | RECOD-P 91-14-033 | 246-903-001 | RECOD-P 91-14-033 | 246-918-120 | RECOD 91-06-030 |
| 246-889 | RECOD-W 91-06-037 | 246-903-010 | RECOD-P 91-14-033 | 246-918-130 | RECOD 91-06-030 |
| 246-889-020 | RECOD-P 91-14-033 | 246-903-020 | RECOD-P 91-14-033 | 246-918-140 | RECOD 91-06-030 |
| 246-889-030 | RECOD-P 91-14-033 | 246-903-030 | RECOD-P 91-14-033 | 246-918-150 | RECOD 91-06-030 |
| 246-889-040 | RECOD-P 91-14-033 | 246-903-040 | RECOD-P 91-14-033 | 246-918-160 | RECOD 91-06-030 |
| 246-891 | RECOD-W 91-06-037 | 246-905 | RECOD-W 91-06-037 | 246-918-170 | RECOD 91-06-030 |
| 246-891-010 | RECOD-P 91-14-033 | 246-905-020 | RECOD-P 91-14-033 | 246-918-180 | RECOD 91-06-030 |
| 246-891-020 | RECOD-P 91-14-033 | 246-905-030 | RECOD-P 91-14-033 | 246-918-190 | RECOD 91-06-030 |
| 246-891-030 | RECOD-P 91-14-033 | 246-905-040 | RECOD-P 91-14-033 | 246-918-200 | RECOD 91-06-030 |
| 246-893 | RECOD-W 91-06-037 | 246-905-050 | RECOD-P 91-14-033 | 246-918-210 | RECOD 91-06-030 |
| 246-893-001 | RECOD-P 91-14-033 | 246-907 | RECOD-W 91-06-037 | 246-918-220 | RECOD 91-06-030 |
| 246-893-010 | RECOD-P 91-14-033 | 246-915-010 | AMD 91-05-094 | 246-918-230 | RECOD 91-06-030 |
| 246-893-020 | RECOD-P 91-14-033 | 246-915-015 | NEW 91-05-094 | 246-918-240 | RECOD 91-06-030 |
| 246-893-030 | RECOD-P 91-14-033 | 246-915-030 | AMD 91-05-094 | 246-918-250 | RECOD 91-06-030 |
| 246-893-040 | RECOD-P 91-14-033 | 246-915-030 | AMD-E 91-09-033 | 246-918-260 | RECOD 91-06-030 |
| 246-893-050 | RECOD-P 91-14-033 | 246-915-030 | AMD-P 91-09-063 | 246-918-270 | RECOD 91-06-030 |
| 246-893-060 | RECOD-P 91-14-033 | 246-915-030 | AMD 91-14-006 | 246-918-280 | RECOD 91-06-030 |
| 246-893-070 | RECOD-P 91-14-033 | 246-915-040 | AMD 91-05-094 | 246-918-290 | RECOD 91-06-030 |
| 246-893-080 | RECOD-P 91-14-033 | 246-915-050 | AMD 91-05-094 | 246-918-300 | RECOD 91-06-030 |
| 246-893-090 | RECOD-P 91-14-033 | 246-915-080 | AMD 91-05-094 | 246-918-310 | RECOD 91-06-030 |
| 246-893-100 | RECOD-P 91-14-033 | 246-915-110 | AMD 91-05-094 | 246-918-320 | RECOD 91-06-030 |
| 246-893-110 | RECOD-P 91-14-033 | 246-915-130 | AMD 91-05-094 | 246-918-330 | RECOD 91-06-030 |
| 246-893-120 | RECOD-P 91-14-033 | 246-915-140 | AMD 91-05-094 | 246-918-340 | RECOD 91-06-030 |
| 246-893-130 | RECOD-P 91-14-033 | 246-915-150 | AMD 91-05-094 | 246-918-350 | RECOD 91-06-030 |
| 246-893-140 | RECOD-P 91-14-033 | 246-915-160 | AMD 91-05-094 | 246-918-360 | RECOD 91-06-030 |
| 246-893-998 | RECOD-P 91-14-033 | 246-915-170 | AMD 91-05-094 | 246-918-370 | RECOD 91-06-030 |
| 246-895 | RECOD-W 91-06-037 | 246-915-180 | AMD 91-05-094 | 246-918-990 | NEW 91-06-027 |
| 246-895-010 | RECOD-P 91-14-033 | 246-915-210 | AMD 91-05-094 | 246-920-730 | AMD-P 91-10-040 |
| 246-895-020 | RECOD-P 91-14-033 | 246-915-300 | NEW-E 91-09-033 | 246-920-730 | AMD-E 91-10-042 |
| 246-895-030 | RECOD-P 91-14-033 | 246-915-300 | NEW-P 91-09-063 | 246-922-001 | RECOD 91-03-095 |
| 246-895-040 | RECOD-P 91-14-033 | 246-915-300 | NEW 91-14-006 | 246-922-001 | AMD 91-10-041 |
| 246-895-050 | RECOD-P 91-14-033 | 246-915-310 | NEW-E 91-09-033 | 246-922-010 | RECOD 91-03-095 |
| 246-895-060 | RECOD-P 91-14-033 | 246-915-310 | NEW-P 91-09-063 | 246-922-010 | AMD 91-10-041 |
| 246-895-070 | RECOD-P 91-14-033 | 246-915-310 | NEW 91-14-006 | 246-922-020 | RECOD 91-03-095 |
| 246-895-080 | RECOD-P 91-14-033 | 246-915-320 | NEW-E 91-09-033 | 246-922-030 | RECOD 91-03-095 |
| 246-895-090 | RECOD-P 91-14-033 | 246-915-320 | NEW-P 91-09-063 | 246-922-030 | AMD 91-10-041 |
| 246-895-100 | RECOD-P 91-14-033 | 246-915-320 | NEW 91-14-006 | 246-922-040 | RECOD 91-03-095 |
| 246-895-110 | RECOD-P 91-14-033 | 246-915-330 | NEW-E 91-09-033 | 246-922-040 | AMD 91-10-041 |
| 246-895-120 | RECOD-P 91-14-033 | 246-915-330 | NEW-P 91-09-063 | 246-922-045 | NEW-P 91-05-089 |
| 246-895-130 | RECOD-P 91-14-033 | 246-915-330 | NEW 91-14-006 | 246-922-045 | NEW 91-10-041 |
| 246-895-140 | RECOD-P 91-14-033 | 246-915-990 | AMD-P 91-08-078 | 246-922-050 | RECOD 91-03-095 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|-------------|-------|-----------|-------------|-------|-----------|------------|-------|-----------|
| 246-922-050 | AMD | 91-10-041 | 246-924-150 | RECOD | 91-04-020 | 250-44-110 | AMD | 91-14-009 |
| 246-922-055 | NEW-P | 91-05-089 | 246-924-160 | RECOD | 91-04-020 | 250-44-130 | AMD-E | 91-04-045 |
| 246-922-055 | NEW | 91-10-041 | 246-924-170 | RECOD | 91-04-020 | 250-44-130 | AMD | 91-14-009 |
| 246-922-060 | RECOD | 91-03-095 | 246-924-180 | NEW | 91-04-021 | 250-76 | NEW-C | 91-03-087 |
| 246-922-060 | AMD | 91-10-041 | 246-924-190 | NEW | 91-04-021 | 250-76-010 | NEW-W | 91-11-073 |
| 246-922-070 | RECOD | 91-03-095 | 246-924-200 | RECOD | 91-04-020 | 250-76-020 | NEW-W | 91-11-073 |
| 246-922-070 | AMD | 91-10-041 | 246-924-210 | RECOD | 91-04-020 | 250-76-030 | NEW-W | 91-11-073 |
| 246-922-080 | RECOD | 91-03-095 | 246-924-220 | NEW | 91-04-021 | 250-76-040 | NEW-W | 91-11-073 |
| 246-922-080 | AMD | 91-10-041 | 246-924-230 | RECOD | 91-04-020 | 250-76-050 | NEW-W | 91-11-073 |
| 246-922-090 | RECOD | 91-03-095 | 246-924-240 | RECOD | 91-04-020 | 250-76-060 | NEW-W | 91-11-073 |
| 246-922-090 | AMD | 91-10-041 | 246-924-250 | RECOD | 91-04-020 | 250-77-010 | NEW-P | 91-09-061 |
| 246-922-100 | RECOD | 91-03-095 | 246-924-260 | RECOD | 91-04-020 | 250-77-010 | NEW | 91-12-005 |
| 246-922-100 | AMD | 91-10-041 | 246-924-270 | RECOD | 91-04-020 | 250-77-015 | NEW-P | 91-09-061 |
| 246-922-110 | RECOD | 91-03-095 | 246-924-280 | RECOD | 91-04-020 | 250-77-015 | NEW | 91-12-005 |
| 246-922-110 | AMD | 91-10-041 | 246-924-290 | RECOD | 91-04-020 | 250-77-020 | NEW-P | 91-09-061 |
| 246-922-120 | RECOD | 91-03-095 | 246-924-300 | NEW | 91-04-021 | 250-77-020 | NEW | 91-12-005 |
| 246-922-120 | AMD | 91-10-041 | 246-924-310 | NEW | 91-04-021 | 250-77-025 | NEW-P | 91-09-061 |
| 246-922-130 | RECOD | 91-03-095 | 246-924-320 | NEW | 91-04-021 | 250-77-025 | NEW | 91-12-005 |
| 246-922-130 | AMD | 91-10-041 | 246-924-330 | NEW | 91-04-021 | 250-77-030 | NEW-P | 91-09-061 |
| 246-922-140 | RECOD | 91-03-095 | 246-924-340 | NEW | 91-04-021 | 250-77-030 | NEW | 91-12-005 |
| 246-922-140 | AMD | 91-10-041 | 246-924-350 | RECOD | 91-04-020 | 250-77-035 | NEW-P | 91-09-061 |
| 246-922-150 | RECOD | 91-03-095 | 246-924-360 | RECOD | 91-04-020 | 250-77-035 | NEW | 91-12-005 |
| 246-922-150 | AMD | 91-10-041 | 246-924-370 | RECOD | 91-04-020 | 250-77-040 | NEW-P | 91-09-061 |
| 246-922-160 | RECOD | 91-03-095 | 246-924-380 | RECOD | 91-04-020 | 250-77-040 | NEW | 91-12-005 |
| 246-922-160 | AMD | 91-10-041 | 246-924-390 | RECOD | 91-04-020 | 250-77-045 | NEW-P | 91-09-061 |
| 246-922-170 | RECOD | 91-03-095 | 246-924-400 | RECOD | 91-04-020 | 250-77-045 | NEW | 91-12-005 |
| 246-922-170 | AMD | 91-10-041 | 246-924-410 | RECOD | 91-04-020 | 250-77-050 | NEW-P | 91-09-061 |
| 246-922-180 | RECOD | 91-03-095 | 246-924-420 | RECOD | 91-04-020 | 250-77-050 | NEW | 91-12-005 |
| 246-922-180 | AMD | 91-10-041 | 246-924-430 | RECOD | 91-04-020 | 251-04-160 | NEW-P | 91-10-059 |
| 246-922-190 | RECOD | 91-03-095 | 246-924-440 | RECOD | 91-04-020 | 251-04-160 | NEW | 91-13-011 |
| 246-922-190 | AMD | 91-10-041 | 246-924-450 | RECOD | 91-04-020 | 251-08-090 | AMD-P | 91-13-096 |
| 246-922-200 | RECOD | 91-03-095 | 246-924-460 | RECOD | 91-04-020 | 251-08-112 | AMD-E | 91-05-052 |
| 246-922-200 | AMD | 91-10-041 | 246-924-470 | RECOD | 91-04-020 | 251-08-112 | AMD-P | 91-06-077 |
| 246-922-210 | RECOD | 91-03-095 | 246-924-480 | RECOD | 91-04-020 | 251-08-112 | AMD | 91-10-003 |
| 246-922-210 | AMD | 91-10-041 | 246-924-990 | RECOD | 91-05-028 | 251-08-112 | AMD-P | 91-10-061 |
| 246-922-220 | RECOD | 91-03-095 | 246-924-990 | AMD-P | 91-08-078 | 251-08-112 | AMD | 91-13-011 |
| 246-922-220 | AMD | 91-10-041 | 246-924-990 | AMD | 91-13-002 | 251-09-020 | AMD-P | 91-07-060 |
| 246-922-230 | RECOD | 91-03-095 | 246-930-010 | NEW-P | 91-06-091 | 251-09-020 | AMD-E | 91-13-014 |
| 246-922-230 | AMD | 91-10-041 | 246-930-010 | NEW | 91-11-063 | 251-09-020 | AMD-P | 91-13-095 |
| 246-922-240 | RECOD | 91-03-095 | 246-930-020 | NEW-P | 91-06-091 | 251-12-085 | AMD-C | 91-05-055 |
| 246-922-240 | AMD | 91-10-041 | 246-930-020 | NEW | 91-11-063 | 251-12-085 | AMD-C | 91-05-060 |
| 246-922-250 | RECOD | 91-03-095 | 246-930-030 | NEW-P | 91-06-091 | 251-12-085 | AMD | 91-10-002 |
| 246-922-250 | AMD | 91-10-041 | 246-930-030 | NEW | 91-11-063 | 251-12-600 | AMD-P | 91-10-060 |
| 246-922-260 | RECOD | 91-03-095 | 246-930-040 | NEW-P | 91-06-091 | 251-19-120 | AMD-C | 91-05-055 |
| 246-922-260 | AMD | 91-10-041 | 246-930-040 | NEW | 91-11-063 | 251-19-120 | AMD-C | 91-05-060 |
| 246-922-270 | RECOD | 91-03-095 | 246-930-050 | NEW-P | 91-06-091 | 251-19-120 | AMD | 91-10-002 |
| 246-922-270 | AMD | 91-10-041 | 246-930-050 | NEW | 91-11-063 | 251-19-155 | NEW-C | 91-05-054 |
| 246-922-280 | NEW-P | 91-05-089 | 246-930-060 | NEW-P | 91-06-091 | 251-19-155 | NEW-C | 91-05-059 |
| 246-922-280 | NEW | 91-10-041 | 246-930-060 | NEW | 91-11-063 | 251-19-155 | NEW | 91-10-001 |
| 246-922-290 | NEW-P | 91-05-089 | 246-930-070 | NEW-P | 91-06-091 | 251-19-156 | NEW-C | 91-05-054 |
| 246-922-290 | NEW | 91-10-041 | 246-930-070 | NEW | 91-11-063 | 251-19-156 | NEW-C | 91-05-059 |
| 246-922-295 | NEW-P | 91-05-089 | 246-930-075 | NEW-E | 91-11-062 | 251-19-156 | NEW | 91-10-001 |
| 246-922-295 | NEW | 91-10-041 | 246-930-200 | NEW-P | 91-06-091 | 251-19-157 | NEW-C | 91-05-054 |
| 246-922-300 | NEW-P | 91-05-089 | 246-930-200 | NEW | 91-11-063 | 251-19-157 | NEW-C | 91-05-059 |
| 246-922-300 | NEW | 91-10-041 | 246-930-210 | NEW-P | 91-06-091 | 251-19-157 | NEW | 91-10-001 |
| 246-922-310 | NEW-P | 91-05-089 | 246-930-210 | NEW | 91-11-063 | 251-19-158 | NEW-C | 91-05-054 |
| 246-922-310 | NEW | 91-10-041 | 246-930-220 | NEW-P | 91-06-091 | 251-19-158 | NEW-C | 91-05-059 |
| 246-922-320 | NEW-P | 91-05-089 | 246-930-220 | NEW | 91-11-063 | 251-19-158 | NEW | 91-10-001 |
| 246-922-320 | NEW | 91-10-041 | 246-930-300 | NEW-P | 91-06-091 | 251-19-160 | AMD-C | 91-05-055 |
| 246-922-990 | RECOD | 91-05-029 | 246-930-300 | NEW | 91-11-063 | 251-19-160 | AMD-C | 91-05-060 |
| 246-922-990 | AMD-P | 91-08-078 | 246-930-400 | NEW-P | 91-06-091 | 251-19-160 | AMD | 91-10-002 |
| 246-922-990 | AMD | 91-13-002 | 246-930-400 | NEW | 91-11-063 | 251-22-112 | AMD-P | 91-10-060 |
| 246-924-001 | RECOD | 91-04-020 | 246-930-499 | NEW-P | 91-06-091 | 251-22-112 | AMD | 91-13-012 |
| 246-924-010 | RECOD | 91-04-020 | 246-930-499 | NEW | 91-11-063 | 251-22-170 | AMD-E | 91-13-013 |
| 246-924-020 | RECOD | 91-04-020 | 246-930-990 | NEW-P | 91-06-091 | 251-22-170 | AMD-P | 91-13-095 |
| 246-924-030 | RECOD | 91-04-020 | 246-930-990 | NEW | 91-11-063 | 251-22-215 | NEW-P | 91-10-059 |
| 246-924-040 | RECOD | 91-04-020 | 246-975-160 | AMD | 91-06-026 | 251-22-215 | NEW | 91-13-011 |
| 246-924-050 | RECOD | 91-04-020 | 246-975-180 | AMD | 91-06-026 | 251-22-250 | AMD-P | 91-10-060 |
| 246-924-060 | RECOD | 91-04-020 | 246-975-200 | AMD | 91-06-026 | 251-22-250 | AMD | 91-13-012 |
| 246-924-070 | RECOD | 91-04-020 | 246-975-210 | AMD | 91-06-026 | 251-24-030 | AMD-C | 91-05-054 |
| 246-924-080 | RECOD | 91-04-020 | 246-975-220 | AMD | 91-06-026 | 251-24-030 | AMD-C | 91-05-059 |
| 246-924-090 | RECOD | 91-04-020 | 246-975-240 | AMD | 91-06-026 | 251-24-030 | AMD | 91-10-001 |
| 246-924-100 | RECOD | 91-04-020 | 246-975-250 | AMD | 91-06-026 | 260-20-080 | REP-P | 91-08-073 |
| 246-924-110 | RECOD | 91-04-020 | 248-106-030 | NEW-W | 91-11-024 | 260-32-190 | AMD-P | 91-08-073 |
| 246-924-120 | RECOD | 91-04-020 | 250-44-050 | AMD-E | 91-04-045 | 260-36-190 | NEW | 91-03-033 |
| 246-924-130 | RECOD | 91-04-020 | 250-44-050 | AMD | 91-14-009 | 260-36-200 | NEW | 91-03-033 |
| 246-924-140 | RECOD | 91-04-020 | 250-44-110 | AMD-E | 91-04-045 | 260-60-060 | AMD-W | 91-03-064 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|--------------|-------|-----------|-------------|-------|-----------|------------|-------|-----------|
| 296-24-11001 | AMD-P | 91-04-077 | 296-62-3090 | AMD | 91-11-070 | 296-95-228 | NEW-P | 91-10-091 |
| 296-24-11001 | AMD | 91-11-070 | 296-81-008 | AMD-P | 91-10-091 | 296-95-229 | NEW-P | 91-10-091 |
| 296-24-11003 | AMD-P | 91-04-077 | 296-81-010 | REP-P | 91-10-091 | 296-95-235 | NEW-P | 91-10-091 |
| 296-24-11003 | AMD | 91-11-070 | 296-81-020 | REP-P | 91-10-091 | 296-95-236 | NEW-P | 91-10-091 |
| 296-24-11005 | AMD-P | 91-04-077 | 296-81-030 | REP-P | 91-10-091 | 296-95-240 | NEW-P | 91-10-091 |
| 296-24-11005 | AMD | 91-11-070 | 296-81-040 | REP-P | 91-10-091 | 296-95-241 | NEW-P | 91-10-091 |
| 296-24-11007 | AMD-P | 91-04-077 | 296-81-050 | REP-P | 91-10-091 | 296-95-243 | NEW-P | 91-10-091 |
| 296-24-11007 | AMD | 91-11-070 | 296-81-060 | REP-P | 91-10-091 | 296-95-244 | NEW-P | 91-10-091 |
| 296-24-11009 | AMD-P | 91-04-077 | 296-81-070 | REP-P | 91-10-091 | 296-95-245 | NEW-P | 91-10-091 |
| 296-24-11009 | AMD | 91-11-070 | 296-81-080 | REP-P | 91-10-091 | 296-95-250 | NEW-P | 91-10-091 |
| 296-24-11011 | AMD-P | 91-04-077 | 296-81-090 | REP-P | 91-10-091 | 296-95-255 | NEW-P | 91-10-091 |
| 296-24-11011 | AMD | 91-11-070 | 296-81-100 | REP-P | 91-10-091 | 296-95-256 | NEW-P | 91-10-091 |
| 296-24-11013 | AMD-P | 91-04-077 | 296-81-110 | REP-P | 91-10-091 | 296-95-260 | NEW-P | 91-10-091 |
| 296-24-11013 | AMD | 91-11-070 | 296-81-120 | REP-P | 91-10-091 | 296-95-261 | NEW-P | 91-10-091 |
| 296-24-11015 | AMD-P | 91-04-077 | 296-81-130 | REP-P | 91-10-091 | 296-95-262 | NEW-P | 91-10-091 |
| 296-24-11015 | AMD | 91-11-070 | 296-81-140 | REP-P | 91-10-091 | 296-95-264 | NEW-P | 91-10-091 |
| 296-24-11017 | AMD-P | 91-04-077 | 296-81-150 | REP-P | 91-10-091 | 296-95-266 | NEW-P | 91-10-091 |
| 296-24-11017 | AMD | 91-11-070 | 296-81-160 | REP-P | 91-10-091 | 296-95-268 | NEW-P | 91-10-091 |
| 296-24-119 | AMD-P | 91-04-077 | 296-81-170 | REP-P | 91-10-091 | 296-95-269 | NEW-P | 91-10-091 |
| 296-24-119 | AMD | 91-11-070 | 296-81-180 | REP-P | 91-10-091 | 296-95-270 | NEW-P | 91-10-091 |
| 296-24-12002 | AMD-P | 91-04-077 | 296-81-190 | REP-P | 91-10-091 | 296-95-272 | NEW-P | 91-10-091 |
| 296-24-12002 | AMD | 91-11-070 | 296-81-220 | REP-P | 91-10-091 | 296-95-274 | NEW-P | 91-10-091 |
| 296-24-150 | AMD | 91-03-044 | 296-81-240 | AMD-P | 91-10-091 | 296-95-276 | NEW-P | 91-10-091 |
| 296-24-15001 | AMD | 91-03-044 | 296-81-260 | REP-P | 91-10-091 | 296-95-277 | NEW-P | 91-10-091 |
| 296-24-15003 | AMD | 91-03-044 | 296-81-270 | REP-P | 91-10-091 | 296-95-278 | NEW-P | 91-10-091 |
| 296-24-16531 | AMD | 91-03-044 | 296-81-275 | AMD-P | 91-10-091 | 296-95-279 | NEW-P | 91-10-091 |
| 296-24-19505 | AMD | 91-03-044 | 296-81-280 | NEW-P | 91-10-091 | 296-95-280 | NEW-P | 91-10-091 |
| 296-24-19509 | AMD | 91-03-044 | 296-81-290 | NEW-P | 91-10-091 | 296-95-282 | NEW-P | 91-10-091 |
| 296-24-200 | AMD | 91-03-044 | 296-81-370 | AMD-P | 91-10-091 | 296-95-283 | NEW-P | 91-10-091 |
| 296-24-23023 | AMD | 91-03-044 | 296-95-101 | NEW-P | 91-10-091 | 296-95-284 | NEW-P | 91-10-091 |
| 296-24-23027 | AMD | 91-03-044 | 296-95-110 | NEW-P | 91-10-091 | 296-95-285 | NEW-P | 91-10-091 |
| 296-24-233 | AMD-C | 91-03-043 | 296-95-111 | NEW-P | 91-10-091 | 296-95-287 | NEW-P | 91-10-091 |
| 296-24-233 | AMD-W | 91-09-004 | 296-95-113 | NEW-P | 91-10-091 | 296-95-288 | NEW-P | 91-10-091 |
| 296-24-23303 | NEW-C | 91-03-043 | 296-95-115 | NEW-P | 91-10-091 | 296-95-289 | NEW-P | 91-10-091 |
| 296-24-23303 | NEW-W | 91-09-004 | 296-95-116 | NEW-P | 91-10-091 | 296-95-290 | NEW-P | 91-10-091 |
| 296-24-23533 | NEW | 91-03-044 | 296-95-120 | NEW-P | 91-10-091 | 296-95-291 | NEW-P | 91-10-091 |
| 296-24-450 | AMD | 91-03-044 | 296-95-121 | NEW-P | 91-10-091 | 296-95-300 | NEW-P | 91-10-091 |
| 296-24-68203 | AMD | 91-03-044 | 296-95-122 | NEW-P | 91-10-091 | 296-95-302 | NEW-P | 91-10-091 |
| 296-24-75009 | AMD | 91-03-044 | 296-95-123 | NEW-P | 91-10-091 | 296-95-304 | NEW-P | 91-10-091 |
| 296-24-75011 | AMD | 91-03-044 | 296-95-124 | NEW-P | 91-10-091 | 296-95-307 | NEW-P | 91-10-091 |
| 296-24-76555 | AMD | 91-03-044 | 296-95-125 | NEW-P | 91-10-091 | 296-95-309 | NEW-P | 91-10-091 |
| 296-24-87035 | NEW | 91-03-044 | 296-95-126 | NEW-P | 91-10-091 | 296-95-311 | NEW-P | 91-10-091 |
| 296-24-95611 | AMD | 91-03-044 | 296-95-130 | NEW-P | 91-10-091 | 296-95-313 | NEW-P | 91-10-091 |
| 296-30-190 | NEW-W | 91-04-027 | 296-95-131 | NEW-P | 91-10-091 | 296-95-316 | NEW-P | 91-10-091 |
| 296-52-417 | AMD | 91-03-044 | 296-95-132 | NEW-P | 91-10-091 | 296-95-318 | NEW-P | 91-10-091 |
| 296-52-465 | AMD | 91-03-044 | 296-95-133 | NEW-P | 91-10-091 | 296-95-321 | NEW-P | 91-10-091 |
| 296-52-489 | AMD | 91-03-044 | 296-95-140 | NEW-P | 91-10-091 | 296-95-322 | NEW-P | 91-10-091 |
| 296-52-493 | AMD | 91-03-044 | 296-95-150 | NEW-P | 91-10-091 | 296-95-323 | NEW-P | 91-10-091 |
| 296-52-497 | AMD | 91-03-044 | 296-95-151 | NEW-P | 91-10-091 | 296-95-324 | NEW-P | 91-10-091 |
| 296-56-60073 | AMD-P | 91-04-077 | 296-95-152 | NEW-P | 91-10-091 | 296-95-325 | NEW-P | 91-10-091 |
| 296-56-60073 | AMD | 91-11-070 | 296-95-153 | NEW-P | 91-10-091 | 296-95-326 | NEW-P | 91-10-091 |
| 296-56-60229 | AMD-P | 91-04-077 | 296-95-154 | NEW-P | 91-10-091 | 296-95-328 | NEW-P | 91-10-091 |
| 296-56-60229 | AMD | 91-11-070 | 296-95-155 | NEW-P | 91-10-091 | 296-95-330 | NEW-P | 91-10-091 |
| 296-62-07314 | AMD | 91-03-044 | 296-95-156 | NEW-P | 91-10-091 | 296-95-332 | NEW-P | 91-10-091 |
| 296-62-07329 | AMD | 91-03-044 | 296-95-157 | NEW-P | 91-10-091 | 296-95-334 | NEW-P | 91-10-091 |
| 296-62-07515 | AMD-P | 91-04-077 | 296-95-158 | NEW-P | 91-10-091 | 296-95-336 | NEW-P | 91-10-091 |
| 296-62-07515 | AMD | 91-11-070 | 296-95-160 | NEW-P | 91-10-091 | 296-95-338 | NEW-P | 91-10-091 |
| 296-62-07540 | AMD-P | 91-04-077 | 296-95-161 | NEW-P | 91-10-091 | 296-95-340 | NEW-P | 91-10-091 |
| 296-62-07540 | AMD | 91-11-070 | 296-95-162 | NEW-P | 91-10-091 | 296-95-342 | NEW-P | 91-10-091 |
| 296-62-07544 | AMD-P | 91-04-077 | 296-95-163 | NEW-P | 91-10-091 | 296-95-344 | NEW-P | 91-10-091 |
| 296-62-07544 | AMD | 91-11-070 | 296-95-165 | NEW-P | 91-10-091 | 296-95-400 | NEW-P | 91-10-091 |
| 296-62-07715 | AMD | 91-03-044 | 296-95-166 | NEW-P | 91-10-091 | 296-95-405 | NEW-P | 91-10-091 |
| 296-62-07719 | AMD | 91-03-044 | 296-95-200 | NEW-P | 91-10-091 | 296-95-408 | NEW-P | 91-10-091 |
| 296-62-07721 | AMD | 91-03-044 | 296-95-203 | NEW-P | 91-10-091 | 296-95-410 | NEW-P | 91-10-091 |
| 296-62-07725 | AMD | 91-03-044 | 296-95-205 | NEW-P | 91-10-091 | 296-95-412 | NEW-P | 91-10-091 |
| 296-62-07731 | AMD | 91-03-044 | 296-95-206 | NEW-P | 91-10-091 | 296-95-414 | NEW-P | 91-10-091 |
| 296-62-07733 | AMD | 91-03-044 | 296-95-207 | NEW-P | 91-10-091 | 296-95-416 | NEW-P | 91-10-091 |
| 296-62-07755 | NEW | 91-03-044 | 296-95-208 | NEW-P | 91-10-091 | 296-95-418 | NEW-P | 91-10-091 |
| 296-62-09007 | AMD-P | 91-04-077 | 296-95-209 | NEW-P | 91-10-091 | 296-95-420 | NEW-P | 91-10-091 |
| 296-62-09007 | AMD | 91-11-070 | 296-95-215 | NEW-P | 91-10-091 | 296-95-422 | NEW-P | 91-10-091 |
| 296-62-11011 | AMD-P | 91-04-077 | 296-95-216 | NEW-P | 91-10-091 | 296-95-424 | NEW-P | 91-10-091 |
| 296-62-11011 | AMD | 91-11-070 | 296-95-220 | NEW-P | 91-10-091 | 296-95-427 | NEW-P | 91-10-091 |
| 296-62-14503 | AMD-P | 91-04-077 | 296-95-221 | NEW-P | 91-10-091 | 296-95-429 | NEW-P | 91-10-091 |
| 296-62-14503 | AMD | 91-11-070 | 296-95-222 | NEW-P | 91-10-091 | 296-95-431 | NEW-P | 91-10-091 |
| 296-62-3050 | AMD-P | 91-04-077 | 296-95-225 | NEW-P | 91-10-091 | 296-95-432 | NEW-P | 91-10-091 |
| 296-62-3050 | AMD | 91-11-070 | 296-95-226 | NEW-P | 91-10-091 | 296-95-434 | NEW-P | 91-10-091 |
| 296-62-3090 | AMD-P | 91-04-077 | 296-95-227 | NEW-P | 91-10-091 | 296-95-436 | NEW-P | 91-10-091 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|---------------|-------|-----------|---------------|-------|-----------|------------|-------|-----------|
| 296-95-438 | NEW-P | 91-10-091 | 296-155-24503 | NEW | 91-03-044 | 308-20-010 | AMD | 91-11-042 |
| 296-95-440 | NEW-P | 91-10-091 | 296-155-24505 | NEW | 91-03-044 | 308-20-020 | AMD-P | 91-05-080 |
| 296-95-442 | NEW-P | 91-10-091 | 296-155-24510 | NEW | 91-03-044 | 308-20-020 | AMD | 91-11-042 |
| 296-95-444 | NEW-P | 91-10-091 | 296-155-24515 | NEW | 91-03-044 | 308-20-030 | AMD-P | 91-05-080 |
| 296-95-446 | NEW-P | 91-10-091 | 296-155-24520 | NEW | 91-03-044 | 308-20-030 | AMD | 91-11-042 |
| 296-95-448 | NEW-P | 91-10-091 | 296-155-24521 | NEW | 91-03-044 | 308-20-040 | AMD-P | 91-05-080 |
| 296-95-450 | NEW-P | 91-10-091 | 296-155-24525 | NEW | 91-03-044 | 308-20-040 | AMD | 91-11-042 |
| 296-95-500 | NEW-P | 91-10-091 | 296-155-363 | AMD-P | 91-04-077 | 308-20-050 | AMD-P | 91-05-080 |
| 296-95-510 | NEW-P | 91-10-091 | 296-155-363 | AMD | 91-11-070 | 308-20-050 | AMD | 91-11-042 |
| 296-95-540 | NEW-P | 91-10-091 | 296-155-36313 | AMD-P | 91-04-077 | 308-20-070 | AMD-P | 91-05-080 |
| 296-95-600 | NEW-P | 91-10-091 | 296-155-36313 | AMD | 91-11-070 | 308-20-070 | AMD | 91-11-042 |
| 296-95-610 | NEW-P | 91-10-091 | 296-155-375 | AMD-P | 91-04-077 | 308-20-080 | AMD-P | 91-05-080 |
| 296-95-620 | NEW-P | 91-10-091 | 296-155-375 | AMD | 91-11-070 | 308-20-080 | AMD | 91-11-042 |
| 296-95-630 | NEW-P | 91-10-091 | 296-155-480 | AMD | 91-03-044 | 308-20-090 | AMD-P | 91-05-080 |
| 296-95-700 | NEW-P | 91-10-091 | 296-155-485 | AMD | 91-03-044 | 308-20-090 | AMD | 91-11-042 |
| 296-95-710 | NEW-P | 91-10-091 | 296-155-48529 | AMD | 91-03-044 | 308-20-095 | NEW-P | 91-05-080 |
| 296-95-800 | NEW-P | 91-10-091 | 296-155-48531 | AMD | 91-03-044 | 308-20-095 | NEW | 91-11-042 |
| 296-95-810 | NEW-P | 91-10-091 | 296-155-48533 | AMD | 91-03-044 | 308-20-105 | AMD-P | 91-05-080 |
| 296-99-050 | AMD-P | 91-04-077 | 296-155-500 | AMD | 91-03-044 | 308-20-105 | AMD | 91-11-042 |
| 296-99-050 | AMD | 91-11-070 | 296-155-505 | AMD | 91-03-044 | 308-20-110 | AMD-P | 91-05-080 |
| 296-104-015 | AMD-P | 91-09-047 | 296-155-50501 | REP | 91-03-044 | 308-20-110 | AMD | 91-11-042 |
| 296-104-015 | AMD | 91-11-107 | 296-155-50503 | AMD | 91-03-044 | 308-20-140 | AMD-P | 91-05-080 |
| 296-104-120 | AMD-P | 91-09-047 | 296-155-525 | AMD | 91-03-044 | 308-20-140 | AMD | 91-11-042 |
| 296-104-120 | AMD | 91-11-107 | 296-155-530 | AMD | 91-03-044 | 308-20-175 | NEW-P | 91-05-080 |
| 296-104-200 | AMD-P | 91-09-047 | 296-155-620 | AMD | 91-03-044 | 308-20-175 | NEW | 91-11-042 |
| 296-104-200 | AMD | 91-11-107 | 296-155-625 | AMD | 91-03-044 | 308-31-001 | DECOD | 91-03-095 |
| 296-104-801 | NEW-P | 91-09-046 | 296-155-650 | AMD | 91-03-044 | 308-31-010 | DECOD | 91-03-095 |
| 296-104-801 | NEW | 91-11-106 | 296-155-655 | AMD | 91-03-044 | 308-31-010 | AMD-P | 91-05-089 |
| 296-104-805 | NEW-P | 91-09-046 | 296-155-65505 | REP | 91-03-044 | 308-31-020 | DECOD | 91-03-095 |
| 296-104-805 | NEW | 91-11-106 | 296-155-657 | NEW | 91-03-044 | 308-31-020 | AMD-P | 91-05-089 |
| 296-115-005 | AMD | 91-03-044 | 296-155-660 | REP | 91-03-044 | 308-31-025 | DECOD | 91-03-095 |
| 296-115-010 | AMD | 91-03-044 | 296-155-66005 | REP | 91-03-044 | 308-31-025 | AMD-P | 91-05-089 |
| 296-115-015 | AMD | 91-03-044 | 296-155-66103 | NEW | 91-03-044 | 308-31-030 | DECOD | 91-03-095 |
| 296-115-025 | AMD | 91-03-044 | 296-155-66105 | NEW | 91-03-044 | 308-31-030 | AMD-P | 91-05-089 |
| 296-115-035 | AMD | 91-03-044 | 296-155-66109 | NEW | 91-03-044 | 308-31-040 | DECOD | 91-03-095 |
| 296-115-060 | AMD | 91-03-044 | 296-155-664 | NEW | 91-03-044 | 308-31-040 | AMD-P | 91-05-089 |
| 296-115-070 | AMD | 91-03-044 | 296-155-665 | REP | 91-03-044 | 308-31-050 | DECOD | 91-03-095 |
| 296-115-100 | AMD | 91-03-044 | 296-155-66501 | REP | 91-03-044 | 308-31-050 | AMD-P | 91-05-089 |
| 296-116-185 | AMD-P | 91-03-075 | 296-155-66502 | REP | 91-03-044 | 308-31-055 | DECOD | 91-05-029 |
| 296-116-185 | AMD-E | 91-08-004 | 296-155-66503 | REP | 91-03-044 | 308-31-057 | DECOD | 91-03-095 |
| 296-116-185 | AMD | 91-08-008 | 296-155-66504 | REP | 91-03-044 | 308-31-057 | AMD-P | 91-05-089 |
| 296-116-300 | AMD-P | 91-08-003 | 296-155-66505 | REP | 91-03-044 | 308-31-060 | DECOD | 91-03-095 |
