

Washington State Register

December 15, 1999

OLYMPIA, WASHINGTON

ISSUE 99-24



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filed not later than December 1, 1999

CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

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

REPUBLICATION OF OFFICIAL DOCUMENTS

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

(Computed and filed by the State Treasurer under RCW 19.52.025)

The maximum allowable interest rate applicable for the month December 1999 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

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

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

John G. Schultz
Chair, Statute Law Committee

Dennis W. Cooper
Code Reviser

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Chief Assistant Code Reviser

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Editor

Joyce Matzen
Subscription Clerk

STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following nine sections:

- (a) **PREPROPOSAL**-includes the Preproposal Statement of Intent that will be used to solicit public comments on a general area of proposed rule making before the agency files a formal notice.
- (b) **EXPEDITED REPEAL**-includes the Preproposal Statement of Inquiry that lists rules being repealed using the expedited repeal process. Expedited repeals are not consistently filed and may not appear in every issue of the register.
- (c) **PROPOSED**-includes the full text of formal proposals, continuances, supplemental notices, and withdrawals.
- (d) **EXPEDITED ADOPTION**-includes the full text of rules being changed using the expedited adoption process. Expedited adoptions are not consistently filed and may not appear in every issue of the Register.
- (e) **PERMANENT**-includes the full text of permanently adopted rules.
- (f) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (g) **MISCELLANEOUS**-includes notice of public meetings of state agencies, rules coordinator notifications, summaries of attorney general opinions, executive orders and emergency declarations of the governor, rules of the state Supreme Court, and other miscellaneous documents filed with the code reviser's office under RCW 34.08.020 and 42.30.075.
- (h) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (i) **INDEX**-includes a cumulative index of Register Issues 01 through 24.

Documents are arranged within each section of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. Each filing is listed under the agency name and then describes the subject matter, type of filing and the WSR number. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence with a section's material.

2. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

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

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

3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

Material contained in the Register other than rule-making actions taken under the APA (chapter 34.05 RCW) does not necessarily conform to the style and format conventions described above. The headings of these other types of material have been edited for uniformity of style; otherwise the items are shown as nearly as possible in the form submitted to the code reviser's office.

4. EFFECTIVE DATE OF RULES

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

5. EDITORIAL CORRECTIONS

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

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue Number	Closing Dates ¹			Distribution Date	First Agency Hearing Date ³	Expedited Adoption ⁴
	Non-OTS and 30 p. or more	Non-OTS and 11 to 29 p.	OTS ² or 10 p. max. Non-OTS	Count 20 days from -	For hearing on or after	First Agency Adoption Date
For Inclusion in -	File no later than 12:00 noon -					
98 - 16	Jul 7, 98	Jul 21, 98	Aug 5, 98	Aug 18, 98	Sep 7, 98	Oct 2, 98
98 - 17	Jul 22, 98	Aug 5, 98	Aug 19, 98	Sep 2, 98	Sep 22, 98	Oct 17, 98
98 - 18	Aug 5, 98	Aug 19, 98	Sep 2, 98	Sep 16, 98	Oct 6, 98	Oct 31, 98
98 - 19	Aug 26, 98	Sep 9, 98	Sep 23, 98	Oct 7, 98	Oct 27, 98	Nov 21, 98
98 - 20	Sep 9, 98	Sep 23, 98	Oct 7, 98	Oct 21, 98	Nov 10, 98	Dec 5, 98
98 - 21	Sep 23, 98	Oct 7, 98	Oct 21, 98	Nov 4, 98	Nov 24, 98	Dec 19, 98
98 - 22	Oct 7, 98	Oct 21, 98	Nov 4, 98	Nov 18, 98	Dec 8, 98	Jan 2, 99
98 - 23	Oct 21, 98	Nov 4, 98	Nov 18, 98	Dec 2, 98	Dec 22, 98	Jan 16, 99
98 - 24	Nov 4, 98	Nov 18, 98	Dec 2, 98	Dec 16, 98	Jan 5, 99	Jan 30, 99
99 - 01	Nov 25, 98	Dec 9, 98	Dec 23, 98	Jan 6, 99	Jan 26, 99	Feb 20, 99
99 - 02	Dec 9, 98	Dec 23, 98	Jan 6, 99	Jan 20, 99	Feb 9, 99	Mar 6, 99
99 - 03	Dec 23, 98	Jan 6, 99	Jan 20, 99	Feb 3, 99	Feb 23, 99	Mar 20, 99
99 - 04	Jan 6, 99	Jan 20, 99	Feb 3, 99	Feb 17, 99	Mar 9, 99	Apr 3, 99
99 - 05	Jan 20, 99	Feb 3, 99	Feb 17, 99	Mar 3, 99	Mar 23, 99	Apr 17, 99
99 - 06	Feb 3, 99	Feb 17, 99	Mar 3, 99	Mar 17, 99	Apr 6, 99	May 1, 99
99 - 07	Feb 24, 99	Mar 10, 99	Mar 24, 99	Apr 7, 99	Apr 27, 99	May 22, 99
99 - 08	Mar 10, 99	Mar 24, 99	Apr 7, 99	Apr 21, 99	May 11, 99	Jun 5, 99
99 - 09	Mar 24, 99	Apr 7, 99	Apr 21, 99	May 5, 99	May 25, 99	Jun 19, 99
99 - 10	Apr 7, 99	Apr 21, 99	May 5, 99	May 19, 99	Jun 8, 99	Jul 3, 99
99 - 11	Apr 21, 99	May 5, 99	May 19, 99	Jun 2, 99	Jun 22, 99	Jul 17, 99
99 - 12	May 5, 99	May 19, 99	Jun 2, 99	Jun 16, 99	Jul 6, 99	Jul 31, 99
99 - 13	May 26, 99	Jun 9, 99	Jun 23, 99	Jul 7, 99	Jul 27, 99	Aug 21, 99
99 - 14	Jun 9, 99	Jun 23, 99	Jul 7, 99	Jul 21, 99	Aug 10, 99	Sep 4, 99
99 - 15	Jun 23, 99	Jul 7, 99	Jul 21, 99	Aug 4, 99	Aug 24, 99	Sep 18, 99
99 - 16	Jul 7, 99	Jul 21, 99	Aug 4, 99	Aug 18, 99	Sep 7, 99	Oct 2, 99
99 - 17	Jul 21, 99	Aug 4, 99	Aug 18, 99	Sep 1, 99	Sep 21, 99	Oct 16, 99
99 - 18	Aug 4, 99	Aug 18, 99	Sep 1, 99	Sep 15, 99	Oct 5, 99	Oct 30, 99
99 - 19	Aug 25, 99	Sep 8, 99	Sep 22, 99	Oct 6, 99	Oct 26, 99	Nov 20, 99
99 - 20	Sep 8, 99	Sep 22, 99	Oct 6, 99	Oct 20, 99	Nov 9, 99	Dec 4, 99
99 - 21	Sep 22, 99	Oct 6, 99	Oct 20, 99	Nov 3, 99	Nov 23, 99	Dec 18, 99
99 - 22	Oct 6, 99	Oct 20, 99	Nov 3, 99	Nov 17, 99	Dec 7, 99	Jan 1, 00
99 - 23	Oct 20, 99	Nov 3, 99	Nov 17, 99	Dec 1, 99	Dec 21, 99	Jan 15, 00
99 - 24	Nov 3, 99	Nov 17, 99	Dec 1, 99	Dec 15, 99	Jan 4, 00	Jan 29, 00

¹All documents are due at the code reviser's office by 12:00 noon on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

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

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

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

REGULATORY FAIRNESS ACT

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

Small Business Economic Impact Statements (SBEIS)

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

Mitigation

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

When is an SBEIS Required?

When:

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

When is an SBEIS Not Required?

When:

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

There is less than minor economic impact on business;

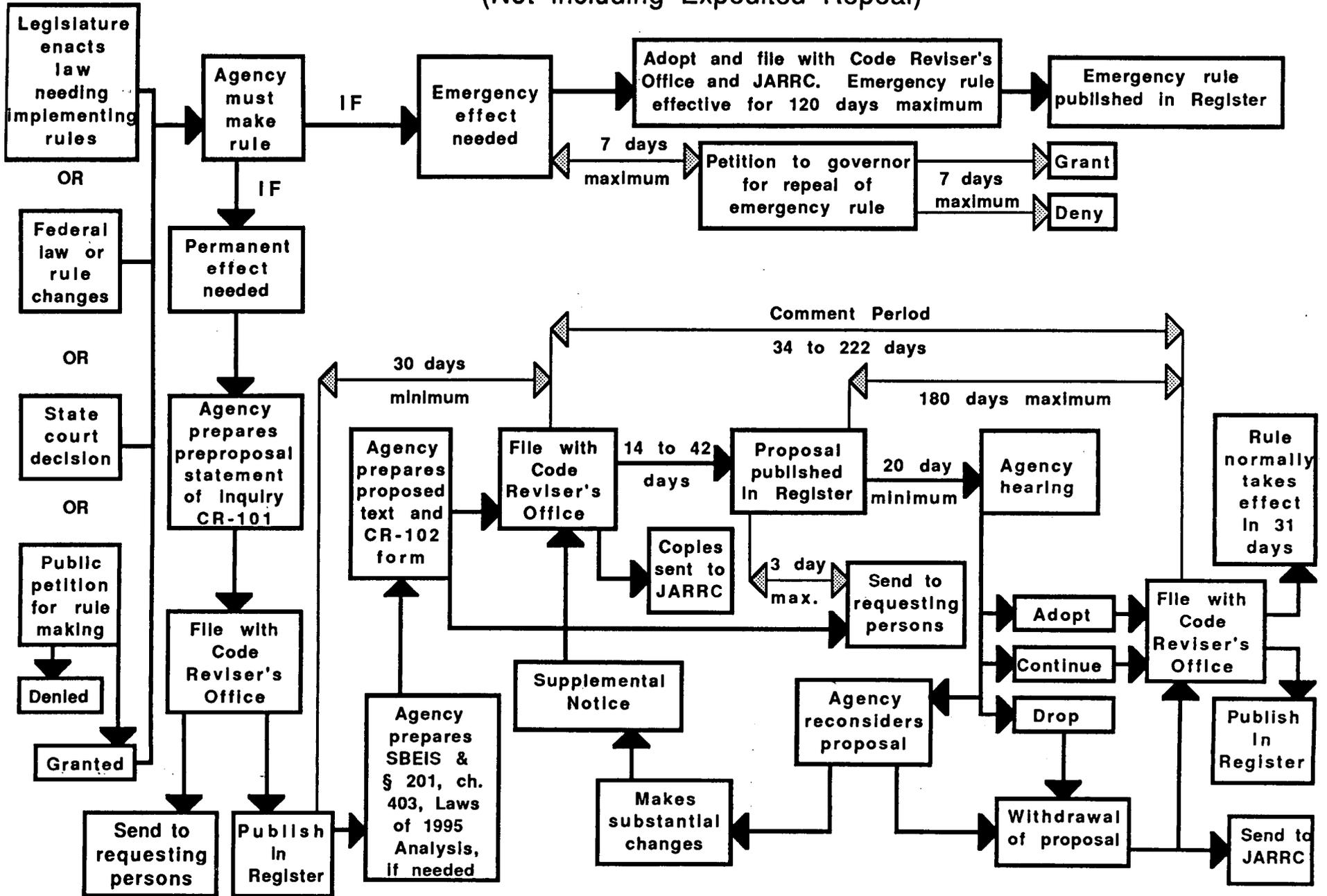
The rule REDUCES costs to business (although an SBEIS may be a useful tool for demonstrating this reduced impact);

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

The rule is pure restatement of state statute.

RULE-MAKING PROCESS

(Not including Expedited Repeal)



WSR 99-24-024
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Adult Services Administration)
 [Filed November 23, 1999, 11:37 a.m.]

Subject of Possible Rule Making: To repeal and amend sections of WAC 388-15-650 through 388-15-662, Adult day services. Revised sections will be reorganized and moved into chapter 388-71 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: General statutory authority is derived from RCW 74.04.050, 74.04.057, 74.04.200, and 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending and reorganizing AASA rules into chapter 388-71 WAC are necessary to comply with the Governor's Executive Order 97-02 and the Secretary's Order on Regulatory Improvement.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Health Care Financing Administration. AASA will include them on mailings and invite them to participate in meetings.

Process for Developing New Rule: AASA will schedule informal meetings to allow for feedback and comments from the public. AASA will provide draft language before publishing rules and encourages stakeholders to submit written or verbal comments. When AASA files a notice of proposed rule making, we will notify interested parties of the scheduled hearing to adopt rules and how to submit comments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Marietta Bobba, Aging and Adult Services Administration, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 493-2562, TTY (360) 493-2637, fax (360) 438-8633, e-mail BobbaM@dshs.wa.gov.

November 22, 1999
 Marie Myerchin-Redifer, Manager
 Rules and Policies Assistance Unit

WSR 99-24-025
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)
 [Filed November 23, 1999, 11:38 a.m.]

Subject of Possible Rule Making: WAC 388-490-0005 Documents or information needed to determine eligibility, and related sections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090 and 74.04.510.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule is being amended to clarify the department's policy regarding verification requirements. Establishing one standard for verification requirements will provide consistency throughout the state.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rule(s). Anyone interested in participating should contact the staff person indicated below. After the rule(s) is drafted, DSHS will file a copy with the Office of the Code Reviser with a notice of proposed rule making, and send a copy to everyone currently on the mailing list and anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Veronica Barnes, Program Manager, Division of Assistance Programs, P.O. Box 45470, Olympia, WA 98504-5470, (360) 413-3071, fax (360) 413-3493, TTY (360) 413-3001, e-mail barnevs@dshs.wa.gov.

November 23, 1999
 Marie Myerchin-Redifer, Manager
 Rules and Policies Assistance Unit

WSR 99-24-026
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)
 [Filed November 23, 1999, 11:40 a.m.]

Subject of Possible Rule Making: Treatment of resources for cash, medical, and food assistance benefits. Transfer of property for cash, medical, and food assistance benefits. Lump sum payments for cash, medical, and food assistance benefits.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.510, 74.04.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes in rules are necessary in order to be in compliance with Executive Order 97-02. Changes in rules are necessary to implement changes in policy as a result of requested legislation. Current resource rules contain inadvertent errors that must be corrected.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Department of Agriculture, Food and Nutrition Services.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. After the rule is drafted, DSHS will file a copy with the Office of the Code Reviser with a notice of proposed rule making. A copy of the draft will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting John Camp, Program Manager, Division of Assistance Programs, Lacey Government Center, P.O. Box 45470, Olympia, WA 98504, phone (360) 413-

3232, fax (360) 413-3493, e-mail CAMPJX@DSHS.WA.GOV.

November 23, 1999
Marie Myerchin-Redifer
Manager

WSR 99-24-027
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed November 23, 1999, 11:43 a.m.]

Subject of Possible Rule Making: Create new rules to implement quarterly reporting for cash and food assistance households with earned income.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090 and 74.04.510.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules will allow client's with earned income to submit a quarterly report in lieu of a face-to-face interview every three months. This will decrease the number of monthly certifications for cases with earnings and increase access to assistance.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rule(s). Anyone interested in participating should contact the staff person indicated below. After, the rule(s) is drafted, DSHS will file a copy with the Office of the Code Reviser with a notice of proposed rule making, and send a copy to everyone currently on the mailing list and anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Veronica Barnes, Program Manager, Division of Assistance Programs, P.O. Box 45470, Olympia, WA 98504-5470, (360) 413-3071, fax (360) 413-3493, TTY (360) 413-3001, e-mail barnevs@dshs.wa.gov.

November 23, 1999
Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

WSR 99-24-032
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE

[Filed November 23, 1999, 3:03 p.m.]

Subject of Possible Rule Making: WAC 458-16-080 Improvements to single family dwellings—Definitions—Exemption—Limitation—Appeal rights.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.36.400 Improvements to single family dwellings.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 458-16-080 currently defines the critical terms used in administering the property exemption provided in RCW 84.36.400 to taxpayers who

improve single family dwellings. The proposed rule expands the number of terms defined and explains the process of obtaining the exemption. The rule also describes how the amount of exemption is calculated and other procedures used in administering this exemption. The proposed rule consolidates all the information necessary to understand and administer this property tax exemption. It provides information vital to taxpayers and local taxing officials.

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

Process for Developing New Rule: Modified negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments may be submitted by mail, fax, or at the public meeting. Oral comments will be accepted at the public meeting. A preliminary draft of the proposed changes is available upon request. Written comments on and/or requests for copies of the rule may be directed to Kim M. Qually, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 664-0086, fax (360) 664-0693.

Location and Date of Public Meeting: January 5, 2000, at 9:30 a.m., Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA.

Assistance for Persons with Disabilities: Contact Ginny Dale no later than ten days before the hearing date, TDD 1-800-451-7985, or (360) 586-0721.

November 23, 1999
Claire Hesselholt
Rules Manager
Legislation and Policy Division

WSR 99-24-037
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE

[Filed November 23, 1999, 3:15 p.m.]

Subject of Possible Rule Making: Revision of WAC 458-12-320 Timber and forest products—Ownership—Roads; and repeal of WAC 458-12-315 Timber and forest products—Valuation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.04.080 Personal property, 84.33.040 Timber on privately owned or federally owned land exempted from ad valorem taxation, 84.33.041 State excise tax on harvesters of timber imposed—Credit for county tax—Deposit of moneys in timber distribution account—Earnings, and 84.33.074 Excise tax on harvesters of timber—Calculation of tax by small harvesters—Election—Filing form.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Timber on publicly owned land is exempt from property tax. However, when timber on publicly owned land is sold by a governmental agency, it is subject to personal property tax. The amount of personal property tax paid on this public timber is used as a credit towards any timber excise tax that is normally assessed on all

timber harvested. Information now provided in WAC 458-12-315 and 458-12-320 needs to be updated and should be consolidated into a single rule. Related information now provided in PTB 97-1 (Procedure for assessment of state timber sales) should also be incorporated to provide local taxing officials and taxpayers with all the information they may need relating to public timber sales in a single document. The resulting rule will establish uniform procedures to be used in determining the taxable value of timber sold by agencies of state and local government separate from publicly owned land. It will describe the origin and use of the state timber sales adjustment table ("adjustment table" or "table"), the affect road construction costs have on the true and fair value of the timber, and the method used to determine the amount of timber remaining from a sale on each January 1st assessment date.

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

Process for Developing New Rule: Modified negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments may be submitted by mail, fax, or at the public meeting. Oral comments will be accepted at the public meeting. A preliminary draft of the proposed changes is available upon request. Written comments on and/or requests for copies of the rule may be directed to Kim M. Qually, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 664-0086, fax (360) 664-0693.

Location and Date of Public Meeting: On January 6, 2000, at 9:30 a.m., Evergreen Plaza Building, Olympia, Washington.

Assistance for Persons with Disabilities: Contact Ginny Dale no later than ten days before the hearing date, TDD 1-800-451-7985, or (360) 586-0721.

November 23, 1999

Claire Hesselholt

Rules Manager

Legislation and Policy Division

WSR 99-24-049
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
STATE TREASURER

(Local Government Investment Pool)

[Filed November 29, 1999, 8:34 a.m.]

Subject of Possible Rule Making: Local Government Investment Pool (LGIP), modification of the rule that governs the reimbursement of expenses for the administration of the LGIP.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 43.250 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To provide added clarity on

the rule that governs the reimbursement of expenses for the administration of the LGIP.

Process for Developing New Rule: Agency study with local government input into the rule development process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Primary contact: Gretchen Gale, Legal Counsel, (360) 902-9093. Alternate contact: Doug Extine, Deputy Treasurer, (360) 902-9012. Fax (360) 902-9044. Mailing address: Office of the State Treasurer, P.O. Box 40200, Olympia, WA 98504-0200.

November 29, 1999

Douglas D. Extine

Deputy Treasurer

WSR 99-24-086

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed November 30, 1999, 10:31 a.m.]

Subject of Possible Rule Making: Innovations core rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, [49.17].040, and [49.17].050, and section 218, chapter 309, Laws of 1999.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In 1999, the Washington state legislature approved funding for a redesign of WISHA safety and health rules. Innovations will contribute to safer and more healthful workplaces in Washington by simplifying the language of the rules and organizing them for ease of use. The purpose of this project is to develop a user-friendly rule book of core requirements that apply to most employers in the state of Washington. We will organize the safety and health rules that apply to most employers into one easy-to-use rule book. We will not change or increase requirements as part of this rule-making effort.

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

Process for Developing New Rule: Parties interested in the formulation of these rules for proposal may contact the individuals listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rowena Johnson, Project Manager, phone (360) 902-5538, fax (360) 902-5529 or Alan Lundeen, Technical Representative, phone (360) 902-4615, fax (360)

902-5529, Department of Labor and Industries, WISHA Services Division, P.O. Box 44635, Olympia, WA 98504-4635.

November 30, 1999

Gary Moore

Director

Assistance for Persons with Disabilities: Contact Ginny Dale no later than ten days before the hearing date, TDD 1-800-451-7985, or (360) 586-0721.

November 30, 1999

Claire Hesselholt

Rules Manager

Legislation and Policy Division

WSR 99-24-102

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF REVENUE

[Filed November 30, 1999, 4:38 p.m.]

Subject of Possible Rule Making: WAC 458-61-230 Bankruptcy.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.45.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Federal law preempts the imposition of real estate excise tax on "a plan confirmed under" Chapter 11 or Chapter 12 of the Bankruptcy Code. A bankruptcy rule summarizing this preemption was adopted to inform the counties and taxpayers of this federal law. The current rule does not discuss the federal requirement that the bankruptcy plan be confirmed. This failure to state that the plan must be confirmed has misled some taxpayers and counties about how and when the tax is preempted by federal law. We anticipate amending the current rule to eliminate this confusion and clarify how and when the real estate excise tax is preempted.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: This is not a subject of regulation, but tax exemption. There is no other federal or state agency regulating this subject. We have reviewed and follow interpretations by the federal courts in directing the county agencies and taxpayers in how this preemption must be applied. The county offices processing this tax and the county treasurers will be invited to participate in the rule-making process.

Process for Developing New Rule: Modified negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments may be submitted by mail, fax, or at the public meeting. Oral comments will be accepted at the public meeting. A preliminary draft of the proposed changes is available upon request. Written comments on and/or requests for copies of the rule may be directed to Ed Ratcliffe, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 586-3505, fax (360) 664-0693.

Location and Date of Public Meeting: January 4, 2000, at 1 p.m., Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way, Olympia, WA 98504.

WSR 99-24-107

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF AGRICULTURE

[Filed December 1, 1999, 8:36 a.m.]

Subject of Possible Rule Making: Chapter 16-70 WAC, Animal disease—Reporting.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 16.36.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rule is necessary to carry out the director's duties to protect animal health/public health in the state. Some minor technical changes are necessary to update the rule and the lists of diseases needs to be amended to bring them up to date. The additional reporting requirements of the USDA-APHIS, VS, National Animal Health Reporting System program requires modification of the reportable disease lists.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: USDA, Animal and Plant Health Inspection Service, Veterinary Services, National Animal Health Reporting System. RCW 16.36.100 authorizes the director of WSDA to cooperate with agencies of Washington, other states and the federal government. A general agreement with USDA-APHIS, VS delineates each agency's responsibilities.

Process for Developing New Rule: The Washington State Department of Agriculture has met with interested parties and industry stakeholders to discuss this proposal. Anyone wishing to receive more information on the proposed rule should contact the department using the information listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dr. Robert W. Mead, State Veterinarian, Washington State Department of Agriculture, Food Safety/Animal Health Division, P.O. Box 42577, Olympia, WA 98504-2577, (360) 902-1881, fax (360) 902-2087, e-mail rmead@agr.wa.gov.

December 1, 1999

Candace Jacobs

Assistant Director

WSR 99-24-108**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE**

[Filed December 1, 1999, 8:37 a.m.]

Subject of Possible Rule Making: Chapter 16-74 WAC, Livestock testing—Duties of owners.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 16.36.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules are necessary to provide control, surveillance and eradication of important animal diseases with public health implications. They also require safe working conditions for the animal health program staff and for animals being handled and tested.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: USDA, Animal and Plant Health Inspection Service, Veterinary Services. Food Safety Program in WSDA's Food Safety and Animal Health Division. RCW 16.36.100 authorizes the director of WSDA to cooperate with agencies of Washington, other states and the federal government. A general cooperative agreement with USDA-APHIS, VS delineates each agency's responsibilities.

Process for Developing New Rule: The Washington State Department of Agriculture has met with interested parties and industry stakeholder to discuss this proposal. Anyone wishing to receive more information on the proposed rule should contact the department using the information listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dr. Kathleen Connell, Assistant State Veterinarian, Washington State Department of Agriculture, Food Safety/Animal Health Division, P.O. Box 42577, Olympia, WA 98504-2577, (360) 902-1878, fax (360) 902-2087, e-mail kconnell@agr.wa.gov.

November 30, 1999
Candace Jacobs
Assistant Director

WSR 99-24-109**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE**

[Filed December 1, 1999, 8:39 a.m.]

Subject of Possible Rule Making: Chapter 16-80 WAC, Pseudorabies in swine.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 16.36.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules are necessary to provide control, surveillance and eradication of an important swine disease.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: USDA, Animal and Plant Health Inspection Services, Veterinary Services. RCW 16.36.100 authorizes the director

of WSDA to cooperate with agencies of Washington, other states and the federal government. A general cooperative agreement with USDA-APHIS, VS delineates each agency's responsibilities.

Process for Developing New Rule: The Washington State Department of Agriculture has met with interested parties and industry stakeholders to discuss this proposal. Anyone wishing to receive more information on the proposed rule should contact the department using the information listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dr. Kathleen Connell, Assistant State Veterinarian, Washington State Department of Agriculture, Food Safety/Animal Health Division, P.O. Box 42577, Olympia, WA 98504-2577, (360) 902-1878, fax (360) 902-2087, e-mail kconnell@agr.wa.gov.

November 30, 1999
Candace Jacobs
Assistant Director

WSR 99-24-128**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed December 1, 1999, 11:19 a.m.]

Subject of Possible Rule Making: ESA is adding an additional 20% work expense deduction in addition to the 50% earned income incentive already in place for TANF/SFA/GA programs. The 20% work expense deduction promotes self-sufficiency and is a work incentive. The inclusion of GA program is in keeping with the program simplification mandate from Governor Locke. Maximum earned income limits for TANF/SFA programs will be increased to account for the additional 20% work expense deduction. We intend to amend WAC 388-450-0170 and 388-478-0035. We will repeal WAC 388-450-0175.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Statutory authority for Economic Service Administration to adopt, amend or repeal rules are found in RCW 74.04.050 and 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: By giving TANF/SFA clients an additional 20% work expense education TANF/SFA clients will net more of their earned income. This will promote self-sufficiency and incentive to work. The current earned income cut-off standards will also be increased to account for the 20% work expense deduction. In keeping with Governor Locke's Executive Order on regulatory improvement we will apply TANF income budgeting rules to the GA program.

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

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rule(s). Anyone inter-

ested in participating should contact the staff person indicated below. After the rule(s) is drafted, DSHS will file a copy with the Office of the Code Reviser with a notice of proposed rule making, and send a copy to everyone currently on the mailing list and anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To have your name added to the list of interested parties to receive mailing and meeting announcements, contact Carole McRae, Program Manager, Economic Services Administration, Division of Assistance Programs, P.O. Box 45470, Lacey, WA 98504, phone (360) 413-3074, fax (360) 413-3493, e-mail mcraeca@DSHS.WA.GOV.

December 1, 1999

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

WSR 99-24-129

PREPROPOSAL STATEMENT OF INQUIRY PARKS AND RECREATION COMMISSION

[Filed December 1, 1999, 11:21 a.m.]

Subject of Possible Rule Making: Chapter 352-32 WAC, Public use of state park areas.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 79A.05 RCW, Parks and Recreation Commission.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: State parks has determined there is an ongoing need for a biennial review of this chapter of administrative rules, which governs the public use of state park areas. The chapter will be reviewed for clarity, grammar, efficiency and effectiveness in meeting the needs of all state park visitors, the general public, and the agency staff responsible for park management. During the current review period, staff have determined there may be a need for changes in definitions, swim beach rules, and public assembly sections. Other changes, additions, and deletions to the chapter may be identified during the review.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: There are no other agencies identified as regulating the subject matter under review in this chapter.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To request additional information or to comment in writing, contact Pamela McConkey, Washington State Parks, P.O. Box 42650, Olympia, WA 98504-2650, phone (360) 902-8595, fax (360) 586-5875, e-mail pamm@parks.wa.gov.

November 30, 1999

Jim French
Senior Policy Advisor

WSR 99-24-135

PREPROPOSAL STATEMENT OF INQUIRY EMPLOYMENT SECURITY DEPARTMENT

[Filed December 1, 1999, 11:40 a.m.]

Subject of Possible Rule Making: Adopt rules that clarify requirements for employees of temporary help agencies while on assignment and between assignments; define the circumstances under which an employer attachment exists between the worker and the temporary help agency; and clarify conditions under which the temporary services employer is eligible for relief of benefit charges.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010 Commissioner's duties and powers, 50.12.040 Rule-making authority, and 50.20.010 Benefit eligibility conditions.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 50.04.245 was passed by the legislature in 1995; it provides that individuals performing work for a third party under a contract with a temporary services agency or similar firm are deemed employees of that temporary services agency. The statute is silent regarding the conditions and circumstances under which that employee relationship terminates, and does not specifically address how RCW 50.20.050, 50.20.060 and 50.20.080 shall be applied to such individuals. The rules will clarify the department's policy regarding availability requirements for employees of temporary help agencies and the conditions under which such agencies are eligible for relief of benefit charges.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of unemployment insurance laws as long as conformity is maintained. The proposed regulations will be shared with USDOL Region X staff prior to adoption.

Process for Developing New Rule: The department will conduct informal public meetings with interested individuals and stakeholders to gather their input and comments during the development of these regulations.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Persons interested in attending public meetings or discuss the proposed regulations should contact Juanita Myers, Program Coordinator, Unemployment Insurance Division, P.O. Box 9046, Olympia, WA 98507-9046, phone (360) 902-9665, fax (360) 902-9799, e-mail jmyers@esd.wa.gov.

November 22, 1999

Carver Gayton
Commissioner

WSR 99-24-058
EXPEDITED REPEAL
DEPARTMENT OF
FINANCIAL INSTITUTIONS
 (Securities Division)
 [Filed November 29, 1999, 11:34 a.m.]

The Following Sections are Proposed for Expedited Repeal: Chapter 460-46A WAC, Corporate limited offering exemption (CLOE).

Rules Proposed for Expedited Repeal Meet the Following Criteria: Rule is no longer necessary because of changed circumstances.

Any person who objects to the repeal of the rule must file a written objection to the repeal within thirty days after publication of this preproposal statement of inquiry.

Address Your Objection to: William M. Beatty, Department of Financial Institutions, Securities Division, P.O. Box 9033, Olympia, WA 98507-9033, e-mail bbeatty@dfi.wa.gov, fax (360) 704-6923.

Reason the Expedited Repeal of the Rule is Appropriate: The Securities Division has received very few filings pursuant to this chapter since the 1988 adoption of the small company offering registration (SCOR) program of chapter 460-17A WAC. SCOR is superior in many ways to CLOE. The permitted offering amount is higher, there are no limitations on the number of investors, and the SCOR Form is a universal form accepted in approximately 47 states. Recent revisions to the SOCR Form incorporate several features from the CLOE Form that further increase the attractive and usefulness of the SCOR Form.

November 19, 1999
 Deborah R. Bortner
 Director of Securities

REPEALER

The following chapter of the Washington Administrative Code is repealed:

Chapter 460-46A WAC Corporate limited offering exemption.

EXPEDITED REPEAL



WSR 99-23-067
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed November 15, 1999, 1:39 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-24-093.

Title of Rule: Ergonomics.

Purpose: **BACKGROUND:** Work-related musculoskeletal disorders (WMSDs) are among the most common and costly occupational injuries and illnesses in the United States and Washington state. Nontraumatic soft tissue WMSDs such as tendinitis, carpal tunnel syndrome and low back disorders (but not including injuries from slips, trips, falls, motor vehicle accidents or being struck by or caught in objects) alone account for 32% of all workers' compensation claims accepted by L&I and 46% of all claim costs. There are over 50,000 such claims per year.

There is strong scientific evidence that workers doing jobs and tasks with known risk factors are exposed to preventable hazards for WMSDs. For example, the National Institute for Occupational Safety and Health has recently evaluated more than 2000 scientific publications and reviewed 600 epidemiological studies in detail, concluding "a substantial body of credible epidemiologic research provides strong evidence of an association between musculoskeletal disorders and certain work-related physical factors when there are high levels of exposure and especially in combination with exposure to more than one physical factor (e.g. repetitive lifting of heavy objects in extreme or awkward postures)." There is also evidence that applying the principles and tools of ergonomics to these hazards can effectively reduce these risks and thereby prevent many WMSDs. For example, the Government Accounting Office recently concluded that "Our work has demonstrated that employers can reduce these costs and injuries and thereby improve employee health and morale, as well as productivity and product quality... We found that these effects do not necessarily have to involve costly or complicated processes or reduction measures, because employers were able to achieve results through a variety of simple, flexible approaches."

WISHA's previous enforcement efforts to reduce WMSD hazards have relied upon WAC 296-24-040 Accident prevention programs and WAC 296-24-073 Safe place standards. This has not been sufficient. In the 1980s, L&I recognized the need to provide information and technical assistance to employers to help reduce WMSD hazards. L&I efforts to assist with voluntary reduction of these WMSD hazards have included publication of guidelines and other informational material, free on-site consultation, workshops, research and other forms of technical assistance. After ten years of such efforts L&I surveyed more than 5,000 employers and determined that 60% of employers still report no efforts to reduce WMSD hazards. Even among those employers who recognize WMSD hazards in their workplaces, 40% report no efforts to reduce them. L&I has concluded that a specific ergonomics regulation is necessary to supplement these other activities.

The proposal will add requirements to reduce hazards for WMSDs in chapter 296-62 WAC, through the creation of a new part A-1.

RULE DEVELOPMENT: Rule development conferences were held throughout the state with feedback being received from more than 500 participants. An advisory committee was formed to seek guidance on content of the rule. The committee consisted of 30 members who were representatives from large and small businesses, labor, safety and health professionals, and the medical community. The advisory committee held full day meetings seven times from February 1999 through June 1999. Following these meetings, a "tool-box" committee was formed to assist L&I and the employer community in creating resource and guidance materials with regard to reducing hazards for WMSDs. A second advisory committee was created as a subcommittee of the Construction Advisory Committee to provide additional assistance in this process. The focus of this subcommittee was on how to reduce hazards for WMSDs within construction industries. In addition, minutes from advisory committee meetings and periodic updates were placed on L&I's website as well as mailed to a list of over 700 who had indicated interest in this process.

SUMMARY OF PROPOSED NEW REQUIREMENTS: For WAC 296-62-051 Part A-1, Ergonomics, WISHA's proposal includes the following:

- The rule is written in a user-friendly question and answer format.
- Most employers will only have to do a quick review to determine if they are covered by the rule.
- To determine if the rule applies, easy to understand criteria are provided to identify tasks in the caution zone. "Caution zone jobs" will require further analysis, awareness education, and a determination if there are hazards that must be reduced.
- Offers employers a choice between a general performance approach or specific performance approach to reduce hazards to be in compliance with the rule. Employers may either establish methods and criteria for the identification and reduction of hazards or use specific criteria identified in the rule.
- Allows for existing alternative ergonomics' programs to comply with the proposed requirements if employers can demonstrate their method is as effective as the requirements of the rule in reducing hazards for WMSDs, and providing for employee education, training and participation.
- Includes an implementation schedule, which allows employers ample time to prepare for compliance, especially small businesses.
- Sets modest education requirements for employees and their supervisors in jobs that have clearly identified potential hazards for WMSDs.
- Identifies four basic elements the awareness education must contain.
- Encourages employee participation in the analysis of "caution zone jobs" and measures to reduce them.
- Provides an appendix with hazard reduction criteria for the employers choosing the specific performance

approach. Also provides information outlining a plan for what L&I will do to assist employers.

DESCRIPTION OF NEW SECTIONS WITHIN chapter 296-62 WAC, Part A-1 WAC 296-62-051 Ergonomics. The proposal adds WAC 296-62-051 through 296-62-05176 as a new Part A-1 to the General Occupational Health Standards.

Part 1

WAC 296-62-05101 What is the purpose of this rule?

The proposed rule contains three parts. Part 1 provides a quick way for employers to know if they are covered by the rule. Employers covered by the rule are only those with jobs that may have hazards for WMSDs. Part 2 requires that employers with covered jobs analyze them to determine whether WMSD hazards are present. It includes education requirements for employees and their supervisors. Employers are provided a choice of a general performance approach or a specific performance approach for reducing WMSD hazards. Part 3 provides a schedule for when employers must be in compliance and a plan for what L&I will do to assist employers. It also contains an appendix for reducing hazards using specified criteria for employers choosing the specific performance approach.

The proposal creates new requirements for the reduction of employee exposure to identified hazards that may cause or aggravate WMSDs. Employers will be required to find and fix these hazards. The rule is designed to prevent soft tissue WMSDs, not including those injuries from slips, trips, falls, motor vehicle accidents or being struck by objects. There are no requirements for medical management and employers will not be considered in violation solely from an employee developing a WMSD.

WAC 296-62-05103 Which employers are covered by this rule? The proposed rule only applies to employers having one or more "caution zone jobs." These are defined as any job or task where an employee's typical work includes any of a set of physical risk factors listed in the rule.

WAC 296-62-05105 What is a "caution zone job?" Employers having "caution zone jobs" must analyze them to see if they have WMSD hazards and must comply with provisions in the rule for employee education, employee involvement, and hazard reduction. "Caution zone jobs" can be identified using the list of physical risk factors to make a reasonable determination if they exist. "Caution zone jobs" are not prohibited.

Part 2

WAC 296-62-05110 When do employers' existing ergonomics activities comply with this rule? The proposal allows for existing alternative ergonomics' programs to comply with the proposed requirements if employers can demonstrate their method is as effective as the requirements of the rule in reducing hazards for WMSDs, and providing for employee education, training and participation.

WAC 296-62-05120 Which employees must receive ergonomics awareness education and when? The proposal

requires basic awareness education be provided to employees and their supervisors in "caution zone jobs" at least every three years. It also requires that employees assigned to work or supervise a "caution zone job" receive the initial education within 30 days of assignment if it has not occurred previously within the 3-year period.

WAC 296-62-05122 What must be included in ergonomics awareness education? The proposal identifies the content of subjects to be included in the ergonomics awareness education. It is anticipated this required training for identified employees and their supervisors will be a modest time commitment. The subjects to be included are: Work-related causes of musculoskeletal disorders, types, symptoms and consequences of WMSDs with the focus on early reporting, information on identifying hazards for WMSDs and common measures to reduce them, and the requirements of the rule.

WAC 296-62-05130 What options do employers have for analyzing and reducing WMSD hazards? The proposal requires that covered employers determine if "caution zone jobs" have hazards for WMSDs and to reduce those hazards identified. Employers may choose either a general performance approach or a specific performance approach. Both approaches require that "caution zone jobs" be analyzed using a systematic method to include identified factors. Individuals responsible for the analysis must know how to use the method effectively and be informed of requirements of the rule. In choosing measures to reduce hazards for WMSDs, engineering or administrative methods are preferred over individual work practice or personal protective equipment. Measures to reduce WMSDs that include job or work practice changes must be accompanied by job specific training.

- The general performance approach requires that employers reduce all hazards for WMSDs below criteria chosen by the employer or reduce them to the degree feasible. The general performance approach does not require a written program. Under this approach employers must be able to demonstrate how they analyzed "caution zone jobs," identified hazards, what jobs are affected and how hazards were reduced.
- The specific performance approach requires that "caution zone jobs" be analyzed to determine if any physical risk factors exceed the criteria in Appendix B. If so, the employer must reduce those hazards below the criteria identified or to the degree feasible. There is no written program requirement. Instead the employer must be able to demonstrate that the hazards identified have been reduced below the criteria provided in Appendix B.

WAC 296-62-05140 How must employees be kept involved and informed? The proposal requires employers provide for and encourage employee involvement in the analysis of "caution zone jobs" and measures to reduce identified hazards. The proposal also requires that employers with 11 or more employees who are required to have a safety committee (WAC 296-24-045), involve the committee in choosing the methods used for the employee participation. In addition, the proposal requires employers share with safety committees (WAC 296-24-045) or during safety meetings, the require-

ments of the rule, what jobs were identified with "caution zone tasks," the results of any hazard analysis, and measures used to reduce those hazards. The proposal also requires that employers review their ergonomics activities at least annually for effectiveness with the safety committees where one is required or ensure an equal means of employee involvement.

WAC 296-62-05150 How are terms and phrases used in this rule? The proposal defines the following key terms used in this rule for ease of understanding.

- ANSI S3.34-1986 (R1997) Hand Arm Vibration Standards
- "Caution Zone Jobs"
- Department of Energy ErgoEASER
- Ergonomics
- Intensive Keying
- Jobs Strain Index
- Liberty Mutual Manual Handling Tables
- NIOSH Lifting Equation, 1991
- Recovery Cycles
- Typical Work
- UAW-GM Risk Factor Checklists
- Work-Related Musculoskeletal Disorders (WMSDs)

Part 3

WAC 296-62-05160 When must employers comply with this rule? The proposal includes a table for employers to determine effective and completion dates for rule requirements. The proposed rule is phased in by industry groups, employer size, and major requirements of the rule.

Note: Help for employers in implementing the rule.

The proposal identifies activities L&I will undertake to assist employers with compliance of the rule. These efforts are intended to be part of an overall implementation plan which will encourage employer and employee organizations to assist L&I in providing guides and models, industry best practices, testing of this information and be a clearinghouse for information regarding ergonomics assistance. After rule adoption, L&I will also identify voluntary Demonstration Employers who will work with L&I to test and improve guidelines, best practices and inspection policies and procedures as they are developed.

WAC 296-62-05170 Appendices.

WAC 296-62-05172 Appendix A: Illustrations of physical risk factors. The proposal includes illustrations showing common examples of postures and positions (including pinching, grasping, and using your hand or knee as a hammer). These examples are intended to help employers identify "caution zone jobs" quickly.

WAC 296-62-05174 Appendix B: Criteria for analyzing and reducing WMSD hazards for employers who choose the Specific Performance Approach. The proposal includes an analysis tool when using the specific performance approach to determine if a WMSD hazard exists. It includes illustrations so employers can easily identify if a hazard exists. In addition, the proposal includes steps an employer needs to follow when jobs with "caution zone jobs" that include heavy or frequent lifting are identified. This

includes two charts. The proposal also includes a chart showing how to know when vibration hazards need to be reduced.

WAC 296-62-05176 Appendix C: Standard Industry Classification (SIC) Codes. The proposal includes a table which identifies what industries are included in the SIC codes noted in the implementation schedule.

Ergonomics Rule: Economic Summary

BACKGROUND: Work-related musculoskeletal disorders (WMSDs) are a major contributor to workers' compensation claims, lost workdays and pain and suffering. Musculoskeletal (muscle, bone and connecting tissues) injuries and illness are often referred to as cumulative trauma disorders, repetitive motion disorders, or occupational overuse syndromes. Many employers and employees are unaware of either the risks, or the solutions for WMSDs.

The proposed rule focuses only on risk factors for the largest category of WMSDs, called nontraumatic soft tissue disorders, excluding those injuries from slips, trips, falls, motor vehicle accidents or being struck by or caught in objects, (referred to as WMSDs in the remainder of this document). These disorders are often caused or aggravated by awkward postures; high hand force; highly repetitive motion; repeated impact; heavy, frequent or awkward lifting, and moderate to high vibration. They are often found in jobs characterized by repetitious work or manual materials handling. The state of Washington Industrial Insurance Fund (hereafter referred as the state fund) pays approximately \$288 million in WMSD claims every year. In addition, a low estimate of the cost of compensable WMSD claims among self-insured employers is approximately \$52 million every year. In other words total direct costs from WMSD generated insurance claims is at least \$340 million per year. The total cost of WMSD injuries to the residents of Washington state is actually much higher than the above figure, as insurance payments from the state fund and self-insurers do not fully compensate workers for lost time and income. In addition there is evidence that workers make sizable out of pocket payments to treat WMSDs (Morse, et al, 1998). Finally, there are sizable indirect costs associated with WMSDs. The indirect costs, that are the consequence of WMSDs, are borne by the employer in the form of higher absenteeism, turnover and replacement training costs as well as lower overall productivity. Indirect costs are also borne by the employee afflicted with a serious WMSD in the form of reduced long term earning potential and family stability. Indirect cost estimates range from 0.5 to 20 times direct costs, depending on the investigator and the type of injury being studied, with a median value of 4.1 times direct costs (Andreoni, 1986).

Presently, the state of Washington has no specific regulations requiring active identification and control of WMSD risk factors. General regulations requiring an effective accident prevention program and the maintenance of a safe workplace apply to the prevention of WMSD hazards, but they have proven insufficient. An ergonomics rule would provide greater incentives for the identification and control of musculoskeletal hazards in the workplace.

The proposed rule will apply only to employers with jobs having certain risk factors for WMSDs. In the proposed rule

these jobs are designated "caution zone jobs." The employer is expected to make a reasonable determination whether this rule applies. Only employers with "caution zone jobs" must comply with Part 2 of the rule. Employers with "caution zone jobs" must provide ergonomics awareness education for workers in those jobs, analyze the "caution zone jobs" for WMSD hazards and reduce exposure to identified hazards. Employers may avoid the job analysis step by directly fixing their "caution zone jobs." The rule is to be phased in over a six-year period, beginning first with employers classified in selected Standard Industrial Classification codes (152, 174, 175, 176, 177, 242, 411, 421, 451, 541, 734 and 805) and having fifty or more employees.

The Regulatory Fairness Act (RFA), chapter 19.85 RCW, requires that the economic impact of proposed regulations on small businesses must be examined relative to their impact on large businesses. The term small business is defined as a business entity that has the purpose of making a profit and has fifty or fewer employees. If a rule results in a disproportionately large impact on small business the RFA requires that mitigation efforts be undertaken. The department anticipates that the average business compliance cost for the rule will exceed the SBEIS minor cost threshold(s).

The small business economic impact statement does **not** address the current burden of WMSDs, or the anticipated burden under the proposed rule, and is not a cost-benefit analysis. Occupational injury and illness due to WMSDs account for 32% of all state fund accepted claims and 20 million lost workdays from 1990-1997. Prior research shows that WMSDs addressed by the proposed rule are spread throughout Washington industries. Risk factors for these WMSDs are pervasive across all types and sizes of Washington's industries. The proposed ergonomics rule is designed to reduce WMSD hazards, WMSD claims and the associated direct and indirect costs of WMSDs. The direct cost of WMSDs is over \$340 million per year. The department anticipates that benefits, in the form of a reduction in WMSDs, will significantly exceed the compliance costs presented in this analysis.

METHODS: A survey undertaken by the safety and health assessment and research for prevention program (SHARP) of L&I in the summer of 1998 was designed to obtain information on exposures of workers to a set of specific risk factors for WMSD. Firms were asked to report the number of workers exposed to each risk factor for less than two hours, two-four hours and for more than four hours. This source allowed us to estimate the proportion of the workforce in each industry which was exposed to each risk factor for more than two hours (Level 2) and the proportion exposed for more than four hours (Level 3).

To determine the anticipated cost imposed by the ergonomics rule on Washington businesses a telephone survey was developed and administered by L&I in the summer of 1999 (second survey). The survey elicited information from a sample of businesses across many industries. The survey contained questions about WMSD hazards, time and costs incurred to identify jobs with hazards, and implementation of control strategies and training programs. The proportion of firms' already implementing controls and the costs per

employee for each element were estimated. To help estimate the costs in each industry to achieve an acceptable degree of hazard reduction, data was obtained from the Occupational Safety and Health Administration (OSHA). The OSHA estimates, made in 1995, constitute the most comprehensive evidence on ergonomic control costs. They are based on an extensive study of industrial scenarios, provided by ergonomists, to represent a wide range of industrial occupations.

In order to obtain the fraction of the workforce exposed to *any or all of the risk factors*, fractions exposed to separate risk factors were combined. The fractions of the workforce exposed to each separate risk factor are likely to overlap, but we assumed uniform distribution of risks throughout the workforce. Therefore, our method *overestimates* the total exposed population and the associated costs which businesses will incur in controlling exposures to WMSD.

For each one-digit SIC and for both small and large businesses, estimates of the total workforce exposure to WMSD risks for two or more hours and four or more hours were made. These, combined with the per employee cost data obtained from the second survey and from OSHA, allow us to calculate total cost estimates for each element of the ergonomics rule.

RESULTS AND DISCUSSION: Results were reported at the most detailed level possible given the best available evidence. Costs in each component were annualized and discounted to reflect present value. Results are summarized for each component of the rule as they apply to certain populations.

Rule Review Costs: The department projects that there will be some costs for the time it takes employers to become familiar with the proposed ergonomics rule and the time required to present the rule to their company's safety committees. These costs are anticipated to be one-time costs and will occur primarily during the rule's phase-in period. Rule review costs are estimated at \$1.87 million for small businesses and \$0.76 million for large businesses. Expressed on a per employee basis the one time cost is \$1.79 for small businesses and \$0.48 for large businesses.

Job Identification and Job Analysis: The department anticipates that most employers will perform a quick and inexpensive step to determine whether or not they are covered by the rule. This identification time is estimated at five minutes per job where WMSD hazards may exist. Identification costs are estimated at \$0.39 per employee for small employers and \$0.22 for large employers per year. For those employers having "caution zone jobs" (Level 2), employers are expected to conduct a more detailed job analysis. It is estimated that because the ergonomic solutions for many jobs are straightforward, employers will decide to fix 30% of the caution zone without the need for job analysis. Total costs of job analysis were determined by applying the applicable population times the total estimated assessment time and wages for job hazard analysis. Annual costs per employee averaged \$0.88 for small businesses and \$1.16 for large businesses.

Engineering and Administrative Controls: For jobs identified as WMSD hazard (Level 3) jobs employers will be required to take control steps to reduce the exposure. Typically engineering or administrative controls steps will be nec-

essary to reduce the hazard. The OSHA estimated control costs, expressed on a per employee basis (1999 dollars), were multiplied by the number of jobs with WMSD hazards. Annual engineering and administrative control costs per employee averaged \$18.46 for small businesses and \$20.65 for large businesses.

Personal Protective Equipment Costs: A fall back approach for controlling workplace ergonomics hazards is to use personal protective equipment (PPE). Estimated PPE costs were multiplied times the number of jobs with WMSD hazards. The annual PPE cost per employee averaged \$0.16 for small businesses and \$0.24 for all large businesses.

Basic Awareness Education: Employers with "caution zone jobs" must provide basic ergonomics awareness education. Estimates of educational awareness cost were aggregates of cost for employee and cost of supervisor and trainer time. Basic ergonomics awareness education costs per employee were estimated to be \$1.87 for all small businesses and \$1.73 for all large businesses.

Hazardous Job Training: Employees working in jobs with WMSD hazards will be required to be trained on job-based ergonomic hazards. Estimates of specific training cost were aggregates of cost for employee training time and instructor time. Annual per employee hazard job training costs were estimated to be \$1.86 for all small businesses and \$1.24 for all large businesses.

Training the Trainer: For those conducting job analysis and hazardous job training sessions, some level of advanced training will be necessary. These costs were com-

posed of personnel time and a class cost. Annuals per employee training costs were estimated to be \$3.00 for all small businesses and \$0.97 for all large businesses.

Managerial and Administrative Costs: No record-keeping is required under the rule. However, employers must be able to demonstrate various elements of compliance. Associated costs were estimated from responses to the 1999 L&I survey described above, regarding personnel managing ergonomics programs and percent of time spent on ergonomics. Small employer managers spent roughly half the time of large employers on ergonomic related issues. Annual per employee managerial and administrative costs were \$3.06 for small businesses and \$1.37 for large.

Total Estimated Annual Costs, Per Employee Costs and Costs as a Percent of Sales: Total costs for the proposed rule, and costs per employee were estimated by combining the nine cost subcomponents presented above. Results are presented in Summary Table 1. Total annual compliance costs for small, large and all businesses are estimated at \$32.9 million, \$44.2 million and \$77.1 million dollars respectively. On a per employee basis the average annual costs are \$31.47 for small businesses and \$28.03 for large businesses and \$29.40 for all businesses. Total costs and costs as a percent of sales by industrial category are provided in Summary Table 2. The results show that compliance costs are no more than 0.14% of sales for any single industrial category (small business in SIC1). Additional cost information is available in the full SBEIS.