| 296-116-300 | AMD | 91-11-074 | 296-155-675 | AMD-P | 91-04-077 | 308-31-060 | AMD-P | 91-05-089 |
| 296-116-315 | NEW | 91-06-033 | 296-155-675 | AMD | 91-11-070 | 308-31-100 | DECOD | 91-03-095 |
| 296-127 | AMD-C | 91-03-113 | 296-155-682 | AMD | 91-03-044 | 308-31-100 | AMD-P | 91-05-089 |
| 296-127-010 | AMD-W | 91-10-092 | 296-155-688 | AMD | 91-03-044 | 308-31-110 | DECOD | 91-03-095 |
| 296-127-010 | AMD-P | 91-14-104 | 296-155-689 | AMD | 91-03-044 | 308-31-110 | AMD-P | 91-05-089 |
| 296-127-011 | AMD-W | 91-10-092 | 296-155-694 | AMD-P | 91-04-077 | 308-31-120 | DECOD | 91-03-095 |
| 296-127-011 | AMD-P | 91-14-104 | 296-155-694 | AMD | 91-11-070 | 308-31-120 | AMD-P | 91-05-089 |
| 296-127-013 | AMD-W | 91-10-092 | 296-155-700 | AMD | 91-03-044 | 308-31-210 | DECOD | 91-03-095 |
| 296-127-013 | AMD-P | 91-14-104 | 296-155-705 | AMD | 91-03-044 | 308-31-210 | AMD-P | 91-05-089 |
| 296-127-014 | AMD-W | 91-10-092 | 296-155-720 | AMD | 91-03-044 | 308-31-220 | DECOD | 91-03-095 |
| 296-127-014 | AMD-P | 91-14-104 | 296-155-730 | AMD-P | 91-04-077 | 308-31-220 | AMD-P | 91-05-089 |
| 296-127-015 | AMD-W | 91-10-092 | 296-155-730 | AMD | 91-11-070 | 308-31-230 | DECOD | 91-03-095 |
| 296-127-015 | AMD-P | 91-14-104 | 296-155-950 | AMD | 91-03-044 | 308-31-230 | AMD-P | 91-05-089 |
| 296-127-016 | REP-W | 91-10-092 | 296-305-06009 | AMD-P | 91-04-077 | 308-31-240 | DECOD | 91-03-095 |
| 296-127-016 | REP-P | 91-14-104 | 296-305-06009 | AMD | 91-11-070 | 308-31-240 | AMD-P | 91-05-089 |
| 296-127-017 | AMD-W | 91-10-092 | 296-305-110 | AMD | 91-03-044 | 308-31-250 | DECOD | 91-03-095 |
| 296-127-017 | AMD-P | 91-14-104 | 296-306-260 | AMD-P | 91-04-077 | 308-31-250 | AMD-P | 91-05-089 |
| 296-127-018 | NEW-W | 91-10-092 | 296-306-260 | AMD | 91-11-070 | 308-31-260 | DECOD | 91-03-095 |
| 296-127-018 | NEW-P | 91-14-104 | 296-306-265 | AMD-P | 91-04-077 | 308-31-260 | AMD-P | 91-05-089 |
| 296-127-019 | AMD-W | 91-10-092 | 296-306-265 | AMD | 91-11-070 | 308-31-270 | DECOD | 91-03-095 |
| 296-127-019 | AMD-P | 91-14-104 | 296-306-27095 | AMD-P | 91-04-077 | 308-31-270 | AMD-P | 91-05-089 |
| 296-127-020 | AMD-W | 91-10-092 | 296-306-27095 | AMD | 91-11-070 | 308-31-280 | DECOD | 91-03-095 |
| 296-127-020 | AMD-P | 91-14-104 | 296-306-310 | AMD-P | 91-04-077 | 308-31-280 | AMD-P | 91-05-089 |
| 296-127-022 | AMD-P | 91-14-104 | 296-306-310 | AMD | 91-11-070 | 308-31-500 | DECOD | 91-03-095 |
| 296-127-025 | AMD-W | 91-10-092 | 296-306-320 | AMD-P | 91-04-077 | 308-31-500 | AMD-P | 91-05-089 |
| 296-127-025 | AMD-P | 91-14-104 | 296-306-320 | AMD | 91-11-070 | 308-31-510 | DECOD | 91-03-095 |
| 296-127-050 | NEW-P | 91-14-104 | 308-10-067 | NEW-P | 91-07-028 | 308-31-510 | AMD-P | 91-05-089 |
| 296-127-320 | AMD-P | 91-14-104 | 308-10-067 | NEW | 91-13-057 | 308-31-520 | DECOD | 91-03-095 |
| 296-127-990 | NEW-W | 91-10-092 | 308-12-115 | AMD-P | 91-06-012 | 308-31-520 | AMD-P | 91-05-089 |
| 296-127-990 | NEW-P | 91-14-104 | 308-12-115 | AMD-P | 91-09-041 | 308-31-530 | DECOD | 91-03-095 |
| 296-155-205 | AMD-P | 91-04-077 | 308-12-115 | AMD | 91-12-061 | 308-31-530 | AMD-P | 91-05-089 |
| 296-155-205 | AMD | 91-11-070 | 308-12-326 | AMD-P | 91-09-020 | 308-31-540 | DECOD | 91-03-095 |
| 296-155-225 | REP | 91-03-044 | 308-12-326 | AMD | 91-13-055 | 308-31-540 | AMD-P | 91-05-089 |
| 296-155-230 | REP | 91-03-044 | 308-14-135 | NEW-W | 91-03-065 | 308-31-550 | DECOD | 91-03-095 |
| 296-155-24501 | NEW | 91-03-044 | 308-20-010 | AMD-P | 91-05-080 | 308-31-550 | AMD-P | 91-05-089 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|------------|---------|-----------|------------|---------|-----------|------------|---------|-----------|
| 308-31-560 | DECOD | 91-03-095 | 308-50-380 | DECOD-P | 91-07-058 | 308-52-610 | DECOD | 91-06-030 |
| 308-31-560 | AMD-P | 91-05-089 | 308-50-380 | DECOD | 91-11-031 | 308-52-620 | DECOD | 91-06-030 |
| 308-31-570 | DECOD | 91-03-095 | 308-50-390 | DECOD-P | 91-07-058 | 308-52-630 | DECOD | 91-06-030 |
| 308-31-570 | AMD-P | 91-05-089 | 308-50-390 | DECOD | 91-11-031 | 308-52-640 | DECOD | 91-06-030 |
| 308-42-075 | AMD | 91-05-004 | 308-50-400 | DECOD-P | 91-07-058 | 308-52-650 | DECOD | 91-06-030 |
| 308-48-520 | REP-W | 91-09-043 | 308-50-400 | DECOD | 91-11-031 | 308-52-660 | DECOD | 91-06-030 |
| 308-48-580 | REP-W | 91-09-043 | 308-50-410 | DECOD-P | 91-07-058 | 308-52-680 | DECOD | 91-06-030 |
| 308-48-590 | AMD-W | 91-09-043 | 308-50-410 | DECOD | 91-11-031 | 308-52-690 | DECOD | 91-06-030 |
| 308-48-600 | REP-W | 91-09-043 | 308-50-420 | DECOD-P | 91-07-058 | 308-53 | DECOD-C | 91-03-116 |
| 308-48-601 | NEW-W | 91-09-043 | 308-50-420 | DECOD | 91-11-031 | 308-53-010 | DECOD | 91-06-025 |
| 308-48-610 | NEW-W | 91-09-043 | 308-50-430 | DECOD-P | 91-07-058 | 308-53-020 | DECOD | 91-06-028 |
| 308-48-800 | AMD-P | 91-08-032 | 308-50-430 | DECOD | 91-11-031 | 308-53-030 | DECOD | 91-06-025 |
| 308-48-800 | AMD | 91-11-023 | 308-50-440 | AMD-P | 91-08-078 | 308-53-070 | DECOD | 91-06-025 |
| 308-50-010 | DECOD-P | 91-07-058 | 308-50-440 | DECOD | 91-11-030 | 308-53-075 | DECOD | 91-06-025 |
| 308-50-010 | DECOD | 91-11-031 | 308-50-500 | DECOD-P | 91-07-058 | 308-53-084 | DECOD | 91-06-025 |
| 308-50-020 | DECOD-P | 91-07-058 | 308-50-500 | DECOD | 91-11-031 | 308-53-085 | DECOD | 91-06-025 |
| 308-50-020 | DECOD | 91-11-031 | 308-51-230 | DECOD-W | 91-09-044 | 308-53-100 | DECOD | 91-06-025 |
| 308-50-035 | DECOD-P | 91-07-058 | 308-51-240 | DECOD-W | 91-09-044 | 308-53-110 | DECOD | 91-06-025 |
| 308-50-035 | DECOD | 91-11-031 | 308-51-250 | DECOD-W | 91-09-044 | 308-53-120 | DECOD | 91-06-025 |
| 308-50-040 | DECOD-P | 91-07-058 | 308-51-260 | DECOD-W | 91-09-044 | 308-53-123 | DECOD | 91-06-025 |
| 308-50-040 | DECOD | 91-11-031 | 308-51-270 | DECOD-W | 91-09-044 | 308-53-125 | DECOD | 91-06-025 |
| 308-50-090 | DECOD-P | 91-07-058 | 308-51-280 | DECOD-W | 91-09-044 | 308-53-135 | DECOD | 91-06-025 |
| 308-50-090 | DECOD | 91-11-031 | 308-51-290 | DECOD-W | 91-09-044 | 308-53-140 | DECOD | 91-06-025 |
| 308-50-100 | DECOD-P | 91-07-058 | 308-51-300 | DECOD-W | 91-09-044 | 308-53-145 | DECOD | 91-06-025 |
| 308-50-100 | DECOD | 91-11-031 | 308-51-310 | DECOD-W | 91-09-044 | 308-53-146 | DECOD | 91-06-025 |
| 308-50-110 | DECOD-P | 91-07-058 | 308-51-320 | DECOD-W | 91-09-044 | 308-53-150 | DECOD | 91-06-025 |
| 308-50-110 | DECOD | 91-11-031 | 308-52-010 | DECOD | 91-06-030 | 308-53-151 | DECOD | 91-06-025 |
| 308-50-120 | DECOD-P | 91-07-058 | 308-52-030 | DECOD | 91-06-030 | 308-53-155 | DECOD | 91-06-025 |
| 308-50-120 | DECOD | 91-11-031 | 308-52-040 | DECOD | 91-06-030 | 308-53-165 | DECOD | 91-06-025 |
| 308-50-130 | DECOD-P | 91-07-058 | 308-52-100 | DECOD | 91-06-030 | 308-53-170 | DECOD | 91-06-025 |
| 308-50-130 | DECOD | 91-11-031 | 308-52-120 | DECOD | 91-06-030 | 308-53-175 | DECOD | 91-06-025 |
| 308-50-140 | DECOD-P | 91-07-058 | 308-52-132 | DECOD | 91-06-030 | 308-53-180 | DECOD | 91-06-025 |
| 308-50-140 | DECOD | 91-11-031 | 308-52-135 | AMD-E | 91-04-033 | 308-53-200 | DECOD | 91-06-025 |
| 308-50-150 | DECOD-P | 91-07-058 | 308-52-135 | AMD-P | 91-04-055 | 308-53-205 | DECOD | 91-06-025 |
| 308-50-150 | DECOD | 91-11-031 | 308-52-135 | DECOD | 91-06-030 | 308-53-210 | DECOD | 91-06-025 |
| 308-50-160 | DECOD-P | 91-07-058 | 308-52-136 | DECOD | 91-06-030 | 308-53-215 | DECOD | 91-06-025 |
| 308-50-160 | DECOD | 91-11-031 | 308-52-138 | DECOD | 91-06-030 | 308-53-220 | DECOD | 91-06-025 |
| 308-50-170 | DECOD-P | 91-07-058 | 308-52-139 | DECOD | 91-06-030 | 308-53-230 | DECOD | 91-06-025 |
| 308-50-170 | DECOD | 91-11-031 | 308-52-140 | DECOD | 91-06-030 | 308-53-235 | DECOD | 91-06-025 |
| 308-50-180 | DECOD-P | 91-07-058 | 308-52-141 | DECOD | 91-06-030 | 308-53-240 | DECOD | 91-06-025 |
| 308-50-180 | DECOD | 91-11-031 | 308-52-146 | DECOD | 91-06-030 | 308-53-245 | DECOD | 91-06-025 |
| 308-50-190 | DECOD-P | 91-07-058 | 308-52-147 | DECOD | 91-06-030 | 308-53-250 | DECOD | 91-06-025 |
| 308-50-190 | DECOD | 91-11-031 | 308-52-148 | DECOD | 91-06-030 | 308-53-260 | DECOD | 91-06-025 |
| 308-50-200 | DECOD-P | 91-07-058 | 308-52-149 | DECOD | 91-06-030 | 308-53-265 | DECOD | 91-06-025 |
| 308-50-200 | DECOD | 91-11-031 | 308-52-150 | DECOD | 91-06-030 | 308-53-270 | DECOD | 91-06-025 |
| 308-50-210 | DECOD-P | 91-07-058 | 308-52-160 | DECOD | 91-06-030 | 308-53-275 | DECOD | 91-06-025 |
| 308-50-210 | DECOD | 91-11-031 | 308-52-165 | DECOD | 91-06-030 | 308-53-280 | DECOD | 91-06-025 |
| 308-50-220 | DECOD-P | 91-07-058 | 308-52-190 | DECOD | 91-06-030 | 308-53-320 | DECOD | 91-06-025 |
| 308-50-220 | DECOD | 91-11-031 | 308-52-201 | DECOD | 91-06-030 | 308-53-330 | DECOD | 91-06-025 |
| 308-50-240 | DECOD-P | 91-07-058 | 308-52-205 | DECOD | 91-06-030 | 308-53-340 | DECOD | 91-06-025 |
| 308-50-240 | DECOD | 91-11-031 | 308-52-211 | DECOD | 91-06-030 | 308-53-350 | DECOD | 91-06-025 |
| 308-50-250 | DECOD-P | 91-07-058 | 308-52-215 | DECOD | 91-06-030 | 308-53-400 | DECOD | 91-06-025 |
| 308-50-250 | DECOD | 91-11-031 | 308-52-221 | DECOD | 91-06-030 | 308-54-010 | DECOD | 91-06-060 |
| 308-50-260 | DECOD-P | 91-07-058 | 308-52-255 | DECOD | 91-06-030 | 308-54-020 | DECOD | 91-06-060 |
| 308-50-260 | DECOD | 91-11-031 | 308-52-260 | DECOD | 91-06-030 | 308-54-030 | DECOD | 91-06-060 |
| 308-50-270 | DECOD-P | 91-07-058 | 308-52-260 | AMD | 91-06-038 | 308-54-040 | DECOD | 91-06-060 |
| 308-50-270 | DECOD | 91-11-031 | 308-52-265 | DECOD | 91-06-030 | 308-54-050 | DECOD | 91-06-060 |
| 308-50-280 | DECOD-P | 91-07-058 | 308-52-270 | DECOD | 91-06-030 | 308-54-060 | DECOD | 91-06-060 |
| 308-50-280 | DECOD | 91-11-031 | 308-52-320 | DECOD | 91-06-030 | 308-54-070 | DECOD | 91-06-060 |
| 308-50-290 | DECOD-P | 91-07-058 | 308-52-400 | DECOD | 91-06-030 | 308-54-080 | DECOD | 91-06-060 |
| 308-50-290 | DECOD | 91-11-031 | 308-52-405 | DECOD | 91-06-030 | 308-54-090 | DECOD | 91-06-060 |
| 308-50-295 | AMD-P | 91-07-057 | 308-52-406 | DECOD | 91-06-030 | 308-54-095 | DECOD | 91-06-060 |
| 308-50-295 | DECOD-P | 91-07-058 | 308-52-410 | DECOD | 91-06-030 | 308-54-100 | DECOD | 91-06-060 |
| 308-50-295 | AMD-W | 91-07-059 | 308-52-415 | DECOD | 91-06-030 | 308-54-110 | DECOD | 91-06-060 |
| 308-50-295 | DECOD | 91-11-031 | 308-52-420 | DECOD | 91-06-030 | 308-54-120 | DECOD | 91-06-060 |
| 308-50-295 | AMD | 91-11-032 | 308-52-425 | DECOD | 91-06-030 | 308-54-125 | DECOD | 91-06-060 |
| 308-50-310 | AMD-P | 91-07-057 | 308-52-500 | DECOD | 91-06-030 | 308-54-130 | DECOD | 91-06-060 |
| 308-50-310 | DECOD-P | 91-07-058 | 308-52-502 | DECOD | 91-06-030 | 308-54-150 | DECOD | 91-06-060 |
| 308-50-310 | AMD-W | 91-07-059 | 308-52-504 | DECOD | 91-06-030 | 308-54-155 | DECOD | 91-06-060 |
| 308-50-310 | DECOD | 91-11-031 | 308-52-510 | DECOD | 91-06-030 | 308-54-160 | DECOD | 91-06-060 |
| 308-50-310 | AMD | 91-11-032 | 308-52-515 | DECOD | 91-06-030 | 308-54-162 | DECOD | 91-06-060 |
| 308-50-320 | DECOD-P | 91-07-058 | 308-52-530 | DECOD | 91-06-030 | 308-54-170 | DECOD | 91-06-060 |
| 308-50-320 | DECOD | 91-11-031 | 308-52-540 | DECOD | 91-06-030 | 308-54-180 | DECOD | 91-06-060 |
| 308-50-330 | DECOD-P | 91-07-058 | 308-52-570 | DECOD | 91-06-030 | 308-54-200 | DECOD | 91-06-060 |
| 308-50-330 | DECOD | 91-11-031 | 308-52-580 | DECOD | 91-06-030 | 308-54-205 | DECOD | 91-06-060 |
| 308-50-350 | DECOD-P | 91-07-058 | 308-52-590 | REP | 91-06-027 | 308-54-220 | DECOD | 91-06-060 |
| 308-50-350 | DECOD | 91-11-031 | 308-52-600 | DECOD | 91-06-030 | 308-54-225 | DECOD | 91-06-060 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|-------------|-------|-----------|-------------|-------|-----------|--------------|---------|-----------|
| 308-54-230 | DECOD | 91-06-060 | 308-96A-162 | NEW-P | 91-11-084 | 308-121-165 | DECOD | 91-07-049 |
| 308-54-240 | DECOD | 91-06-060 | 308-96A-345 | AMD | 91-04-024 | 308-121-170 | DECOD | 91-07-049 |
| 308-54-250 | DECOD | 91-06-060 | 308-96A-350 | AMD | 91-04-024 | 308-121-175 | DECOD | 91-07-049 |
| 308-54-315 | AMD-P | 91-05-025 | 308-96A-380 | AMD | 91-04-024 | 308-121-180 | DECOD | 91-07-049 |
| 308-54-315 | DECOD | 91-06-058 | 308-96A-505 | NEW | 91-03-091 | 308-122-001 | DECOD | 91-04-020 |
| 308-54-320 | DECOD | 91-06-060 | 308-96A-510 | NEW | 91-03-091 | 308-122-005 | DECOD | 91-04-020 |
| 308-56A-090 | NEW | 91-03-088 | 308-96A-520 | NEW | 91-03-091 | 308-122-006 | DECOD | 91-04-020 |
| 308-56A-120 | REP-P | 91-11-084 | 308-96A-530 | NEW | 91-03-091 | 308-122-060 | DECOD | 91-04-020 |
| 308-56A-150 | AMD | 91-04-024 | 308-96A-540 | NEW | 91-03-091 | 308-122-200 | DECOD | 91-04-020 |
| 308-56A-460 | AMD | 91-04-025 | 308-96A-550 | NEW | 91-03-091 | 308-122-200 | AMD | 91-04-021 |
| 308-57-005 | NEW | 91-04-026 | 308-96A-560 | NEW | 91-03-091 | 308-122-211 | DECOD | 91-04-020 |
| 308-57-010 | NEW | 91-04-026 | 308-120-100 | DECOD | 91-07-049 | 308-122-215 | DECOD | 91-04-020 |
| 308-57-020 | NEW | 91-04-026 | 308-120-100 | AMD | 91-07-067 | 308-122-220 | DECOD | 91-04-020 |
| 308-57-030 | NEW | 91-04-026 | 308-120-161 | DECOD | 91-07-049 | 308-122-225 | DECOD | 91-04-020 |
| 308-57-110 | NEW | 91-04-026 | 308-120-162 | DECOD | 91-07-049 | 308-122-230 | DECOD | 91-04-020 |
| 308-57-120 | NEW | 91-04-026 | 308-120-163 | DECOD | 91-07-049 | 308-122-235 | DECOD | 91-04-020 |
| 308-57-130 | NEW | 91-04-026 | 308-120-164 | DECOD | 91-07-049 | 308-122-275 | DECOD | 91-05-028 |
| 308-57-140 | NEW | 91-04-026 | 308-120-165 | DECOD | 91-07-049 | 308-122-280 | DECOD | 91-04-020 |
| 308-57-210 | NEW | 91-04-026 | 308-120-166 | DECOD | 91-07-049 | 308-122-350 | DECOD | 91-04-020 |
| 308-57-220 | NEW | 91-04-026 | 308-120-168 | AMD | 91-07-032 | 308-122-360 | DECOD | 91-04-020 |
| 308-57-230 | NEW | 91-04-026 | 308-120-168 | DECOD | 91-07-049 | 308-122-360 | AMD | 91-04-021 |
| 308-57-240 | NEW | 91-04-026 | 308-120-170 | DECOD | 91-07-049 | 308-122-370 | DECOD | 91-04-020 |
| 308-57-310 | NEW | 91-04-026 | 308-120-180 | DECOD | 91-07-049 | 308-122-380 | REP | 91-04-021 |
| 308-57-320 | NEW | 91-04-026 | 308-120-185 | DECOD | 91-07-049 | 308-122-380 | DECOD-W | 91-12-035 |
| 308-57-410 | NEW | 91-04-026 | 308-120-186 | DECOD | 91-07-049 | 308-122-390 | REP | 91-04-021 |
| 308-57-420 | NEW | 91-04-026 | 308-120-270 | DECOD | 91-07-049 | 308-122-390 | DECOD-W | 91-12-035 |
| 308-57-430 | NEW | 91-04-026 | 308-120-275 | DECOD | 91-07-048 | 308-122-400 | REP | 91-04-021 |
| 308-57-440 | NEW | 91-04-026 | 308-120-300 | DECOD | 91-07-049 | 308-122-400 | DECOD-W | 91-12-035 |
| 308-58-010 | AMD | 91-04-025 | 308-120-305 | DECOD | 91-07-049 | 308-122-410 | REP | 91-04-021 |
| 308-58-020 | AMD | 91-04-025 | 308-120-315 | DECOD | 91-07-049 | 308-122-410 | DECOD-W | 91-12-035 |
| 308-61-175 | AMD-P | 91-13-035 | 308-120-325 | DECOD | 91-07-049 | 308-122-420 | REP | 91-04-021 |
| 308-61-185 | AMD-P | 91-13-035 | 308-120-335 | DECOD | 91-07-049 | 308-122-420 | DECOD-W | 91-12-035 |
| 308-66 | AMD-P | 91-14-097 | 308-120-338 | DECOD | 91-07-049 | 308-122-430 | DECOD | 91-04-020 |
| 308-66-120 | AMD-P | 91-14-097 | 308-120-345 | DECOD | 91-07-049 | 308-122-440 | DECOD | 91-04-020 |
| 308-66-135 | AMD-P | 91-14-097 | 308-120-360 | DECOD | 91-07-049 | 308-122-450 | DECOD | 91-04-020 |
| 308-66-140 | AMD-P | 91-14-097 | 308-120-365 | REP | 91-07-049 | 308-122-500 | REP | 91-04-021 |
| 308-66-152 | AMD | 91-03-019 | 308-120-400 | DECOD | 91-07-049 | 308-122-500 | DECOD-W | 91-12-035 |
| 308-66-155 | AMD-P | 91-14-097 | 308-120-410 | DECOD | 91-07-049 | 308-122-505 | DECOD | 91-04-020 |
| 308-66-156 | NEW | 91-03-092 | 308-120-420 | DECOD | 91-07-049 | 308-122-510 | DECOD | 91-04-020 |
| 308-66-160 | AMD-P | 91-14-097 | 308-120-430 | DECOD | 91-07-049 | 308-122-515 | DECOD | 91-04-020 |
| 308-66-165 | NEW-P | 91-14-097 | 308-120-440 | DECOD | 91-07-049 | 308-122-515 | AMD | 91-04-021 |
| 308-66-170 | AMD-P | 91-14-097 | 308-120-450 | DECOD | 91-07-049 | 308-122-520 | DECOD | 91-04-020 |
| 308-66-190 | AMD-P | 91-14-097 | 308-120-505 | DECOD | 91-07-049 | 308-122-520 | AMD | 91-04-021 |
| 308-66-212 | AMD-P | 91-14-097 | 308-120-506 | DECOD | 91-07-049 | 308-122-525 | DECOD | 91-04-020 |
| 308-66-213 | REP-P | 91-14-097 | 308-120-525 | DECOD | 91-07-049 | 308-122-530 | DECOD | 91-04-020 |
| 308-66-214 | AMD-P | 91-14-097 | 308-120-530 | DECOD | 91-07-049 | 308-122-535 | DECOD | 91-04-020 |
| 308-66-215 | AMD-P | 91-14-097 | 308-120-535 | DECOD | 91-07-049 | 308-122-540 | DECOD | 91-04-020 |
| 308-66-240 | NEW-P | 91-14-097 | 308-120-540 | DECOD | 91-07-049 | 308-122-545 | DECOD | 91-04-020 |
| 308-77-080 | REP | 91-03-018 | 308-120-545 | DECOD | 91-07-049 | 308-122-600 | DECOD | 91-04-020 |
| 308-77-100 | AMD | 91-03-018 | 308-120-550 | DECOD | 91-07-049 | 308-122-610 | DECOD | 91-04-020 |
| 308-77-250 | AMD | 91-03-017 | 308-120-555 | DECOD | 91-07-049 | 308-122-620 | DECOD | 91-04-020 |
| 308-91-030 | AMD-E | 91-02-109 | 308-120-560 | DECOD | 91-07-049 | 308-122-630 | DECOD | 91-04-020 |
| 308-91-030 | AMD-P | 91-02-110 | 308-120-565 | DECOD | 91-07-049 | 308-122-640 | DECOD | 91-04-020 |
| 308-91-030 | AMD | 91-06-093 | 308-120-565 | AMD | 91-07-067 | 308-122-650 | DECOD | 91-04-020 |
| 308-91-090 | AMD-E | 91-02-109 | 308-120-570 | DECOD | 91-07-049 | 308-122-660 | DECOD | 91-04-020 |
| 308-91-090 | AMD-P | 91-02-110 | 308-120-575 | DECOD | 91-07-049 | 308-122-660 | AMD | 91-04-021 |
| 308-91-090 | AMD | 91-06-093 | 308-120-610 | AMD | 91-07-032 | 308-122-670 | DECOD | 91-04-020 |
| 308-91-095 | NEW-E | 91-02-109 | 308-120-620 | DECOD | 91-07-049 | 308-122-670 | AMD | 91-04-021 |
| 308-91-095 | NEW-P | 91-02-110 | 308-120-700 | DECOD | 91-07-049 | 308-122-680 | DECOD | 91-04-020 |
| 308-91-095 | NEW | 91-06-093 | 308-120-710 | DECOD | 91-07-049 | 308-122-690 | DECOD | 91-04-020 |
| 308-91-150 | AMD-E | 91-02-109 | 308-120-720 | DECOD | 91-07-049 | 308-122-695 | DECOD | 91-04-020 |
| 308-91-150 | AMD-P | 91-02-110 | 308-120-730 | DECOD | 91-07-049 | 308-122-700 | DECOD | 91-04-020 |
| 308-91-150 | AMD | 91-06-093 | 308-120-740 | DECOD | 91-07-049 | 308-122-710 | DECOD | 91-04-020 |
| 308-93-670 | NEW | 91-03-089 | 308-120-750 | DECOD | 91-07-049 | 308-122-720 | DECOD | 91-04-020 |
| 308-94-035 | AMD-P | 91-03-142 | 308-120-760 | DECOD | 91-07-049 | 308-124A-430 | AMD-P | 91-03-047 |
| 308-94-035 | AMD | 91-09-001 | 308-120-770 | DECOD | 91-07-049 | 308-124A-430 | AMD | 91-07-029 |
| 308-96A-005 | AMD-P | 91-11-084 | 308-120-780 | DECOD | 91-07-049 | 308-124E-012 | AMD-P | 91-09-013 |
| 308-96A-046 | AMD | 91-04-025 | 308-120-800 | DECOD | 91-07-049 | 308-124E-012 | AMD | 91-12-012 |
| 308-96A-056 | AMD | 91-04-025 | 308-120-810 | DECOD | 91-07-049 | 308-124H-010 | AMD-P | 91-03-047 |
| 308-96A-057 | NEW-P | 91-11-084 | 308-121-110 | DECOD | 91-07-049 | 308-124H-010 | AMD | 91-07-029 |
| 308-96A-065 | AMD-P | 91-11-084 | 308-121-120 | DECOD | 91-07-049 | 308-124H-025 | AMD-P | 91-03-047 |
| 308-96A-070 | AMD | 91-04-025 | 308-121-130 | DECOD | 91-07-049 | 308-124H-025 | AMD | 91-07-029 |
| 308-96A-071 | NEW-P | 91-11-084 | 308-121-140 | DECOD | 91-07-049 | 308-124H-520 | AMD-P | 91-09-065 |
| 308-96A-073 | NEW | 91-04-025 | 308-121-145 | DECOD | 91-07-049 | 308-124H-520 | AMD | 91-12-013 |
| 308-96A-074 | NEW | 91-04-025 | 308-121-150 | DECOD | 91-07-049 | 308-124H-540 | AMD-P | 91-03-047 |
| 308-96A-075 | AMD | 91-04-025 | 308-121-155 | DECOD | 91-07-049 | 308-124H-540 | AMD | 91-07-029 |
| 308-96A-161 | NEW-P | 91-11-084 | 308-121-160 | DECOD | 91-07-049 | 308-124H-800 | NEW-P | 91-09-013 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | | |
|--------------|-------|-----------|-------|------------|-------|-----------|--------------|-------|-----------|
| 308-124H-800 | NEW | 91-12-012 | | 315-11-210 | REP | 91-03-034 | 315-11-632 | AMD-P | 91-12-069 |
| 308-125-010 | NEW | 91-04-074 | | 315-11-211 | REP | 91-03-034 | 315-11-640 | NEW-P | 91-07-070 |
| 308-125-020 | NEW | 91-04-074 | | 315-11-212 | REP | 91-03-034 | 315-11-640 | NEW | 91-11-033 |
| 308-125-030 | NEW | 91-04-074 | | 315-11-220 | REP | 91-03-034 | 315-11-641 | NEW-P | 91-07-070 |
| 308-125-040 | NEW | 91-04-074 | | 315-11-221 | REP | 91-03-034 | 315-11-641 | NEW | 91-11-033 |
| 308-125-050 | NEW | 91-04-074 | | 315-11-222 | REP | 91-03-034 | 315-11-642 | NEW-P | 91-07-070 |
| 308-125-060 | NEW | 91-04-074 | | 315-11-230 | REP | 91-03-034 | 315-11-642 | NEW | 91-11-033 |
| 308-125-070 | NEW | 91-04-074 | | 315-11-231 | REP | 91-03-034 | 315-11-650 | NEW-P | 91-07-070 |
| 308-125-080 | NEW | 91-04-074 | | 315-11-232 | REP | 91-03-034 | 315-11-650 | NEW | 91-11-033 |
| 308-125-090 | NEW | 91-04-074 | | 315-11-240 | REP | 91-03-034 | 315-11-651 | NEW-P | 91-07-070 |
| 308-125-100 | NEW | 91-04-074 | | 315-11-241 | REP | 91-03-034 | 315-11-651 | NEW | 91-11-033 |
| 308-125-110 | NEW | 91-04-074 | | 315-11-242 | REP | 91-03-034 | 315-11-652 | NEW-P | 91-07-070 |
| 308-125-120 | NEW | 91-04-074 | | 315-11-250 | REP | 91-03-034 | 315-11-652 | NEW | 91-11-033 |
| 308-125-130 | NEW | 91-04-074 | | 315-11-251 | REP | 91-03-034 | 315-11-660 | NEW-P | 91-07-070 |
| 308-125-140 | NEW | 91-04-074 | | 315-11-252 | REP | 91-03-034 | 315-11-660 | NEW | 91-11-033 |
| 308-125-150 | NEW | 91-04-074 | | 315-11-260 | REP | 91-03-034 | 315-11-661 | NEW-P | 91-07-070 |
| 308-125-160 | NEW | 91-04-074 | | 315-11-261 | REP | 91-03-034 | 315-11-661 | NEW | 91-11-033 |
| 308-125-170 | NEW | 91-04-074 | | 315-11-262 | REP | 91-03-034 | 315-11-662 | NEW-P | 91-07-070 |
| 308-125-180 | NEW | 91-04-074 | | 315-11-270 | REP | 91-03-034 | 315-11-662 | NEW | 91-11-033 |
| 308-125-190 | NEW | 91-04-074 | | 315-11-271 | REP | 91-03-034 | 315-11-670 | NEW-P | 91-12-069 |
| 308-125-200 | NEW | 91-04-074 | | 315-11-272 | REP | 91-03-034 | 315-11-671 | NEW-P | 91-12-069 |
| 308-125-210 | NEW | 91-04-074 | | 315-11-280 | REP | 91-03-034 | 315-11-672 | NEW-P | 91-12-069 |
| 308-128B-080 | AMD-P | 91-08-049 | | 315-11-281 | REP | 91-03-034 | 315-11-680 | NEW-P | 91-12-069 |
| 308-128B-080 | AMD | 91-11-066 | | 315-11-282 | REP | 91-03-034 | 315-11-681 | NEW-P | 91-12-069 |
| 308-138-055 | REP-P | 91-03-117 | | 315-11-290 | REP | 91-03-034 | 315-11-682 | NEW-P | 91-12-069 |
| 308-171-001 | DECOD | 91-05-027 | | 315-11-291 | REP | 91-03-034 | 315-12-140 | REP | 91-03-035 |
| 308-171-001 | AMD-P | 91-05-088 | | 315-11-292 | REP | 91-03-034 | 315-12-145 | NEW | 91-03-036 |
| 308-171-002 | DECOD | 91-05-027 | | 315-11-300 | REP | 91-03-034 | 317-10-010 | NEW-P | 91-14-111 |
| 308-171-003 | DECOD | 91-05-027 | | 315-11-301 | REP | 91-03-034 | 317-10-020 | NEW-P | 91-14-111 |
| 308-171-010 | DECOD | 91-05-027 | | 315-11-302 | REP | 91-03-034 | 317-10-030 | NEW-P | 91-14-111 |
| 308-171-010 | AMD-P | 91-05-088 | | 315-11-310 | REP | 91-03-034 | 317-10-035 | NEW-P | 91-14-111 |
| 308-171-020 | DECOD | 91-05-027 | | 315-11-311 | REP | 91-03-034 | 317-10-040 | NEW-P | 91-14-111 |
| 308-171-020 | AMD-P | 91-05-088 | | 315-11-312 | REP | 91-03-034 | 317-10-045 | NEW-P | 91-14-111 |
| 308-171-040 | DECOD | 91-05-027 | | 315-11-320 | REP | 91-03-034 | 317-10-050 | NEW-P | 91-14-111 |
| 308-171-041 | DECOD | 91-05-027 | | 315-11-321 | REP | 91-03-034 | 317-10-060 | NEW-P | 91-14-111 |
| 308-171-041 | AMD-P | 91-05-088 | | 315-11-322 | REP | 91-03-034 | 317-10-065 | NEW-P | 91-14-111 |
| 308-171-045 | DECOD | 91-05-027 | | 315-11-330 | REP | 91-03-034 | 317-10-070 | NEW-P | 91-14-111 |
| 308-171-100 | DECOD | 91-05-027 | | 315-11-331 | REP | 91-03-034 | 317-10-075 | NEW-P | 91-14-111 |
| 308-171-101 | DECOD | 91-05-027 | | 315-11-332 | REP | 91-03-034 | 317-10-080 | NEW-P | 91-14-111 |
| 308-171-102 | DECOD | 91-05-027 | | 315-11-340 | REP | 91-03-034 | 317-10-085 | NEW-P | 91-14-111 |
| 308-171-103 | DECOD | 91-05-027 | | 315-11-341 | REP | 91-03-034 | 317-10-098 | NEW-P | 91-14-111 |
| 308-171-103 | AMD-P | 91-05-088 | | 315-11-342 | REP | 91-03-034 | 326-30-03904 | NEW-E | 91-12-051 |
| 308-171-104 | DECOD | 91-05-027 | | 315-11-350 | REP | 91-03-034 | 326-30-03904 | NEW-P | 91-14-105 |
| 308-171-200 | DECOD | 91-05-027 | | 315-11-351 | REP | 91-03-034 | 332-08-005 | NEW-P | 91-08-066 |
| 308-171-201 | DECOD | 91-05-027 | | 315-11-352 | REP | 91-03-034 | 332-08-005 | NEW | 91-13-059 |
| 308-171-202 | DECOD | 91-05-027 | | 315-11-360 | REP | 91-03-034 | 332-08-010 | REP-P | 91-08-066 |
| 308-171-300 | DECOD | 91-05-027 | | 315-11-361 | REP | 91-03-034 | 332-08-010 | REP | 91-13-059 |
| 308-171-301 | DECOD | 91-05-027 | | 315-11-362 | REP | 91-03-034 | 332-08-015 | NEW-P | 91-08-066 |
| 308-171-302 | DECOD | 91-05-027 | | 315-11-370 | REP | 91-03-034 | 332-08-015 | NEW | 91-13-059 |
| 308-171-310 | DECOD | 91-05-030 | | 315-11-371 | REP | 91-03-034 | 332-08-020 | REP-P | 91-08-066 |
| 308-171-320 | DECOD | 91-05-027 | | 315-11-372 | REP | 91-03-034 | 332-08-020 | REP | 91-13-059 |
| 308-171-330 | DECOD | 91-05-027 | | 315-11-380 | REP | 91-03-034 | 332-08-025 | NEW-P | 91-08-066 |
| 308-173-210 | DECOD | 91-07-049 | | 315-11-381 | REP | 91-03-034 | 332-08-025 | NEW | 91-13-059 |
| 308-173-220 | DECOD | 91-07-049 | | 315-11-382 | REP | 91-03-034 | 332-08-040 | REP-P | 91-08-066 |
| 308-173-230 | DECOD | 91-07-049 | | 315-11-390 | REP | 91-03-034 | 332-08-040 | REP | 91-13-059 |
| 308-173-240 | DECOD | 91-07-049 | | 315-11-391 | REP | 91-03-034 | 332-08-050 | REP-P | 91-08-066 |
| 308-173-245 | DECOD | 91-07-049 | | 315-11-392 | REP | 91-03-034 | 332-08-050 | REP | 91-13-059 |
| 308-173-250 | DECOD | 91-07-049 | | 315-11-590 | AMD | 91-03-036 | 332-08-060 | REP-P | 91-08-066 |
| 308-173-255 | DECOD | 91-07-049 | | 315-11-591 | AMD | 91-03-036 | 332-08-060 | REP | 91-13-059 |
| 308-173-260 | DECOD | 91-07-049 | | 315-11-610 | NEW | 91-03-036 | 332-08-070 | REP-P | 91-08-066 |
| 308-173-265 | DECOD | 91-07-049 | | 315-11-611 | NEW | 91-03-036 | 332-08-070 | REP | 91-13-059 |
| 308-173-270 | DECOD | 91-07-049 | | 315-11-611 | AMD-P | 91-03-112 | 332-08-080 | REP-P | 91-08-066 |
| 308-173-275 | DECOD | 91-07-049 | | 315-11-611 | AMD | 91-06-074 | 332-08-080 | REP | 91-13-059 |
| 308-173-280 | DECOD | 91-07-049 | | 315-11-612 | NEW | 91-03-036 | 332-08-090 | REP-P | 91-08-066 |
| 314-16-125 | AMD-P | 91-05-085 | | 315-11-620 | NEW-P | 91-03-112 | 332-08-090 | REP | 91-13-059 |
| 314-16-125 | AMD-C | 91-09-005 | | 315-11-620 | NEW | 91-06-074 | 332-08-100 | REP-P | 91-08-066 |
| 314-16-125 | AMD-W | 91-10-045 | | 315-11-621 | NEW-P | 91-03-112 | 332-08-100 | REP | 91-13-059 |
| 314-20-020 | AMD-P | 91-05-086 | | 315-11-621 | NEW | 91-06-074 | 332-08-105 | NEW-P | 91-08-066 |
| 314-20-020 | AMD | 91-08-022 | | 315-11-622 | NEW-P | 91-03-112 | 332-08-105 | NEW | 91-13-059 |
| 314-52-015 | AMD-C | 91-03-007 | | 315-11-622 | NEW | 91-06-074 | 332-08-110 | REP-P | 91-08-066 |
| 314-52-015 | AMD-W | 91-04-085 | | 315-11-630 | NEW-P | 91-03-112 | 332-08-110 | REP | 91-13-059 |
| 315-04-205 | NEW-P | 91-07-070 | | 315-11-630 | NEW | 91-06-074 | 332-08-115 | NEW-P | 91-08-066 |
| 315-04-205 | NEW | 91-11-033 | | 315-11-630 | AMD-P | 91-12-069 | 332-08-115 | NEW | 91-13-059 |
| 315-06-120 | AMD | 91-03-036 | | 315-11-631 | NEW-P | 91-03-112 | 332-08-120 | REP-P | 91-08-066 |
| 315-11-200 | REP | 91-03-034 | | 315-11-631 | NEW | 91-06-074 | 332-08-120 | REP | 91-13-059 |
| 315-11-201 | REP | 91-03-034 | | 315-11-632 | NEW-P | 91-03-112 | 332-08-125 | NEW-P | 91-08-066 |
| 315-11-202 | REP | 91-03-034 | | 315-11-632 | NEW | 91-06-074 | 332-08-125 | NEW | 91-13-059 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|------------|-------|-----------|------------|-------|-----------|------------|---------|-----------|
| 332-08-130 | REP-P | 91-08-066 | 332-08-480 | REP | 91-13-059 | 352-32-045 | AMD | 91-09-001 |
| 332-08-130 | REP | 91-13-059 | 332-08-500 | REP-P | 91-08-066 | 352-32-200 | AMD-P | 91-03-140 |
| 332-08-140 | REP-P | 91-08-066 | 332-08-500 | REP | 91-13-059 | 352-32-200 | AMD | 91-07-014 |
| 332-08-140 | REP | 91-13-059 | 332-08-505 | NEW-P | 91-08-066 | 352-32-210 | AMD-P | 91-03-140 |
| 332-08-150 | REP-P | 91-08-066 | 332-08-505 | NEW | 91-13-059 | 352-32-210 | AMD | 91-07-014 |
| 332-08-150 | REP | 91-13-059 | 332-08-510 | REP-P | 91-08-066 | 352-32-250 | AMD-P | 91-03-142 |
| 332-08-160 | REP-P | 91-08-066 | 332-08-510 | REP | 91-13-059 | 352-32-250 | AMD | 91-09-001 |
| 332-08-160 | REP | 91-13-059 | 332-08-515 | NEW-P | 91-08-066 | 352-32-252 | AMD-P | 91-03-142 |
| 332-08-170 | REP-P | 91-08-066 | 332-08-515 | NEW | 91-13-059 | 352-32-252 | AMD | 91-09-001 |
| 332-08-170 | REP | 91-13-059 | 332-08-520 | REP-P | 91-08-066 | 352-32-270 | AMD-P | 91-03-142 |
| 332-08-180 | REP-P | 91-08-066 | 332-08-520 | REP | 91-13-059 | 352-32-270 | AMD | 91-09-001 |
| 332-08-180 | REP | 91-13-059 | 332-08-525 | NEW-P | 91-08-066 | 352-75 | AMD-P | 91-11-058 |
| 332-08-190 | REP-P | 91-08-066 | 332-08-525 | NEW | 91-13-059 | 352-75-010 | AMD-P | 91-11-058 |
| 332-08-190 | REP | 91-13-059 | 332-08-530 | REP-P | 91-08-066 | 352-75-020 | AMD-P | 91-11-058 |
| 332-08-200 | REP-P | 91-08-066 | 332-08-530 | REP | 91-13-059 | 352-75-030 | AMD-P | 91-11-058 |
| 332-08-200 | REP | 91-13-059 | 332-08-535 | NEW-P | 91-08-066 | 352-75-040 | AMD-P | 91-11-058 |
| 332-08-210 | REP-P | 91-08-066 | 332-08-535 | NEW | 91-13-059 | 352-75-050 | AMD-P | 91-11-058 |
| 332-08-210 | REP | 91-13-059 | 332-08-540 | REP-P | 91-08-066 | 352-75-060 | AMD-P | 91-11-058 |
| 332-08-220 | REP-P | 91-08-066 | 332-08-540 | REP | 91-13-059 | 352-75-070 | AMD-P | 91-11-058 |
| 332-08-220 | REP | 91-13-059 | 332-08-545 | NEW-P | 91-08-066 | 352-75-080 | AMD-P | 91-11-058 |
| 332-08-230 | REP-P | 91-08-066 | 332-08-545 | NEW | 91-13-059 | 352-75-090 | AMD-P | 91-11-058 |
| 332-08-230 | REP | 91-13-059 | 332-08-550 | REP-P | 91-08-066 | 356-06-040 | AMD-C | 91-03-068 |
| 332-08-240 | REP-P | 91-08-066 | 332-08-550 | REP | 91-13-059 | 356-06-040 | AMD-W | 91-05-081 |
| 332-08-240 | REP | 91-13-059 | 332-08-560 | REP-P | 91-08-066 | 356-06-110 | NEW-P | 91-10-062 |
| 332-08-250 | REP-P | 91-08-066 | 332-08-560 | REP | 91-13-059 | 356-06-110 | NEW-C | 91-13-040 |
| 332-08-250 | REP | 91-13-059 | 332-08-570 | REP-P | 91-08-066 | 356-10-050 | AMD | 91-03-070 |
| 332-08-260 | REP-P | 91-08-066 | 332-08-570 | REP | 91-13-059 | 356-15-020 | AMD-P | 91-04-046 |
| 332-08-260 | REP | 91-13-059 | 332-08-580 | REP-P | 91-08-066 | 356-15-020 | AMD-C | 91-07-054 |
| 332-08-270 | REP-P | 91-08-066 | 332-08-580 | REP | 91-13-059 | 356-15-020 | AMD-W | 91-09-037 |
| 332-08-270 | REP | 91-13-059 | 332-08-590 | REP-P | 91-08-066 | 356-15-080 | AMD | 91-03-069 |
| 332-08-280 | REP-P | 91-08-066 | 332-08-590 | REP | 91-13-059 | 356-15-130 | AMD | 91-05-083 |
| 332-08-280 | REP | 91-13-059 | 332-10-020 | AMD-P | 91-09-060 | 356-15-130 | AMD-P | 91-10-063 |
| 332-08-290 | REP-P | 91-08-066 | 332-10-020 | AMD | 91-14-014 | 356-15-130 | AMD | 91-13-034 |
| 332-08-290 | REP | 91-13-059 | 332-10-030 | AMD-P | 91-09-060 | 356-18-112 | AMD-C | 91-05-082 |
| 332-08-300 | REP-P | 91-08-066 | 332-10-030 | AMD | 91-14-014 | 356-18-112 | AMD | 91-07-055 |
| 332-08-300 | REP | 91-13-059 | 332-10-035 | REP-P | 91-09-060 | 356-18-230 | NEW-P | 91-10-066 |
| 332-08-305 | NEW-P | 91-08-066 | 332-10-035 | REP | 91-14-014 | 356-18-230 | NEW-E | 91-11-043 |
| 332-08-305 | NEW | 91-13-059 | 332-10-040 | AMD-P | 91-09-060 | 356-18-230 | NEW-E | 91-13-043 |
| 332-08-310 | REP-P | 91-08-066 | 332-10-040 | AMD | 91-14-014 | 356-18-230 | NEW | 91-14-044 |
| 332-08-310 | REP | 91-13-059 | 332-10-045 | REP-P | 91-09-060 | 356-22-120 | AMD-P | 91-12-034 |
| 332-08-315 | NEW-P | 91-08-066 | 332-10-045 | REP | 91-14-014 | 356-22-130 | AMD | 91-03-071 |
| 332-08-315 | NEW | 91-13-059 | 332-10-050 | AMD-P | 91-09-060 | 356-22-230 | AMD-C | 91-03-068 |
| 332-08-320 | REP-P | 91-08-066 | 332-10-050 | AMD | 91-14-014 | 356-22-230 | AMD-W | 91-05-081 |
| 332-08-320 | REP | 91-13-059 | 332-10-060 | AMD-P | 91-09-060 | 356-26-040 | AMD-P | 91-10-064 |
| 332-08-330 | REP-P | 91-08-066 | 332-10-060 | AMD | 91-14-014 | 356-26-040 | AMD | 91-13-041 |
| 332-08-330 | REP | 91-13-059 | 332-10-070 | AMD-P | 91-09-060 | 356-30-260 | AMD-C | 91-05-082 |
| 332-08-340 | REP-P | 91-08-066 | 332-10-070 | AMD | 91-14-014 | 356-30-260 | AMD | 91-07-055 |
| 332-08-340 | REP | 91-13-059 | 332-10-080 | AMD-P | 91-09-060 | 356-30-305 | AMD-C | 91-05-082 |
| 332-08-350 | REP-P | 91-08-066 | 332-10-080 | AMD | 91-14-014 | 356-30-305 | AMD | 91-07-055 |
| 332-08-350 | REP | 91-13-059 | 332-10-100 | AMD-P | 91-09-060 | 356-30-320 | AMD-P | 91-10-065 |
| 332-08-360 | REP-P | 91-08-066 | 332-10-100 | AMD | 91-14-014 | 356-30-320 | AMD | 91-13-042 |
| 332-08-360 | REP | 91-13-059 | 332-10-120 | AMD-P | 91-09-060 | 360-08 | DECOD-W | 91-06-037 |
| 332-08-370 | REP-P | 91-08-066 | 332-10-120 | AMD | 91-14-014 | 360-08-005 | DECOD-P | 91-14-033 |
| 332-08-370 | REP | 91-13-059 | 332-10-130 | AMD-P | 91-09-060 | 360-08-010 | DECOD-P | 91-14-033 |
| 332-08-380 | REP-P | 91-08-066 | 332-10-130 | AMD | 91-14-014 | 360-08-040 | DECOD-P | 91-14-033 |
| 332-08-380 | REP | 91-13-059 | 332-10-135 | REP-P | 91-09-060 | 360-08-050 | DECOD-P | 91-14-033 |
| 332-08-390 | REP-P | 91-08-066 | 332-10-135 | REP | 91-14-014 | 360-08-060 | DECOD-P | 91-14-033 |
| 332-08-390 | REP | 91-13-059 | 332-10-140 | AMD-P | 91-09-060 | 360-08-230 | DECOD-P | 91-14-033 |
| 332-08-400 | REP-P | 91-08-066 | 332-10-140 | AMD | 91-14-014 | 360-08-240 | DECOD-P | 91-14-033 |
| 332-08-400 | REP | 91-13-059 | 332-10-145 | NEW-P | 91-09-060 | 360-08-250 | DECOD-P | 91-14-033 |
| 332-08-405 | NEW-P | 91-08-066 | 332-10-145 | NEW | 91-14-014 | 360-08-260 | DECOD-P | 91-14-033 |
| 332-08-405 | NEW | 91-13-059 | 332-24-225 | REP-E | 91-14-083 | 360-08-270 | DECOD-P | 91-14-033 |
| 332-08-410 | REP-P | 91-08-066 | 332-26-080 | NEW-E | 91-09-029 | 360-08-280 | DECOD-P | 91-14-033 |
| 332-08-410 | REP | 91-13-059 | 332-26-081 | NEW-E | 91-10-067 | 360-08-290 | DECOD-P | 91-14-033 |
| 332-08-420 | REP-P | 91-08-066 | 332-26-082 | NEW-E | 91-14-083 | 360-08-300 | DECOD-P | 91-14-033 |
| 332-08-420 | REP | 91-13-059 | 332-26-083 | NEW-E | 91-14-083 | 360-08-310 | DECOD-P | 91-14-033 |
| 332-08-430 | REP-P | 91-08-066 | 332-52-065 | AMD-P | 91-13-090 | 360-08-320 | DECOD-P | 91-14-033 |
| 332-08-430 | REP | 91-13-059 | 352-12-010 | AMD-P | 91-03-142 | 360-08-330 | DECOD-P | 91-14-033 |
| 332-08-440 | REP-P | 91-08-066 | 352-12-020 | AMD-P | 91-03-142 | 360-08-340 | DECOD-P | 91-14-033 |
| 332-08-440 | REP | 91-13-059 | 352-12-020 | AMD | 91-09-001 | 360-08-350 | DECOD-P | 91-14-033 |
| 332-08-450 | REP-P | 91-08-066 | 352-12-030 | AMD-P | 91-03-142 | 360-08-360 | DECOD-P | 91-14-033 |
| 332-08-450 | REP | 91-13-059 | 352-12-030 | AMD | 91-09-001 | 360-08-370 | DECOD-P | 91-14-033 |
| 332-08-460 | REP-P | 91-08-066 | 352-32-010 | AMD-P | 91-03-142 | 360-08-380 | DECOD-P | 91-14-033 |
| 332-08-460 | REP | 91-13-059 | 352-32-010 | AMD | 91-09-001 | 360-08-390 | DECOD-P | 91-14-033 |
| 332-08-470 | REP-P | 91-08-066 | 352-32-035 | AMD-P | 91-03-142 | 360-08-400 | DECOD-P | 91-14-033 |
| 332-08-470 | REP | 91-13-059 | 352-32-035 | AMD | 91-09-001 | 360-08-420 | DECOD-P | 91-14-033 |
| 332-08-480 | REP-P | 91-08-066 | 352-32-045 | AMD-P | 91-03-142 | 360-08-520 | DECOD-P | 91-14-033 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # |
|------------|-------------------|-------------|-------------------|------------|-------------------|
| 360-08-530 | DECOD-P 91-14-033 | 360-16-210 | DECOD-P 91-14-033 | 360-33-050 | DECOD-P 91-14-033 |
| 360-08-540 | DECOD-P 91-14-033 | 360-16-220 | DECOD-P 91-14-033 | 360-35-010 | NEW 91-04-056 |
| 360-08-550 | DECOD-P 91-14-033 | 360-16-230 | DECOD-P 91-14-033 | 360-35-010 | DECOD-P 91-14-033 |
| 360-08-560 | DECOD-P 91-14-033 | 360-16-235 | DECOD-P 91-14-033 | 360-35-020 | NEW 91-04-056 |
| 360-08-570 | DECOD-P 91-14-033 | 360-16-245 | DECOD-P 91-14-033 | 360-35-020 | DECOD-P 91-14-033 |
| 360-08-580 | DECOD-P 91-14-033 | 360-16-255 | DECOD-P 91-14-033 | 360-35-030 | NEW 91-04-056 |
| 360-08-590 | DECOD-P 91-14-033 | 360-16-265 | DECOD-P 91-14-033 | 360-35-030 | DECOD-P 91-14-033 |
| 360-10 | DECOD-W 91-06-037 | 360-16-270 | DECOD-P 91-14-033 | 360-35-040 | NEW 91-04-056 |
| 360-10-010 | DECOD-P 91-14-033 | 360-16-290 | DECOD-P 91-14-033 | 360-35-040 | DECOD-P 91-14-033 |
| 360-10-020 | DECOD-P 91-14-033 | 360-16-300 | DECOD-P 91-14-033 | 360-35-050 | NEW 91-04-056 |
| 360-10-030 | AMD-P 91-05-091 | 360-16A | DECOD-W 91-06-037 | 360-35-050 | DECOD-P 91-14-033 |
| 360-10-030 | AMD 91-11-041 | 360-16A-010 | DECOD-P 91-14-033 | 360-35-060 | NEW 91-04-056 |
| 360-10-030 | DECOD-P 91-14-033 | 360-16A-020 | DECOD-P 91-14-033 | 360-35-060 | DECOD-P 91-14-033 |
| 360-10-040 | DECOD-P 91-14-033 | 360-16A-030 | DECOD-P 91-14-033 | 360-35-070 | NEW 91-04-056 |
| 360-10-050 | AMD-P 91-05-091 | 360-16A-040 | DECOD-P 91-14-033 | 360-35-070 | DECOD-P 91-14-033 |
| 360-10-050 | AMD 91-11-041 | 360-16A-060 | DECOD-P 91-14-033 | 360-35-080 | NEW 91-04-056 |
| 360-10-050 | DECOD-P 91-14-033 | 360-16A-070 | DECOD-P 91-14-033 | 360-35-080 | DECOD-P 91-14-033 |
| 360-10-060 | AMD-P 91-05-091 | 360-16A-080 | DECOD-P 91-14-033 | 360-35-090 | NEW 91-04-056 |
| 360-10-060 | AMD 91-11-041 | 360-16A-090 | DECOD-P 91-14-033 | 360-35-090 | DECOD-P 91-14-033 |
| 360-10-060 | DECOD-P 91-14-033 | 360-16A-100 | DECOD-P 91-14-033 | 360-35-100 | NEW 91-04-056 |
| 360-10-080 | DECOD-P 91-14-033 | 360-17 | DECOD-W 91-06-037 | 360-35-100 | DECOD-P 91-14-033 |
| 360-11 | DECOD-W 91-06-037 | 360-17-010 | AMD-W 91-05-049 | 360-35-110 | NEW 91-04-056 |
| 360-11-010 | DECOD-P 91-14-033 | 360-17-010 | DECOD-P 91-14-033 | 360-35-110 | DECOD-P 91-14-033 |
| 360-11-020 | DECOD-P 91-14-033 | 360-17-020 | DECOD-P 91-14-033 | 360-36 | DECOD-W 91-06-037 |
| 360-11-023 | DECOD-P 91-14-033 | 360-17-030 | DECOD-P 91-14-033 | 360-36-010 | DECOD-P 91-14-033 |
| 360-11-027 | DECOD-P 91-14-033 | 360-17-040 | AMD-W 91-05-049 | 360-36-020 | DECOD-P 91-14-033 |
| 360-11-030 | DECOD-P 91-14-033 | 360-17-040 | DECOD-P 91-14-033 | 360-36-115 | DECOD-P 91-14-033 |
| 360-11-033 | DECOD-P 91-14-033 | 360-17-050 | DECOD-P 91-14-033 | 360-36-210 | DECOD-P 91-14-033 |
| 360-11-037 | DECOD-P 91-14-033 | 360-17-055 | DECOD-P 91-14-033 | 360-36-250 | DECOD-P 91-14-033 |
| 360-11-040 | DECOD-P 91-14-033 | 360-17-060 | DECOD-P 91-14-033 | 360-36-260 | DECOD-P 91-14-033 |
| 360-11-045 | DECOD-P 91-14-033 | 360-17-070 | AMD-W 91-05-049 | 360-36-270 | DECOD-P 91-14-033 |
| 360-11-060 | DECOD-P 91-14-033 | 360-17-070 | DECOD-P 91-14-033 | 360-36-400 | DECOD-P 91-14-033 |
| 360-11-070 | DECOD-P 91-14-033 | 360-17-075 | NEW-W 91-05-049 | 360-36-410 | DECOD-P 91-14-033 |
| 360-12 | DECOD-W 91-06-037 | 360-17-080 | DECOD-P 91-14-033 | 360-36-411 | DECOD-P 91-14-033 |
| 360-12-015 | DECOD-P 91-14-033 | 360-17-090 | DECOD-P 91-14-033 | 360-36-412 | DECOD-P 91-14-033 |
| 360-12-050 | DECOD-P 91-14-033 | 360-17-095 | NEW-W 91-05-049 | 360-36-413 | DECOD-P 91-14-033 |
| 360-12-065 | DECOD-P 91-14-033 | 360-17-100 | AMD-W 91-05-049 | 360-36-420 | DECOD-P 91-14-033 |
| 360-12-110 | DECOD-P 91-14-033 | 360-17-100 | DECOD-P 91-14-033 | 360-36-425 | DECOD-P 91-14-033 |
| 360-12-120 | DECOD-P 91-14-033 | 360-18 | DECOD-W 91-06-037 | 360-36-430 | DECOD-P 91-14-033 |
| 360-12-125 | DECOD-P 91-14-033 | 360-18-020 | AMD-P 91-08-078 | 360-36-440 | DECOD-P 91-14-033 |
| 360-12-128 | AMD-P 91-08-078 | 360-18-020 | AMD 91-13-002 | 360-36-450 | DECOD-P 91-14-033 |
| 360-12-128 | AMD 91-13-002 | 360-19 | DECOD-W 91-06-037 | 360-36-451 | DECOD-P 91-14-033 |
| 360-12-130 | DECOD-P 91-14-033 | 360-19-010 | DECOD-P 91-14-033 | 360-36-500 | DECOD-P 91-14-033 |
| 360-12-140 | DECOD-P 91-14-033 | 360-19-020 | DECOD-P 91-14-033 | 360-38 | DECOD-W 91-06-037 |
| 360-12-150 | DECOD-P 91-14-033 | 360-19-030 | DECOD-P 91-14-033 | 360-38-010 | DECOD-P 91-14-033 |
| 360-12-160 | DECOD-P 91-14-033 | 360-19-040 | DECOD-P 91-14-033 | 360-38-020 | DECOD-P 91-14-033 |
| 360-13 | DECOD-W 91-06-037 | 360-19-050 | DECOD-P 91-14-033 | 360-38-030 | DECOD-P 91-14-033 |
| 360-13-010 | DECOD-P 91-14-033 | 360-19-060 | DECOD-P 91-14-033 | 360-40 | DECOD-W 91-06-037 |
| 360-13-020 | DECOD-P 91-14-033 | 360-19-070 | DECOD-P 91-14-033 | 360-40-010 | DECOD-P 91-14-033 |
| 360-13-030 | DECOD-P 91-14-033 | 360-19-080 | DECOD-P 91-14-033 | 360-40-040 | DECOD-P 91-14-033 |
| 360-13-045 | DECOD-P 91-14-033 | 360-19-090 | DECOD-P 91-14-033 | 360-40-070 | DECOD-P 91-14-033 |
| 360-13-055 | DECOD-P 91-14-033 | 360-19-100 | DECOD-P 91-14-033 | 360-44 | DECOD-W 91-06-037 |
| 360-13-066 | DECOD-P 91-14-033 | 360-20 | DECOD-W 91-06-037 | 360-44-010 | DECOD-P 91-14-033 |
| 360-13-100 | DECOD-P 91-14-033 | 360-20-100 | DECOD-P 91-14-033 | 360-44-020 | DECOD-P 91-14-033 |
| 360-15 | DECOD-W 91-06-037 | 360-20-210 | DECOD-P 91-14-033 | 360-44-030 | DECOD-P 91-14-033 |
| 360-15-010 | DECOD-P 91-14-033 | 360-20-220 | NEW-P 91-07-056 | 360-44-040 | DECOD-P 91-14-033 |
| 360-15-020 | DECOD-P 91-14-033 | 360-21 | DECOD-W 91-06-037 | 360-44-050 | DECOD-P 91-14-033 |
| 360-15-030 | DECOD-P 91-14-033 | 360-21-010 | DECOD-P 91-14-033 | 360-44-060 | DECOD-P 91-14-033 |
| 360-15-040 | DECOD-P 91-14-033 | 360-21-020 | DECOD-P 91-14-033 | 360-44-070 | DECOD-P 91-14-033 |
| 360-15-050 | DECOD-P 91-14-033 | 360-21-030 | DECOD-P 91-14-033 | 360-44-080 | DECOD-P 91-14-033 |
| 360-15-060 | DECOD-P 91-14-033 | 360-21-040 | DECOD-P 91-14-033 | 360-44-090 | DECOD-P 91-14-033 |
| 360-15-070 | DECOD-P 91-14-033 | 360-21-050 | DECOD-P 91-14-033 | 360-44-100 | DECOD-P 91-14-033 |
| 360-16 | DECOD-W 91-06-037 | 360-21-060 | DECOD-P 91-14-033 | 360-44-110 | DECOD-P 91-14-033 |
| 360-16-005 | DECOD-P 91-14-033 | 360-21-070 | DECOD-P 91-14-033 | 360-44-120 | DECOD-P 91-14-033 |
| 360-16-011 | DECOD-P 91-14-033 | 360-21-080 | DECOD-P 91-14-033 | 360-44-130 | DECOD-P 91-14-033 |
| 360-16-020 | DECOD-P 91-14-033 | 360-21-090 | DECOD-P 91-14-033 | 360-44-140 | DECOD-P 91-14-033 |
| 360-16-025 | DECOD-P 91-14-033 | 360-23 | DECOD-W 91-06-037 | 360-44-150 | DECOD-P 91-14-033 |
| 360-16-040 | DECOD-P 91-14-033 | 360-23-010 | DECOD-P 91-14-033 | 360-44-990 | DECOD-P 91-14-033 |
| 360-16-050 | DECOD-P 91-14-033 | 360-23-020 | DECOD-P 91-14-033 | 360-45-010 | DECOD-P 91-14-033 |
| 360-16-070 | DECOD-P 91-14-033 | 360-23-030 | DECOD-P 91-14-033 | 360-46 | DECOD-W 91-06-037 |
| 360-16-094 | DECOD-P 91-14-033 | 360-23-050 | DECOD-P 91-14-033 | 360-46-010 | DECOD-P 91-14-033 |
| 360-16-096 | DECOD-P 91-14-033 | 360-28-010 | DECOD-P 91-14-033 | 360-46-020 | DECOD-P 91-14-033 |
| 360-16-098 | DECOD-P 91-14-033 | 360-32 | DECOD-W 91-06-037 | 360-46-030 | DECOD-P 91-14-033 |
| 360-16-120 | DECOD-P 91-14-033 | 360-32-050 | DECOD-P 91-14-033 | 360-46-040 | DECOD-P 91-14-033 |
| 360-16-150 | DECOD-P 91-14-033 | 360-32-055 | DECOD-P 91-14-033 | 360-46-050 | DECOD-P 91-14-033 |
| 360-16-180 | DECOD-P 91-14-033 | 360-32-060 | DECOD-P 91-14-033 | 360-46-060 | DECOD-P 91-14-033 |
| 360-16-200 | DECOD-P 91-14-033 | 360-33 | DECOD-W 91-06-037 | 360-46-070 | DECOD-P 91-14-033 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # |
|-------------|-------------------|------------|-----------------|------------|-----------------|
| 360-46-081 | DECOD-P 91-14-033 | 371-08-005 | AMD 91-03-028 | 374-50-030 | NEW-P 91-08-033 |
| 360-46-082 | DECOD-P 91-14-033 | 371-08-010 | AMD 91-03-028 | 374-50-040 | NEW-P 91-08-033 |
| 360-46-090 | DECOD-P 91-14-033 | 371-08-015 | REP 91-03-028 | 374-50-050 | NEW-P 91-08-033 |
| 360-46-100 | DECOD-P 91-14-033 | 371-08-020 | AMD 91-03-028 | 374-50-060 | NEW-P 91-08-033 |
| 360-46-110 | DECOD-P 91-14-033 | 371-08-030 | AMD 91-03-028 | 374-50-070 | NEW-P 91-08-033 |
| 360-46-120 | DECOD-P 91-14-033 | 371-08-031 | REP 91-03-028 | 374-50-080 | NEW-P 91-08-033 |
| 360-46-130 | DECOD-P 91-14-033 | 371-08-032 | AMD 91-03-028 | 374-50-090 | NEW-P 91-08-033 |
| 360-46-140 | DECOD-P 91-14-033 | 371-08-033 | NEW 91-03-028 | 381-10-010 | NEW-P 91-10-009 |
| 360-46-150 | DECOD-P 91-14-033 | 371-08-035 | AMD 91-03-028 | 381-10-010 | NEW 91-14-028 |
| 360-46-160 | DECOD-P 91-14-033 | 371-08-040 | AMD 91-03-028 | 381-10-020 | NEW-P 91-10-009 |
| 360-47 | DECOD-W 91-06-037 | 371-08-045 | REP 91-03-028 | 381-10-020 | NEW 91-14-028 |
| 360-47-010 | DECOD-P 91-14-033 | 371-08-065 | AMD 91-03-028 | 381-10-030 | NEW-P 91-10-009 |
| 360-47-020 | DECOD-P 91-14-033 | 371-08-071 | AMD 91-03-028 | 381-10-030 | NEW 91-14-028 |
| 360-47-030 | DECOD-P 91-14-033 | 371-08-075 | AMD 91-03-028 | 381-10-040 | NEW-P 91-10-009 |
| 360-47-040 | DECOD-P 91-14-033 | 371-08-080 | AMD 91-03-028 | 381-10-040 | NEW 91-14-028 |
| 360-47-050 | DECOD-P 91-14-033 | 371-08-085 | AMD 91-03-028 | 381-10-050 | NEW-P 91-10-009 |
| 360-48 | DECOD-W 91-06-037 | 371-08-095 | REP 91-03-028 | 381-10-050 | NEW 91-14-028 |
| 360-48-010 | DECOD-P 91-14-033 | 371-08-100 | AMD 91-03-028 | 381-10-060 | NEW-P 91-10-009 |
| 360-48-020 | DECOD-P 91-14-033 | 371-08-102 | REP 91-03-028 | 381-10-060 | NEW 91-14-028 |
| 360-48-030 | DECOD-P 91-14-033 | 371-08-104 | AMD 91-03-028 | 381-10-070 | NEW-P 91-10-009 |
| 360-48-040 | DECOD-P 91-14-033 | 371-08-105 | REP 91-03-028 | 381-10-070 | NEW 91-14-028 |
| 360-48-050 | DECOD-P 91-14-033 | 371-08-106 | NEW 91-03-028 | 381-10-080 | NEW-P 91-10-009 |
| 360-48-060 | DECOD-P 91-14-033 | 371-08-110 | REP 91-03-028 | 381-10-080 | NEW 91-14-028 |
| 360-48-070 | DECOD-P 91-14-033 | 371-08-115 | REP 91-03-028 | 381-10-090 | NEW-P 91-10-009 |
| 360-48-080 | DECOD-P 91-14-033 | 371-08-120 | REP 91-03-028 | 381-10-090 | NEW 91-14-028 |
| 360-49 | DECOD-W 91-06-037 | 371-08-125 | AMD 91-03-028 | 381-10-100 | NEW-P 91-10-009 |
| 360-49-010 | DECOD-P 91-14-033 | 371-08-130 | AMD 91-03-028 | 381-10-100 | NEW 91-14-028 |
| 360-49-020 | DECOD-P 91-14-033 | 371-08-131 | REP 91-03-028 | 381-10-110 | NEW-P 91-10-009 |
| 360-49-040 | DECOD-P 91-14-033 | 371-08-132 | REP 91-03-028 | 381-10-110 | NEW 91-14-028 |
| 360-49-050 | NEW-P 91-05-090 | 371-08-135 | REP 91-03-028 | 381-10-120 | NEW-P 91-10-009 |
| 360-49-050 | NEW 91-13-004 | 371-08-140 | AMD 91-03-028 | 381-10-120 | NEW 91-14-028 |
| 360-49-050 | DECOD-P 91-14-033 | 371-08-144 | AMD 91-03-028 | 381-10-130 | NEW-P 91-10-009 |
| 360-52 | DECOD-W 91-06-037 | 371-08-146 | NEW 91-03-028 | 381-10-130 | NEW 91-14-028 |
| 360-52-010 | DECOD-P 91-14-033 | 371-08-147 | NEW 91-03-028 | 381-10-140 | NEW-P 91-10-009 |
| 360-52-020 | DECOD-P 91-14-033 | 371-08-148 | NEW 91-03-028 | 381-10-140 | NEW 91-14-028 |
| 360-52-030 | DECOD-P 91-14-033 | 371-08-155 | AMD 91-03-028 | 381-10-150 | NEW-P 91-10-009 |
| 360-52-040 | DECOD-P 91-14-033 | 371-08-156 | AMD 91-03-028 | 381-10-150 | NEW 91-14-028 |
| 360-52-050 | DECOD-P 91-14-033 | 371-08-160 | REP 91-03-028 | 381-10-160 | NEW-P 91-10-009 |
| 360-52-060 | DECOD-P 91-14-033 | 371-08-162 | NEW 91-03-028 | 381-10-160 | NEW 91-14-028 |
| 360-52-070 | DECOD-P 91-14-033 | 371-08-163 | REP 91-03-028 | 381-10-170 | NEW-P 91-10-009 |
| 360-52-080 | DECOD-P 91-14-033 | 371-08-165 | AMD 91-03-028 | 381-10-170 | NEW 91-14-028 |
| 360-52-090 | DECOD-P 91-14-033 | 371-08-175 | REP 91-03-028 | 381-20-010 | NEW-P 91-10-009 |
| 360-52-100 | DECOD-P 91-14-033 | 371-08-180 | AMD 91-03-028 | 381-20-010 | NEW 91-14-028 |
| 360-52-110 | DECOD-P 91-14-033 | 371-08-183 | AMD 91-03-028 | 381-20-020 | NEW-P 91-10-009 |
| 360-52-120 | NEW-P 91-05-092 | 371-08-184 | NEW 91-03-028 | 381-20-020 | NEW 91-14-028 |
| 360-52-120 | NEW 91-11-040 | 371-08-186 | AMD 91-03-028 | 381-20-030 | NEW-P 91-10-009 |
| 360-52-120 | DECOD-P 91-14-033 | 371-08-187 | AMD 91-03-028 | 381-20-030 | NEW 91-14-028 |
| 360-54 | DECOD-W 91-06-037 | 371-08-188 | AMD 91-03-028 | 381-20-040 | NEW-P 91-10-009 |
| 360-54-010 | DECOD-P 91-14-033 | 371-08-189 | AMD 91-03-028 | 381-20-040 | NEW 91-14-028 |
| 360-54-020 | DECOD-P 91-14-033 | 371-08-190 | REP 91-03-028 | 381-20-050 | NEW-P 91-10-009 |
| 360-54-030 | DECOD-P 91-14-033 | 371-08-195 | AMD 91-03-028 | 381-20-050 | NEW 91-14-028 |
| 360-54-040 | DECOD-P 91-14-033 | 371-08-196 | AMD 91-03-028 | 381-20-060 | NEW-P 91-10-009 |
| 360-54-050 | DECOD-P 91-14-033 | 371-08-200 | AMD 91-03-028 | 381-20-060 | NEW 91-14-028 |
| 360-60 | DECOD-W 91-06-037 | 371-08-201 | REP 91-03-028 | 381-20-070 | NEW-P 91-10-009 |
| 360-60-010 | DECOD-P 91-14-033 | 371-08-205 | REP 91-03-028 | 381-20-070 | NEW 91-14-028 |
| 360-60-020 | DECOD-P 91-14-033 | 371-08-210 | REP 91-03-028 | 381-20-080 | NEW-P 91-10-009 |