Summary Table 1. Annual cost of the proposed ergonomics rule in each component category

Ergonomics Rule Cost Module	Small business		Large business		All businesses	
	Total	Cost per emp.	Total	Cost per emp.	Total	Cost per emp.
Rule Review	\$1,873,229	\$1.79	\$756,094	\$0.48	\$2,629,323	\$1.00
Job ID	\$406,834	\$0.39	\$343,828	\$0.22	\$750,662	\$0.29
Job analysis	\$919,534	\$0.88	\$1,828,192	\$1.16	\$2,747,726	\$1.05
Eng/Admin. Control	\$19,318,843	\$18.46	\$32,529,031	\$20.65	\$51,847,874	\$19.78
PPE	\$169,046	\$0.16	\$376,583	\$0.24	\$545,628	\$0.21
Awareness educate	\$1,959,468	\$1.87	\$2,730,970	\$1.73	\$4,690,437	\$1.79
Haz. Job training	\$1,944,774	\$1.86	\$1,951,656	\$1.24	\$3,896,430	\$1.49
Training the trainer	\$3,143,009	\$3.00	\$1,479,113	\$0.94	\$4,622,122	\$1.76
Mang. Cost	\$3,197,527	\$3.06	\$2,158,640	\$1.37	\$5,356,167	\$2.04
Total Estimated Cost	\$32,932,263	\$31.47	\$44,154,107	\$28.03	\$77,086,370	\$29.40

Summary Table 2. Annual costs and percent of sales by industrial category

SIC Industry	Small Business		Large Business		All Businesses	
	Total cost	% of sales	Total costs	% of sales	Total cost	% of sales
0 AGRICULTURE AND FORESTRY	\$3,782,287	0.141%	\$898,782	0.065%	\$4,681,069	0.115%
1 MINING AND CONSTRUCTION	\$10,893,303	0.098%	\$5,605,718	0.045%	\$16,499,021	0.070%
2 MANUFACTURING: NONDURABLE	\$1,000,314	0.031%	\$3,761,103	0.011%	\$4,761,416	0.013%
3 MANUFACTURING: DURABLE	\$1,013,068	0.029%	\$9,207,667	0.017%	\$10,220,735	0.017%
4 TRANSPORTATION & PUBLIC UTIL	\$1,805,716	0.073%	\$5,957,881	0.056%	\$7,763,597	0.059%
5 WHOLESALE TRADE	\$6,921,102	0.025%	\$8,167,210	0.009%	\$15,088,312	0.012%
6 RETAIL TRADE	\$1,265,154	0.029%	\$1,353,776	0.008%	\$2,618,929	0.013%
7 GENERAL SERVICES	\$2,143,929	0.027%	\$3,398,294	0.021%	\$5,542,223	0.023%
8 PROFESSIONAL SERVICES	\$3,919,762	0.038%	\$5,696,970	0.035%	\$9,616,732	0.036%

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9 PUBLIC ADMINISTRATION	\$187,629	*	\$106,707	*	\$294,336	*
SUM	\$32,932,263	0.0447%	\$44,154,107	0.0170%	\$77,086,370	0.0232%

*** Gross business sales not available for SIC 9**

CONCLUSION: The proposed ergonomics rule requires employers with "caution zone jobs" to ensure educational awareness programs on ergonomic risks, signs and symptoms of WMSDs and on elements of the ergonomics rule. Employers with hazardous jobs are expected to eliminate or reduce hazards for employees who are exposed.

Using a combination of information from the SHARP, L&I employer surveys, OSHA and various labor market sources, the Department of Labor and Industries concludes that the ergonomics rule will not have a disproportionate impact to small employers. The department has found that the per employee compliance costs are approximately 10% higher for small employers relative to large employers and does not consider differences large enough to be indicative of disproportionate impact. Identification and analysis, training and awareness all pose relatively small costs. The largest cost component is due to ergonomic controls that *only* employers with WMSD hazard jobs would be expected to sustain.

The methods used in this analysis did not take into account any of the potential benefits of the proposed ergonomics rule. Each WMSD claim costs the state fund an average of \$5,462. Each case represents higher premium costs for employers, additional noninsurance costs, and as well as pain and suffering borne by those with WMSD injuries. Many cases will be prevented through the proper application of ergonomics awareness education and controls. A subsequent cost-benefit analysis will estimate compliance cost of the proposed rule relative to expected benefits.

Despite little evidence that the ergonomics rule will have a disproportionate impact on small employers, the department recognizes that small businesses face inherent disadvantages which might not be fully demonstrated in this analysis. Therefore, the department concludes that a prudent approach to the rule is to make special allowances for potential impacts on small business. Mitigation of costs is planned in three ways. First, as discussed in this report, there will be a phase-in period, which includes delayed enforcement for small businesses. The department intends to undertake substantial efforts to provide assistance for small businesses in preparing for the rule during this phase-in. Second, under the rule employers will have the option of following specific compliance criteria laid out by the department for identifying and reducing WMSD hazards, or developing and using their own compliance criteria which is tailored to the employers' worksite and needs. Third, the department's method of assessing penalties for violations of rules allows a very substantial penalty reduction for small employers.

Statutory Authority for Adoption: RCW 49.17.010, [49.17].040., [49.17].050.

Statute Being Implemented: Chapter 49.17 RCW.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Tracy Spencer, Tumwater, (360) 902-5530; Implementation

and Enforcement: Michael A. Silverstein, Tumwater, (360) 902-5495.

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: See Purpose above.

Proposal Changes the Following Existing Rules: Proposal adds a new section A-1 to chapter 296-62 WAC.

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

Small Business Economic Impact Statement

BACKGROUND: Work-related musculoskeletal disorders (WMSDs) are a major contributor to workers compensation claims, lost workdays and worker pain and suffering. Musculoskeletal (muscle, bone and connecting tissues) injuries and illness are often referred to as cumulative trauma disorders, repetitive motion disorders, or occupational overuse syndromes. They can develop gradually or suddenly, but the longer the duration of risk factors, the greater the risk of WMSD (Bernard et al. 1997; Foley and Silverstein, 1999). Many employers and employees are unaware of either the risks, or the solutions for WMSDs.

The proposed rule's focus is on only those risk factors for the largest category of WMSDs called nontraumatic soft tissue disorders, excluding those injuries arising from slips, trips, falls, motor vehicle accidents or being struck by or caught in objects (referred to as WMSDs in the rest of this document). These are often caused or aggravated by awkward postures; high hand force; highly repetitive motion; repeated impact; heavy, frequent, or awkward lifting; and moderate to high vibration. They are often found in jobs characterized by repetitive work or manual materials handling. The state of Washington Industrial Insurance Fund (hereafter referred to as the state fund) pays approximately \$288 million in WMSD claims every year. In addition, a conservative estimate of the cost of compensable WMSD claims among self-insured employers is approximately \$52 million every year. The cost of WMSD insurance claims for Washington state is therefore at least \$340 million per year. The total cost of WMSD injuries to the state is actually much higher than the above figure, as insurance payments from the state fund and self-insurers do not fully compensate workers for lost income from these injuries. In addition there is evidence that workers make sizable out-of-pocket payments to treat WMSDs (Morse, 1998). Finally, there are sizable indirect costs associated with WMSDs. The indirect costs that are the consequence of WMSDs are borne by the employer in the form of higher absenteeism, turnover and replacement training costs as well as lower overall productivity. Indirect costs are also borne by the employee afflicted with a serious WMSD in the form of reduced long-term earning potential and family stability. Indirect cost estimates range from 0.5 to 20 times direct costs depending on the method of calculation and the type of injury being studied, with a median value of

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4.1 times direct cost (Andreoni, 1986; Hinze, 1991, Leigh et al., 1997).

Prior research shows that WMSD injuries occur throughout Washington industries. Risk factors for WMSDs are found in all types and sizes of Washington's workplaces. Many employers actively identify hazards and successfully reduce WMSDs, most often gaining information on ergonomics through trade associations and the Department of Labor and Industries (WISHA Division). However, almost two-thirds (62%) of employers have taken *no* steps to reduce WMSDs. Among those taking no steps, most believed they had no WMSD problems. Among those recognizing the problem, almost 40% had taken *no* steps (Foley and Silverstein, 1999).

For people who experience these injuries and illnesses, the consequences can be disastrous. Normal everyday tasks become difficult or impossible, and pain interferes with normal family life. Family members must often assume additional responsibilities and replace lost income through acquisition of a second job or sale of personal property such as a home or car (Morse, et al. 1998).

Presently, the state of Washington has no specific regulations requiring active identification and control of WMSD risk factors. General regulations requiring an effective accident prevention program and the maintenance of a safe workplace apply to the prevention of WMSD hazards, but they have proven insufficient. The department believes that an ergonomics rule would increase the level of WMSD hazard identification and control in the workplace.

The proposed rule will apply to employers with jobs that have certain risk factors, which are referred to as "caution zone jobs." The employer is expected to make a reasonable determination whether this rule applies to their workplace. Only employers with "caution zone jobs" must comply with Part 2 of the rule. Employers with "caution zone jobs" must provide ergonomics awareness education for workers in those jobs, analyze the "caution zone jobs" for WMSD hazards and reduce exposure to the hazards that are identified if these exceed certain thresholds. The rule is to be phased in over a six-year period, beginning first with employers classified in selected Standard Industrial Classification codes (152, 174, 175, 176, 177, 242, 411, 421, 451, 541, 734 and 805) and having 50 or more employees.

This small business economic impact statement does not address the current burden of WMSDs, or the anticipated reduction in this burden under the proposed rule, in the calculations of overall economic impacts, and is therefore not a cost-benefit analysis. The proposed ergonomics rule is designed to reduce WMSD hazards, WMSD claims and the associated direct and indirect costs of WMSDs. The direct costs of WMSD injuries are over \$340 million per year, and annual indirect costs are estimated to significantly exceed this figure. The department anticipates that benefits, in the form of a reduction in WMSDs, will significantly exceed the costs of compliance that are presented in this analysis.

SMALL BUSINESS ECONOMIC IMPACT STATEMENT: The Regulatory Fairness Act (RFA), chapter 19.85 RCW, requires that the economic impact of proposed regulations on small businesses must be examined relative to their impact on

large businesses. The act outlines the requirements for a small business economic impact statement (SBEIS). For the purposes of an SBEIS the term small business is defined as a business entity that has the purpose of making a profit and has fifty or fewer employees. The agency must prepare an SBEIS when a proposed rule, or rule amendments, have the potential of placing a more than minor economic impact on business. For the industries considered, the minor impact thresholds range from approximately \$50 to \$250 (1990 dollars) per business. These values are calculated as 0.1% of profits for a business of 50 employees (Guide for Facilitating Regulatory Fairness, 1993). The average business compliance cost per establishment, presented in Table 12, will exceed the SBEIS minor cost thresholds for most businesses covered by the proposed rule. In this analysis the measures for assessing disproportionate impact are cost per employee and cost as a percent of gross business income (GBI) more commonly referred to as business sales.

METHODS: This analysis utilizes information taken from the Washington State Employment Security Department, the Washington State Department of Revenue, the United States Occupational Safety and Health Administration and two surveys of Washington businesses conducted by the Department of Labor and Industries (L&I) and the safety and health assessment and research for prevention (SHARP) program within L&I. Estimates of WMSD risks were made at the one-digit industrial classification level and for each business size class (employers having 50 or fewer employees and employers having more than 50 employees). These, combined with the OSHA per employee cost data allowed us to calculate total cost estimates for each element of the ergonomics rule. Elements of the ergonomics rule were primarily applied to the employee populations estimated to be in "caution zone jobs" and in jobs requiring control of hazards (WMSD hazard jobs). The elements considered in this analysis are: Initial rule review, job identification and job analysis, awareness education and hazard job training, training the trainer, engineering and administrative controls, personal protective equipment costs, and managerial and administrative costs. Costs were annualized over 10 years for engineering and administrative controls as well as job identification and analysis. Costs were annualized for three years for the various ergonomics education and training components of the rule. Because expenditures occurring in different years must be rendered comparable in terms of their units of value, economists employ the concept of a *discount rate*. The discount rate captures the fact that a dollar of expenditure today is not equivalent to a dollar of expenditure in the future due to the fact that money can earn interest for its owner. If the risk-free interest rate is r , one dollar today is equivalent in value to $(1+r)$ dollars a year from today. One approach to choosing the appropriate discount rate is to subtract the average inflation rate for the last several years (1.5 to 3%) from the average ten-year treasury bill rate (6-7%). This yields a discount rate of 3 to 5%. Another approach is to use inflation-indexed ten-year treasury bills, which currently have a rate of approximately 3.5%. In this analysis a conservative discount rate of 5% was used to discount future costs and annualize the total costs. Because the proposed rule has a significant phase-in

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period many of the rule compliance costs will occur several years from now. Future costs were discounted in a manner that was both consistent with the rule's phase-in schedule and conservative as well. For instance, the date by which large businesses must complete their WMSD hazard control measures ranges from two to three years after the rule's effective date. However, in this analysis these future compliance costs were discounted only two years. The estimated rule compliance costs are presented as total cost, cost for each component of the rule, cost per employee, cost per establishment, and cost as a percentage of GBI, for both small and large employers.

Job and employee turnover were issues of concern in this analysis. Employee turnover for the state was approximated using results from the 1988 National Occupational Exposure Survey (NOES). The NOES employee turnover information was available at the one digit SIC level. Job turnover refers to the year-to-year change in the mix of job types in the state due to technological change, or shifts in market conditions. Job turnover was not factored into the cost calculations for the following reasons: 1. In the short term we assume that the mix of jobs in Washington state would remain relatively constant. 2. Job or population growth is not anticipated to change the outcome of this analysis because the impact of the rule is assessed on a per employee basis.

A mail survey undertaken by SHARP staff in the summer of 1998 was designed to obtain information on exposures of workers to risk factors for WMSDs (see Appendix M3: Employer Ergo Survey, June 1998). This survey is referred to as Ergo Survey 1 throughout the remainder of this text. A sample of 10,000 Washington state employers was randomly selected from an administrative database, of which 6,540 were successfully contacted. Completed questionnaires were received from 4,906 businesses across all industries and sizes, for a response rate of 75%. Firms were asked to report the number of workers exposed to each risk factor for less than two hours, two-four hours and for more than four hours. Results of the survey were analyzed and presented in Foley and Silverstein, 1999. Over 33.2% of respondents reported having had employees with WMSD injuries in the previous three years.

This source allowed us to estimate the proportion of the workforce in each industry that was exposed to each risk factor for more than four hours and for more than two hours. We call the entire workforce in a given SIC code the Level 1 population. In our analysis, we have assumed that the exposure of any worker at a firm to any risk factor for more than two hours (four or more hours for intensive keying work) constitutes a risk sufficient to require the firm to undertake job hazard analysis and to institute workforce education. Jobs with two or more hours of exposure are referred to as "caution zone jobs" and the entire population of these jobs is designated the Level 2 population. Exposure to the risk factors for four or more hours (seven or more hours for intensive keying) was assumed to trigger a requirement that the firm implement control measures. Jobs with four or more hours of exposure are referred to as "WMSD hazard jobs" and the entire population of these jobs is designated the Level 3 population. Because Ergo Survey 1 estimated risk factor exposures for

zero hours, two or more hours and four or more hours we could not directly estimate the population of employees exposed to seven or more hours of intensive keying. Data used to estimate the seven-hour population came from a survey sponsored by the National Science Foundation for their 1997 report, *Science and Engineering Indicators*. This survey (Chicago: Chicago Academy of Sciences, International Center for the Advancement of Scientific Literacy, 1997, unpublished tabulations) revealed that the seven-hour population was 43% of the four-hour population. We utilized this ratio to adjust our estimate of the Level 3 keying populations.

To construct an estimate of the cost imposed by the ergonomics rule on Washington businesses a telephone survey was developed and administered by L&I in the summer of 1999 (see Appendix M1: Telephone Survey, July 1999). This survey is referred to as Ergo Survey 2 throughout the remainder of this text. The survey elicited information from a sample of businesses across many industries. The survey contained questions about WMSD hazards, time and costs incurred to identify jobs with hazards, and implement ergonomic changes. If changes in jobs were made, employers provided information on costs of control strategies, and detailed information about programs, personnel and elements of engineering controls and training.

In order to ensure adequate coverage across all Washington industries, the sample of 5,644 businesses was drawn so that industries that had few firms and large businesses were over-represented. Prior to the survey, an informational mailing was sent to each of the businesses selected to participate (see Appendix M2: Cover letter). The mailing alerted businesses that they would be asked to participate in a survey, advised them as to the exact nature of the occupational hazards they would be questioned about, and suggested the types of records they should consult to make the telephone interview proceed as smoothly as possible. Employment and address information for each sampled firm was obtained from the 1998 Quarterly Unemployment Insurance file obtained from the Employment Security Department. Gilmore Research of Seattle conducted the phone survey. The interviews were completed for a total of 1,085 businesses out of a total of 4,425 firms successfully contacted, for a response rate of 24.5%. From Ergo Survey 2, L&I obtained estimates on the proportion of employers already implementing controls that would be deemed sufficient under the proposed rule. Time and personnel requirements for certain elements of the ergonomics rule were also estimated from Ergo Survey 2.

Engineering and administrative control costs necessary to achieve an acceptable degree of hazard reduction were taken from the 1995 OSHA Preliminary Regulatory Impact Analysis (PRIA) for the federal ergonomic protection standard. At this time the PRIA constitutes the most comprehensive evidence on ergonomic control costs. Ergonomists developed information (including ergonomic solutions) for OSHA on 165 workplace scenarios that had significant ergonomic problems. OSHA then characterized the jobs reflected in each scenario as belonging to one of twenty-three broad occupational groupings. Costs were then estimated for each occupational grouping. OSHA used their own ergonomic

employer survey to estimate the number of workers in each occupational grouping for each major industry (two- and three-digit SIC level). Engineering and control costs were presented on a per employee basis, per establishment basis and by each major industry. The 1995 OSHA draft proposal economic analysis strategy was reviewed by a group of economists from several universities. The OSHA control cost data was converted to cost per employee and then applied to the Department of Labor and Industries' estimates of the Level 3 population for each industrial category.

The Department of Labor and Industries' use of the OSHA information overestimates control costs because the OSHA requirements for hazard control in the 1995 draft were more stringent than the current L&I proposal. For example the OSHA 1995 manual-handling checklist approximated a NIOSH lifting equation index of 1 whereas the L&I cutoff approximates a lifting index of 2. In addition the OSHA control cost data did not attempt to incorporate cost reductions from innovation or competition amongst the suppliers of ergonomic equipment.

In Ergo Survey 1 firms were asked to report the number of workers exposed to each of fifteen separate WMSD risk factors. To determine the fraction of the workforce exposed to *any or all of the risk factors* we had to combine the exposure fractions for each of the individual risk factors. The highest individual exposure fraction represents the lower bound estimate of the total exposure rate. This would be the case where only this subpopulation was exposed to the other individual risk factors. This would be the case when all WMSD hazards were *clustered* amongst a particular subset of the workforce in a given industry. The upper-bound estimate would be the opposite case, where the subpopulation exposed to the single largest individual risk factor was entirely distinct from the subpopulations exposed to each of the other risk factors. In this case the total exposed fraction would simply be the sum of the ten individual exposure fractions. This would reflect complete hazard *segregation* across the exposed subpopulations. Neither case is likely to be an accurate estimate of the true population exposure fraction. Instead the fractions of the workforce exposed to each individual risk factor are likely to overlap. This requires us to make an assumption as to the degree of this overlap. We

assume that there is neither clustering nor segregation of the subpopulations exposed to each individual risk factor. Instead, we assume a *uniform* distribution of risks throughout the workforce. Therefore, the fraction of the working population in each one-digit industry that is exposed to one or more of the risks was calculated by the following formula:

$$Fraction\ Exposed = MaxRF + \sum [RF_i \cdot MaxRF]$$

Where MaxRF= the largest fraction of the workforce exposed to any single risk factor in a given SIC and RF_i = the fraction of the workforce exposed to each of the other individual risk factors. This formula produces a combined estimate of the overall exposure of the working population to all WMSD risk factors. It assumes that the fraction of the workforce that is exposed to the predominant risk factor (Max RF) is neither more likely nor less likely to be exposed to the other risk factors than is the rest of the workforce. In other words, risks are distributed uniformly across the workforce, rather than clustered. Since a certain degree of clustering is likely to exist, our method will tend to *overestimate* the total exposed population, and therefore to overestimate the costs which businesses will incur to control these exposures. For each one-digit SIC and for both business size classes, estimates of the total workforce exposure to WMSD risks for two or more hours and four or more hours were made, corresponding to the Level 2 and Level 3 populations.

The Level 2 and 3 population estimates were derived from Ergo Survey 1. These were combined with the job identification, job analysis and training times, and personnel requirements estimates derived from the Ergo Survey 2 and the per employee control cost data from OSHA to estimate the total cost to Washington state businesses for the proposed ergonomics rule.

The populations potentially affected by the proposed ergonomics rule were estimated using the techniques described in the methods section. Total workforce population (Level 1), "caution zone jobs" population (Level 2) and WMSD hazard job populations (Level 3) are presented by one-digit SIC in Table 1 below.

Table 1: Level 1, 2 and 3 Workforce Populations

SIC	INDUSTRY TITLE	LEVEL 1 POP.			LEVEL 2 POP.		LEVEL 3 POP.	
		SMALL	LARGE	TOTAL	SMALL	LARGE	SMALL	LARGE
0	Agriculture, Forestry and Fishing	61,501 10,634	33,745 253	95,246 10,887	25,275	4,104	16,214	3,520
1	Mining and Construction	99,207 17,992	39,322 380	138,529 18,372	51,617	21,895	17,977	11,369
2	Manufacturing, nondurables	38,064 4,055	97,655 588	135,719 4,643	5,401	24,285	3,310	13,767
3	Manufacturing, durables	35,244 3,370	212,935 562	248,179 3,932	6,823	127,302	3,212	34,700
4	Transportation, and public utilities	50,471 6,482	141,893 564	192,364 7,046	7,308	41,623	3,863	14,223
5	Wholesale and retail trade	344,248 41,475	271,016 2,314	615,264 43,789	44,546	100,959	22,889	33,763

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6	Finance, insurance and real estate	75,385 <i>13,634</i>	60,265 <i>424</i>	135,650 <i>14,058</i>	13,019	19,109	5,040	10,978
7	General services	132,383 <i>20,613</i>	155,965 <i>908</i>	288,348 <i>21,521</i>	15,568	59,104	8,995	18,045
8	Professional services	194,662 <i>49,493</i>	433,617 <i>1,609</i>	628,279 <i>51,102</i>	34,280	51,010	12,741	29,985
9	Public administration	15,294 <i>1,464</i>	128,921 <i>405</i>	144,215 <i>1,869</i>	2,970	1,831	798	464
SUM		1,046,459 <i>169,233</i>	1,575,344 <i>8,007</i>	2,621,793 <i>177,240</i>	206,808	451,224	95,040	170,814

Values in italics are number of establishments

Unit labor compensation rates (total cost for an hour of work) were estimated for the persons identified in Ergo Survey 2 as being responsible for identifying caution zone jobs, performing hazard analysis and ergonomics education or training as well as managing ergonomics programs. If survey respondents indicated that they had more than one person conducting identification, analysis, training and program management functions, the costs were averaged within company. Unit labor compensation rates were considered to be composed of the hourly wage rate and associated fringe benefits. Average hourly wage rates for the ten one digit SIC categories and the fourteen occupation categories utilized in Ergo Survey 2 were obtained from the United States Bureau of Labor Statistics and from the Washington State Employment Security Department and the Department of Personnel. Fringe benefits were estimated at 37% of the hourly wage (United States Bureau of Labor Statistics). Because compensation rates for three of the survey occupation categories could not be readily obtained, the following assumptions were made: Owners were assumed to be compensated at

200% of industry average rates, managers 150%, and supervisors 125% of industry average rates.

A measure of wage dispersion was calculated using the 1998 Washington State Population Survey. Respondents to that survey provided information about employment, earnings and type of business for large and small establishments. The results of wage tabulations indicated that across all industries small businesses paid their managers and supervisors 15% less than large businesses. To adjust for wage dispersion the estimated wages for owners, managers and supervisors from small businesses was adjusted downward by 7.5%, while the wage rate for similar job categories in large businesses was adjusted upward by 7.5%. Wage dispersion data for nonsupervisory jobs revealed that overall pay for similar jobs in small business was 24% lower than in large business.

However, the wage dispersion data were not utilized for nonsupervisory wages. By not applying the wage dispersion data, small businesses costs for certain components of the rule are inflated relative to large business costs. Adjusted average unit labor rates for supervisory personnel grouped by one digit SIC are shown in Table 2 below.

Table 2: Average Unit Labor Costs Associated With Components of the Ergonomics Rule

SIC	INDUSTRY TITLE	Identification step		Analysis step		Ergonomics Training		Program mngmt	
		Small	Large	Small	Large	Small	Large	Small	Large
0	Agriculture, Forestry & Fishing	\$16.73	\$21.17	\$17.17	\$22.51	\$17.96	\$21.72	\$17.83	\$24.87
1	Mining and Construction	\$37.65	\$33.03	\$36.60	\$27.80	\$38.86	\$34.91	\$37.83	\$36.30
2	Manufacturing, nondurables	\$29.45	\$32.68	\$29.40	\$32.19	\$31.69	\$31.95	\$32.63	\$33.01
3	Manufacturing, durables	\$34.67	\$34.01	\$33.67	\$32.79	\$37.91	\$36.48	\$36.31	\$34.57
4	Transportation & public utilities	\$32.73	\$32.33	\$30.34	\$32.57	\$36.87	\$37.71	\$36.29	\$37.71
5	Wholesale and retail trade	\$26.96	\$26.59	\$27.99	\$25.26	\$28.12	\$25.39	\$27.74	\$25.68
6	Finance, insurance & real estate	\$32.43	\$23.01	\$34.50	\$29.27	\$34.53	\$32.04	\$35.68	\$22.24
7	General services	\$33.65	\$31.76	\$34.66	\$34.84	\$36.64	\$29.12	\$35.46	\$29.31
8	Professional services	\$29.85	\$27.34	\$26.45	\$30.21	\$34.59	\$31.88	\$31.47	\$34.76
9	Public administration	\$22.62	\$27.91	\$17.05	\$26.88	\$30.44	\$21.91	\$28.73	\$25.40
TOTAL		\$30.26	\$29.73	\$29.99	\$29.87	\$32.82	\$31.10	\$31.88	\$31.15

The average unit labor rates for those responsible for conducting identification, hazard analysis, training and ergonomics program management functions, were found to be roughly the same for large and small businesses. Many of the small business respondents to Ergo Survey 2 indicated that they had used or planned to use a consultant to perform various components of an ergonomics program. It is the department's belief that, in general, consultants (and their associated higher unit labor cost) will not be necessary for compli-

ance with this rule. We did not attempt to correct the small business unit labor rates for the higher consultant labor rate.

RESULTS AND DISCUSSION

A. Rule Review Costs: The department projects that there will be costs for both the time it takes employers to initially become familiar with the proposed ergonomics rule and the time required to present the rule to their company safety committees (businesses with eleven or more employees only). These costs are anticipated to be one-time expenditures, but will occur over the first four years of the rule phase-

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in period. As a conservative measure costs were annualized over three years at a 5% discount rate. Rule review costs are presented in Table 3 below and are estimated at \$1.87 million

for small businesses and \$0.76 million for large businesses. Expressed on a per employee basis the rule review cost is \$1.79 for small businesses and \$0.48 for large businesses.

Table 3: Estimated Rule Review Cost

SIC	INDUSTRY TITLE	Estimated Washington State Ergonomics Rule Review Costs			Rule Review: Cost per employee, Cost per establishment		
		Small	Large	Total	Small	Large	Total
0	Agriculture, Forestry and Fishing	\$72,555	\$16,389	\$88,944	\$1.18 \$6.82	\$0.49 \$64.78	\$0.93 \$8.17
1	Mining and Construction	\$303,382	\$64,538	\$367,920	\$3.06 \$16.86	\$1.64 \$169.84	\$2.66 \$20.03
2	Manufacturing-nondurables	\$71,330	\$60,967	\$132,297	\$1.87 \$17.59	\$0.62 \$103.69	\$0.97 \$28.49
3	Manufacturing-durables	\$66,167	\$39,411	\$105,578	\$1.88 \$19.63	\$0.19 \$70.13	\$0.43 \$26.85
4	Transportation and Public Utilities	\$79,041	\$119,026	\$198,067	\$1.57 \$12.19	\$0.84 \$211.04	\$1.03 \$28.11
5	Wholesale and Retail Trade	\$511,969	\$216,418	\$728,387	\$1.49 \$12.34	\$0.80 \$93.53	\$1.18 \$16.63
6	Finance, Insurance and Real Estate	\$115,884	\$39,411	\$155,295	\$1.54 \$8.50	\$0.65 \$92.95	\$1.14 \$11.05
7	General Services	\$231,165	\$84,819	\$315,984	\$1.75 \$11.21	\$0.54 \$93.41	\$1.10 \$14.68
8	Professional Services	\$398,711	\$119,026	\$517,737	\$2.05 \$8.06	\$0.27 \$73.98	\$0.82 \$10.13
9	Public Administration	\$23,024	\$34,993	\$58,017	\$1.51 \$15.73	\$0.27 \$86.40	\$0.40 \$31.04
SUM		\$1,873,229	\$756,094	\$2,629,323	\$1.79 \$11.07	\$0.48 \$94.43	\$1.00 \$14.83

Annualized 5%, 10 yrs
Small business 1 hr review
Large business 3 hr review

B. Estimated Costs for Identifying "Caution Zone Jobs:" The department anticipates that most businesses will carry out an identification, or screening, step to determine if a particular job might be a "caution zone job." The estimated costs for the identification step were based on the following assumptions. All businesses are covered by the proposed rule and would potentially do this identification step. However, results from Ergo Survey 1 indicate that approximately 10% of small businesses and 1.4% of large businesses have no jobs with ergonomics risk factors and as a consequence will not need to undertake the identification or any subsequent steps. In addition results from Ergo Survey 2 indicated that many businesses have already undertaken some type of job identification step, 16% of small businesses, and 51% of large businesses, on their own and therefore will experience only minimal new costs due to the proposed rule. For those that need to undertake the identification step it was assumed that the time necessary for this step was five minutes per job. The department believes that this is a conservative time esti-

mate and that most jobs can be processed in less than five minutes. For instance many workplaces have classes of jobs where similar tasks are performed, in which case the identification step for one job would suffice for the entire class of jobs. To estimate identification step costs the supervisory unit wage costs (one hour of time by SIC) presented in Table 2 above were multiplied by the number of jobs estimated to require the identification step then by 0.0833 hours (five minutes). For each small business establishment an additional 20 minutes of time was added for compiling the job identification results. For each large establishment an hour of compilation time was added. Costs were annualized over ten years at a 5% discount rate. Table 4 reveals the estimated costs for the identification step for both large and small businesses in Washington state. Total cost was estimated at \$407,000 for small business and \$344,000 for large business. The RFA suggests that to compare a particular rule's impact, the costs (between large and small businesses) should be presented on a per employee basis. On a per employee basis overall identification costs are estimated to be \$0.39 and \$0.22 per year for small and large businesses respectively.

Table 4: Estimated Job Identification Cost

SIC	INDUSTRY TITLE	Estimated Washington State Ergonomic Job Identification Costs			Identification step: Cost per employee, Cost per establishment		
		Small	Large	Total	Small	Large	Total
0	Agriculture, Forestry and Fishing	\$16,572	\$6,296	\$22,868	\$0.27 \$1.56	\$0.19 \$24.88	\$0.24 \$2.10

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1	Mining and Construction	\$55,250	\$15,891	\$71,141	\$0.56 \$3.07	\$0.40 \$41.82	\$0.51 \$3.87
2	Manufacturing-nondurables	\$12,590	\$9,079	\$21,668	\$0.33 \$3.10	\$0.09 \$15.44	\$0.16 \$4.67
3	Manufacturing-durables	\$12,456	\$25,101	\$37,557	\$0.35 \$3.70	\$0.12 \$44.66	\$0.15 \$9.55
4	Transportation and Public Utilities	\$16,629	\$27,096	\$43,725	\$0.33 \$2.57	\$0.19 \$48.04	\$0.23 \$6.21
5	Wholesale and Retail Trade	\$110,820	\$81,015	\$191,835	\$0.32 \$2.67	\$0.30 \$35.01	\$0.31 \$4.38
6	Finance, Insurance and Real Estate	\$26,151	\$4,612	\$30,764	\$0.35 \$1.92	\$0.08 \$10.88	\$0.23 \$2.19
7	General Services	\$58,825	\$40,910	\$99,735	\$0.44 \$2.85	\$0.26 \$45.05	\$0.35 \$4.63
8	Professional Services	\$94,032	\$125,181	\$219,213	\$0.48 \$1.90	\$0.29 \$77.80	\$0.35 \$4.29
9	Public Administration	\$3,509	\$8,648	\$12,158	\$0.23 \$2.40	\$0.07 \$21.35	\$0.08 \$6.50
SUM		\$406,834	\$343,828	\$750,662	\$0.39 \$2.40	\$0.22 \$42.94	\$0.29 \$4.24

Annualized 5%, 10 yrs

Global 5 min. ID time, adj for existing ergonomics programs

C. Estimated Costs for Hazard Analysis of "Caution Zone Jobs": If a "caution zone job" is found in the identification step of workplace analysis, then a more detailed hazard analysis must be performed. The following assumptions were made to determine the cost to large and small businesses for the hazard analysis step. The number and distribution of "caution zone jobs" (Level 2 jobs) was estimated using the results of Ergo Survey 1 and were presented in Table 1. Because many businesses have conducted hazard analysis, the number of "caution zone jobs" requiring analysis is actually smaller than the Level 2 population reported in Table 1. The actual fraction of employers needing to conduct hazard analysis was estimated using responses to Ergo Survey 2

questions and was applied to the Level 2 population numbers. Analysis time was estimated from the department's Ergo Survey 2, with the minimum analysis time being 60 minutes. In addition hazard analysis was assumed to require 30 minutes of time of the employee performing the job or tasks. A final assumption was made that for 30% of the "caution zone jobs" the nature of and solutions for the WMSD hazards would be readily apparent and therefore a detailed hazard analysis step would not be required. Costs were annualized over 10 years at 5%. Total costs of hazard analysis were approximately \$0.92 million for small businesses and \$1.83 million for large businesses. Per employee annual costs for this component of the rule are \$0.88 and \$1.16 for small and large businesses respectively. Results at the one digit SIC level are shown in Table 5.

Table 5: Estimated Job Analysis Costs

SIC	INDUSTRY TITLE	Estimated Washington State Job Analysis Costs			Analysis step: Cost per employee, Cost per establishment		
		Small	Large	Total	Small	Large	Total
0	Agriculture, Forestry and Fishing	\$48,184	\$9,716	\$57,899	\$0.78 \$4.53	\$0.29 \$38.40	\$0.61 \$5.32
1	Mining and Construction	\$417,740	\$41,492	\$459,233	\$4.21 \$23.22	\$1.06 \$109.19	\$3.32 \$25.00
2	Manufacturing, nondurables	\$15,996	\$91,324	\$107,320	\$0.42 \$3.94	\$0.94 \$155.31	\$0.79 \$23.11
3	Manufacturing, durables	\$25,783	\$199,435	\$225,219	\$0.73 \$7.65	\$0.94 \$354.87	\$0.91 \$57.28
4	Transportation and public utilities	\$21,164	\$410,026	\$431,190	\$0.42 \$3.27	\$2.89 \$727.00	\$2.24 \$61.20
5	Wholesale and retail trade	\$144,016	\$431,429	\$575,445	\$0.42 \$3.47	\$1.59 \$186.44	\$0.94 \$13.14
6	Finance, insurance and real estate	\$40,523	\$21,275	\$61,798	\$0.54 \$2.97	\$0.35 \$50.18	\$0.46 \$4.40
7	General services	\$105,885	\$185,018	\$290,904	\$0.80 \$5.14	\$1.19 \$203.76	\$1.01 \$13.52
8	Professional services	\$94,610	\$437,020	\$531,630	\$0.49 \$1.91	\$1.01 \$271.61	\$0.85 \$10.40

9	Public administration	\$5,632	\$1,455	\$7,088	\$0.37	\$0.01	\$0.05
					\$3.85	\$3.59	\$3.79
SUM		\$919,534	\$1,828,192	\$2,747,726	\$0.88	\$1.16	\$1.05
					\$5.43	\$228.32	\$15.50

Annualized 5%, 10yrs

D. Estimated Engineering and Administrative Control Costs: Jobs that are identified as having WMSD hazards in the hazard analysis step will require control measures. Engineering and administrative controls are two approaches to controlling WMSD hazards in the workplace. Engineering and administrative control costs for large and small businesses were estimated using the following assumptions. The number of WMSD hazard jobs, which is the Level 3 population (see Table 1), was determined using information from Ergo Survey 1. Engineering and administrative control costs

on a per employee basis were estimated using data from the 1995 OSHA Ergonomics Protection Standard PRIA (costs annualized by OSHA at 7% over 10 years, adjusted to 5% for this analysis). The estimated control costs were converted to 1999 dollars and multiplied by the number of WMSD hazard jobs. Engineering and administrative control costs were estimated to be approximately \$19.3 million for small businesses and \$32.5 million for large businesses. Overall cost per employee were \$18.46 for small employers and \$20.65 for large employers. Results at the one digit SIC level are shown in Table 6 below.

Table 6: Estimated Engineering, Administrative Control Costs

SIC	INDUSTRY TITLE	Estimated Washington State Engineering and Administrative Control Costs			Engineering and Administrative Controls: Cost per employee, Cost per establishment		
		Small	Large	Total	Small	Large	Total
0	Agriculture, Forestry and Fishing	\$2,696,991	\$783,110	\$3,480,101	\$43.9	\$23.2	\$36.5
					\$253.6	\$3,095.3	\$319.7
1	Mining and Construction	\$7,393,590	\$4,855,706	\$12,249,296	\$74.5	\$123.5	\$88.4
					\$410.9	\$12,778.2	\$666.7
2	Manufacturing, nondurables	\$664,836	\$3,129,310	\$3,794,147	\$17.5	\$32.0	\$28.0
					\$164.0	\$5,322.0	\$817.2
3	Manufacturing, durables	\$569,614	\$6,878,056	\$7,447,670	\$16.2	\$32.3	\$30.0
					\$169.0	\$12,238.5	\$1,894.1
4	Transportation and public utilities	\$1,267,422	\$4,708,615	\$5,976,038	\$25.1	\$33.2	\$31.1
					\$195.5	\$8,348.6	\$848.1
5	Wholesale and retail trade	\$4,065,494	\$5,460,866	\$9,526,360	\$11.8	\$20.1	\$15.5
					\$98.0	\$2,359.9	\$217.6
6	Finance, insurance and real estate	\$403,486	\$782,168	\$1,185,654	\$5.4	\$13.0	\$8.7
					\$29.6	\$1,844.7	\$84.3
7	General services	\$750,673	\$2,018,240	\$2,768,913	\$5.7	\$12.9	\$9.6
					\$36.4	\$2,222.7	\$128.7
8	Professional services	\$1,451,626	\$3,879,130	\$5,330,756	\$7.5	\$8.9	\$8.5
					\$29.3	\$2,410.9	\$104.3
9	Public administration	\$55,110	\$33,829	\$88,940	\$3.6	\$0.3	\$0.6
					\$37.6	\$83.5	\$47.6
SUM		\$19,318,843	\$32,529,031	\$51,847,874	\$18.46	\$20.65	\$19.8
					\$114.2	\$4,062.6	\$292.5

Source: OSHA PRIA, 1995

Costs annualized and adjusted to 1999 dollars

E. Estimated Cost for Personal Protective Equipment: A secondary approach for controlling workplace WMSD hazards is to use personal protective equipment (PPE). The technique for estimating PPE costs was similar to that for engineering and administrative controls costs above. The PPE costs, on a per employee basis, were derived from the OSHA PRIA then multiplied times the number of WMSD

hazard jobs in Washington state. The PPE costs for all small business were \$169,000 and \$377,000 for all large businesses. Overall costs per employee were \$0.16 for small employers and \$0.24 for large employers: Note the PPE per employee costs are low because they are inexpensive and a much less effective ergonomic control measure. See Table 7 for details.

Table 7: Estimated PPE Control Costs

SIC	INDUSTRY TITLE	Estimated Washington State Annual PPE Control Costs			PPE Controls: Cost per employee, Cost per establishment		
		Small	Large	Total	Small	Large	Total
0	Agriculture, Forestry and Fishing	\$3,596	\$1,706	\$5,302	\$0.06	\$0.05	\$0.06
					\$0.34	\$6.74	\$0.49

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1	Mining and Construction	\$6,187	\$8,931	\$15,118	\$0.06 \$0.34	\$0.23 \$23.50	\$0.11 \$0.82
2	Manufacturing, nondurables	\$3,372	\$9,058	\$12,430	\$0.09 \$0.83	\$0.09 \$15.41	\$0.09 \$2.68
3	Manufacturing, durables	\$1,906	\$23,320	\$25,226	\$0.05 \$0.57	\$0.11 \$41.49	\$0.10 \$6.42
4	Transportation and public utilities	\$13,395	\$56,938	\$70,334	\$0.27 \$2.07	\$0.40 \$100.95	\$0.37 \$9.98
5	Wholesale and retail trade	\$37,338	\$40,547	\$77,885	\$0.11 \$0.90	\$0.15 \$17.52	\$0.13 \$1.78
6	Finance, insurance and real estate	\$20,027	\$66,041	\$86,068	\$0.27 \$1.47	\$1.10 \$155.76	\$0.63 \$6.12
7	General services	\$24,128	\$59,433	\$83,562	\$0.18 \$1.17	\$0.38 \$65.46	\$0.29 \$3.88
8	Professional services	\$55,997	\$108,662	\$164,659	\$0.29 \$1.13	\$0.25 \$67.53	\$0.26 \$3.22
9	Public administration	\$3,100	\$1,945	\$5,045	\$0.20 \$2.12	\$0.02 \$4.80	\$0.03 \$2.70
SUM		\$169,046	\$376,583	\$545,628	\$0.16 \$1.00	\$0.24 \$47.03	\$0.21 \$3.08
Costs annualized and adjusted to 1999 dollars Source: OSHA PRIA, 1995							

F. Estimated Cost for Basic Awareness Education: Employers with "caution zone jobs" (Level 2 population in Table 2) must provide basic ergonomics awareness education. The following assumptions were made when estimating these costs: There are two cost components to awareness education, the first corresponding to the time that the employee had to spend in the educational session and the other to the time the instructor committed to the session. Basic awareness education sessions were conservatively assumed to be 40 minutes in length for employees and 1 hour for the session instructor (manager, supervisor, etc.). The cost for the employee component of awareness education was determined by multiplying the estimated number of "caution zone jobs" in a given SIC category, by the average hourly wage in that SIC multiplied by 40 minutes. A cost of one dollar per employee was assessed for copying and assembling

the session handouts. To estimate the cost for instructor time in providing the educational session, the department assumed an average educational session size of three for small businesses, and twenty for large businesses. Total number of "caution zone jobs" for large and small businesses within a particular SIC were then divided by the corresponding average session size to arrive at the number of sessions required. The number of sessions was then multiplied by the instructor unit wage rates, from Table 2, to determine costs. Costs were adjusted for employee turnover using results from the National Occupational Exposure Survey (1988). Total costs were annualized over three years at 5%. Awareness education costs were estimated to be \$1.96 million for all small businesses and \$2.73 million for all large businesses. Overall cost per employee were \$1.87 for small employers and \$1.73 for large employers: See Table 8 for details.

Table 8: Estimated Awareness Education Costs

SIC	INDUSTRY TITLE	Estimated Washington State Basic Awareness Education Costs			Awareness Education: Cost per employee, Cost per establishment		
		Small	Large	Total	Small	Large	Total
0	Agriculture, Forestry and Fishing	\$154,239	\$13,688	\$167,927	\$2.51 \$14.50	\$0.41 \$54.10	\$1.76 \$15.42
1	Mining and Construction	\$575,234	\$166,413	\$741,647	\$5.80 \$31.97	\$4.23 \$437.93	\$5.35 \$40.37
2	Manufacturing, nondurables	\$42,606	\$90,088	\$132,694	\$1.12 \$10.51	\$0.92 \$153.21	\$0.98 \$28.58
3	Manufacturing, durables	\$74,629	\$869,237	\$943,866	\$2.12 \$22.15	\$4.08 \$1,546.69	\$3.80 \$240.05
4	Transportation and public utilities	\$75,687	\$226,413	\$302,100	\$1.50 \$11.68	\$1.60 \$401.44	\$1.57 \$42.88
5	Wholesale and retail trade	\$424,710	\$622,599	\$1,047,309	\$1.23 \$10.24	\$2.30 \$269.06	\$1.70 \$23.92
6	Finance, insurance and real estate	\$125,893	\$128,124	\$254,016	\$1.67 \$9.23	\$2.13 \$302.18	\$1.87 \$18.07

7	General services	\$157,668	\$347,149	\$504,817	\$1.19 \$7.65	\$2.23 \$382.32	\$1.75 \$23.46
8	Professional services	\$298,726	\$255,790	\$554,516	\$1.53 \$6.04	\$0.59 \$158.97	\$0.88 \$10.85
9	Public administration	\$30,077	\$11,468	\$41,545	\$1.97 \$20.54	\$0.09 \$28.32	\$0.29 \$22.23
SUM		\$1,959,468	\$2,730,970	\$4,690,437	\$1.87 \$11.58	\$1.73 \$341.07	\$1.79 \$26.46
40 min emp time and 1 hr supervisor time		Annualized 5%, 3 yrs					
Small: 3 per class, Large: 20 per class							

G. Estimated Cost for Hazardous Job Training: Employers must provide hazardous job training for those employees working in jobs identified as WMSD hazard jobs. As with the basic awareness education, there are two components to the total cost: The cost for employee training time and the cost for instructor time. The assumptions used to make this cost estimate were that hazardous job training sessions required one hour of employee time and two hours of instructor time. Small businesses training sessions were esti-

mated to have two employees, while large businesses had ten employees per session. As with awareness education a cost of one dollar per employee was assessed for copying and assembling training session handouts. Costs were adjusted for job turnover. Hazard job training costs were estimated at \$1.94 million for all small businesses and \$1.95 million for all large businesses. Overall costs per employee were \$1.86 for small employers and \$1.24 for large employers: See Table 9 for detailed results.

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Table 9: Estimated Hazardous Job Training Costs

SIC	INDUSTRY TITLE	Estimated Washington State Hazardous Job Training Costs			Awareness training: Cost per employee, Cost per establishment		
		Small	Large	Total	Small	Large	Total
0	Agriculture, Forestry and Fishing	\$201,892	\$22,333	\$224,225	\$3.28 \$18.99	\$0.66 \$88.27	\$2.35 \$20.60
1	Mining and Construction	\$443,951	\$130,370	\$574,321	\$4.47 \$24.67	\$3.32 \$343.08	\$4.15 \$31.26
2	Manufacturing, nondurables	\$49,463	\$156,402	\$205,865	\$1.30 \$12.20	\$1.60 \$265.99	\$1.52 \$44.34
3	Manufacturing, durables	\$75,712	\$480,266	\$555,978	\$2.15 \$22.47	\$2.26 \$854.57	\$2.24 \$141.40
4	Transportation and public utilities	\$83,497	\$156,828	\$240,325	\$1.65 \$12.88	\$1.11 \$278.06	\$1.25 \$34.11
5	Wholesale and retail trade	\$464,303	\$390,138	\$854,441	\$1.35 \$11.19	\$1.44 \$168.60	\$1.39 \$19.51
6	Finance, insurance and real estate	\$117,505	\$117,462	\$234,967	\$1.56 \$8.62	\$1.95 \$277.03	\$1.73 \$16.71
7	General services	\$214,963	\$199,410	\$414,374	\$1.62 \$10.43	\$1.28 \$219.61	\$1.44 \$19.25
8	Professional services	\$275,424	\$291,401	\$566,825	\$1.41 \$5.56	\$0.67 \$181.11	\$0.90 \$11.09
9	Public administration	\$18,062	\$7,046	\$25,109	\$1.18 \$12.34	\$0.05 \$17.40	\$0.17 \$13.43
SUM		\$1,944,774	\$1,951,656	\$3,896,430	\$1.86 \$11.49	\$1.24 \$243.74	\$1.49 \$21.98
1 hr emp training 2 hr supervisor time		Annualized 5%, 3 yrs					
Small: 2 per class Large: 10 per class							

H. Estimated Cost for Training Job Analysts and Trainers: For those businesses conducting job analysis and hazard job training sessions a moderate level of additional training will be necessary for those conducting the job analysis or training sessions. The costs for training the trainer and the job analyst were made using the following assumptions. For small businesses it was assumed that one person required training for every three WMSD hazard jobs, for large businesses one person was trained for every twelve such employees. Training sessions were assumed to take twelve hours of

employee time and cost \$250. Costs were adjusted for job turnover. Training costs were annualized over five years at 5%. These training costs were estimated to be \$3.14 million for all small businesses and \$1.48 million for all large businesses. Overall annual costs per employee were \$3.00 for small employers and \$0.94 for large employers. Table 10 below summarizes the results.

Table 10: Estimated Training the Trainer Costs

SIC	INDUSTRY TITLE	Training the Trainer Costs			Training the Trainer: Cost per employee, Cost per establishment		
		Small	Large	Total	Small	Large	Total
0	Agriculture, Forestry and Fishing	\$363,817	\$22,937	\$386,754	\$5.92 \$34.21	\$0.68 \$90.66	\$4.06 \$35.52
1	Mining and Construction	\$677,797	\$112,082	\$789,879	\$6.83 \$37.67	\$2.85 \$294.95	\$5.70 \$42.99
2	Manufacturing, nondurables	\$86,036	\$68,705	\$154,741	\$2.26 \$21.22	\$0.70 \$116.84	\$1.14 \$33.33
3	Manufacturing, durables	\$118,546	\$317,507	\$436,053	\$3.36 \$35.18	\$1.49 \$564.96	\$1.76 \$110.90
4	Transportation and public utilities	\$150,756	\$126,697	\$277,453	\$2.99 \$23.26	\$0.89 \$224.64	\$1.44 \$39.38
5	Wholesale and retail trade	\$733,491	\$270,142	\$1,003,633	\$2.13 \$17.69	\$1.00 \$116.74	\$1.63 \$22.92
6	Finance, insurance and real estate	\$173,654	\$106,357	\$280,011	\$2.30 \$12.74	\$1.76 \$250.84	\$2.06 \$19.92
7	General services	\$352,988	\$165,316	\$518,304	\$2.67 \$17.12	\$1.06 \$182.07	\$1.80 \$24.08
8	Professional services	\$460,347	\$286,367	\$746,714	\$2.36 \$9.30	\$0.66 \$177.98	\$1.19 \$14.61
9	Public administration	\$25,578	\$3,003	\$28,581	\$1.67 \$17.47	\$0.02 \$7.42	\$0.20 \$15.29
SUM		\$3,143,009	\$1,479,113	\$4,622,122	\$3.00 \$18.57	\$0.94 \$184.73	\$1.76 \$26.08

12 hr training class, cost \$250 Annualized 5%, 5 yrs
 Small: 1 trained per 3 Level 2 or 3 emp
 Large: 1 trained per 12 Level 2 or 3 emp

PROPOSED

I. Estimated Managerial and Administrative Costs: Managerial and administrative costs for the rule were estimated from responses to questions in Ergo Survey 2 about which personnel were assigned to manage ergonomics programs and the percent of their time spent on the ergonomics program. Personnel assigned to manage ergonomics programs for small businesses spent 3.8% of their time on ergonomic-related issues; the corresponding portion for large businesses was 6.6% of time. To estimate managerial costs the following assumptions were made: Only businesses with WMSD hazard jobs had significant ergonomics programs, small businesses would have one person involved in manag-

ing an ergonomics program, while large businesses were assumed to have three people involved. Managerial responsibilities were assumed to take up 10% of the manager's ergonomics program time in small businesses and 20% in large businesses. The managerial and administrative costs were annualized over three years at 5%. Total managerial and administrative costs were estimated to be \$3.20 million for all small businesses and \$2.16 million for all large businesses. Overall annual costs per employee were \$3.06 for small employers and \$1.37 for large employers. Table 11 summarizes the estimated managerial costs.

Table 11: Management and Administrative Costs

SIC	INDUSTRY TITLE	Management and Administrative Costs			Management and Administrative Costs: Cost per employee, Cost per establishment		
		Small	Large	Total	Small	Large	Total
0	Agriculture, Forestry and Fishing	\$224,442	\$22,607	\$247,049	\$3.65 \$21.11	\$0.67 \$89.36	\$2.59 \$22.69
1	Mining and Construction	\$1,020,172	\$226,900	\$1,247,072	\$10.28 \$56.70	\$5.77 \$597.11	\$9.00 \$67.88
2	Manufacturing, nondurables	\$54,085	\$142,598	\$196,683	\$1.42 \$13.34	\$1.46 \$242.51	\$1.45 \$42.36
3	Manufacturing, durables	\$68,255	\$343,144	\$411,399	\$1.94 \$20.25	\$1.61 \$610.58	\$1.66 \$104.63
4	Transportation and public utilities	\$98,125	\$184,300	\$282,425	\$1.94 \$15.14	\$1.30 \$326.77	\$1.47 \$40.08

5	Wholesale and retail trade	\$428,962	\$654,055	\$1,083,017	\$1.25 \$10.34	\$2.41 \$282.65	\$1.76 \$24.73
6	Finance, insurance and real estate	\$242,031	\$88,326	\$330,357	\$3.21 \$17.75	\$1.47 \$208.32	\$2.44 \$23.50
7	General services	\$247,633	\$297,998	\$545,631	\$1.87 \$12.01	\$1.91 \$328.19	\$1.89 \$25.35
8	Professional services	\$790,287	\$194,394	\$984,681	\$4.06 \$15.97	\$0.45 \$120.82	\$1.57 \$19.27
9	Public administration	\$23,535	\$4,318	\$27,853	\$1.54 \$16.08	\$0.03 \$10.66	\$0.19 \$14.90
SUM		\$3,197,527	\$2,158,640	\$5,356,167	\$3.06 \$18.89	\$1.37 \$269.59	\$2.04 \$30.22
Small firms: 3.8% ergo time, 1 person per firm, 10% mngmt time Annualized 5%, 3 yrs Large firms: 6.6% ergo time, 3 people per firm, 20% mngmt time							

J. Total Estimated Costs and Per Employee Costs:
 Total costs for the proposed rule were estimated by combining the nine cost subcomponents presented above. The estimated total annualized cost for small business is \$32.9 million while for large businesses the total annualized cost is \$44.2 million: Total annualized cost for the proposal is \$77.1 million. For reasons given above these total cost numbers should be considered conservative estimates and probably overstate the true cost of the proposed rule. Detailed results are presented in Table 12. The RFA stipulates that one method for determining if a rule has a disproportionate impact on small business is to compare costs with large business on a per employee basis. Table 12 reveals that the average cost per employee are \$31.47 for all small businesses and \$28.03 for all large businesses. Average annual compliance

cost per establishment range from \$80 for small establishments in SIC category 8 (Professional Services) to \$16,413 for large establishments in SIC category 3 (Manufacturing: Durables). The information presented in Table 12 indicates that the anticipated overall compliance costs for the ergonomics rule are about 12% higher for small businesses relative to large businesses. The department has determined that this difference is not enough to be indicative of a disproportionate impact on small businesses. However, for SIC 0, SIC 8 and some industrial groupings within SIC 1 and SIC 5, the department anticipates that per employee costs may be significantly higher for small businesses. Anticipating this possibility the department plans to take several steps to mitigate the impact of the rule on small businesses.