| 360-60-030 | DECOD-P 91-14-033 | 371-08-215 | AMD 91-03-028 | 381-20-080 | NEW 91-14-028 |
| 360-60-040 | DECOD-P 91-14-033 | 371-08-220 | AMD 91-03-028 | 381-20-090 | NEW-P 91-10-009 |
| 365-90-010 | AMD 91-04-017 | 371-08-230 | AMD 91-03-028 | 381-20-090 | NEW 91-14-028 |
| 365-90-020 | AMD 91-04-017 | 371-08-240 | AMD 91-03-028 | 381-20-100 | NEW-P 91-10-009 |
| 365-90-030 | REP 91-04-017 | 371-08-245 | REP 91-03-028 | 381-20-100 | NEW 91-14-028 |
| 365-90-040 | AMD 91-04-017 | 371-12 | REP-C 91-03-027 | 381-20-110 | NEW-P 91-10-009 |
| 365-90-050 | REP 91-04-017 | 371-12-010 | REP 91-03-028 | 381-20-110 | NEW 91-14-028 |
| 365-90-070 | AMD 91-04-017 | 371-12-020 | REP 91-03-028 | 381-20-120 | NEW-P 91-10-009 |
| 365-90-080 | AMD 91-04-017 | 371-12-030 | REP 91-03-028 | 381-20-120 | NEW 91-14-028 |
| 365-90-090 | AMD 91-04-017 | 371-12-040 | REP 91-03-028 | 381-20-130 | NEW-P 91-10-009 |
| 365-190-010 | NEW 91-07-041 | 371-12-050 | REP 91-03-028 | 381-20-130 | NEW 91-14-028 |
| 365-190-020 | NEW 91-07-041 | 371-12-060 | REP 91-03-028 | 381-20-140 | NEW-P 91-10-009 |
| 365-190-030 | NEW 91-07-041 | 371-12-070 | REP 91-03-028 | 381-20-140 | NEW 91-14-028 |
| 365-190-040 | NEW 91-07-041 | 371-12-080 | REP 91-03-028 | 381-30-010 | NEW 91-14-029 |
| 365-190-050 | NEW 91-07-041 | 371-12-090 | REP 91-03-028 | 381-30-020 | NEW 91-14-029 |
| 365-190-060 | NEW 91-07-041 | 371-12-100 | REP 91-03-028 | 381-30-030 | NEW 91-14-029 |
| 365-190-070 | NEW 91-07-041 | 371-12-110 | REP 91-03-028 | 381-30-040 | NEW 91-14-029 |
| 365-190-080 | NEW 91-07-041 | 371-12-120 | REP 91-03-028 | 381-30-050 | NEW 91-14-029 |
| 371-08 | AMD-C 91-03-027 | 371-12-130 | REP 91-03-028 | 381-30-060 | NEW 91-14-029 |
| 371-08-001 | NEW 91-03-028 | 374-50-010 | NEW-P 91-08-033 | 381-30-070 | NEW 91-14-029 |
| 371-08-002 | NEW 91-03-028 | 374-50-020 | NEW-P 91-08-033 | 381-30-080 | NEW 91-14-029 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|------------|-------|-----------|------------|-------|-----------|-------------|-------|-----------|
| 381-30-090 | NEW | 91-14-029 | 381-70-150 | NEW | 91-14-029 | 388-24-050 | AMD | 91-12-044 |
| 381-30-100 | NEW | 91-14-029 | 381-70-160 | NEW | 91-14-029 | 388-24-070 | AMD-P | 91-13-101 |
| 381-30-110 | NEW | 91-14-029 | 381-70-170 | NEW | 91-14-029 | 388-24-074 | AMD-P | 91-13-099 |
| 381-30-120 | NEW | 91-14-029 | 381-70-180 | NEW | 91-14-029 | 388-28-435 | AMD-P | 91-10-074 |
| 381-30-130 | NEW | 91-14-029 | 381-70-190 | NEW | 91-14-029 | 388-28-435 | AMD-E | 91-10-078 |
| 381-30-140 | NEW | 91-14-029 | 381-70-200 | NEW | 91-14-029 | 388-28-435 | AMD | 91-13-082 |
| 381-30-150 | NEW | 91-14-029 | 381-70-210 | NEW | 91-14-029 | 388-28-482 | AMD-P | 91-10-075 |
| 381-30-160 | NEW | 91-14-029 | 381-70-220 | NEW | 91-14-029 | 388-28-482 | AMD-E | 91-10-076 |
| 381-30-170 | NEW | 91-14-029 | 381-70-230 | NEW | 91-14-029 | 388-28-482 | AMD | 91-13-083 |
| 381-30-180 | NEW | 91-14-029 | 381-70-240 | NEW | 91-14-029 | 388-28-575 | AMD | 91-06-007 |
| 381-40-010 | NEW | 91-14-029 | 381-70-250 | NEW | 91-14-029 | 388-28-575 | AMD-P | 91-10-072 |
| 381-40-020 | NEW | 91-14-029 | 381-70-260 | NEW | 91-14-029 | 388-28-575 | AMD-E | 91-10-077 |
| 381-40-030 | NEW | 91-14-029 | 381-70-270 | NEW | 91-14-029 | 388-28-575 | AMD | 91-13-080 |
| 381-40-040 | NEW | 91-14-029 | 381-70-280 | NEW | 91-14-029 | 388-29-100 | AMD-P | 91-14-122 |
| 381-40-050 | NEW | 91-14-029 | 381-70-290 | NEW | 91-14-029 | 388-29-100 | AMD-E | 91-14-124 |
| 381-40-060 | NEW | 91-14-029 | 381-70-300 | NEW | 91-14-029 | 388-29-125 | AMD-P | 91-06-041 |
| 381-40-070 | NEW | 91-14-029 | 381-70-310 | NEW | 91-14-029 | 388-29-125 | AMD-E | 91-06-045 |
| 381-40-080 | NEW | 91-14-029 | 381-70-320 | NEW | 91-14-029 | 388-29-125 | AMD | 91-10-028 |
| 381-40-090 | NEW | 91-14-029 | 381-70-330 | NEW | 91-14-029 | 388-33-376 | AMD-P | 91-07-068 |
| 381-40-100 | NEW | 91-14-029 | 381-70-340 | NEW | 91-14-029 | 388-33-376 | AMD | 91-11-020 |
| 381-40-110 | NEW | 91-14-029 | 381-70-350 | NEW | 91-14-029 | 388-42-150 | AMD | 91-06-005 |
| 381-40-120 | NEW | 91-14-029 | 381-70-360 | NEW | 91-14-029 | 388-44-145 | AMD-C | 91-03-039 |
| 381-40-130 | NEW | 91-14-029 | 381-70-370 | NEW | 91-14-029 | 388-44-145 | AMD-C | 91-04-047 |
| 381-40-140 | NEW | 91-14-029 | 381-70-380 | NEW | 91-14-029 | 388-44-145 | AMD-C | 91-06-055 |
| 381-40-150 | NEW | 91-14-029 | 381-70-390 | NEW | 91-14-029 | 388-44-145 | AMD | 91-09-070 |
| 381-40-160 | NEW | 91-14-029 | 381-70-400 | NEW | 91-14-029 | 388-49-020 | AMD-P | 91-05-074 |
| 381-40-170 | NEW | 91-14-029 | 381-70-410 | NEW | 91-14-029 | 388-49-020 | AMD | 91-10-096 |
| 381-50-010 | NEW | 91-14-029 | 381-70-420 | NEW | 91-14-029 | 388-49-020 | AMD-P | 91-13-104 |
| 381-50-020 | NEW | 91-14-029 | 381-70-430 | NEW | 91-14-029 | 388-49-030 | AMD-P | 91-11-109 |
| 381-50-030 | NEW | 91-14-029 | 381-70-440 | NEW | 91-14-029 | 388-49-030 | AMD | 91-14-081 |
| 381-50-040 | NEW | 91-14-029 | 381-80-010 | NEW | 91-14-029 | 388-49-040 | AMD-P | 91-11-110 |
| 381-50-050 | NEW | 91-14-029 | 381-80-020 | NEW | 91-14-029 | 388-49-040 | AMD | 91-14-082 |
| 381-50-060 | NEW | 91-14-029 | 381-80-030 | NEW | 91-14-029 | 388-49-080 | AMD-P | 91-09-031 |
| 381-50-070 | NEW | 91-14-029 | 381-80-040 | NEW | 91-14-029 | 388-49-080 | AMD-E | 91-09-032 |
| 381-50-080 | NEW | 91-14-029 | 381-80-050 | NEW | 91-14-029 | 388-49-080 | AMD | 91-12-043 |
| 381-50-090 | NEW | 91-14-029 | 381-80-060 | NEW | 91-14-029 | 388-49-120 | AMD-P | 91-11-110 |
| 381-50-100 | NEW | 91-14-029 | 388-11-220 | AMD-P | 91-06-040 | 388-49-120 | AMD | 91-14-082 |
| 381-50-110 | NEW | 91-14-029 | 388-11-220 | AMD-E | 91-06-048 | 388-49-190 | AMD-P | 91-05-073 |
| 381-50-120 | NEW | 91-14-029 | 388-11-220 | AMD | 91-10-027 | 388-49-190 | AMD | 91-10-098 |
| 381-50-130 | NEW | 91-14-029 | 388-14-030 | AMD-P | 91-14-121 | 388-49-270 | AMD-P | 91-13-098 |
| 381-50-140 | NEW | 91-14-029 | 388-14-030 | AMD-E | 91-14-123 | 388-49-310 | AMD-P | 91-07-069 |
| 381-50-150 | NEW | 91-14-029 | 388-14-275 | AMD-P | 91-06-097 | 388-49-310 | AMD | 91-11-019 |
| 381-50-160 | NEW | 91-14-029 | 388-14-275 | AMD | 91-10-026 | 388-49-330 | AMD-P | 91-05-075 |
| 381-50-170 | NEW | 91-14-029 | 388-14-385 | AMD-P | 91-04-002 | 388-49-330 | AMD | 91-10-099 |
| 381-50-180 | NEW | 91-14-029 | 388-14-385 | AMD-E | 91-04-003 | 388-49-410 | AMD-P | 91-05-071 |
| 381-60-010 | NEW | 91-14-029 | 388-14-385 | AMD | 91-09-018 | 388-49-410 | AMD | 91-10-097 |
| 381-60-020 | NEW | 91-14-029 | 388-14-415 | AMD-P | 91-04-002 | 388-49-420 | AMD-P | 91-05-071 |
| 381-60-030 | NEW | 91-14-029 | 388-14-415 | AMD-E | 91-04-003 | 388-49-420 | AMD | 91-10-097 |
| 381-60-040 | NEW | 91-14-029 | 388-14-415 | AMD | 91-09-018 | 388-49-430 | AMD-P | 91-13-100 |
| 381-60-050 | NEW | 91-14-029 | 388-14-435 | NEW-P | 91-04-002 | 388-49-470 | AMD | 91-06-004 |
| 381-60-060 | NEW | 91-14-029 | 388-14-435 | NEW-E | 91-04-003 | 388-49-480 | AMD-P | 91-05-072 |
| 381-60-070 | NEW | 91-14-029 | 388-14-435 | NEW | 91-09-018 | 388-49-480 | AMD-W | 91-10-034 |
| 381-60-080 | NEW | 91-14-029 | 388-14-440 | NEW-P | 91-04-002 | 388-49-480 | AMD-P | 91-12-023 |
| 381-60-090 | NEW | 91-14-029 | 388-14-440 | NEW-E | 91-04-003 | 388-49-480 | AMD-E | 91-12-027 |
| 381-60-100 | NEW | 91-14-029 | 388-14-440 | NEW | 91-09-018 | 388-49-500 | AMD-P | 91-14-120 |
| 381-60-110 | NEW | 91-14-029 | 388-14-445 | NEW-P | 91-04-002 | 388-49-505 | AMD-P | 91-04-035 |
| 381-60-120 | NEW | 91-14-029 | 388-14-445 | NEW-E | 91-04-003 | 388-49-505 | AMD-E | 91-04-036 |
| 381-60-130 | NEW | 91-14-029 | 388-14-445 | NEW | 91-09-018 | 388-49-505 | AMD | 91-08-013 |
| 381-60-140 | NEW | 91-14-029 | 388-14-450 | NEW-P | 91-04-002 | 388-49-520 | AMD-P | 91-09-067 |
| 381-60-150 | NEW | 91-14-029 | 388-14-450 | NEW-E | 91-04-003 | 388-49-520 | AMD | 91-12-025 |
| 381-60-160 | NEW | 91-14-029 | 388-14-450 | NEW | 91-09-018 | 388-49-530 | AMD-P | 91-09-067 |
| 381-60-170 | NEW | 91-14-029 | 388-15-208 | AMD-S | 91-04-039 | 388-49-530 | AMD | 91-12-025 |
| 381-60-180 | NEW | 91-14-029 | 388-15-208 | AMD | 91-08-011 | 388-49-535 | AMD-P | 91-09-067 |
| 381-70-010 | NEW | 91-14-029 | 388-15-209 | AMD-S | 91-04-039 | 388-49-535 | AMD | 91-12-025 |
| 381-70-020 | NEW | 91-14-029 | 388-15-209 | AMD | 91-08-011 | 388-49-600 | AMD-P | 91-08-064 |
| 381-70-030 | NEW | 91-14-029 | 388-15-212 | AMD-S | 91-04-039 | 388-49-600 | AMD | 91-11-087 |
| 381-70-040 | NEW | 91-14-029 | 388-15-212 | AMD | 91-08-011 | 388-53 | AMD | 91-06-006 |
| 381-70-050 | NEW | 91-14-029 | 388-15-215 | AMD-S | 91-04-039 | 388-53-010 | AMD | 91-06-006 |
| 381-70-060 | NEW | 91-14-029 | 388-15-215 | AMD | 91-08-011 | 388-53-050 | AMD | 91-06-006 |
| 381-70-070 | NEW | 91-14-029 | 388-15-216 | AMD-S | 91-04-039 | 388-53A-010 | REP-P | 91-12-066 |
| 381-70-080 | NEW | 91-14-029 | 388-15-216 | AMD | 91-08-011 | 388-53A-020 | REP-P | 91-12-066 |
| 381-70-090 | NEW | 91-14-029 | 388-24-050 | AMD-E | 91-04-042 | 388-53A-030 | REP-P | 91-12-066 |
| 381-70-100 | NEW | 91-14-029 | 388-24-050 | AMD-P | 91-04-043 | 388-53A-040 | REP-P | 91-12-066 |
| 381-70-110 | NEW | 91-14-029 | 388-24-050 | AMD-C | 91-08-010 | 388-53A-050 | REP-P | 91-12-066 |
| 381-70-120 | NEW | 91-14-029 | 388-24-050 | AMD-W | 91-08-063 | 388-53A-060 | REP-P | 91-12-066 |
| 381-70-130 | NEW | 91-14-029 | 388-24-050 | AMD-P | 91-09-068 | 388-53A-070 | REP-P | 91-12-066 |
| 381-70-140 | NEW | 91-14-029 | 388-24-050 | AMD-E | 91-09-069 | 388-53A-080 | REP-P | 91-12-066 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|-------------|-------|-----------|--------------|---------|-----------|-------------|-------|-----------|
| 388-53A-090 | REP-P | 91-12-066 | 388-77-615 | AMD | 91-05-058 | 388-100-010 | AMD-E | 91-14-072 |
| 388-53A-100 | REP-P | 91-12-066 | 388-77-615 | AMD | 91-08-050 | 388-100-015 | AMD-P | 91-14-067 |
| 388-53A-110 | REP-P | 91-12-066 | 388-81-030 | AMD | 91-07-011 | 388-100-015 | AMD-E | 91-14-072 |
| 388-53A-120 | REP-P | 91-12-066 | 388-81-070 | REP-P | 91-14-066 | 388-100-020 | AMD-P | 91-14-067 |
| 388-53A-130 | REP-P | 91-12-066 | 388-81-070 | REP-E | 91-14-070 | 388-100-020 | AMD-E | 91-14-072 |
| 388-53A-140 | REP-P | 91-12-066 | 388-82-010 | AMD | 91-06-003 | 388-100-025 | AMD-P | 91-14-067 |
| 388-62-020 | AMD-P | 91-14-119 | 388-82-010 | AMD-E | 91-11-016 | 388-100-025 | AMD-E | 91-14-072 |
| 388-62-025 | NEW-P | 91-14-119 | 388-82-010 | AMD-P | 91-11-017 | 388-100-030 | AMD-P | 91-14-067 |
| 388-62-035 | AMD-P | 91-14-119 | 388-82-140 | AMD | 91-07-011 | 388-100-030 | AMD-E | 91-14-072 |
| 388-62-050 | REP-P | 91-14-119 | 388-82-160 | AMD-P | 91-08-035 | 388-100-035 | AMD-P | 91-14-067 |
| 388-62-070 | AMD-P | 91-14-119 | 388-82-160 | AMD-E | 91-08-036 | 388-100-035 | AMD-E | 91-14-072 |
| 388-62-075 | AMD-P | 91-14-119 | 388-82-160 | AMD | 91-11-086 | 388-150-005 | AMD-P | 91-03-127 |
| 388-62-080 | AMD-P | 91-14-119 | 388-83-013 | AMD-P | 91-06-042 | 388-150-005 | AMD-E | 91-03-128 |
| 388-62-095 | AMD-P | 91-14-119 | 388-83-013 | AMD-E | 91-06-046 | 388-150-005 | AMD | 91-07-013 |
| 388-62-100 | REP-P | 91-14-119 | 388-83-013 | AMD | 91-10-101 | 388-150-020 | AMD-P | 91-12-024 |
| 388-62-115 | REP-P | 91-14-119 | 388-83-032 | AMD-P | 91-06-043 | 388-150-020 | AMD-E | 91-12-028 |
| 388-62-130 | REP-P | 91-14-119 | 388-83-032 | AMD-E | 91-06-047 | 388-150-100 | AMD-P | 91-03-127 |
| 388-62-135 | AMD-P | 91-14-119 | 388-83-032 | AMD | 91-10-100 | 388-150-100 | AMD-E | 91-03-128 |
| 388-62-155 | REP-P | 91-14-119 | 388-83-033 | AMD-P | 91-08-034 | 388-150-100 | AMD | 91-07-013 |
| 388-62-160 | REP-P | 91-14-119 | 388-83-033 | AMD-E | 91-08-037 | 388-150-180 | AMD-P | 91-03-127 |
| 388-62-165 | REP-P | 91-14-119 | 388-83-033 | AMD-E | 91-10-036 | 388-150-180 | AMD-E | 91-03-128 |
| 388-62-170 | REP-P | 91-14-119 | 388-83-033 | AMD | 91-11-085 | 388-150-180 | AMD | 91-07-013 |
| 388-62-190 | AMD-P | 91-14-119 | 388-83-041 | NEW-P | 91-05-008 | 388-150-210 | AMD-P | 91-03-127 |
| 388-62-200 | AMD-P | 91-14-119 | 388-83-041 | NEW-E | 91-05-009 | 388-150-210 | AMD-E | 91-03-128 |
| 388-76-030 | AMD-P | 91-05-070 | 388-83-041 | NEW | 91-09-017 | 388-150-210 | AMD | 91-07-013 |
| 388-76-030 | AMD | 91-09-016 | 388-83-130 | AMD-P | 91-06-043 | 388-150-280 | AMD-P | 91-03-127 |
| 388-76-040 | AMD-P | 91-05-070 | 388-83-130 | AMD-E | 91-06-047 | 388-150-280 | AMD-E | 91-03-128 |
| 388-76-040 | AMD | 91-09-016 | 388-83-130 | AMD | 91-10-100 | 388-150-280 | AMD | 91-07-013 |
| 388-76-087 | AMD-P | 91-05-070 | 388-83-200 | AMD-P | 91-12-067 | 388-150-390 | AMD-P | 91-03-127 |
| 388-76-087 | AMD | 91-09-016 | 388-84-105 | AMD | 91-05-011 | 388-150-390 | AMD-E | 91-03-128 |
| 388-77-010 | AMD | 91-04-041 | 388-85-115 | AMD-E | 91-11-016 | 388-150-390 | AMD | 91-07-013 |
| 388-77-010 | AMD | 91-05-010 | 388-85-115 | AMD-P | 91-11-017 | 388-150-450 | AMD-P | 91-03-127 |
| 388-77-010 | AMD | 91-05-058 | 388-86-00901 | AMD-P | 91-04-040 | 388-150-450 | AMD-E | 91-03-128 |
| 388-77-010 | AMD | 91-08-050 | 388-86-00901 | AMD-E | 91-04-044 | 388-150-450 | AMD | 91-07-013 |
| 388-77-230 | REP | 91-04-041 | 388-86-00901 | AMD | 91-08-012 | 388-155 | NEW-C | 91-03-038 |
| 388-77-230 | REP | 91-05-010 | 388-87-010 | AMD | 91-07-011 | 388-155-005 | NEW | 91-04-048 |
| 388-77-230 | REP | 91-05-058 | 388-87-010 | AMD-P | 91-14-067 | 388-155-010 | NEW | 91-04-048 |
| 388-77-230 | REP | 91-08-050 | 388-87-010 | AMD-E | 91-14-072 | 388-155-020 | NEW | 91-04-048 |
| 388-77-320 | AMD | 91-04-041 | 388-87-070 | AMD-P | 91-06-044 | 388-155-020 | AMD-P | 91-12-024 |
| 388-77-320 | AMD | 91-05-010 | 388-87-070 | AMD-E | 91-06-049 | 388-155-020 | AMD-E | 91-12-028 |
| 388-77-320 | AMD | 91-05-058 | 388-87-070 | RESCIND | 91-06-056 | 388-155-040 | NEW | 91-04-048 |
| 388-77-320 | AMD | 91-08-050 | 388-87-070 | AMD | 91-10-025 | 388-155-050 | NEW | 91-04-048 |
| 388-77-500 | AMD | 91-04-041 | 388-87-072 | AMD-P | 91-06-044 | 388-155-060 | NEW | 91-04-048 |
| 388-77-500 | AMD | 91-05-010 | 388-87-072 | AMD-E | 91-06-049 | 388-155-070 | NEW | 91-04-048 |
| 388-77-500 | AMD | 91-05-058 | 388-87-072 | RESCIND | 91-06-056 | 388-155-080 | NEW | 91-04-048 |
| 388-77-500 | AMD | 91-08-050 | 388-87-072 | AMD | 91-10-025 | 388-155-090 | NEW | 91-04-048 |
| 388-77-515 | AMD | 91-04-041 | 388-92-045 | AMD-P | 91-05-008 | 388-155-100 | NEW | 91-04-048 |
| 388-77-515 | AMD | 91-05-010 | 388-92-045 | AMD-E | 91-05-009 | 388-155-110 | NEW | 91-04-048 |
| 388-77-515 | AMD | 91-05-058 | 388-92-045 | AMD | 91-09-017 | 388-155-120 | NEW | 91-04-048 |
| 388-77-515 | AMD | 91-08-050 | 388-95-320 | AMD-P | 91-05-034 | 388-155-130 | NEW | 91-04-048 |
| 388-77-520 | AMD | 91-04-041 | 388-95-320 | AMD-E | 91-05-035 | 388-155-140 | NEW | 91-04-048 |
| 388-77-520 | AMD | 91-05-010 | 388-95-320 | AMD | 91-09-019 | 388-155-150 | NEW | 91-04-048 |
| 388-77-520 | AMD | 91-05-058 | 388-95-337 | AMD | 91-07-011 | 388-155-160 | NEW | 91-04-048 |
| 388-77-520 | AMD | 91-08-050 | 388-95-360 | AMD | 91-07-011 | 388-155-165 | NEW | 91-04-048 |
| 388-77-530 | REP | 91-04-041 | 388-95-360 | AMD-P | 91-14-068 | 388-155-170 | NEW | 91-04-048 |
| 388-77-530 | REP | 91-05-010 | 388-95-360 | AMD-E | 91-14-071 | 388-155-180 | NEW | 91-04-048 |
| 388-77-530 | REP | 91-05-058 | 388-95-380 | AMD-P | 91-05-008 | 388-155-190 | NEW | 91-04-048 |
| 388-77-530 | REP | 91-08-050 | 388-95-380 | AMD-E | 91-05-009 | 388-155-200 | NEW | 91-04-048 |
| 388-77-531 | NEW-P | 91-12-065 | 388-95-380 | AMD | 91-09-017 | 388-155-210 | NEW | 91-04-048 |
| 388-77-531 | NEW-E | 91-12-068 | 388-95-395 | AMD-P | 91-12-022 | 388-155-220 | NEW | 91-04-048 |
| 388-77-555 | AMD | 91-04-041 | 388-95-395 | AMD-E | 91-12-029 | 388-155-230 | NEW | 91-04-048 |
| 388-77-555 | AMD | 91-05-010 | 388-96-221 | AMD-P | 91-09-066 | 388-155-240 | NEW | 91-04-048 |
| 388-77-555 | AMD | 91-05-058 | 388-96-722 | AMD-P | 91-09-066 | 388-155-250 | NEW | 91-04-048 |
| 388-77-555 | AMD | 91-08-050 | 388-96-722 | AMD | 91-12-026 | 388-155-260 | NEW | 91-04-048 |
| 388-77-600 | AMD | 91-04-041 | 388-96-760 | AMD-P | 91-09-066 | 388-155-270 | NEW | 91-04-048 |
| 388-77-600 | AMD | 91-05-010 | 388-96-760 | AMD | 91-12-026 | 388-155-280 | NEW | 91-04-048 |
| 388-77-600 | AMD | 91-05-058 | 388-96-901 | AMD-P | 91-09-066 | 388-155-285 | NEW-W | 91-11-026 |
| 388-77-600 | AMD | 91-08-050 | 388-96-901 | AMD | 91-12-026 | 388-155-290 | NEW | 91-04-048 |
| 388-77-610 | AMD | 91-04-041 | 388-96-904 | AMD-P | 91-09-066 | 388-155-295 | NEW | 91-04-048 |
| 388-77-610 | AMD | 91-05-010 | 388-96-904 | AMD | 91-12-026 | 388-155-310 | NEW | 91-04-048 |
| 388-77-610 | AMD | 91-05-058 | 388-99-020 | AMD | 91-07-011 | 388-155-320 | NEW | 91-04-048 |
| 388-77-610 | AMD | 91-08-050 | 388-99-040 | AMD-P | 91-05-008 | 388-155-330 | NEW | 91-04-048 |
| 388-77-610 | AMD-P | 91-10-073 | 388-99-040 | AMD-E | 91-05-009 | 388-155-340 | NEW | 91-04-048 |
| 388-77-610 | AMD-E | 91-10-079 | 388-99-040 | AMD | 91-09-017 | 388-155-350 | NEW | 91-04-048 |
| 388-77-610 | AMD | 91-13-081 | 388-100-005 | AMD-P | 91-14-067 | 388-155-360 | NEW | 91-04-048 |
| 388-77-615 | AMD | 91-04-041 | 388-100-005 | AMD-E | 91-14-072 | 388-155-370 | NEW | 91-04-048 |
| 388-77-615 | AMD | 91-05-010 | 388-100-010 | AMD-P | 91-14-067 | 388-155-380 | NEW | 91-04-048 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|-------------|-------|-----------|-------------|-------|-----------|-------------|-------|-----------|
| 392-127-825 | NEW | 91-03-129 | 392-151-130 | AMD-P | 91-10-085 | 415-104-215 | NEW | 91-03-014 |
| 392-127-830 | NEW | 91-03-129 | 392-151-135 | AMD-P | 91-10-085 | 415-108-320 | NEW | 91-03-015 |
| 392-140-224 | AMD-P | 91-09-026 | 392-151-140 | AMD-P | 91-10-085 | 415-108-322 | NEW | 91-03-015 |
| 392-140-224 | AMD | 91-12-021 | 392-151-145 | REP-P | 91-10-085 | 415-108-324 | NEW | 91-03-015 |
| 392-140-257 | AMD-P | 91-04-089 | 392-151-150 | REP-P | 91-10-085 | 415-108-326 | NEW | 91-03-015 |
| 392-140-257 | AMD | 91-08-039 | 392-160 | AMD-C | 91-11-028 | 415-112-720 | NEW | 91-03-016 |
| 392-140-336 | AMD-P | 91-12-006 | 392-160-015 | AMD-P | 91-07-062 | 415-112-722 | NEW | 91-03-016 |
| 392-140-337 | AMD-P | 91-12-006 | 392-160-020 | AMD-P | 91-07-062 | 415-112-725 | NEW | 91-03-016 |
| 392-140-340 | NEW | 91-02-094 | 392-160-040 | AMD-P | 91-07-062 | 415-112-727 | NEW | 91-03-016 |
| 392-140-341 | NEW | 91-02-094 | 392-162-095 | AMD-P | 91-13-052 | 415-114-010 | NEW-P | 91-06-089 |
| 392-140-342 | NEW | 91-02-094 | 392-163-340 | AMD-P | 91-14-037 | 415-114-010 | NEW-C | 91-10-108 |
| 392-140-343 | NEW | 91-02-094 | 392-163-345 | AMD-P | 91-14-037 | 415-114-010 | NEW | 91-11-061 |
| 392-140-345 | NEW | 91-02-094 | 392-163-355 | AMD-P | 91-14-037 | 415-114-010 | RE-AD | 91-13-049 |
| 392-140-346 | NEW | 91-02-094 | 392-163-435 | AMD-P | 91-14-037 | 415-114-020 | NEW-P | 91-06-089 |
| 392-140-347 | NEW | 91-02-094 | 392-171-321 | NEW-P | 91-14-002 | 415-114-020 | NEW-C | 91-10-108 |
| 392-140-348 | NEW | 91-02-094 | 392-171-461 | AMD-P | 91-14-002 | 415-114-020 | NEW | 91-11-061 |
| 392-140-349 | NEW | 91-02-094 | 392-191-001 | AMD-P | 91-12-006 | 415-114-020 | RE-AD | 91-13-049 |
| 392-140-350 | NEW | 91-02-094 | 392-191-007 | AMD-P | 91-12-006 | 415-114-030 | NEW-P | 91-06-089 |
| 392-140-351 | NEW | 91-02-094 | 392-191-030 | AMD-P | 91-12-006 | 415-114-030 | NEW-C | 91-10-108 |
| 392-140-352 | NEW | 91-02-094 | 392-191-035 | AMD-P | 91-12-006 | 415-114-030 | NEW | 91-11-061 |
| 392-140-353 | NEW | 91-02-094 | 392-191-040 | AMD-P | 91-12-006 | 415-114-030 | RE-AD | 91-13-049 |
| 392-140-354 | NEW | 91-02-094 | 392-191-060 | REP-P | 91-10-104 | 415-114-040 | NEW-P | 91-06-089 |
| 392-140-355 | NEW | 91-02-094 | 392-191-065 | REP-P | 91-10-104 | 415-114-040 | NEW-C | 91-10-108 |
| 392-140-356 | NEW | 91-02-094 | 392-191-070 | REP-P | 91-10-104 | 415-114-040 | NEW | 91-11-061 |
| 392-140-357 | NEW | 91-02-094 | 392-191-075 | REP-P | 91-10-104 | 415-114-040 | AMD | 91-13-049 |
| 392-140-358 | NEW | 91-02-094 | 392-191-075 | AMD-P | 91-12-006 | 415-114-050 | NEW-P | 91-06-089 |
| 392-140-359 | NEW | 91-02-094 | 392-191-080 | REP-P | 91-10-104 | 415-114-050 | NEW-C | 91-10-108 |
| 392-140-360 | NEW | 91-02-094 | 392-191-085 | REP-P | 91-10-104 | 415-114-050 | NEW | 91-11-061 |
| 392-140-361 | NEW | 91-02-094 | 392-191-085 | AMD-P | 91-12-006 | 415-114-050 | RE-AD | 91-13-049 |
| 392-140-362 | NEW | 91-02-094 | 392-191-090 | REP-P | 91-10-104 | 415-114-055 | NEW-P | 91-10-108 |
| 392-140-363 | NEW | 91-02-094 | 392-191-095 | REP-P | 91-10-104 | 415-114-055 | NEW | 91-13-049 |
| 392-140-364 | NEW | 91-02-094 | 392-192-005 | AMD-P | 91-12-006 | 415-114-060 | NEW-P | 91-06-089 |
| 392-140-365 | NEW | 91-02-094 | 392-192-040 | AMD-P | 91-12-006 | 415-114-060 | NEW-C | 91-10-108 |
| 392-140-366 | NEW | 91-02-094 | 392-198-005 | NEW-P | 91-14-035 | 415-114-060 | RE-AD | 91-11-061 |
| 392-140-367 | NEW | 91-02-094 | 392-198-010 | NEW-P | 91-14-035 | 415-114-060 | RE-AD | 91-13-049 |
| 392-140-368 | NEW | 91-02-094 | 392-198-015 | NEW-P | 91-14-035 | 415-114-070 | NEW-C | 91-10-108 |
| 392-140-369 | NEW | 91-02-094 | 392-198-020 | NEW-P | 91-14-035 | 415-114-070 | NEW | 91-13-049 |
| 392-140-370 | NEW | 91-02-094 | 392-198-025 | NEW-P | 91-14-035 | 415-115-010 | NEW-P | 91-10-109 |
| 392-140-371 | NEW | 91-02-094 | 392-198-030 | NEW-P | 91-14-035 | 415-115-010 | NEW | 91-13-030 |
| 392-140-372 | NEW | 91-02-094 | 392-202-003 | AMD | 91-03-119 | 415-115-020 | NEW-P | 91-10-109 |
| 392-140-373 | NEW | 91-02-094 | 392-202-080 | AMD-P | 91-14-036 | 415-115-020 | NEW | 91-13-030 |
| 392-140-374 | NEW | 91-02-094 | 392-202-110 | AMD-P | 91-14-036 | 415-115-030 | NEW-P | 91-10-109 |
| 392-140-375 | NEW | 91-02-094 | 392-202-115 | AMD-P | 91-14-036 | 415-115-030 | NEW | 91-13-030 |
| 392-140-376 | NEW | 91-02-094 | 392-202-120 | AMD-P | 91-14-036 | 415-115-040 | NEW-P | 91-10-109 |
| 392-140-377 | NEW | 91-02-094 | 399-30-030 | AMD-P | 91-14-093 | 415-115-040 | NEW | 91-13-030 |
| 392-140-378 | NEW | 91-02-094 | 399-30-040 | AMD-P | 91-14-093 | 415-115-050 | NEW-P | 91-10-109 |
| 392-140-379 | NEW | 91-02-094 | 399-30-042 | AMD-P | 91-14-093 | 415-115-050 | NEW | 91-13-030 |
| 392-140-380 | NEW | 91-02-094 | 399-30-045 | AMD-P | 91-14-093 | 415-115-060 | NEW-P | 91-10-109 |
| 392-140-381 | NEW | 91-02-094 | 399-30-050 | AMD-P | 91-14-093 | 415-115-060 | NEW | 91-13-030 |
| 392-140-390 | NEW | 91-02-094 | 399-30-060 | AMD-P | 91-14-093 | 415-115-070 | NEW-P | 91-10-109 |
| 392-140-391 | NEW | 91-02-094 | 399-30-065 | AMD-P | 91-14-093 | 415-115-070 | NEW | 91-13-030 |
| 392-140-392 | NEW | 91-02-094 | 399-40-020 | AMD-P | 91-14-092 | 415-115-080 | NEW-P | 91-10-109 |
| 392-140-393 | NEW | 91-02-094 | 400-12 | PREP | 91-05-066 | 415-115-080 | NEW | 91-13-030 |
| 392-142-005 | AMD-P | 91-12-006 | 402-70-010 | AMD-W | 91-08-059 | 415-115-090 | NEW-P | 91-10-109 |
| 392-142-095 | AMD-P | 91-12-006 | 402-70-020 | AMD-W | 91-08-059 | 415-115-090 | NEW | 91-13-030 |
| 392-142-235 | AMD-P | 91-12-006 | 402-70-030 | AMD-W | 91-08-059 | 415-115-100 | NEW-P | 91-10-109 |
| 392-142-250 | AMD-P | 91-12-006 | 402-70-040 | NEW-W | 91-08-059 | 415-115-100 | NEW | 91-13-030 |
| 392-145-015 | AMD-P | 91-03-074 | 402-70-045 | NEW-W | 91-08-059 | 415-115-110 | NEW-P | 91-10-109 |
| 392-145-015 | AMD | 91-06-032 | 402-70-050 | AMD-W | 91-08-059 | 415-115-110 | NEW | 91-13-030 |
| 392-145-030 | AMD-P | 91-03-074 | 402-70-055 | NEW-W | 91-08-059 | 415-115-120 | NEW-P | 91-10-109 |
| 392-145-030 | AMD | 91-06-032 | 402-70-060 | NEW-W | 91-08-059 | 415-115-120 | NEW | 91-13-030 |
| 392-151-003 | NEW-P | 91-10-085 | 402-70-062 | NEW-W | 91-08-059 | 415-116-010 | NEW-P | 91-10-107 |
| 392-151-005 | AMD-P | 91-10-085 | 402-70-064 | NEW-W | 91-08-059 | 415-116-010 | NEW | 91-13-029 |
| 392-151-010 | AMD-P | 91-10-085 | 402-70-066 | NEW-W | 91-08-059 | 415-116-020 | NEW-P | 91-10-107 |
| 392-151-015 | AMD-P | 91-10-085 | 402-70-068 | NEW-W | 91-08-059 | 415-116-020 | NEW | 91-13-029 |
| 392-151-017 | NEW-P | 91-10-085 | 402-70-070 | AMD-W | 91-08-059 | 415-116-030 | NEW-P | 91-10-107 |
| 392-151-020 | AMD-P | 91-10-085 | 402-70-077 | NEW-W | 91-08-059 | 415-116-030 | NEW | 91-13-029 |