Table 12: Total Estimated Costs and Cost per Employee

SIC	INDUSTRY TITLE	Total Estimated Washington State Ergonomics Rule Cost			Total Estimated Rule Cost per Employee, Cost per establishment		
		Small	Large	Total	Small	Large	Total
0	Agriculture, Forestry and Fishing	\$3,782,287	\$898,782	\$4,681,069	\$61.50 \$356	\$26.63 \$3,552	\$49.15 \$430
1	Mining and Construction	\$10,893,303	\$5,605,718	\$16,499,021	\$109.80 \$607	\$142.56 \$14,949	\$119.10 \$899
2	Manufacturing, nondurables	\$1,000,314	\$3,761,103	\$4,761,416	\$26.28 \$247	\$38.51 \$6,407	\$35.08 \$1,028
3	Manufacturing, durables	\$1,013,068	\$9,207,667	\$10,220,735	\$28.74 \$301	\$43.24 \$16,413	\$41.18 \$2,585
4	Transportation and public utilities	\$1,805,716	\$5,957,881	\$7,763,597	\$35.78 \$311	\$41.99 \$13,634	\$40.36 \$1,243
5	Wholesale and retail trade	\$6,921,102	\$8,167,210	\$15,088,312	\$20.10 \$167	\$30.14 \$3,563	\$24.52 \$345
6	Finance, insurance and real estate	\$1,265,154	\$1,353,776	\$2,618,929	\$16.78 \$94	\$22.46 \$3,286	\$19.31 \$188
7	General services	\$2,143,929	\$3,398,294	\$5,542,223	\$16.19 \$104	\$21.79 \$3,810	\$19.22 \$259
8	Professional services	\$3,919,762	\$5,696,970	\$9,616,732	\$20.14 \$80	\$13.14 \$4,971	\$15.31 \$193
9	Public administration	\$187,629	\$106,707	\$294,336	\$12.27 \$125	\$0.83 \$271	\$2.04 \$155
SUM	Total Cost & Cost per Employee Cost per establishment	\$32,932,263	\$44,154,107	\$77,086,370	\$31.47 \$197	\$28.03 \$6,008	\$29.40 \$441

Annualized costs in 1999 dollars

PROPOSED

K. Overall Impact of the Ergonomics Rule: One method for assessing the overall impact of a rule is to present the anticipated costs as a percent of gross business income (GBI). The GBI data were obtained from the Washington State Department of Revenue. Results of these comparisons are shown in Table 13 below. The estimated cost, as a percent of GBI, is 0.045% for all small businesses and 0.017% for all large businesses. The relatively higher fraction for

small businesses is primarily a consequence of large businesses having significantly higher GBI (sales) per employee. The one digit SIC category that will experience the greatest impact is SIC 0 (Agriculture, Forestry and Fishing) at 0.141% for small businesses and at 0.065% for large businesses. The department anticipates the proposed rule will have only negligible impact on business sales or prices for goods and services.

Table 13: Costs as Percent of Gross Business Income

SIC	INDUSTRY	Small Business		Large Business		All Businesses	
		Total cost	% of sales	Total cost	% of sales	Total cost	% of sales
0	AGRICULTURE AND FORESTRY	\$3,782,287	0.141%	\$898,782	0.065%	\$4,681,069	0.115%
1	MINING AND CONSTRUCTION	\$10,893,303	0.098%	\$5,605,718	0.045%	\$16,499,021	0.070%
2	MANUFACTURING: NONDURABLE	\$1,000,314	0.031%	\$3,761,103	0.011%	\$4,761,416	0.013%
3	MANUFACTURING: DURABLE	\$1,013,068	0.029%	\$9,207,667	0.017%	\$10,220,735	0.017%
4	TRANSPORTATION AND PUBLIC UTILITY	\$1,805,716	0.073%	\$5,957,881	0.056%	\$7,763,597	0.059%
5	WHOLESALE TRADE	\$6,921,102	0.025%	\$8,167,210	0.009%	\$15,088,312	0.012%
6	RETAIL TRADE	\$1,265,154	0.029%	\$1,353,776	0.008%	\$2,618,929	0.013%
7	GENERAL SERVICES	\$2,143,929	0.027%	\$3,398,294	0.021%	\$5,542,223	0.023%
8	PROFESSIONAL SERVICES	\$3,919,762	0.038%	\$5,696,970	0.035%	\$9,616,732	0.036%
9	PUBLIC ADMINISTRATION	\$187,629	*	\$106,707	*	\$294,336	*
SUM		\$32,932,263	0.0447%	\$44,154,107	0.0170%	\$77,086,370	0.0232%

*No sales data or profits reported for SIC 9

CONCLUSION: The proposed ergonomics rule requires employers with "caution zone jobs" to analyze their jobs to determine if WMSD hazards exist and to reduce the hazards for employees who are exposed. Employers are also required to provide basic awareness education on WMSD risk factors, the signs and symptoms of WMSDs and the elements of the ergonomics rule, for those in "caution zone jobs."

Using a combination of information from the SHARP and L&I employer surveys, OSHA and various labor market sources, the Department of Labor and Industries has determined that the ergonomics rule will not impose a disproportionate impact on small employers. The department has found that the per employee compliance costs on average are approximately 12% higher for small employers relative to large employers and does not consider the difference large enough to be indicative of disproportionate impact. Identification and analysis, training and awareness education all pose relatively small costs. The largest cost component of the rule is due to the engineering and administrative measures that are required to reduce exposure for workers in WMSD hazard jobs (Level 3 populations). A higher proportion of small employers than large employers will not have any WMSD hazard jobs and therefore will not bear any costs for engineering and administrative control measures.

This analysis did not take into account any of the potential benefits of the ergonomics rule. Each WMSD claim costs the state fund an average of \$5,462, and represents higher premium costs for employers, as well as lost income and pain and suffering for Washington workers and their families. The department believes that many of these injuries can be prevented through proper ergonomics awareness education, job training and job design. A cost-benefit analysis will fol-

low this report and will compare the costs of compliance to the anticipated benefits of the ergonomics rule.

Despite little evidence that the ergonomics rule will pose a disproportionate burden on small employers, the department recognizes that small businesses face inherent disadvantages which might not be fully addressed in this analysis. Therefore, the department concludes that a prudent approach to the rule is to make special allowances for small business. Mitigation of compliance costs for small business is planned in several ways. First, as discussed earlier in this report, there will be a phase-in period, which includes delayed enforcement for small businesses. The department intends to undertake substantial efforts to provide assistance for small businesses in preparing for the rule during this phase-in period. Second, employers will have options under the rule which allow an employer to follow specific criteria for identifying and reducing hazards, or to develop and use their own criteria which may be tailored to meet the employers' needs. Finally, the department's method of assessing penalties for violations of rules allows a very substantial penalty reduction for small employers.

Other Mandates of the Regulatory Fairness Act

The Department's Effort to Involve Businesses When Developing the Proposed Rule: Nine rule development conferences were held in seven cities throughout the state with feedback being received from more than 500 conference participants. In addition an advisory committee was formed to seek guidance from outside of the department on the content of the rule. The committee conducted seven all day meetings and consisted of thirty members representing large and small business, labor and safety and health professionals. A second advisory committee was created as a subcommittee of Construction Advisory Committee and focused on how the rule would address WMSDs in the construction committee.

PROPOSED

Following the committee meetings a "toolbox" committee was formed to assist L&I and the employer community in creating resources and guidance materials for reducing WMSD hazards. Finally, the department has continued to add material to its ergonomics website.

What industries must comply with this rule proposal? The proposed rule will apply to all types and sizes of industries in the state of Washington.

REFERENCES

Andreoni, D. (1986) *The Cost of Occupational Accidents and Disease. Occupational Safety and Health Series 54.* Geneva, International Labour Office.

Bernard, B.P. (1997). *Musculoskeletal Disorders and Workplace Factors, A Critical Review of Epidemiologic Evidence for Work-related Musculoskeletal Disorders of the Neck, Upper Extremity and Low Back.* CDC/DHHS (NIOSH) Publ: 97-141.

Facilitating Regulatory Fairness: A Resource Guide to Implementation for Rule Writers (1993). Department of Trade and Economic Development. Washington State Business Assistance Center.

Foley, Michael and Barbara Silverstein (1999). *Musculoskeletal Disorders, Risk Factors and Prevention Steps: A Survey of Employers in Washington State.* SHARP Technical Report 53-1-1999. Olympia, WA: Washington State Department of Labor and Industries.

Hinze, J. (1991). *Indirect Costs of Construction Accidents: A Report to the Construction Industry Institute, University of Texas, Austin.*

Leigh, J. Paul, S. Markowitz, M. Fahs, C. Shin and P. Landrigan (1997). *Occupational Injury and Illness in the United States: Estimates of Costs, Morbidity and Mortality.* Archives of Internal Medicine 157:1557-1568.

Morse, Timothy F. Charles Dillon, Nicholas Warren, Charles Levenstein and Andrew Warren (1998). *The Economic and Social Consequences of Work-related Musculoskeletal Disorders: The Connecticut Upper-extremity Surveillance Project (CUSP).* International Journal of Occupational Environmental Health 4: 209-216.

National Occupational Exposure Survey (NOES): *Analysis of Management Interview Responses* (1988). (Question 65: "Turnover Rate Among Non-Administrative Permanent Employees," pp. 658-662). National Institute for Occupational Safety and Health, Centers for Disease Control, Public Health Service, U.S. Department of Health and Human Services. Field interviews conducted 1981-1983.

OSHA: *Preliminary Regulatory Impact Analysis (PRIA) for the Ergonomic Protection Standard.* 1995.

Science and Engineering Indicators Survey (1997) Chicago Academy of Science (CAS). Unpublished survey results. Personal communication Jon Miller, CAS.

Silverstein, B. Kalat J. (1999). *Non-Traumatic Soft Tissue MSDs, 1990-1997.* SHARP Technical Report 40-3-99.

Olympia, WA: Washington State Department of Labor and Industries.

Silverstein B., Kalat J. (1998). *Work related Disorders of the Back and Upper Extremity in Washington state, 1989-1996.* SHARP Technical Report 40-1-1997. Olympia, WA: Washington State Department of Labor and Industries.

A copy of the statement may be obtained by writing to Greg Nothstein, Economic Analyst, Department of Labor and Industries, P.O. Box 44000, Olympia, WA 98504-4000, phone (360) 902-6805, fax (360) 902-4202.

RCW 34.05.328 applies to this rule adoption. WISHA is proposing to add a new section A-1 to chapter 296-62 WAC. The purpose of the section is to assist employers in reducing employee exposure to workplace hazards that can cause or aggravate work-related musculoskeletal disorders (WMSD). The rule will require employers to identify and attempt to reduce these WMSD hazards. The proposed new section (A-1 of chapter 296-62 WAC) is a significant legislative rule as defined by RCW 34.05.328 (5)(c)(iii).

Hearing Location: On January 5, 2000, at 1:00 p.m. and 6:00 p.m., at the Washington State Convention Center, Rooms 618-620, 8th and Pike, Seattle, Washington; on January 6, 2000, 1:00 p.m. and 6:00 p.m., at the Howard Johnson Plaza Hotel, Orcas Room, 3105 Pine Street, Everett, WA; on January 10, 2000, at 1:00 p.m. and 6:00 p.m., at the Tacoma Public Library, Olympic Room, 1102 Tacoma Avenue South, Tacoma, WA; on January 11, 2000, at 1:00 p.m. and 6:00 p.m., at the Red Lion Hotel at the Quay, Centennial Center, 100 Columbia Street, Vancouver, WA; on January 12, 2000, at 1:00 p.m. and 6:00 p.m., at Cavanaugh's Inn at the Park, Skyline Room, 303 West North River Drive, Spokane, WA; on January 13, 2000, at 1:00 p.m. and 6:00 p.m., at Cavanaugh's at Yakima Center, Ball Room, 607 East Yakima Avenue, Yakima, WA; and on January 14, 2000, at 1:00 p.m. and 6:00 p.m., at the Labor and Industries Building, Room S117-S118, 7273 Linderson Way S.W., Tumwater.

Assistance for Persons with Disabilities: Contact Josh Swanson by December 22, 1999, at (360) 902-5484.

Submit Written Comments to: Jennie Hays, Project Manager, WISHA Services Division, P.O. Box 44620, Olympia, WA 98504-4620, by 5:00 p.m. on February 14, 2000. In addition to written comments, the department will accept comments submitted to fax (360) 902-5529 or by e-mail at ergorule@lni.wa.gov. Comments submitted by fax must be ten pages or less.

Date of Intended Adoption: May 1, 2000.

November 15, 1999

Gary Moore
Director

PROPOSED

NEW SECTION**WAC 296-62-051 Ergonomics.****PART 1**NEW SECTION**WAC 296-62-05101 What is the purpose of this rule?**

The purpose of this rule is to reduce employee exposure to workplace hazards that can cause or aggravate work-related musculoskeletal disorders (WMSDs). In workplaces where these hazards exist, employers must reduce them. Doing so will prevent WMSDs such as tendinitis, carpal tunnel syndrome and low back disorders. The rule is not designed to prevent injuries from slips, trips, falls, motor vehicle accidents or being struck by or caught in objects.

This rule contains three parts.

- Part 1, WAC 296-62-05105, provides a quick way for employers to know if they are covered.
- Part 2 requires covered employers to meet an employee-education requirement and identify

WMSD hazards. If hazards exist, the employer must reduce them.

- Part 3 shows covered employers when they must comply with this rule. An employer's type of business and number of employees determine how much time is permitted for compliance (3 to 6 years for fixing WMSD hazards).

The rule does not include any requirements for the medical management of WMSDs or change any requirements for handling industrial insurance claims. An employer will not be in violation of this rule solely because an employee develops a WMSD or related symptom.

The department will work with a group of demonstration employers to test and improve guidelines, best practices, and inspection policies and procedures as they are developed.

NEW SECTION

WAC 296-62-05103 Which employers are covered by this rule? Employers with "caution zone jobs" are covered by this rule. A "caution zone job" is a job or task where an employee's typical work includes any of the physical risk factors listed in WAC 296-62-05105.

NEW SECTION**WAC 296-62-05105 What is a "caution zone job"?****"Caution zone"**

A "caution zone job" is a job or task where an employee's typical work includes any of the physical risk factors listed below.

- Employers having one or more "caution zone jobs" must comply with Part 2 of this rule. "Caution zone jobs" may not be hazardous, but do require further evaluation.
- This rule does not prohibit "caution zone jobs."
- Employers who have made a reasonable determination that they do not have "caution zone jobs" are not covered by this rule.

Awkward Postures

- Working with the hand(s) above the head, or the elbow(s) above the shoulder, for more than 2 hours total per workday
- Working with the neck, back or wrist(s) bent more than 30 degrees for more than 2 hours total per workday
- Squatting for a total of 2 hours per workday or kneeling for a total of 2 hours per workday

High Hand Force

- Pinching an object weighing more than 2 pounds per hand for more than 2 hours total per workday
- Gripping an object weighing more than 6 pounds per hand for more than 2 hours total per workday

Highly Repetitive Motion

- Repeating the same motion with the neck, shoulders, elbows, wrists, or hands (except for keying) with little or no variation every few seconds for more than 2 hours total per workday
- Performing intensive keying for more than 4 hours total per workday

Repeated Impact

- Using the hand or knee as a hammer more than 10 times per hour for more than 2 hours total per workday

Heavy, Frequent or Awkward Lifting

- Lifting objects weighing more than 75 pounds once per workday or 55 or more pounds more than 10 times per workday
- Lifting objects weighing more than 10 pounds if done more than twice per minute for more than 2 hours total per workday
- Lifting objects weighing more than 25 pounds above the shoulders, below the knees or at arms length more than 25 times per workday

Moderate to High Vibration

- Using impact wrenches, carpet strippers, chain saws, percussive tools (jack hammers, scalers, riveting or chipping hammers) or other hand tools that typically have high vibration levels for more than 30 minutes total per workday
- Using grinders, sanders, jig saws or other hand tools that typically have moderate vibration levels for more than 2 hours total per workday

(Employers may assume that hand tools vibrating less than 2.5 meters per second squared (m/s^2) eight-hour equivalent are not covered.)

PART 2NEW SECTION

WAC 296-62-05110 When do employers' existing ergonomics activities comply with this rule? Employers may continue to use effective alternative methods established before this rule's adoption date. If used, the employer must be able to demonstrate that the alternative methods, taken as a whole, are as effective as the requirements of this rule in reducing the WMSD hazards of each job and providing for employee education, training and participation.

NEW SECTION

WAC 296-62-05120 Which employees must receive ergonomics awareness education and when? (1) Employers must ensure that all employees working in or supervising "caution zone jobs" receive ergonomics awareness education at least once every three years. The employer may provide ergonomics awareness education or may rely on education provided by another employer or organization.

(2) When employees are assigned to work in or supervise "caution zone jobs," they must receive ergonomics awareness education within 30 calendar days, unless they have received it in the past three years. This requirement applies when the initial "awareness education" deadline in the implementation schedule (WAC 296-62-05160) has passed.

NEW SECTION

WAC 296-62-05122 What must be included in ergonomics awareness education? Ergonomics awareness education must include:

(1) Information on work-related causes of musculoskeletal disorders, including physical risk factors present in the type of job to which the employee is assigned (nonwork factors may be included as well);

(2) The types, symptoms and consequences of WMSDs and the importance of early reporting;

(3) Information on identifying WMSD hazards and common measures to reduce them; and

(4) The requirements of this ergonomics rule.

NEW SECTION

WAC 296-62-05130 What options do employers have for analyzing and reducing WMSD hazards? All covered employers must determine whether "caution zone jobs" have WMSD hazards and must reduce the WMSD hazards identified. **Employers may choose either the general performance approach or the specific performance approach as follows:**

WAC 296-62-05130 - Analyzing and reducing WMSD hazards:

WAC 296-62-05130 - Analyzing and reducing WMSD hazards:

General Performance Approach

Specific Performance Approach

1. The employer must analyze "caution zone jobs" to identify those with WMSD hazards that must be reduced. A WMSD hazard is a physical risk factor that by itself or in combination with other physical risk factors has a sufficient level of intensity, duration or frequency to cause a substantial risk of WMSDs. The employer must choose criteria for this analysis that are as effective as widely accepted nationally recognized criteria such as the Liberty Mutual Manual Handling Tables, the Job Strain Index, the Department of Energy ErgoEaser, the ANSI S3.34-1986 (R1997) Hand Arm Vibration Standards, the 1991 NIOSH Lifting Equation, or the UAW-GM Risk Factor Checklists.
2. The employer must analyze "caution zone jobs" using a systematic method that includes the following, if applicable:
 - a. Physical demands specific to the worksite including posture, force, repetition, repeated impacts, vibration, duration, work pace, task variability and recovery cycles;
 - b. Layout of the work area, including reaches, working heights, seating and surfaces; and
 - c. Manual handling requirements, including size, shape, weight, and packaging.
3. Individuals responsible for hazard analysis must know how to use the analysis method effectively and be informed about the requirements of this rule.
4. The employer must reduce all WMSD hazards below the criteria chosen in WAC 296-62-05130(1) or to the degree feasible.
5. Measures used by employers to reduce WMSD hazards must take into account the causes of the hazards and must be implemented in the following order of preference:
 - a. Engineering or administrative measures to reduce WMSD hazards. Examples include:
 - changes to workstations and tools
 - reducing the size and weights of loads handled
 - process redesign to eliminate unnecessary steps or introduce task variety
 - job rotation
 - work schedule modification
 - b. Measures that primarily rely on individual work practices or personal protective equipment to reduce WMSD hazards. Examples include:

1. The employer must analyze "caution zone jobs" to identify those with WMSD hazards that must be reduced. A WMSD hazard is a physical risk factor that exceeds the criteria in Appendix B of this rule.
2. Same as General Performance Approach.
3. Individuals responsible for hazard analysis must know how to use the analysis provided in Appendix B effectively and be informed about the requirements of this rule.
4. The employer must reduce all WMSD hazards below the criteria in Appendix B of this rule or to the degree feasible.
5. Same as General Performance Approach.

PROPOSED

WAC 296-62-05130 - Analyzing and reducing WMSD hazards:**General Performance Approach**

- kneepads
- impact gloves
- team lifting
- training on work techniques

6. If measures to reduce WMSD hazards include changes in the job or work practices then job-specific training must be provided. This job-specific training must include:
- a. The hazards of the job or task;
 - b. Safe work practices; and
 - c. The proper use and maintenance of specific measures to reduce WMSD hazards that have been implemented.
7. No written ergonomics program is required. The employer must be able to demonstrate the following:
- a. The method used to analyze "caution zone jobs";
 - b. The criteria used to identify WMSD hazards;
 - c. The jobs with identified WMSD hazards; and
 - d. The reduction of all WMSD hazards below the criteria chosen in WAC 296-62-05130(1) or to the degree feasible.

NEW SECTION

WAC 296-62-05140 How must employees be kept involved and informed? (1) The employer must provide for and encourage employee participation in analyzing "caution zone jobs" and selecting measures to reduce WMSD hazards. Employers with eleven or more employees who are required to have safety committees (WAC 296-24-045), must involve this committee in choosing the methods to be used for employee participation.

(2) Employers with eleven or more employees must share the following information with the safety committee (if a committee is required by WAC 296-24-045). Employers who are not required to have a safety committee (WAC 296-24-045) must provide this information at safety meetings:

- (a) The requirements of this rule;
- (b) Identified "caution zone jobs";
- (c) Results of the hazard analysis and/or identification of jobs with WMSD hazards; and
- (d) Measures to reduce WMSD hazards.

(3) The employer must review its ergonomics activities at least annually for effectiveness and for any needed improvements. This review must include members of the safety committee where one exists or ensure an equally effective means of employee involvement.

WAC 296-62-05130 - Analyzing and reducing WMSD hazards:**Specific Performance Approach**

6. Same as General Performance Approach.
7. No written ergonomics program is required. The employer must be able to demonstrate that all WMSD hazards have been reduced below the criteria identified in Appendix B of this rule or to the degree feasible.

NEW SECTION

WAC 296-62-05150 How are terms and phrases used in this rule? Note: Check L&I's WISHA Services website at <http://www.lni.wa.gov/wisha/ergo> for current links to any of the websites referred to in this section.

ANSI S3.34-1986 (R1997) Hand Arm Vibration Standards - American National Standard Guide for the Measurement and Evaluation of Human Exposure to Vibration Transmitted to the Hand. ANSI S3.34-1986 (R1997). Available for purchase at the ANSI web site <http://web.ansi.org/default.htm>.

"Caution zone jobs" - Jobs or tasks in which the employee's typical work includes physical risk factors identified in WAC 296-62-05105. These jobs have a sufficient degree of risk to require ergonomics awareness education and job hazard analysis.

Department of Energy ErgoEaser - Ergonomics Education, Awareness, System Evaluation and Recording (ErgoEaser) software package. U.S. Department of Energy, Office of Environment, Safety, and Health (1995). Can be downloaded from the Department of Energy website at <http://tis.eh.doe.gov/others/ergoeaser/download.htm>.

Ergonomics - The science and practice of designing jobs or workplaces to match the capabilities and limitations of the human body.

Intensive Keying - Keying with the hands or fingers in a rapid, steady motion with few opportunities for temporary work pauses.

Job Strain Index - The Strain Index: A proposed method to analyze jobs for risk of distal upper extremity disorders, Moore, J.S., and A. Garg, (1995). Published in American Industrial Hygiene Association Journal, Vol. 56, pgs. 443-458. Website <http://sg-www.satx.disa.mil/hscsoemo/tools/strain.htm>.

Liberty Mutual Manual Handling Tables - The design of manual handling tasks: Revised tables of maximum acceptable weights and forces, Snook, S., Ciriello, V., (1991). Published in Ergonomics, Vol. 34, No. 9, pgs. 1197-1213.

NIOSH Lifting Equation, 1991 - Applications Manual for Revised Lifting Equation, Waters, T., Putz-Anderson, V., Garg, A., (1994). Available from the National Technical Information Center (NTIS), Springfield, VA 22161. 1-800-553-6847. Calculator website: <http://www.industrial-hygiene.com/calc/lift.html>. Application guideline website: <http://www.cdc.gov/niosh/94-110.html>.

Recovery Cycles - Work periods with light task demands, or rest breaks, that permit an employee to recover from physically demanding work.

Typical Work - Work that is a regular or foreseeable part of the job.

UAW-GM Risk Factor Checklists - UAW-GM Risk Factor Checklist 2, 1998. UAW-GM Health and Safety Center, 1030 Doris Road, Auburn Hills, Michigan.

Work-Related Musculoskeletal Disorders (WMSDs) - Occupational disorders that involve soft tissues such as muscles, tendons, ligaments, joints, blood vessels and nerves. Examples include: Muscle strains and tears, ligament sprains, joint and tendon inflammation, pinched nerves, degeneration of spinal discs, carpal tunnel syndrome, tendinitis, rotator cuff syndrome. For purposes of this rule WMSDs do not include injuries from slips, trips, falls, motor vehicle accidents or being struck by or caught in objects.

PART 3

NEW SECTION

WAC 296-62-05160 When must employers comply with this rule? Employers covered by this rule must comply with its requirements by the dates shown.

INITIAL IMPLEMENTATION SCHEDULE

Employer	Effective Date	Awareness Education Completed	Hazard Analysis Completed	Hazard Reduction Completed
<ul style="list-style-type: none"> All employers in SIC codes** 152, 174, 175, 176, 177, 242, 411, 421, 451, 541, 734 and 805 that employ 50 or more employees in workplaces described by these SIC codes The WA Dept. of Labor & Industries 	One year after the rule adoption date <u>*00/00/00</u>	Adoption date +15 months	Adoption date +24 months	Adoption date +36 months
<ul style="list-style-type: none"> Employers in SIC codes** 152, 174, 175, 176, 177, 242, 411, 421, 451, 541, 734, and 805 that employ less than 50 employees in workplaces described by these SIC codes. All other employers that employ 50 or more employees 	Two years after the rule adoption date	Adoption date +27 months	Adoption date +33 months	Adoption date +48 months
All other employers employing 11-49 employees	Three years after the rule adoption date	Adoption date +39 months	Adoption date +45 months	Adoption date +60 months
All other employers	Four years after the rule adoption date	Adoption date +51 months	Adoption date +57 months	Adoption date +72 months

SUPPLEMENTAL IMPLEMENTATION SCHEDULE

PROPOSED

Employer	Effective Date	Awareness Education Completed	Hazard Analysis Completed	Hazard Reduction Completed
New workplaces or businesses	One year from the date the new workplace or business was established	+ 1 month	+ 2 months	+ 3 months
	OR The initial implementation date that applies, whichever is later	OR According to the schedule above	OR According to the schedule above	OR According to the schedule above
Significant changes to existing workplaces or businesses	When they occur	+ 1 month	+ 2 months	+ 3 months
	OR The initial implementation date that applies, whichever is later	OR According to the schedule above	OR According to the schedule above	OR According to the schedule above

**Note: Actual dates will be inserted for final rule.*

***Note: See Appendix C of this rule for descriptions of these SIC codes.*

Note: Help for employers in implementing the rule.

The department will work with employer and employee organizations to collect and share the most effective examples of ergonomic training, job analysis, and specific solutions to problems. The department will make special efforts to share this information with the small business community.

1. Developing Ergonomics Guides and Models

The department will work with employer and employee organizations to develop guides for complying with this rule (for example, a model program for ergonomics awareness education). Employer use of these guides will be optional.

2. Identifying Industry Best Practices

The department will work with employer and employee organizations to develop or identify methods of reducing WMSD hazards that will serve as examples of industry-specific best practices. As industry-specific best practices are developed, they may be used to demonstrate employer compliance with the requirement to reduce WMSD hazards. Employers will not be restricted to the use of industry best practices for compliance.

3. Establishing Inspection Policies and Procedures

The department will develop policies and procedures for inspections and enforcement of this rule prior to the first effective date. These policies and procedures will be communicated to employers and employees through mailing lists, business associations, labor unions and other methods before the department issues any citations or penalties.

4. Testing Guidelines with Demonstration Employers

Following adoption of this rule, the department intends to identify employers who agree to serve as Demonstration Employers. The department will work with these employers to test and improve guidelines, best practices and inspection policies and procedures as they are developed.

5. Providing Information on Ergonomics

NEW SECTION

WAC 296-62-05170 Appendices.

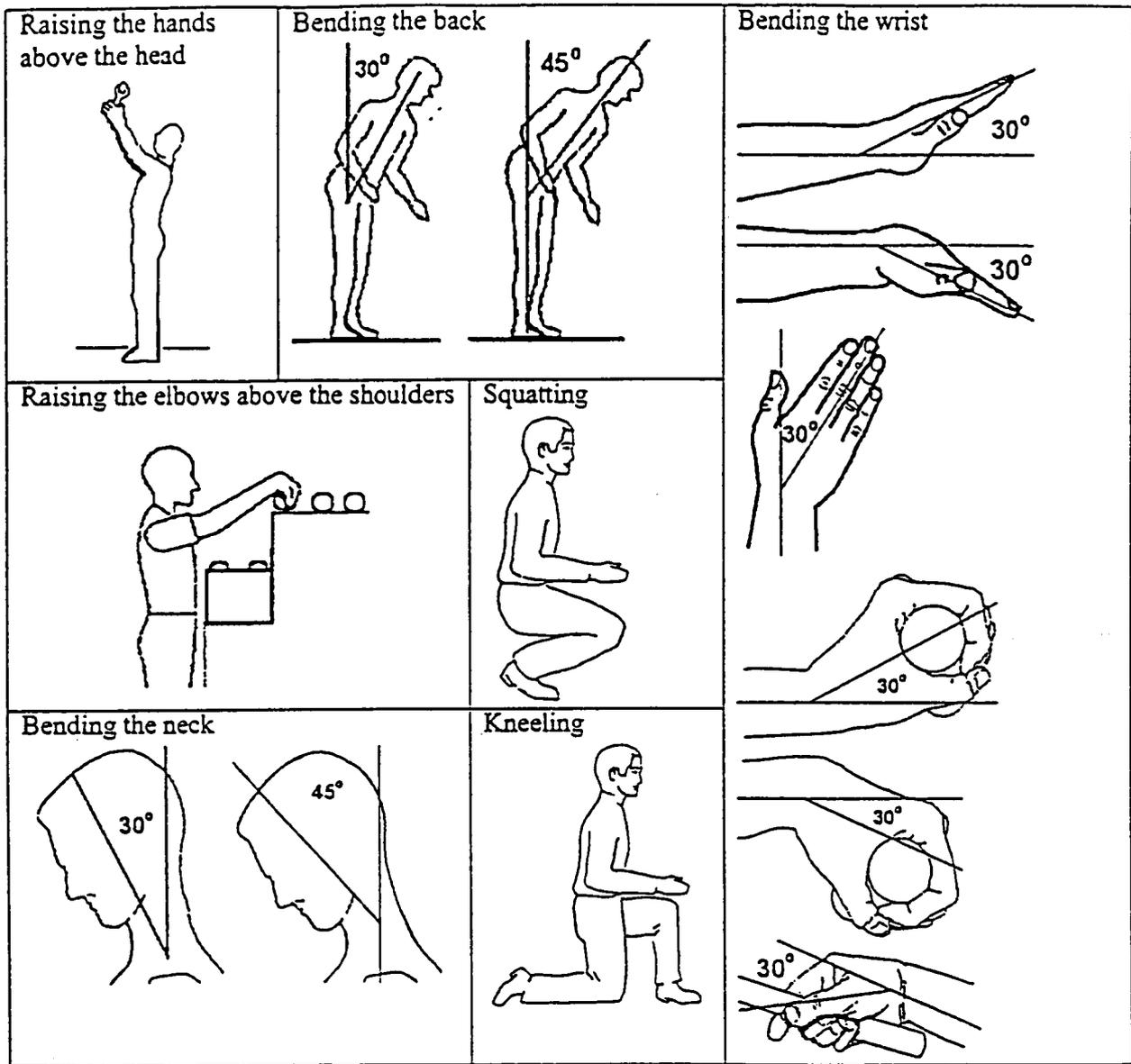
NEW SECTION

WAC 296-62-05172 Appendix A: Illustrations of physical risk factors. The following illustrations are provided as reference only. Some users of this rule may find the pictures aid their understanding of the text in WAC 296-62-05105.

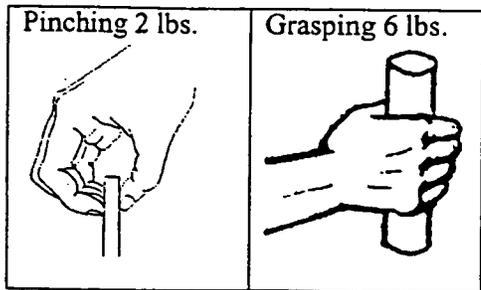
PROPOSED

Awkward Postures

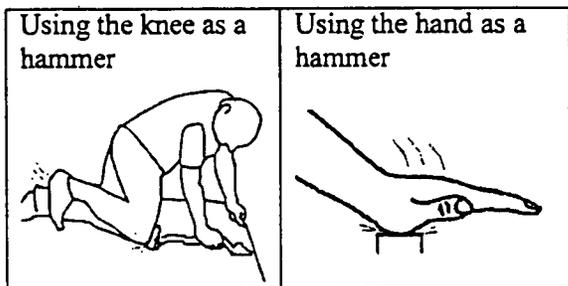
PROPOSED



High Hand Force



Repeated Impacts



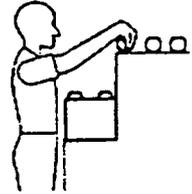
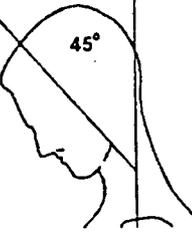
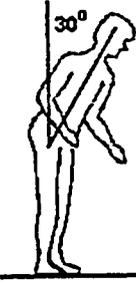
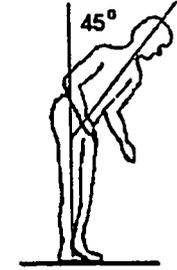
NEW SECTION

WAC 296-62-05174 Appendix B: Criteria for analyzing and reducing WMSD hazards for employers who choose the Specific Performance Approach. For each "caution zone job" find any physical risk factors that apply. Reading across the page, determine if all of the conditions are present in the job. If they are, a WMSD hazard exists and must be reduced (see WAC 296-62-05130(4), specific performance approach).

For each "caution zone job" find any physical risk factors that apply. Reading across the page, determine if all of the conditions are present in the job. If they are, a WMSD hazard exists and must be reduced (see WAC 296-62-05130(4), specific performance approach).

PROPOSED

PROPOSED

Awkward Postures			
Body Part	Physical Risk Factor	Duration	Visual Aid
Shoulders	Holding the hand(s) above the head or the elbow(s) above the shoulder(s)	More than 4 hours total per workday	
	Repetitively raising the hand(s) above the head or the elbow(s) above the shoulder(s) more than once per minute	More than 4 hours total per workday	
Neck	Bending the neck, without added support, 45° or more	More than 4 hours total per workday	
Back	Bending the back forward to work, without added support, more than 30°	More than 4 hours total per workday	
	Bending the back forward to work, without added support, more than 45°	More than 2 hours total per workday	

Check (✓) here if this is a WMSD hazard

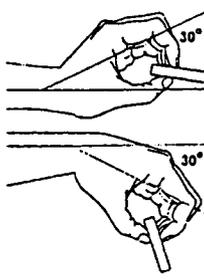
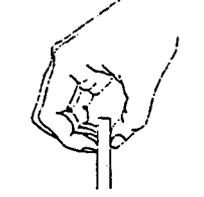
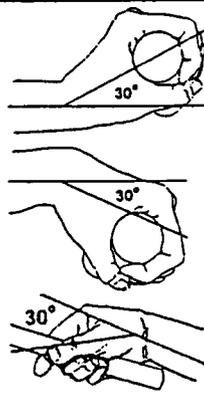
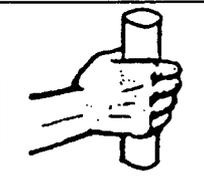
Awkward Postures (continued)

Body Part	Physical Risk Factor	Duration	Visual Aid
Knees	Squatting	More than 4 hours total per workday	
	Kneeling on hard surfaces	More than 2 hours total per workday	
	Kneel on soft or padded surfaces	More than 4 hours total per workday	

Check (✓) here if this is a WMSD hazard

PROPOSED

PROPOSED

High Hand Force				
Body Part	Physical Risk Factor	Combined with	Duration	Visual Aid
Arms, wrists, hands	Pinching an object(s) weighing more than 2 lbs. per hand	Highly repetitive motions	More than 3 hours total per workday	
		Wrists bent 30° or more	More than 3 hours total per workday	
		No other risk factors	More than 4 hours total per workday	
Arms, wrists, hands	Gripping an object(s) weighing more than 6 lbs. per hand	Highly repetitive motions	More than 3 hours total per workday	
		Wrists bent 30° or more	More than 3 hours total per workday	
		No other risk factors	More than 4 hours total per workday	

Check (✓) here if this is a WMSD hazard

Highly Repetitive Motions

Body Part	Physical Risk Factor	Combined with	Duration
Neck, shoulders, elbows, wrists, hands	Using the same motion with little or no variation every few seconds (excluding keying activities)	No other risk factors	More than 6 hours total per workday
	Using the same motion with little or no variation every few seconds (excluding keying activities)	Wrists bent 30° or more AND High, forceful exertions with the hand(s)	More than 2 hours total per workday
	Intensive keying (for example, data entry)	Awkward postures	More than 4 hours total per workday
		No other risk factors	More than 7 hours total per workday

Check (✓) here if this is a WMSD hazard

PROPOSED

Repeated Impact

Body Part	Physical Risk Factor	Duration	Visual Aid
Hands	Using the hand as a hammer more than once per minute	More than 2 hours total per workday	
Knees	Using the knee as a hammer more than once per minute	More than 2 hours total per workday	

Check (✓) here if this is a WMSD hazard

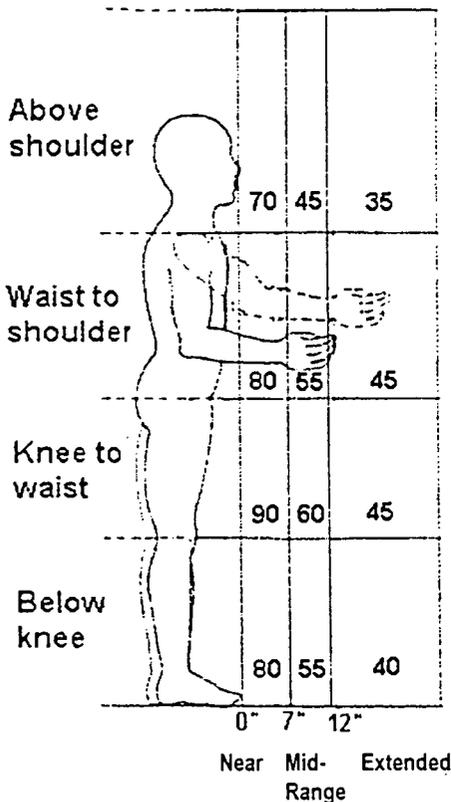
Heavy, Frequent or Awkward Lifting

This analysis only pertains if you have "caution zone jobs" where employees lift 10 lbs. or more (see WAC 296-62-05105, Heavy, Frequent, or Awkward lifting) and you have chosen the specific performance approach.

Step 1 Find out the actual weight of objects that the employee lifts.

Actual Weight = _____ lbs.

Step 2 Determine the Unadjusted Weight Limit. Where are the employee's hands at the beginning of the lift? Mark that spot on the diagram below. The number in that box is the Unadjusted Weight Limit in pounds.



Unadjusted Weight Limit: _____ lbs.

Step 3 Find the Percentage Modifier. Find out how many times the employee lifts per minute and the total number of hours per workday spent lifting. Use this information to look up the Percentage Modifier in the table below.

How many lifts per minute?	For how many hours per workday?		
	1 hr or less	1 hr to 2 hrs	2 hrs or more
1 lift every 5 mins	100%	95%	85%
1 lift every min	95%	90%	75%
2-3 lifts every min	90%	85%	65%
4-5 lifts every min	85%	70%	45%
6-7 lifts every min	75%	50%	25%
8-9 lifts every min	60%	35%	15%
10+ lifts every min	30%	20%	0%

Note: For lifting done less than once every five minutes, use 100%

Percentage Modifier: _____ %

Step 4 Calculate the Weight Limit. Start by copying the Unadjusted Weight Limit from Step 2.

Unadjusted Weight Limit: _____ lbs.

If the employee twists more than 45 degrees while lifting, subtract 10 pounds from the Unadjusted Weight Limit. Otherwise subtract 0.

Twisting Adjustment: - _____ lbs.

Adjusted Weight Limit: = _____ lbs.

Multiply the Adjusted Weight Limit by the Percentage Modifier from Step 3 to get the Weight Limit.

Percentage Modifier: _____ %

Weight Limit: = _____ lbs.

Step 5 Is this a hazard? Compare the Weight Limit calculated in Step 4 with the Actual Weight lifted from Step 1. If the Actual Weight lifted is greater than the Weight Limit calculated, then the lifting is a WMSD hazard and must be controlled.

Note: If the job involves lifts of objects with a number of different weights and/or from a number of different locations, use Steps 1 through 5 above to:

- Analyze the two worst case lifts – the heaviest object lifted and the lift done in the most awkward posture.
- Analyze the most commonly performed lift. In Step 3, use the frequency and duration for all of the lifting done in a typical workday.

PROPOSED

Vibration

Use the instructions below to determine if a vibration hazard exists.

Step 1. Find the vibration value for the tool. (Get it from the manufacturer, look it up at this website: <http://umetech.niwl.se/vibration/HAVHome.html>, or you may measure the vibration yourself). The vibration value will be in units of meters per second squared (m/s^2). On the graph below find the point on the left side that is equal to the vibration value.

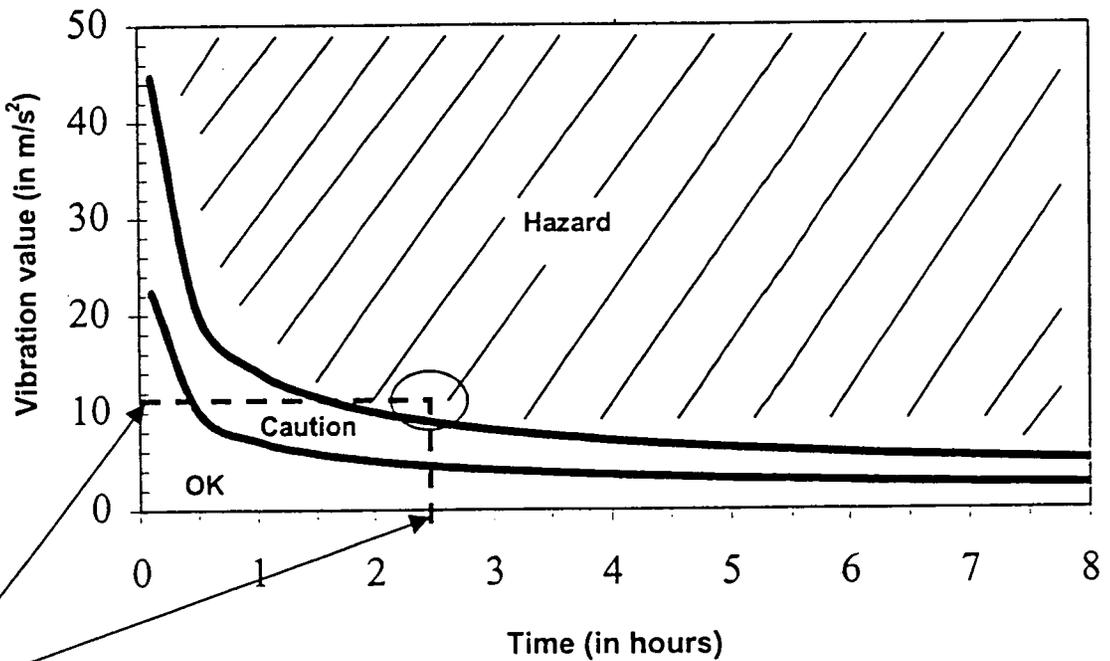
Note: You can also link to this website through the L&I WISHA Services Ergonomics website: <http://www.lni.wa.gov/wisha/ergo>

Step 2. Find out how many total hours per workday the employee is using the tool and find that point on the bottom of the graph.

Step 3. Trace a line in from each of these two points until they cross.

Step 4. If that point lies in the cross-hatched "Hazard" area above the upper curve, then the vibration hazard must be controlled. If the point lies between the two curves in the "Caution" area, then the job remains as a "Caution Zone Job." If it falls in the "OK" area below the bottom curve, then no further steps are required.

PROPOSED



Example:
An impact wrench with a vibration value of $12 m/s^2$ is used for 2½ hours total per day. The exposure level is in the Hazard area. The vibration must be controlled.

Note: The caution limit curve (bottom) is based on an 8-hour energy-equivalent frequency-weighted acceleration value of $2.5 m/s^2$. The hazard limit curve (top) is based on an 8-hour energy-equivalent frequency-weighted acceleration value of $5 m/s^2$.

NEW SECTION

WAC 296-62-05176 Appendix C: Standard Industry Classification (SIC) codes. The descriptive titles for the SIC codes listed in the implementation schedule (WAC 296-

62-05160) are provided below. SIC codes are established by the federal Office of Management and Budget and are listed in the *Standard Industrial Classification Manual*, 1987 edition.

PROPOSED

SIC*	INDUSTRY	EXAMPLES
152	General Building Contractors, Residential Buildings	<ul style="list-style-type: none"> • general contractors—single-family houses • general contractors—residential buildings other than single-family
174	Masonry, Stonework, Tile Setting & Plastering	<ul style="list-style-type: none"> • masonry, stone setting, and other stone work • plastering, drywall, acoustical, and insulation work • terrazzo, tile, marble, and mosaic work
175	Carpentry and Floor Work	<ul style="list-style-type: none"> • carpentry work • floor laying and other floor work (NEC**)
176	Roofing, Siding and Sheet Metal	<ul style="list-style-type: none"> • installation of roofing, siding, and sheet metal work
177	Concrete Work	<ul style="list-style-type: none"> • includes portland cement and asphalt
242	Sawmills & Planing Mills	<ul style="list-style-type: none"> • sawmills and planing mills • hardwood dimension and flooring mills • special products sawmills (NEC**)
411	Local & Suburban Transportation	<ul style="list-style-type: none"> • local and suburban transit • local passenger transportation (NEC**)
421	Trucking & Courier Service, not Air	<ul style="list-style-type: none"> • trucking • local trucking with or without storage • courier services (except by air)
451	Air Transportation, Scheduled and Air Courier	<ul style="list-style-type: none"> • scheduled air transportation • air courier services <p>Note: WISHA jurisdiction excludes planes in flight.</p>
541	Grocery Stores	<ul style="list-style-type: none"> • supermarkets • food stores • grocery stores
734	Services to Dwellings & Other Buildings	<ul style="list-style-type: none"> • disinfecting and pest control services • building cleaning and maintenance services (NEC**)
805	Nursing & Personal Care	<ul style="list-style-type: none"> • skilled nursing care facilities • intermediate care facilities • nursing and personal care facilities (NEC**)

*SIC or NAICS equivalent. In 2000, federal agencies that produce statistical data will adopt NAICS (North American Industry Classification System) codes and begin to phase out the SIC codes. State and local government agencies also will use this new coding structure to promote a common language for categorizing today's industries.

**NEC - not elsewhere classified.

WSR 99-23-080
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Adult Services Administration)
 [Filed November 16, 1999, 9:55 a.m.]

Original Notice.
 Preproposal statement of inquiry was filed as WSR 99-15-066.

Title of Rule:

Proposed Action	Title of Rule	Statutory authority for adoption	Statute being implemented
New	388-71-0400 What is the intent of the department's home and community programs?	RCW 74.09.520, 74.08.090, 74.39A.130	RCW 74.39.010, 74.39A.110
New	388-71-0405 What are the home and community programs?	RCW 74.09.520, 74.08.090, 74.39A.130	RCW 74.39.010, 74.39A.110
New	388-71-0410 What services may I receive under HCP?	RCW 74.08.090, 74.39.010, 74.09.520	RCW 74.39.010, 74.09.520
New	388-71-0415 What other services may I receive under the COPEs program?	RCW 74.08.090, 74.39.020	RCW 74.39.020
New	388-71-0420 What services are not covered under HCP?	RCW 74.09.520, 74.08.090, 74.39A.130	RCW 74.39.020
New	388-71-0425 Who can provide HCP services?	Chapter 175, Laws of 1999, chapters 70.126, 70.127 RCW, RCW 74.08.044	Chapter 175, Laws of 1999, chapters 70.126, 70.127 RCW, RCW 74.08.044
New	388-71-0430 Am I eligible for one of the HCP programs?	RCW 74.39.010, 74.08.090, 74.39A.110, 74.09.520	RCW 74.39.010, 74.08.090, 74.39A.110, 74.09.520
New	388-71-0440 Am I eligible for MPC-funded services?	RCW 74.09.520	RCW 74.09.520
New	388-71-0445 Am I eligible for Chore-funded services?	RCW 74.39A.110, 74.39A.150	RCW 74.39A.110, 74.39A.150
New	388-71-0450 How do I remain eligible for services?	42 C.F.R. 441.302, RCW 74.09.520	C.F.R. 42.441.302, RCW 74.09.520
New	388-71-0455 Can my services be terminated if eligibility requirements for HCP change?	RCW 74.09.510, 74.09.520	RCW 74.09.510, 74.09.520
New	388-71-0460 Are there limitations to HCP services I can receive?	RCW 74.09.520	RCW 74.09.520
New	388-71-0465 Are there waiting lists for HCP services?	RCW 74.39.010, 74.39A.120	RCW 74.39.010, 74.39A.120
New	388-71-0470 Who pays for HCP services?	RCW 74.39A.120, 74.39.010, 74.39.020	RCW 74.39A.120, 74.39.010, 74.39.020
New	388-71-0475 What is the maximum amount that the department pays per month for your COPEs care?	RCW 74.08.090	42 C.F.R. 441.302(f)
New	388-71-0480 If I am employed, can I still receive HCP services?	RCW 74.39A.140, 74.39A.150	RCW 74.39A.140, 74.39A.150
New	388-71-0600 What are residential services?	RCW 74.08.44 [74.08.044]	RCW 74.39A.020, 74.39A.010
New	388-71-0605 Am I eligible for residential services?	RCW 74.08.44 [74.08.044]	RCW 74.39A.020, 74.39A.010
New	388-71-0610 Who pays for residential care?	RCW 74.08.44 [74.08.044]	RCW 74.39A.020, 74.39A.010
New	388-71-0615 If I leave a residential facility or nursing facility, are there resources available?	RCW 74.42.450, 74.08.090	RCW 74.42.450
New	388-71-0620 Am I eligible for a residential discharge allowance?	RCW 74.42.450; 74.08.090	RCW 74.42.450
New	388-71-1000 What is the senior citizens act?	RCW 74.38.030	RCW 74.38.030
New	388-71-1005 Who administers the senior citizens services act funds?	RCW 74.38.030	RCW 74.38.030

PROPOSED

New	388-71-1010 What services does the SCSA fund?	RCW 74.38.030	RCW 74.38.040
New	388-71-1015 How do I apply for SCSA-funded services?	RCW 74.38.030	RCW 74.38.050, 74.38.030
New	388-71-1020 Am I eligible for SCSA-funded services?	RCW 74.38.030	RCW 74.38.050
New	388-71-1025 What income and resources are not considered when determining eligibility?	RCW 74.38.030	RCW 74.38.030
New	388-71-1030 What if I am not eligible to receive SCSA-funded services at no cost?	RCW 74.38.030	RCW 74.38.030, 74.38.050
New	388-71-1035 What are my rights under this program?	RCW 74.38.030	RCW 74.38.030
New	388-71-1065 What is the purpose of the respite care program?	RCW 74.41.040	RCW 74.41.040
New	388-71-1070 What definitions apply to respite care services?	RCW 74.41.040	RCW 74.41.030
New	388-71-1075 Who is eligible to receive respite care services?	RCW 74.41.040	RCW 74.41.050
New	388-71-1080 Who may provide respite care services?	RCW 74.41.040	RCW 74.41.050
New	388-71-1085 How are respite care providers reimbursed for their services?	RCW 74.41.040	RCW 74.41.050
New	388-71-1090 Are participants required to pay for the cost of their services?	RCW 74.41.040	RCW 74.41.040
New	388-71-1095 Are respite care services always available?	RCW 74.41.040	RCW 74.41.050
New	388-71-1100 What is volunteer chore services?	RCW 74.08.090, 74.09.520, 74.39A.030, 74.39A.100	RCW 74.08.090, 74.09.520, 74.39A.030, 74.39A.100
New	388-71-1105 Am I eligible to receive volunteer chore services?	RCW 74.08.090, 74.09.520, 74.39A.030, 74.39A.100	RCW 74.08.090, 74.09.520, 74.39A.030, 74.39A.100
New	388-71-1110 How do I receive information on applying for volunteer chore services?	RCW 74.08.090, 74.09.520, 74.39A.030, 74.39A.100	RCW 74.08.090, 74.09.520, 74.39A.030, 74.39A.100
Repeal	388-15-145 Residential care discharge allowance		
Repeal	388-15-200 Health support services		
Repeal	388-15-201 Long-term care functional eligibility		
Repeal	388-15-206 Volunteer chore services		
Repeal	388-15-207 Chore personal care services for adults—Legal basis		
Repeal	388-15-209 Chore personal care services—Eligibility		
Repeal	388-15-214 Chore personal care services—Budget control		
Repeal	388-15-215 Chore personal care services—Program limitations		
Repeal	388-15-219 Chore personal care services—Payment and client participation		
Repeal	388-15-222 Chore personal care services—Employed disabled—Incentive income and resource exemption		

Repeal	388-15-548 Residential services		
Repeal	388-15-551 Adult family home—authority to purchase care—Standards		
Repeal	388-15-553 Adult family home—Determination of need		
Repeal	388-15-554 Adult family home—Placement in facility		
Repeal	388-15-555 Adult family home—Payment—Standards—Procedures		
Repeal	388-15-560 Congregate care—Definition—Authority to purchase care—Standards		
Repeal	388-15-562 Congregate care—Eligible persons		
Repeal	388-15-563 Congregate care—Residents of other states		
Repeal	388-15-564 Congregate care—Determination of need		
Repeal	388-15-566 Congregate care—Placement in facility		
Repeal	388-15-568 Congregate care—Payment—Standards—Procedures		
Repeal	388-15-600 Community options program entry system (COPES)—Purpose		
Repeal	388-15-620 COPES—Services		
Repeal	388-15-630 COPES—Payment procedures		
Repeal	388-15-690 Respite care services—Definitions		
Repeal	388-15-695 Respite care services—Caregiver eligibility		
Repeal	388-15-700 Respite care services—Distribution of cost		
Repeal	388-15-705 Respite care services—Rates of payment		
Repeal	388-15-710 Respite care services—Service priorities		
Repeal	388-15-715 Respite care services—Service priority categories		
Repeal	388-15-810 Medicaid personal care services—Legal basis		
Repeal	388-15-830 Medicaid personal care services—Eligibility		
Repeal	388-15-880 Medicaid personal care services—Payment procedures		
Repeal	388-15-890 Medicaid personal care services—Program limitations		
Repeal	388-15-895 Termination of services		
Repeal	388-17-010 Legal basis for senior citizens services program		
Repeal	388-17-020 Definitions		
Repeal	388-17-100 Rights and responsibilities of applicants and recipients		

Repeal	388-17-120 Eligibility for senior citizens services—Application		
Repeal	388-17-160 Income and resources		
Repeal	388-17-180 Fee schedule		
Repeal	388-17-500 Local area agency on aging contracts—Administrative review process		
Repeal	388-17-510 Area agency on aging plan—Administrative review process		

Purpose: The department is rewriting rules to comply with the clear writing standards, per the Governor's Executive Order 97-02. These rules have been rewritten to clarify and simplify language without making any policy changes.