| 392-151-035 | AMD-P | 91-10-085 | 402-70-080 | AMD-W | 91-08-059 | 415-116-040 | NEW-P | 91-10-107 |
| 392-151-040 | AMD-P | 91-10-085 | 402-70-085 | NEW-W | 91-08-059 | 415-116-040 | NEW | 91-13-029 |
| 392-151-045 | AMD-P | 91-10-085 | 402-70-090 | AMD-W | 91-08-059 | 415-116-050 | NEW-P | 91-10-107 |
| 392-151-050 | AMD-P | 91-10-085 | 415-100-041 | NEW | 91-03-013 | 415-116-050 | NEW | 91-13-029 |
| 392-151-055 | AMD-P | 91-10-085 | 415-100-045 | NEW | 91-03-013 | 417-01-100 | NEW-E | 91-09-052 |
| 392-151-060 | AMD-P | 91-10-085 | 415-100-051 | NEW | 91-03-013 | 417-01-105 | NEW-E | 91-09-052 |
| 392-151-095 | AMD-P | 91-10-085 | 415-100-055 | NEW | 91-03-013 | 417-01-110 | NEW-E | 91-09-052 |
| 392-151-105 | AMD-P | 91-10-085 | 415-104-201 | NEW | 91-03-014 | 417-01-115 | NEW-E | 91-09-052 |
| 392-151-120 | AMD-P | 91-10-085 | 415-104-205 | NEW | 91-03-014 | 417-01-120 | NEW-E | 91-09-052 |
| 392-151-125 | AMD-P | 91-10-085 | 415-104-211 | NEW | 91-03-014 | 417-01-125 | NEW-E | 91-09-052 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|------------|-------|-----------|------------|-------|-----------|--------------|-------|-----------|
| 446-75-070 | NEW | 91-11-046 | 448-13-100 | NEW | 91-06-022 | 458-14-140 | REP | 91-07-040 |
| 446-75-080 | NEW-P | 91-07-045 | 448-13-110 | NEW-S | 91-03-123 | 458-14-145 | REP | 91-07-040 |
| 446-75-080 | NEW-E | 91-07-046 | 448-13-110 | NEW | 91-06-022 | 458-14-150 | REP | 91-07-040 |
| 446-75-080 | NEW | 91-11-046 | 448-13-120 | NEW-S | 91-03-123 | 458-14-152 | REP | 91-07-040 |
| 448-12-010 | REP-S | 91-03-123 | 448-13-120 | NEW | 91-06-022 | 458-14-155 | REP | 91-07-040 |
| 448-12-010 | REP | 91-06-022 | 448-13-130 | NEW-S | 91-03-123 | 458-16-013 | AMD-E | 91-13-074 |
| 448-12-015 | REP-S | 91-03-123 | 448-13-130 | NEW | 91-06-022 | 458-16-020 | AMD-E | 91-13-074 |
| 448-12-015 | REP | 91-06-022 | 448-13-140 | NEW-S | 91-03-123 | 458-18-010 | AMD-E | 91-13-075 |
| 448-12-016 | REP-S | 91-03-123 | 448-13-140 | NEW | 91-06-022 | 458-18-020 | AMD-E | 91-13-075 |
| 448-12-016 | REP | 91-06-022 | 448-13-150 | NEW-S | 91-03-123 | 458-18-220 | AMD-P | 91-10-070 |
| 448-12-020 | REP-S | 91-03-123 | 448-13-150 | NEW | 91-06-022 | 458-20-105 | AMD-E | 91-14-050 |
| 448-12-020 | REP | 91-06-022 | 448-13-160 | NEW-S | 91-03-123 | 458-20-109 | PREP | 91-03-057 |
| 448-12-030 | REP-S | 91-03-123 | 448-13-160 | NEW | 91-06-022 | 458-20-109 | AMD-P | 91-11-005 |
| 448-12-030 | REP | 91-06-022 | 448-13-170 | NEW-S | 91-03-123 | 458-20-110 | PREP | 91-03-058 |
| 448-12-040 | REP-S | 91-03-123 | 448-13-170 | NEW | 91-06-022 | 458-20-110 | AMD-P | 91-11-004 |
| 448-12-040 | REP | 91-06-022 | 448-13-180 | NEW-S | 91-03-123 | 458-20-126 | PREP | 91-04-062 |
| 448-12-050 | REP-S | 91-03-123 | 448-13-180 | NEW | 91-06-022 | 458-20-126 | AMD-P | 91-11-002 |
| 448-12-050 | REP | 91-06-022 | 448-13-190 | NEW-S | 91-03-123 | 458-20-127 | PREP | 91-08-044 |
| 448-12-055 | REP-S | 91-03-123 | 448-13-190 | NEW | 91-06-022 | 458-20-151 | PREP | 91-04-061 |
| 448-12-055 | REP | 91-06-022 | 448-13-200 | NEW-S | 91-03-123 | 458-20-151 | AMD-P | 91-11-003 |
| 448-12-060 | REP-S | 91-03-123 | 448-13-200 | NEW | 91-06-022 | 458-20-163 | AMD | 91-05-040 |
| 448-12-060 | REP | 91-06-022 | 448-13-210 | NEW-S | 91-03-123 | 458-20-164 | AMD-E | 91-14-049 |
| 448-12-070 | REP-S | 91-03-123 | 448-13-210 | NEW | 91-06-022 | 458-20-166 | PREP | 91-08-045 |
| 448-12-070 | REP | 91-06-022 | 448-13-220 | NEW-S | 91-03-123 | 458-20-169 | PREP | 91-12-062 |
| 448-12-075 | REP-S | 91-03-123 | 448-13-220 | NEW | 91-06-022 | 458-20-18601 | NEW-E | 91-14-027 |
| 448-12-075 | REP | 91-06-022 | 448-14-010 | REP-P | 91-03-124 | 458-20-18801 | PREP | 91-12-007 |
| 448-12-080 | REP-S | 91-03-123 | 448-14-020 | REP-P | 91-03-124 | 458-20-193A | PREP | 91-13-073 |
| 448-12-080 | REP | 91-06-022 | 448-14-030 | REP-P | 91-03-124 | 458-20-193B | PREP | 91-13-073 |
| 448-12-090 | REP-S | 91-03-123 | 448-15-010 | NEW-P | 91-03-124 | 458-20-199 | PREP | 91-08-043 |
| 448-12-090 | REP | 91-06-022 | 448-15-020 | NEW-P | 91-03-124 | 458-20-227 | AMD | 91-05-039 |
| 448-12-100 | REP-S | 91-03-123 | 448-15-030 | NEW-P | 91-03-124 | 458-20-237 | AMD | 91-05-038 |
| 448-12-100 | REP | 91-06-022 | 448-15-040 | NEW-P | 91-03-124 | 458-20-255 | AMD-E | 91-12-003 |
| 448-12-210 | REP-S | 91-03-123 | 448-15-050 | NEW-P | 91-03-124 | 458-20-255 | PREP | 91-12-063 |
| 448-12-210 | REP | 91-06-022 | 448-15-060 | NEW-P | 91-03-124 | 458-30-262 | AMD | 91-04-001 |
| 448-12-220 | REP-S | 91-03-123 | 448-15-070 | NEW-P | 91-03-124 | 458-40-660 | AMD-P | 91-06-052 |
| 448-12-220 | REP | 91-06-022 | 448-15-080 | NEW-P | 91-03-124 | 458-40-660 | AMD-E | 91-06-053 |
| 448-12-230 | REP-S | 91-03-123 | 456-09-210 | AMD-P | 91-04-084 | 458-40-660 | AMD | 91-09-030 |
| 448-12-230 | REP | 91-06-022 | 456-09-210 | AMD | 91-07-038 | 458-40-660 | AMD-P | 91-10-090 |
| 448-12-240 | REP-S | 91-03-123 | 456-09-325 | AMD-P | 91-04-084 | 458-40-660 | AMD | 91-14-077 |
| 448-12-240 | REP | 91-06-022 | 456-09-325 | AMD | 91-07-038 | 458-40-670 | AMD-P | 91-10-090 |
| 448-12-250 | REP-S | 91-03-123 | 456-09-365 | AMD-P | 91-04-084 | 458-40-670 | AMD | 91-14-077 |
| 448-12-250 | REP | 91-06-022 | 456-09-365 | AMD | 91-07-038 | 460-11A-010 | NEW-P | 91-14-089 |
| 448-12-260 | REP-S | 91-03-123 | 456-10-360 | AMD-P | 91-04-083 | 460-11A-020 | NEW-P | 91-14-089 |
| 448-12-260 | REP | 91-06-022 | 456-10-360 | AMD | 91-07-039 | 460-11A-030 | NEW-P | 91-14-089 |
| 448-12-270 | REP-S | 91-03-123 | 456-10-547 | NEW-P | 91-04-083 | 460-11A-040 | NEW-P | 91-14-089 |
| 448-12-270 | REP | 91-06-022 | 456-10-547 | NEW | 91-07-039 | 460-16A-102 | AMD | 91-04-008 |
| 448-12-280 | REP-S | 91-03-123 | 458-14-010 | REP | 91-07-040 | 460-16A-200 | NEW | 91-04-008 |
| 448-12-280 | REP | 91-06-022 | 458-14-020 | REP | 91-07-040 | 460-16A-205 | NEW | 91-04-008 |
| 448-12-290 | REP-S | 91-03-123 | 458-14-030 | REP | 91-07-040 | 460-17A-030 | AMD | 91-04-009 |
| 448-12-290 | REP | 91-06-022 | 458-14-040 | REP | 91-07-040 | 460-17A-070 | AMD | 91-04-009 |
| 448-12-300 | REP-S | 91-03-123 | 458-14-045 | REP | 91-07-040 | 460-31A-410 | REP | 91-04-012 |
| 448-12-300 | REP | 91-06-022 | 458-14-050 | REP | 91-07-040 | 460-31A-415 | REP | 91-04-012 |
| 448-12-320 | REP-S | 91-03-123 | 458-14-052 | REP | 91-07-040 | 460-31A-420 | REP | 91-04-012 |
| 448-12-320 | REP | 91-06-022 | 458-14-055 | REP | 91-07-040 | 460-31A-425 | REP | 91-04-012 |
| 448-12-330 | REP-S | 91-03-123 | 458-14-060 | REP | 91-07-040 | 460-31A-430 | REP | 91-04-012 |
| 448-12-330 | REP | 91-06-022 | 458-14-062 | REP | 91-07-040 | 460-31A-435 | REP | 91-04-012 |
| 448-12-340 | REP-S | 91-03-123 | 458-14-065 | REP | 91-07-040 | 460-31A-440 | REP | 91-04-012 |
| 448-12-340 | REP | 91-06-022 | 458-14-070 | REP | 91-07-040 | 460-31A-445 | REP | 91-04-012 |
| 448-13-010 | NEW-S | 91-03-123 | 458-14-075 | REP | 91-07-040 | 460-31A-450 | REP | 91-04-012 |
| 448-13-010 | NEW | 91-06-022 | 458-14-080 | REP | 91-07-040 | 460-31A-455 | REP | 91-04-012 |
| 448-13-020 | NEW-S | 91-03-123 | 458-14-085 | REP | 91-07-040 | 460-31A-460 | REP | 91-04-012 |
| 448-13-020 | NEW | 91-06-022 | 458-14-086 | REP | 91-07-040 | 460-31A-465 | REP | 91-04-012 |
| 448-13-030 | NEW-S | 91-03-123 | 458-14-090 | REP | 91-07-040 | 460-31A-470 | REP | 91-04-012 |
| 448-13-030 | NEW | 91-06-022 | 458-14-091 | REP | 91-07-040 | 460-31A-475 | REP | 91-04-012 |
| 448-13-040 | NEW-S | 91-03-123 | 458-14-092 | REP | 91-07-040 | 460-31A-480 | REP | 91-04-012 |
| 448-13-040 | NEW | 91-06-022 | 458-14-094 | REP | 91-07-040 | 460-31A-485 | REP | 91-04-012 |
| 448-13-050 | NEW-S | 91-03-123 | 458-14-098 | REP | 91-07-040 | 460-31A-490 | REP | 91-04-012 |
| 448-13-050 | NEW | 91-06-022 | 458-14-100 | REP | 91-07-040 | 460-31A-495 | REP | 91-04-012 |
| 448-13-060 | NEW-S | 91-03-123 | 458-14-110 | REP | 91-07-040 | 460-31A-500 | REP | 91-04-012 |
| 448-13-060 | NEW | 91-06-022 | 458-14-115 | REP | 91-07-040 | 460-31A-505 | REP | 91-04-012 |
| 448-13-070 | NEW-S | 91-03-123 | 458-14-120 | REP | 91-07-040 | 460-31A-510 | REP | 91-04-012 |
| 448-13-070 | NEW | 91-06-022 | 458-14-121 | REP | 91-07-040 | 460-31A-515 | REP | 91-04-012 |
| 448-13-080 | NEW-S | 91-03-123 | 458-14-122 | REP | 91-07-040 | 460-31A-520 | REP | 91-04-012 |
| 448-13-080 | NEW | 91-06-022 | 458-14-125 | REP | 91-07-040 | 460-31A-525 | REP | 91-04-012 |
| 448-13-090 | NEW-S | 91-03-123 | 458-14-126 | REP | 91-07-040 | 460-31A-530 | REP | 91-04-012 |
| 448-13-090 | NEW | 91-06-022 | 458-14-130 | REP | 91-07-040 | 460-31A-535 | REP | 91-04-012 |
| 448-13-100 | NEW-S | 91-03-123 | 458-14-135 | REP | 91-07-040 | 460-31A-540 | REP | 91-04-012 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|-------------|-------|-----------|-------------|-------|-----------|-------------|-------|-----------|
| 460-31A-545 | REP | 91-04-012 | 460-36A-150 | REP | 91-04-012 | 468-38-410 | REP | 91-10-023 |
| 460-31A-550 | REP | 91-04-012 | 460-36A-155 | REP | 91-04-012 | 468-54-020 | AMD-P | 91-12-031 |
| 460-31A-555 | REP | 91-04-012 | 460-36A-160 | REP | 91-04-012 | 468-54-040 | AMD-P | 91-12-031 |
| 460-31A-560 | REP | 91-04-012 | 460-36A-165 | REP | 91-04-012 | 468-54-050 | AMD-P | 91-12-031 |
| 460-31A-565 | REP | 91-04-012 | 460-36A-170 | REP | 91-04-012 | 468-54-065 | AMD-P | 91-12-031 |
| 460-31A-570 | REP | 91-04-012 | 460-36A-175 | REP | 91-04-012 | 468-54-070 | AMD-P | 91-12-031 |
| 460-31A-575 | REP | 91-04-012 | 460-36A-180 | REP | 91-04-012 | 468-70-030 | AMD-P | 91-13-024 |
| 460-31A-580 | REP | 91-04-012 | 460-36A-185 | REP | 91-04-012 | 468-70-050 | AMD-P | 91-13-024 |
| 460-31A-585 | REP | 91-04-012 | 460-36A-190 | REP | 91-04-012 | 468-70-060 | AMD-P | 91-13-024 |
| 460-31A-590 | REP | 91-04-012 | 460-36A-195 | REP | 91-04-012 | 468-70-070 | AMD-P | 91-13-024 |
| 460-31A-595 | REP | 91-04-012 | 460-42A-081 | AMD | 91-04-010 | 468-300-010 | AMD-P | 91-14-031 |
| 460-31A-600 | REP | 91-04-012 | 460-46A-020 | AMD | 91-04-011 | 468-300-010 | AMD-E | 91-14-032 |
| 460-31A-605 | REP | 91-04-012 | 460-46A-040 | AMD | 91-04-011 | 468-300-020 | AMD-P | 91-14-031 |
| 460-31A-610 | REP | 91-04-012 | 460-46A-050 | AMD | 91-04-011 | 468-300-020 | AMD-E | 91-14-032 |
| 460-31A-615 | REP | 91-04-012 | 460-46A-055 | NEW | 91-04-011 | 468-300-040 | AMD-P | 91-14-031 |
| 460-31A-620 | REP | 91-04-012 | 460-46A-061 | NEW | 91-04-011 | 468-300-040 | AMD-E | 91-14-032 |
| 460-31A-625 | REP | 91-04-012 | 460-46A-065 | NEW | 91-04-011 | 468-300-070 | AMD-P | 91-14-031 |
| 460-31A-630 | REP | 91-04-012 | 460-46A-071 | NEW | 91-04-011 | 468-300-070 | AMD-E | 91-14-032 |
| 460-31A-635 | REP | 91-04-012 | 460-46A-072 | NEW | 91-04-011 | 478-116-020 | AMD-P | 91-06-092 |
| 460-31A-640 | REP | 91-04-012 | 460-46A-095 | AMD | 91-04-011 | 478-116-020 | AMD | 91-11-029 |
| 460-31A-645 | REP | 91-04-012 | 460-46A-110 | AMD | 91-04-011 | 478-116-020 | AMD | 91-12-047 |
| 460-31A-650 | REP | 91-04-012 | 463-06-010 | AMD | 91-03-090 | 478-116-055 | AMD-P | 91-06-092 |
| 460-31A-655 | REP | 91-04-012 | 463-10-010 | AMD | 91-03-090 | 478-116-055 | AMD | 91-11-029 |
| 460-31A-660 | REP | 91-04-012 | 463-14-030 | AMD | 91-03-090 | 478-116-055 | AMD | 91-12-047 |
| 460-31A-665 | REP | 91-04-012 | 463-14-080 | AMD | 91-03-090 | 478-116-080 | AMD-P | 91-06-092 |
| 460-31A-670 | REP | 91-04-012 | 463-18-020 | AMD | 91-03-090 | 478-116-080 | AMD | 91-11-029 |
| 460-31A-675 | REP | 91-04-012 | 463-26-120 | AMD | 91-03-090 | 478-116-080 | AMD | 91-12-047 |
| 460-31A-680 | REP | 91-04-012 | 463-26-130 | AMD | 91-03-090 | 478-116-085 | REP-P | 91-06-092 |
| 460-31A-685 | REP | 91-04-012 | 463-28-060 | AMD | 91-03-090 | 478-116-085 | REP | 91-11-029 |
| 460-31A-690 | REP | 91-04-012 | 463-28-080 | AMD | 91-03-090 | 478-116-085 | REP | 91-12-047 |
| 460-31A-695 | REP | 91-04-012 | 463-38-041 | AMD | 91-03-090 | 478-116-088 | NEW-P | 91-06-092 |
| 460-31A-700 | REP | 91-04-012 | 463-38-042 | AMD | 91-03-090 | 478-116-088 | NEW | 91-11-029 |
| 460-31A-705 | REP | 91-04-012 | 463-38-063 | AMD | 91-03-090 | 478-116-090 | AMD-P | 91-06-092 |
| 460-31A-710 | REP | 91-04-012 | 463-39-130 | REP | 91-03-090 | 478-116-090 | AMD | 91-11-029 |
| 460-31A-715 | REP | 91-04-012 | 463-39-150 | AMD | 91-03-090 | 478-116-090 | AMD | 91-12-047 |
| 460-31A-720 | REP | 91-04-012 | 463-42-680 | NEW-P | 91-03-132 | 478-116-110 | AMD-P | 91-06-092 |
| 460-31A-725 | REP | 91-04-012 | 463-42-680 | NEW | 91-09-040 | 478-116-110 | AMD | 91-11-029 |
| 460-31A-730 | REP | 91-04-012 | 463-43-060 | AMD | 91-03-090 | 478-116-110 | AMD | 91-12-047 |
| 460-34A-010 | REP | 91-04-012 | 463-47-060 | AMD | 91-03-090 | 478-116-130 | AMD-P | 91-06-092 |
| 460-34A-015 | REP | 91-04-012 | 463-50-030 | AMD | 91-03-090 | 478-116-130 | AMD | 91-11-029 |
| 460-34A-020 | REP | 91-04-012 | 463-54-070 | AMD | 91-03-090 | 478-116-130 | AMD | 91-12-047 |
| 460-34A-025 | REP | 91-04-012 | 463-58-030 | AMD | 91-03-090 | 478-116-160 | AMD-P | 91-06-092 |
| 460-34A-030 | REP | 91-04-012 | 468-16-010 | NEW | 91-04-014 | 478-116-160 | AMD | 91-11-029 |
| 460-34A-035 | REP | 91-04-012 | 468-16-020 | NEW | 91-04-014 | 478-116-160 | AMD | 91-12-047 |
| 460-34A-037 | REP | 91-04-012 | 468-16-030 | NEW | 91-04-014 | 478-116-210 | AMD-P | 91-06-092 |
| 460-34A-040 | REP | 91-04-012 | 468-16-040 | NEW | 91-04-014 | 478-116-210 | AMD | 91-11-029 |
| 460-34A-045 | REP | 91-04-012 | 468-16-050 | NEW | 91-04-014 | 478-116-210 | AMD | 91-12-047 |
| 460-34A-050 | REP | 91-04-012 | 468-16-060 | NEW | 91-04-014 | 478-116-230 | AMD-P | 91-06-092 |
| 460-34A-055 | REP | 91-04-012 | 468-16-070 | NEW | 91-04-014 | 478-116-230 | AMD | 91-11-029 |
| 460-34A-060 | REP | 91-04-012 | 468-16-080 | NEW | 91-04-014 | 478-116-230 | AMD | 91-12-047 |
| 460-34A-065 | REP | 91-04-012 | 468-16-090 | NEW | 91-04-014 | 478-116-240 | AMD-P | 91-06-092 |
| 460-34A-070 | REP | 91-04-012 | 468-16-100 | NEW | 91-04-014 | 478-116-240 | AMD | 91-11-029 |
| 460-34A-075 | REP | 91-04-012 | 468-16-110 | NEW | 91-04-014 | 478-116-240 | AMD | 91-12-047 |
| 460-34A-080 | REP | 91-04-012 | 468-16-120 | NEW | 91-04-014 | 478-116-250 | AMD-P | 91-06-092 |
| 460-34A-085 | REP | 91-04-012 | 468-16-130 | NEW | 91-04-014 | 478-116-250 | AMD | 91-11-029 |
| 460-34A-090 | REP | 91-04-012 | 468-16-140 | NEW | 91-04-014 | 478-116-250 | AMD | 91-12-047 |
| 460-34A-095 | REP | 91-04-012 | 468-16-150 | NEW | 91-04-014 | 478-116-260 | AMD-P | 91-06-092 |
| 460-34A-100 | REP | 91-04-012 | 468-16-160 | NEW | 91-04-014 | 478-116-260 | AMD | 91-11-029 |
| 460-34A-105 | REP | 91-04-012 | 468-16-170 | NEW | 91-04-014 | 478-116-260 | AMD | 91-12-047 |
| 460-34A-110 | REP | 91-04-012 | 468-16-180 | NEW | 91-04-014 | 478-116-300 | AMD-P | 91-06-092 |
| 460-34A-112 | REP | 91-04-012 | 468-16-190 | NEW | 91-04-014 | 478-116-300 | AMD | 91-11-029 |
| 460-34A-115 | REP | 91-04-012 | 468-16-200 | NEW | 91-04-014 | 478-116-300 | AMD | 91-12-047 |
| 460-34A-120 | REP | 91-04-012 | 468-16-210 | NEW | 91-04-014 | 478-116-360 | AMD-P | 91-06-092 |
| 460-34A-125 | REP | 91-04-012 | 468-38-035 | REP-P | 91-06-078 | 478-116-360 | AMD | 91-11-029 |
| 460-34A-130 | REP | 91-04-012 | 468-38-035 | REP | 91-10-023 | 478-116-360 | AMD | 91-12-047 |
| 460-34A-135 | REP | 91-04-012 | 468-38-050 | AMD-P | 91-06-078 | 478-116-390 | AMD-P | 91-06-092 |
| 460-34A-200 | REP | 91-04-012 | 468-38-050 | AMD | 91-10-023 | 478-116-390 | AMD | 91-11-029 |
| 460-36A-100 | REP | 91-04-012 | 468-38-190 | AMD-P | 91-06-079 | 478-116-390 | AMD | 91-12-047 |
| 460-36A-105 | REP | 91-04-012 | 468-38-190 | AMD | 91-10-022 | 478-116-450 | AMD-P | 91-06-092 |
| 460-36A-110 | REP | 91-04-012 | 468-38-260 | AMD-P | 91-06-078 | 478-116-450 | AMD | 91-11-029 |
| 460-36A-115 | REP | 91-04-012 | 468-38-260 | AMD | 91-10-023 | 478-116-450 | AMD | 91-12-047 |
| 460-36A-120 | REP | 91-04-012 | 468-38-260 | AMD | 91-10-054 | 478-116-455 | NEW-P | 91-06-092 |
| 460-36A-125 | REP | 91-04-012 | 468-38-370 | REP-P | 91-06-078 | 478-116-463 | NEW-P | 91-06-092 |
| 460-36A-130 | REP | 91-04-012 | 468-38-370 | REP | 91-10-023 | 478-116-470 | AMD-P | 91-06-092 |
| 460-36A-135 | REP | 91-04-012 | 468-38-400 | REP-P | 91-06-078 | 478-116-520 | AMD-P | 91-06-092 |
| 460-36A-140 | REP | 91-04-012 | 468-38-400 | REP | 91-10-023 | 478-116-520 | AMD | 91-11-029 |
| 460-36A-145 | REP | 91-04-012 | 468-38-410 | REP-P | 91-06-078 | 478-116-520 | AMD | 91-12-047 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|-------------|-------|-----------|-------------|-------|-----------|-------------|-------|-----------|
| 478-116-540 | AMD-P | 91-06-092 | 479-02-140 | NEW-P | 91-10-037 | 480-120-136 | AMD-P | 91-06-095 |
| 478-116-584 | AMD-P | 91-06-092 | 479-02-140 | NEW | 91-13-056 | 480-120-136 | AMD | 91-09-039 |
| 478-116-584 | AMD | 91-11-029 | 480-04-100 | AMD-P | 91-03-098 | 480-120-137 | AMD-P | 91-06-095 |
| 478-116-584 | AMD | 91-12-047 | 480-04-100 | AMD | 91-07-025 | 480-120-137 | AMD | 91-09-039 |
| 478-116-586 | AMD-P | 91-06-092 | 480-09-015 | AMD-P | 91-02-105 | 480-120-138 | AMD-S | 91-03-122 |
| 478-116-586 | AMD | 91-11-029 | 480-09-015 | AMD | 91-06-010 | 480-120-138 | AMD | 91-13-078 |
| 478-116-586 | AMD | 91-12-047 | 480-09-100 | AMD-P | 91-02-105 | 480-120-141 | AMD-S | 91-03-122 |
| 478-116-588 | AMD-P | 91-06-092 | 480-09-100 | AMD | 91-06-010 | 480-120-141 | AMD | 91-13-078 |
| 478-116-588 | AMD | 91-11-029 | 480-09-120 | AMD-P | 91-02-105 | 480-120-143 | NEW | 91-13-078 |
| 478-116-588 | AMD | 91-12-047 | 480-09-120 | AMD | 91-06-010 | 480-120-400 | NEW | 91-03-052 |
| 478-116-600 | REP-P | 91-06-092 | 480-09-125 | NEW-P | 91-03-100 | 480-120-405 | NEW | 91-03-052 |
| 478-116-600 | REP | 91-11-029 | 480-09-125 | NEW | 91-07-026 | 480-120-410 | NEW | 91-03-052 |
| 478-116-600 | REP | 91-12-047 | 480-09-440 | AMD-P | 91-02-105 | 480-120-415 | NEW | 91-03-052 |
| 478-116-601 | AMD-P | 91-06-092 | 480-09-440 | AMD | 91-06-010 | 480-120-420 | NEW | 91-03-052 |
| 478-116-601 | AMD | 91-11-029 | 480-09-500 | AMD-P | 91-02-105 | 480-120-425 | NEW | 91-03-052 |
| 478-116-601 | AMD | 91-12-047 | 480-09-500 | AMD | 91-06-010 | 480-120-430 | NEW | 91-03-052 |
| 478-124 | AMD-C | 91-09-012 | 480-09-510 | AMD-P | 91-02-105 | 480-120-435 | NEW | 91-03-052 |
| 478-124-020 | AMD-P | 91-05-069 | 480-09-510 | AMD | 91-06-010 | 480-140-020 | AMD-P | 91-03-099 |
| 478-124-020 | AMD | 91-10-030 | 480-09-520 | NEW-P | 91-03-097 | 480-140-020 | AMD | 91-08-026 |
| 478-124-030 | AMD-P | 91-05-069 | 480-09-520 | NEW | 91-07-024 | 480-140-040 | AMD-P | 91-03-099 |
| 478-124-030 | AMD | 91-10-030 | 480-09-610 | AMD-P | 91-02-105 | 480-140-040 | AMD | 91-08-026 |
| 478-136-030 | AMD-P | 91-10-086 | 480-09-610 | AMD | 91-06-010 | 490-100-010 | AMD-E | 91-03-037 |
| 478-136-030 | AMD-W | 91-11-025 | 480-09-736 | AMD-P | 91-02-105 | 490-100-010 | AMD-P | 91-05-077 |
| 478-136-030 | AMD | 91-14-024 | 480-09-736 | AMD | 91-06-010 | 490-100-010 | AMD | 91-08-029 |
| 478-160-170 | AMD-P | 91-11-057 | 480-12-003 | AMD-P | 91-10-081 | 490-100-012 | REP-E | 91-03-037 |
| 478-160-175 | AMD-P | 91-11-057 | 480-12-003 | AMD | 91-13-077 | 490-100-012 | REP-P | 91-05-077 |
| 478-160-180 | REP-P | 91-11-057 | 480-12-030 | AMD-P | 91-06-009 | 490-100-012 | REP | 91-08-029 |
| 478-160-185 | REP-P | 91-11-057 | 480-12-030 | AMD | 91-09-038 | 490-100-030 | AMD-E | 91-03-037 |
| 478-160-190 | AMD-P | 91-11-057 | 480-12-033 | AMD-P | 91-06-009 | 490-100-030 | AMD-P | 91-05-077 |
| 478-160-195 | REP-P | 91-11-057 | 480-12-033 | AMD | 91-09-038 | 490-100-030 | AMD | 91-08-029 |
| 478-250-010 | NEW-P | 91-04-058 | 480-12-315 | REP | 91-06-071 | 490-100-035 | AMD-E | 91-03-037 |
| 478-250-010 | NEW | 91-10-031 | 480-12-322 | REP-W | 91-08-060 | 490-100-035 | AMD-P | 91-05-077 |
| 478-250-020 | NEW-P | 91-04-058 | 480-12-500 | NEW | 91-03-101 | 490-100-035 | AMD | 91-08-029 |
| 478-250-050 | NEW-P | 91-04-058 | 480-12-510 | NEW | 91-03-101 | 490-100-040 | AMD-E | 91-03-037 |
| 478-250-050 | NEW | 91-10-031 | 480-12-520 | NEW | 91-03-101 | 490-100-040 | AMD-P | 91-05-077 |
| 478-250-060 | NEW-P | 91-04-058 | 480-70-050 | AMD | 91-03-053 | 490-100-040 | AMD | 91-08-029 |
| 478-250-060 | NEW | 91-10-031 | 480-70-060 | AMD | 91-03-053 | 490-100-050 | AMD-E | 91-03-037 |
| 478-250-070 | NEW-P | 91-04-058 | 480-70-070 | AMD | 91-03-053 | 490-100-050 | AMD-P | 91-05-077 |
| 478-250-070 | NEW | 91-10-031 | 480-70-100 | AMD | 91-03-053 | 490-100-050 | AMD | 91-08-029 |
| 478-276-010 | AMD-P | 91-04-058 | 480-70-130 | AMD | 91-03-053 | 490-100-060 | AMD-E | 91-03-037 |
| 478-276-010 | AMD | 91-10-031 | 480-70-130 | AMD-P | 91-09-015 | 490-100-060 | AMD-P | 91-05-077 |
| 478-276-040 | AMD-P | 91-04-058 | 480-70-150 | AMD | 91-03-053 | 490-100-060 | AMD | 91-08-029 |
| 478-276-040 | AMD | 91-10-031 | 480-70-230 | AMD | 91-03-053 | 490-100-070 | AMD-E | 91-03-037 |
| 478-276-060 | AMD-P | 91-04-058 | 480-70-245 | AMD-P | 91-11-048 | 490-100-070 | AMD-P | 91-05-077 |
| 478-276-060 | AMD | 91-10-031 | 480-70-260 | AMD | 91-03-053 | 490-100-070 | AMD | 91-08-029 |
| 478-276-080 | AMD-P | 91-04-058 | 480-70-280 | AMD | 91-03-053 | 490-100-080 | AMD-E | 91-03-037 |
| 478-276-080 | AMD | 91-10-031 | 480-70-330 | AMD | 91-03-053 | 490-100-080 | AMD-P | 91-05-077 |
| 478-276-100 | AMD-P | 91-04-058 | 480-70-340 | AMD | 91-03-053 | 490-100-080 | AMD | 91-08-029 |
| 478-276-100 | AMD | 91-10-031 | 480-70-350 | AMD | 91-03-053 | 490-100-090 | AMD-E | 91-03-037 |
| 478-276-110 | AMD-P | 91-04-058 | 480-70-360 | AMD | 91-03-053 | 490-100-090 | AMD-P | 91-05-077 |
| 478-276-110 | AMD | 91-10-031 | 480-70-390 | AMD | 91-03-053 | 490-100-090 | AMD | 91-08-029 |
| 478-276-130 | REP-P | 91-04-058 | 480-70-400 | AMD | 91-03-053 | 490-100-100 | AMD-E | 91-03-037 |
| 478-276-130 | REP | 91-10-031 | 480-70-405 | AMD | 91-03-053 | 490-100-100 | AMD-P | 91-05-077 |
| 479-02-010 | NEW-P | 91-10-037 | 480-70-420 | AMD | 91-03-053 | 490-100-100 | AMD | 91-08-029 |
| 479-02-010 | NEW | 91-13-056 | 480-70-440 | AMD | 91-03-053 | 490-100-105 | AMD-E | 91-03-037 |
| 479-02-020 | NEW-P | 91-10-037 | 480-70-500 | AMD | 91-03-053 | 490-100-105 | AMD-P | 91-05-077 |
| 479-02-020 | NEW | 91-13-056 | 480-70-570 | AMD | 91-03-053 | 490-100-105 | AMD | 91-08-029 |
| 479-02-030 | NEW-P | 91-10-037 | 480-70-700 | NEW-P | 91-10-080 | 490-100-110 | AMD-E | 91-03-037 |
| 479-02-030 | NEW | 91-13-056 | 480-70-700 | NEW-W | 91-14-013 | 490-100-110 | AMD-P | 91-05-077 |
| 479-02-050 | NEW-P | 91-10-037 | 480-70-710 | NEW-P | 91-10-080 | 490-100-110 | AMD | 91-08-029 |
| 479-02-050 | NEW | 91-13-056 | 480-70-710 | NEW-W | 91-14-013 | 490-100-120 | AMD-E | 91-03-037 |
| 479-02-060 | NEW-P | 91-10-037 | 480-70-720 | NEW-P | 91-10-080 | 490-100-120 | AMD-P | 91-05-077 |
| 479-02-060 | NEW | 91-13-056 | 480-70-720 | NEW-W | 91-14-013 | 490-100-120 | AMD | 91-08-029 |
| 479-02-070 | NEW-P | 91-10-037 | 480-80-047 | NEW-P | 91-03-051 | 490-100-130 | AMD-E | 91-03-037 |
| 479-02-070 | NEW | 91-13-056 | 480-80-047 | NEW-W | 91-03-120 | 490-100-130 | AMD-P | 91-05-077 |
| 479-02-080 | NEW-P | 91-10-037 | 480-80-047 | NEW-P | 91-03-121 | 490-100-130 | AMD | 91-08-029 |
| 479-02-080 | NEW | 91-13-056 | 480-80-047 | NEW | 91-13-003 | 490-100-135 | NEW-E | 91-03-037 |
| 479-02-090 | NEW-P | 91-10-037 | 480-80-390 | AMD-P | 91-03-096 | 490-100-135 | NEW-P | 91-05-077 |
| 479-02-090 | NEW | 91-13-056 | 480-80-390 | AMD-W | 91-07-023 | 490-100-135 | NEW | 91-08-029 |
| 479-02-100 | NEW-P | 91-10-037 | 480-120-021 | AMD-S | 91-03-122 | 490-100-140 | AMD-E | 91-03-037 |
| 479-02-100 | NEW | 91-13-056 | 480-120-021 | AMD | 91-13-078 | 490-100-140 | AMD-P | 91-05-077 |
| 479-02-110 | NEW-P | 91-10-037 | 480-120-031 | AMD-P | 91-06-095 | 490-100-140 | AMD | 91-08-029 |
| 479-02-110 | NEW | 91-13-056 | 480-120-031 | AMD | 91-09-039 | 490-100-150 | AMD-E | 91-03-037 |
| 479-02-120 | NEW-P | 91-10-037 | 480-120-106 | AMD-S | 91-03-122 | 490-100-150 | AMD-P | 91-05-077 |
| 479-02-120 | NEW | 91-13-056 | 480-120-106 | AMD | 91-13-078 | 490-100-150 | AMD | 91-08-029 |
| 479-02-130 | NEW-P | 91-10-037 | 480-120-126 | AMD-P | 91-06-095 | 490-100-160 | AMD-E | 91-03-037 |
| 479-02-130 | NEW | 91-13-056 | 480-120-126 | AMD | 91-09-039 | 490-100-160 | AMD-P | 91-05-077 |