Statutory Authority for Adoption: See Purpose above.

Statute Being Implemented: See Purpose above.

Summary: Repeals rules about social services for adults, which are currently listed in chapters 388-15 and 388-17 WAC, and proposes them as part of a new chapter, chapter 388-71 WAC.

Reasons Supporting Proposal: Governor's Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Brooke Buckingham, 600 Woodland Square Loop, Lacey, WA, (360) 493-2544.

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: Current rules for Medicaid-funded services under the COPES (community options program entry system), MPC (Medicaid personal care), and chore personal care programs; residential care services program; residential care discharge allowance; Senior Citizens Services Act; respite care program; and volunteer chore program are being rewritten to meet clear rule writing standards. New rules will be adopted in chapter 388-71 WAC.

Proposal Changes the Following Existing Rules: We are repealing sections of chapters 388-15 and 388-17 WAC and adopting new rules on this subject in chapter 388-71 WAC. The following rules are being repealed: WAC 388-15-145 Residential care discharge allowance, 388-15-200 Health support services, 388-15-201 Long-term care functional eligibility, 388-15-206 Volunteer chore services, 388-15-207 Chore personal care services for adults—Legal basis, 388-15-209 Chore personal care services—Eligibility, 388-15-214 Chore personal care services—Budget control, 388-15-215 Chore personal care services—Program limitations, 388-15-219 Chore personal care services—Payment and client participation, 388-15-222 Chore personal care services—Employed disabled—Incentive income and resource exemption, 388-15-548 Residential services, 388-15-551 Adult family home—Authority to purchase care—Standards, 388-15-552 Adult family home—Eligible persons, 388-15-553 Adult family home—Determination of need, 388-15-554 Adult family home—Placement in facility, 388-15-555 Adult family home—Payment—Standards—Procedures, 388-15-560 Congregate care—Definition—Authority to purchase care—Standards, 388-15-562 Congre-

gate care—Eligible persons, 388-15-563 Congregate care—Residents of other states, 388-15-564 Congregate care—Determination of need, 388-15-566 Congregate care—Placement in facility, 388-15-568 Congregate care—Payment—Standards—Procedures, 388-15-600 Community options program entry system (COPES)—Purpose, 388-15-620 COPES—Services, 388-15-630 COPES—Payment procedures, 388-15-690 Respite care services—Definitions, 388-15-695 Respite care services—Caregiver edibility, 388-15-700 Respite care services—Distribution of cost, 388-15-705 Respite care services—Rates of payment, 388-15-710 Respite care services—Service priorities, 388-15-715 Respite care services—Service priority categories, 388-15-810 Medicaid personal care services—Legal basis, 388-15-830 Medicaid personal care services—Eligibility, 388-15-880 Medicaid personal care services—Payment procedures, 388-15-890 Medicaid personal care services—Program limitations, 388-15-895 Termination of services, 388-17-010 Legal basis for senior citizens services program, 388-17-020 Definitions, 388-17-100 Rights and responsibilities of applicant and recipients, 388-17-120 Eligibility for senior citizens services—Application, 388-17-160 Income and resources, 388-17-180 Fee schedule, 388-17-500 Local areas agency on aging contracts—Administrative review process, and 388-17-510 Area agency on aging plan—Administrative review process.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required because the rule does not impact small businesses.

RCW 34.05.328 does not apply to this rule adoption. The proposed amendments do not change the effect of the policy. Rules do meet the definition of "significant legislative rule," but the department is exempt from preparing a cost benefit analysis under RCW 34.05.328 (5)(b)(vii).

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on January 4, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by December 21, 1999, phone (360) 664-6094, TTY (360) 664-6178, e-mail wallpg@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Paige Wall, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by January 4, 2000.

Date of Intended Adoption: January 20, 2000.

November 10, 1999

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

PROPOSED

HOME AND COMMUNITY PROGRAMS**NEW SECTION**

WAC 388-71-0400 What is the intent of the department's home and community programs? The department offers home and community programs (HCP) as an alternative to nursing facility care so that eligible persons may remain in, or return to, their own homes or community residences with the provision of supportive services. Some of these services may be administered by home and community services (HCS), division of developmental disabilities (DDD), area agency on aging (AAA) or division of children and family services (DCFS).

NEW SECTION

WAC 388-71-0405 What are the home and community programs? The HCP are:

- (1) Community options program entry system (COPES), described under subsection 1915(c) of the Social Security Act, codified in 42 C.F.R. 441.300 and 310.
- (2) Medicaid personal care services (MPC), found under RCW 74.09.520 and in the Medicaid state plan.
- (3) Chore personal care services, a state-only funded program authorized under RCW 74.08.090, 74.09.520, and 74.08.570.

NEW SECTION

WAC 388-71-0410 What services may I receive under HCP? You may receive the following HCP services:

- (1) Assistance with personal care tasks and household tasks in your own home, as defined in 388-15-202(38); and
- (2) Assistance with personal care tasks and household tasks in a residential setting, as described in WAC 388-71-500. Note: Household tasks are included as part of the board and room rate.

NEW SECTION

WAC 388-71-0415 What other services may I receive under the COPES program? In addition to the services listed in WAC 388-71-410, you may be eligible for other services under the COPES program. You may be eligible to receive:

- (1) Adult day care, in an adult day care or adult day health center if you:
 - (a) Are ineligible for Medicaid state plan covered adult day health services;
 - (b) Are chronically ill or disabled, socially isolated and/or confused or have mild to moderate dementia; or
 - (c) Meet eligibility requirements for adult day care services defined in WAC 388-15-652 and 388-15-653.
- (2) Environmental modifications, if the minor physical adaptations to your home:
 - (a) Are necessary to ensure your health, welfare and safety;

- (b) Enable you to function with greater independence in the home;
 - (c) Directly benefit you medically or remedially;
 - (d) Meet applicable state or local codes.
- (3) Home delivered meals, limited to one meal per day, if:
- (a) You are homebound;
 - (b) You are unable to prepare the meal;
 - (c) You don't have a caregiver (paid or unpaid) available to prepare this meal; and
 - (d) Receiving this meal is more cost-effective than having a paid caregiver.
- (4) Home health aide service tasks, if the service tasks:
- (a) Include assistance with ambulation, exercise, self-administered medications and hands on person care;
 - (b) Are beyond the amount, duration or scope of Medicaid reimbursed home health services (WAC 388-86-045) and are in addition to those available services; and
 - (c) Are health-related. Note: Incidental services such as meal preparation may be performed in conjunction with a health-related task as long as it is not the sole purpose of the aide's visit.
- (5) Personal emergency response system (PERS), if the service is necessary to enable you to secure help in the event of an emergency and if you:
- (a) Live alone;
 - (b) Are alone;
 - (c) Have no regular provider for extended periods of time on a daily basis;
 - (d) Do not have a live-in provider; or
 - (e) Do not live with family or friends.
- (6) Skilled nursing, if the service is:
- (a) Provided by a registered nurse or licensed practical nurse under the supervision of a registered nurse;
 - (b) Beyond the amount, duration or scope of Medicaid-reimbursed home health services as provided under WAC 388-86-045; and
 - (c) Limited to short-term service not to exceed twelve visits in a six-month period.
- (7) Specialized medical equipment and supplies, if the items are:
- (a) Necessary for life support;
 - (b) Necessary to increase your ability to perform activities of daily living; or
 - (c) Necessary for you to perceive, control, or communicate with the environment in which you live; and
 - (d) Directly medically or remedially beneficial to you; and
 - (e) In addition to any medical equipment and supplies provided under the state plan.
- (8) Training, if you need to meet a therapeutic goal such as:
- (a) Adjusting to a serious impairment;
 - (b) Managing personal care needs; or
 - (c) Developing necessary skills to deal with care providers.
- (9) Transportation services, if the service:
- (a) Provides the client access to community services and resources provided in accordance with a therapeutic goal;
 - (b) Is not merely diversional in nature;

(c) Is in addition to Medicaid brokered transportation to medical services; and

(d) Does not replace the Medicaid-brokered transportation.

NEW SECTION

WAC 388-71-0420 What services are not covered under HCP? HCP does not cover the following services:

(1) For chore personal care and MPC:

(a) Teaching, including teaching how to perform personal care tasks;

(b) Development of social, behavioral, recreational, communication, or other types of community living skills;

(c) Nursing care.

(2) Services provided outside of your residence, unless they are:

(a) Authorized in your written service plan; and

(b) Essential shopping or medical appointments.

(3) Child care;

(4) Sterile procedures, administration of medications, or other tasks requiring a licensed health professional, unless authorized as an approved nursing delegation task, client self-directed care task, or provided by a family member;

(5) Services provided over the telephone;

(6) Services provided outside the state of Washington if COPEs or chore personal care;

(7) Services to assist other household members not eligible for services;

(8) Yard care.

NEW SECTION

WAC 388-71-0425 Who can provide HCP services?

The following types of providers may provide COPEs, MPC, or chore services:

(1) Individual in-home providers, who must meet the requirements outlined in WAC 388-71-500 through 388-71-580;

(2) Home care agencies, which must be licensed under chapters 70.127 RCW and 246-336 WAC, or home health agencies, licensed under chapters 70.126 RCW and 246-327 WAC;

(3) Licensed adult family home and boarding home providers who are contracted with DSHS (see WAC 388-71-600); and

(4) Service providers who have contracted with the AAA to perform COPEs services listed in WAC 388-71-415.

NEW SECTION

WAC 388-71-0430 Am I eligible for one of the HCP programs? You are eligible to receive HCP services if you meet the functional and financial eligibility requirements in WAC 388-15-610 for COPEs, WAC 388-71-440 for MPC, or WAC 388-71-445 for Chore.

NEW SECTION

WAC 388-71-0440 Am I eligible for MPC-funded services? To be eligible for MPC-funded services you must:

(1) Require assistance with at least one unmet direct personal care task listed in WAC 388-15-202(17); and

(2) Be certified as Title 19 categorically needy, as defined in WAC 388-500-0005.

(3) Be assessed using a comprehensive assessment and unmet need standards, through seventeen years of age or until transferring out of foster care or group care.

NEW SECTION

WAC 388-71-0445 Am I eligible for Chore-funded services? To be eligible for Chore-funded services, you must:

(1) Be eighteen years of age or older;

(2) Require assistance with at least one of the direct personal care tasks listed in WAC 388-15-202(17);

(3) Not be eligible for MPC or COPEs, Medicare home health or other programs if these programs can meet your needs;

(4) Have net household income (as described in WAC 388-450-0005, 388-450-0015, and 388-450-0210) not exceeding:

(a) The sum of the cost of your chore services, and

(b) One-hundred percent of the FPL adjusted for family size.

(5) Have resources, as described in chapter 388-470 WAC, which does not exceed ten thousand dollars for a one-person family or fifteen thousand dollars for a two-person family. (Note: One thousand dollars for each additional family member may be added to these limits.)

(6) Not transfer assets on or before November 1, 1995 for less than fair market value as described in WAC 388-513-1365.

NEW SECTION

WAC 388-71-0450 How do I remain eligible for services? In order to remain eligible for services, you must have and be found still in need of HCP services through a reassessment. The reassessment must be conducted:

(1) Face-to-face.

(2) In your own home. Note: A case manager may request the interview be conducted in private.

(3) At least annually or sooner if your functional or financial circumstances change.

NEW SECTION

WAC 388-71-0455 Can my services be terminated if eligibility requirements for HCP change? The department has the right to terminate your services if eligibility requirements for HCP change.

NEW SECTION

WAC 388-71-0460 Are there limitations to HCP services I can receive? The following are limitations to HCP services you can receive:

- (1) HCP services may not replace informal support systems.
- (2) The total cost of your care may not exceed AASA published rates for services.
- (3) The department may adjust payments to a personal care provider who is doing household tasks (e.g., essential shopping, meal preparation, and laundry) at the same time for:
 - (a) More than one client living in the same household; or
 - (b) A client in a shared living arrangement (MPC).

NEW SECTION

WAC 388-71-0465 Are there waiting lists for HCP services? If you are receiving:

- (1) COPES services, a waiting list may be created if:
 - (a) The caseload or expenditures exceed the legislative funding, or
 - (b) HCFA or the legislature imposes caseload limits.
- (2) Chore services, a waiting list may be created to maintain the monthly expenditures within the legislative appropriation. You receive priority if you:
 - (a) Have received chore as of June 30, 1995;
 - (b) Need chore:
 - (i) To return to the community from a nursing home,
 - (ii) To prevent unnecessary nursing home placement, or
 - (iii) For protection based on referral from an APS investigation.
 - (3) MPC, there is no waiting list. Note: Instead of waiting lists, the department may be required to revise HCP rules to reduce caseload size, hours, rates, or payments in order to stay within the legislative appropriation.

NEW SECTION

WAC 388-71-0470 Who pays for HCP services? Depending on your income and resources, you may be required to pay participation toward the cost of your care. The department determines exactly what amount, if any, you pay. If you are receiving:

- (1) COPES in-home services,
 - (a) You participate income above the Medically needy income level (MNIL) or Federal Poverty Level (FPL) directly to the service provider.
 - (b) You pay the person providing the highest level of care or multiple providers, so long as the amount authorized for services is greater than the participation amount.
 - (c) And if you have nonexempt income that exceeds the cost of COPES services, you may retain the difference.
- (2) MPC in-home services, you do not participate toward the cost of your personal care services.
- (3) Chore services, you may retain an amount equal to one hundred percent of the federal poverty level, adjusted for family size, as the home maintenance allowance and pay the

difference between the FPL and your **nonexempt** income (as defined in WAC 388-513-1340) to your provider.

(4) COPES residential services, you pay toward the cost of your room, board, personal care services, and health insurance premiums. You may retain a fifty-eight dollars and eighty-four cents clothing and personal incidental allowance (CPI) and pay any remaining MNIL income up to the residential facility rate for the cost of room and board. HCFA does **not** allow COPES clients the twenty dollar disregard.

(5) MPC residential services, and you are:

(a) An SSI or SSI-related Medicaid recipient you participate income toward the room and board only. You are guaranteed a personal allowance of at least thirty-eight dollars and eighty-four cents a month; or

(b) A non-SSI client and become SSI or SSI-related because the cost of your care in the facility exceeds your income, you may be required to participate towards the cost of your room, board, personal care services, and health insurance premiums. You will receive a personal allowance of fifty-eight dollars and eighty-four cents a month.

NEW SECTION

WAC 388-71-0475 What is the maximum amount that the department pays per month for your COPES care? Total expenditures are limited to the department's published rates not to exceed ninety percent of the statewide average Medicaid nursing home reimbursement rate. The total cost of care includes the COPES maintenance allowance as well as all Medicaid costs associated with the COPES individual's paid services including but not limited to the following list of services:

- (1) Personal care,
- (2) Residential care services,
- (3) Adult day care,
- (4) Adult day health,
- (5) Environmental modifications,
- (6) Home delivered meals,
- (7) Home health aide visits,
- (8) Personal emergency response,
- (9) Skilled nursing visits,
- (10) Specialized medical equipment and supplies,
- (11) Adult companion services,
- (12) Client training,
- (13) Transportation services,
- (14) Hospitalization,
- (15) Nursing facility care, and
- (16) Any other costs paid with a medical card.

NEW SECTION

WAC 388-71-0480 If I am employed, can I still receive HCP services? If you are disabled, as determined under WAC 388-511-1105, you may be employed and still be eligible to receive chore personal care services. You may be required to pay participation per WAC 388-71-465(3) for any earned income above one hundred percent of the federal poverty level. The department will exempt fifty percent of your

earned income after work expense deductions. Work expense deductions are:

- (1) Personal work expenses in the form of self-employment taxes (FICA); and income taxes when paid;
- (2) Payroll deductions required by law or as a condition of employment in the amounts actually withheld;
- (3) The necessary cost of transportation to and from the place of employment by the most economical means, except rental cars;
- (4) Expenses necessary for continued employment such as tools, materials, union dues, transportation to service customers is not furnished by the employer;
- (5) Uniforms needed on the job and not suitable for wear away from the job;
- (6) Spousal income allocated and actually paid as participation in the cost of the spouse's community options program entry system (COPES) services;
- (7) Amounts paid for medical expenses not subject to third-party payment; and
- (8) Health insurance premiums, coinsurance or deductible charges.

RESIDENTIAL CARE SERVICES

NEW SECTION

WAC 388-71-0600 What are residential services?

The residential service program provides personal care services, as defined in WAC 388-15-202(38), room, board, supervision, and nursing services for elderly and disabled adults. Eligible individuals may choose to receive services from any of the following licensed and contracted residential settings:

- (1) **Adult family homes** with a state contract provide services for two to six unrelated adults (chapter 388-76 WAC). Services include room, board and supervision. Residents may also receive limited nursing services, under nurse delegation or if the sponsor or the manager is a nurse.
- (2) **Assisted living** provides services in a licensed boarding home with a state contract (chapter 388-110 WAC, part I and II). Structural requirements include two hundred twenty square foot private room, private bathroom, and a kitchen in each unit. Resident services may include room, board, assistance with ADL and IADL, and limited nursing services. Services are provided according to your negotiated service plan.
- (3) **Enhanced adult residential care** provides services in a licensed boarding home with a state contract (chapter 388-110 WAC, part I and III). Services may include a shared room, limited nursing services, assistance with ADL and IADL, limited nursing services, and supervision. Services are provided according to the your negotiated service plan.
- (4) **Adult residential care** provides services in a licensed boarding home with a state contract (chapter 388-110 WAC, part I and IV). Services may include supervision. You may be eligible for up to thirty hours of personal care services.

NEW SECTION

WAC 388-71-0605 Am I eligible for residential services? If you apply for services, you may be eligible to have the department pay for your services through one of the programs listed below. The department assesses and determines your functional and financial eligibility for residential services under one of the following long-term care programs:

- (1) Community options program entry system (COPES), defined in WAC 388-515-1505;
- (2) Medicaid personal care funding (MPC), described in WAC 388-71-440; or
- (3) If you are not eligible for services under one of the programs listed above, you may be able to receive state-only funding for residential services through:
 - (a) Supplemental Security Income (SSI) as determined under WAC 388-511-1105 or 388-511-1130; or
 - (b) General assistance unemployment under WAC 388-235-5000.

Residential care services	COPES	MPC	State-only programs
Adult family homes	x	x	x
Adult residential care (ARC)		x	x
Enhanced adult residential care (EARC)	x		
Assisted living facilities (AL)	x		

Note: If you are under eighteen, you may receive MPC services in a children's foster family home or a children's group care facility.

NEW SECTION

WAC 388-71-0610 Who pays for residential care?

You must use your income to pay for your room and board and services. You are allowed to keep some of your income for clothing and personal incidental (CPI). The department determines the amount of CPI that you may keep. For more information on the amount you must pay or CPI please see WAC 388-513-1380; 388-515-1505 for COPES; or 388-478-0045 for all other programs.

- (1) The department pays the facility for the difference between what you pay and the department-set rate for the facility. The rate is based on your assessed needs.
- (2) Washington state collects from your estate the cost of the care that the department provides based on chapter 388-527 WAC.

NEW SECTION

WAC 388-71-0615 If I leave a residential facility or nursing facility, are there resources available? (1) If you are discharged from a residential care facility or a nursing facility, you may receive a residential care discharge allow-

PROPOSED

ance. This one-time payment is used to help you establish or resume living in your own home. An allowance up to eight hundred and sixteen dollars covers necessary equipment, remodeling, rent, and utilities if you do not have resources to pay these costs.

(2) The discharge allowance does not pay for items or services paid for by other state programs.

NEW SECTION

WAC 388-71-0620 Am I eligible for a residential discharge allowance? You are eligible for a residential discharge allowance if you:

(1) Receive long-term care services from the department; and

(2) Reside in a hospital, nursing facility, adult residential care, enhanced adult residential care, assisted living, or adult family home. Exception: If you are a DDD client, you are only eligible for the residential discharge allowance if you are being discharged from a nursing facility.

SENIOR CITIZEN'S SERVICES

NEW SECTION

WAC 388-71-1000 What is the senior citizens services act? The Senior Citizens Services Act (chapter 74.38 RCW) provides funds for eligible senior citizens to receive community-based services as an alternative to institutional care when that form of care is premature, unnecessary, or inappropriate.

NEW SECTION

WAC 388-71-1005 Who administers the senior citizens services act funds? Aging and adult services administration (AASA) designates the local area agencies on aging (AAA) to directly coordinate and provide senior citizens services. Aging and AASA monitors the use of Senior Citizens Services Act (SCSA) funds.

NEW SECTION

WAC 388-71-1010 What services does the SCSA fund? The community based services funded by SCSA for low-income eligible persons provided by area agencies may include those described in RCW 74.38.040.

NEW SECTION

WAC 388-71-1015 How do I apply for SCSA-funded services? To receive SCSA-funded services you or your representative must:

(1) Complete and submit a department application form, providing complete and accurate information; and

(2) Promptly submit a written report of any changes in income or resources. For the definition of income and resources, refer to WAC 388-500-0005.

NEW SECTION

WAC 388-71-1020 Am I eligible for SCSA-funded services? To be eligible for SCSA-funded services, you must:

(1) Be age:

(a) Sixty-five or older; or

(b) Sixty or older, and:

(i) Either unemployed, or

(ii) Working twenty hours a week or less;

(2) Have a physical, mental, or other type of impairment, which without services would prevent you from remaining in your home;

(3) Have income at or below forty percent of the state median income (SMI) for a family of four adjusted for family size; and

(4) Have nonexempt resources (including cash, marketable securities, and real or personal property) not exceeding ten thousand dollars for a single person or fifteen thousand for a family of two, increased by one thousand dollars for each additional family member of the household. Household means a person living alone or a group of people living together.

(5) If you have income over forty percent of SMI you may be eligible for services on a sliding fee basis.

NEW SECTION

WAC 388-71-1025 What income and resources are not considered when determining eligibility? The following income and resources, regardless of value, are not considered when determining whether you are eligible for SCSA-funded services:

(1) Your home, and the lot it is upon;

(2) Garden produce, livestock, and poultry used for home consumption;

(3) Federal program benefits are exempt from consideration in determining eligibility for needs based programs (e.g., uniform relocation assistance, Older Americans Act funds, foster grandparents stipends or similar monies);

(4) Used and useful household furnishings, personal clothing, and automobiles;

(5) Personal property of great sentimental value;

(6) Personal property used by the individual to earn income or for rehabilitation;

(7) One cemetery plot for each member of the family unit;

(8) Cash surrender value of life insurance; and

(9) Real property held in trust for an individual Indian or Indian tribe.

NEW SECTION

WAC 388-71-1030 What if I am not eligible to receive SCSA-funded services at no cost? (1) Even if your income is above the forty percent SMI limit to receive SCSA-funded services at no cost, you may receive SCSA-subsidized services. The department uses a sliding fee schedule to determine what percentage the department pays for the cost of your services. You pay the remaining amount, but not more

than the usual rate paid for services as negotiated by the AAA or the department. The formula for determining the department's share of the cost of the services is:

$$\frac{100\% \text{ State Median Income (SMI)} - \text{Household Income} \times 100}{100\% - 40\% \text{ SMI}}$$

(2) Service providers must be responsible for collecting fees owed by eligible persons and reporting to area agencies all fees paid or owed by eligible persons.

(3) Some services have no charge regardless of income or need requirements. These services include but are not limited to nutritional services, health screening, services under the long-term care ombudsman program, and access services. Note: Well adult clinic services may be provided in lieu of health screening services if such clinics use the fee schedule established by this section.

NEW SECTION

WAC 388-71-1035 What are my rights under this program? You have a right to:

(1) Receive notice of eligibility, ineligibility, or any adverse decision, including reasons for denial, within a reasonable period of time;

(2) Be treated with dignity and courtesy, and not be discriminated against because of race, sex, religious creed, political beliefs, national origin, disability, or marital status;

(3) Be informed of your rights and responsibilities under this program;

(4) Have information, given to the department or AAA, held in confidence and used only to provide services to you; and

(5) Request a fair hearing if you disagree with a decision (see WAC 388-08).

RESPITE CARE SERVICES

NEW SECTION

WAC 388-71-1065 What is the purpose of the respite care program? The respite care program provides relief care for unpaid family or other caregivers of adults with a functional disability. Caregivers may need respite care to:

(1) Relieve some of the stresses of caregiving;

(2) Maintain family structure; or

(3) Keep the adult in his or her home.

NEW SECTION

WAC 388-71-1070 What definitions apply to respite care services? The following definitions apply to respite care services:

"Caregivers" means a spouse, relative, or friend who has primary responsibility for the daily care of an adult with a functional disability without receiving payment for services provided.

"Continuous care or supervision" means daily assistance or oversight of an adult with a functional disability.

"Functionally disabled" means requiring substantial assistance in completing activities of daily living and community living skills.

"Participant" means an adult with a functional disability who needs substantial daily continuous care or supervision.

"Respite care services" means services which relieve unpaid caregivers by providing temporary care or supervision to adults with a functional disability.

"Service provider" means an individual, agency, or organization under contract to the area agency on aging (AAA) or its subcontractor.

NEW SECTION

WAC 388-71-1075 Who is eligible to receive respite care services? (1) To be eligible to receive respite care services, the caregivers must:

(a) Have primary responsibility for the daily care of an adult with a functional disability;

(b) Not be compensated for the care; and

(c) Be assessed as being at risk of placing the participant in a long-term care facility if home and community support services, including respite care, are not available.

(2) An eligible participant is an adult who:

(a) Has a functional disability;

(b) Needs daily substantial continuous care or supervision; and

(c) Is assessed as requiring placement in a long-term care facility if home and community support services, including respite care, are not available.

NEW SECTION

WAC 388-71-1080 Who may provide respite care services? Respite care providers include, but are not limited to the following:

(1) Nursing homes (for more information on respite services provided in a nursing home, refer to WAC 388-97-210);

(2) Adult day services;

(3) Home health/home care agencies;

(4) Hospitals;

(5) Licensed residential care facilities such as boarding homes, adult family homes, and assisted living facilities; and

(6) Social service providers such as volunteer chore workers, senior companions, and individual providers.

NEW SECTION

WAC 388-71-1085 How are respite care providers reimbursed for their services? The department reimburses:

(1) Respite care providers for the number of hours or days of services authorized and used. The rate that is established for the services is negotiated between the respite care program of the local area agency on aging and the respite care service provider.

(2) Medicaid-certified nursing homes and developmental disability facilities providing respite services the Medicaid

rate approved for that facility. Contracted nursing homes must not charge beyond the Medicaid rate for any services covered from the date of eligibility unless the department authorizes it (see RCW 18.51.070). Participants must pay for services not included in the Medicaid rate.

- (3) Private nursing homes at their published daily rate.

NEW SECTION

WAC 388-71-1090 Are participants required to pay for the cost of their services? (1) There is no charge to the participant whose income is at or below forty percent of the state median income, based on a family of four.

(2) If the participant's gross income is above forty percent of the state median income, he or she is required to pay for part or all of the cost of the respite care services. The department will determine what amount the participant must contribute based on the state median income and family size.

(3) If the participant's gross income is one hundred percent or more of the state median income, the participant must pay the full cost of services.

NEW SECTION

WAC 388-71-1095 Are respite care services always available? (1) The department must first consider requests for emergency respite care. An example of an emergency is when the caregiver becomes ill or injured to the extent that the caregiver's ability to care for the disabled adult is impaired.

(2) In nonemergency situations, respite care is allocated based upon available respite funds at the local level. In addition, the area agency on aging has developed a methodology to determine how much respite care each caregiver may receive based upon present risk factors.

VOLUNTEER CHORE

NEW SECTION

WAC 388-71-1100 What is volunteer chore services (VCS)? Volunteer chore services (VCS) is a state-funded program which provides volunteer assistance with household tasks to low income elderly and people with disabilities to enable them to stay in their own homes. VCS is a component of the continuum of home and community services provided by the department. The program:

(1) Assists people who need but are not eligible for DSHS services; or

(2) Complements DSHS services by using volunteer assistance to perform tasks which do not require specially-skilled personnel.

(3) Provides assistance with housework, laundry, shopping, cooking, moving, minor home repair, yard care, limited personal care, monitoring and transportation.

NEW SECTION

WAC 388-71-1105 Am I eligible to receive volunteer chore services? You may receive volunteer chore services if you are:

- (1) Eighteen years of age or older;
- (2) Living at home unless you are moving from a residential facility to home and need assistance moving;
- (3) Unable to perform certain household or personal care tasks due to functional or cognitive impairment;
- (4) Financially unable to purchase services from a private provider;
- (5) Not eligible for services under the COPES, MPC, or chore programs.

NEW SECTION

WAC 388-71-1110 How do I receive information on applying for volunteer chore services? You can receive information on applying for services by calling or visiting your local:

- (1) Aging and adult services home and community services office;
- (2) Developmental disabilities field services office;
- (3) Area agency on aging office;
- (4) Senior information and assistance office;
- (5) Catholic community services office.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-15-145	Residential care discharge allowance.
WAC 388-15-200	Health support services.
WAC 388-15-201	Long-term care functional eligibility.
WAC 388-15-206	Volunteer chore services.
WAC 388-15-207	Chore personal care services for adults—Legal basis—Purpose—Goals.
WAC 388-15-209	Chore personal care services—Eligibility.
WAC 388-15-214	Chore personal care services—Budget control.
WAC 388-15-215	Chore personal care services—Program limitations.
WAC 388-15-219	Chore personal care service—Payment and client participation.
WAC 388-15-222	Chore personal care services—Employed disabled—Incentive income and resource exemption.

WAC 388-15-548	Residential services.	WAC 388-15-830	Medicaid personal care services—Eligibility.
WAC 388-15-551	Adult family home—Authority to purchase care—Standards.	WAC 388-15-880	Medicaid personal care services—Payment procedures.
WAC 388-15-552	Adult family home—Eligible persons.	WAC 388-15-890	Medicaid personal care services—Program limitations.
WAC 388-15-553	Adult family home—Determination of need.	WAC 388-15-895	Termination of services.
WAC 388-15-554	Adult family home—Placement in facility.	REPEALER	
WAC 388-15-555	Adult family home—Payments—Standards—Procedures.	The following sections of the Washington Administrative Code are repealed:	
WAC 388-15-560	Congregate care—Definition—Authority to purchase care—Standards.	WAC 388-17-010	Legal basis for senior citizens services program.
WAC 388-15-562	Congregate care—Eligible persons.	WAC 388-17-020	Definitions.
WAC 388-15-563	Congregate care—Residents of other states.	WAC 388-17-100	Rights and responsibilities of applicants and recipients.
WAC 388-15-564	Congregate care—Determination of need.	WAC 388-17-120	Eligibility for senior citizens services—Application.
WAC 388-15-566	Congregate care—Placement in facility.	WAC 388-17-160	Income and resources.
WAC 388-15-568	Congregate care—Payment—Standards—Procedures.	WAC 388-17-180	Fee schedule.
WAC 388-15-600	Community options program entry system (COPEs)—Purpose—Legal basis.	WAC 388-17-500	Local area agency on aging contracts—Administrative review process.
WAC 388-15-620	COPEs—Services.	WAC 388-17-510	Area agency on aging plan—Administrative review process.
WAC 388-15-630	COPEs—Payment procedures.	WSR 99-23-081	
WAC 388-15-690	Respite care services—Definitions.	PROPOSED RULES	
WAC 388-15-695	Respite care services—Caregiver eligibility.	DEPARTMENT OF	
WAC 388-15-700	Respite care services—Distribution of cost.	SOCIAL AND HEALTH SERVICES	
WAC 388-15-705	Respite care services—Rates of payment.	(Management Services Administration)	
WAC 388-15-710	Respite care services—Service priorities.	[Filed November 16, 1999, 9:56 a.m.]	
WAC 388-15-715	Respite care services—Service priority categories.	Original Notice.	
WAC 388-15-810	Medicaid personal care services—Legal basis—Purpose.	Preproposal statement of inquiry was filed as WSR 99-09-086.	
		Title of Rule: Chapter 388-03 WAC, Rules and regulations for the certification of DSHS spoken language interpreters and translators.	
		Purpose: The language interpretation services and translations (LIST) section of DSHS is proposing rules that incorporate LIST policies regarding examinations, fees and code of professional conduct. Also, the proposed rules bring DSHS into compliance with a federal court decision regarding certification and qualification criteria for interpreters and translators providing services to the department. Finally, by establishing clear LIST regulations, the proposed rules ensure equal access and due process requirements for the department's limited-English proficient clients. The pro-	

PROPOSED

posed rules are written in a "plain English" style and meet the Executive Order 97-02 criteria for clarity.

Statutory Authority for Adoption: RCW 2.43.010, 74.04.025, and 74.08.090.

Statute Being Implemented: RCW 74.04.025, 74.08.090, 49.60.010, 2.43.010 through 2.43.080.

Summary: Rules on this subject are needed to comply with the stipulation, agreement of settlement and consent order handed down in *Reyes v. Thompson*, United States District Court for Western District of Washington, 1991. These proposed rules are also a result of DSHS's Executive Order 97-02 regulatory improvement effort to incorporate policies into rules when appropriate, to develop new rules and regulations where necessary and write all policies and rules in clear, concise, easily understood language. Finally, the proposed rules are a manifestation of DSHS's legal obligation to provide equal access to department services to all of its clients, customers and vendors, especially LEP clients.

Reasons Supporting Proposal: See Purpose and Summary above.

Name of Agency Personnel Responsible for Drafting: Hungling Fu, Ph.D., Manager, 4500 10th Avenue S.E., Lacey, WA 98504-5820, (360) 664-6035; Implementation and Enforcement: Bonnie Jacques, Chief, 4500 10th Avenue S.E., Lacey, WA 98504-5820, (360) 664-6011.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal court decision, *Reyes v. Thompson*, U.S. District Court for Western District of Washington, 1991.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose and Summary above.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules do not impose "more than minor" costs on the businesses regulated by them. In fact, the proposed rules impose no new costs at all.

RCW 34.05.328 applies to this rule adoption. The proposed rules are considered "significant legislative rules" because they adopt a new regulatory program. The department has determined that the "probable benefits of the rule are greater than its probable costs." For a copy of this analysis, contact Hungling Fu, Ph.D., Manager, Department of Social and Health Services, Language Interpreter Services and Translations (LIST), 4500 10th Avenue S.E., Lacey, WA, P.O. Box 45820, Olympia, WA 98504-5820, fax (360) 664-6179.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on January 25, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by January 7, 1999, phone (360) 664-6094, TTY (360) 664-6178, e-mail wallpg@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers; Paige Wall, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by January 25, 2000.

Date of Intended Adoption: February 22, 2000.

November 8, 1999

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

Chapter 388-03 WAC

RULES AND REGULATIONS FOR THE CERTIFICATION OF DSHS SPOKEN LANGUAGE INTERPRETERS AND TRANSLATORS

PURPOSE AND SCOPE

NEW SECTION

WAC 388-03-010 What is the purpose of these rules?

These rules:

- (1) Establish the qualifications for department certified and qualified interpreters and translators; and
- (2) Establish the requirements and procedures for administering and evaluating the department's interpreter and translator examinations.

NEW SECTION

WAC 388-03-020 What is the scope of these rules?

These rules apply to any person who:

- (1) Seeks employment with the department as a bilingual employee;
- (2) Wishes to provide services to the department as an interpreter or translator; or
- (3) Provides department services to limited English proficient (LEP) clients.

DEFINITIONS

NEW SECTION

WAC 388-03-030 What definitions are important to understanding these rules? The following definitions are important to this chapter:

"Authorized interpreter or translator" means a person who has been certified by a certification agency recognized by the department.

"Certified bilingual employee" means a department employee who is certified, as bilingual, by passing a department fluency examination or a department recognized professional association and is required to use their bilingual skills in their work.

"Certified interpreter for spoken languages" means a person who has passed any of the following fluency examinations:

- (1) Department's social services interpreter or medical interpreter certification examination;
- (2) State of Washington office of the administrator for the courts interpreter certification examination;
- (3) Federal courts interpreter certification examination.

"**Certified translator for spoken languages**" means a person who has passed any of the following fluency examinations:

- (1) Department's translator certification examination;
- (2) American Translators Association (ATA) accreditation examination.

"**Code of professional conduct for interpreters and translators**" means department standards that must be met by all interpreters and translators when they provide language services to department programs and clients. Any violation of this code may disqualify an interpreter or translator from providing services to the department.

"**Department**" means the department of social and health services (DSHS).

"**Examination manual**" means the language interpreter services and translations section's professional language certification examination manual. To obtain a copy of this manual, telephone or write the LIST office at:

Department of Social and Health Services
Language Interpreter Services and Translations
P.O. Box 45820
Olympia, WA 98504-5820
(360) 664-6037

Or visit the LIST website at: http://asd.dshs.wa.gov/html/oar_list.htm.

"**Interpretation**" means the oral or manual transfer of a message from one language to another language.

"**Language interpreter services and translations**" or "**LIST**" means the section within the department that is responsible for administering and enforcing these rules and providing the services contained in this rule.

"**Limited English proficient (LEP) client**" means a person applying for or receiving department services, either directly or indirectly, who, because of a non-English speaking cultural background, cannot readily speak or understand the English language.

"**Qualified interpreter for spoken languages**" means a person:

- (1) Who has passed a department bilingual fluency screening test in a language other than a department certified language; or
- (2) Is authorized by the department pursuant to WAC 388-03-114 to interpret a language based on certification obtained from another state or country which is comparable to the certification process used by the department for its certified languages.

"**Source language**" means the language from which an interpretation and/or translation is rendered.

"**Target language**" means the language into which an interpretation and/or translation is rendered.

"**Translation**" means the written transfer of a message from one language to another.

CODE OF PROFESSIONAL CONDUCT

NEW SECTION

WAC 388-03-050 What is the department's "code of professional conduct for language interpreters and translators"? The "code of conduct" is the professional standard established by the department for all interpreters/translators providing language services to department programs and clients. Any violation of this code may disqualify an interpreter or translator from providing those services. Specifically, the code addresses:

(1) **Accuracy.** Interpreters/translators must always express the source language message in a thorough and faithful manner. They must:

- (a) Omit or add nothing;
- (b) Give consideration to linguistic variations in both the source and target languages; and
- (c) Conserve the tone and spirit of the source language.

(2) **Cultural sensitivity-courtesy.** Interpreters/translators must be culturally knowledgeable, sensitive, and respectful of the individual(s) they serve.

(3) **Confidentiality.** Interpreters/translators must not divulge any information obtained through their assignments, including, but not limited to, information from documents or other written materials.

(4) **Disclosure.** Interpreters/translators must not publicly discuss, report, or offer an opinion on current or past assignments, even when the information related to the assignment is not legally considered confidential.

(5) **Proficiency.** Interpreters/translators must pass the department's required bilingual fluency certification examinations or screening tests in order to meet the department's minimum proficiency standard.

(6) **Compensation.** Interpreters/translators must:

- (a) Not accept additional money, consideration, or favors for services reimbursed by the department through language services providers;
- (b) Not use the department's time, facilities, equipment or supplies for private gain or other advantage; and
- (c) Not use or attempt to use their position to secure privileges or exemptions.

(7) **Nondiscrimination.** Interpreters/translators must:

- (a) Always be neutral, impartial and unbiased;
- (b) Not discriminate on the basis of gender, disability, race, color, national origin, age, creed, religion, marital status, or sexual orientation; and
- (c) Refuse or withdraw from an assignment, without threat or retaliation, if they are unable to perform the required service in an ethical manner.

(8) **Self-evaluation.** Interpreters/translators must accurately and completely represent their certification, training, and experience.

(9) **Impartiality-conflict of interest.** Interpreters/translators must disclose to the department any real or perceived conflicts of interest that would affect their professional objectivity. Note: Providing interpreting or translating services to family members or friends may violate the family member or

friend's right to confidentiality and/or may be a real or perceived conflict of interest.

(10) **Professional Demeanor.** Interpreters/translators must be punctual, prepared, and dressed appropriately.

(11) **Scope of practice.** Interpreters/translators must not:

- (a) Counsel, refer, give advice, or express personal opinions to their interpreting/translating clients;
- (b) Engage in activities with clients that are not directly related to providing interpreting and/or translating services;
- (c) Have unsupervised contact with clients; and
- (d) Have direct telephone contact with clients unless requested by DSHS staff.

(12) **Reporting obstacles to practice.** Interpreters/translators must always assess their ability to perform a specific interpreting/translating assignment. If they have any reservations about their ability to competently perform an assignment, they must immediately notify their clients and/or employer and offer to withdraw without threat or retaliation. They may remain on the assignment until more appropriate interpreters/translators can be retained.

(13) **Ethical violations.** Interpreters/translators must immediately withdraw from assignments that they perceive are a violation of this code. Any violation of this code may disqualify them from providing services to the department.

(14) **Professional development.** Interpreters/translators must continually develop their skills and knowledge through:

- (a) Formal professional training;
- (b) On-going continuing education; and
- (c) Regular and frequent interaction with colleagues and specialists in related fields.

LIST RESPONSIBILITIES FOR CERTIFYING SPOKEN LANGUAGE INTERPRETERS AND TRANSLATORS

NEW SECTION

WAC 388-03-060 What is the responsibility of the language interpreter services and translations (LIST) section in certifying spoken language interpreters and translators? Language interpreter services and translations (LIST) is the section within DSHS responsible for:

- (1) Establishing and publishing systems, methods, and procedures for certifying, screening and/or evaluating the interpretation and/or translation skills of bilingual employees, interpreters and translators who work with department clients, employees, and service providers;
- (2) Ensuring that certified or qualified bilingual employees and language service contractors are aware of DSHS's code of professional conduct for interpreters and translators.

CERTIFICATION/QUALIFICATION OF INTERPRETERS AND TRANSLATORS

NEW SECTION

WAC 388-03-110 What certification/qualification requirements apply to interpreters and translators? (1) To be department certified, any department staff member serving in a bilingual capacity or any contracted interpreter/translator providing bilingual services to department clients must pass a bilingual fluency test. No bilingual duties will be assigned to any staff and no contract will be granted to any contractor without proper certification. Once certified:

- (a) Department employees in positions requiring bilingual skills are eligible for assignment pay;
 - (b) Applicants for bilingual positions with the department qualify for those positions if they have also passed the applicable department of personnel employment examination; and
 - (c) Individuals not employed by the department who wish to interpret and/or translate for department clients can be retained by contracted interpreting agencies.
- (2) Interpreters can be certified or qualified as:
- (a) Social services interpreters by the department; and/or
 - (b) Legal interpreters by the office of the administrator for the courts; and/or
 - (c) Medical interpreters by the department.
- (3) Translators can be certified by the department or by the American Translators Association (ATA).
- (4) When certified and/or qualified interpreters and translators provide services to department programs and clients they must comply with the department's code of professional conduct for interpreters and translators.
- (5) Any violation of the code of professional conduct may disqualify an interpreter or translator from providing services to the department, regardless of whether their contract is directly with the department or indirectly through a language agency serving department clients.

NEW SECTION

WAC 388-03-112 When do I become a certified or qualified interpreter or translator? (1) For certified languages, you are considered certified once you pass the required tests.

- (2) The effective dates of your certifications are the dates shown on your score report letters.
- (3) If necessary, you can use your score report letters to verify your certification status.
- (4) Your certificates will be mailed to you within a month from the date you pass all examination requirements. It is your responsibility to:
 - (a) Inform the LIST section of any change of name and address;
 - (b) Check the accuracy of the information presented on your certificate; and
 - (c) Contact the LIST section if your certificate is not received within the normal time period.

(5) For screening languages, you are considered qualified once you pass both the written and oral tests. Instead of a certificate, an authorization letter will be issued to qualified interpreters who pass the required screening tests.

NEW SECTION

WAC 388-03-114 Can I become a department certified interpreter or translator without taking a department examination? There are three ways that you may gain department recognition as an interpreter or translator without taking the department's certification examinations.

(1) If you hold either a state of Washington office of the administrator for the courts interpreter certificate or a federal court interpreter certificate, the department will recognize you as a certified social services interpreter without requiring you to take its examination. However, you must formally submit a written request for recognition and attach a photocopy of your official certificate.

(2) If the American Translators Association (ATA) accredits you as a certified translator, the department will recognize you as a certified translator without requiring you to take its examination. However, you must formally submit a written request for recognition and attach a photocopy of your official certificate.

(3) If you hold either an interpreter or translator certification from another state or U.S. territory or another country that is comparable to DSHS certification and based upon similar requirements, LIST may recognize your certification. In your request for DSHS recognition, you must submit a photocopy of your official certificate and a copy of the official test manual containing evaluation criteria and passing benchmark. Your request should be submitted to LIST. LIST will decide all requests on a case-by-case basis.

NEW SECTION

WAC 388-03-115 Who determines if my request is "sufficiently documented"? The department determines if your request is sufficiently documented. It may request further proof of your qualification. In all cases, the department's decision regarding the sufficiency of your documentation is final.

NEW SECTION

WAC 388-03-116 What if the certification documents requested by the language interpreter services and translations section are in a foreign language? (1) All documents submitted to LIST in a foreign language must be accompanied by an accurate translation in English.

(2) Each translated document must bear the affidavit of the translator, sworn to before a notary public, certifying that the:

- (a) Translator is competent in both the language of the document and the English language; and
- (b) Translation is a true and complete translation of the foreign language original.

(3) Applicants must pay all costs related to translating any documents relevant to their request for department certification.

NEW SECTION

WAC 388-03-117 What happens to my request for department recognition as an interpreter or translator? When LIST receives your written request for recognition and the required documentation of your qualification, it will:

- (1) Process your request as expeditiously as possible; and
- (2) Give you written notification of its decision; and
- (3) File your request and enter your name, if your request is approved, into its electronic database of authorized interpreters and translators.

NEW SECTION

WAC 388-03-118 Does the department maintain lists of certified/qualified interpreters and translators? (1) To enable contracted language agencies and department programs to locate and contact certified and/or qualified interpreters and translators, the department maintains lists of certified interpreters, certified translators, and qualified interpreters.

(2) These lists are published and distributed to department contracted language agencies, local department offices, LEP cluster coordinators and regional LEP coordinators.

(3) Any interpreter or translator who considers some information on the list to be confidential, such as mailing addresses and telephone numbers, can have that information removed by writing the Language Interpreter Services and Translations section at: P.O. Box 45820, Olympia, WA 98504-5820.

(4) These lists are updated quarterly to include newly certified and qualified interpreters/translators.

EXAMINATIONS-ELIGIBILITY AND REGISTRATION

NEW SECTION

WAC 388-03-120 Who can take the department's interpreter/translator certification and screening examinations? (1) You are eligible to take any DSHS interpreter/translator certification or screening examination if you are:

- (a) Currently employed by DSHS in a bilingual position; or
- (b) Applying for DSHS positions with bilingual requirements; or
- (c) Currently working with DSHS programs through contracted language agencies; or
- (d) Wishing to work with DSHS programs through contracted language agencies.

(2) There are no education and experience requirements for taking an examination. If you fit into one of the above listed categories, you are eligible to take an examination.

PROPOSED

However, you must remember that all written and oral tests administered by the department assess language proficiency at a professional interpreter/translator level.

(3) Screening tests will not be substituted for any certificated language tests.

NEW SECTION

WAC 388-03-122 What type of test is given by the department to certify and qualify interpreters and translators? (1) Certification examinations evaluate bilingual proficiency and interpreting/translation skills by comparing your proficiency and skill to minimum competency standards.

(2) Minimum competency standards are determined by the nature of the work involved and by experienced practicing court interpreters/translators, social services interpreters/translators, bilingual professionals, and language specialists.

(3) Five different types of tests are used to evaluate the bilingual proficiency and interpreting/translation skills of the following categories of people:

(a) Department employees and new recruits with bilingual assignments (employee test);

(b) Contracted interpreters providing oral interpretation services to department social service programs (social services interpreter test);

(c) Contracted translators providing written translation services to department social service programs (translator test);

(d) Medical interpreters providing interpretation services to department clients in medical settings (medical interpreter test); and

(e) Licensed agency personnel whose agency is providing contracted services to the department (licensed agency personnel test or LAP test).

(4) For a list of the specific types of examinations and languages tested (and other important testing information), see the most recent edition of the "professional language certification examination manual" published by the language interpreter services and translations section.

(5) Examinations for interpreters include written and oral components. Interpreters must pass the written test before they take the oral test.

(6) Examinations for DSHS bilingual employees usually include written and oral components and these can be taken on the same day.

(7) Examinations for translators include only a written translation component.

NEW SECTION

WAC 388-03-123 What is a screening test? (1) A screening test is a test administered by the department to candidates who wish to become "qualified interpreters." Qualified interpreters, also referred to as noncertificated language interpreters, are individuals who speak a language other than the department's seven certificated languages, which are Cambodian, Chinese (either Cantonese or Mandarin), Korean, Laotian, Russian, Spanish and Vietnamese.

(2) The scope of a screening test is narrower than the scope of a certificated language examination. Screening tests assess a candidate's English and target language skills but the broader, more comprehensive type of assessment used in a certificated language examination is not possible because of limited department resources.

(3) Screening tests are only available for social services interpreters and medical interpreters.

NEW SECTION

WAC 388-03-124 How do I register for a certification or screening examination if I am a department employee or an applicant for a bilingual position with the department? Normally, you can register over the telephone by calling the LIST section at (360) 664-6038. In the Yakima area, you should contact the DSHS Region 2 Personnel Office at:

104 North 3rd Avenue
Yakima, WA 98902
(509) 575-2008

NEW SECTION

WAC 388-03-125 How do I register for a certification or screening examination if I am not a department employee or an applicant for a bilingual position with the department? To register for a certification or screening examination you must follow these steps:

(1) Call the LIST office and request a copy of the examination manual, an examination application form and a schedule of upcoming test dates.

(2) Complete and return the examination application form with the required examination fee.

(3) Wait to receive your examination confirmation letter and pretest package from LIST. If you have not received your letter and package within fifteen working days after you mailed your application and payment, it is your responsibility to contact the LIST office. It is also your responsibility to inform LIST if your name, mailing address or telephone number changes.

(4) If you are only registering for the oral test or registering to retake a test, you do not need to call the LIST office. Simply complete the application form enclosed with your test score report letter and return it to LIST with the appropriate fee. A confirmation letter will be mailed to you when LIST receives your application and payment.

(5) Walk-in registration at a test site is not allowed under any circumstances.

(6) Telephone registration is allowed only for department employees and applicants for department bilingual positions.

NEW SECTION

WAC 388-03-126 What does my pretest package contain? Your pretest package contains directions to the testing site and a study guide that includes sample test questions,

sample oral exercises, a list of important terminology and a copy of the department's code of professional conduct.

EXAMINATION-FEES

NEW SECTION

WAC 388-03-130 What examination fees must I pay?

The following examination fees apply to all languages tested by LIST:

Testing for certificated languages:

Social services interpreter test	
Written test	\$30.00 per attempt
Oral test	\$45.00 per attempt
Simultaneous test (retake only)	\$25.00 per attempt
Medical interpreter test	
Written test	\$30.00 per attempt
Oral test	\$45.00 per attempt
Translator test	
Written test	\$50.00 per attempt

Screening for noncertificated languages:

Social services or medical	
Written screening	\$30.00 per attempt
Oral screening	\$45.00 per attempt, per language

NEW SECTION

WAC 388-03-132 How do I pay my examination fees?

(1) You may pay your examination fees with a personal check, certified check, cashier check or money order made out to the "department of social and health services." Do not send cash. LIST will not be responsible for lost cash payments sent through the mail.

(2) If your check or money order is for the wrong amount, LIST will return your payment and your application. You will have to resubmit your application with a correctly prepared check or money order.

(3) If your bank returns your personal check to LIST because of insufficient funds, LIST will not send you a score report letter until your check clears the bank.

NEW SECTION

WAC 388-03-133 Are my examination fees refundable?

(1) All examination fees are nonrefundable except:

(a) If you die before taking the examination, your examination fees are refundable to your estate; or
(b) If you officially move out of Washington state before taking the examination, your examination fees can be refunded to you.

(2) If you fail to attend your confirmed test session(s) because of an emergency, your test session(s) may be rescheduled but your test fee will not be refunded. A rescheduling due to an emergency will be done only once and

only if the emergency is properly documented. Examples of proper documentation would be official police reports or signed physician statements.

EXAMINATIONS-SCHEDULING

NEW SECTION

WAC 388-03-135 What requirements apply to the scheduling of interpreter and translator certification and screening examinations? (1) LIST schedules all department interpreter and translator examinations. Normally, testing for all languages is conducted once a month, statewide, from February through November. No testing is offered in December and January due to potential hazardous driving conditions. (See the examination manual for details.)

(2) If you require special arrangements for taking your test due to a disability, you should indicate this special need during your initial contact with LIST.

(3) LIST testing is currently offered at six statewide locations. (See the examination manual for details.) Testing site locations can change because of scheduling factors and varying demand for testing services. To stay informed, you should regularly consult LIST's master test schedule. Also, carefully read your test confirmation letter because it contains specific information on test date, test time, and test location.