Table of WAC Sections Affected

| WAC # | | WSR # |
|-------------|-------|-----------|
| 490-100-160 | AMD | 91-08-029 |
| 490-100-170 | AMD-E | 91-03-037 |
| 490-100-170 | AMD-P | 91-05-077 |
| 490-100-170 | AMD | 91-08-029 |
| 490-100-180 | AMD-E | 91-03-037 |
| 490-100-180 | AMD-P | 91-05-077 |
| 490-100-180 | AMD | 91-08-029 |
| 490-100-200 | AMD-E | 91-03-037 |
| 490-100-200 | AMD-P | 91-05-077 |
| 490-100-200 | AMD | 91-08-029 |
| 490-100-205 | AMD-E | 91-03-037 |
| 490-100-205 | AMD-P | 91-05-077 |
| 490-100-205 | AMD | 91-08-029 |
| 490-100-208 | AMD-E | 91-03-037 |
| 490-100-208 | AMD-P | 91-05-077 |
| 490-100-208 | AMD | 91-08-029 |
| 490-100-210 | AMD-E | 91-03-037 |
| 490-100-210 | AMD-P | 91-05-077 |
| 490-100-210 | AMD | 91-08-029 |
| 490-100-220 | AMD-E | 91-03-037 |
| 490-100-220 | AMD-P | 91-05-077 |
| 490-100-220 | AMD | 91-08-029 |
| 490-100-250 | AMD-E | 91-03-037 |
| 490-100-250 | AMD-P | 91-05-077 |
| 490-100-250 | AMD | 91-08-029 |
| 516-13-030 | AMD-W | 91-04-082 |
| 516-13-080 | AMD-W | 91-04-082 |

Subject/Agency Index
(Citations in bold type refer to material in this issue)

| | | | |
|---|------------------|--|------------------|
| ACCOUNTANCY, BOARD OF | | AGRICULTURE, DEPARTMENT OF—cont. | |
| Experience requirement for license | 91-14-090 | Seed potato quarantine | 91-03-105 |
| Public records index | 91-01-055 | | 91-07-016 |
| Superseded rules, repeal of | 91-01-057 | Seeds | |
| AGRICULTURE, DEPARTMENT OF | | certification standards and fees | 91-10-082 |
| Apple maggot quarantine | 91-01-045 | | 91-13-087 |
| | 91-03-115 | | 91-14-001 |
| Apple marketing standards | 91-03-093 | Swine | |
| | 91-07-015 | pseudorabies control and eradication | 91-05-076 |
| Apple moth quarantine repeal | 91-07-036 | | 91-08-027 |
| | 91-11-054 | Tree fruit | |
| Aquaculture | | assessment for special research | |
| farm products identification, labeling | 91-04-076 | projects | 91-13-105 |
| | 91-09-042 | assessments for funding programs | 91-13-105 |
| | 91-13-018 | Wheat commission | |
| Asparagus | | producer assessment funds | |
| commission | | expenditure of | 91-01-099 |
| creation, powers, and duties | 91-01-104 | | 91-05-065 |
| | 91-09-003 | Yellow nutsedge quarantine | 91-03-045 |
| commodity board | | APPLIED TECHNOLOGY, WASHINGTON | |
| creation, powers, and duties | 91-08-021 | INSTITUTE OF | |
| Barley commission | | (See WASHINGTON INSTITUTE OF | |
| producer assessment funds | | APPLIED TECHNOLOGY) | |
| expenditure of | 91-01-100 | ASIAN AMERICAN AFFAIRS, COMMISSION ON | |
| Bean seed certification standards, quarantine | 91-04-066 | Meetings | 91-01-058 |
| | 91-08-017 | ATTORNEY GENERAL'S OFFICE | |
| Blueberry assessments | 91-01-054 | Motor vehicle warranties | |
| Bluegrass quarantine | 91-10-082 | fines for noncompliance with | |
| | 91-13-087 | arbitration decision | 91-02-080 |
| Chrysanthemum white rust disease | | Opinions | |
| quarantine | 91-03-046 | apprenticeship council, authority of | |
| Desiccants and defoliants, rules | 91-04-078 | (1990, No. 17) | 91-02-001 |
| | 91-08-058 | banks and trust companies, insurance | |
| Fertilizers | | activities (1991, No. 14) | 91-08-062 |
| fertigation equipment requirements | 91-01-015 | Bush Act tidelands, clam cultivation | |
| Garlic seed certification | 91-04-068 | (1991, No. 8) | 91-07-022 |
| | 91-08-015 | chiropractic health care service | |
| Grapes | | contractor, health insurance pool | |
| grape virus quarantine, solicitation | | assessments (1991, No. 20) | 91-13-017 |
| of preproposal comment | 91-10-013 | community college educational services, | |
| phylloxera quarantine, solicitation of | | contracts (1991, No. 16) | 91-09-010 |
| preproposal comment | 91-10-013 | community college and school district | |
| Herbicides | | risk management pools | |
| phenoxy herbicides, use of | 91-02-106 | (1991, No. 19) | 91-11-060 |
| | 91-06-019 | criminal justice training commission | |
| Hops | | basic training requirement | |
| assessments and collections | 91-09-057 | (1991, No. 18) | 91-11-011 |
| | 91-14-113 | ecological commission, advisory role | |
| disease quarantine | 91-04-067 | (1991, No. 4) | 91-05-003 |
| rootstock certification | 91-04-067 | freeholder elections, first class cities | |
| | 91-08-016 | (1991, No. 3) | 91-04-053 |
| License renewal dates | 91-13-106 | governor's authority to issue executive | |
| Narcissus bulb nematode quarantine repeal | 91-07-037 | order having force and effect of law | |
| | 91-11-053 | (1991, No. 21) | 91-13-032A |
| Noxious weed control board | | local governments, self-funding of health | |
| noxious weed list, additions, deletions, | | and welfare benefits (1991, No. 17) | 91-10-008 |
| and changes | 91-01-016 | motor vehicle, forfeited, use by state | |
| Organic foods | | (1991, No. 10) | 91-07-043 |
| crop production standards | 91-05-006 | property tax assistance payments | |
| | 91-09-028 | (1991, No. 7) | 91-07-001 |
| processing certification and | | property tax payment, credit card use | |
| labeling | 91-05-006 | (1991, No. 2) | 91-04-013 |
| | 91-09-028 | Public Disclosure Act (1991, No. 6) | 91-06-054 |
| registration of materials | | radioactive materials transport | |
| approved for production | 91-01-116 | (1991, No. 1) | 91-03-085 |
| | 91-05-007 | risk management pools, formation by | |
| transition to organic producer | | community colleges and school districts | |
| certification | 91-05-006 | (1991, No. 19) | 91-11-060 |
| | 91-09-028 | small business export finance assistance | |
| Plum curculio quarantine | 91-01-045 | center, public meetings and records | |
| Potato virus Y necrotic strain | 91-06-035 | (1991, No. 5) | 91-05-057 |
| Potato virus Y quarantine | 91-10-095 | term limitations of city and county | |
| | 91-13-026 | elected officials (1991, No. 22) | 91-14-030 |
| Rules coordinator | 91-03-020 | | 91-01-086 |
| Seed potato certification | 91-06-061 | BASIC HEALTH PLAN | |
| | 91-10-029 | Rules coordinator | 91-14-022 |

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

| | | | |
|---|-----------|--|------------------|
| BELLEVUE COMMUNITY COLLEGE | | COMMUNITY DEVELOPMENT, DEPARTMENT OF | |
| Meetings | 91-03-061 | —cont. | |
| BLIND, WASHINGTON STATE SCHOOL FOR THE | | Fire protection services division | 91-10-083 |
| Rules coordinator | 91-02-044 | fire protection sprinkler contractors | 91-10-084 |
| BUILDING CODE COUNCIL | | | 91-14-085 |
| Barrier-free facilities | | fire safety standards | 91-14-086 |
| solicitation of preproposal comments | 91-05-053 | Homelessness, advisory council on, duties | 91-05-043 |
| Day care facilities for children | 91-01-117 | Land classification, guidelines for classification of agricultural, forest, mineral resource, and critical areas lands | 91-06-023 |
| Energy code | 91-01-112 | | |
| | 91-06-065 | | |
| Historic buildings code | 91-01-103 | | 91-01-129 |
| | 91-06-064 | | 91-01-130 |
| Long-term residential care facilities, construction requirement | | | 91-07-041 |
| solicitation of preproposal comment | 91-07-020 | Low-income home energy assistance program | 91-13-028 |
| Meetings | 91-01-101 | Meetings | 91-06-031 |
| | 91-09-050 | | 91-07-017 |
| | 91-12-017 | | 91-10-020 |
| Radon requirements and monitoring | 91-07-047 | Public works board | |
| | 91-12-045 | loan and financing guarantees | 91-14-093 |
| Uniform codes | 91-07-020 | meetings | 91-02-003 |
| solicitation of preproposal comments | 91-05-021 | State Environmental Policy Act compliance | 91-14-092 |
| Ventilation and indoor air quality code | 91-01-102 | Rules coordinator | 91-04-006 |
| CENTRAL WASHINGTON UNIVERSITY | | CONVENTION AND TRADE CENTER | |
| Rules coordinator | 91-01-049 | Meetings | 91-01-012 |
| Student judicial code | | | 91-03-012 |
| due process for students in regard to alleged violations | 91-01-013 | | 91-03-041 |
| | 91-01-095 | | 91-05-013 |
| | 91-04-054 | | 91-06-036 |
| | | | 91-07-009 |
| CENTRALIA COLLEGE | | | 91-09-007 |
| Rules coordinator | 91-13-047 | | 91-11-012 |
| | | | 91-11-049 |
| CLEMENCY AND PARDONS BOARD | | | 91-13-005 |
| Meetings | 91-01-027 | | 91-14-073 |
| | 91-03-040 | | |
| | 91-05-096 | CORRECTIONS, DEPARTMENT OF | |
| CODE REVISER'S OFFICE | | Mitigation funds for local governments | 91-10-018 |
| Register filing closing time | 91-12-007 | Rules coordinator | 91-06-011 |
| Rules coordinator | 91-01-001 | CRIMINAL JUSTICE TRAINING COMMISSION | |
| WAC amendments and repealers | 91-06-067 | Corrections academy | |
| | 91-10-010 | equivalency or "challenge" process | 91-01-041 |
| COLUMBIA BASIN COLLEGE | | physical fitness standard for recruits | 91-01-044 |
| Sex discrimination, grievance procedures | 91-02-101 | | 91-10-088 |
| | 91-08-001 | | 91-10-089 |
| | | | 91-14-010 |
| COLUMBIA RIVER GORGE COMMISSION | | | 91-14-011 |
| County or city appeal of decision by director | 91-13-039 | D.A.R.E. program | |
| Structure alteration, review standards and guidelines | 91-09-009 | certification and decertification of officers | 91-01-042 |
| COMMUNITY COLLEGE EDUCATION, BOARD FOR | | Law enforcement academy | |
| Compensation elements for presidents | 91-13-001 | physical fitness standard for admission to basic academy | 91-01-043 |
| Meetings | 91-10-087 | Meetings | 91-03-003 |
| Retirement annuity plan participation | 91-06-069 | DEAF, WASHINGTON STATE SCHOOL FOR THE | |
| | 91-09-008 | Rules coordinator | 91-02-045 |
| | 91-09-036 | DEFERRED COMPENSATION, COMMITTEE FOR | |
| | 91-12-030 | Description | 91-02-098 |
| | 91-13-048 | | 91-05-084 |
| | 91-06-075 | Public records, access to and copying of | 91-02-098 |
| Running start program | | | 91-05-084 |
| COMMUNITY DEVELOPMENT, DEPARTMENT OF | | EASTERN WASHINGTON UNIVERSITY | |
| Border areas, supplemental law enforcement for | 91-04-017 | Meetings | 91-11-079 |
| Daycare centers | | | 91-13-060 |
| fire protection standards | 91-06-020 | | 91-14-021 |
| | 91-06-021 | Rules coordinator | 91-02-043 |
| | 91-11-001 | ECOLOGY, DEPARTMENT OF | |
| Emergency management council meetings | 91-02-023 | Air pollution sources | 91-05-064 |
| Fire protection policy board meetings | 91-03-048 | | |
| | 91-05-017 | | |
| | 91-05-018 | | |
| | 91-06-051 | | |