(4) You must attend the test session(s) indicated in your registration confirmation letters. Except in bona fide emergency situations (see WAC 388-03-133(2)), you will not be allowed to reschedule your examination if you fail to attend your assigned test session(s). If you miss your scheduled examination for reasons other than an emergency, you may schedule another examination by reapplying to take the test and paying the appropriate testing fee.

(5) All requests for a change in testing schedule must be made within ten calendar days from the date your confirmation letter is sent; otherwise LIST considers your test appointment "confirmed" and your examination fees will not be refunded.

EXAMINATIONS-ADMINISTRATION AND SCORING

NEW SECTION

WAC 388-03-138 What procedural requirements apply to administering certification and screening examinations?

(1) The department has a "no-comment, no-return" examination policy. Once an examination is given, it becomes the property of the department and it will not be released to anyone, including test candidates.

(2) The department will not discuss specific examination content, including specific test questions or answers, with test candidates or any other party. Candidates can receive general critiques of their test performance if they submit a written request.

(3) Passing scores for the different examinations are established by the department based on bilingual fluency

PROPOSED

required by law, testing technicalities and the language needs of the department. Test scores will only be reported to candidates in writing. No score information will be released over the telephone to anyone.

(4) All interpreter and translator candidates must follow the test instructions. A failure to follow the instructions may result in an invalid test. Invalid tests will not be scored and, therefore, no test results will be reported to the candidate.

(5) If a candidate arrives late for the written test but decides to go ahead and take it, they will take the test during the remaining time allowed. The lost time resulting from their late arrival will not be made up.

(6) If a candidate arrives late for an oral test, they may lose their assigned time slot. A lost time slot resulting from a late arrival will not be made up.

(7) Tests will not be rescheduled because a candidate arrives late at a testing site except in the case of a bona fide emergency. If you are too late to take the test for some reason other than an emergency, you may schedule another examination by reapplying for the test and paying the appropriate fee.

NEW SECTION

WAC 388-03-140 What if a test candidate is suspected of cheating? If a test administrator suspects cheating during an examination with reasonable evidence, the accused candidate may be declared ineligible for all interpreter and translator certification/qualification tests administered by the department.

NEW SECTION

WAC 388-03-150 How does the department score my bilingual examinations? (1) Depending on the nature of the test or test section, the department uses either an objective or a holistic scoring method to evaluate your examination.

(2) Please consult the examination manual for the evaluation indicators used by the department for each test or sub-test.

NEW SECTION

WAC 388-03-152 When does the department mail my test scores? Score report letters will be sent to candidates when they finish either portion (written or oral) of the test:

(1) For a written test, your scores should be available within two to four weeks from the date you took the examination.

(2) For oral tests, you should receive your scores within four to six weeks from the date you took the examination.

(3) If you wish your test scores mailed to a specific organization or individual, you must personally notify the department in writing and provide the name and mailing address of the organization or individual to whom your score should be sent.

(4) If you do not receive your score report letters within the suggested time periods, you should contact LIST at (360) 664-6037.

NEW SECTION

WAC 388-03-154 Can I appeal my test scores? You have two months, from the date your test score letter is sent, to appeal your test score. Note:

(1) Your appeal must be submitted to the department in writing.

(2) Your appeal will not be honored if it is filed beyond the two-month appeal period.

(3) You will not be allowed to reschedule an examination while your score is being appealed.

NEW SECTION

WAC 388-03-156 How many times can I retake a failed test? You can retake a failed examination until you pass it. However, if you fail a test three times, you must wait six months before taking it a fourth time and wait six months between each subsequent attempt. Each time you retake the test you must pay an examination fee.

DECERTIFICATION/DISQUALIFICATION OF INTERPRETERS AND TRANSLATORS

NEW SECTION

WAC 388-03-170 Can the department deny or revoke my certification or qualification status? The department may deny or revoke either your certification or qualification status if it is proven that you committed one or both of the following acts:

(1) You have not been truthful when dealing with the department; or

(2) You have violated the department's code of professional conduct.

NEW SECTION

WAC 388-03-172 What procedures must the department follow if it denies or revokes my certification or qualification? If it is alleged that you have not been truthful when dealing with the department or that you have violated the department's code of professional conduct, the department, before denying or revoking your certification or qualification, must:

(1) Immediately investigate the allegations made against you; and

(2) Within sixty days of receiving the allegation, determine if you committed the alleged violations; and

(3) Within five days of reaching its decision, give you written notification of the decision. The department's notification must be delivered to you by certified mail.

NEW SECTION

WAC 388-03-174 Can I appeal the department's decision to deny or revoke my certification or qualification? If the department denies or revokes your certification or qualification, you have the right to appeal its decision by using the adjudicative proceeding process in chapter 34.05

RCW and chapter 388-08 WAC. However, the department encourages you to first try to resolve your dispute through a less formal process like mediation.

NEW SECTION

WAC 388-03-176 How do I request an adjudicative hearing? To request an adjudicative hearing, you must:

(1) File a written application with the department's board of appeals within twenty-one days of receiving the department's decision to deny or revoke your certification or qualification.

(2) Your written application must include:

(a) A copy of the department's decision that you are contesting; and

(b) A specific statement of the issue(s) and the law involved; and

(c) Your reasons for contesting the department's decision.

(3) Your written application must be delivered to the board of appeals in person, electronically by fax or by certified mail.

(4) Once the board of appeals receives your written application, an adjudicative hearing will be scheduled.

(5) The adjudicative hearing will be governed by the provisions of chapter 34.05 RCW, Administrative Procedure Act.

WSR 99-23-108
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed November 17, 1999, 11:38 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-15-107 on July 21, 1999.

Title of Rule: Safety standards for agriculture, chapter 296-307 WAC, Temporary labor camps, WAC 296-307-161 Temporary worker housing (Part L) and 296-307-163 Cherry harvest camps (Part L1).

Purpose: The 1999 legislature passed ESSB 5599 (chapter 374, Laws of 1999) requiring the Department of Labor and Industries (L&I) and the Department of Health (DOH) to adopt joint rules for the licensing, operation, and inspection of temporary worker housing and the enforcement of these rules. ESSB 5599 also removes temporary worker housing responsibilities from the State Board of Health and directs the agencies to establish standards for cherry harvest camps. Cherry harvest standards may include some variation from standards that are necessary for longer occupancies, provided they are as effective as the standards adopted by WISHA.

Beginning in June 1999 an L&I/DOH joint project team with OSHA representation has been meeting regularly and has developed the proposed wording for the temporary worker housing rule and the cherry harvest rule. During the development of the wording, the joint project team met twice with grower and worker advocates and a third time with the

advocates and the public to gather their input. Using the Washington Interactive Television, one public hearing will be held simultaneously in four locations (Wenatchee, Yakima, Tri-Cities, and Mount Vernon) on January 6, 2000. The current WAC 296-307-160 Temporary labor camps is being repealed in its entirety and reissued under WAC 296-307-161 Temporary worker housing and 296-307-163 Cherry harvest camps to improve usability and clarity. Current Department of Health requirements have been incorporated into the temporary worker housing and cherry harvest camps rules.

REPEALED SECTIONS: WAC 296-307-160 Temporary labor camps.

WAC 296-307-16001 What requirements apply to camp sites?

- Requirements have been moved to WAC 296-307-16125.

WAC 296-307-16003 How must camp shelters be constructed?

- Requirements have been moved to WAC 296-307-16140.

- To delete the requirement that in a family unit, the husband and wife must have a separate sleeping area whenever living with one or more children over six years old.

WAC 296-307-16004 What electricity must be provided for temporary labor camps?

- Requirements have been moved to WAC 296-307-16165.

WAC 296-307-16005 What requirements apply to the water supply?

- Requirements have been moved to WAC 296-307-16130.

WAC 296-307-16007 Must an employer provide toilet facilities for the camp?

- Requirements have been moved to WAC 296-307-16155.

WAC 296-307-16009 Must sewer lines connect to public sewers?

- Requirements have been moved to WAC 296-307-16135.

WAC 296-307-16011 What facilities must an employer provide for laundry, handwashing, and bathing?

- Requirements have been moved to WAC 296-307-16130, 296-307-16145, and 296-307-16150.

WAC 296-307-16013 What lighting must an employer provide in camp buildings?

- Requirements have been moved to WAC 296-307-16165.

WAC 296-307-16015 What requirements apply to refuse disposal?

- Requirements have been moved to WAC 296-307-16180.

WAC 296-307-16017 What cooking and food-handling facilities must be provided in temporary labor camps?

- Requirements have been moved to WAC 296-307-16160 and 296-307-16165.

WAC 296-307-16019 Must an employer provide insect and rodent control?

- Requirements have been moved to WAC 296-307-16185.

WAC 296-307-16021 What first-aid facilities must be available in the camp?

- Requirements have been moved to WAC 296-307-16175.

WAC 296-307-16023 When must an employer report communicable diseases in a camp?

- Requirements have been moved to WAC 296-307-16190.

NEW SECTIONS: WAC 296-307-161 Temporary worker housing.

WAC 296-307-16101 Purpose and applicability.

- To specify that the purpose of the rule is for temporary worker housing.
- To provide a reference that the requirements for cherry harvest camps using tents are in WAC 296-307-163 Cherry harvest camps.
- To specify that operators with nine or less occupants are not required to be licensed under this chapter.
- To specify that operators with at least one employee are still required to comply with WISHA standards.
- To provide a reference for Department of Health licensing, on-site survey, water test fees.

WAC 296-307-16103 Definitions.

- To list definitions applicable to temporary worker housing.

WAC 296-307-16105 Operating license.

Requirements moved from current Department of Health requirements.

- To clarify requirements that specify when an operator must request a temporary worker-housing license from the Department of Health.
- To clarify requirements that must be met when requesting an operating license.
- To clarify requirements that specify when the operating license will be issued.
- To clarify requirements that specify when temporary worker housing may be allowed without a renewed license.
- To clarify requirements that specify when an interim operating license may be issued.
- To clarify requirements that require the posting of the operating license in a readily accessible place, notify the Department of Health of a transfer of ownership, and cooperation with the Department of Health or health officer during on-site inspections.

WAC 296-307-16110 Requirements for self-survey program. Requirements moved from current DOH requirements.

- To clarify requirements that specify participation in the self-survey program.
- To clarify requirements for remaining in the self-survey program.
- To clarify requirements that specify for a change of ownership and continuation within the self-survey program.

WAC 296-307-16115 Maximum housing occupancy.

- Requirements moved from current DOH requirements.
- To clarify requirements for the determination of maximum occupancy for operator supplied housing.

- To clarify requirements for the determination of maximum occupancy for worker supplied housing.

WAC 296-307-16120 Variance and procedure.

- To add requirements that specifies the variance application and authority for approval process.

WAC 296-307-16125 Temporary worker housing sites.

Requirements moved from WAC 296-307-16001 and incorporate current DOH requirements.

- To clarify requirements that specify what must be considered to locate and operate a temporary worker housing site.
- To clarify requirements that specify the development and implementation of a temporary worker housing management plan.
- To clarify requirements that specify closing the temporary worker housing for the season or permanently.

WAC 296-307-16130 Water supply.

Requirements moved from WAC 296-307-16005 and incorporate current DOH requirements.

- To clarify requirements that the water system must be approved as a Group A public water system or a Group B water system.
- To clarify requirements that an adequate and convenient hot and cold water supply must be provided for drinking, cooking, bathing, and laundry purposes.
- To clarify requirements that the water distribution lines must be able to maintain the working piping system at not less than fifteen pounds per square inch after allowing for friction and other pressure losses.
- To clarify a definition of an "adequate water supply."
- To clarify requirements that cold, potable, running water under pressure must be within one hundred (100) feet of each dwelling, when water is not piped to the dwelling.
- To clarify requirements that specify one or more drinking fountains for each 100 occupants or fraction thereof if water sources are not available in each individual dwelling unit.
- To clarify requirements that specify the posting of a sign indicating that the water is unsafe for drinking purposes.

WAC 296-307-16135 Sewage disposal.

Requirements moved from WAC 296-307-16035 and incorporated current DOH requirements.

- To clarify requirements that sewage disposal systems must be in accordance with local health jurisdictions.
- To clarify requirements that all drain, waste and vent systems are connected to public sewers, if available, or to approved on-site disposal systems.

WAC 296-307-16140 Electricity and lighting.

Requirements moved from WAC 296-307-16004 and 296-307-16013 and incorporated current DOH requirements.

- To clarify requirements that electricity be in all dwelling units, kitchen facilities, shower/bathroom facilities, common areas and laundry facilities.
- To clarify requirements that electrical wiring and equipment meet electrical standards and building codes.

- To clarify requirements that each habitable room in a camp has one ceiling-type light fixture and at least one separate floor-type or wall-type convenience outlet.
- To clarify requirements that laundry and toilet rooms, shower/bathrooms, and rooms where people congregate have at least one ceiling-type or wall-type fixture.
- To clarify requirements that general lighting and task lighting must be adequate.
- To clarify requirements that wiring and fixtures are installed in accordance with applicable codes, ordinances, etc.
- To add requirements that an operator must provide adequate lighting to allow safe passage for camp occupants to handwashing sinks and toilets.

WAC 296-307-16145 Building requirements and maintenance.

Requirements moved from WAC 296-307-16003 and incorporate current DOH requirements.

- To clarify requirements that buildings are constructed to provide protection against the elements and comply with the state building code and local ordinances, etc.
- To add the wording that any shelter meeting these requirements is acceptable.
- To clarify requirements that a number is posted to identify each dwelling unit.
- To clarify requirements that buildings are maintained in good repair and sanitary condition.
- To clarify requirements that a ceiling height of at least seven feet and include a method of measuring ceilings that are sloped.
- To clarify requirements that at least 70 square feet of floor space for one occupant and 50 square feet for each additional occupant.
- To clarify requirements that floors are tightly constructed in accordance with the State Building Code are in good repair.
- To clarify requirements that wooden floors are at least one foot above ground level or meet the requirements of the State Building Code.
- To clarify requirements for a habitable room.
- To clarify requirements that all exterior openings and screen doors are screened and that screen doors have self-closing devices.
- To clarify requirements that all heating, cooking and water heating equipment is installed in accordance to state and local ordinances, codes, etc.
- To clarify requirements that adequate heating in habitable rooms, including bathrooms, are used during cold weather.
- To add requirements that operators ensure that all recreational vehicles and park trailers meet the requirements of chapters 296-150P and 296-150R WAC.

WAC 296-307-16150 Laundry facilities.

Requirements moved from WAC 296-307-16011 and incorporate current DOH requirements.

- To clarify requirements that an operator must provide:
 - One laundry tray or tub for every 30 persons,
 - Facilities for drying clothes,
 - Sloped, coved floors of nonslip materials with floor drains, and

- Laundry facilities in a clean and sanitary condition.

WAC 296-307-16155 Handwashing and bathing facilities.

Requirements moved from WAC 296-307-16011 and incorporate current DOH requirements.

- To clarify requirements for the operator to provide handwash sink, showerheads, and a service sink.
- To clarify requirements that floors must be sloped and coved of nonslip impervious materials.
- To clarify requirements for shower rooms and floor drains.
- To clarify requirements for cleanable and nonabsorbent waste containers.
- To clarify requirements that centralized bathing and handwashing facilities be maintained in a clean and sanitary condition.
- To clarify requirements that occupants be requested to maintain bathing and handwashing facilities in family dwellings in a clean and sanitary condition.

WAC 296-307-16160 Toilet facilities.

Requirements moved from WAC 296-307-16007 and incorporate current DOH requirements.

- To clarify requirements for general toilet facilities, centralized toilet facilities, and individual family/unit dwelling facilities.

WAC 296-307-16165 Cooking and food-handling facilities.

Requirements moved from WAC 296-307-16017 and incorporate current DOH requirements.

- To clarify requirements that an operator must provide food-handling facilities for all occupants.
- To clarify requirements for common food-handling facilities.
- To clarify requirements that centralized dining hall facilities comply with chapter 246-215 WAC, Food service.
- To add requirements for two cubic feet of refrigeration per occupant.
- To add requirements for two cubic feet of dry food storage space per occupant.

WAC 296-307-16170 Cots, beds, bedding and personal storage.

Requirements moved from WAC 296-307-16003 and incorporated current DOH requirements.

- To clarify requirements for providing beds, cots or bunks.
- To clarify requirements to provide suitable storage facilities for clothing and personal articles.

WAC 296-307-16175 First aid and safety.

Requirements moved from WAC 296-307-16021 and incorporated current DOH requirements.

- To clarify requirements concerning pesticides and flammable, volatile, or toxic substances not intended for household use.
- To clarify requirements that a first-aid qualified person and equipment are available.
- To clarify requirements that unused refrigerator units are stored or removed to prevent access by children.

WAC 296-307-16180 Refuse disposal.

Requirements moved from WAC 296-307-16015 and incorporated current DOH requirements.

- To clarify requirements for handling refuse, rodent harborage, insect breeding and other health hazards.
- WAC 296-307-16185 Insect and rodent control.
Requirements moved from WAC 296-307-16019 and incorporated current DOH requirements.
- To clarify requirements for effective measures to prevent and control insect and rodent infestation.
- WAC 296-307-16190 Disease prevention and control.
Requirements moved from WAC 296-307-16023 and incorporated current DOH requirements.
- To clarify requirements for reporting any individual known to have or suspected of having a communicable disease or various sickness.
- Chapter 296-307 WAC, Part L1, Cherry Harvest Camps.**
- WAC 296-307-163 Cherry harvest camps.
- WAC 296-307-16301 Purpose and applicability.
- To specify that the purpose of the rule is for cherry harvest camps using tents for employee dwellings during the cherry harvest season.
 - To provide a reference that the requirements for other type dwellings are in accordance with WAC 296-307-161 Temporary worker housing.
 - To specify requirements that operators with ten or more occupants are required to be licensed under this chapter.
 - To specify requirements that operators with at least one employee are still required to comply with WISHA standards.
- WAC 296-307-16303 Definitions.
- To specify definitions applicable to cherry harvest camps.
- WAC 296-307-16305 Technical assistance.
- To specify that technical assistance is available from the Department of Health and the Department of Labor and Industries.
- WAC 296-307-16310 Operating license.
- To specify requirements when an operator must request a cherry harvest camp license from the Department of Health.
 - To specify requirements that must be met in the request for an operating license.
 - To specify requirements when the operating license will be issued.
 - To specify requirements when temporary worker housing may be allowed without a renewed license.
 - To specify requirements when an interim operating license may be issued.
 - To specify requirements for posting of the operating license in a readily accessible place, notify the Department of Health of a transfer of ownership, and cooperation with the Department of Health or health officer during on-site inspections.
- WAC 296-307-16315 Maximum housing occupancy.
- To specify requirements for the determination of maximum occupancy for a cherry harvest tent.
- WAC 296-307-16320 Variance and procedure.
- To specify requirements for the variance application and authority for approval process.
- WAC 296-307-16325 Cherry harvest campsites.
- To specify requirements for the operator to locate and operate a site to prevent a health or safety hazard.
 - To specify requirements for the development and implementation of a cherry harvest camp management plan.
 - To specify requirements for the operator to complete certain requirements when closing the camp for the season or permanently.
- WAC 296-307-16330 Water supply.
- To specify requirements that the water system is approved as a Group A public water system or a Group B water system.
 - To specify requirements that an adequate and convenient hot and cold water supply is provided for drinking, cooking, bathing, and laundry purposes.
 - To specify requirements that the water distribution lines are able to maintain an adequate water supply.
 - To specify a definition of an "adequate water supply."
 - To specify requirements for cold, potable, running water under pressure within one hundred feet of each dwelling, when water is not piped to the dwelling.
 - To specify requirements for one or more drinking fountains for each 100 occupants or fraction thereof if water sources are not available in each individual dwelling unit.
 - To specify requirements for the posting of a sign indicating that the water is unsafe for drinking purposes.
- WAC 296-307-16335 Sewage disposal.
- To specify requirements for sewage disposal systems in accordance with local health jurisdictions.
 - To specify requirements that all drain, waste and vent systems are connected to public sewers, if available, or to approved on-site disposal systems.
- WAC 296-307-16340 Electricity and lighting.
- To specify requirements for electricity in all dwelling units, kitchen facilities, bathroom facilities and common areas and laundry facilities.
 - To specify requirements that electrical wiring and equipment meet electrical standards and building codes.
 - To specify requirements that each individual tent in a camp have one ceiling-type light fixture and at least one separate floor-type or wall-type convenience outlet.
 - To add a requirement for a dedicated electrical outlet for an operator provided refrigerator in the tent.
 - To specify requirements that laundry and toilet rooms and rooms where people congregate have a least one ceiling-type or wall-type fixture.
 - To specify requirements that general lighting and task lighting be adequate.
 - To specify requirements that wiring and fixtures are installed in accordance with applicable codes, ordinances, etc.
 - To add requirement that a carbon monoxide monitor must be provided and located not more than 30 inches from the floor if using two or more propane, butane, or white gas lighting appliances.
 - To add requirements that an operator must provide adequate lighting to allow safe passage for camp occupants to handwashing sinks and toilets.

- To add requirement for adequate lighting for shower rooms during hours of operation.
- To specify that lighting requirements may be met by natural or artificial means.
- To specify lighting requirements in tents must be adequate to carry on normal daily activities.

WAC 296-307-16345 Tents.

- To add requirements for structural stability and floors.
- To add requirements that floors must be smooth, flat, and without breaks or holes to provide a hard, stable walking surface.
- To specify that nonrigid flooring supported by grass, dirt, soil, gravel, etc., are not acceptable.
- To add requirements for flame-retardant treatments for all tent fabrics.
- To add requirements for a means of egress.
- To add requirements for specific floor space per occupant.
- To add requirements for specific ceiling height.
- To add requirements for windows and ventilation.

WAC 296-307-16350 Recreation vehicles.

- To specify requirements that an operator must ensure all recreational vehicles and park trailers meet the requirements of chapters 296-150P and 296-150R WAC.

WAC 296-307-16355 Laundry facilities.

- To specify requirements for an operator to provide:
- One laundry tray or tub for every 30 persons,
 - Facilities for drying clothes,
 - Sloped and covered floors of nonslip materials with floor drains, and
 - Laundry facilities in a clean and sanitary condition.

WAC 296-307-16360 Handwashing and bathing facilities.

- To specify requirements for the operator to provide handwash sink, showerheads, and a service sink.
- To specify that handwash sinks must be adjacent to toilets.
- To specify requirements relating to sloped and covered floors of nonslip impervious materials.
- To specify the requirements for shower rooms and floor drains.
- To specify cleanable and nonabsorbent waste containers.
- To specify that centralized bathing and handwashing facilities are maintained in a clean and sanitary condition.
- To specify that occupants be requested to maintain bathing and handwashing facilities in family dwellings in a clean and sanitary condition.

WAC 296-307-16365 Toilet facilities.

- To specify requirements for general toilet facilities, centralized toilet facilities, and the location of toilet rooms.

WAC 296-307-16370 Cooking and food-handling facilities.

- To specify requirements for when an operator provides food-handling facilities for all occupants.
- To add requirement for at least one cooking surface for every four occupants in common food-handling facilities and in tents.

- To specify requirements for cooking in tents and common food-handling facilities.
- To specify requirements that centralized dining hall facilities comply with chapter 246-215 WAC, Food service.
- To add requirements for one cubic foot of refrigeration per occupant.
- To add requirements for two cubic feet of dry food storage space per occupant.

WAC 296-307-16375 Cots, beds, bedding and personal storage.

- To specify requirements for providing beds, cots or bunks.
- To specify requirements for when bunk beds are provided.
- To specify requirements to provide storage facilities for clothing and personal articles.
- To add requirements that cots, beds or bunks be located at least 30 inches or more from cooking surfaces.

WAC 296-307-16380 First aid and safety.

- To specify requirements concerning pesticides and flammable, volatile, or toxic substances not intended for household use.
- To specify requirements that a first aid qualified person and equipment are available.
- To specify requirements that unused refrigerator units are stored or removed to prevent access by children.

WAC 296-307-16385 Refuse disposal.

- To specify requirements for handling refuse, rodent harborage, insect breeding and other health hazards.

WAC 296-307-16390 Insect and rodent control.

- To specify requirements for effective measures to prevent and control insect and rodent infestation.

WAC 296-307-16395 Disease prevention and control.

- To specify requirements for the reporting of any individual known to have, or suspected of having, a communicable disease or various sickness.

Statutory Authority for Adoption: RCW 49.17.010, [49.17].040, [49.17].050, and ESSB 5599, chapter 374, Laws of 1999.

Statute Being Implemented: Chapter 49.17 RCW.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Tracy Spencer, Tumwater, (360) 902-5530; Implementation and Enforcement: Michael A. Silverstein, Tumwater, (360) 902-5495.

Name of Proponent: Department of Labor and Industries and the Department of Health, 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 Changes the Following Existing Rules: See Purpose above.

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

Small Business Economic Impact Statement

Background: Migrant farm workers in Washington state face an acute housing shortage, especially those involved in the cherry harvest. Approximately 16,000 migrant workers labor to bring in the cherry each year (DOH, 1996). In 1998, cherry orchard operators licensed 1765 beds for migrant workers through the Department of Health's provisional tent program. This means that the majority of workers cannot count on grower-supplied housing and must find their own shelter during the harvest season. These workers often camp out in the woods, along riverbanks or irrigation ditches under conditions that threaten their health and safety. Safe drinking water, toilets and sanitary food storage and preparation facilities are seldom available. Alternatively they crowd into hotel rooms or mobile homes designed to accommodate far fewer people.

The Department of Health (DOH) adopted and then revised regulations governing the provisions of temporary worker housing by cherry orchard operators in 1996, 1997 and 1998. These regulations had to meet the requirements of the enabling statute: "[t]he department shall adopt by rule a temporary worker building code in conformance with the temporary worker housing standards developed under the Washington industrial safety and health act, chapter 49.17 RCW" (RCW 70.114A.081(1)). The Department of Labor and Industries (L&I) and the federal Department of Labor, upon reviewing the regulations, concluded that they did not conform to the Washington Industrial Safety and Health Act (WISHA). The questions about the legality of the temporary worker housing regulations and other concerns prompted the legislature in 1999 to adopt ESB 5599 directing that "[t]he department of health and the department of labor and industries shall adopt joint rules for the licensing, operation and inspection of temporary worker housing and the enforcement thereof. These rules shall establish standards that are at least as effective as the standards developed under the Washington industrial safety and health act, chapter 49.17 RCW."

Because employers are not required to supply their employees with housing, regulating the housing supplied by orchard operators presents a dilemma for L&I and the DOH. On the one hand many grower-supplied housing sites are often dismal. On the other hand, designing temporary worker housing regulations that are stringent will substantially raise the cost of providing temporary worker housing and cause some orchard owners to close their camps. With only 25 of 290 growers providing temporary housing in 1998, sheltering 1,765 of approximately 16,000 cherry orchard migrant workers, the prospect of losing a significant number of beds had to be considered during rule development. The objective of L&I (here after referred to as the department) was to maximize worker health and safety, while conforming to federally mandated requirements.

Need for a Small Business Economic Impact Statement: The Regulatory Fairness Act (RFA), chapter 19.85 RCW, requires that the economic impact of proposed regulations or amendments on small businesses must be examined relative to their impact on large businesses. The RFA outlines the requirements for a small business economic impact

statement (SBEIS). For the purposes of an SBEIS the term small business is defined as a business entity that has the purpose of making a profit and has fifty or fewer employees. The agency must prepare an SBEIS when a proposed rule, or rule amendments, have the potential of placing a more than minor economic impact on business. For the businesses considered (SIC 017: Fruits and tree nuts), the minor impact threshold is 50 (1990 dollars) per business. These values are calculated as 0.1% of profits for a business of 50 employees (Guide for Facilitating Regulatory Fairness, 1993). The estimated business (establishment) compliance costs, presented in Table 3 below, reveal that the costs created by the proposed changes to chapter 296-307 WAC will exceed the SBEIS minor cost threshold. Therefore an SBEIS is necessary.

Estimating the Compliance Costs for the Proposed Amendments: To estimate the rule compliance costs and determine if there is a disproportionate impact on small businesses, the department examined costs for a hypothetical small orchard camp with beds and shelter for 30 workers. The estimated small camp costs were compared with the estimated compliance costs for a hypothetical large camp with facilities for 90 workers. Compliance costs are presented on a per employee and on a per establishment basis. Costs were estimated for the following individual rule requirements.

Table 1: Rule Requirements for Small and Large Camps

Requirement	Small Camp: 30 workers	Large Camp: 90 workers
Grower-supplied housing ^a	5 tents (6 workers per tent)	15 tents
Electrical outlets ^b	1 per tent	same
Lighting in tents ^c	3 100 watt, 1 75 watt light fixtures per tent	same
Beds ^d	Option 1: 30 cots, 1 per worker Option 2: 15 bunk beds, 1 per 2 workers	Option 1: 90 cots, 1 per worker Option 2: 45 bunk beds, 1 per 2 workers
Flooring ^e	Option 1: Synthetic material Option 2: Concrete slab	same
Enhanced cooking facilities ^f	Option 1: Central cooking Option 2: In-tent cooking	same
Refrigeration: 2 cubic feet/worker ^g	Option 1: Central cooking, enlarged facility Option 2: In-tent cooking, no enlargement necessary	same
Water testing ^h	Site/well inspection and test	same

Estimated per employee cost for compliance with the proposed rule is shown in Table 2 below for large and small camps, under Options 1 and 2.

Table 2: Estimated annual per occupant compliance costs

Rule Requirement	Option 1		Option 2	
Camp size—>	30	90	30	90

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Grower supplied housing	\$47.43	\$42.48	\$47.43	\$42.48
Tent electrical outlets	\$23.60	\$23.60	\$23.60	\$23.60
Tent lighting	\$5.81	\$5.81	\$5.81	\$5.81
Beds	\$8.53	\$8.53	\$17.34	\$17.34
Tent flooring	\$4.00	\$4.00	\$6.37	\$6.37
Enhanced cooking facilities	\$0.95	\$0.63	\$47.38	\$47.38
Increased refrig. space	\$5.11	\$4.53	\$1.45	\$1.45
Water testing	\$3.67	\$1.22	\$3.67	\$1.22
Total Costs	\$99.10	\$90.80	\$153.06	\$145.65

The per employee compliance costs are approximately 7% higher for small camp operators; Option 1, small camp \$99.10 versus \$90.80 for large camp for a difference of 9%; Option 2, small camp \$145.65 versus \$153.06 for large camp for a difference of 5%. The department believes that this small difference is not indicative of a disproportionate impact on small business entities (small camp operators). Table 3 presents the per establishment costs for large and small camps, under Options 1 and 2.

Table 3: Estimated annual per camp compliance cost

Rule Requirement Camp size—>	Option 1		Option 2	
	30	90	30	90
Grower supplied housing	\$1,423.00	\$3,823.00	\$1,423.00	\$3,823.00
Tent electrical outlets	\$707.92	\$2,123.76	\$707.92	\$2,123.76
Tent lighting	\$174.22	\$522.66	\$174.22	\$522.66
Beds	\$255.96	\$767.89	\$520.35	\$1,561.05
Tent flooring	\$120.00	\$360.00	\$191.15	\$573.44
Enhanced cooking facilities	\$28.37	\$56.73	\$1,421.49	\$4,264.48
Increased refrig. space	\$153.42	\$407.55	\$43.44	\$130.31
Water testing	\$110.23	\$110.23	\$110.23	\$110.23
Total Costs	\$2,973.12	\$8,171.83	\$4,591.80	\$13,108.92

Conclusions: Using a variety of sources, the compliance costs for the proposed amendments to the rules pertaining to housing camps for cherry harvest agricultural workers (WAC 296-307-161 through 296-307-163) were determined. The estimated new costs per establishment, presented in Table 3, indicate the proposal will have a more than a minor impact on large and small camp operators. A comparison of per employee compliance costs for operators of large and small cherry orchard work camps, see Table 2, indicates that they will be 5 to 9% higher for small camp operators. This cost difference is not substantial and therefore it is my conclusion that the proposal will not have a disproportionate impact on small business.

Table 1 Notes

- a Assumptions for grower-supplied housing: 1. Operators will meet the shelter requirements by utilizing the North Central Community Action Council's tent rental program. Cost to growers of \$160 (\$125 for depreciated cost and \$35 for annual storage; tents used two times a year) to rent a tent for 21 days. 2. Growers must pay for approximately 8 hours of labor (tent set up, break down, maintenance, and storage) for each tent. At a wage rate of \$10 hour this adds \$80 to the cost of each tent. 3. Growers must also pay transportation costs for four round trips per year (site survey, delivery of tent, set up of tent, break down of tent). At an average round trip of 180 miles and costs \$0.31 per mile, transportation adds \$223 to the cost of tents. 4. Total costs: A small operator is estimated to face annual tent rental costs of about \$1423 while large growers costs approximate \$3823.
- b Assumptions for electrical outlets: 1. The rule would require a convenience outlet in every tent. The camp operators would need to install 50 ft. of underground wiring for each tent. A GFI outlet mounted on a 4x4 pressure treated post (set in concrete), 15 ft. away from the underground wiring will supply the electricity. The underground wiring costs \$1.00 per foot, the 4x4 post \$6.39, the concrete \$5.55 (3 cubic feet), GFI outlet \$12.97, and 4 hours of labor at \$60 per hour. Total cost of the exterior wiring assembly is approximately \$325 per tent. Discounting this amount at a 7% interest rate over 20 years results in an annual cost of \$30.67 per tent. 2. To bring the electricity inside the tent will require six feet of flexible conduit (\$1.10 per foot), and two duplex outlets (\$1.50 per item), and one hour of labor to assemble-total cost \$69.60. Discounting this amount at a 7% interest rate over seven years results in an annual cost of about \$12.91 per tent. 3. The analysis also assumed that it takes one hour of worker time (\$60) to set up and break down the interior wiring in each tent and that each tent would require an annual electrical inspection at a cost of \$38. The total annual cost of providing a convenience outlet is estimated at \$142 per tent.
- c Assumptions for tent lighting: Each tent will have three 100 watt UL approved fixtures for general lighting and one 75 watt UL listed fixture for task lighting. Using "shop type" lights at a cost of \$20 each adds \$80 to the compliance. In addition, the state added \$5 per lamp per year to cover the cost of setting up and breaking down the lamp, electricity, and light bulbs bringing the lighting cost to \$100 per tent. This cost assumes that wire extending from the lamp will be UL approved and will be secured to rigid members of the tent's space frame with plastic fasteners and not enclosed in conduit. Discounting this cost over a seven year period at a 7% interest rate results in yearly costs of \$174 and \$523 for small and large camps.
- d Assumptions for bed requirement: Operators will rent beds through a program connected with the tent rental program. Option 1: Growers will provide military style cots costing \$74 each (aluminum frame, nylon

PROPOSED

covering). Assuming the cots will be rented twice per year and take one hour of staff time (\$10/hr) per tent to set up and breakdown. Assumes no transportation costs (the trucks used to transport tents can accommodate the cots) or storage costs. Discounting the cost of six cots over seven years at 7% discount rate, dividing this cost in half (two rentals/yr.) and adding \$10 in setup and breakdown fees results in annual costs of \$51 per tent.

Option 2: Operators use army type bunk beds with mattresses costing \$300 per set of two (or \$150 per camp occupant) will be required: Beds will be rented twice per year. Discounting this cost of six beds over ten years at 7% discount rate results in annual costs of \$64. Additional costs include two additional hours of staff time per tent to set up and breakdown the beds and \$20 per year to store six beds. The trucks used to transport tents can accommodate the bunk beds, therefore, no transportation costs. Option 2 cost to operators to rent beds is estimated at \$104 per tent.

- e Assumptions for flooring requirements: Option 1: Flooring made of textile or film materials that provides a smooth, flat, stable, walking surface that is weather resistant and prevents the entrance of rodents, snakes, etc. This analysis assumes that growers would meet with requirement with integrated floors supplied with the rented tents. This requirement is estimated to add \$24 to the cost of renting each tent.

Option 2: Floors would comply with State Building Code requirements. This analysis assumes that operators would meet this requirement with a 350 square foot concrete pad costing \$1.17/sq. ft. (~\$50/yard of concrete plus labor) for a cost of \$410. Discounting this cost over a twenty year period at a 7% discount rate adds \$38 to the cost of each tent.

- f Assumptions for enhanced cooking facilities: Option 1 requires enclosed cooking areas (current regulations allow food preparation areas to be open on one side). This analysis estimates the cost of adding a fourth concrete wall and a screened opening. Assumes large orchard camp has two food preparation areas each requiring an additional 22 ft. linear of concrete block wall as well as 24 sq. ft. of screened opening. Assuming: Concrete block walls at \$10.25/sq. ft. (materials and labor) for an additional cost of \$451; \$37 for screening material, and \$100 in labor cost to install screens. The total cost of the additional requirements for the two food preparation area structures is estimated at \$588 or \$57 per year when annualized over twenty years at a 7% interest rate.

For small camps the added requirements affect a single food preparation area adding 22 ft. linear of concrete block wall as well as 24 sq. ft. of screened opening. Assumes: Concrete block walls at \$10.25/sq. ft. (materials and labor) for an additional cost of \$225; \$25 for screening material and \$50 in installation labor cost. The total cost of the additional requirements for the two food preparation area structures is estimated at \$300 or \$28 per year when annualized over twenty years at a 7% interest rate.

Option 2: Growers would be required to provide in-tent cooking facilities. 1. Operators would have to take several different actions to satisfy this requirement. The necessary equipment includes a four burner stove (\$219), sturdy cabinet (\$250), sink (\$50), faucet (\$25), four linear feet of easily cleaned countertop (\$30), a five gallon water heater (\$125) and a six cu. ft. refrigerator (\$269). 2. Requires two hours of plumber time to assemble the various components (\$120). Assuming that these fixtures are rented from an entity such as the North Central Community Action Council, they would cost the grower \$77 per year per tent. (Fixtures rented twice each year, have \$50 per year in storage costs, are depreciated over a 10 year period, and are delivered with the tent-so no transportation costs.)

3. In-tent cooking facilities would require certain upgrading of infrastructure. Additions to the electrical system include 110-volt outlets dedicated to the refrigerator, the cooking surface, the hot water heater, and the lighting (110 v). Servicing this electrical load would require at least three circuits from each tent to the main panel. (A potential additional cost not included here is upgrading the main electrical panel.) The cost to install the four additional outlets and two additional circuits estimated at \$220. Discounting this cost over a seven year period adds \$41 to the annual cost of each tent. Overall, the additional cost for enhanced electrical service is \$79 per tent. (The cost for an annual electrical inspection is assumed to be included in the cost of a convenience outlet, see footnote b.) An important cost not included in this estimate is that of the additional electricity consumed by the appliances.

4. New infrastructure will also be needed to supply running water within tents. This analysis assumes that each tent will need an average of 65 feet of water and septic pipes. The cost to dig two 65 ft. trenches (water and septic pipes cannot be co-located in the same trench) is estimated at \$85. Discounting this costs over a twenty year period results in annual costs of about \$8 per tent. In addition, assumes it takes a plumber two hours (\$60/hour) to connect and disconnect the sink system to the running water and septic systems. Overall, infrastructure upgrades add an estimated \$128 to the annual cost of each tent.

Overall, the cost of providing in-tent cooking facilities is estimated at \$284 per tent.

- g Assumptions for refrigeration requirement: Current regulations require at least one cu. ft. of refrigeration space per camp occupant. Option 1: Increase required volume to two cu. ft. of refrigeration space per camp occupant, effectively doubling the required volume of refrigeration. 1. A small camp operator would respond to this requirement by adding one 18 cu. ft. refrigerator at a cost of about \$400 and 6 cu. ft. refrigerator at a cost of about \$269 (assumes camp is currently utilizing two 18 cu. ft. refrigerators). 2. The small camp operator will have to enlarge the size of the central cooking facility at an estimated cost of \$733 (24 sq. ft. at \$30.5/sq. ft.). (Demolition costs associated with expanding existing facilities not included in this cost estimate.) Overall, this requirement is projected to add

\$153 to the yearly cost of operating a small camp (enclosure discounted over twenty years, refrigerators over twelve years).

The large camp operator is predicted to respond to this requirement by adding five, 18 cu. ft. refrigerators at a cost of about \$2000. In addition, a large work camp operator will have to enlarge the size of the two central cooking facilities at an estimated cost of \$1651 (60 sq. ft. at \$27.5/sq. ft.). (Demolition costs associated with expanding existing facilities not included in this cost estimate.) Overall, this requirement is projected to add \$408 to the annual cost of operating a large camp (enclosure discounted over twenty years, refrigerators over twelve years).

Option 2: Also requires 2 cu. ft. of refrigeration space per camp occupant, however, as part of the cooking facilities within each tent. The cost difference between 6 and 12 cu. ft. refrigerator is about \$69 (\$338 vs. \$269). The required tents are large enough to accommodate the larger refrigerator and therefore, operators would not need to rent a larger and more expensive tent. Discounting the cost difference over twelve years at a 7% discount rate results in a per tent annual cost of \$8.69 for both large and small camps. Additional electrical consumption is ignored in this analysis.

h The proposed rule would require growers to test for nitrates prior to opening the camp. The cost of this testing is about \$30.

Other requirements that growers may face for the first time relate to the inspection of temporary worker housing water supply systems (specifically tent camps). These requirements are not new. Current regulations state that growers must "design, construct, maintain, and operate the water system in accordance with chapter 246-290." However, recent Department of Health inspections of temporary work camp drinking water systems revealed that many did not comply with these requirements. To address this situation, the state is planning a higher level of enforcement. Thus, while not new, many growers will face these requirements for the first time. This analysis includes the cost of complying with these requirements as they may affect a grower's willingness to provide a camp. Bringing a well and distribution system into compliance with current regulations would require an existing water system sanitary survey (about \$300), a water quality sample (\$300), and a review of an existing water system approval workbook (\$250). Annualizing this cost over a twenty year period would result in annual costs of approximately \$100 per year for both large and small camps. The overall cost of meeting the nitrate and inspection requirements is \$110 per year for both large and small camps.

The estimated cost assumes that no problems are uncovered during the sanitary survey and existing water system approval process. Recent Department of Health inspections of temporary work camp drinking water systems (includes more than just cherry harvest camps) revealed that a significant portion had problems needing to be addressed. As a result, some growers

could face costs considerably higher than estimated here.

A copy of the statement may be obtained by writing to Greg Mothstein, Legislative Economist, Department of Labor and Industries, P.O. Box 44001, Olympia, WA 98504-4001.

RCW 34.05.328 applies to this rule adoption. ESSB 5599 (chapter 374, Laws of 1999) requires the Department of Labor and Industries and the Department of Health to adopt joint rules for the licensing, operation, and the inspection of temporary worker and cherry harvest housing and the enforcement of these rules. Though RCW 34.05.328 (5)(b)(iii) and (v) exempts this rule from the significant legislative rule analysis, the Department of Labor and Industries voluntarily applied this analysis.

Hearing Location: On January 6, 2000, at 1:00 p.m.; (Note: Public hearing is to be held simultaneously via Washington Interactive Television) at the Yakima Site: DIS Interactive Technologies, c/o Department of Ecology, Yesterday's Village, 15 West Yakima Avenue, Suite 220, Yakima, WA 98902; at the Everett Site: Everett Community College, Olympus Hall, Room 205, 801 Wetmore Avenue, Everett, WA 98201; at the Tri-Cities Site: DIS Interactive Technologies, 8551 West Gage Boulevard, Suite H, Kennewick, WA 99336; and at the Wenatchee Site: Wenatchee Valley Community College, Batjer Hall, Room 8038, 1300 5th Street, Wenatchee, WA 98801.

Assistance for Persons with Disabilities: Contact Josh Swanson by December 23, 1999, at (360) 902-5484.

Submit Written Comments to: Tracy Spencer, Standards Manager, WISHA Services Division, P.O. Box 44620, Olympia, WA 98507-4620, by 5:00 p.m. on January 6, 2000. In addition to written comments, the department will accept comments submitted to fax (360) 902-5529. Comments submitted by fax must be ten pages or less.

Date of Intended Adoption: No earlier than February 1, 2000.

November 17, 1999

Gary Moore
Director

Part L

Temporary Worker Housing

NEW SECTION

WAC 296-307-161 Temporary worker housing.

NEW SECTION

WAC 296-307-16101 Purpose and applicability. (1) Purpose. This part is adopted by the Washington state department of labor and industries to implement the provisions of chapter 49.17 RCW and establish minimum health and safety requirements for temporary worker housing.

(2) Applicability.

(a) This part applies only to operators of temporary worker housing. Operators using tents within the cherry harvest season must refer to WAC 296-307-163, Part L-1, or chapter 246-361 WAC.

(b) Operators with ten or more occupants are required to be licensed under this chapter. Operators with one or more employees are required to comply with WISHA standards.

(c) For department of health licensing, on-site survey, water test fees, etc., see WAC 246-358-990.

NEW SECTION

WAC 296-307-16103 Definitions. For the purposes of this part, the following words and phrases will have the following meanings unless the context clearly indicates otherwise:

"Agricultural employee" means any person who renders personal services to, or under the direction of, an agricultural employer in connection with the employer's agricultural activity.

"Agricultural employer" means any person engaged in agricultural activity, including the growing, producing, or harvesting of farm or nursery products, or engaged in the forestation or reforestation of lands, which includes but is not limited to the planting, transplanting, tubing, precommercial thinning, and thinning of trees and seedlings, the clearing, piling, and disposal of brush and slash, the harvest of Christmas trees, and other related activities.

"Building" means any structure used or intended to be used for supporting or sheltering any use or occupancy that may include cooking, eating, sleeping, and sanitation facilities.

"Common food-handling facility" means an area designated by the operator for occupants to store, prepare, cook, and eat their own food supplies.

"Current certificate (first aid)" means a first-aid training certificate that has not expired.

"Department" means the Washington state department of health and/or the department of labor and industries.

"Dining hall" means a cafeteria-type eating place with food furnished by and prepared under the direction of the operator for consumption, with or without charge, by occupants.

"Drinking fountain" means a fixture equal to a nationally recognized standard or a designed-to-drain faucet, which provides potable drinking water under pressure. "Drinking fountain" does not mean a bubble-type water dispenser.

"Dwelling unit" means a shelter, building, or portion of a building, that may include cooking and eating facilities, which is:

- Provided and designated by the operator as either a sleeping area, living area, or both, for occupants; and
- Physically separated from other sleeping and common-use areas.

"First-aid qualified" means that the person holds a current certificate of first-aid training from the American Red Cross or another course with equivalent content or hours.

"Food-handling facility" means a designated, enclosed area for preparation of food.

"Group A water system" means a public water system and includes community and noncommunity water systems.

(a) A community water system means any Group A water system providing service to fifteen or more service

connections used by year-round residents for one hundred eighty or more days within a calendar year, regardless of the number of people, or regularly serving at least twenty-five year-round (i.e., more than one hundred eighty days per year) residents.

(b) A noncommunity water system means a Group A water system that is not a community water system. Noncommunity water systems are further defined as:

(i) Nontransient (NTNC) water system that provides service opportunity to twenty-five or more of the same nonresidential people for one hundred eighty or more days within a calendar year.

(ii) Transient (TNC) water system that serves:

- Twenty-five or more of the same people each day for sixty or more days within a calendar year;
- Twenty-five or more of the same people each day for sixty or more days, but less than one hundred eighty days within a calendar year; or
- One thousand or more people for two or more consecutive days within a calendar year.

"Group B water system" means a public water system:

(a) Constructed to serve less than fifteen residential services regardless of the number of people; or

(b) Constructed to serve an average nonresidential population of less than twenty-five per day for sixty or more days within a calendar year; or

(c) Any number of people for less than sixty days within a calendar year.

"Habitable room" means a room or space in a structure with a minimum seven-foot ceiling used for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

"Health officer" means the individual appointed as such for a local health department under chapter 70.05 RCW or appointed as the director of public health of a combined city-county health department under chapter 70.08 RCW.

"Livestock" means horses, cows, pigs, sheep, goats, poultry, etc.

"Livestock operation" means any place, establishment, or facility consisting of pens or other enclosures in which livestock is kept for purposes including, but not limited to, feeding, milking, slaughter, watering, weighing, sorting, receiving, and shipping. Livestock operations include, among other things, dairy farms, corrals, slaughterhouses, feedlots, and stockyards. Operations where livestock can roam on a pasture over a distance may be treated as outside the definition.

"MSPA" means the Migrant and Seasonal Agricultural Worker Protection Act (96 Stat. 2583; 29 U.S.C. Sec. 1801 et seq.).

"Occupant" means a temporary worker or a person who resides with a temporary worker at the housing site.

"Operating license" means a document issued annually by the department of health or contracted health officer authorizing the use of temporary worker housing.

"Operator" means a person holding legal title to the land on which temporary worker housing is located. However, if the legal title and the right to possession are in differ-

ent persons, "operator" means a person having the lawful control or supervision over the temporary worker housing.

"Recreational park trailers" means a trailer-type unit that is primarily designed to provide temporary living quarters for recreational, camping, or seasonal use, that meets the following criteria:

- Built on a single chassis, mounted on wheels;
- Having a gross trailer area not exceeding 400 square feet (37.15 square meters) in the set-up mode; and
- Certified by the manufacturer as complying with ANSI A119.5.

"Recreational vehicle" means a vehicular-type unit primarily designed as temporary living quarters for recreational camping, travel, or seasonal use that either has its own motive of power or is mounted on, or towed by, another vehicle. Recreational vehicles include: Camping trailers, fifth-wheel trailers, motor homes, travel trailers, and truck campers, but does not include pickup trucks with camper shells, canopies, or other similar coverings.

"Refuse" means solid wastes, rubbish, or garbage.

"Temporary worker" means an agricultural employee employed intermittently and not residing year-round at the same site.

"Temporary worker housing" or "housing" means a place, area, or piece of land where sleeping places or housing sites are provided by an agricultural employer for agricultural employees or by another person, including a temporary worker housing operator, who is providing such accommodations for employees for temporary, seasonal occupancy.

"WISHA" means the Washington Industrial Safety and Health Act, chapter 49.17 RCW, administered by the Washington state department of labor and industries.

NEW SECTION

WAC 296-307-16105 Operating license. The operator:

(1) Must request a license from the department of health or health officer when:

(a) Housing consists of:

(i) Five or more dwelling units; or

(ii) Any combination of dwelling units, or spaces that house ten or more occupants.

(b) Compliance with MSPA requires a license.

(c) Construction of camp buildings requires a license under chapter 246-359 WAC, Temporary worker housing construction standard.

(2) Must apply for an operating license at least forty-five days prior to either the use of housing or the expiration of an existing operating license by submitting to the department or health officer:

(a) A completed application on a form provided by the department or health officer;

(b) Proof the water is current with all water tests required by chapters 246-290 or 246-291 WAC; and

(c) A fee as specified in WAC 246-358-990.

(3) Will receive an operating license for the maximum number of occupants as determined by WAC 246-358-029 when:

(a) The application requirements from subsection (2) of this section are met;

(b) The housing is in compliance with this chapter as demonstrated by:

(i) A licensing survey completed by the department; or

(ii) A self-survey completed by the operator and approved by the department.

(4) May allow the use of housing without a renewed license when all of the following conditions exist:

(a) The operator applied for renewal of an operating license in accordance with subsection (2) of this section at least forty-five days before occupancy, as evidenced by the post mark;

(b) The department or health officer has not inspected the housing or issued an operating license;

(c) Other local, state, or federal laws, rules, or codes do not prohibit use of the housing; and

(d) The operator provides and maintains housing in compliance with this chapter.

(5) Must post the operating license in a place readily accessible to occupants of the housing.

(6) Must notify the department of a transfer of ownership.

(7) Must cooperate with the department or health officer during on-site inspections.

NEW SECTION

WAC 296-307-16110 Requirements for self-survey program. If a licensed operator meets the requirements provided in this section, then the operator may participate in the self-survey program. This means an operator is allowed to conduct a self-survey for two years. On the third year the department will conduct an on-site verification survey to assure compliance with this chapter and determine if the temporary worker housing still meets the requirements of the self-survey program.

(1) To be in the self-survey program the operator must:

(a) Meet the requirements of WAC 246-358-025;

(b) Not have had any valid complaints;

(c) Have had two consecutive years without any deficiencies or have had only very minor deficiencies (for example one or two screens torn, missing a few small trash cans, etc.); and

(d) Be recommended by the health surveyor.

(2) For a licensed operator to remain in the self-survey program the licensed operator:

(a) Must continue to comply with subsection (1) of this section;

(b) Continue to not have any deficiencies or only very minor deficiencies; and

(c) Must not have a change in ownership.

(3) When licensed temporary worker housing changes ownership, the new licensed operator must comply with the requirements of subsection (1) of this section before being eligible to be on the self-survey program.

NEW SECTION**WAC 296-307-16115 Maximum housing occupancy.**

(1) The maximum occupancy for operator-supplied housing will be based on:

- (a) The square footage of the housing facility; and
- (b) The number of bathing, food handling, handwashing, laundry, and toilet facilities.

(2) The maximum occupancy for worker-supplied housing will be based on:

- (a) The number of spaces designated for worker-supplied housing by the operator; and
- (b) The number of bathing, food handling, handwashing, laundry, and toilet facilities in excess of those facilities required for operator-supplied housing.

NEW SECTION**WAC 296-307-16120 Variance and procedure.**

Conditions may exist in operations that a state standard will not have practical use. The director of the department of labor and industries may issue a variance from the requirements of the standard when another means of providing equal protection is provided. The substitute means must provide equal protection in accordance with the requirements of chapter 49.17 RCW and chapter 296-350 WAC, variances.

Applications for variances may be reviewed and investigated by the department of labor and industries and the department of health. Variances granted will be limited to the specific case or cases covered in the application and may be revoked for cause. The variance shall remain prominently posted on the premises while in effect.

Variance application forms may be obtained from the Department of Labor and Industries, P.O. Box 44625, Olympia, Washington 98504-4625 or the Department of Health, P.O. Box 47852, Olympia, Washington 98504-7852, upon request. Requests for variances from safety and health standards shall be made in writing to the director or the assistant director, Department of Labor and Industries, P.O. Box 44625, Olympia, Washington 98504-4625. (Reference RCW 49.17.080 and 49.17.090.)