Subject/Agency Index
(Citations in bold type refer to material in this issue)

| | | | |
|---|--|--|---|
| ECOLOGY, DEPARTMENT OF—cont. | | ECOLOGY, DEPARTMENT OF—cont. | |
| toxic air pollutants discharge, control of | 91-01-083 91-13-079 | Winthrop, town of | 91-04-071 |
| Aluminum plants, control and prevention of air pollutant emissions | 91-05-064 | Solid and hazardous waste management coordinated prevention grants | 91-02-052 91-11-090 |
| Batteries | | Solid fuel burning devices | |
| vehicle battery recycling | 91-05-020 | increase in retail sales fees | 91-07-066 |
| Critical water resource situation | | sale and use of | 91-07-066 |
| response process | 91-12-038 | Solid waste disposal facilities | |
| Critical water resource situations | 91-12-042 | inspector certification, exemption | 91-09-053 |
| Drought relief, emergency | 91-02-099 91-03-081 | operator certification | 91-12-040 91-01-093 |
| Flood control assistance account program, public hearing notice | 91-08-072 | State/environmental protection agency agreement, public hearing notice | 91-08-020 |
| Gasoline vapor control requirements | 91-02-107 91-14-101 | Underground storage tanks program | 91-04-022 |
| Ground water management | | Waste | |
| general schedule | 91-05-100 | dangerous waste regulation | 91-07-005 |
| Island County | 91-06-096 | hazardous waste facilities | |
| West Snohomish County | 91-03-102 91-05-099 | plans | 91-08-041 |
| Walla Walla County | 91-03-103 91-05-098 | hazardous waste fees | 91-08-040 |
| Hazardous waste | | solid waste recycling projects, grants to local governments, solicitation of preproposal comment | 91-10-032 |
| dangerous waste regulation | 91-07-005 | solid waste reduction, grants to local governments, solicitation of preproposal comment | 91-10-032 |
| facilities plans | 91-08-041 91-14-099 | Wastewater | |
| generator fees | 91-08-040 | discharge permit fees | 91-01-019 |
| generators | 91-03-139 | solicitation of preproposal comment | 91-03-080 |
| management facilities, siting criteria and notice of intent | 91-08-018 | system developed | 91-11-047 |
| management facilities siting criteria | 91-08-041 | Water | |
| Kraft pulping mills, control and prevention of air pollutant emissions | 91-05-064 | critical resource water situations | 91-12-042 |
| Model Toxics Control Act | | critical water resource situation | |
| cleanup, identification and investigation, processes and standards | 91-04-019 | response process | 91-12-038 |
| Oil spills | | highway runoff quality enhancement | 91-04-091 91-11-091 |
| offshore facility contingency plan | 91-14-110 | operator certification program | 91-13-058 |
| response contractor standards | 91-14-110 | surface water quality standards | 91-09-056 91-10-048 91-11-089 |
| Ocean management | 91-05-042 | Water resource situations strategy | 91-04-080 |
| Rules coordinator | 91-03-025 | Water resources program | |
| Sediment management standards | 91-01-052 91-03-094 91-06-098 91-08-019 | Methow River Basin | 91-12-039 |
| Shoreline master programs | | Wells | |
| Chelan County | 91-02-112 91-14-054 | drilling restrictions | 91-04-073 91-12-039 91-12-041 |
| Grays Harbor County | 91-09-054 | EDMONDS COMMUNITY COLLEGE | |
| Island County | 91-03-145 | Athletes, loss of eligibility for | |
| King County | 91-03-149 | unlawful drug use, procedure | 91-05-012 |
| Klickitat County | 91-03-141 91-11-088 91-14-100 | Meetings | 91-03-110 91-05-050 91-07-044 91-09-058 91-11-050 |
| Medina, city of | 91-01-131 | Parking regulations | 91-12-016 |
| Normandy Park, city of | 91-14-053 | EDUCATION, STATE BOARD OF | |
| ocean management | 91-04-069 91-10-033 | Accreditation of schools | 91-01-068 91-01-128 91-04-015 |
| Ocean Shores, city of | 91-03-144 91-12-053 | "Building condemnation" defined | 91-08-068 91-12-059 |
| Okanogan, city of | 91-03-147 | Certification | |
| Omak, city of | 91-14-052 | instructional specialist certificate | 91-01-092 91-05-056 |
| Oroville, town of | 91-03-146 | internship certificate | 91-01-092 |
| Pierce County | 91-03-143 91-12-052 | limited certificate | 91-05-056 91-01-092 91-05-056 |
| Redmond, city of | 91-12-036 | Environmental education, interdisciplinary study of | 91-01-067 91-12-055 |
| San Juan County | 91-04-072 91-05-063 91-06-094 91-12-054 | High school credit for courses taken by students in grades 7 and 8 | 91-01-066 |
| Thurston County | 91-14-051 | Meetings | 91-04-050 91-12-064 |
| Tonasket, town of | 91-03-148 | | |
| Tumwater, city of | 91-04-079 91-09-055 91-04-070 | | |
| Twisp, town of | | | |

Subject/Agency Index
(Citations in bold type refer to material in this issue)

| | | | |
|--|------------------|--|------------------|
| EDUCATION, STATE BOARD OF—cont. | | FAMILY INDEPENDENCE PROGRAM—cont. | |
| Physical education requirement | 91-11-018 | Management plan, implementation of | 91-01-062 |
| "Portable facility" defined | 91-08-068 | second stage | 91-04-041 |
| | 91-12-059 | | 91-05-058 |
| Professional certification | | | 91-05-010 |
| reprimand or certificate suspension | 91-05-024 | Medical programs eligibility | 91-08-050 |
| or revocation | 91-08-056 | | 91-05-008 |
| Rules coordinator | 91-13-045 | Meetings | 91-05-009 |
| School plant facilities | | | 91-01-060 |
| acceptance criteria, proposed sites | 91-08-071 | FISHERIES, DEPARTMENT OF | |
| | 91-12-057 | <u>Commercial</u> | |
| local match money | 91-08-069 | bottomfish | |
| | 91-12-056 | coastal bottomfish catch limits | 91-01-018 |
| modernization | 91-08-070 | | 91-01-023 |
| | 91-12-058 | | 91-01-050 |
| state assistance | 91-08-067 | | 91-01-094 |
| | 91-12-055 | | 91-03-152 |
| Teacher school day requirement | 91-05-068 | | 91-07-050 |
| | 91-08-055 | | 91-08-023 |
| Title 28A RCW, amendments to conform | | | 91-10-012 |
| to recodification of title | 91-01-091 | | 91-11-027 |
| | 91-04-016 | | 91-11-077 |
| | | | 91-14-026 |
| EMPLOYMENT SECURITY DEPARTMENT | | | 91-05-037 |
| Eligibility determination | 91-03-054 | seasons | |
| Employer notice and separation | | clams | |
| determination | 91-11-051 | razor clam harvest | 91-08-024 |
| | 91-11-052 | crabs, seasons and areas | 91-05-102 |
| Employer notices | 91-03-054 | | 91-10-024 |
| Family independence program, | | crawfish, areas | 91-05-102 |
| see FAMILY INDEPENDENCE PROGRAM | | fish buyers, reporting date for fish | |
| Rules coordinator | 91-03-055 | receiving tickets | 91-01-005 |
| Timber dependence indicators by county | 91-14-117 | | 91-05-015 |
| Timber impact areas determination | 91-14-115 | herring | |
| | 91-14-116 | endorsement requirements | 91-11-056 |
| Timber retraining benefits and programs | 91-14-115 | reporting catch | 91-10-014 |
| | 91-14-116 | licensing rules amended | 91-03-108 |
| | | | 91-10-071 |
| ENERGY FACILITY SITE EVALUATION COUNCIL | | marine fish, seasons | |
| Meetings | 91-02-077 | and closures | 91-09-064 |
| Site restoration standards | 91-03-132 | | 91-13-051 |
| | 91-09-040 | regulations | 91-03-083 |
| | | | 91-04-029 |
| ENERGY OFFICE | | | 91-04-031 |
| Terminology, revision of obsolete | | salmon | 91-10-011 |
| language | 91-03-090 | Columbia River below | |
| ENGINEER AND LAND SURVEYORS | | Bonneville, seasons | 91-05-005 |
| License renewals | 91-07-064 | | 91-05-036 |
| | 91-11-075 | Puget Sound, areas and seasons | 91-13-031 |
| ENVIRONMENTAL HEARINGS OFFICE | | subsistence fishery, Columbia River | |
| Rules coordinator | 91-14-005 | tributaries | 91-11-014 |
| EVERETT COMMUNITY COLLEGE | | | 91-11-076 |
| Meetings | 91-02-047 | | 91-12-004 |
| Rules coordinator | 91-03-079 | troll fishery, seasons and gear | 91-10-058 |
| EVERGREEN STATE COLLEGE, THE | | sea cucumber seasons | 91-05-102 |
| Meetings | 91-02-054 | | 91-10-024 |
| Rules coordinator | 91-14-114 | | 91-11-015 |
| FAMILY INDEPENDENCE PROGRAM | | | 91-11-055 |
| Benefits suspension, termination, | | sea urchin seasons | 91-11-111 |
| or reduction | | | 91-05-102 |
| advance notice | 91-07-068 | | 91-10-024 |
| Child care eligibility to support | | shad, Columbia River harvest | 91-11-111 |
| employment and training | 91-01-061 | | 91-05-005 |
| Income disregard | 91-05-008 | | 91-05-036 |
| | 91-05-009 | | 91-11-100 |
| | 91-10-073 | shrimp | |
| | 91-10-079 | Puget Sound fishery | 91-10-094 |
| | 91-13-081 | Puget Sound season | 91-11-044 |
| | | seasons | 91-11-111 |
| Ineligibility period | | spawn on kelp auction | 91-02-108 |
| nonrecurring lump sum income | 91-12-065 | | 91-05-016 |
| receipt | 91-12-068 | sturgeon | |
| | | Columbia River above Bonneville, seasons | 91-08-065 |
| | | Columbia River below Bonneville | 91-05-005 |
| | | | 91-05-036 |

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

FISHERIES, DEPARTMENT OF—cont.

GAMBLING COMMISSION—cont.

trawl fishing, seasons and gear 91-09-064
 vessel ownership and accountability proof 91-11-056
Personal use
 clams
 areas and seasons
 hardshell 91-01-069
 91-02-021
 91-02-076
 91-10-049
 razor
 halibut
 seasons and bag limits **91-14-007**
 oysters
 areas and seasons 91-01-069
 91-06-057
 91-14-039
 91-03-153
 91-04-030
 91-06-057
 91-08-051
 91-08-054
 91-14-045
 91-14-046
 salmon
 areas and seasons 91-03-151
 91-08-052
 91-08-053
 91-12-008
 91-14-047
 91-08-025
 91-11-045
 91-08-002
 91-14-078
 91-08-025
 91-08-025
 91-14-008
 91-14-048
 91-14-118
 91-12-009
 91-08-025
 91-08-025
 Skagit River
 Wenatchee River
 Wind River
 shrimp
 Puget Sound fishery 91-10-094
FOREST PRACTICES BOARD
 Conversions and developing areas, county participation 91-13-072
 Forest practices subject to environmental review under SEPA and SEPA rules 91-07-034
 Lands likely to convert to urban development 91-13-072
 Meetings 91-07-012
 91-08-028
 91-13-033
 91-14-096
 91-14-102
 State Environmental Policy Act compliance
 Watershed screening and analysis solicitation of preproposal comment 91-07-030
GAMBLING COMMISSION
 Adjudicative proceedings 91-03-063
 Amusement games, operation at regional shopping centers 91-05-047
 91-06-008
 91-06-039
 Bingo
 accounting records requirements 91-10-006
 91-13-070
 91-10-006
 91-13-070
 91-13-069
 91-09-045
 91-09-045
 Electronic cranes, authorization for use 91-09-045
 Fund raising events, limits on amount of rent, lease, or other payments 91-09-045

Fund raising events, providing food and beverages to volunteers 91-03-049
 91-05-044
 91-05-046
 91-05-047
 91-06-008
 91-06-039
 Income requirements, bingo and charitable games 91-09-045
 Income receipting and deposit requirements 91-10-006
 Prizes 91-05-047
 91-06-008
 91-06-039
 91-07-018
 91-07-051
 91-12-011
 91-05-045
 91-10-004
 Pull tab dispensing devices 91-03-049
 91-05-044
 91-05-046
 91-05-047
 91-06-008
 91-06-039
 91-07-018
 91-07-051
 91-12-011
 91-05-045
 91-10-004
 Pull tab series, assembly, packaging, and operation 91-03-049
 91-05-044
 91-05-046
 91-05-047
 91-06-008
 91-06-039
 91-09-045
 91-10-006
 91-03-062
 91-07-019
 91-07-021
 91-07-042
 91-10-005
 91-03-049
 91-05-044
 91-05-046
 91-05-047
 91-06-008
 91-06-039
 Punchboard and pull tabs, prizes
 Record-keeping requirements
 Recreational gaming activities
 Washington blackjack
GENERAL ADMINISTRATION, DEPARTMENT OF
 Acquisition of goods 91-09-034
 91-09-035
 Flood mitigation standards state agencies 91-05-101
 91-08-057
 91-04-081
 91-03-060
 Parking fees and payments
 Rules coordinator
 Savings and loan association, division of credit union examination and supervision fees and charges 91-03-106
 91-06-062
 savings and loan examination and supervision fees 91-03-107
 91-06-063
GOVERNOR, OFFICE OF THE
 Education reform and funding, council on, established 91-11-068
 HIV/AIDS advisory council established 91-07-004
 Homelessness, council on 91-06-023
 Low-income housing tax credit, federal, allocation of 91-02-053
 Special session of legislature called for June 10, 1991 91-13-015
 Substance abuse, governor's council on, reestablished 91-09-059
 Timber export restrictions, implementation of federal legislation 91-02-111
 91-10-106
 91-14-040
GRAYS HARBOR COLLEGE
 Athletes, loss of eligibility for unlawful drug use 91-05-033
 91-11-102
 91-14-075
 Rules coordinator
GREEN RIVER COMMUNITY COLLEGE
 Meetings 91-03-004

Subject/Agency Index
(Citations in bold type refer to material in this issue)

| | | | |
|--|------------------|--|-----------|
| GREEN RIVER COMMUNITY COLLEGE—cont. | | HEALTH, DEPARTMENT OF—cont. | |
| Rules coordinator | 91-13-037 | Health, board of | |
| HARDWOODS COMMISSION | | drug manufacturing or storage sites, | |
| (See TRADE AND ECONOMIC | | illegal, contractor certification | |
| DEVELOPMENT, DEPARTMENT OF) | | for decontamination of | 91-04-007 |
| HEALTH, BOARD OF | | immunization of day care and school | |
| (See HEALTH, DEPARTMENT OF) | | children | 91-11-103 |
| HEALTH CARE AUTHORITY | | infants, screening for congenital | |
| Advertising or promotion of SEBB-sponsored | | disorders | 91-01-032 |
| benefit plans | 91-11-093 | rules coordinator | 91-01-020 |
| Appeals process established | 91-04-087 | public water systems, volatile organic | |
| | 91-14-025 | chemical monitoring requirements | 91-07-031 |
| | 91-11-096 | transfer of rules to Title 246 WAC | 91-02-051 |
| Dependents health coverage | | Hearing aid fitters/dispensers | |
| Medical plan options between open | | license fees | 91-08-078 |
| enrollments | 91-11-094 | | 91-13-002 |
| Medicare payment of eligible retirees | 91-11-095 | Hearing aid council | |
| | 91-14-084 | defamation of competitors | 91-07-057 |
| Organ transplant programs, requirements | 91-05-079 | | 91-07-059 |
| Spouse health insurance coverage | 91-11-096 | rules coordinator | 91-01-020 |
| | 91-14-084 | personal disclosure | 91-07-057 |
| | | | 91-07-059 |
| State employee benefits board plans, dependent | | | 91-11-032 |
| parent, continued coverage on self-pay basis, | | transfer of rules to Title 246 WAC | 91-07-058 |
| qualification for | 91-04-086 | | 91-11-031 |
| | 91-11-010 | | 91-11-039 |
| HEALTH, DEPARTMENT OF | | Hematocrit testing for exclusion | |
| Acupuncture license | | HIV and AIDS training and record-keeping | |
| applications | 91-10-069 | requirements | 91-06-026 |
| examinations | 91-10-069 | Hospital charity care, procedures, data | |
| fees | 91-08-078 | collection, criteria for identifying | |
| | 91-13-002 | indigent persons, and penalties for | |
| Certificate of need, open heart | | noncompliance | 91-05-048 |
| surgery services review | 91-10-102 | Immunization of day care and | |
| | 91-10-103 | school children | 91-13-050 |
| Certificate of need, transfer of | 91-01-075 | Isotopes use in medicine and industry | 91-11-081 |
| | 91-05-093 | Hospital pharmacy standards | 91-05-049 |
| Chiropractic disciplinary board | | Low level radioactive waste sites | |
| professional procedures | 91-06-090 | regulation | 91-11-083 |
| | 91-10-050 | Massage board | |
| | 91-10-051 | rules coordinator | 91-01-020 |
| rules coordinator | 91-01-020 | transfer of rules to Title 246 WAC | 91-01-077 |
| transfer of rules to Title 246 WAC | 91-05-095 | | 91-09-044 |
| Chiropractic examining board | | Medical disciplinary board | |
| rules coordinator | 91-01-020 | mandatory reporting rule, hospitals | 91-10-040 |
| transfer of rules to Title 246 WAC | 91-05-026 | | 91-10-042 |
| Dental disciplinary board | | rules coordinator | 91-01-020 |
| discrimination prohibited as unprofessional | | transfer of rules to Title 246 WAC | 91-02-012 |
| conduct | 91-03-109 | Medical examiners, board of | |
| rules coordinator | 91-01-020 | application denial, hearings procedure | 91-13-092 |
| transfer of rules to Title 246 WAC | 91-02-048 | examination scores | 91-01-074 |
| Dental examiners, board of | | | 91-06-038 |
| examination failures, repeat examinations | 91-10-093 | meetings | 91-02-061 |
| | 91-14-087 | physician assistants | |
| | 91-01-007 | prescriptions | 91-04-055 |
| transfer of rules to Title 246 WAC | | | 91-08-007 |
| Dental hygienists | | prescription writing | 91-04-033 |
| education programs, expanded functions | 91-08-077 | rules coordinator | 91-01-020 |
| | 91-11-065 | special purpose examination | 91-13-094 |
| license fees | 91-08-078 | transfer of rules to Title 246 WAC | 91-01-076 |
| Dietitians and nutritionists | | | 91-06-030 |
| license fees | 91-08-078 | Medical test categories | 91-11-039 |
| | 91-13-002 | Midwifery | |
| Drug manufacturing or storage sites, | | license fees | 91-08-078 |
| illegal, contractor certification | | | 91-13-002 |
| for decontamination of | 91-04-007 | Nursing, board of | |
| Emergency medical services | | AIDS education requirement for | |
| emergency medical technicians, certification | | nurses obtaining interstate | |
| and recertification requirements | 91-02-013 | endorsement | 91-07-032 |
| training requirements | 91-06-026 | license denial, adjudicative proceedings | 91-10-007 |
| Environmental Policy Act (SEPA) rules | 91-02-050 | nurse technicians, definition | |
| Fees | 91-02-050 | and function of | 91-07-067 |
| Health care assistants | | rules coordinator | 91-01-020 |
| license fees | 91-08-078 | transfer of rules to Title 246 WAC | 91-07-049 |
| | 91-13-002 | Nursing home administrators, board | |
| Health care facilities | | of examiners for | |
| construction review and approval | | inactive license fee | 91-05-025 |
| activities, fees | 91-12-019 | | 91-09-051 |

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

HEALTH, DEPARTMENT OF—cont.

inactive license status 91-02-058
91-06-059
rules coordinator 91-01-020
transfer of rules to Title 246 WAC 91-02-059
91-06-060

Nursing homes
bed need standards 91-02-010
91-12-020

Nursing pools
license fees 91-08-078
91-13-002

Occupational therapy practice, board for
educational programs 91-05-088
license fees 91-08-078
91-13-002
licensure requirements 91-05-088
rules coordinator 91-01-020
transfer of rules to Title 246 WAC 91-05-027

Open heart surgery services, certificate
of need review 91-10-102
91-10-103

Opticians
rules updating 91-05-087
91-09-023
91-09-024
91-05-087
91-09-023
91-09-024

continuing education requirements

Optometrists
license fees 91-08-078
91-13-002

Optometry board
rules coordinator 91-01-020
transfer of rules to Title 246 WAC 91-03-116
91-06-025

Osteopathic medicine and surgery
board of
examination procedures 91-03-117
91-10-039
91-10-043
91-08-078
91-13-002
91-14-088
license fees
license reinstatement
osteopathic physician's assistant
prescriptions 91-14-088
rules coordinator 91-01-020
substance abuse monitoring programs 91-03-117
91-10-039
91-10-043

Pharmacists
license fees 91-08-078
91-13-002
retired
license fees 91-08-078
91-13-002

Pharmacy, board of
animal control agencies, legend
drug use regulation 91-04-056
transfer of rules to Title 246 WAC 91-06-037
91-14-033
humane societies, legend
drug use regulation 91-04-056
rules coordinator 91-01-020
internship requirements 91-05-091
91-11-041
nonprescription drugs, tampered
products detection information 91-07-056
prescriptions, out-of-state
practitioners 91-05-090
91-13-004
91-05-092
pharmacy assistant/pharmacist ratio 91-11-040
tampered products detection
information 91-07-056

HEALTH, DEPARTMENT OF—cont.

Physical therapy, board of
drug or alcohol monitoring programs,
voluntary participation 91-09-033
91-09-063
91-14-006
examination scores 91-09-033
91-09-063
91-14-006
licensing fees 91-05-004
91-08-078
91-13-002
91-05-094
licensure requirements 91-01-020
rules coordinator 91-02-011
transfer of rules to Title 246 WAC
Physician assistants
prescription writing 91-04-033
Podiatric medical board
inactive license 91-05-089
91-10-041
license fees 91-08-078
91-13-002
license renewals 91-05-089
91-10-041
reciprocity requirements 91-05-089
91-10-041
rules coordinator 91-01-020
terminology 91-05-089
91-10-041

Practical nurses
license fees 91-08-078
91-13-002

Practical nursing board
licensing requirements and procedures 91-09-014
91-13-023
rules coordinator 91-01-020
transfer of rules to Title 246 WAC 91-01-078
Prenatal tests, provision of information
on 91-11-024
Psychology, examining board of
continuing education 91-04-021
license fees 91-08-078
91-13-002
licensing requirements and procedures 91-04-021
91-06-024
91-08-030
91-01-020
91-12-035
meetings
rules coordinator 91-01-020
transfer of rules to Title 246 WAC 91-12-035
Radiation protection programs
fees 91-08-059
Radiation protection, general provisions 91-11-024
Rules coordinator 91-01-020
Rules, transfer to Title 246 WAC 91-03-095
91-04-020
91-05-028
91-05-029
91-05-030
91-05-031
91-06-027
91-06-028
91-06-058
91-07-048
91-11-030

Rural health care
facilities, licensing standards 91-02-014
rural health system project 91-13-093
Sex offender treatment providers 91-06-091
91-11-062
91-11-063
Transfer of rules to Title 246 WAC 91-02-049
Uranium mills regulation 91-11-083
Veterinary board of governors
rules coordinator 91-01-020
transfer of rules to Title 246 WAC 91-02-060
Women, infant children program
client access 91-06-029

Subject/Agency Index
(Citations in bold type refer to material in this issue)

| | | | |
|---|------------------|---|------------------|
| HEALTH, DEPARTMENT OF—cont. | | HUMAN RIGHTS COMMISSION | |
| X-ray machine use regulation | 91-11-082 | Meetings | 91-01-087 |
| HIGHER EDUCATION COORDINATING BOARD | | | 91-01-088 |
| American Indian endowed scholarship program | 91-03-087 | | 91-02-002 |
| | 91-11-073 | | 91-02-035 |
| Athletic gender equity tuition and fee waiver program | 91-09-061 | | 91-02-102 |
| | 91-12-005 | | 91-04-063 |
| Contract issuance procedures, 1991-93 | | | 91-04-064 |
| | | | 91-06-072 |
| Displaced homemaker program administration | 91-04-045 | | 91-08-046 |
| | 91-01-053 | | 91-08-047 |
| | 91-14-009 | | 91-11-080 |
| Environmental Policy Act (SEPA) notice of action taken | 91-01-124 | | 91-11-108 |
| | 91-01-125 | | 91-13-084 |
| | | | 91-14-076 |
| | | | 91-14-103 |
| HIGHER EDUCATION, JOINT CENTER FOR | | INDETERMINATE SENTENCE REVIEW BOARD | |
| Meetings | 91-03-002 | Non-APA rules publication | 91-14-029 |
| HIGHER EDUCATION PERSONNEL BOARD | | Public records | 91-10-009 |
| Appointments | 91-02-039 | | 91-14-028 |
| | 91-05-055 | Rules adoption requirements | 91-10-009 |
| | 91-05-060 | | 91-14-028 |
| | 91-10-002 | Rules coordinator | 91-03-067 |
| Bereavement leave | 91-10-060 | INDUSTRIAL INSURANCE APPEALS, BOARD OF | |
| | 91-13-012 | Practice and procedure | 91-09-062 |
| Fair Labor Standards Act, federal preemption | 91-10-059 | | 91-13-038 |
| | 91-13-011 | INFORMATION SERVICES, DEPARTMENT OF | |
| Hearing examiners | 91-02-039 | Public records access | 91-04-090 |
| | 91-05-055 | | 91-07-033 |
| | 91-05-060 | INSURANCE COMMISSIONER | |
| | 91-10-002 | Chief hearing officer, duties | 91-14-064 |
| Leave of absence without pay, excepted work period | 91-10-059 | Fees and assessments, clarification | 91-04-057 |
| | 91-13-011 | | 91-07-053 |
| Meetings | 91-02-041 | Foreign and alien insurers, service of process | 91-14-064 |
| | 91-06-014 | "Involuntary termination" defined for purpose of high risk health pool | 91-13-076 |
| Military active duty leave | 91-11-035 | Life and disability insurance, out-of-state group contracts, unfair practices | 91-03-073 |
| | 91-13-013 | Prelicense education curriculum | 91-09-049 |
| | 91-13-095 | | 91-12-033 |
| Rules coordinator | 91-02-040 | Prelicense education requirement | 91-09-048 |
| Salary reallocation | 91-05-052 | | 91-12-032 |
| | 91-06-077 | Rate standards | 91-01-073 |
| | 91-10-003 | Rules coordinator | 91-02-009 |
| | 91-10-061 | INTEREST RATES | |
| Shared leave | 91-13-011 | (See inside front cover) | |
| | 91-10-060 | INVESTMENT BOARD | |
| Temporary workers, remedial action | 91-13-012 | Meetings | 91-02-015 |
| | 91-10-060 | JUDICIAL CONDUCT, COMMISSION ON | |
| | 91-13-012 | Public records access | 91-01-126 |
| University of Washington, hospitals special pay plan | 91-13-096 | | 91-04-060 |
| Work period designations | 91-07-060 | Rules coordinator | 91-01-002 |
| | 91-13-014 | LABOR AND INDUSTRIES, DEPARTMENT OF | |
| | 91-13-095 | Agricultural | |
| Workers' compensation return-to-work policy | 91-02-038 | safety standards | 91-04-077 |
| | 91-05-054 | | 91-11-070 |
| | 91-05-059 | Apprenticeship and training council meetings | 91-04-038 |
| | 91-10-001 | Boiler rules, board of condemned boilers or unfired pressure vessel, inspection | 91-09-047 |
| HIGHLINE COMMUNITY COLLEGE | | | 91-11-107 |
| Rules coordinator | 91-08-031 | meetings | 91-01-107 |
| HISPANIC AFFAIRS, COMMISSION ON | | | 91-03-086 |
| Meetings | 91-13-088 | | 91-05-062 |
| HORSE RACING COMMISSION | | | 91-09-047 |
| Claiming races, next start requirements, horses claimed but not processed | 91-03-064 | | 91-11-107 |
| Jockey suspension, temporary | 91-08-073 | | 91-09-047 |
| Owner's license, use of facsimile application and trainer as agent | 91-03-033 | | 91-11-107 |
| Satellite locations, daily fee | 91-08-073 | | 91-09-047 |
| | | | 91-11-107 |
| | | | 91-09-046 |
| | | | 91-11-106 |

Subject/Agency Index

(Citations in **bold type** refer to material in this issue)

LABOR AND INDUSTRIES, DEPARTMENT OF—cont.

| | |
|--|--|
| nuclear safety devices repair | 91-09-046 91-11-106 |
| Construction | |
| safety standards | 91-04-077 91-11-070 |
| Crime victim compensation | |
| repressed memory of criminal act, rights of victim with | 91-01-065 91-04-027 |
| Electrical board | |
| meetings | 91-03-076 |
| Elevator safety standards | 91-10-091 |
| Explosives | |
| safety standards | 91-01-026 |
| Firefighters | |
| safety standards | 91-01-026 91-04-077 91-11-070 |
| Grain handling facilities | |
| safety standards | 91-04-077 91-11-070 |
| Longshore, stevedore operations | |
| safety standards | 91-04-077 91-11-070 |
| Medical services | |
| coverage | 91-12-060 |
| reimbursement | 91-12-060 |
| Occupational health standards | |
| general standards | 91-01-026 91-03-043 91-09-004 91-01-026 |
| Passenger vessel safety standards | 91-01-026 |
| Prevailing wage | |
| filing fees | 91-01-017 |
| terms and procedures used to determine, for public works projects | 91-03-113 91-10-092 91-14-104 |
| Safety and health standards | |
| general standards | 91-01-026 91-03-044 91-04-077 91-11-070 |
| Travel expenses | |
| injured workers | 91-03-114 91-12-010 |
| Worker's compensation | |
| health care services, payment for | 91-01-123 91-07-008 91-14-098 |
| medical aid rules | 91-02-063 91-02-064 91-02-114 |
| rules, classifications, rates and rating system revisions | 91-07-061 91-12-014 |

LEGAL FOUNDATION OF WASHINGTON

Meetings 91-06-001

LICENSING, DEPARTMENT OF

| | |
|--|--|
| Architect licenses | |
| fees | 91-09-020 91-13-055 91-09-020 |
| renewal | |
| Architecture | |
| "design-build" definition | 91-06-012 91-09-041 91-12-061 91-02-046 |
| solicitation of preproposal comment | 91-02-046 |
| Camping resorts | 91-01-082 |
| Cosmetology, barber and manicurist rules | 91-05-080 91-11-042 |
| Court reporters, licensing requirements | 91-03-065 |

LICENSING, DEPARTMENT OF—cont.

| | |
|---|--|
| Engineers and land surveyors | |
| fees | 91-07-065 91-10-046 91-07-065 91-10-046 |
| license renewals | |
| seals | |
| solicitation of preproposal comment | 91-05-041 |
| new seal required, design | 91-05-078 91-06-018 91-11-098 91-11-099 91-05-078 91-06-018 |
| use definition | |
| Escrow officers and agents | |
| fees | 91-08-049 91-11-066 |
| Funeral directors and embalmers | |
| continuing education | |
| approval | 91-09-043 |
| crematory renewal fees | 91-08-032 91-11-023 91-01-006 91-04-026 |
| preneed renewal fees | |
| Motor vehicle excise tax rules | |
| Motor vehicles | |
| advertising and pricing practices of dealers, prohibited practices | 91-03-019 |
| certificate of inspection | 91-04-024 |
| disclosure of vehicle owner names and addresses | 91-03-088 |
| drivers' licenses | |
| waiver of driving test for new resident with valid license from previous home state | 91-01-063 |
| fleet registration programs, regular and permanent | 91-11-084 |
| higher education institutions license plate emblems, criteria to obtain | 91-03-091 91-11-084 91-04-025 |
| license plates, special | |
| parking tickets outstanding, information to be supplied by jurisdiction | 91-04-024 |
| proportional registration of fleet vehicles | 91-02-109 91-02-110 91-06-093 91-14-056 |
| snowmobile fuel use study | |
| special license plates and emblems, criteria to obtain | 91-03-091 91-11-084 91-03-092 91-03-091 91-04-025 91-11-084 91-14-089 |
| Multijurisdictional disclosure system | |
| Public records indexing systems | 91-07-028 91-13-057 91-04-074 |
| Real estate appraiser certification | |
| Real estate commission | |
| course approval | 91-03-047 91-07-029 |
| depository institutions | |
| authorized to hold trust funds | 91-09-013 |
| examination grading | 91-03-047 91-07-029 |
| fees for real estate course, school, and instructor approval | 91-09-013 91-12-012 |
| funds held in trust, authorized institutions | 91-09-013 91-12-012 |
| instructor approval | 91-09-065 91-12-013 |
| instructor qualifications | 91-03-047 91-07-029 |
| meetings | 91-02-078 |

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

| | | | |
|--|------------------|---|------------------|
| PARKS AND RECREATION COMMISSION—cont. | | PILOTAGE COMMISSIONERS, BOARD OF—cont. | |
| Fee changes | 91-03-142 | Puget Sound | 91-08-003 |
| | 91-09-001 | | 91-11-074 |
| Meetings | 91-01-051 | Retirement disbursements | 91-02-062 |
| Rules coordinator | 91-01-084 | | 91-06-033 |
| PENINSULA COLLEGE | | POLLUTION CONTROL HEARINGS BOARD | |
| Meetings | 91-01-009 | Practice and procedure rules | 91-03-027 |
| | | | 91-03-028 |
| PERSONNEL APPEALS BOARD | | Public records | 91-03-027 |
| Rules coordinator | 91-10-038 | | 91-03-028 |
| PERSONNEL BOARD | | POLLUTION LIABILITY INSURANCE AGENCY | |
| Applications, time limits on filing of | 91-02-029 | Assessments | 91-08-033 |
| Appointment status, transfer upwards | 91-02-032 | Eligibility | 91-08-033 |
| | 91-03-070 | Reimbursement | 91-08-033 |
| Correctional officers caring for law | | PRODUCTIVITY BOARD | |
| enforcement dogs, special pay range | 91-02-025 | Rules coordinator | 91-03-111 |
| | 91-05-083 | PROFESSIONAL ATHLETIC COMMISSION | |
| Examinations, waiver of minimum | | Boxing rules | 91-05-032 |
| qualifications | 91-02-034 | | 91-11-038 |
| | 91-03-071 | | 91-11-101 |
| In-training positions | 91-02-030 | | 91-14-063 |
| Leave sharing program | 91-02-024 | Wrestling rules | 91-05-032 |
| | 91-05-082 | | 91-11-038 |
| | 91-07-055 | | |
| Merit system rules | 91-10-062 | PUBLIC DISCLOSURE COMMISSION | |
| | 91-13-040 | Contributions | |
| Noncompetitive service | 91-02-033 | definition of "contribution" | 91-11-104 |
| | 91-03-068 | | 91-11-105 |
| | 91-05-081 | "earmarked contributions" defined | 91-14-041 |
| Partial day absence, exceptions work | | | 91-10-056 |
| period employees | 91-10-066 | handling contributions of uncertain origin | 91-14-041 |
| | 91-11-043 | | 91-11-104 |
| | 91-13-043 | identification of sources | 91-11-105 |
| Promotional testing | 91-14-044 | | 91-14-041 |
| | 91-02-028 | Enforcement hearings procedures | 91-11-104 |
| Public records, inspection and copying of | 91-12-034 | Lobbyist employers, political | 91-11-105 |
| Reexaminations | 91-02-027 | contribution reporting form | 91-14-041 |
| Registers, removal of candidate's name | 91-02-026 | | 91-13-089 |
| for cause | | Public agency lobbying reports | 91-06-034 |
| | 91-10-064 | Public office fund | 91-09-021 |
| Special pay ranges | 91-13-041 | | 91-13-089 |
| | 91-10-063 | Public records indexing | 91-07-027 |
| Standby compensation | 91-13-034 | Rules coordinator | 91-10-057 |
| | 91-02-031 | | 91-13-089 |
| Trial service, reversion for failure to | 91-03-069 | PUBLIC INSTRUCTION, SUPERINTENDENT OF | 91-11-037 |
| perform satisfactorily | | Absent students, reporting requirements | |
| | 91-10-065 | Allocations | 91-02-096 |
| Work period designations | 91-13-042 | procedures for allocating state moneys | |
| | 91-04-046 | to school districts | 91-03-118 |
| | 91-07-054 | salary | 91-02-097 |
| | 91-09-037 | Allocations, special, 1989-91 | |
| PERSONNEL, DEPARTMENT OF | | procedures for allocating state | |
| Registers, removal of candidate's name | | moneys to school districts | 91-13-071 |
| for cause | 91-01-111 | Allocations, special 1990-91 | |
| Rules coordinator | 91-02-016 | early intervention services | 91-04-089 |
| Trial service, revision for failure | | | 91-08-039 |
| to perform adequately | 91-01-110 | procedures for allocating state moneys | |
| PIERCE COLLEGE | | to school districts | 91-03-118 |
| Meetings | 91-01-010 | | 91-13-071 |
| | 91-06-088 | Alternative instructional programs, | |
| | 91-09-006 | eligibility | 91-07-062 |
| Rules coordinator | 91-04-049 | | 91-11-028 |
| Student rights and responsibilities | 91-03-084 | Basic education allocation, withholding | |
| | 91-03-150 | for repayment of federal moneys | 91-07-006 |
| | 91-09-027 | Basic skills achievement, learning | |
| PHARMACY, BOARD OF | | assistance program policies and | |
| (See HEALTH, DEPARTMENT OF) | | procedures | 91-13-052 |
| PILOTAGE COMMISSIONERS, BOARD OF | | Bilingual instruction program, | |
| Pilot applications | | transitional | 91-07-062 |
| qualification to take 1991 exam | 91-01-090 | | 91-11-028 |
| Pilotage rates | | Budget revision, ten percent allowed | 91-14-037 |
| Grays Harbor | 91-03-075 | Buses | |
| | 91-08-004 | operation procedures | 91-03-074 |
| | 91-08-008 | school bus operating rules | 91-06-032 |