NEW SECTION

WAC 296-307-16125 Temporary worker housing sites. The operator must:

- (1) Locate and operate a site to prevent a health or safety hazard and it is:
 - (a) Adequately drained and any drainage from and through the housing must not endanger any domestic or public water supply;
 - (b) Free from periodic flooding and depressions in which water may become a nuisance;
 - (c) At least 200 feet from a swamp, pool, sink hole, or other surface collection of water unless there is a mosquito prevention program for those areas;
 - (d) Large enough to prevent overcrowding of necessary structures. The principal housing area for sleeping and for food preparation and eating must be at least 500 feet from where livestock are kept; and

(e) The grounds and open areas surrounding the shelters must be maintained in a clean and sanitary condition.

(2) Must develop and implement a temporary worker housing management plan and rules to assure that the housing is operated in a safe and secure manner and is kept within the approved capacity. Additionally, the licensed operator must:

- (a) Inform occupants of the rules, in a language the occupant understands by providing individual copies of the rules to each occupant or posting the rules in the housing area;
- (b) Restrict the number of occupants in the temporary worker housing to the capacity as determined by the department.

(3) When closing housing permanently or for the season, complete the following:

- (a) Dispose of all refuse to prevent nuisance;
- (b) Fill all abandoned toilet pits with earth; and
- (c) Leave the grounds and buildings in a clean and sanitary condition.

NEW SECTION

WAC 296-307-16130 Water supply. The operator must:

- (1) Provide a water system that is:
 - (a) Approved as a Group A public water system in compliance with chapter 246-290 WAC or provide proof the temporary worker housing receives water from an approved Group A public water system; or
 - (b) Approved as a Group B water system in compliance with chapter 246-291 WAC.

Note: A "same farm exemption" applies to a public water system serving only one single-family residence and a system with four or fewer connections all of which serve residences on the same farm.

Note: If a system has fifteen or more connections, regardless of the population, it is a Group A water system.

(2) Provide an adequate and convenient hot and cold water supply for drinking, cooking, bathing, and laundry purposes.

Note: An "adequate water supply" means the storage capacity of the potable water system must meet the requirements of ASHRAE 1999 Applications Handbook, chapter 48, Water Systems.

(3) Ensure that the distribution lines are able to maintain the working pressure of the water piping system at not less than fifteen pounds per square inch after allowing for friction and other pressure losses.

(4) When water is not piped to each dwelling unit, provide cold, potable, running water under pressure within one hundred feet of each dwelling unit.

(5) When water sources are not available in each individual dwelling unit, provide one or more drinking fountains for each 100 occupants or fraction thereof. Prohibit the use of common drinking cups or containers from which water is dipped or poured.

(6) When water is unsafe for drinking purposes and accessible to occupants, post a sign by the source reading "Do not drink. Do not use for washing. Do not use for preparing food" printed in English and in the native language of the per-

sons occupying the housing, or marked with easily understood pictures or symbols.

NEW SECTION

WAC 296-307-16135 Sewage disposal. The operator must:

- (1) Provide sewage disposal systems in accordance with local health jurisdictions.
- (2) Connect all drain, waste, and vent systems from buildings to:
 - (a) Public sewers, if available; or
 - (b) Approved on-site sewage disposal systems that are designed, constructed, and maintained as required in chapters 246-272 and 173-240 WAC, and local ordinances.

NEW SECTION

WAC 296-307-16140 Electricity and lighting. The operator must ensure that:

- (1) Electricity is supplied to all dwelling units, kitchen facilities, shower/bathroom facilities, common areas, and laundry facilities;
- (2) All electrical wiring and electrical equipment in a camp must meet the electric standards of applicable building codes;
- (3) Each habitable room in a camp has at least one ceiling-type light fixture and at least one separate floor-type or wall-type convenience outlet;
- (4) Laundry, toilet rooms, shower/bathrooms, and rooms where people congregate have at least one ceiling-type or wall-type fixture;
- (5) General lighting and task lighting is adequate to carry on normal daily activities;
- (6) Adequate lighting is provided for safe passage for camp occupants to handwashing sinks and toilets. Note: Lighting requirements may be met by natural or artificial means;
- (7) Wiring and fixtures are installed in accordance with department of labor and industries regulations, chapter 19.28 RCW and local ordinances, and maintained in a safe condition.

NEW SECTION

WAC 296-307-16145 Building requirements and maintenance. An operator must:

- (1) Construct buildings to provide protection against the elements and comply with the State Building Code, chapter 19.27 RCW, and Temporary worker housing construction standard, chapter 246-359 WAC, applicable state and local ordinances, codes, regulations, and this part. Any shelter meeting these requirements is acceptable.
- (2) Identify each dwelling unit and space used for shelter by posting a number at each site.
- (3) Maintain buildings in good repair and sanitary condition.
- (4) Provide exits that are unobstructed and remain free of any material or matter where its presence would obstruct or render the exit hazardous.

(5) Provide a ceiling height of at least seven feet for each habitable room. If a building has a sloped ceiling, no portion of the room measuring less than six feet from the finished floor to the finished ceiling will be included in any computation of the minimum floor space.

(6) Provide at least 70 square feet of floor space for the first occupant and at least 50 square feet of floor space for each additional occupant in each dwelling unit.

(7) Provide each room used for sleeping purposes with at least 50 square feet of floor space for each occupant.

(8) Provide floors in accordance with the State Building Code, chapter 19.27 RCW, and Temporary worker housing construction standard, chapter 246-359 WAC, that are tightly constructed and in good repair.

(9) Ensure wooden floors are at least 1 foot above ground level or meet the requirements in the State Building Code, chapter 19.27 RCW and Temporary worker housing construction standard, chapter 246-359 WAC.

(10) Provide habitable rooms that have:

- (a) Windows covering a total area equal to at least one-tenth of the floor area and at least one-half of each window can be opened to the outside for ventilation; or
- (b) Mechanical ventilation in accordance with applicable ASHRAE standards.

(11) Provide 16-mesh screening on all exterior openings and screen doors with self-closing devices.

(12) Install all heating, cooking, and water heating equipment according to state and local ordinances, codes, and regulations and maintain in a safe condition.

(13) Provide adequate heating equipment if habitable rooms, including bathrooms, are used during cold weather.

(14) Ensure that all recreational vehicles and park trailers meet the requirements of chapters 296-150P and 296-150R WAC.

NEW SECTION

WAC 296-307-16150 Laundry facilities. An operator must:

- (1) Provide one laundry tray or tub or one mechanical washing machine for every 30 persons;
- (2) Provide facilities for drying clothes;
- (3) Provide sloped, coved floors of nonslip impervious materials with floor drains;
- (4) Maintain laundry facilities in a clean and sanitary condition.

NEW SECTION

WAC 296-307-16155 Handwashing and bathing facilities. An operator must:

- (1) Provide one handwash sink for each family dwelling unit or for every six persons in centralized facilities. Handwash sinks must be adjacent to toilets;
- (2) Provide one showerhead for each family dwelling unit or for every 10 persons in centralized facilities;
- (3) Provide one "service sink" in each building used for centralized laundry, handwashing, or bathing;
- (4) Provide sloped, coved floors of nonslip impervious materials with floor drains;

- (5) Ensure shower room walls are smooth and nonabsorbent to the height of four feet. If used, partitions must be smooth and nonabsorbent to the height of four feet;
- (6) Provide all showers, baths, or shower rooms with floor drains to remove wastewater;
- (7) Provide cleanable, nonabsorbent waste containers;
- (8) Maintain centralized bathing and handwashing facilities in a clean and sanitary condition, cleaned at least daily;
- (9) Ensure shower facilities provide privacy from the opposite sex and the public; and
- (10) An operator providing bathing or handwashing facilities in family dwelling units must meet the requirements in subsections (1) and (2) of this section, and request occupants to maintain bathing and handwashing facilities in a clean and sanitary condition.

NEW SECTION

WAC 296-307-16160 Toilet facilities. (1) General toilet requirements. Operators must provide flush toilets unless chemical toilets or pit privies are specifically approved by the department or health officer according to requirements in chapter 246-272 WAC and ensure the following:

- (a) Flush toilets, chemical toilets, and urinals must not be located in any sleeping room, dining room, cooking or food-handling facility.
 - (b) When chemical toilets are approved, they must be:
 - (i) Located at least fifty feet from any dwelling unit or food-handling facility; and
 - (ii) Maintained by a licensed waste disposal company;
 - (iii) Comply with local ordinances;
 - (c) When urinals are provided:
 - (i) There must be one urinal or 2 linear feet of urinal trough for each twenty-five men;
 - (ii) The floor from the wall and out at least 15 inches from the outer edge of the urinals must be constructed of materials impervious to moisture;
 - (iii) They must have an adequate water flush where water under pressure is available; and
 - (iv) Urinal troughs are prohibited in pit privies.
 - (d) When pit privies are approved they must be:
 - (i) At least one hundred feet away from any sleeping room, dining room, cooking, or food-handling facilities; and
 - (ii) Constructed to exclude insects and rodents from the pit.
- (2) Centralized toilet facilities. The operator must meet the following requirements when centralized toilet facilities are provided:
 - (a) Provide toilet rooms with:
 - (i) One toilet for every fifteen persons;
 - (ii) One handwashing sink for every six persons;
 - (iii) Either a window of at least six square feet opening directly to the outside, or be satisfactorily ventilated; and
 - (iv) All outside openings screened with 16-mesh material;
 - (b) Locate toilet rooms so that:
 - (i) Toilets are within two hundred feet of the door of each sleeping room; and
 - (ii) No person has to pass through a sleeping room to reach a toilet room.

- (c) Maintain toilets in a clean and sanitary condition, cleaned at least daily;
- (d) Provide each toilet compartment with an adequate supply of toilet paper;
- (e) When shared facilities will be used for both men and women:
 - (i) Provide separate toilet rooms for each sex with a minimum of one toilet room for each sex and meet the required ratios as defined in (a) of this subsection;
 - (ii) Identify each room "men" and "women" with signs printed in English and in the native language of the persons occupying the camp, or identified with easily understood pictures or symbols; and
 - (iii) Separate facilities by solid walls or partitions extending from the floor to the roof or ceiling when facilities for each sex are located in the same building.
- (3) Individual family/unit dwelling toilet requirements. If providing flush toilets in individual cabins, apartments, or houses, the operator must:
 - (a) Provide one toilet for each individual family dwelling unit or fifteen persons;
 - (b) Provide one handwashing sink for each six persons. The sink must be located in the toilet room or immediately adjacent;
 - (c) Provide a window of at least six square feet opening directly to the outside, or be satisfactorily ventilated;
 - (d) Ensure all outside openings are screened with 16-mesh material;
 - (e) Ensure toilet facilities are cleaned prior to occupancy and request occupants to maintain the facilities in a clean and sanitary condition.

NEW SECTION

WAC 296-307-16165 Cooking and food-handling facilities. The operator must provide enclosed or screened cooking and food-handling facilities for all occupants.

- (1) If cooking facilities are located in dwelling units, the operator must provide:
 - (a) An operable cook stove or hot plate with at least one cooking surface for every two occupants;
 - (b) A sink with hot and cold running potable water under pressure;
 - (c) At least two (2) cubic feet of dry food storage space per occupant;
 - (d) Nonabsorbent, easily cleanable food preparation counters situated off the floor;
 - (e) Mechanical refrigeration conveniently located and able to maintain a temperature of forty-five degrees Fahrenheit or below, with at least two (2) cubic feet of storage space per occupant;
 - (f) Fire-resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;
 - (g) Nonabsorbent, easily cleanable floors; and
 - (h) Adequate ventilation for cooking facilities.
- (2) In common food-handling facilities, the operator must provide:
 - (a) A room or building, adequate in size, separate from any sleeping quarters;

(b) No direct openings to living or sleeping areas from the common food-handling facility;

(c) An operable cook stove or hot plate with at least one cooking surface for every four occupants, or four cooking surfaces for every two families;

(d) Sinks with hot and cold running potable water under pressure;

(e) At least two (2) cubic feet of dry food storage space per occupant;

(f) Nonabsorbent, easily cleanable food preparation counters situated off the floor;

(g) Mechanical refrigeration conveniently located and able to maintain a temperature of forty-five degrees Fahrenheit or below, with at least two (2) cubic feet of storage space per occupant;

(h) Fire-resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;

(i) Nonabsorbent, easily cleanable floors; and

(j) Adequate ventilation for cooking facilities.

(3) The operator must ensure that centralized dining hall facilities comply with chapter 246-215 WAC, Food service.

NEW SECTION

WAC 296-307-16170 Cots, beds, bedding, and personal storage. The operator must:

(1) Provide beds, cots, or bunks furnished with clean mattresses in good condition for the maximum occupancy approved by the department or contracted health officer for operator-supplied housing;

(2) Maintain bedding, if provided by the operator, in a clean and sanitary condition;

(3) Provide a minimum of twelve inches between each bed or bunk and the floor;

(4) Separate beds laterally and end-to-end by at least thirty-six inches when single beds are used;

(5) Meet the following requirements when bunk beds are used:

(a) Separate beds laterally and end-to-end by at least forty-eight inches;

(b) Maintain a minimum space of twenty-seven inches between the upper and lower bunks; and

(c) Prohibit triple bunks; and

(6) Provide storage facilities for clothing and personal articles in each room used for sleeping.

NEW SECTION

WAC 296-307-16175 First aid and safety. The operator must:

(1) Comply with chapters 15.58 and 17.21 RCW and chapters 16-228 and 296-307 WAC, Part I and J and pesticide label instructions when using pesticides in and around the housing;

(2) Prohibit, in the housing area, the use, storage, and mixing of flammable, volatile, or toxic substances other than those intended for household use;

(3) Provide readily accessible first-aid equipment;

(4) Ensure that a first-aid qualified person is readily accessible to administer first aid at all times;

(5) Store or remove unused refrigerator units to prevent access by children.

NEW SECTION

WAC 296-307-16180 Refuse disposal. The operator must:

(1) Comply with local sanitation codes for removing refuse from housing areas and disposing of refuse;

(2) Protect against rodent harborage, insect breeding, and other health hazards while storing, collecting, transporting, and disposing of refuse;

(3) Store refuse in fly-tight, rodent-tight, impervious, and cleanable or single-use containers;

(4) Keep refuse containers clean;

(5) Provide a container on a wooden, metal, or concrete stand within one hundred feet of each dwelling unit;

(6) Empty refuse containers at least twice each week, and when full.

NEW SECTION

WAC 296-307-16185 Insect and rodent control. The operator must take effective measures to prevent and control insect and rodent infestation.

NEW SECTION

WAC 296-307-16190 Disease prevention and control. The operator must:

(1) Report the name and address of any individual in the camp known to have or suspected of having a communicable disease immediately to the local health officer;

(2) Immediately report to the local health officer or state board of health:

(a) Suspected food poisoning; or

(b) An unusual prevalence of fever, diarrhea, sore throat, vomiting, or jaundice;

(c) Productive cough, or weight loss is a prominent symptom among occupants;

(3) Prohibit any individual with a communicable disease from preparing, cooking, serving, or handling food, food-stuffs, or materials in dining halls.

Part L1

Cherry Harvest Camps

NEW SECTION

WAC 296-307-163 Cherry harvest camps.

NEW SECTION

WAC 296-307-16301 Purpose and applicability. (1) Purpose. This part is adopted by the Washington state department of labor and industries, to implement the provisions of chapter 49.17 RCW and establish minimum health and safety requirements for cherry harvest camps.

(2) Applicability.

(a) This part applies only to operators of cherry harvest camps using tents during the cherry harvest season. Operators using other housing must refer to WAC 296-307-161, Part L, or chapter 246-358 WAC.

(b) Operators with ten or more occupants are required to be licensed under this chapter. Operators with one or more employees are required to comply with WISHA standards.

(c) For department of health licensing, on-site survey, and water test fees, see WAC 246-361-990.

NEW SECTION

WAC 296-307-16303 Definitions. For the purposes of this part, the following words and phrases will have the following meanings unless the context clearly indicates otherwise:

"Building" means any structure used or intended to be used for supporting or sheltering any use or occupancy that may include cooking, eating, sleeping, and sanitation facilities.

"Cherry harvest camp" or **"camp"** means a place, area, or piece of land where dwelling units or campsites are provided by an operator during the cherry harvest.

"Common food-handling facility" means an area designated by the operator for occupants to store, prepare, cook, and eat their own food supplies.

"Current certificate (first aid)" means a first-aid training certificate that has not expired.

"Department" means the Washington state department of health and/or the department of labor and industries.

"Dining hall" means a cafeteria-type eating place with food furnished by and prepared under the direction of the operator for consumption, with or without charge, by occupants.

"Drinking fountain" means a fixture equal to a nationally recognized standard or a designed-to-drain faucet, which provides potable drinking water under pressure. "Drinking fountain" does not mean a bubble-type water dispenser.

"Dwelling unit" means a shelter, building, or portion of a building, that may include cooking and eating facilities, which is:

- Provided and designated by the operator as either a sleeping area, living area, or both, for occupants; and
- Physically separated from other sleeping and common-use areas.

Note: For the purpose of this Part L1, a "tent" is considered a dwelling unit.

"First-aid qualified" means that the person holds a current certificate of first-aid training from the American Red Cross or another course with equivalent content or hours.

"Food-handling facility" means a designated, enclosed area for preparation of food.

"Group A water system" means a public water system and includes community and noncommunity water systems.

(a) A community water system means any Group A water system providing service to fifteen or more service connections used by year-round residents for one hundred eighty or more days within a calendar year, regardless of the number of people, or regularly serving at least twenty-five

year-round (i.e., more than one hundred eighty days per year) residents.

(b) A noncommunity water system means a Group A water system that is not a community water system. Noncommunity water systems are further defined as:

(i) Nontransient (NTNC) water system that provides service opportunity to twenty-five or more of the same nonresidential people for one hundred eighty or more days within a calendar year.

(ii) Transient (TNC) water system that services:

- Twenty-five or more different people each day for sixty or more days within a calendar year;
- Twenty-five or more of the same people each day for sixty or more days, but less than one hundred eighty days within a calendar year; or
- One thousand or more people for two or more consecutive days within a calendar year.

"Group B water system" means a public water system:

(a) Constructed to serve less than fifteen residential services regardless of the number of people; or

(b) Constructed to serve an average nonresidential population of less than twenty-five per day for sixty or more days within a calendar year; or

(c) Any number of people for less than sixty days within a calendar year.

"Health officer" means the individual appointed as such for a local health department under chapter 70.05 RCW or appointed as the director of public health of a combined city-county health department under chapter 70.08 RCW.

"Livestock" means horses, cows, pigs, sheep, goats, poultry, etc.

"Livestock operation" means any place, establishment, or facility consisting of pens or other enclosures in which livestock is kept for purposes including, but not limited to, feeding, milking, slaughter, watering, weighing, sorting, receiving, and shipping. Livestock operations include, among other things, dairy farms, corrals, slaughterhouses, feedlots, and stockyards. Operations where livestock can roam on a pasture over a distance may be treated as outside the definition.

"MSPA" means the Migrant and Seasonal Agricultural Worker Protection Act (96 Stat. 2583; 29 U.S.C. Sec. 1801 et seq.).

"Occupant" means a temporary worker or a person who resides with a temporary worker at the campsite.

"Operator" means a person holding legal title to the land on which the camp is located. However, if the legal title and the right to possession are in different persons, "operator" means a person having the lawful control or supervision over the camp.

"Operating license" means a document issued annually by the department of health or contracted health officer authorizing the use of temporary worker housing.

"Recreational park trailers" means a trailer-type unit that is primarily designed to provide temporary living quarters for recreational, camping, or seasonal use, that meets the following criteria:

- Built on a single chassis, mounted on wheels;

- Having a gross trailer area not exceeding 400 square feet (37.15 square meters) in the set-up mode; and
- Certified by the manufacturer as complying with ANSI A119.5.

"**Recreational vehicle**" means a vehicular-type unit primarily designed as temporary living quarters for recreational camping, travel, or seasonal use that either has its own motive of power or is mounted on, or towed by, another vehicle. Recreational vehicles include: Camping trailers, fifth-wheel trailers, motor homes, travel trailers, and truck campers, but does not include pickup trucks with camper shells, canopies or other similar coverings.

"**Refuse**" means solid wastes, rubbish, or garbage.

"**Temporary worker**" means an agricultural employee employed intermittently and not residing year-round at the same site.

"**Tent**" means an enclosure or shelter constructed of fabric or pliable material composed of rigid framework to support tensioned membrane that provides the weather barrier.

"**WISHA**" means the Washington Industrial Safety and Health Act, chapter 49.17 RCW, administered by the Washington state department of labor and industries.

NEW SECTION

WAC 296-307-16305 Technical assistance. An operator may request technical assistance from the department of health or the department of labor and industries to assist in compliance with this part.

NEW SECTION

WAC 296-307-16310 Operating license. A cherry tent camp license is limited to twenty-one days.

The operator:

(1) Must request a license from the department of health or health officer when:

- The camp will house ten or more occupants;
- Compliance with MSPA requires a license; or
- Construction of camp buildings requires a license under chapter 246-359 WAC, Temporary worker housing construction standard.

(2) Must apply for an operating license at least forty-five days prior to either the use of the camp or the expiration of an existing operating license by submitting to the department or health officer:

- A completed application on a form provided by the department or contracted health officer;
 - Proof the water system is current with all water tests required by chapter 246-290 or 246-291 WAC; and
 - A fee as specified in WAC 246-361-990.
- (3) May receive a license extension from the department for up to seven days when:

- The operator requests an extension for additional days at least three days before the license expiration date; and
- The department in consultation with the local health jurisdiction will determine if an extension would serve to protect the public health.

(4) Will receive an operating license for the maximum number of occupants as determined by WAC 246-361-030 when:

(a) The application requirements from subsection (2) of this section are met;

(b) The site is in compliance with this part as demonstrated by a licensing survey completed by the department.

(5) Must post the operating license in a place readily accessible to workers.

(6) Must notify the department in the event of a transfer of ownership.

(7) Must cooperate with the department during on-site inspections.

NEW SECTION

WAC 296-307-16315 Maximum camp occupancy. The maximum occupancy for a camp will be based on:

- The number of shelters provided; and
- The number of bathing, food handling, handwashing, laundry, and toilet facilities.

NEW SECTION

WAC 296-307-16320 Variance and procedure. Conditions may exist in operations that a state standard will not have practical use. The director of the department of labor and industries may issue a variance from the requirements of the standard when another means of providing equal protection is provided. The substitute means must provide equal protection in accordance with the requirements of chapter 49.17 RCW and chapter 296-350 WAC, variances.

Applications for variances may be reviewed and may be investigated by the department of labor and industries and the department of health. Variances granted will be limited to the specific case or cases covered in the application and may be revoked for cause. The variance must remain prominently posted on the premises while in effect.

Variance application forms may be obtained from the Department of Labor and Industries, P.O. Box 44625, Olympia, Washington 98504-4625 or the Department of Health, P.O. Box 47852, Olympia, Washington 98504-7852, upon request. Requests for variances from safety and health standards must be made in writing to the director or the assistant director, Department of Labor and Industries, P.O. Box 44625, Olympia, Washington 98504-4625. (Reference RCW 49.17.080 and 49.17.090.)

NEW SECTION

WAC 296-307-16325 Cherry harvest campsites. The operator must:

(1) Locate and operate a site to prevent a health or safety hazard that is:

(a) Adequately drained and any drainage from and through the camp must not endanger any domestic or public water supply;

(b) Free from periodic flooding and depressions in which water may become a nuisance;

(c) At least 200 feet from a swamp, pool, sink hole, or other surface collection of water unless there is a mosquito prevention program for those areas;

(d) Large enough to prevent overcrowding of necessary structures. The principal camp area for sleeping and for food preparation and eating must be at least 500 feet from where livestock are kept; and

(e) Maintained in a clean and sanitary condition.

(2) Develop and implement a cherry harvest camp management plan and rules to assure that the camp is operated in a safe and secure manner and is kept within the approved capacity. Additionally, the licensed operator must:

(a) Inform residents of the rules, in a language the resident understands by providing individual copies of the rules to each camp resident or posting the rules in the camp area; and

(b) Restrict the number of occupants in the camp to the capacity as determined by the department.

(3) When closing the camp permanently or for the season, complete the following:

(a) Dispose of all refuse to prevent nuisance;

(b) Fill all abandoned toilet pits with earth; and

(c) Leave the grounds and buildings in a clean and sanitary condition.

NEW SECTION

WAC 296-307-16330 Water supply. The operator must:

(1) Provide a water system that is:

(a) Approved as a Group A public water system in compliance with chapter 246-290 WAC or provide proof the camp receives water from an approved Group A public water system; or

(b) Approved as a Group B water system in compliance with chapter 246-291 WAC.

Note: A "same farm exemption" applies to a public water system serving only one single-family residence and a system with four or fewer connections all of which serve residences on the same farm.

Note: If a system has fifteen or more connections, regardless of the population, it is a Group A water system.

(2) Provide an adequate and convenient hot and cold water supply for drinking, cooking, bathing, and laundry purposes.

Note: An "adequate water supply" means the storage capacity of the potable water system must meet the requirements of ASHRAE 1999 Applications Handbook, chapter 48, Water Systems.

(3) Ensure that the distribution lines are able to maintain the working pressure of the water piping system at not less than fifteen pounds per square inch after allowing for friction and other pressure losses.

(4) When water is not piped to each dwelling unit, provide cold, potable, running water under pressure within one hundred feet of each dwelling unit.

(5) When water sources are not available in each individual tent, provide one or more drinking fountains for each 100 occupants or fraction thereof. Prohibit the use of common

drinking cups or containers from which water is dipped or poured.

(6) When water is unsafe for drinking purposes and accessible to occupants, post a sign by the source reading "Do not drink. Do not use for washing. Do not use for preparing food" printed in English and in the native language of the persons occupying the camp, or marked with easily understood pictures or symbols.

NEW SECTION

WAC 296-307-16335 Sewage disposal. An operator must:

(1) Provide sewage disposal systems in accordance with local health jurisdictions.

(2) Connect all drain, waste, and vent systems from buildings to:

(a) Public sewers, if available; or

(b) Approved on-site sewage disposal systems that are designed, constructed, and maintained as required in chapters 246-272 and 173-240 WAC, and local ordinances.

NEW SECTION

WAC 296-307-16340 Electricity and lighting. (1) General electricity requirements.

(a) The operator must supply electricity to all dwelling units, kitchen facilities, bathroom facilities, common areas, and laundry facilities.

(b) Wiring and fixtures must be installed in accordance with department of labor and industries regulations, chapter 19.28 RCW and local ordinances, and maintained in a safe condition.

(2) Electricity requirements in tents.

(a) Each individual tent must have at least one separate floor-type or wall-type convenience outlet. If the operator provides a refrigerator in the tent, a dedicated outlet must be provided for it.

(b) All electrical wiring and equipment installed in tents must meet the requirements of WAC 296-46-100.

(c) All electrical appliances to be connected to the electrical supply must meet the requirements for the load calculations as required by chapter 19.28 RCW.

(d) Electrical wiring exiting the tent to connect to the GFI outside outlet must be placed in approved flexible conduit not to exceed six feet in length.

(e) All wiring located inside the tent must be placed in conduit for protection and connected to a surface to secure the wiring to prevent movement. Wiring must be located to prevent tripping or safety hazards.

(f) Receptacles and lighting fixtures are UL Listed and approved by the department for use in the tent.

(3) General lighting requirements.

(a) The operator must provide adequate lighting sufficient to carry on normal daily activities in all common use areas.

(b) Laundry and toilet rooms and rooms where people congregate must have at least one ceiling-type or wall-type fixture. Where portable toilets are used, lighting requirements can be met by area illumination.

(c) The operator must provide adequate lighting to allow safe passage for camp occupants to handwashing sinks and toilets.

(d) The operator must provide adequate lighting for shower rooms during hours of operation.

Note: Lighting requirements may be met by natural or artificial means.

(4) Lighting requirements in tents.

(a) Tents must have adequate lighting sufficient to carry on all normal daily activities. For example: Three 100-watt bulbs located at the top ridge of the frame and are UL Listed or equivalent.

(b) Each tent must have at least one ceiling-type light fixture.

(c) Food preparation areas, if located in the tent, must have at least one lighting fixture located to provide task lighting over the food preparation area.

(d) Alternate lighting appliances must provide adequate lighting. In addition, if using two or more propane, butane, or white gas lighting appliances, a carbon monoxide monitor must be provided and located not more than 30 inches from the floor.

NEW SECTION

WAC 296-307-16345 Tents. (1) Tents must provide protection from the elements.

(2) Structural stability and floors.

(a) Tents and their supporting framework must be adequately braced and anchored to prevent weather-related collapse. Documentation of the structural stability must be furnished to the department.

(b) Floors must be smooth, flat, and without breaks or holes to provide a hard, stable walking surface. Nonrigid flooring supported by grass, dirt, soil, gravel, etc., are not acceptable. Floors that are constructed of wood or concrete must comply with the building code, chapter 19.27 RCW or Temporary worker housing construction standard, chapter 246-359 WAC.

(c) Floor systems must prevent the entrance of snakes and rodents.

(3) Flame-retardant treatments.

(a) The sidewalls, drops, and tops of tents must be composed of flame-resistant material or treated with a flame retardant in an approved manner.

(b) Floor coverings, which are integral to the tent, and the bunting must be composed of flame-resistant material or treated with a flame retardant in an approved manner and in accordance with Uniform Building Code Standard 31.1.

(c) All tents must have a permanently affixed label bearing the following information:

(i) Identification of tent size and fabric or material type;

(ii) For flame-resistant materials, the necessary information to determine compliance with this section and National Fire Protection Association Standard 701, Standard Methods of Fire Tests for Flame-resistant Textiles and Films;

(iii) For flame-retardant materials, the date that the tent was last treated with an approved flame retardant;

(iv) The trade name and type of flame retardant utilized in the flame-retardant treatment; and

(v) The name of the person and firm that applied the flame retardant.

(4) Means of egress.

(a) At least one door must lead to the outside of the tent and the area designated for refuge must be accessible and remain clear of storage materials or hazards.

(b) The door must not be obstructed in any manner and must remain free of any material or matter where its presence would obstruct or render the exit hazardous.

(c) If cooking is provided in the tent, the window located opposite the door must have a means to open the window or provide an easily openable space. For example, a zipper which opens downward toward the floor.

(5) Floor area. The operator must:

(a) Provide at least 70 square feet of floor space for one occupant and 50 square feet for each additional occupant; and

(b) Provide at least 50 square feet of floor space for each occupant in rooms used for sleeping purposes.

(6) Ceiling height.

(a) If the tent has a sloped ceiling, a ceiling height of at least 7 feet is required in fifty percent of the total area.

(b) No portion of the tent measuring less than 6 feet from the flooring to the ceiling must be included in any computation of the minimum floor area.

(7) Windows and ventilation.

(a) Provide a window area equal to 1/10 of the total floor area in each dwelling unit which opens 1/2 or more directly to the outside for cross-ventilation and has 16-mesh screens on all exterior openings.

(b) The windows must have weather-resistant flaps, which will cover the window area and a means of fastening the flaps to provide protection from the elements and allow privacy for the occupants.

NEW SECTION

WAC 296-307-16350 Recreational vehicles. The operator must ensure that all recreational vehicles and park trailers meet the requirements of chapters 296-150P and 296-150R WAC.

NEW SECTION

WAC 296-307-16355 Laundry facilities. An operator must:

(1) Provide one laundry tray or tub or one mechanical washing machine for every 30 persons;

(2) Provide facilities for drying clothes;

(3) Provide sloped, coved floors of nonslip impervious materials with floor drains;

(4) Maintain laundry facilities in a clean and sanitary condition.

NEW SECTION

WAC 296-307-16360 Handwashing and bathing facilities. An operator must:

(1) Provide one handwash sink for every six persons in centralized facilities. Handwash sinks must be adjacent to toilets;

- (2) Provide one showerhead for every 10 persons in centralized facilities;
- (3) Provide one "service sink" in each building used for centralized laundry, handwashing, or bathing;
- (4) Provide sloped, coved floors of nonslip impervious materials with floor drains;
- (5) Provide walls that are smooth and nonabsorbent to the height of four feet. If partitions are used, they must be smooth and nonabsorbent to the height of four feet;
- (6) Provide all showers, baths, or shower rooms with floor drains to remove wastewater;
- (7) Provide cleanable, nonabsorbent waste containers;
- (8) Maintain bathing and handwashing facilities in a clean and sanitary condition, cleaned at least daily;
- (9) Ensure shower facilities provide privacy from the opposite sex and the public.

NEW SECTION

WAC 296-307-16365 Toilet facilities. (1) General toilet requirements. Operators must provide flush toilets or chemical toilets. The department or health officer, according to requirements in chapter 246-272 WAC, must approve pit privies. The operator must comply with the following:

- (a) Flush toilets, chemical toilets, and urinals must not be located in any tent.
- (b) When chemical toilets are provided, they must be:
 - (i) Located at least fifty feet from any dwelling unit or food-handling facility;
 - (ii) Maintained by a licensed waste disposal company; and
 - (iii) Comply with local ordinances.
- (c) When urinals are provided:
 - (i) There must be one urinal or two linear feet of urinal trough for each twenty-five men;
 - (ii) The floor from the wall and out at least 15 inches from the outer edge of the urinals must be constructed of materials impervious to moisture;
 - (iii) The urinals must have an adequate water flush where water under pressure is available; and
 - (iv) Urinal troughs are prohibited in pit privies.
- (d) When pit privies are approved they must be:
 - (i) At least one hundred feet away from any dwelling unit or food-handling facility; and
 - (ii) Constructed to exclude insects and rodents from the pit.
- (2) Centralized toilet facilities. The operator must meet the following requirements when centralized toilet facilities are provided:
 - (a) Provide toilet rooms with:
 - (i) One toilet for every fifteen persons;
 - (ii) One handwashing sink for every six persons;
 - (iii) Either a window of at least six square feet opening directly to the outside, or be satisfactorily ventilated; and
 - (iv) All outside openings screened with 16-mesh material.
 - (b) Locate toilet rooms so that:
 - (i) Toilets are within two hundred feet of the door of each tent; and

- (ii) No person has to pass through a sleeping room to reach a toilet room;
- (c) Maintain toilets in a clean and sanitary condition, cleaned at least daily;
- (d) Provide each toilet compartment with an adequate supply of toilet paper;
- (e) When shared facilities will be used for both men and women:
 - (i) Provide separate toilet rooms for each sex with a minimum of one toilet room for each sex and meet the required ratios as defined in (a) of this subsection;
 - (ii) Identify each room "men" and "women" with signs printed in English and in the native language of the persons occupying the camp, or identified with easily understood pictures or symbols; and
 - (iii) Separate facilities by solid walls or partitions extending from the floor to the roof or ceiling when facilities for each sex are located in the same building.

NEW SECTION

WAC 296-307-16370 Cooking and food-handling facilities. The operator must provide enclosed or screened cooking and food-handling facilities for all occupants. Adequate tables and chairs or seating must be provided for camp occupants.

- (1) If the operator provides cooking facilities in tents, the operator must provide:
 - (a) An operable cook stove or hot plate with at least one cooking surface for every four occupants;
 - (b) A sink with hot and cold running potable water under pressure at each tent site;
 - (c) At least two (2) cubic feet of dry food storage space per occupant;
 - (d) Nonabsorbent, easily cleanable food preparation counters situated off the floor;
 - (e) Mechanical refrigeration conveniently located and able to maintain a temperature of forty-five degrees Fahrenheit or below, with at least one (1) cubic foot of storage space per occupant; and
 - (f) Adequate ventilation for cooking facilities.
- (2) If the operator provides common food-handling facilities, the operator must provide:
 - (a) A room or building, adequate in size, separate from any tent;
 - (b) No direct openings to living or sleeping areas from the common food-handling facility;
 - (c) An operable cook stove or hot plate with at least one cooking surface for every four occupants, or four cooking surfaces for every two families;
 - (d) Sinks with hot and cold running potable water under pressure;
 - (e) At least two (2) cubic feet of dry food storage space per occupant;
 - (f) Nonabsorbent, easily cleanable food preparation counters situated off the floor;
 - (g) Mechanical refrigeration conveniently located and able to maintain a temperature of forty-five degrees Fahrenheit or below, with at least one (1) cubic foot of storage space per occupant;

- (h) Fire-resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;
 - (i) Nonabsorbent, easily cleanable floors; and
 - (j) Adequate ventilation for cooking facilities.
- (3) The operator must ensure that dining hall facilities comply with chapter 246-215 WAC, Food service.

NEW SECTION

WAC 293-307-16375 Cots, beds, bedding, and personal storage. The operator must provide cots, beds, or bunks for each occupant, not to exceed the maximum occupancy approved by the department or health officer.

- (1) Beds or bunks must be furnished with clean mattresses and maintained in a clean and sanitary condition.
- (2) The operator must:
 - (a) Provide a minimum of twelve inches between each cot, bed, or bunk and the floor; and
 - (b) Allow space to separate beds laterally and end-to-end by at least 36 inches when single beds are used.
- (3) When bunk beds are used the operator must:
 - (a) Allow space to separate beds laterally and end-to-end by at least 48 inches; and
 - (b) Maintain a minimum space of 27 inches between the upper and lower bunks.
- (4) Locate cots, beds, or bunks at least 30 inches or more from cooking surfaces.
- (5) The use of triple bunk beds is prohibited.
- (6) The operator must provide suitable storage facilities for clothing and personal articles in each tent.

NEW SECTION

WAC 296-307-16380 First aid and safety. The operator must:

- (1) Comply with chapters 15.58 and 17.21 RCW and chapters 16-228 and 296-307 WAC, Part I and J and pesticide label instructions when using pesticides in and around the camp;
- (2) Prohibit, in the housing area, the use, storage, and mixing of flammable, volatile, or toxic substances other than those intended for household use;
- (3) Provide readily accessible first-aid equipment;
- (4) Ensure that a first-aid qualified person is readily accessible to administer first aid at all times;
- (5) Store or remove unused refrigerator units to prevent access by children.

NEW SECTION

WAC 296-307-16385 Refuse disposal. The operator must:

- (1) Comply with local sanitation codes for removing refuse from camp areas and disposing of refuse;
- (2) Protect against rodent harborage, insect breeding, and other health hazards while storing, collecting, transporting, and disposing of refuse;
- (3) Store refuse in fly-tight, rodent-tight, impervious, and cleanable or single-use containers;
- (4) Keep refuse containers clean;

- (5) Provide a container on a wooden, metal, or concrete stand within one hundred feet of each dwelling unit;
- (6) Empty refuse containers at least twice each week, and when full.

NEW SECTION

WAC 296-307-16390 Insect and rodent control. The operator must take effective measures to prevent and control insect and rodent infestation.

NEW SECTION

WAC 296-307-16395 Disease prevention and control. The operator must:

- (1) Report immediately to the local health officer the name and address of any individual in the camp known to have or suspected of having a communicable disease;
- (2) Immediately report to the local health officer or state board of health:
 - (a) Suspected food poisoning; or
 - (b) An unusual prevalence of fever, diarrhea, sore throat, vomiting, or jaundice;
 - (c) Productive cough, or weight loss is a prominent symptom among occupants.
- (3) Prohibit any individual with a communicable disease from preparing, cooking, serving, or handling food, food-stuffs, or materials in dining halls.

WSR 99-23-109**PROPOSED RULES****DEPARTMENT OF HEALTH**

[Filed November 17, 1999, 11:39 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-15-108.

Title of Rule: Chapter 246-358 WAC, Temporary worker housing, and chapter 246-361 WAC.

Purpose: The 1999 legislature passed ESSB 5599 (chapter 374, Laws of 1999) requiring the Department of Health and the Department of Labor and Industries to adopt joint rules for the licensing, operation, and inspection of temporary worker housing and the enforcement of these rules. ESSB 5599 also removed temporary worker housing responsibilities from the State Board of Health and directs the agencies to establish standards for cherry harvest camps. Cherry harvest standards may include some variation from standards that are necessary for longer occupancies, provided they are as effective as the standards adopted by WISHA.

Beginning in June 1999, a DOH/L&I joint project team with OSHA representation met regularly to develop the proposed wording for the temporary worker housing rule, chapter 246-358 WAC, and the cherry harvest rule, chapter 246-361 WAC. During the development of the wording, the joint project team met twice with grower and worker advocates and a third time with the advocates and the public to gather input on the draft language. Public hearings are scheduled

for January 6, 2000, at the following locations: Kennewick, Mount Vernon, Wenatchee and Yakima. The current chapter 246-358 WAC is amended to incorporate WISHA requirements and repeal those sections that addressed the cherry harvest. Chapter 246-361 WAC is established as a new chapter applicable only to cherry harvest camps.

Statutory Authority for Adoption: RCW 70.114A.065 and 70.114A.110.

Statute Being Implemented: Chapter 70.114A RCW.

Summary: Amends chapter 246-358 WAC, Temporary worker housing, and establishes chapter 246-361 WAC for cherry harvest camps.

Reasons Supporting Proposal: SB 5599 (chapter 374, Laws of 1999), codified as RCW 70.114A.065 and 70.114A.110, directs the Department of Health to create joint rules for temporary worker housing and cherry harvest labor camps with the Department of Labor and Industries.

Name of Agency Personnel Responsible for Drafting and Implementation: Maria Gardipee, Olympia, Washington, (360) 705-6625; and Enforcement: Gary Bennett, Olympia, Washington, (360) 705-6652.

Name of Proponent: Department of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Chapter 246-358 WAC is amended to reflect the mandates of SB 5599 (chapter 374, Laws of 1999) which directs the department to adopt rules "that are as effective as the standards developed under the Washington Industrial Safety and Health Act, chapter 49.17 RCW." The proposed rules establish minimum licensing requirements for temporary worker housing sites. The rules are consistent with WISHA standards adopted under chapter 49.17 RCW.

Chapter 246-361 WAC is a new chapter that establishes minimum licensing requirements for cherry harvest camps. The purpose is to establish minimum health and safety requirements for the operation of cherry harvest camps. A number of cherry growers have camps that could be equipped for licensure with respect to basic safety and health standards. Licensed camps would provide additional housing for migrant workers. There is currently little alternative housing available for migrant workers in cherry growing communities outside of the cherry camps. Without camps available, workers often live "on the river bank," that is, in isolated rural areas without safe sources of drinking water or any sanitation facilities. The health risks both to workers and to the larger community associated with such conditions include the spread of infectious disease.

Proposal Changes the Following Existing Rules:

AMENDED SECTIONS:

WAC 246-358-001 Purpose and applicability.

- Formerly "Purpose and scope." Amendments specify that the purpose of the rule is temporary worker housing.
- Provides reference for operators of cherry harvest camps to chapter 246-361 WAC or chapter 296-307 WAC, Part L-1.
- Specifies that operators with nine or less occupants are not required to be licensed under this chapter.

- Specifies that operators with at least one employee are still subject to WISHA standards.

WAC 246-358-010 Definitions.

- Amended current definitions and added new definitions as applicable to temporary worker housing.

WAC 246-358-025 Operating license.

- Amended for clarity and consistency with WISHA standards.
- Added requirements for self-survey program.
- Corrected reference to water testing requirements.

WAC 246-358-045 Temporary worker housing sites.

- Renamed section, formerly "Location and maintenance."
- Amended for clarity and consistency with WISHA standards.
- Added requirements for development and implementation of a temporary worker housing management plan.

WAC 246-358-055 Water supply.

- Amended section for clarity and consistency with WISHA standards.
- Corrected references to Group A and Group B water systems, and added a table for assistance.
- Added requirements to be consistent with WISHA requirements and ASHRAE water system standards.

WAC 246-358-065 Sewage disposal.

- Amended section for clarity and consistency with WISHA standards.
- Added requirements that all drain, waste and vent systems are connected to public sewers, if available, or to approved on-site disposal systems.

WAC 246-358-075 Building requirements and maintenance.

- Renamed section, formerly "Construction" requirements and maintenance.
- Amended section for clarity and consistency with WISHA standards, updated references.
- Added construction references to the State Building Code and the DOH temporary worker housing construction standard.

WAC 246-358-090 Laundry facilities.

- Amended section for clarity and consistency with WISHA standards.
- Moved lighting and electricity requirements to WAC 246-358-070.

WAC 246-358-095 Handwashing and bathing facilities.

- Renamed section, formerly "Bathing and handwashing," to be consistent with WISHA standards.
- Amended section for clarity and consistency with WISHA standards.
- Moved water supply requirements to WAC 246-358-055.
- Moved lighting and electricity requirements to WAC 246-358-070.
- Added privacy requirement for shower facilities.
- Changed "slop sink" to "service sink" and defined height of splash as four feet.

WAC 246-358-100 Toilet facilities.

- Amended section for clarity and consistency with WISHA standards.

- Separated requirements for types of facilities, i.e. general toilet facilities, centralized toilet facilities, and individual/family unit dwelling facilities.
- Moved lighting and electricity requirements to WAC 246-358-070.

WAC 246-358-125 Cooking and foodhandling facilities.

- Amended section for clarity and consistency with WISHA standards.
- Moved lighting and electricity requirements to WAC 246-358-070.
- Moved water supply requirements to WAC 246-358-055.
- Defined adequate storage space for dry food and refrigeration space.

WAC 246-358-135 Cots, beds, bedding and personal storage.

- Added "Cots" to title of section.
- Amended section for clarity and consistency with WISHA standards.

WAC 246-358-145 First aid and safety.

- Renamed section, formerly "Health" and safety.
- Amended section for clarity and consistency with WISHA standards.
- Moved requirement to fill abandoned pit privies to WAC 246-358-045.

WAC 246-358-155 Refuse disposal.

- Amended section for clarity and consistency with WISHA standards.
- Moved camp closure requirement to WAC 246-358-045.

WAC 246-358-165 Rodent and insect control.

- Amended section for clarity and consistency with WISHA standards.

WAC 246-358-175 Disease prevention and control.

- Amended section for clarity and consistency with WISHA standards.
- Moved camp rules requirements to WAC 246-358-045.

NEW SECTIONS:

WAC 246-358-027 Requirements for self-survey program.

Places policy requirements in rule.

- Specifies requirements for participation in self-survey program.
- Specifies requirements for remaining in self-survey program.
- Specifies requirements for change of ownership and continuation in self-survey program.

WAC 246-358-029 Maximum housing occupancy.

- Specifies requirements for determination of maximum occupancy for operator supplied housing.
- Specifies requirements for determination of maximum occupancy for worker supplied housing.

WAC 246-358-040 Variance and procedure.

- Specifies requirements for the variance application and authority for approval process consistent with WISHA standards.

WAC 246-358-070 Electricity and lighting.

- Consolidates all electricity and lighting requirements into one section.

REPEALED SECTIONS:

WAC 246-358-020 Exemptions.

- Exemption requirements are deleted, however operators who meet the requirements can follow the variance requirements in WAC 246-358-040. The variance language is consistent with WISHA standards adopted under chapter 49.17 RCW.

WAC 246-358-030 Department authority.

- Language is unnecessary. Authority covered in statute, chapter 70.114A RCW, and in applicability.

WAC 246-358-140 Use of tents.

- Chapter 246-361 WAC allows for use of tents in the cherry harvest.

WAC 246-358-600 Cherry harvest camps—Applicability.

- Requirements amended and moved to WAC 246-361-001.

WAC 246-358-610 Cherry harvest camps—Licensing.

- Requirements amended and moved to WAC 246-361-025.

WAC 246-358-620 Cherry harvest camps—Transitional compliance schedule.

- Language deleted.

WAC 246-358-630 Cherry harvest camps—Location of camp area and camp management plan.

- Requirements amended and moved to WAC 246-361-045.

WAC 246-358-640 Cherry harvest camps—Adequate lighting, electricity and alternative power.

- Requirements amended and moved to WAC 246-361-070.

WAC 246-358-650 Cherry harvest camps—Bathing, toilet and handwashing area.

- Requirements amended and moved to WAC 246-361-095 and 246-361-100.

WAC 246-358-660 Cherry harvest camps—Personal storage.

- Requirements amended and moved to WAC 246-361-135.

WAC 246-358-670 Cherry harvest camps—Cold food storage areas.

- Requirements amended and moved to WAC 246-361-125.

WAC 246-358-680 Cherry harvest camps—Food storage and preparation.

- Requirements amended and moved to WAC 246-361-125.

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

Small Business Economic Impact Statement

Background: To help alleviate a severe shortage of housing for migrant farmworkers the Washington State Department of Health adopted and then revised regulations governing the provision of temporary housing by cherry orchard operators in 1996, 1997 and 1998. The Department of Health intended the regulations to meet the mandates of the authorizing statute: "[t]he department shall adopt by rule a temporary worker building code in conformance with the temporary worker housing standards developed under the Washington industrial safety and health act, chapter 49.17 RCW..." (RCW 70.114A.081(1)). After reviewing the regulation, the Washington State Department of Labor and Industry, and the federal Department of Labor expressed concern

that the current regulations do not conform to Washington's Industrial Safety and Health Act. These departments were specifically concerned with the provision allowing operators to require workers to supply their own tents. As a result of this and other concerns, the state legislature adopted SSB 5599 in 1999 directing that "[t]he department [of health] and the department of labor and industries shall adopt joint rules for licensing, operation, and inspection of temporary worker housing, and the enforcement thereof. These rules shall establish standards that are at least as effective as the standards developed under the Washington industrial safety and health act, chapter 49.17 RCW." (RCW 70.114A.065).

Regulating grower provided temporary worker housing presents the state¹ with unusual and especially difficult challenges. Our society does not obligate employers to provide housing for their employees and presently few growers choose to do so. In 1998, only 25 of some 290 growers provided temporary housing, sheltering 1765 of the approximate 16,000 cherry orchard workers. Those workers without grower provided housing face dismal conditions that directly threatens their health and safety. They sleep along riverbanks, irrigation canals, in back woods or crowd into hotel rooms and mobile homes designed to accommodate many fewer people. For shelter workers resort to cars, campers, tents, and sometimes even cardboard boxes. Safe drinking water is rarely available and handwashing, toilet, bathing, food preparation and food storage (including refrigeration) facilities are virtually nonexistent. The absence of potable water and sanitation facilities greatly increases the risk of

outbreaks of gastroenteritis, diarrhea, dysentery, cholera, and typhoid fever among workers.

As a result, the state must exercise extra-ordinary caution when crafting these regulations. The high cost of meeting stringent standards will lead some growers close their camps. As a consequence, rather than improving public health, overly stringent standards could directly threaten worker's health and safety by forcing workers into the deprivation described above.² Conversely, while the amount of housing provided under a minimalist regulatory approach may well increase, that housing may not adequately protect workers health and safety. **The state's goal when developing the revised housing standards was to maximize the health and safety of migrant workers considering both the improvements for workers staying within licensed camps and the detriments to workers when work camps are no longer available.**

Is an SBEIS necessary? Under the Regulatory Fairness Act (chapter 19.85 RCW), a small business economic impact statement (SBEIS) is required whenever a regulation imposes "more than minor" costs on a regulated business. The "more than minor" threshold varies by industry. It is \$50 for the businesses falling under the "fruits and tree nuts" standard industrial code classification. The state is considering two sets of regulatory requirements. The cost of each regulatory option is estimated in Table 1. Both options clearly have estimated costs above the \$50 threshold. Therefore, the state must prepare an SBEIS.

PROPOSED

Table 1
Estimated Annual Per Occupant Cost to Comply with Migrant Farmworker Regulations

Requirement	Option I		Option II	
Camp size (occupants)	30	90	30	90
Grower supplied housing ^a	\$47.43	\$42.48	\$47.43	\$42.48
Electrical outlets in each tent ^b	\$27.33	\$27.33	\$27.33	\$27.33
Lighting in each tent ^c	\$6.07	\$6.07	\$6.07	\$6.07
Beds ^d	\$11.43	\$11.43	\$18.87	\$18.87
Flooring in housing ^e	\$4.00	\$4.00	\$8.03	\$8.03
Enhanced cooking facilities ^f	\$1.17	\$0.70	\$54.00	\$54.00
2 cu. ft. of refrigeration space ^g	\$6.50	\$5.73	\$1.87	\$1.87
Water testing ^h	\$4.33	\$1.44	\$4.33	\$1.44
Total cost	\$108.26	\$98.22	\$167.93	\$160.09

Table 1 Notes

^a Assumes that operators will meet the shelter requirements by utilizing the North Central Community Action Council's tent rental program (or a similar tent rental program). WISHA standards for tents includes minimum ceiling heights, and provide 6 occupants at least 50 square feet per occupant. According to the North Central Community Action Council it will charge growers about \$160 (\$125 for depreciated cost and \$35 for annual storage—assumes the tent is used twice each year) to rent a tent for 21 days. In addition, growers must pay for

approximately 8 hours of labor (tent set up, break down, maintenance, and storage) for each tent. At a wage rate of \$10 hour this adds \$80 to the cost of each tent. Growers must also pay transportation costs for four round trips per year (site survey, delivery of tent, set up of tent, break down of tent). The average round trip is 180 miles and costs \$0.31 per mile. The four round trips add about \$223 to the cost of tents. Overall, a small operator is estimated to face annual tent rental costs of about \$1423 while large growers costs approximate \$3823.