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

PUBLIC INSTRUCTION, SUPERINTENDENT OF

—cont.

| | |
|---|---|
| Certificated personnel performance evaluation | 91-10-104 |
| Educational service districts budgeting procedures | 91-03-050 91-07-063 |
| timely reporting procedures | 91-09-025 91-13-054 |
| Excellence in education awards | 91-03-119 91-14-036 |
| Expenditures, specified objects of | 91-09-026 91-12-021 |
| Federal moneys, monetary and nonmonetary audit findings, resolution procedures | 91-03-001 91-07-007 |
| Federal moneys, withholding from basic education allocation for repayment of | 91-07-006 91-10-105 91-14-038 |
| Handicapped students definitions and independent educational assessment of individualized education program transition services | 91-01-033 91-14-002 91-14-002 |
| HIV/AIDS training for school employees | 91-14-035 |
| RCW references updated | 91-12-006 |
| Rules coordinator | 91-13-046 |
| Running start program | 91-03-129 91-04-088 91-08-038 91-02-097 |
| Salary allocations | |
| School districts timely reporting procedures | 91-09-025 91-13-054 91-10-085 |
| School safety patrol | 91-06-026 |
| Specified objects of expenditure | 91-02-094 |
| Staff ratio enhancements, grades K-3 | 91-09-025 |
| Timely reporting policies and procedures | 91-13-053 |
| Traffic safety education program | 91-02-095 |

PUGET SOUND AIR POLLUTION CONTROL AGENCY

| | |
|--|------------------|
| Asbestos removal projects requirements | 91-14-095 |
| Washington Clean Air Act regulations | 91-14-094 |

PUGET SOUND WATER QUALITY AUTHORITY

| | |
|--|------------------------|
| Local government wetland protection programs | 91-14-112 |
| Meetings | 91-01-011 91-11-092 |

| | |
|---|-----------|
| Nonpoint source pollution, local plannings solicitation of preproposal comments | 91-05-066 |
| Rules coordinator | 91-05-067 |

REDISTRICTING COMMISSION

| | |
|-----------------------------|------------------------|
| Administrative rules | 91-09-052 |
| Emergency adoption of rules | 91-13-020 91-13-021 |

RETIREMENT SYSTEMS, DEPARTMENT OF

| | |
|---|---|
| Actuarial tables, schedules, and factors law enforcement officers' and fire fighters' retirement system | 91-02-019 91-06-089 91-10-108 91-11-061 91-13-049 |
| overdue payments, interest charges | 91-02-018 |
| public employees' retirement system teachers' retirement system | 91-02-020 |
| Administrative fee rate | 91-10-107 91-13-029 |
| Administrative fee assessment for processing deficient reports | 91-10-109 91-13-030 |
| Survivor benefit options judicial retirement system law enforcement and firefighters | 91-03-013 91-03-014 |

RETIREMENT SYSTEMS, DEPARTMENT OF

| | |
|-------------------------------------|-----------|
| —cont. | |
| public employee's retirement system | 91-03-015 |
| teachers' retirement system | 91-03-016 |

REVENUE, DEPARTMENT OF

| | |
|---|--|
| Accounting | |
| accrual method, tax reporting duties solicitation of preproposal comment | 91-08-043 |
| Addresses of department district offices | 91-01-113 91-05-038 91-04-001 |
| Agricultural land valuation | 91-04-001 |
| Business and occupation tax | |
| community antenna television services, reporting of advertising income | 91-01-114 91-05-039 |
| insurance agents, brokers, and solicitors, taxability of amounts received | 91-14-049 |
| insurance companies, health insurance pool deductions to be deducted from the measure of the B&O tax | 91-01-115 91-05-040 |
| life insurance salespersons, full-time, considered employees | 91-14-050 |
| real estate, lease, rental, or license to use, tax status | 91-02-056 91-02-057 91-14-027 |
| Cigarette vendor licenses | |
| Disabled persons and senior citizens "disposable income" defined | 91-13-074 |
| "Disposable income" defined | 91-13-074 |
| Equalization, county boards of revised chapter relating to | 91-07-040 |
| Excise tax | |
| carbonated beverages or syrup, tax on selling activity implementation | 91-12-003 |
| solicitation of preproposal comment | 91-12-063 |
| fundraising activities by public benefit organizations, exemption solicitation of preproposal comment | 91-12-062 |
| motor vehicle fuel and special fuel sales, reporting information | 91-11-002 |
| dentists, dental laboratories, and physicians, reporting information | 91-11-003 |
| Finance charges, carrying charges, interest, and penalties solicitation of preproposal comment | 91-03-057 |
| taxation | 91-11-005 |
| Freight and delivery charges | |
| exclusion from gross proceeds of sales solicitation of preproposal comment | 91-11-004 91-03-058 |
| Hotel/motel tax | |
| solicitation of preproposal comment | 91-08-045 |
| Hotel and motels, taxation on telephone service | |
| solicitation of preproposal comment | 91-08-045 |
| Interstate shipment of goods | |
| solicitation of preproposal comment | 91-13-073 |
| Magazines and periodicals, out-of-state sellers | |
| solicitation of preproposal comment | 91-08-044 |
| Medical service providers, tax reporting solicitation of preproposal comment | 91-04-061 |
| Motor vehicle fuel and special fuel sales excise tax reporting information | 91-11-002 |
| solicitation of preproposal comment | 91-04-062 |
| Open Space Taxation Act rules | |
| agricultural land valuation | 91-04-001 |
| Property tax | |
| annual ratio study | 91-01-008 |
| deferral, definitions and qualifications | 91-13-075 |
| refunds rate of interest | 91-10-070 |
| Rule-making procedure | |
| solicitation of preproposal comment | 91-04-061 91-04-062 |
| Rules coordinator | 91-01-028 |

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

REVENUE, DEPARTMENT OF—cont.

Sales tax
 collection schedules 91-01-113
 legend drugs, exemption
 solicitation of preproposal comment 91-12-002
 Senior citizens and disabled persons
 "disposable income" defined 91-13-074
 Stadium tax
 solicitation of preproposal comment 91-08-045
 Timber excise tax
 stumpage values 91-02-088
 91-02-089
 91-06-052
 91-06-053
 91-09-030
 91-10-090
 91-14-077

RULES COORDINATORS

Agriculture, department of 91-03-020
 Attorney general 91-01-086
 Basic health plan **91-14-022**
 Blind, Washington State School for the 91-02-044
 Central Washington University 91-01-049
 Centralia College 91-13-047
 Chiropractic disciplinary board 91-01-020
 Chiropractic examining board 91-01-020
 Code reviser 91-01-001
 Community development, department of 91-04-006
 Corrections, department of 91-06-011
 Deaf, Washington State School for the 91-02-045
 Dental disciplinary board 91-01-020
 Dental examiners, board of 91-01-020
 Eastern Washington University 91-02-043
 Ecology, department of 91-03-025
 Education, state board of 91-13-045
 Employment security department 91-03-055
 Environmental hearings office **91-14-005**
 Evergreen State College, The **91-14-114**
 Everett Community College 91-03-079
 Forest practices board 91-02-065
 General administration, department of 91-03-060
 Geographic names, board on 91-01-106
 Grays Harbor College **91-14-075**
 Green River Community College 91-13-037
 Health, board of 91-01-020
 Health, department of 91-01-020
 Hearing aids council 91-01-020
 Higher education personnel board 91-02-040
 Highline Community College 91-08-031
 Indeterminate sentence review board 91-03-067
 Insurance commissioner, office of 91-02-009
 Judicial conduct commission 91-01-002
 Licensing, department of 91-03-006
 Liquor control board 91-10-044
 Maritime commission 91-04-028
 Massage board 91-01-020
 Medical disciplinary board 91-01-020
 Medical examiners, board of 91-01-020
 Natural resources, department of 91-01-108
 Nursing, board of 91-01-020
 Nursing home administrators, board
 of examiners for 91-01-020
 Occupational therapy practice, board of 91-01-020
 Optometry board 91-01-020
 Osteopathic medicine and surgery board 91-01-020
 Outdoor recreation, interagency
 committee for 91-03-011
 Parks and recreation commission 91-01-084
 Personnel appeals board 91-10-038
 Personnel, department of 91-02-016
 Pharmacy, board of 91-01-020
 Physical therapy board 91-01-020
 Pierce College 91-04-049
 Podiatric medical board 91-01-020
 Practical nursing board 91-01-020
 Productivity board 91-03-111

RULES COORDINATORS—cont.

Psychology, examining board of 91-01-020
 Public disclosure commission 91-11-037
 Public instruction, superintendent of 91-13-046
 Puget Sound water quality authority 91-05-067
 Revenue, department of 91-01-028
 Social and health services, department of 91-01-118
 State auditor **91-14-019**
 Tacoma Community College **91-14-017**
 Tax appeals, board of 91-02-103
 Trade and economic development,
 department of 91-03-088
 Transportation commission 91-03-078
 Transportation, department of 91-03-009
 Transportation improvement board 91-04-051
 University of Washington 91-03-056
 Veterinary board of governors 91-01-020
 Washington State University 91-05-022
 Western Washington University **91-14-043**
 Whatcom Community College **91-14-042**
 Wildlife, department of 91-12-001

SEATTLE COMMUNITY COLLEGES

Meetings 91-01-024
 91-03-023
 91-03-104
 91-06-068
 91-10-055
91-14-020
91-14-074

SEATTLE VOCATIONAL INSTITUTE
(See also **WASHINGTON INSTITUTE**
OF APPLIED TECHNOLOGY)

Washington Institute of Applied
 Technology, name changed to Seattle
 Vocational Institute, July 1, 1991 91-13-036

SECRETARY OF STATE

Address confidentiality program for victims
 of domestic violence **91-14-079**
91-14-080
 91-13-016
 Presidential preference primary
 Public record home and work address
 information protection for
 endangered persons 91-03-125
 91-03-126
 91-07-002
 91-07-003
 91-11-069

Victims of domestic violence
 address confidentiality program **91-14-079**
91-14-080

Voter registration at driver license
 facilities 91-13-022

SHORELINE COMMUNITY COLLEGE

Meetings 91-03-024

SKAGIT VALLEY COLLEGE

Meetings 91-01-071
 91-13-086

**SOCIAL AND HEALTH SERVICES,
DEPARTMENT OF**

Adult family homes
 complaints 91-05-070
 91-09-016
 91-05-070
 91-09-016
 inspections

Aid to families with dependent children
 assistance standards 91-02-072
 91-02-075

91-13-101
 assistance unit 91-09-068
 91-09-069
 91-11-020
 91-12-044

benefits suspension, termination,
 or reduction advance notice 91-07-068

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

**SOCIAL AND HEALTH SERVICES,
DEPARTMENT OF—cont.**

earned income tax credit
as resource 91-10-074
91-10-078
91-13-082
fifty dollars disregard payment 91-06-097
91-10-026
income and resources disregard 91-02-083
91-02-084
91-05-008
91-05-009
91-06-007
91-09-017
91-10-072
91-10-077
91-13-080
loans, when treated as income
or resource 91-01-029
91-01-047
medical programs eligibility 91-05-008
91-05-009
91-09-017
overpayments, mandatory grant deductions
to recover 91-03-039
91-04-047
91-06-055
91-09-070
Aliens
"sponsored alien" defined 91-13-104
Child care
family day care homes, licensing
requirements 91-04-048
91-11-026
Children
institutionalized
parent income and resources 91-05-034
91-05-035
91-09-019
Medicaid eligibility, income standards 91-08-034
91-08-037
91-11-085
Chore services program 91-04-039
91-08-011
Computer Matching and Privacy
Protection Act of 1988
household notices 91-08-064
91-11-087
Day care
family child day care homes
licensing requirements 91-02-017
91-03-038
91-03-127
91-03-128
91-07-013
subsidy payment to day care
programs, facilitation 91-12-024
91-12-028
Developmentally disabled
adult protective services,
eligibility for 91-01-096
Disaster relief
individual and family grant
program eligibility 91-02-081
Emergency assistance 91-01-030
91-02-071
Family independence program, see
FAMILY INDEPENDENCE PROGRAM
Families with dependent children
employable, deprivation due to
unemployment of parent 91-13-099
Food and nutrition service
vehicle resources 91-13-100

**SOCIAL AND HEALTH SERVICES,
DEPARTMENT OF—cont.**

Food stamp program
aliens eligibility 91-07-069
91-11-019
91-11-109
91-13-098
91-13-104
91-14-081
dependent care deduction, eligibility
eligibility 91-14-120
91-11-109
91-14-081
expedited service eligibility 91-09-031
91-09-032
91-12-043
homeless persons eligibility 91-09-067
91-12-025
household status for temporarily
disabled persons 91-05-074
91-10-096
income budgeting, retrospective and
special circumstances budgeting 91-09-067
91-12-025
income exclusions 91-01-120
91-02-067
91-02-068
91-02-073
91-06-004
91-09-067
91-12-025
ineligible household members 91-12-023
91-12-027
institutional residents, application
timeliness 91-11-110
91-14-082
"sponsored alien" defined
standard utility allowance 91-13-104
91-04-035
91-04-036
91-08-013
student participant in work study
program, eligibility 91-05-075
91-10-099
telephone standard allowance 91-04-035
91-04-036
91-08-013
vehicle resources 91-13-100
work requirements 91-05-071
91-05-072
91-05-073
91-10-034
91-10-097
91-10-098
Funeral and internment services, vendor
payment increases 91-02-082
91-02-085
91-06-005
General assistance
benefits suspension, termination,
or reduction advance notice 91-07-068
91-11-020
earned income tax credit
as resource 91-10-075
91-10-076
91-13-083
Hospitals
inpatient and outpatient services
payment 91-06-044
91-06-049
91-06-056
91-10-025
Job opportunities and basic skills training
program (JOBS) 91-02-092
91-02-093
91-04-042
91-04-043
91-08-010
91-08-063

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

**SOCIAL AND HEALTH SERVICES,
DEPARTMENT OF—cont.**

**SOCIAL AND HEALTH SERVICES,
DEPARTMENT OF—cont.**

support services 91-02-086
91-02-087
91-13-103
91-04-040
91-04-044
91-08-012
91-02-090
91-02-091
91-07-011

Juvenile involuntary treatment
Kitsap Physicians Service—Sound Care Plan

payment 91-08-034
91-08-037
91-11-016
91-11-017

Medicaid
children to eighteen years
of age, eligibility 91-10-036
91-06-043
91-06-047
91-10-100

expedited Medicaid disability program

infants under one year of age,
eligibility
pregnant women eligibility

Medical assistance
availability of resources 91-01-121
benefits suspension, termination,
or reduction advance notice 91-07-068
91-11-020
91-06-042
91-06-046
91-10-101
91-02-069
91-02-074
91-06-003
91-11-016
91-11-017

eligibility, community services office
waiver of office interview 91-01-021
91-01-022
91-05-011
91-11-016
91-11-017

expedited Medicaid disability program

hospital inpatient and outpatient
payments 91-06-044
91-06-049
91-06-056
91-14-067
91-14-072

hospital premium insurance enrollment
for working disabled 91-08-035
91-08-036
91-11-086

institutionalized recipient, allocation
of income **91-14-068**
91-14-071

limited casualty program, emergency
medical expense requirement **91-14-067**
91-14-072

Maternity care in distressed areas **91-14-066**
91-14-070

Medicare hospital premium payments
for working disabled 91-08-035
91-08-036
91-11-086

medical care services
administration 91-02-090
91-02-091
91-07-011
91-02-090
91-02-091
91-07-011

income levels

spousal transfer rules, incorporation
of federal rules 91-12-022
91-12-029

Mentally ill
juvenile involuntary treatment
treatment and evaluation 91-13-103
91-13-102

Pregnant women
Medicaid/eligibility 91-06-043
91-06-047
91-10-100

Nursing facility
terminology change from "nursing
home" to "nursing facility" 91-12-067

Nursing homes
accounting and reimbursement
system 91-09-066
91-12-026

terminology change from "nursing
home" to "nursing facility" 91-12-067

Psychiatric hospitals 91-06-041
91-06-045

Refugee assistance
earned income tax credit
as resource 91-10-074
91-10-078
91-01-122
91-14-119

eligibility
"Repatriates" defined **91-14-119**
Repatriates, eligibility requirements
and program standards 91-10-035
91-01-118
91-02-072
91-02-075
91-06-041
91-06-045
91-10-028
91-14-122
91-14-124

State hospitals
schedule of charges revision 91-04-034
91-04-037
91-08-014
91-14-065
91-14-069

Supplemental security income,
assistance standards 91-02-072
91-02-075

Supplemental security income, state
income disregard 91-05-008
91-05-009
91-09-017
91-05-008
91-05-009
91-09-017
91-01-046

medical programs eligibility

supplementary programs
Support enforcement, office of
address disclosure hearings, procedures **91-14-121**
91-14-123
91-06-040
91-06-048
91-10-027
91-14-121
91-14-123
91-06-097

birth costs liability

confidentiality

fifty dollars disregard payments
residential parent or payee, grievance
resolution 91-04-002
91-04-003
91-09-018
91-12-066

Temporary housing program

Time loss payments to dependent child,
recovery by office of financial
recovery 91-01-031
91-01-048
91-02-070

Women, infants, and children (WIC) program
food vendor participation 91-01-079
91-01-119
91-01-097
91-01-098

transfer of rules to Title 246 WAC

Subject/Agency Index

(Citations in bold type refer to material in this issue)

| | | | |
|--|---|---|--|
| SOUTH PUGET SOUND COMMUNITY COLLEGE | | TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF—cont. | |
| Meetings | 91-06-002 | purposes of commission, election of board members, procedures, and collection of assessments | 91-11-034 91-14-055 |
| | 91-11-021 | | |
| | 91-11-022 | Rules coordinator | 91-03-008 |
| | 91-13-006 | | |
| SPOKANE COMMUNITY COLLEGES | | TRAFFIC SAFETY COMMISSION | |
| Adjudicative proceedings | 91-14-058 | Meetings | 91-03-059 91-09-022 91-13-032 |
| Athletes, loss of eligibility for unlawful drug use | 91-14-057 | | |
| Meetings | 91-02-036 91-10-017 91-14-016 | TRANSPORTATION COMMISSION | |
| | 91-14-059 | Limited access hearings | 91-12-031 91-02-042 91-04-023 91-04-075 91-07-035 91-10-019 91-11-067 91-14-023 91-14-061 91-03-078 |
| State Environmental Policy Act compliance | 91-14-060 | Meetings | |
| Student records | | | |
| SPOKANE COUNTY AIR POLLUTION CONTROL AUTHORITY | | Rules coordinator | |
| Asbestos handling and disposal standards | 91-14-015 | TRANSPORTATION, DEPARTMENT OF | |
| Fee schedules | 91-13-091 | Contractors, prequalification of county ferry franchises, tolls and financial assistance | 91-04-014 |
| STATE AUDITOR | | Dishonored checks, recovery of collection costs | 91-02-007 91-14-031 91-14-032 |
| Rules coordinator | 91-14-019 | Ferry fares, effective date | 91-13-024 |
| SUPREME COURT | | Motorist information signs | 91-06-079 91-10-022 91-03-009 91-06-078 91-10-023 91-10-054 |
| Admission and certification to limited practice | | Oversize load signs on vehicles, standards | |
| Rule 18 for APR 12 | 91-01-036 | Rules coordinator | |
| Rule 19 for APR 12 | 91-13-007 | Tow truck operations | |
| Admission to practice | | Traffic control devices, adoption of 1988 edition of uniform manual on (MUCTD) | 91-02-008 91-02-006 |
| Rule 11 for APR 11 | 91-13-008 | Urban arterial trust account monies | |
| Attorney fees | 91-01-059 | TRANSPORTATION IMPROVEMENT BOARD | |
| Dependents, separate cause numbers (AR3 and CrR 4.4 (c)(4)) | 91-01-038 | Meetings | 91-02-079 91-04-059 91-08-042 91-10-052 91-11-071 91-14-062 91-10-037 91-13-056 91-04-051 |
| Discovery, scope and limits (CR 26(b)) | 91-01-040 | Public records, accessibility | |
| Investigations confidential | 91-13-009 | Rules coordinator | |
| Local rules | | TREASURER | |
| filing and effective date | 91-13-010 | (See inside front cover) | |
| Presiding judges, more than one judge in superior court district (AR 4) | 91-01-034 | Rules coordinator | 91-03-077 |
| Rules and amendments | 91-13-010 | UNIVERSITY OF WASHINGTON | |
| Trust accounts (RLD 13.4, RPC 1.14(c), RLD 1.1(j) and RLD Title 13) | 91-01-037 | Admission and registration procedures, continuing education | 91-11-057 |
| TACOMA COMMUNITY COLLEGE | | Alcohol and other prohibited substances possession and use on campus or at university-sponsored events prohibition | 91-05-069 91-09-012 91-10-030 |
| Meetings | 91-01-025 91-12-037 91-14-017 | use and possession at athletic events and concerts, inspection procedures | 91-01-004 91-11-025 |
| Rules coordinator | | Continuing education | |
| TAX APPEALS, BOARD OF | | admission and registration procedures | 91-11-057 91-01-085 91-02-100 91-03-010 91-03-021 91-03-022 91-03-029 91-03-030 |
| Formal hearings, practice and procedure | 91-04-083 91-04-084 91-07-038 91-07-039 91-04-083 91-02-104 91-02-103 | Meetings | |
| Informal hearings, practice and procedure | | | |
| Meetings | | | |
| Rules coordinator | | | |
| TOXICOLOGIST, STATE | | | |
| Breath alcohol test program | 91-03-123 91-06-022 91-03-124 | | |
| Blood alcohol test regulations | | | |
| TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF | | | |
| Business and job retention advisory committee meetings | 91-03-032 91-12-015 | | |
| Community economic revitalization board meetings | 91-02-055 91-06-017 91-13-027 | | |
| Economic development finance authority meetings | 91-01-070 | | |
| Hardwoods commission meetings | 91-01-127 91-03-026 91-07-052 91-10-021 91-11-072 91-14-034 | | |

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

| | | | |
|--|------------------|--|------------------|
| UNIVERSITY OF WASHINGTON—cont. | | VOCATIONAL EDUCATION, BOARD FOR—cont. | |
| | 91-03-031 | Meetings | 91-04-052 |
| | 91-03-042 | | 91-06-076 |
| | 91-04-005 | | 91-12-046 |
| | 91-04-065 | VOCATIONAL EDUCATION, COUNCIL ON | |
| | 91-05-014 | Meetings | 91-04-004 |
| | 91-06-073 | | 91-05-051 |
| | 91-08-006 | WALLA WALLA COMMUNITY COLLEGE | |
| Parking and traffic regulations | 91-09-011 | Meetings | 91-07-010 |
| | 91-06-092 | | |
| | 91-11-029 | WASHINGTON INSTITUTE OF | |
| | 91-12-047 | APPLIED TECHNOLOGY (See also | |
| Public records access | 91-04-058 | SEATTLE VOCATIONAL INSTITUTE) | |
| | 91-10-031 | Meetings | 91-03-072 |
| Rules coordinator | 91-03-056 | | 91-04-018 |
| Smoking prohibition specifications | 91-10-086 | | 91-05-023 |
| | 91-14-024 | | 91-06-013 |
| | | | 91-08-005 |
| | | | 91-13-085 |
| USURY | | Name changed to Seattle Vocational | |
| (See inside front cover) | | Institute, July 1, 1991 | 91-13-036 |
| UTILITIES AND TRANSPORTATION COMMISSION | | Student financial aid | 91-13-036 |
| Budget reporting for major capital | 91-03-099 | Tuition and fees | 91-13-036 |
| projects | 91-08-026 | Tuition waivers | 91-13-036 |
| | | WASHINGTON STATE LIBRARY | |
| Common carriers | | Library commission | |
| preservation of records of | 91-06-095 | meetings | 91-01-014 |
| communications | 91-09-039 | | 91-05-061 |
| | 91-06-009 | | 91-09-002 |
| fees | 91-09-038 | | 91-11-097 |
| | | WASHINGTON STATE PATROL | |
| Cost of copying and supplying public | 91-03-098 | Chains or traction devices, when use | |
| records | 91-07-025 | required | 91-10-053 |
| | 91-06-095 | | 91-14-004 |
| Electric safety code, national | 91-03-052 | DNA identification systems and procedures | 91-07-045 |
| Extended area service routes | | | 91-07-046 |
| Failure to file sufficient copies, | 91-03-100 | "Emergency tow truck" defined | 91-11-046 |
| cost of copying | 91-07-026 | | 91-10-015 |
| | | | 91-14-003 |
| Interstate tariff filings, repeal of | 91-06-071 | Motor helmets, exemption for operators | |
| requirement | 91-01-080 | and riders of antique motorcycles | 91-05-019 |
| Log road classification | 91-08-060 | Private carriers, adoption of federal | |
| Log shipments, intrastate rates | | standards | 91-01-105 |
| Procedures before the commission, | 91-02-105 | | 91-06-050 |
| procedural rules | 91-06-010 | | 91-10-015 |
| | 91-10-081 | | 91-06-066 |
| | 91-13-077 | Traction devices or chains, when use | |
| Recycling | | required | 91-10-053 |
| commodity rate adjustment | 91-10-080 | | 91-14-004 |
| | 91-14-013 | WASHINGTON STATE UNIVERSITY | |
| transportation of recovered materials | 91-01-081 | Meetings | 91-11-036 |
| | 91-03-101 | | 91-11-078 |
| Solid waste | | Rules Coordinator | 91-05-022 |
| collection companies | 91-03-053 | WESTERN WASHINGTON UNIVERSITY | |
| service agreement certificate | 91-11-048 | Bicycle traffic and parking regulation | 91-04-082 |
| temporary certificates | 91-09-015 | Parking and traffic | 91-04-082 |
| Telecommunications | | Rules coordinator | 91-14-043 |
| abbreviated proceedings for competitive | 91-03-097 | WHATCOM COMMUNITY COLLEGE | |
| classification | 91-07-024 | Meetings | 91-08-048 |
| | 91-03-051 | | 91-12-018 |
| access charges | 91-03-120 | | 91-13-044 |
| | 91-03-121 | | 91-14-018 |
| | 91-13-003 | | 91-14-042 |
| alternate operator services | 91-03-122 | Rules coordinator | |
| | 91-13-078 | WILDLIFE, COMMISSION AND DEPARTMENT | |
| mandatory cost changes | 91-03-096 | Bullfrog, classification | 91-11-007 |
| | 91-07-023 | Coyote, classification | 91-03-133 |
| | 91-07-024 | | 91-11-007 |
| | 91-06-095 | Deleterious exotic wildlife | |
| Uniform system of accounts | | additions to list | 91-03-082 |
| VOCATIONAL EDUCATION, BOARD FOR | | Field identification, sex evidence | |
| Private vocational schools | 91-01-056 | definitions | 91-06-080 |
| | 91-03-037 | | 91-13-064 |
| | 91-05-077 | Fishing | |
| | 91-08-029 | game fish seasons and catch limits | |
| | | adoption of 1992-94 regulations | 91-12-048 |

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

WILDLIFE, COMMISSION AND DEPARTMENT

| | |
|---|------------------|
| —cont. | |
| Cedar River | 91-05-001 |
| Columbia River, emergency closure | 91-08-009 |
| Lake Sammamish | 91-05-001 |
| Lake Washington | 91-05-001 |
| repeal of 1990-92 regulations | 91-12-049 |
| Sammamish River | 91-05-001 |
| Snake River | 91-05-002 |
| Snoqualmie River | 91-03-136 |
| Tolt River | 91-03-066 |
| | 91-03-136 |
| | 91-08-074 |
| Forest grouse, classification | 91-03-131 |
| | 91-11-006 |
| Game management units | 91-03-130 |
| | 91-11-059 |
| Hunting | |
| blind and visually handicapped hunters | 91-01-109 |
| | 91-06-083 |
| firearm restriction areas | 91-06-084 |
| | 91-06-086 |
| | 91-13-062 |
| hours, closure notices, and hound hunting areas | 91-06-084 |
| | 91-13-062 |
| hunter orange clothing requirements | 91-03-137 |
| | 91-08-075 |
| restrictions | 91-06-081 |
| | 91-12-050 |
| | 91-13-061 |
| Hunting seasons | |
| bear and small game seasons, 1990-91 | 91-06-084 |
| | 91-13-061 |
| bear 1991-92, 1992-93, 1993-94 | 91-03-138 |
| | 91-11-009 |
| Canada goose season, early closure | 91-02-022 |
| deer hunting seasons, 1990-91 | 91-06-084 |
| | 91-13-062 |
| deer hunting seasons, 1991-92 | 91-06-087 |
| | 91-13-067 |
| | 91-14-107 |
| deer hunting seasons, opening 1991, 1992, and 1993 | 91-06-016 |
| deer 1991-92, 1992-93, 1993-94 | 91-03-138 |
| | 91-11-009 |
| elk | |
| seasons, opening dates, 1991, 1992, and 1993 | 91-06-016 |
| seasons, 1990-91 | 91-06-084 |
| | 91-13-062 |
| seasons, 1991-92 | 91-06-087 |
| | 91-13-067 |
| | 91-14-107 |
| elk 1991-92, 1992-93, 1993-94 | 91-03-135 |
| | 91-11-008 |
| | 91-14-108 |
| game fishing seasons, 1990-92 | 91-14-109 |
| general hunting seasons and rules 1991-92, 1992-93, 1993-94 | 91-03-134 |
| | 91-08-061 |
| migratory waterfowl seasons | 91-14-106 |
| mountain goat, sheep, moose, cougar, and lynx seasons | 91-06-085 |
| | 91-13-068 |
| pelt sealing, river otter, cougar, lynx, and bobcat | 91-06-082 |
| | 91-13-063 |
| small game seasons | |
| 1991-92, 1992-93, 1993-94 seasons | 91-08-076 |
| | 91-13-065 |
| snow goose season, early closure | 91-01-064 |
| special closure areas, 1991-92 | 91-06-086 |
| | 91-13-066 |

WILDLIFE, COMMISSION AND DEPARTMENT

| | |
|--|------------------|
| —cont. | |
| ring-necked pheasant seasons 1991-92, 1992-93, 1993-94 seasons | 91-08-076 |
| | 91-13-065 |
| turkey seasons | |
| 1991 spring season | 91-06-015 |
| upland game bird seasons | 91-02-113 |
| | 91-14-106 |
| upland game bird seasons, opening dates, 1991, 1992, and 1993 | 91-06-016 |
| Rules coordinator | 91-12-001 |
| Upland birds, classification | 91-03-131 |

WASHINGTON STATE REGISTER Subscriptions

To: Subscription Clerk
WASHINGTON STATE REGISTER
Code Reviser's Office
Legislative Building
Olympia, WA 98504

I would like to order _____ subscription(s) to the WASHINGTON STATE REGISTER, at an annual rate of \$161.85, sales tax included (\$150 for state agencies). Enclosed is my check or money order for \$_____. Please start my subscription with the January issue of 19____.

NAME _____

ADDRESS _____

TELEPHONE _____

THE WASHINGTON STATE REGISTER, published pursuant to RCW 34.08.020, is distributed on the first and third Wednesdays of each month. The Register contains the full text of proposed, emergency, and permanently adopted rules of state agencies, executive orders of the governor, notices of public meetings of state agencies, rules of the state supreme court, summaries of attorney general opinions, and juvenile disposition standards which have been filed in the code reviser's office prior to the pertinent closing date for that issue of the Register. A cumulative table of existing sections of the Washington Administrative Code (WAC) affected by a particular agency action guides the user to the proper volume of the Register.

The code reviser's office has established an annual subscription price of \$150 for the Register, and single copies will cost \$7. Sales tax of 7.9% now applies to all sales other than to state agencies. State law requires payment in advance. To subscribe to the Register, please complete the order form above and forward it to the address indicated, accompanied by your check or money order in the amount of \$161.85 (\$150 for state agencies) payable to the code reviser's office.