- PROPOSED**
- b The proposed rule would require a convenience outlet in every tent. To meet this requirement assumes operators would install 50 ft. of underground wiring for each tent. In addition assumes that a GFI outlet mounted on a 4x4 pressure treated post (set in concrete), 15 ft. away from the underground wiring will supply the electricity. The underground wiring costs \$1.00 per foot, the 4x4 post \$6.39, the concrete \$5.55 (3 cubic feet), GFI outlet \$12.97, and 4 hours of labor at \$65 per hour. Total cost of the exterior wiring assembly is approximately \$350 per tent. Discounting this amount at a 10% interest rate of 20 years results in an annual cost of \$41 per tent. In addition, to bring the electricity inside the tent will require six feet of flexible conduit (\$1.10 per foot), and two duplex outlets (\$1.50 per item), and 1 hour of labor to assemble—total cost \$74.60. Discounting this amount at a 10% interest rate of five years results in an annual cost of about \$20 per tent. Finally, the analysis also assumed that it takes one hour of worker time (\$65) to set up and break down the interior wiring in each tent and that each tent would require an annual electrical inspection at a cost of \$38. The total annual cost of providing a convenience outlet is estimated at \$164.
- c Assumes each tent will have three 100 watt UL approved fixtures for general lighting and one 75 watt UL listed fixture for task lighting. Using "shop type" lights at a cost of \$20 each adds \$80 to the compliance. In addition, the state added \$5 per lamp per year to cover the cost of setting up and breaking down the lamp, electricity, and light bulbs bringing the lighting cost to \$100 per tent. This cost assumes that wire extending from the lamp will be UL approved and will be secured to rigid members of the tent's space frame with plastic fasteners and not enclosed in conduit. The state estimates the total cost for large and small camps at \$500 and \$1500, respectively. Discounting this cost over a seven year period at a 10% interest rate results in yearly costs of \$103 and \$309 for small and large camps.
- d Assumes that operators will rent beds though a program connected with the tent rental program. Under Option 1, growers will provide military style cots costing \$74 each (aluminum frame, nylon covering). Assuming the cots will be rented twice per year and take 1 hour of staff time (\$10/hr) per tent to set up and breakdown. Assumes no transportation costs (the trucks used to transport tents can accommodate the cots) or storage costs. Discounting the cost of six cots over five years at 10% discount rate, dividing this cost in half (2 rentals) and adding \$10 in setup and breakdown fees results in annual costs of \$69 per tent.
- Option 2 assumes that army type bunk beds with mattresses costing \$300 per set of two (or \$150 per camp occupant) will be required. Discounting this cost of six beds over 10 years at 10% discount rate results in annual costs of \$147. However, also assumes that the beds will be rented twice per year. Additional costs include two additional hours of

staff time to set up and breakdown the beds in each tent and \$20 per year to store six beds. On the other hand, assumes that the trucks used to transport tents can accommodate the beds, therefore, no transportation costs. Thus, the cost to operators to rent beds is estimated at \$113 per tent.

- e Two options are under consideration regarding flooring in tents. Option 1 would require flooring made of textile or film materials that provides a smooth, flat, stable, walking surface that is weather resistant and prevents the entrance of rodents, snakes, etc. This analysis assumes that growers would meet with requirement with integrated floors supplied with the rented tents. This requirement is estimated to add \$24 to the cost of renting each tent. Option 2 would require the tent to sit upon floors that comply with State Building Code requirements. This analysis assumes that operators would meet this requirement with a 350 square foot concrete pad costing \$1.17/sq. ft. (~\$50/yard of concrete plus labor) for a cost of \$410. Discounting this cost over a 20-year period at a 10% discount rate adds \$48 to the cost of each tent.
- f Current regulations allow food preparation areas to be open on one side. Option 1 requires enclosed cooking areas. This analysis estimates the cost of adding a fourth concrete wall and a screened opening. Assumes large farm has two food preparation areas each requiring an additional 22 ft. linear of concrete block wall as well as 24 sq. ft. of screened opening. Assuming: Concrete block walls at \$10.25/sq. ft. (materials and labor) for an additional cost of \$451; \$37 for screening material, and \$100 in labor cost to install screens. The total cost of the additional requirements for the two food preparation area structures is estimated at \$588 or \$69 per year when annualized over 20 years at a 10% interest rate.
- For small farms the added requirements affect a single food preparation area adding 22 ft. linear of concrete block wall as well as 24 sq. ft. of screened opening. Assumes: Concrete block walls at \$10.25/sq. ft. (materials and labor) for an additional cost of \$225; \$25 for screening material, and \$50 in installation labor cost. The total cost of the additional requirements for the two food preparation area structures is estimated at \$300 or \$35 per year when annualized over 20 years at a 10% interest rate.

Under Option 2, growers would be required to provide in-tent cooking facilities. Operators would have to take several different actions to satisfy this requirement. The equipment need includes a four burner stove (\$219), sturdy cabinet (\$250), sink (\$50), faucet (\$25), four linear feet of easily cleaned countertop (\$30), a five gallon water heater (\$125), two hours of plumber time to assemble this unit (\$130), and a 6 cu. ft. refrigerator (\$269). Assuming that these fixtures are rented from an entity such as the North Central Community Action Council, they would cost the grower \$88 per year per tent.

(Assumes the fixtures rented twice each year, have \$50 per year in storage costs, are depreciated over a 10 year period, and are delivered with the tent—so no transportation costs.)

In addition to these rental costs, in-tent cooking facilities would require certain infrastructure investments. Additions to the electrical system include 110 volt outlets dedicated to the refrigerator, the cooking surface, the hot water heater, and the lighting (110 v). Servicing this electrical load would require at least three circuits from each tent to the main panel. (A potential additional cost not included here is upgrading main panel.) The cost to install the four additional outlets and two additional circuits estimated at \$220. Discounting this cost over a five year period adds \$58 to the annual cost of each tent. Overall, the additional cost for enhanced electrical service is \$96 per tent. (The cost for an annual electrical inspection is assumed to be included in the cost of a convenience outlet, see footnote b.) The additional electricity consumed is an important cost not included in this estimate.

New infrastructure will also be needed to supply running water within tents. This analysis assumes that each tent will need an average of 65 feet of water and septic pipes. The cost to dig two 65 ft. trenches (water and septic pipes cannot be co-located in the same trench) is estimated at \$85. Discounting this cost over a 20 year period results in annual costs of about \$10 per tent. In addition, this analysis assumes it takes a plumber two hours (\$65/hour) to connect and disconnect the sink system to the running water and septic systems. Overall, this requirement adds an estimated \$140 to the annual cost of each tent.

Overall, the cost of providing in-tent cooking facilities is estimated at \$324 per tent.

- g Current regulations require at least 1 cu. ft. of refrigeration space per camp occupant. Option 1 would increase this volume to 2 cu. ft. of refrigeration space per camp occupant effectively doubling the required volume of refrigeration. Assumes a small work camp operator would respond to this requirement by adding one 18 cu. ft. refrigerator at a cost of about \$400 and one 6 cu. ft. refrigerator at a cost of about \$269. In addition, a small work camp operator will have to enlarge the size of the central cooking facility at an estimated cost of \$733 (24 sq. ft. at \$30.5/sq. ft.). (Demolition costs associated with expanding existing facilities not included in this cost estimate.) Overall, this requirement is projected to add \$195 to the yearly cost of operating a small camp (enclosure discounted over 20 years, refrigerators over 10 years).

A large work camp operator is predicted to respond to this requirement by adding five 18 cu. ft. refrigerators at a cost of about \$2000. In addition, a large work camp operator will have to enlarge the size of the two central cooking facilities at an estimated cost of \$1651 (60 sq. ft. at \$27.5/sq. ft.). (Demolition costs associated with expanding existing facili-

ties not included in this cost estimate.) Overall, this requirement is projected to add \$516 to the annual cost of operating a large camp (enclosure discounted over 20 years, refrigerators over 10 years).

Option 2 also requires 2 cu. ft. of refrigeration space per camp occupant, however, as part of the cooking facilities within each tent. The cost difference between 6 and 12 cu. ft. refrigerator is about \$69 (\$338 vs. \$269). The required tents are large enough to accommodate the larger refrigerator and therefore, operators would not need to rent a larger and more expensive tent. Discounting the cost difference over 10 years at a 10% discount rate results in a per tent annual cost of \$11.23 for both large and small camps.

- h The proposed rule would require growers to test for nitrates prior to opening the camp. The cost of this testing is about \$30.

Other requirements that growers may face for the first time relate to the inspection of temporary worker housing water supply systems (specifically tent camps). These requirements are not new. Current regulations state that growers must "design, construct, maintain, and operate the water system in accordance with chapter 246-290." However, recent Department of Health inspections of temporary work camp drinking water systems revealed that many did not comply with these requirements. To address this situation, the state is planning a higher level of enforcement. This analysis includes the cost of complying with these requirements because, while not new, they nonetheless may affect a growers willingness to provide a camp. Bringing a well and distribution system into compliance with current regulations would require an existing water system sanitary survey (about \$300), a water quality sample (\$300), and a review of an existing water system approval workbook (\$250). Annualizing this cost over a 20 year period would result in annual costs of approximately \$100 per year for both large and small camps. The overall cost of meeting the nitrate and inspection requirements is \$130 per year for both large and small camps.

The estimated cost assumes that no problems are uncovered during the sanitary survey and existing water system approval process. Recent Department of Health inspections of temporary work camp drinking water systems (includes more than just cherry harvest camps) revealed that a significant portion had problems needing to be addressed. As a result, some growers could face costs considerably higher than estimated here.

Does the proposed rule affect both large and small businesses? The Regulatory Fairness Act defines a business as "...[any] entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, that has the purpose of making a profit..." The act defined a small business as one that employs less than 50 individuals.

The proposed code clearly affects both large and small businesses. While specific figures are not available for all cherry farmers, those participating in the Department of Health's provisional licensure programs of 1996, 1997 and 1998 provide a picture of the range of business size. Of the 30 operators who participated in at least one year, 17 provided housing camps for fewer than 50 workers. The remaining 22 operators all housed more than 50 workers. While the participating operators were similar in number, the number of workers staying in the larger camps was significantly greater than the number staying in the smaller camps; 2306 to 445.³

Does the proposed rule impose disproportionate cost on small businesses? To determine whether the proposed rule imposes disproportionate costs on small businesses, the department projected the cost of complying with the proposed provisions for two camp sizes: A small farm camp of 30 individuals and a large farm camp of 90 workers.⁴ These costs were then divided by the number of workers in each camp size to obtain a "cost per worker" comparison figure. The department's cost projections are based on generic camp configurations and assumptions about typical site conditions. As such, actual costs of individual operators may be higher or lower than the estimates presented here.

The cost projections presented in Table 1 indicate that the proposed rule amendments impose similar costs on small and large migrant worker housing camps. The state concludes that the magnitude of the cost differential, 5 to 10% for Options 2 and 1, respectively, is not significant. Therefore, the state concludes that the Regulatory Fairness Act does not require mitigation for small businesses.

Other Mandates of the Regulatory Fairness Act: State efforts to involve businesses when developing the proposed rule.

Appendix 1

Cost Estimates and Sources

Item	SIZE/TYPE	COST	PER ???	SOURCE
Land	ballpark average (=\$/acre)	\$8,000	acre	Grant county assessors office
Grading	22 x 18, 1hr	\$75.00	hour (+1hr drop-off)	Gary's Bulldozing
Trenching	backhoe rental (50ft/hr@\$20/hr)	\$0.40	foot	
	labor (=2 person hrs/50ft@\$12.5/hr)	\$0.25	foot	
Concrete		\$50.00	yard	Holroyd Concrete
Lumber	7/16" OSB roof sheathing	\$9.34	sheet	Capital Lumber
	3/4" OSB	\$13.97	sheet	Home Depot
Roof Truss	25' span	\$100.00	truss	BMC
	18' span	\$50.00		
Roofing	GG-20 Glassguard	\$30.50	square	Wash Cedar
Light	Interior	\$40.00	unit	Home Base
	Exterior (festoon type)	\$25.00	40 ft	REM Electronics
	Support Post (4x4) in concrete	\$85.00	unit	Staff assumption
	Clip lamp (in-tent) 100W bulb, 8.5 in. reflector and 15 ft. cord	\$20.00	unit	Home Depot

DOH held three stakeholder meetings in advance of the rules being proposed. Grower and labor representatives attended the first two meetings to provide input on draft language as well as specific cherry harvest issues.

The third meeting was held October 15, 1999 in Ellensburg and was open to all licensees and interested parties. A copy of the draft rules was mailed to all licensed operators, as well as all stakeholders along with the meeting announcement. Over 300 persons received the mailing.

What are the reporting, recordkeeping, and other compliance requirements? Operators of cherry harvest camps seeking licensure must submit a completed application and licensure fee to the Department of Health as established in WAC 246-358-990. In addition, operators must provide the Department of Health with proof that the camp is provided water by a community water system, or proof of a nitrate level test and a satisfactory bacteriological water quality test.

Will the proposed rule cause affected industries to lose business? The proposed regulatory amendments should not cause cherry growers to lose business. The rule only affects growers who choose to provide housing. While the cost of providing that housing may cause a grower to lose revenue, it should not reduce the amount of cherries produced by that grower. In fact, provision of housing can ensure that a grower secures the most productive workers at the point when the cherries ripen. This may even help to increase a grower's production of cherries. Conversely, those growers who formerly offered housing but choose not to do so due to the cost of the proposed regulatory amendments may see a decline in production. However, overall the state does not expect the proposed rule to significantly affect the sale of cherries.

PROPOSED

	Coleman type electric lamp	\$34.00	unit	Sears
	6 volt battery (eveready)	\$3.56	unit	Home Depot
Outlet	Fault interrupt protection	\$10.00	unit	Staff assumption
Outlet/Switch	normal	\$1.00	unit	Home Depot
Rough Electrical	Standard 110 wiring	\$25.00	devise	Staff assumption
L&I Inspection	Permanent wiring	\$69.70	site	L&I
	Nonpermanent wiring	\$37.25	site	L&I
Door	3-0 pre hung exterior (6" wall, B-grade)	\$165.00	item	Door Store
	2-6 interior (B-grade)	\$48.00		
Screen	24"x10' 1/4" hard ware cloth	\$12.45	item	Home Depot
Concrete Forming	flat work	\$0.55	square ft	S. Nelson Construction
	foundation framing	\$5.00	linear ft	
Toilets	weekly rental	\$125.00	item	Honey-Bucket
Walls	8" conc. block	\$10.50	wall sqr ft	Spilker Const.
Roofing	labor	\$25.00	per square	Pacific Contractors
Plumbing	rough plumbing	\$500.00	fixture	B-J Fisher
Sink	wall hung, wall-out equipment	\$95.00		
Toilet	wall out equipment	\$80.00	item	Rosen Supply
Toilet paper	MD brand	\$6.00	24 rolls	Target
Kitchen Appl.	sink stainless, double bowl	\$110.00	sink	Rosen Supply
	refrigerator, 18 ft. ³	\$400.00	unit	Sears
	refrigerator, 5.6 ft. ³	\$225.00	unit	Sears
	stove	\$50.00	burner	Sears
	BBQ	\$125.00	unit	Lacy Parks Dept.
Formica	3' wide roll	\$4.99	foot	Home Depot
	adhesive	\$13.97	gallon	Home Depot
Table Clothe	Vinyl, 52" x 70"	\$4.99	unit	Target
Cutting Board	Polyurethane, 14" x 17"	\$9.99	unit	Target
Shower	valve, head & drain only	\$65.00		Rosen Supply
Laundry Tray	floor mount w/washboard, wall-out equip-ment	\$130.00		Rosen Supply
Septic	50 person system (no toilet)	\$5,000.00	Total est.	Thurston County Per- mitting Dept.
Water Supply	To structure	\$3.00	foot	Lacey City shop
Water Test	Bacteriological	\$20.00	test	DOH staff
Water Heating	Bosch WR400-1K	\$671.00	unit	John Condon Co.
	GE 5 gallon electric	\$149.99	unit	Home Depot
Garbage	20 yard draw box	\$3.00	day	Pacific Disposal
	Haul fee	\$60.00	haul	
		\$0.05	mile	
Tents	OSHA compliant	\$125.00	21 days	N. Columbia Commu- nity Action Council
	8 hrs. assembly/break down time	\$10.00	hour	
	180 miles transportation	\$0.31	mile	
Beds (with mat- tresses)	Military type bunk beds	\$300	2 beds	Federal Army & Navy Supply

¹For convenience, this analysis refers to the Department of Health and the Department of Labor and Industry collectively as the "state."

²The authorizing statute specifically directs the state to consider costs when developing TWH regulations "...The temporary worker building code shall

permit and facilitate designs and formats that allow for maximum affordability..." (RCW 70.114A.081 (1)(b))

³It is important to keep in mind that only a small number of cherry growers participated in the Department's housing program. As a result, small businesses may comprise a significantly higher or lower proportion of all cherry growers than the 44 percent estimated here. This calculation is solely to demonstrate that proposed rule affect both large and small businesses as defined by the Regulatory Fairness Act.

⁴The camp sizes used to estimate grower costs represented are based upon cherry farm work camps participating in the Department of Health's provisional tent program from 1996-1998. The median camp size among those with fewer than 50 occupants was 30. The median camp size among those with more than 50 occupants was 90.

A copy of the statement may be obtained by writing to Jennell Prentice, Facilities and Services Licensing, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 705-6661, fax (360) 705-6654, e-mail REGMAIL@doh.wa.gov.

RCW 34.05.328 applies to this rule adoption.

Hearing Location: On January 6, 2000, at 1:00 p.m.; (Note: Public hearing is to be held simultaneously via Washington Interactive Television) at the Yakima Site: DIS Interactive Technologies, c/o Department of Ecology, Yesterday's Village, 15 West Yakima Avenue, Suite 220, Yakima, WA 98902; at the Everett Site: Everett Community College, Olympus Hall, Room 205, 801 Wetmore Avenue, Everett, WA 98201; at the Tri-Cities Site: DIS Interactive Technologies, 8551 West Gage Boulevard, Suite H, Kennewick, WA 99336; and at the Wenatchee Site: Wenatchee Valley Community College, Batjer Hall, Room 8038, 1300 5th Street, Wenatchee, WA 98801.

Assistance for Persons with Disabilities: Contact Jennell Prentice by December 20, 1999, TDD (800) 833-6388, or (360) 705-6652.

Submit Written Comments to: Jennell Prentice, Rules Administrator, Facilities and Services Licensing, P.O. Box 47852, Olympia, WA 98504-7852, fax (360) 705-6654, e-mail REGMAIL@doh.wa.gov, by January 6, 1999 [2000].

Date of Intended Adoption: No sooner than February 1, 1999 [2000].

November 15, 1999

M. C. Selecky
Secretary

NEW SECTION

WAC 246-361-001 Cherry harvest camps—Purpose and applicability. (1) Purpose. This chapter is adopted by the Washington state department of health to implement the provisions of chapter 70.114A RCW and establish minimum health and safety requirements for cherry harvest camps.

(2) Applicability.

(a) This chapter applies only to operators of cherry harvest camps during the cherry harvest season. Operators using other housing must refer to WAC 296-307-16100, Part L1, or chapter 246-358 WAC.

(b) Operators with ten or more occupants are required to be licensed under this chapter. Operators with one or more employees are required to comply with WISHA standards.

NEW SECTION

WAC 246-361-010 Definitions. For the purposes of this chapter, the following words and phrases will have the following meanings unless the context clearly indicates otherwise:

"Building" means any structure used or intended for supporting or sheltering any use or occupancy that may include cooking, eating, sleeping and sanitation facilities.

"Cherry harvest camp" or **"camp"** means a place, area, or piece of land where dwelling units or camp sites are provided by an operator during the cherry harvest.

"Common food-handling facility" means an area designated by the operator for occupants to store, prepare, cook, and eat their own food supplies.

"Current certificate (first aid)" means a first-aid-training certificate that has not expired.

"Department" means the Washington state department of health.

"Dining hall" means a cafeteria-type eating-place with food furnished by and prepared under the direction of the operator for consumption, with or without charge, by occupants.

"Drinking fountain" means a fixture equal to a nationally recognized standard or a designed-to-drain faucet, which provides potable drinking water under pressure. "Drinking fountain" does not mean a bubble-type water dispenser.

"Dwelling unit" means a shelter, building, or portion of a building, that may include cooking and eating facilities, which is:

- Provided and designated by the operator as either a sleeping area, living area, or both, for occupants; and
- Physically separated from other sleeping and common-use areas.

Note: For the purpose of this chapter, a "tent" is considered a dwelling unit.

"First aid qualified" means that the person holds a current certificate of first-aid training from the American Red Cross or another course with equivalent content or hours.

"Food-handling facility" means a designated, enclosed area for preparation of food.

"Group A water system" means a public water system and includes community and noncommunity water systems.

(a) A community water system means any Group A water system providing service to fifteen or more service connections used by year-round residents for one hundred eighty or more days within a calendar year, regardless of the number of people, or regularly serving at least twenty-five year-round (i.e., more than one hundred eighty days per year) residents.

(b) Noncommunity water system means a Group A water system that is not a community water system. Noncommunity water systems are further defined as:

(i) Nontransient (NTNC) water system that provides service opportunity to twenty-five or more of the same nonresidential people for one hundred eighty or more days within a calendar year.

(ii) Transient (TNC) water system that serves:

- Twenty-five or more different people each day for sixty or more days within a calendar year;
- Twenty-five or more of the same people each day for sixty or more days, but less than one hundred eighty days within a calendar year; or
- One thousand or more people for two or more consecutive days within a calendar year.

"Group B water system" means a public water system: Constructed to serve less than fifteen residential services regardless of the number of people; or constructed to serve an average nonresidential population of less than twenty-five per day for sixty or more days within a calendar year; or any number of people for less than sixty days within a calendar year.

"Health officer" means the individual appointed as such for a local health department under chapter 70.05 RCW or appointed as the director of public health of a combined city-county health department under chapter 70.08 RCW.

"Livestock" means horses, cows, pigs, sheep, goats, poultry, etc.

"Livestock operation" means any place, establishment, or facility consisting of pens or other enclosures in which livestock is kept for purposes including, but not limited to, feeding, milking, slaughter, watering, weighing, sorting, receiving, and shipping. Livestock operations include, among other things, dairy farms, corrals, slaughterhouses, feedlots, and stockyards. Operations where livestock can roam on a pasture over a distance may be treated as outside the definition.

"MSPA" means the Migrant and Seasonal Agricultural Worker Protection Act (96 Stat. 2583; 29 U.S.C. Sec. 1801 et seq.).

"Occupant" means a temporary worker or a person who resides with a temporary worker at the camp site.

"Operating license" means a document issued annually by the department of health or contracted health officer authorizing the use of temporary-worker housing.

"Operator" means a person holding legal title to the land on which the camp is located. However, if the legal title and the right to possession are in different persons, "operator" means a person having the lawful control or supervision over the camp.

"Recreational park trailers" means a trailer-type unit that is primarily designed to provide temporary living quarters for recreational, camping, or seasonal use, that meets the following criteria:

- Built on a single chassis, mounted on wheels;
- Having a gross trailer area not exceeding 400 square feet (37.15 square meters) in the set-up mode; and
- Certified by the manufacturer as complying with ANSI A119.5.

"Recreational vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational camping, travel, or seasonal use that either has its own motive of power or is mounted on, or towed by, another vehicle. Recreational vehicles include: Camping trailers, fifth-wheel trailers, motor homes, travel trailers, and truck campers.

"Refuse" means solid wastes, rubbish, or garbage.

"Temporary worker" means an agricultural employee employed intermittently and not residing year-round at the same site.

"Tent" means an enclosure or shelter constructed of fabric or pliable material composed of rigid framework to support tensioned membrane that provides the weather barrier.

"WISHA" means the Washington Industrial Safety and Health Act, chapter 49.17 RCW, administered by the Washington state department of labor and industries.

NEW SECTION

WAC 246-361-020 Technical assistance. An operator may request technical assistance from the department of health or the department of labor and industries to assist in compliance with this chapter.

NEW SECTION

WAC 246-361-025 Operating license. A cherry tent camp license is limited to twenty-one days. The operator:

(1) Must request a license from the department or health officer when:

- (a) The camp will house ten or more occupants;
- (b) Compliance with MSPA requires a license; or
- (c) Construction of camp buildings requires a license under chapter 246-359 WAC, Temporary worker housing construction standard.

(2) Must apply for an operating license at least forty-five days prior to either the use of the camp or the expiration of an existing operating license by submitting to the department or health officer:

- (a) A completed application on a form provided by the department or health officer;
- (b) Proof water system is current with all water tests required by chapter 246-290 or 246-291 WAC; and
- (c) A fee as specified in WAC 246-361-990.

(3) May receive a license extension from the department for up to seven days when:

- (a) The operator requests an extension for additional days at least three days before the license expiration date; and
- (b) The department in consultation with the local health jurisdiction will determine if an extension would serve to protect the public health.

(4) Will receive an operating license for the maximum number of occupants as determined by WAC 246-361-030 when:

- (a) The application requirements from subsection (2) of this section are met;
- (b) The site is in compliance with this chapter as demonstrated by a licensing survey completed by the department; and
- (c) The operator follows the corrective action plan established by the department if existing site does not meet all the requirements of this chapter.

(5) Must post the operating license in a place readily accessible to workers.

(6) Must notify the department in the event of a transfer of ownership.

(7) Must cooperate with the department during on-site inspections.

NEW SECTION

WAC 246-361-030 Maximum camp occupancy. The maximum occupancy for a camp will be based on:

- (1) The number of shelters provided; and
- (2) The number of bathing, food handling, handwashing, laundry, and toilet facilities.

NEW SECTION

WAC 246-361-035 Variance and procedure. Conditions may exist in operations that a state standard will not have practical use. The director of the department of labor and industries may issue a variance from the requirements of the standard when another means of providing equal protection is provided. The substitute means must provide equal protection in accordance with the requirements of chapter 49.17 RCW and chapter 296-350 WAC, variances.

Applications for variances will be reviewed and may be investigated by the department of labor and industries and the department of health. Variances granted will be limited to the specific case or cases covered in the application and may be revoked for cause. The variance must remain prominently posted on the premises while in effect.

Variance application forms may be obtained from the Department of Labor and Industries, P.O. Box 44625, Olympia, Washington 98504-4625 or the Department of Health, P.O. Box 47852, Olympia, Washington 98504-7852, upon request. Requests for variances from safety and health standards must be made in writing to the director or the assistant director, Department of Labor and Industries, P.O. Box 44625, Olympia, Washington 98504-4625. (Reference RCW 49.17.080 and 49.17.090.)

NEW SECTION

WAC 246-361-045 Cherry harvest camp sites. The operator must:

- (1) Locate and operate a site to prevent a health or safety hazard that is:
 - (a) Adequately drained and any drainage from and through the camp must not endanger any domestic or public water supply;
 - (b) Free from periodic flooding and depressions in which water may become a nuisance;
 - (c) At least two hundred feet from a swamp, pool, sink hole, or other surface collection of water unless there is a mosquito prevention program for those areas;
 - (d) Large enough to prevent overcrowding of necessary structures. The principal camp area for sleeping and for food preparation and eating must be at least five hundred feet from where livestock are kept; and
 - (e) Maintained in a clean and sanitary condition.
- (2) Develop and implement a cherry harvest camp management plan and rules to assure that the camp is operated in

a safe and secure manner and is kept within the approved capacity. Additionally, the licensed operator must:

- (a) Inform residents of the rules, in a language the resident understands, by providing individual copies of the rules to each camp resident or posting the rules in the camp area; and
- (b) Restrict the number of occupants in the camp to the capacity as determined by the department.
- (3) When closing the camp permanently or for the season, complete the following:
 - (a) Dispose of all refuse to prevent nuisance;
 - (b) Fill all abandoned toilet pits with earth; and
 - (c) Leave the grounds and buildings in a clean and sanitary condition.

NEW SECTION

WAC 246-361-055 Water supply. The operator must:

- (1) Provide a water system that is:
 - (a) Approved as a Group A public water system in compliance with chapter 246-290 WAC or provide proof the camp receives water from an approved Group A public water system; or
 - (b) Approved as a Group B water system in compliance with chapter 246-291 WAC.

Note: A "same farm exemption" applies to a public water system serving only one single-family residence and a system with four or fewer connections, all of which serve residences on the same farm.

If your system has 15 or more connections, regardless of the population, it is a Group A water system.

	Avg. of less than 25 people	Avg. of 25 or more people
At least 60 days or more	Group B	Group A TNC
59 days or less	Group B	Group B

(2) Provide an adequate and convenient hot and cold water supply for drinking, cooking, bathing, and laundry purposes.

Note: An "adequate water supply" means the storage capacity of the potable water system must meet the requirements of ASHRAE 1999 Applications Handbook, chapter 48, Water Systems.

- (3) Ensure that the distribution lines are able to maintain the working pressure of the water piping system at not less than fifteen pounds per square inch after allowing for friction and other pressure losses.
- (4) When water is not piped to each dwelling unit, provide cold, potable, running water under pressure within one hundred feet of each dwelling unit.
- (5) When water sources are not available in each individual tent, provide one or more drinking fountains for each one hundred occupants or fraction thereof. Prohibit the use of common drinking cups or containers from which water is dipped or poured.
- (6) When water is unsafe for drinking purposes and accessible to occupants, post a sign by the source reading "Do not drink. Do not use for washing. Do not use for preparing

PROPOSED

food." printed in English and in the native language of the persons occupying the camp, or marked with easily understood pictures or symbols.

NEW SECTION

WAC 246-361-065 Sewage disposal. An operator must:

- (1) Provide sewage disposal systems in accordance with local health jurisdictions.
- (2) Connect all drain, waste, and vent systems from buildings to:
 - (a) Public sewers, if available; or
 - (b) Approved on-site sewage disposal systems that are designed, constructed, and maintained as required in chapter 246-272 WAC, chapter 173-240 WAC, and local ordinances.

NEW SECTION

WAC 246-361-070 Electricity and lighting. (1) **General electricity requirements.**

(a) The operator must supply electricity to all dwelling units, kitchen facilities, bathroom facilities, common areas, and laundry facilities.

(b) Wiring and fixtures must be installed in accordance with department of labor and industries regulations, chapter 19.28 RCW and local ordinances, and maintained in a safe condition.

(2) **Electricity requirements in tents.**

(a) Each individual tent must have at least one separate floor-type or wall-type convenience outlet. If the operator provides a refrigerator in the tent, a dedicated outlet must be provided for it.

(b) All electrical wiring and equipment installed in tents must meet the requirements of WAC 296-46-100.

(c) All electrical appliances to be connected to the electrical supply must meet the requirements for the load calculations as required by chapter 19.28 RCW.

(d) Electrical wiring exiting the tent to connect to the GFI outside outlet must be placed in approved flexible conduit not to exceed six feet in length.

(e) All wiring located inside the tent must be placed in conduit for protection and connected to a surface to secure the wiring to prevent movement. Wiring must be located to prevent tripping or safety hazards.

(f) Receptacles and lighting fixtures must be UL Listed and approved by the department for use in the tent.

(3) **General lighting requirements.**

(a) The operator must provide adequate lighting sufficient to carry on normal daily activities in all common use areas.

(b) Laundry and toilet rooms and rooms where people congregate must have at least one ceiling-type or wall-type fixture. Where portable toilets are used, lighting requirements can be met by area illumination.

(c) The operator must provide adequate lighting for safe passage for camp occupants to handwashing sinks and toilets.

(d) The operator must provide adequate lighting for showers during hours of operation.

Note: Lighting requirements may be met by natural or artificial means.

(4) **Lighting requirements in tents.**

(a) Tents must have adequate lighting sufficient to carry on all normal daily activities. For example: Three 100-watt bulbs located at the top ridge of the frame and are UL Listed or equivalent.

(b) Each tent must have at least one ceiling-type light fixture.

(c) Food preparation areas, if located in the tent, must have at least one lighting fixture located to provide task lighting over the food preparation area.

(d) Alternate lighting appliances must provide adequate lighting. In addition, if using two or more propane, butane, or white gas lighting appliances, a carbon monoxide monitor must be provided and located not more than thirty inches from the floor.

NEW SECTION

WAC 246-361-075 Tents. (1) **Tents must provide protection from the element.**

(2) **Structural stability and floors.**

(a) Tents and their supporting framework shall be adequately braced and anchored to prevent weather related collapse. Documentation of the structural stability must be furnished to the department.

(b) Floors must be smooth, flat, and without breaks or holes to provide a hard, stable walking surface. Nonridged flooring supported by grass, dirt, soil, gravel, etc., are not acceptable. Floors that are constructed of wood or concrete must comply with the building code, chapter 19.27 RCW or temporary building code, chapter 296-359 WAC.

(c) Floor systems must prevent the entrance of snakes and rodents.

(3) **Flame-retardant treatments.**

(a) The sidewalls, drops, and tops of tents shall be composed of flame-resistant material or shall be treated with a flame retardant in an approved manner.

(b) Floor coverings, which are integral to the tent, and the bunting shall be composed of flame-resistant material or shall be treated with a flame retardant in an approved manner and in accordance with Uniform Building Code, Standard 31.1.

(c) All tents shall have a permanently affixed label bearing the following information:

(i) Identification of tent size and fabric or material type;

(ii) For flame-resistant materials, the necessary information to determine compliance with this section and National Fire Protection Association Standard 701, Standard Methods of Fire Tests for Flame-resistant Textiles and Films;

(iii) For flame-retardant materials, the date that the tent was last treated with an approved flame-retardant;

(iv) The trade name and type of flame-retardant utilized in the flame-retardant treatment; and

(v) The name of the person and firm that applied the flame-retardant.

(4) **Means of egress.**

(a) At least one door must lead to the outside of the tent and the area designated for refuge must be accessible and remain clear of storage materials or hazards.

(b) The door must not be obstructed in any manner and must remain free of any material or matter where its presence would obstruct or render the exit hazardous.

(c) If cooking facilities are provided in tents, the window located opposite the door must have a means to open the window or provide an easily openable space, for example, by means of a zipper which opens downward toward the floor.

(5) **Floor area.** The operator must:

(a) Provide at least seventy square feet of floor space for one occupant and fifty square feet for each additional occupant; and

(b) Provide at least fifty square feet of floor space for each occupant in rooms used for sleeping purposes.

(6) **Ceiling height.**

(a) If the tent has a sloped ceiling, a ceiling height of at least seven feet is required in fifty percent of the total area.

(b) No portion of the tent measuring less than six feet from the flooring to the ceiling shall be included in any computation of the minimum floor area.

(7) **Windows and ventilation.**

(a) Provide a window area equal to one-tenth of the total floor area in each habitable room which opens one-half or more directly to the outside for cross-ventilation which have sixteen-mesh screens on all exterior openings.

(b) The windows must have weather-resistant flaps, which will cover the window area and a means of fastening the flaps to provide protection from the elements and allow privacy for the occupants.

NEW SECTION

WAC 246-361-080 Recreation vehicles. The operator must ensure that all recreational vehicles and/or park trailers meet the requirements of chapters 296-150P and 296-150R WAC.

NEW SECTION

WAC 246-361-090 Laundry facilities. An operator must:

(1) Provide one laundry tray or tub or one mechanical washing machine for every thirty persons.

(2) Provide facilities for drying clothes.

(3) Provide sloped, coved floors of nonslip impervious materials with floor drains.

(4) Maintain laundry facilities in a clean and sanitary condition.

NEW SECTION

WAC 246-361-095 Handwashing and bathing facilities. An operator must:

(1) Provide one handwash sink for every six persons in centralized facilities. Handwash sinks must be adjacent to toilets.

(2) Provide one showerhead for every ten persons in centralized facilities.

(3) Provide one "service sink" in each building used for centralized laundry, handwashing, or bathing.

(4) Provide sloped, coved floors of nonslip impervious materials with floor drains.

(5) Provide walls that are smooth and nonabsorbent to the height of four feet. If partitions are used, they must be smooth and nonabsorbent to the height of four feet.

(6) Provide all showers, baths, and shower rooms with floor drains to remove wastewater.

(7) Provide cleanable, nonabsorbent waste containers.

(8) Maintain bathing and handwashing facilities in a clean and sanitary condition, cleaned at least daily.

(9) Ensure shower facilities provide privacy from the opposite sex and the public.

NEW SECTION

WAC 246-361-100 Toilet facilities. (1) **General toilet requirements.** Operators must provide flush toilets or chemical toilets. The department or health officer according to requirements in chapter 246-272 WAC, must approve pit privies. The operator must comply with the following:

(a) Flush toilets, chemical toilets, and urinals must not be located in any tent.

(b) When chemical toilets are provided they must be:

(i) Located at least fifty feet from any dwelling unit or food-handling facility;

(ii) Maintained by a licensed waste disposal company; and

(iii) Comply with local ordinances.

(c) When urinals are provided:

(i) There must be one urinal or two linear feet of urinal trough for each twenty-five men;

(ii) The floor from the wall and out at least fifteen inches from the outer edge of the urinals must be constructed of materials impervious to moisture;

(iii) The urinal must have an adequate water flush where water under pressure is available; and

(iv) Urinal troughs are prohibited in pit privies.

(d) When pit privies are approved they must be:

(i) At least one hundred feet away from any dwelling unit or food-handling facility; and

(ii) Constructed to exclude insects and rodents from the pit.

(2) **Centralized toilet facilities.** The operator must meet the following requirements when centralized toilet facilities are provided:

(a) Provide toilet rooms with:

(i) One toilet for every fifteen persons;

(ii) One handwashing sink for every six persons;

(iii) Either a window of at least six square feet opening directly to the outside, or be satisfactorily ventilated; and

(iv) All outside openings screened with sixteen-mesh material.

(b) Locate toilet rooms so that:

(i) Toilets are within two hundred feet of the door of each dwelling unit; and

- (ii) No person has to pass through a sleeping room to reach a toilet room.
- (c) Maintain toilets in a clean and sanitary condition, cleaned at least daily.
- (d) Provide each toilet compartment with an adequate supply of toilet paper.
- (e) When shared facilities will be used for both men and women:
 - (i) Provide separate toilet rooms for each sex with a minimum of one toilet room for each sex;
 - (ii) Identify each room "men" and "women" with signs printed in English and in the native language of the persons occupying the camp, or identified with easily understood pictures or symbols; and
 - (iii) Separate facilities by solid walls or partitions extending from the floor to the roof or ceiling when facilities for each sex are located in the same building.

NEW SECTION

WAC 246-361-125 Cooking and food-handling facilities. The operator must provide enclosed or screened cooking and food-handling facilities for all occupants. Adequate tables and chairs or seating must be provided for camp occupants.

- (1) If the operator provides cooking facilities in tents, the operator must provide:
 - (a) An operable cook stove or hot plate with at least one cooking surface for every four occupants;
 - (b) A sink with hot and cold running potable water under pressure at each tent site;
 - (c) At least two cubic feet of dry food storage space per occupant;
 - (d) Nonabsorbent, easily cleanable food preparation counters situated off the floor;
 - (e) Mechanical refrigeration conveniently located and able to maintain a temperature of 45°F or below, with at least one cubic foot of storage space per occupant; and
 - (f) Adequate ventilation for cooking facilities.
- (2) If the operator provides common food-handling facilities, the operator must provide:
 - (a) A room or building, adequate in size, separate from any dwelling unit;
 - (b) No direct openings to living or sleeping areas from the common food-handling facility;
 - (c) An operable cook stove or hot plate with at least one cooking surface for every four occupants, or four cooking surfaces for every two families;
 - (d) Sinks with hot and cold running potable water under pressure;
 - (e) At least two cubic feet of dry food storage space per occupant;
 - (f) Nonabsorbent, easily cleanable food preparation counters situated off the floor;
 - (g) Conveniently located mechanical refrigeration able to maintain a temperature of 45° F or below, with at least one cubic foot of storage space per occupant;
 - (h) Fire-resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;

- (i) Nonabsorbent, easily cleanable floors; and
 - (j) Adequate ventilation for cooking facilities.
- (3) The operator must ensure that dining hall facilities comply with chapter 246-215 WAC, Food service.

NEW SECTION

WAC 246-361-135 Cots, beds, bedding, and personal storage. The operator must provide cots, beds or bunks for each occupant, not to exceed the maximum occupancy approved by the department or health officer.

- (1) Beds or bunks must be furnished with clean mattresses and maintained in a clean and sanitary condition.
- (2) The operator must:
 - (a) Provide a minimum of twelve inches between each cot, bed, or bunk and the floor; and
 - (b) Allow space to separate beds laterally and end to end by at least thirty-six inches when single beds are used.
- (3) When bunk beds are used the operator must:
 - (a) Allow space to separate beds laterally and end to end by at least forty-eight inches; and
 - (b) Maintain a minimum space of twenty-seven inches between the upper and lower bunks.
- (4) Locate cots, beds, or bunks at least thirty inches or more from cooking surfaces.
- (5) The use of triple bunk beds is prohibited.
- (6) The operator must provide suitable storage facilities for clothing and personal articles in each tent.

NEW SECTION

WAC 246-361-145 First-aid and safety. The operator must:

- (1) Comply with chapters 15.58 and 17.21 RCW, chapter 16-228 WAC, chapter 296-307 WAC Part I and J, and pesticide label instructions when using pesticides in and around the camp.
- (2) Prohibit, in the housing area, the use, storage, and mixing of flammable, volatile, or toxic substances other than those intended for household use.
- (3) Provide readily accessible first-aid equipment.
- (4) Ensure that a first-aid qualified person is readily accessible to administer first-aid at all times.
- (5) Store or remove unused refrigerator units to prevent access by children.

NEW SECTION

WAC 246-361-155 Refuse disposal. The operator must:

- (1) Comply with local sanitation codes for removing refuse from camp areas and disposing of refuse.
- (2) Protect against rodent harborage, insect breeding, and other health hazards while storing, collecting, transporting, and disposing of refuse.
- (3) Store refuse in fly-tight, rodent-tight, impervious, and cleanable or single-use containers.
- (4) Keep refuse containers clean.
- (5) Provide a container on a wooden, metal, or concrete stand within one hundred feet of each dwelling unit.

(6) Empty refuse containers at least twice each week, and when full.

NEW SECTION

WAC 246-361-165 Insect and rodent control. The operator must take effective measures to prevent and control insect and rodent infestation.

NEW SECTION

WAC 246-361-175 Disease prevention and control. The operator must:

- (1) Report immediately to the local health officer the name and address of any individual in the camp known to have or suspected of having a communicable disease.
- (2) Report to the local health officer or state board of health:
 - (a) Suspected food poisoning;
 - (b) An unusual prevalence of fever, diarrhea, sore throat, vomiting, or jaundice; or
 - (c) Productive cough, or weight loss is a prominent symptom among occupants.
- (3) Prohibit any individual with a communicable disease from preparing, cooking, serving, or handling food, food-stuffs, or materials in dining halls.

NEW SECTION

WAC 246-361-990 Fees for cherry harvest camps. (1) License and survey fees. A cherry camp operator must submit to the department a license fee of twenty-five dollars and an on-site survey fee as specified in Table 990.

Note: The on-site survey fee for licensing includes four surveys (one prior to camp being occupied, two while camp is occupied, and one to verify the camp has been closed).

(2) **Additional survey fees.** An operator will be charged an additional on-site survey fee for any follow-up surveys, when the department determines additional on-site surveys are necessary to confirm compliance with this chapter. The additional survey will be one-half the cost of the on-site survey fee as stated in Table 990.

(3) **Complaint investigation fees.** Operators will be charged for each on-site survey conducted by the department when a complaint investigation results in the complaint being found valid. This fee will be charged according to Table 990 for on-site survey.

(4) **Water test fees.** An operator will be directly billed for each water sample collected by the department when the operator has not submitted the water tests as required by WAC 246-361-025 and 246-361-055.

(5) **Refunds.** The license and on-site survey fee may be refunded when the operator submits:

- (a) A written request to the department; and
- (b) Provides documentation that the housing was not occupied during the license period.

TABLE 990

NUMBER OF UNITS	ON-SITE SURVEY FEE (includes cost of all survey types: Initial, annual, follow-up, complaint)	LICENSE FEE	TOTAL
0 to 9 persons	\$ 45.00	\$25.00	\$70.00
10 to 50 persons	70.00	25.00	95.00
51 to 100 persons	100.00	25.00	125.00
101 to 150 persons	125.00	25.00	150.00
for each additional 50 persons over 150 add \$25	125.00+ \$25.00 for each 50 persons	25.00	

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-001 Purpose and ((scope)) applicability. ~~((1)) This chapter contains:~~

- ~~(a) Minimum health and sanitation requirements for temporary worker housing adopted by the Washington state board of health in accordance with RCW 70.54.110;~~
- ~~(b) Procedures for applying for an operating license to provide temporary worker housing, adopted by the Washington state department of health in accordance with RCW 43.70.340(3); and~~
- ~~(c) Operating license fees as set by RCW 43.70.340(2) to cover the costs of an inspection program to ensure compli-~~

~~ance with this chapter, adopted by the Washington state department of health.~~

- ~~(2) This chapter applies to:~~
 - ~~(a) Temporary worker housing that consists of:~~
 - ~~(i) Five or more dwelling units; or~~
 - ~~(ii) Any combination of dwelling units, dormitories, or spaces that house ten or more occupants; and~~
 - ~~(b) Operators who must comply with substantive state health and safety standards to qualify for MSPA.~~
- ~~(3) This chapter does not apply to housing regulated by chapter 59.18 RCW, Residential Landlord-Tenant Act, or chapter 59.20 RCW, Mobile Home Landlord-Tenant Act.)~~
- (1) Purpose. This part is adopted by the Washington state department of health to implement the provisions of chapter

PROPOSED

70.114A RCW and establish minimum health and safety requirements for temporary worker housing.

(2) Applicability.

(a) This chapter applies only to operators of temporary worker housing. Operators using tents within the cherry harvest season must refer to WAC 296-307-16300, Part L1, or chapter 246-361 WAC.

(b) Operators with ten or more occupants are required to be licensed under this chapter. Operators with one or more employees are required to comply with WISHA standards.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-010 Definitions. For the purposes of this chapter, the following words and phrases will have the following meanings unless the context clearly indicates otherwise:

(1) ("Board" means the Washington state board of health.

(2) "Contracted health officer" means a health officer who has a signed agreement with the department to inspect housing, issue operating licenses, and enforce this chapter.

(3)) "Agricultural employee" means any person who renders personal services to, or under the direction of, an agricultural employer in connection with the employer's agricultural activity.

(2) "Agricultural employer" means any person engaged in agricultural activity, including the growing, producing, or harvesting of farm or nursery products, or engaged in the forestation or reforestation of lands, which includes, but is not limited to, the planting, transplanting, tubing, precommercial thinning, and thinning of trees and seedlings, the clearing, piling, and disposal of brush and slash, the harvest of Christmas trees, and other related activities.

(3) "Building" means any structure used or intended to be used for supporting or sheltering any use or occupancy that may include cooking, eating, sleeping, and sanitation facilities.

(4) "Department" means the Washington state department of health.

((4)) (5) "Dwelling unit" means a shelter, building, or portion of a building, that may include cooking and eating facilities, which is:

(a) Provided and designated by the operator as either a sleeping area, living area, or both, for occupants; and

(b) Physically separated from other sleeping and common-use areas.

((5)) (6) "Drinking fountain" means a fixture equal to a nationally recognized standard or a designed-to-drain faucet which provides potable drinking water under pressure. "Drinking fountain" does not mean a bubble-type water dispenser.

((6) "Exemption" means a written authorization which excludes an operator from meeting a specific requirement or requirements in this chapter.)

(7) "First aid qualified" means that the person holds a current certificate of first-aid training from the American Red Cross or another course with equivalent content or hours.

(8) "Current certificate (first aid)" means a first-aid-training certificate that has not expired.

(9) "Food-handling facility" means a designated, enclosed area for preparation of food.

((a)) (10) "Dining hall" means a cafeteria-type eating place with food furnished by and prepared under the direction of the operator for consumption, with or without charge, by occupants.

((b)) (11) "Common food-handling facility" means an area designated by the operator for occupants to store, prepare, cook, and eat their own food supplies.

((8)) (12) "Group A water system" means a public water system and includes community and noncommunity water systems.

(a) A community water system means any Group A water system providing service to fifteen or more service connections used by year-round residents for one hundred eighty or more days within a calendar year, regardless of the number of people, or regularly serving at least twenty-five year-round (i.e., more than one hundred eighty days per year) residents.

(b) A noncommunity water system means a Group A water system that is not a community water system. Noncommunity water systems are further defined as:

(i) Nontransient (NTNC) water system that provides service opportunity to twenty-five or more of the same nonresidential people for one hundred eighty or more days within a calendar year.

(ii) Transient (TNC) water system that serves:

(A) Twenty-five or more different people each day for sixty or more days within a calendar year;

(B) Twenty-five or more of the same people each day for sixty or more days, but less than one hundred eighty days within a calendar year; or

(C) One thousand or more people for two or more consecutive days within a calendar year.

(13) "Group B water system" means a public water system: Constructed to serve less than fifteen residential services regardless of the number of people; or constructed to serve an average nonresidential population of less than twenty-five per day for sixty or more days within a calendar year; or any number of people for less than sixty days within a calendar year.

(14) "Habitable room" means a room or space in a structure with a minimum seven-foot ceiling used for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

(15) "Health officer" means the individual appointed as such for a local health department under chapter 70.05 RCW or appointed as the director of public health of a combined city-county health department under chapter 70.08 RCW.

((9) "Interagency agreement committee" means a representative from the state board of health, department of health, department of labor and industries, employment security department, and department of community, trade, and economic development, pursuant to RCW 43.70.340.

(10)) (16) "Livestock" means horses, cows, pigs, sheep, goats, poultry, etc.

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(17) "Livestock operation" means any place, establishment, or facility consisting of pens or other enclosures in which livestock is kept for purposes including, but not limited to, feeding, milking, slaughter, watering, weighing, sorting, receiving, and shipping. Livestock operations include, among other things, dairy farms, corrals, slaughterhouses, feedlots, and stockyards. Operations where livestock can roam on a pasture over a distance may be treated as outside the definition.

(18) "MSPA" means the Migrant and Seasonal Agricultural Worker Protection Act (96 Stat. 2583; 29 U.S.C. Sec. 1801 et seq.).

((14)) (19) "Occupant" means a temporary worker or a person who resides with a temporary worker at the housing site.

((12)) (20) "Operator" means a person holding legal title to the land on which temporary worker housing is located. However, if the legal title and the right to possession are in different persons, "operator" means a person having the lawful control or supervision over the temporary((-)worker housing.

((13)) (21) "Operating license" means a document issued annually by the department or ((contracted)) health officer authorizing the use of temporary((-)worker housing.

((14)) (22) "Recreational park trailers" means a trailer-type unit that is primarily designed to provide temporary living quarters for recreational, camping, or seasonal use, that meets the following criteria:

(a) Built on a single chassis, mounted on wheels;

(b) Having a gross trailer area not exceeding 400 square feet (37.15 square meters) in the set-up mode; and

(c) Certified by the manufacturer as complying with ANSI A119.5.

(23) "Recreational vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational camping, travel, or seasonal use that either has its own motive of power or is mounted on, or towed by, another vehicle. Recreational vehicles include: Camping trailers, fifth-wheel trailers, motor homes, travel trailers, and truck campers, but does not include pickup trucks with camper shells, canopies, or other similar coverings.

(24) "Refuse" means solid wastes, rubbish, or garbage.

((15)) (25) "Temporary worker" means ((a person)) an agricultural employee employed intermittently and not residing year-round at the same site.

((16)) (26) "Temporary((-)worker housing" or "housing" means a place, area, or piece of land where sleeping places or housing sites are provided by an agricultural employer for his or her agricultural employees or by another person, including a temporary((-)worker housing operator, who is providing such accommodations for employees for temporary, seasonal occupancy((, and includes "labor camps" under RCW 70.54.110)).

((17)) (27) "WISHA" means the Washington Industrial Safety and Health Act, chapter 49.17 RCW, administered by the Washington state department of labor and industries.

AMENDATORY SECTION (Amending WSR 96-01-084, filed 12/18/95, effective 1/1/96)

WAC 246-358-025 Operating license. The operator:

(1) ((An operator shall notify the department or contracted health officer to)) Must request ((license)) a license from the department of health or health officer when:

(a) Housing consists of:

(i) Five or more dwelling units;

(ii) Any combination of dwelling units, or spaces that house ten or more occupants; ((or))

(b) Compliance with MSPA requires ((license)) a license; or

(c) Construction of camp buildings requires a license under chapter 246-359 WAC. Temporary worker housing construction standard.

(2) ((An operator shall)) Must apply for an operating license at least forty-five days prior to either the use of housing or the expiration of an existing operating license by submitting to the department or ((contracted)) health officer:

(a) A completed application on a form provided by the department or ((contracted)) health officer;

(b) Proof ((of satisfactory results of a bacteriological water quality test as required by WAC 246-358-055(2), or proof housing is connected to a community)) water system is current with all water tests required by chapter 246-290 or 246-291 WAC; and

(c) A fee as specified in WAC 246-358-990.

(3) ((An operator)) Will receive an operating license for the maximum number of occupants as determined by WAC 246-358-029 when:

(a) The application requirements from subsection (2) of this section are met;

(b) The housing is in compliance with this chapter as demonstrated by:

(i) A licensing survey completed by the department; or

(ii) A self-survey completed by the operator and approved by the department; and

(c) The operator follows the corrective action plan established by the department if existing housing does not meet all the requirements of this chapter.

(4) May allow the use of housing without a renewed license when all of the following conditions exist:

(a) The operator applied for renewal of an operating license in accordance with subsection (2) of this section at least forty-five days before occupancy, as evidenced by the post mark;

(b) The department or ((contracted)) health officer has not inspected the housing or issued an operating license;

(c) Other local, state, or federal laws, rules, or codes do not prohibit use of the housing; and

(d) The operator provides and maintains housing in compliance with this chapter.

((4) An operator shall:

(a)) (5) Must post the operating license in a place readily accessible to ((workers;)) occupants of the housing.

((b)) (6) Must notify the department or ((contracted)) health officer ((in the event)) of a transfer of ownership((; and)).

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~~((e)) (7) Must cooperate with the department or (contracted) health officer during on-site inspections.~~

~~((5) An operator may appeal decisions of the department in accordance with chapter 34.05 RCW and chapter 246-08 WAC.))~~

NEW SECTION

WAC 246-358-027 Requirements for self-survey program. If a licensed operator meets the requirements provided in this section, then the operator may participate in the self-survey program. This means an operator is allowed to conduct a self-survey for two years. On the third year the department will conduct an on-site verification survey to assure compliance with this chapter and determine if the temporary worker housing still meets the requirements of the self-survey program.

(1) To be in the self-survey program the operator must:

(a) Meet the requirements of WAC 246-358-025;

(b) Not have had any valid complaints;

(c) Have had two consecutive years without any deficiencies or very minor deficiencies (for example one or two screens torn, missing a few small trash cans, etc.); and

(d) Be recommended by the health surveyor.

(2) For a licensed operator to remain in the self-survey program the licensed operator must:

(a) Continue to comply with subsection (1) of this section;

(b) Continue to not have any deficiencies or very minor deficiencies; and

(c) Not have a change in ownership.

(3) When licensed temporary worker housing changes ownership, the new licensed operator must comply with the requirements of subsection (1) of this section before being eligible to be on the self-survey program.

NEW SECTION

WAC 246-358-029 Maximum housing occupancy. (1)

The maximum occupancy for operator-supplied housing will be based on:

(a) The square footage of the housing facility; and

(b) The number of bathing, food handling, handwashing, laundry, and toilet facilities.

(2) The maximum occupancy for worker-supplied housing will be based on:

(a) The number of spaces designated for worker-supplied housing by the operator; and

(b) The number of bathing, food handling, handwashing, laundry, and toilet facilities in excess of those facilities required for operator-supplied housing.

NEW SECTION

WAC 246-358-040 Variance and procedure. Conditions may exist in operations that a state standard will not have practical use. The director of the department of labor and industries may issue a variance from the requirements of the standard when another means of providing equal protection is provided. The substitute means must provide equal

protection in accordance with the requirements of chapter 49.17 RCW and chapter 296-350 WAC, variances.

Applications for variances may be reviewed and investigated by the department of labor and industries and the department of health. Variances granted will be limited to the specific case or cases covered in the application and may be revoked for cause. The variance shall remain prominently posted on the premises while in effect.

Variance application forms may be obtained from the Department of Labor and Industries, P.O. Box 44625, Olympia, Washington 98504-4625 or the Department of Health, P.O. Box 47852, Olympia, Washington 98504-7852, upon request. Requests for variances from safety and health standards shall be made in writing to the director or the assistant director, Department of Labor and Industries, P.O. Box 44625, Olympia, Washington 98504-4625. (Reference RCW 49.17.080 and 49.17.090.)

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-045 ~~((Location and maintenance.))~~

Temporary worker housing sites. ~~((1) An operator shall locate housing:~~

~~(a) To prevent a health or safety hazard;~~

~~(b) On well-drained sites to prevent standing water from becoming a nuisance;~~

~~(c) Five hundred feet or more from a livestock operation unless the department or contracted health officer determines that no health risk exists;~~

~~(d) More than two hundred feet from swamps, pools, sink holes, or other surface collections of water unless provisions are taken to prevent the breeding of mosquitoes; and~~

~~(e) On sites sufficient in size to prevent overcrowding of necessary structures.~~

~~(2) An operator shall ensure that the housing site is maintained at all times in a sanitary condition free from garbage and other refuse.)~~ The operator must locate and operate a site to prevent a health or safety hazard and it is:

(1) Adequately drained and any drainage from and through the housing must not endanger any domestic or public water supply;

(2) Free from periodic flooding and depressions in which water may become a nuisance;

(3) At least two hundred feet from a swamp, pool, sink hole, or other surface collection of water unless there is a mosquito prevention program for those areas;

(4) Large enough to prevent overcrowding of necessary structures. The principal housing area for sleeping and for food preparation and eating must be at least five hundred feet from where livestock are kept; and

(5) The grounds and open areas surrounding the shelters must be in a clean and sanitary condition.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-055 Water supply. ~~((An))~~ The operator ~~((shall))~~ must:

(1) Provide a water system that is:

(a) Approved as a Group A public water system in compliance with chapter 246-290 WAC or provide proof the temporary worker housing receives water from an approved Group A public water system; or

(b) Approved as a Group B water system in compliance with chapter 246-291 WAC.

Note: A "same farm exemption" applies to a public water system serving only one single-family residence and a system with four or fewer connections all of which serve residences on the same farm.

If your system has fifteen or more connections, regardless of the population, it is a Group A water system.

	<u>Avg. of less than 25 people</u>	<u>Avg. of 25 or more people</u>
<u>At least 60 days or more</u>	<u>Group B</u>	<u>Group A TNC</u>
<u>59 days or less</u>	<u>Group B</u>	<u>Group B</u>

(2) Provide an adequate and convenient water supply (from an approved source as described in chapter 246-290 WAC, and:

(a) For housing existing prior to August 1, 1984, maintain and operate the water system in accordance with chapter 246-290 WAC; and

(b) For housing constructed after August 1, 1984, design, construct, maintain, and operate the water system in accordance with chapter 246-290 WAC;

(2) Provide a water system:

(a) Capable of delivering thirty-five gallons per person per day to the housing site at a peak rate of two and one-half times the average hourly demand; and

(b) With) for drinking, cooking, bathing, and laundry purposes.

Note: An "adequate water supply" means the storage capacity of the potable water system must meet the requirements of ASHRAE 1999 Applications Handbook, chapter 48, Water Systems.

(3) Ensure that the distribution lines (capable of supplying) are able to maintain the working pressure of the water piping system at (normal operating pressures to all fixtures for simultaneous operation;

(3) If water is not supplied solely by a community water system, submit a water sample to a department certified laboratory for bacteriological quality testing each year prior to opening housing in accordance with WAC 246-290-300;

(4) Delay the use of housing until bacteriological quality meets the requirements in WAC 246-290-310;) not less than fifteen pounds per square inch after allowing for friction and other pressure losses.

(4) Provide hot water with a temperature of not less than 105 degrees Fahrenheit that does not exceed 120 degrees Fahrenheit for handwashing, bathing, and laundry purposes.

(5) When water is not piped to each dwelling unit, provide cold, potable, running water under pressure (in, of) within one hundred feet of(;) each dwelling unit(;).

(6) When water sources are not available in each individual dwelling unit, provide one or more drinking fountains for each one hundred occupants or fraction thereof (if water under pressure is available;

(7)); Prohibit the use of common drinking cups or containers from which water is dipped or poured((, and common drinking cups; and)).

((8)) (7) When water is unsafe for drinking purposes and accessible to occupants, post a sign by the source reading "DO NOT DRINK. DO NOT USE FOR WASHING. DO NOT USE FOR PREPARING FOOD." printed in English and in the native language of the persons occupying the housing or marked with easily-understood pictures or symbols.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-065 Sewage disposal. ((An operator shall:

(1) Connect sewer lines and floor drains from buildings to public sewers if public sewers are available;

(2) If public sewers are not available provide on-site sewage disposal systems designed, constructed, and maintained as required in chapter 246-272 WAC, chapter 173-240 WAC, and local ordinances; and

(3) Ensure connection and drainage of sewage and waste water from all housing to a sewage disposal system approved by the jurisdictional agency.) The operator must:

(1) Provide sewage disposal systems in accordance with local health jurisdictions,

(2) Connect all drain, waste, and vent systems from buildings to:

(a) Public sewers, if available; or

(b) Approved on-site sewage disposal systems that are designed, constructed, and maintained as required in chapter 246-272 WAC, chapter 173-240 WAC, and local ordinances.

NEW SECTION

WAC 246-358-070 Electricity and lighting. The operator must ensure that:

(1) Electricity is supplied to all dwelling units, kitchen facilities, shower/bathroom facilities, common areas, and laundry facilities.

(2) All electrical wiring and electrical equipment in a camp must meet the electric standards of applicable building codes.

(3) Each habitable room in a camp has at least one ceiling-type light fixture and at least one separate floor-type or wall-type convenience outlet.

(4) Laundry, shower rooms, toilet rooms and rooms where people congregate have at least one ceiling-type or wall-type fixture.

(5) General lighting and task lighting is adequate to carry on normal daily activities.

(6) Adequate lighting for safe passage for camp occupants to handwashing sinks and toilets.

Note: Lighting requirements may be met by natural or artificial means.

(7) Wiring and fixtures are installed in accordance with department of labor and industries regulations, chapter 19.28 RCW and local ordinances, and maintained in a safe condition.

PROPOSED

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-075 ((Construction)) Building requirements and maintenance. ((An operator shall:

- (1) ~~Ensure construction provides protection against the elements and complies with applicable state and local ordinances, codes, regulations, and this chapter;~~
 - (2) ~~Identify each dwelling unit and space for worker supplied housing by posting a number at each site;~~
 - (3) ~~Maintain buildings and shelters in good repair and sanitary condition;~~
 - (4) ~~Comply with chapter 51-20 WAC by providing two means of escape from sleeping rooms, foodhandling facilities, and rooms where fifty or more people congregate;~~
 - (5) ~~Provide at least seventy square feet of floor space for one occupant and fifty square feet for each additional occupant in each dwelling unit;~~
 - (6) ~~Provide at least seven foot ceilings and fifty square feet of floor space for each occupant in rooms used for sleeping purposes;~~
 - (7) ~~Provide smooth and tightly constructed wood, asphalt, or concrete floors in good repair;~~
 - (8) ~~When wood floors are used, ensure floors are at least twelve inches above the ground at all points;~~
 - (9) ~~Provide a window area equal to one-tenth of the total floor area in each habitable room which opens one-half or more directly to the outside for ventilation;~~
 - (10) ~~Provide effective sixteen-mesh screens on all exterior openings, and screen doors equipped with self-closing devices;~~
 - (11) ~~Provide electrical service to include at least one electrical ceiling-type light fixture and at least one separate floor-type or wall-type convenience outlet in each habitable room;~~
 - (12) ~~Provide a minimum of thirty footcandles of light measured thirty inches from the floor in dwelling units;~~
 - (13) ~~Ensure wiring and fixtures are installed in accordance with department of labor and industries regulations, RCW 19.28.070 and local ordinances, and maintained in a safe condition;~~
 - (14) ~~Ensure heating, cooking, water heating, and other electrical equipment is installed in accordance with state and local ordinances, codes, and regulations governing such installation;~~
 - (15) ~~Provide adequate heating equipment if camp is used during cold weather;~~
 - (16) ~~Ensure that operator supplied trailers and recreational vehicles manufactured after July 1968 display a Washington state department of labor and industries insignia as required in chapters 296-150A and 296-150B WAC; and~~
 - (17) ~~Follow the compliance schedule established with the department or contracted health officer when existing housing fails to meet the requirements in this chapter.) An operator must:~~
- (1) Construct buildings to provide protection against the elements and comply with the State Building Code, chapter 19.27 RCW or the Temporary worker housing construction standard, chapter 246-359 WAC, applicable state and local

ordinances, codes, regulations, and this chapter. Any shelter meeting these requirements is acceptable.

(2) Identify each dwelling unit and space used for shelter by posting a number at each site.

(3) Maintain buildings in good repair and sanitary condition.

(4) Provide exits that are unobstructed and remain free of any material or matter where its presence would obstruct or render the exit hazardous.

(5) Provide at least seventy square feet of floor space for the first occupant and at least fifty square feet of floor space for each additional occupant in each dwelling unit.

(6) Provide a ceiling height of at least seven feet for each habitable room. If a building has a sloped ceiling, no portion of the room measuring less than six feet from the finished floor to the finished ceiling will be included in any computation of the minimum floor space.

(7) Provide each room used for sleeping purposes with at least fifty square feet of floor space for each occupant.

(8) Provide floors in accordance with the State Building Code, chapter 19.27 RCW, or the Temporary worker housing construction standard, chapter 246-359 WAC, that are tightly constructed and in good repair.

(9) Ensure wooden floors are at least one foot above ground-level, or meet the requirements in the State Building Code, chapter 19.27 RCW or chapter 246-359 WAC.

(10) Provide habitable rooms that have:

(a) Windows covering a total area equal to at least one-tenth of the total floor area and at least one-half of each window can be opened to the outside for ventilation; or

(b) Mechanical ventilation in accordance with applicable ASHRAE standards.

(11) Provide sixteen-mesh screening on all exterior openings and screen doors with self-closing devices.

(12) Install all heating, cooking, and water heating equipment according to state and local ordinances, codes, and regulations and maintain in a safe condition.

(13) Provide adequate heating equipment if habitable rooms, including bathrooms, are used during cold weather.

(14) Ensure that all recreational vehicles or park trailers meet the requirements of chapter 296-150P or 296-150R WAC.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-090 Laundry facilities. ((An operator shall provide laundry facilities including:

(1) Hot and cold running water under pressure for laundry adequate to meet the needs of occupants as determined by the department or contracted health officer;

(2) One laundry tray or tub, or one mechanical washing machine, for each thirty occupants, or fraction thereof, specified on the operating license;

(3) At least one slop sink in each building used for laundry;

(4) Facilities for drying clothes;

(5) Sloped, coved floors of nonslip impervious materials with floor drains;

PROPOSED

- ~~(6) At least one electrical ceiling or wall type convenience fixture;~~
- ~~(7) Thirty footcandles of light measured thirty inches from the floor;~~
- ~~(8) Equipment capable of maintaining a temperature of 70°F during cold weather.)) An operator must:~~
 - (1) Provide one laundry tray or tub or one mechanical washing machine for every thirty persons.
 - (2) Provide facilities for drying clothes.
 - (3) Provide sloped, coved floors of nonslip impervious materials with floor drains.
 - (4) Maintain laundry facilities in a clean and sanitary condition.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-095 ((Bathing and)) Handwashing and bathing facilities. ~~((1) An operator shall:~~

- ~~(a) Provide hot and cold running water under pressure for bathing and handwashing adequate to meet the needs of occupants as determined by the department or contracted health officer;~~
- ~~(b) Provide at least one electrical ceiling or wall type convenience fixture; and~~
- ~~(c) Provide thirty footcandles of light measured thirty inches from the floor.~~
- ~~(2) An operator providing centralized bathing or handwashing facilities shall meet the requirements of subsection (1) of this section, and:~~
 - ~~(a) Provide the number of handwashing sinks and shower heads specified in Table I;~~
 - ~~(b) Provide a means to maintain a temperature of 70°F during cold weather;~~
 - ~~(c) Ensure bathing and handwashing facilities are maintained in a clean and sanitary condition;~~
 - ~~(d) Provide one slop sink per building used for handwashing and bathing; and~~
 - ~~(e) Provide shower rooms with:~~
 - ~~(i) Sloped, coved floors of nonslip impervious materials;~~
 - ~~(ii) Floor drains; and~~
 - ~~(iii) Smooth, water impervious walls and partitions to the height of splash.~~
 - ~~(f) Provide cleanable, nonabsorbent waste containers.~~

TABLE I:

Required number of centralized handwashing sinks and shower heads.

HANDWASHING SINKS	One per each 6 persons* or fraction thereof.
SHOWER HEADS	One per each 10 persons* or fraction thereof.

*The number of persons shall be calculated by subtracting the number of occupants sheltered in dwelling units that contain individual facilities from the maximum occupancies approved for both operator-supplied and worker-supplied housing.

(3) An operator providing bathing or handwashing facilities in dwelling units shall meet the requirements in subsection (1) of this section, and request occupants to maintain bathing, handwashing, and toilet facilities in a clean and sanitary condition.)) An operator must:

- (1) Provide one handwash sink for each family dwelling unit or for every six persons in centralized facilities. Handwash sinks must be adjacent to toilets.
- (2) Provide one showerhead for each family dwelling unit or for every ten persons in centralized facilities.
- (3) Provide one "service sink" in each building used for centralized laundry, hand washing, or bathing.
- (4) Provide sloped, coved floors of nonslip impervious materials with floor drains.
- (5) Ensure shower room walls are smooth and nonabsorbent to the height of four feet. If used, partitions must be smooth and nonabsorbent to the height of four feet.
- (6) Provide all showers, baths, or shower rooms with floor drains to remove wastewater.
- (7) Provide cleanable, nonabsorbent waste containers.
- (8) Maintain centralized bathing and handwashing facilities in a clean and sanitary condition, cleaned at least daily.
- (9) Ensure shower facilities provide privacy from the opposite sex and the public.
- (10) An operator providing bathing or handwashing facilities in family dwelling units must meet the requirements in subsection (1) and (2) of this section, and request occupants to maintain bathing and handwashing facilities in a clean and sanitary condition.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-100 Toilet facilities. ~~((1) The operator shall:~~

- ~~(a) Locate each toilet in a toilet room which is accessible without passing through a sleeping room;~~
- ~~(b) Provide a window not less than six square feet in area opening directly to the outside, or other satisfactory ventilation;~~
- ~~(c) Provide water flush toilets unless privies or other methods are specifically approved by the department or contracted health officer according to requirements in chapter 246-272 WAC;~~
- ~~(d) Locate pit privies, when approved, at least one hundred feet from any dwelling unit, space, or foodhandling facility;~~
- ~~(e) When vault privies or chemical toilets are approved:~~
 - ~~(i) Locate at least fifty feet from any dwelling unit, space, or foodhandling facility;~~
 - ~~(ii) Maintain a service contract for sewage pumping with a licensed waste disposal company; and~~
 - ~~(iii) Comply with local ordinances;~~
- ~~(f) If urinals are provided, cover the floor with a material impervious to moisture for a radius of not less than fifteen inches from the outer edge of the urinal, and from the urinal to the wall;~~
- ~~(g) Provide an adequate water flush in urinals if water under pressure is available;~~
- ~~(h) Connect sinks and bathing facilities through properly trapped floor drains to an approved disposal system; and~~
- ~~(i) Provide an adequate supply of toilet paper in each toilet room, privy, and chemical toilet compartment.~~
- ~~(j) Provide at least one electrical ceiling or wall type convenience fixture.~~

~~(2) An operator providing centralized toilet facilities shall meet the requirements of subsection (1) of this section, and:~~

~~(a) Provide one toilet per fifteen persons of each sex with a minimum of two toilets for any facility shared by men and women;~~

~~(b) Locate toilets within two hundred feet of the door of each sleeping unit;~~

~~(c) Separate toilet rooms for men and for women with solid walls or partitions extending from the floor to the roof or ceiling;~~

~~(d) Clearly mark each room for "men" and for "women" by signs printed in English and in the native language of the persons occupying the camp, or marked with easily understood pictures or symbols;~~

~~(e) Provide natural or artificial light twenty-four hours per day equal to twenty footcandles of light, measured thirty inches from the floor;~~

~~(f) Provide a means to maintain a temperature of 70°F during cold weather; and~~

~~(g) Ensure that the toilet facilities are cleaned at least daily.~~

~~(3) An operator providing toilet facilities in dwelling units shall meet the requirements in subsection (1) of this section, and:~~

~~(a) Provide a handwashing sink in each dwelling unit that contains a toilet; and~~

~~(b) Request occupants to maintain toilet facilities in a clean and sanitary condition.)) (1) General toilet requirements. Operators must provide water flush toilets unless chemical toilets or pit privies are specifically approved by the department or health officer according to requirements in chapter 246-272 WAC and ensure the following:~~

~~(a) Flush toilets, chemical toilets, and urinals must not be located in any sleeping room, dining room, or kitchen.~~

~~(b) When chemical toilets are approved, they must be:~~

~~(i) Located at least fifty feet from any dwelling unit or food handling facility;~~

~~(ii) Maintained by a licensed waste disposal company; and~~

~~(iii) Comply with local ordinances.~~

~~(c) When urinals are provided:~~

~~(i) There must be one urinal or two linear feet of urinal trough for each twenty-five men;~~

~~(ii) The floor from the wall and out at least fifteen inches from the outer edge of the urinals must be constructed of materials impervious to moisture;~~

~~(iii) Urinals must have an adequate water flush where water under pressure is available; and~~

~~(iv) Urinal troughs are prohibited in pit privies.~~

~~(d) When pit privies are approved they must be:~~

~~(i) At least one hundred feet away from any sleeping room, dining room, lunch area, or kitchen; and~~

~~(ii) Constructed to exclude insects and rodents from the pit.~~

~~(2) Centralized toilet facilities. The operator must meet the following requirements when centralized toilet facilities are provided:~~

~~(a) Provide toilet rooms with:~~

~~(i) One toilet per fifteen persons;~~

~~(ii) One handwashing sink for every six persons;~~

~~(iii) Either a window of at least six square feet opening directly to the outside, or be satisfactorily ventilated; and~~

~~(iv) All outside openings screened with sixteen-mesh material.~~

~~(b) Locate toilet rooms so that:~~

~~(i) Toilets are within two hundred feet of the door of each sleeping room; and~~

~~(ii) No person has to pass through a sleeping room to reach a toilet room.~~

~~(c) Maintain toilets in a clean and sanitary condition, cleaned at least daily.~~

~~(d) Provide each toilet compartment with an adequate supply of toilet paper.~~

~~(e) When shared facilities will be used for both men and women:~~

~~(i) Provide separate toilet rooms for each sex with a minimum of one toilet room for each sex;~~

~~(ii) Identify each room for "men" and "women" with signs printed in English and in the native language of the persons occupying the camp, or identified with easily understood pictures or symbols; and~~

~~(iii) Separate facilities by solid walls or partitions extending from the floor to the roof or ceiling when facilities for each sex are located in the same building.~~

~~(3) Individual family/unit dwelling toilet requirements. If providing flush toilets in individual cabins, apartments, or houses, the operator must:~~

~~(a) Provide one toilet for each individual family dwelling unit or fifteen persons.~~

~~(b) Provide one handwashing sink for each six persons. The sink must be located in the toilet room or immediately adjacent.~~

~~(c) Provide a window of at least six square feet opening directly to the outside, or be satisfactorily ventilated.~~

~~(d) Ensure all outside openings screened with sixteen-mesh material.~~

~~(e) Ensure toilet facilities are cleaned prior to occupancy and request occupants to maintain the facilities in a clean and sanitary condition.~~

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-125 Cooking and food-handling facilities. ((An operator shall provide enclosed cooking and foodhandling facilities for all occupants:

~~(1) An operator furnishing cooking facilities in each dwelling unit shall provide:~~

~~(a) An operable cook stove or hot plate with a minimum of one cooking surface for every two adult occupants or four cooking surfaces for every two families;~~

~~(b) A sink with running water under pressure;~~

~~(c) Food storage areas and easily cleanable food preparation counters situated off the floor;~~

~~(d) Mechanical refrigeration capable of maintaining temperature of forty-five degrees Fahrenheit or below, with space for storing perishable food items for all occupants;~~

- (e) ~~Fire-resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;~~
- (f) ~~Nonabsorbent and easily cleanable floors;~~
- (g) ~~At least one electrical ceiling or wall-type convenience fixture; and~~
- (h) ~~Thirty footcandles of light measured thirty inches from the floor.~~
- (2) ~~An operator furnishing common foodhandling facilities shall provide:~~
- (a) ~~A room or building, adequate in size, separate from any sleeping quarters and without direct openings to living or sleeping quarters;~~
- (b) ~~An operable cook stove or hot plate with a minimum of one cooking surface for every two adult occupants or four cooking surfaces for every two families;~~
- (c) ~~Sinks with hot and cold running water under pressure;~~
- (d) ~~Food storage areas and easily cleanable food preparation counters situated off the floor;~~
- (e) ~~Mechanical refrigeration capable of maintaining a temperature of forty-five degrees Fahrenheit or below with space for storing perishable food items for all occupants;~~
- (f) ~~Fire-resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;~~
- (g) ~~Nonabsorbent, easily cleanable floors;~~
- (h) ~~No direct openings to living or sleeping areas from the common foodhandling facility;~~
- (i) ~~At least one ceiling or wall light fixture where electric service is available; and~~
- (j) ~~Thirty footcandles of light measured thirty inches from the floor.~~
- (3) ~~An operator furnishing a dining hall shall:~~
- (a) ~~Comply with chapter 246-215 WAC, Food service;~~
- (b) ~~Provide a room or building, adequate in size, separate from any sleeping quarters and without direct openings to living or sleeping quarters;~~
- (c) ~~Provide fire resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;~~
- (d) ~~Provide at least one ceiling or wall light fixture where electric service is available; and~~
- (e) ~~Provide thirty footcandles of light measured thirty inches from the floor.)~~ The operator must provide enclosed or screened cooking and food-handling facilities for all occupants.
- (1) If cooking facilities are located in dwelling units, the operator must provide:
- (a) An operable cook stove or hot plate with at least one cooking surface for every two occupants;
- (b) A sink with hot and cold running potable water under pressure;
- (c) At least two cubic feet of dry food storage space per occupant;
- (d) Nonabsorbent, easily cleanable food preparation counters situated off the floor;
- (e) Mechanical refrigeration conveniently located and able to maintain a temperature of forty-five degrees Fahrenheit or below, with at least two cubic feet of storage space per occupant;

- (f) Fire-resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;
- (g) Nonabsorbent, easily cleanable floors; and
- (h) Adequate ventilation for cooking facilities.
- (2) In common food-handling facilities, the operator must provide:
- (a) A room or building, adequate in size, separate from any sleeping quarters;
- (b) No direct openings to living or sleeping areas from the common food-handling facility;
- (c) An operable cook stove or hot plate with at least one cooking surface for every four occupants, or four cooking surfaces for every two families;
- (d) Sinks with hot and cold running potable water under pressure;
- (e) At least two cubic feet of dry food storage space per occupant;
- (f) Nonabsorbent, easily cleanable food preparation counters situated off the floor;
- (g) Mechanical refrigeration conveniently located and able to maintain a temperature of forty-five degrees Fahrenheit or below, with at least two cubic feet of storage space per occupant;
- (h) Fire-resistant, nonabsorbent, nonasbestos, and easily cleanable wall coverings adjacent to cooking areas;
- (i) Nonabsorbent, easily cleanable floors; and
- (j) Adequate ventilation for cooking facilities.
- (3) The operator must ensure that centralized dining hall facilities comply with chapter 246-215 WAC, Food service.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-135 Cots, beds, and bedding and personal storage. ~~((A))~~ The operator ~~((shall))~~ must:

- (1) Provide beds, cots, or bunks furnished with clean mattresses in good condition for the maximum occupancy approved by the department or ~~((contracted))~~ health officer for operator-supplied housing~~((;))~~.
- (2) ~~((Ensure))~~ Maintain bedding, if provided by the operator, ~~((is))~~ in a clean and ~~((maintained in a))~~ sanitary condition~~((;))~~.
- (3) Provide a minimum of twelve inches between each bed or bunk and the floor~~((;))~~.
- (4) ~~((When single beds are used))~~ Separate beds laterally and end to end by at least thirty-six inches~~((; (5)))~~ when ~~((bunk))~~ single beds are used:
- (a) Separate beds laterally and end to end by at least forty-eight inches;
- (b) Maintain a minimum space of twenty-seven inches between the upper and lower bunks; and
- (c) Prohibit triple bunks~~((; and))~~.
- ~~((6))~~ (5) Provide storage facilities for clothing and personal articles in each room used for sleeping.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-145 ~~((Health))~~ First aid and safety. ~~((A))~~ The operator ~~((shall))~~ must:

(1) Comply with chapters 15.58 and 17.21 RCW, chapter 16-228 WAC, chapter 296-307 WAC, Parts I and J, and pesticide label instructions when using pesticides in and around the housing(;;).

(2) Prohibit, in the housing area, the use, storage, and mixing of flammable, volatile, or toxic substances other than those intended for household use(;;).

(3) Provide readily accessible first-aid equipment ~~((meeting the requirements of Part A 1 of chapter 296-24 WAC;))~~.

(4) Ensure that a person trained to administer first aid is readily accessible at all times(;;).

(5) ~~((Comply with chapter 51-20 WAC by providing smoke detection devices;~~

(6)) Store or remove unused refrigerator units to prevent access by children(;; ~~and~~

(7) ~~Fill abandoned privy pits with earth; and lock or otherwise secure unused privy buildings)).~~

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-155 Refuse disposal. ~~((An))~~ The operator ~~((shall))~~ must:

(1) ~~((Establish and maintain a refuse disposal system;))~~ Comply with local sanitation codes for removing refuse from housing areas and disposing of refuse.

(2) Protect against rodent harborage, insect breeding, and other health hazards while storing, collecting, transporting, and disposing of refuse(;;).

(3) Store refuse in fly-tight, rodent-tight, impervious, and cleanable or single-use containers(;;).

(4) Keep refuse containers clean(;;).

(5) Provide a container on a wooden, metal, or concrete stand within one hundred feet of each dwelling unit ~~((and space;))~~.

(6) Empty refuse containers at least twice each week, and when full(;;

~~(7) Comply with local sanitation codes for removing refuse from housing areas and disposing of refuse; and~~

~~(8) Ensure the housing area is free of refuse when housing is closed for the season to prevent a nuisance)).~~

AMENDATORY SECTION (Amending Order 326B, filed 1/12/93, effective 2/12/93)

WAC 246-358-165 ~~((Rodent and))~~ Insect and rodent control. ~~((An operator shall take measures necessary to control rodents and insects in and around the housing.))~~ The operator must take effective measures necessary to prevent and control insect and rodent infestation.

AMENDATORY SECTION (Amending WSR 96-02-014, filed 12/21/95, effective 1/1/96)

WAC 246-358-175 Disease prevention and control. ~~((An))~~ The operator ~~((shall))~~ must:

(1) ~~((Make reasonable efforts to know if disease is present among occupants;~~

~~(2))~~ Report immediately to the local health officer(;;

~~(a))~~ the name and address of any ~~((occupant))~~ individual in the camp known to have or suspected of having ~~((an infectious or))~~ a communicable disease(;;).

~~((b) Any case of))~~ (2) Report to the local health officer or state board of health:

(a) Suspected food poisoning; (and

~~(e) Any))~~ (b) Unusual prevalence of ~~((any illness in which))~~ fever, diarrhea, sore throat, vomiting, or jaundice(;;); or

(c) Productive cough, or weight loss is a prominent symptom among occupants(;;).

(3) Prohibit any individual with a communicable disease from preparing, cooking, serving, or handling food, food-stuffs, or materials in dining halls(;;

~~(4) Establish rules and inform occupants of their responsibilities related to maintaining housing consistent with the requirements in this chapter; and~~

~~(5) Post information regarding temporary worker health and sanitation when provided by the department or contracted health officer)).~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 246-358-020	Exemptions.
WAC 246-358-030	Department authority.
WAC 246-358-140	Use of tents.
WAC 246-358-600	Cherry harvest camps—Applicability.
WAC 246-358-610	Cherry harvest camps—Licensing.
WAC 246-358-620	Cherry harvest camps—Transitional compliance schedule.
WAC 246-358-630	Cherry harvest camps—Location of camp area and camp management plan.
WAC 246-358-640	Cherry harvest camps—Adequate lighting, electricity and alternative power.
WAC 246-358-650	Cherry harvest camps—Bathing, toilet and hand-washing areas.
WAC 246-358-660	Cherry harvest camps—Personal storage.
WAC 246-358-670	Cherry harvest camps—Cold food storage areas.
WAC 246-358-680	Cherry harvest camps—Food storage and preparation areas.

PROPOSED

WSR 99-24-028
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Children's Administration)
 [Filed November 23, 1999, 11:43 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-14-073.

Title of Rule:

Title of Rule	Summary of Changes
388-155-010 Definitions	Adds definition of American Indian child.
388-155-100 Activities and routines	Allow the child. Offer a balance between interactive and passive activities.
388-155-110 Learning and play materials	The child shall be able to make choices without adult assistance among age-appropriate materials.
388-155-120 Provider-child interactions	Honoring the child in care and his or her race, religion, abilities, and family structure. Continuous visual or auditory contact, so that the provider is aware of children's activities at all times, including rest periods and evening care.
388-155-130 Behavior management and discipline	Prohibits use of highchair or infant seat for disciplinary purposes
388-155-150 Evening and nighttime care (major changes for homes regularly offering evening and nighttime care)	Special arrangements for bathing as needed. Individual bedding appropriate for overnight sleeping. Appropriate night wear and individual toiletry items for each child. Separate dressing and sleeping areas for boys and girls six years and older and demonstrating a need for privacy. <u>Provider must maintain staff-child ratios during sleeping hours and submit a plan to licensor to ensure safety and emotional well-being of children while they are sleeping. This is for providers doing full-time evening and night-time care.</u>
388-155-165 Transportation	Provider must keep a first aid kit, health history, emergency medical consent for each child in the vehicle while transporting the child.
388-155-170 Parent communication	Policy and health care plan combined. Health care plan now called Health Care Practices.
388-155-230 Medication management	Class II narcotics, such as Ritalin, must be kept locked. Provider may have a policy of not giving medication unless a child has a recognized special need/disabling condition requiring medication.
388-155-270 Care of young children	Nonabsorbent pad, large enough to position child's upper body and buttocks on the pad for diaper changing. Do away with bumper pads in cribs (latest information shows bumper pads can contribute to SIDS deaths). Infants must be put to sleep in a position consistent with American Academy of Pediatrics recommendations.

388-155-280 General safety, maintenance and site	Keeping the premises free from pests etc., using the least toxic method available, and notifying children's parents of chemical usage. Guns or firearms must be kept in locked storage. No toxic substances stored with food products, must be stored inaccessible to children. Any pet or animal demonstrating aggressive behavior must be inaccessible to children in care. Wheeled baby walkers are prohibited. Trampolines and rebounders are prohibited.
388-155-290 Water safety	Adequate cover or barrier must be in place to prevent the child access at all times to heated tubs, whirlpools, spas, tanks, or similar equipment. Five foot non-climbable fence with gates locked when not in use is required around water hazards.
388-155-310 First-aid supplies	Must take first aid supplies in transportation vehicles and on field trips.
388-155-320 Outdoor play area	Fence must be at least forty-eight inches high.
388-155-340 Toilets, handwashing sinks, and bathing facilities	Delete: make the bathing facility inaccessible to the child.
388-155-350 Laundry	Delete: maintain access to laundry facilities (we concluded that everybody has access one way or another!) and delete making laundry equipment inaccessible to the child. Add: store soiled laundry inaccessible to the child, and laundry supplies must be stored inaccessible to the child.
388-155-360 Nap and sleep equipment	Combine mat and cot in wording. Cot must be of a material which can be cleaned with a detergent solution, disinfected, and allowed to air dry.
388-155-410 Special requirements regarding American Indian children	Licensor must, in consultation with the parent, develop social services resources.... The licensor may coordinate with tribal....staff.
388-155-490 Reporting of circumstantial changes	Report of a person moving in and out of the household.
388-155-500 Posting requirements	A department-issued final notice of penalty.
388-155-600 Occupancy restrictions (rewording only, no change in intent)	"Shall" changed to "must" throughout.

Purpose: These are the WAC which govern family home child day care. The WAC needs to be reviewed every two years. This was a major rewrite involving stakeholders, licensors, Department of Health, Fire Marshal, and other interested parties. The entire WAC was reviewed in light of the governor's regulatory reform. We did a survey to determine possible costs to providers and a cost-benefit analysis has been completed.

Statutory Authority for Adoption: RCW 74.15.030.

Statute Being Implemented: RCW 74.15.030.

Summary: Increase quality and safety of children in licensed home child care. Health and safety rules such as no wheeled walkers, no trampolines, five foot high fence around

PROPOSED

WSR 99-24-036

PROPOSED RULES

DEPARTMENT OF REVENUE

[Filed November 23, 1999, 3:14 p.m.]

swimming pools, making dangerous pets inaccessible to children, storage of firearms.

Reasons Supporting Proposal: New rules will increase safety of children in care and quality of care to children.

Name of Agency Personnel Responsible for Drafting and Implementation: Leslie Edwards-Hill, P.O. Box 45700, Olympia, WA 98504-5700, (360) 902-8041; and Enforcement: Division of Licensed Resource, Office of Child Care Policy.

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: Explanation of rule, its purpose, and anticipated effects: Chapter 388-155 WAC describes rules for family child day care homes. Adds "American Indian Child" to definitions. Expands upon requirements for evening and nighttime care. Combines parent policy and health care plan. States that providers must use the least toxic means possible for keeping the premises pest free and must notify parents in advance. Wheeled baby walkers and trampolines are prohibited. First-aid supplies must be carried in the car. There must be adequate barriers to prevent access to hot tubs and spas. There must be a five foot fence around a pool or body of water. Firearms must be in locked storage.

Proposal Changes the Following Existing Rules: Changes are described above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The small business economic impact statement was not prepared because the costs imposed were minor.

RCW 34.05.328 applies to this rule adoption. These are significant legislative rules because they interpret significant provisions of the law through delegated legislative authority; subject to a violator to a penalty or a sanction; change requirements for issuing/suspending/revoking a license; adopt new policy; and significantly amend a policy or regulatory program. A cost/benefit analysis has been prepared. To request a copy contact the staff person above.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on January 25, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by January 14, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail wallpg@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Paige Wall, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by January 25, 2000.

Date of Intended Adoption: February 28, 2000.

November 16, 1999

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 00-01 issue of the Register.

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-15-127.

Title of Rule: WAC 458-20-228 Returns, remittances, penalties, extensions, interest, stay of collection.

Purpose: This rule discusses the interest and penalties that are imposed by law when a taxpayer fails to correctly or timely pay a tax liability. It also discusses the circumstances under which the law allows the department of revenue to waive interest or penalties.

Statutory Authority for Adoption: RCW 82.32.300.

Statute Being Implemented: RCW 82.32.045, [82.32].050, [82.32].080, [82.32].090, [82.32].105, [82.32].200 and 82.08.050, with respect to the penalty imposed for a buyer failing to remit sales tax to the seller.

Summary: Taxpayers are responsible for being informed about the applicable tax laws and to correctly and timely report their tax liability. This rule explains the interest and penalties imposed by law when a taxpayer fails to correctly or timely pay a tax liability, and describes how payments are applied to a liability that includes interest and/or penalties. The department is authorized to waive interest or penalties in some situations. The rule provides examples of circumstances qualifying for a waiver of interest or penalties, and explains how a taxpayer may request a waiver.

Reasons Supporting Proposal: To incorporate recent statutory changes, including provisions of chapter 149, Laws of 1996, chapter 54, Laws of 1997, chapter 157, Laws of 1997, and chapter 277, Laws of 1999.

Name of Agency Personnel Responsible for Drafting: Pat Moses, 711 Capitol Way South, Suite #303, Olympia, WA, (360) 902-7111; Implementation: Claire Hesselholt, 711 Capitol Way South, Suite #303, Olympia, WA, (360) 753-3446; and Enforcement: Russell Brubaker, 711 Capitol Way South, Suite #303, Olympia, WA, (360) 586-0257.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule discusses the responsibility of taxpayers to timely pay their tax liabilities, and the acceptable methods of payment. The rule explains the statutory due dates for persons remitting combined excise tax returns on either a monthly, quarterly, or annual basis. It discusses the interest and penalties that are imposed by law when a taxpayer fails to correctly or timely pay a tax liability, and the department's authority to waive interest or penalties. The rule provides examples of qualifying circumstances for the waiver of interest and/or penalties, as well as circumstances that do not qualify. It describes how the taxpayer may request an interest and/or penalty waiver. The rule also explains the conditions under which the department will stay collection procedures for certain tax liabilities.

PROPOSED

Proposal Changes the Following Existing Rules: This is a revision to an existing rule, WAC 458-20-228 Returns, remittances, penalties, extensions, interest, stay of collection. This rule is being revised to incorporate recent statutory changes, including chapter 149, Laws of 1996, chapters 54 and 157, Laws of 1997, and chapter 277, Laws of 1999.

The department held a CR-102 public hearing for a proposed revised Rule 228 on June 8, 1999. The rule now being proposed includes the following changes:

(1) Subsection (5)(e) identifies the use by a Washington resident of an out-of-state address to register property (e.g., automobiles), the willful failure to remit sales taxes collected from customers, and the alteration of documentation (e.g., a purchase invoice) to reduce the amount of tax owing as actions generally considered to be evasion.

(2) Chapter 277, Laws of 1999, is incorporated into subsection (5)(e). This legislation provides a rebuttable presumption of a tax deficiency and intent to avoid and evade tax in limited circumstances when a person has registered or licensed property (e.g., a motor vehicle) in another state to avoid payment of taxes (e.g., use tax).

(3) Subsection (9)(b) explains that per RCW 82.32.105 the penalty for the late payment of a tax return may be waived if the taxpayer had timely filed and remitted payment on all tax returns due for a period of twenty-four months immediately preceding the return. Subsection (9)(b)(i)(B) has been revised to provide that if a registered taxpayer has been in business less than twenty-four months, the taxpayer is eligible for the waiver if any previous tax returns were timely filed and paid.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required because the rule and the proposed amendments do not impose any requirements or burdens upon small businesses that are not already specifically required by statute.

RCW 34.05.328 does not apply to this rule adoption. This is not a significant legislative rule. It is an interpretive rule that as defined in RCW 34.05.328 (5)(c)(ii).

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way, Olympia, WA, on January 5, 2000, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Ginny Dale no later than ten days before the hearing date, TDD 1-800-451-7935, or (360) 586-0721.

Submit Written Comments to: Pat Moses, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, fax (360) 664-0693, by January 5, 2000, e-mail patm@dor.wa.gov.

Date of Intended Adoption: January 15, 2000.

November 23, 1999

Claire Hesselholt

Rules Manager

Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 92-03-025, filed 1/8/92, effective 2/8/92)

WAC 458-20-228 Returns, remittances, penalties, extensions, interest, stay of collection. (1) **Introduction.** ~~((Taxpayers have a responsibility to become informed about applicable tax laws and to correctly and timely report their tax liability. The taxes imposed under chapter 82.24 RCW (Tax on cigarettes) are collected through sales of revenue stamps.~~

~~As to taxes imposed under chapter 82.04 RCW (Business and occupation tax), chapter 82.08 RCW (Retail sales tax), chapter 82.12 RCW (Use tax), chapter 82.14 RCW (Local sales and use taxes) chapter 82.16 RCW (Public utility tax), chapter 82.27 RCW (Tax on enhanced food fish), chapter 82.29A RCW (Leasehold excise tax), chapter 84.33 RCW (Timber and forest lands), and chapter 82.26 RCW (Tobacco products tax), returns and remittances are to be filed with the department of revenue by the taxpayer. Returns shall be made upon forms provided or approved and accepted by the department. Forms provided by the department are mailed to all registered taxpayers prior to the due date of the tax. The tax reporting frequency is assigned by the department of revenue. See WAC 458-20-22801.~~

(2)) This rule discusses the responsibility of taxpayers to timely pay their tax liabilities, and the acceptable methods of payment. It discusses the interest and penalties that are imposed by law when a taxpayer fails to correctly or timely pay a tax liability. It also discusses the circumstances under which the law allows the department of revenue (department) to waive interest or penalties.

Washington's tax system is based largely on voluntary compliance. Taxpayer's have a legal responsibility to become informed about applicable tax laws, to register with the department, to seek instruction from the department, to file accurate returns, and to pay their tax liability in a timely manner (chapter 82.32A RCW, Taxpayer rights and responsibilities). The department has instituted a taxpayer services program to provide taxpayers with accurate tax-reporting assistance and instructions. The department staffs local district offices, maintains a toll-free question and information phone line (1-800-647-7706), provides information and forms on the Internet (<http://dor.wa.gov>), and conducts free public workshops on tax reporting. The department also publishes notices, interpretive statements, and rules discussing important tax issues and changes.

(2) Returns. A "return" is defined as any document a person is required to file by the state of Washington in order to satisfy or establish a tax or fee obligation which is administered or collected by the department, and that has a statutorily defined due date. RCW 82.32.090(8).

(a) Returns and payments are to be filed with the department by every person liable for any tax which the department administers and/or collects, except for the taxes imposed under chapter 82.24 RCW (Tax on cigarettes), which are collected through sales of revenue stamps. Returns must be made upon forms, copies of forms, or by other means, provided or accepted by the department. The department provides tax returns upon request or when a taxpayer opens an active tax reporting account. Tax returns are generally

mailed to all registered taxpayers prior to the due date of the tax. However, it remains the responsibility of the taxpayers to timely request a return if one is not received, or to otherwise insure that their return is filed in a timely manner.

(b) Taxpayers whose accounts are placed on an "active nonreporting" status do not automatically receive a tax return and must request a return if they no longer qualify for this reporting status. (See WAC 458-20-101, Tax registration, for an explanation of the active nonreporting status.)

(c) Consumers that are not required to register with the department and obtain a tax registration endorsement (see subsection (2)(a)) may be required to pay use tax directly to the department if they have purchased items without paying Washington's sales tax. Use tax returns are available from the department at any of the local district offices, by fax, or through the Internet. The interest and penalty provisions of this rule may apply to delinquent use tax liabilities, and unregistered consumers should refer to WAC 458-20-178 (Use tax) for an explanation of their tax reporting responsibilities.

(3) Method of payment. Payment ~~((of the taxes))~~ may be made by cash, check, cashier's check, money order, ~~((or))~~ and in certain cases by electronic funds transfers, or other electronic means approved by the department.

(a) Payment by cash ((must)) should only be made at an office of the department ((of revenue)) to ensure that the payment is safely received and properly credited.

(b) Payment ((of tax)) may be made by uncertified bank check, but if ((any such)) the check is not honored by the ((bank)) financial institution on which it is drawn, the taxpayer ((shall)) remains liable for the payment of the tax ((and may be subject to)), as well as any applicable interest and penalties. RCW 82.32.080. The department may refuse to accept any check which, in its opinion, would not be honored by the ~~((bank))~~ financial institution on which ~~((such))~~ that check is drawn. ~~((The remittance covered by any check which is so refused will be deemed not to have been made and the taxpayer will remain liable for the tax due and for the applicable penalties))~~ If the department refuses a check for this reason the taxpayer remains liable for the tax due, as well as any applicable interest and penalties.

(c) The law requires that certain taxpayers pay their taxes through electronic funds transfers. The department ((of revenue will inform)) notifies taxpayers who are required to pay their taxes in this manner, and can explain how to set up the electronic funds transfer process. (See WAC 458-20-22802 on electronic funds transfers.)

((3)) (4) Due dates. ~~((For monthly reporting taxpayers, the tax returns are due on the 25th of the following month. For quarterly and annually reporting taxpayers, the tax returns are due on the last day of the next month after the period covered by the return. For example, tax returns covering the first quarter of the year are due on April 30.))~~ RCW 82.32.045 provides that payment of the taxes due with the combined excise tax return must be made monthly and within twenty-five days after the end of the month in which taxable activities occur, unless the department assigns the taxpayer a longer reporting frequency. Payment of taxes due with returns covering a longer reporting frequency are due on or

before the last day of the month following the period covered by the return. (For example, payment of the tax liability for a first quarter tax return is due on April 30th.) WAC 458-20-22801 (Tax reporting frequency—Forms) explains the department's procedure for assigning a quarterly or annual reporting frequency.

(a) If the date for ((filing the)) payment of the tax due on a tax return falls upon a Saturday, Sunday, or legal holiday, the filing shall be considered timely if performed on the next business day. ((See)) RCW 1.12.070 and 1.16.050.

(b) The postmark date as shown by the post office cancellation mark stamped on the envelope will be considered ((as)) conclusive evidence by the department in determining if a tax return or payment was timely ~~((mailed by the taxpayer))~~ filed or received. RCW 82.32.080. It is the responsibility of the taxpayer to mail the tax return or payment sufficiently in advance of the due date to assure that the postmark date is timely.

((4)) Refer to WAC 458-20-22802 (Electronic funds transfer) for more information regarding the electronic funds transfer process, due dates, and requirements.

(5) Penalties. Various penalties may apply as a result of the failure to correctly or accurately compute the proper tax liability, or to timely pay the tax. Separate penalties may apply and be cumulative for ~~((late payment, failure to follow specific written instructions, or evasion))~~ the same tax. Interest may also apply if any tax has not been paid when it is due, as explained in subsection (7) of this rule. Penalties apply as follows.

(a) Late payment of a return. If the tax due on a return is not ~~((filed))~~ paid by the due date, a ~~((5%))~~ five percent penalty will apply; a ~~((10%))~~ ten percent penalty will apply if the ~~((return is not filed within 30 days of))~~ tax due is not paid on or before the last day of the month following the due date; and a ~~((20%))~~ twenty percent penalty will apply if the ~~((return is still delinquent 60 days from))~~ tax due is still not paid on or before the last day of the second month following the due date. The minimum penalty for late payment is five dollars. RCW 82.32.090(1).

(i) The department may refuse to accept any return which is not accompanied by ((a remittance)) payment of the tax shown to be due ((thereon, and if)) on the return. If the return is not accepted, the taxpayer ((shall be deemed)) is considered to have failed or refused to file ((a)) the return ((; and shall be subject to the above penalties)). RCW 82.32.080. If the tax return is accepted without payment and payment is not made by the due date, the late penalties will apply ~~((until the tax is paid)).~~

(ii) ((The aggregate of penalties for failure to file a return, late payment of any tax, increase or penalty, or issuance of a warrant may not exceed thirty-five percent of the tax due, or twenty dollars, whichever is greater.

(iii) The department will apply the payment of the taxpayer first against interest, next against penalties, and then upon the tax, without regard to any direction of the taxpayer. In applying a partial payment to a tax assessment, the payment will be applied against the oldest tax liability first. For purposes of RCW 82.32.145, it will be assumed that any payments applied to the tax liability will be first applied against

any retail sales tax liability. For example, an audit assessment is issued covering the years 1992 and 1993. The tax assessment includes interest and penalties of five hundred dollars, retail sales tax of four hundred dollars for the year 1992, six hundred dollars retail sales tax for the year 1993, two thousand dollars of other taxes for the year 1992, and seven thousand dollars of other taxes for the year 1993. The order of application of any payments will be first against the five hundred dollars interest and penalties, second against the four hundred dollars retail sales tax in 1992, third against the two thousand dollars of other taxes in 1992, fourth against the six hundred dollars retail sales tax of 1993, and finally against the seven thousand dollars of other taxes in 1993.) The late payment of return penalty is imposed if a person engages in a taxable business activity in Washington without voluntarily registering with the department. The department will consider a person to have voluntarily registered if, prior to contact by the department, that person contacts any other agency or entity participating in the unified business identifier (UBI) program and properly completes and submits a master application for the purpose of obtaining a UBI number, unless the person has:

(A) Collected retail sales tax from customers and failed to pay it to the department; or

(B) Engaged in fraud with respect to reporting their tax liabilities or other tax requirements; or

(C) Engaged in taxable business activities during a period of time in which their previously open tax reporting account has been closed and the person has failed to reopen the account and report their tax liability prior to being contacted by the department; or

(D) Engaged in unreported taxable business activities after their tax registration account was placed in an active-nonreporting status and the person has failed to notify the department that they no longer qualify for that status prior to being contacted by the department. The active-nonreporting status allows taxpayers, under certain conditions, to engage in business activities subject to the Revenue Act without having to file combined excise tax returns with the department. One of the conditions for qualifying for the active-nonreporting status is that the taxpayer may not incur a tax liability. The late payment of return penalty will be imposed if any tax due from unreported business activities is not paid by the due dates used for taxpayers that are on an annual reporting basis.

(b) Late payment of an assessment. An additional penalty of ten percent of the tax due will be added to any taxes assessed by the department if payment of the taxes assessed is not received ~~((by the department))~~ by the due date specified in the notice, or any extension ~~((thereof))~~ of that due date. The minimum for this penalty is five dollars. RCW 82.32.090(2).

(c) Issuance of a warrant. If the department ~~((may issue))~~ issues a tax warrant ~~((if))~~ for the collection of any fee, tax, increase, or penalty ~~((or any portion thereof is not paid within fifteen days after it becomes due. If a warrant is issued, a penalty will be added))~~, an additional penalty will immediately be added in the amount of five percent of the amount of the tax due, but not less than ten dollars. RCW

82.32.090(3). Refer to WAC 458-20-217 for additional information on the application of warrants and tax liens.

(d) ((Negligence penalty-)) Disregard of specific written instructions. If the department finds that all or any part of a deficiency resulted from the disregard of specific written instructions as to reporting of tax liabilities, ~~((the department will add a))~~ an additional penalty of ten percent of the additional tax found due will be imposed because of the failure to follow the instructions. RCW 82.32.090(4).

(i) The taxpayer will be considered ((as having)) to have disregarded specific written instruction when the department ((of revenue)) has informed the taxpayer in writing of its tax obligations and specifically advised the taxpayer that failure to act in accordance with those instructions may result in this penalty being imposed. The specific written instructions may be given as a part of a tax assessment, audit, determination, or closing agreement. The penalty may be applied only against the taxpayer ((to whom)) given the specific written instructions ((were given)). However, the taxpayer will not be considered ((as having)) to have disregarded the instructions if the taxpayer has appealed the subject matter of the instructions and the department has not issued its final instructions or decision.

(ii) The penalty will not be applied if the taxpayer has made a good faith effort to comply with specific written instructions.

(e) Evasion ((penalty)). If the department finds that all or any part of the deficiency resulted from an intent to evade the tax due, a penalty of fifty percent of the additional tax found to be due shall be added. RCW 82.32.090(5). The evasion penalty is imposed when a taxpayer knows a tax liability is due but attempts to escape detection or payment of the tax liability through deceit, fraud, or other intentional wrongdoing. An intent to evade does not exist where a deficiency is the result of an honest mistake, miscommunication, or the lack of knowledge regarding proper accounting methods. With the exception of the circumstances under which the law provides for a rebuttable presumption (see (e)(iii) of this subsection), the department has the burden of showing the existence of an intent to evade a tax liability through clear, cogent and convincing evidence.

(i) To the extent that the evasion involved only specific taxes, the evasion penalty will be added only to those taxes. The evasion penalty will not be applied to those taxes which were inadvertently underpaid. For example, if ((it is found)) the department finds that the taxpayer intentionally understated the purchase price of equipment in reporting use tax and also inadvertently failed to collect or remit the sales tax at the correct rate on retail sales of merchandise, the evasion penalty will be added only to the use tax deficiency and not the sales tax.

(ii) ((At times it may be necessary for the department to issue its assessment to protect the state's interest prior to completion of its investigation or evaluation of all of the facts and circumstances surrounding the tax deficiency. The department at its option may issue the tax assessment without including the evasion penalty or the penalty for failure to follow written instructions and may revise the assessment to assert the penalty at a later date if it is the department's opin-

ion that these penalties are due. In order to give the taxpayer some certainty and finality of its tax liability, these penalties will be assessed within six months of the time that the tax was assessed to which the penalties relate.

(iii)) The following is a nonexclusive list of actions that are generally considered to establish an intent to evade a tax liability. This list should only be used as a general guide. A determination of whether an intent to evade exists may be ascertained only after a review of all the facts and circumstances.

(A) The use of an out-of-state address by a Washington resident to register property to avoid a Washington excise or use tax, when at the time of registration the taxpayer does not reside at the out-of-state address on a more than temporary basis. Examples of such an address include, but are not limited to, the residence of a relative, mail forwarding or post office box location, motel, campground, or vacation property;

(B) The willful failure of a seller to remit retail sales taxes collected from customers to the department of revenue; and

(C) The alteration of a purchase invoice or misrepresentation of the price paid for property (e.g., a used vehicle) to reduce the amount of tax owing.

(iii) Effective July 25, 1999, RCW 82.32.090(5) provides a rebuttable presumption of a tax deficiency and intent to avoid and evade tax in limited circumstances. Chapter 277, Laws of 1999. This rebuttable presumption applies if the Washington state patrol finds that a person has registered or licensed a motor vehicle, an aircraft, a watercraft, a trailer, or a camper in another state to avoid the payment of taxes imposed by chapter 82.48 RCW (Aircraft excise tax), chapter 82.49 RCW (Watercraft excise tax), or chapter 82.12 RCW (Use tax).

The rebuttable presumption is limited to situations where a person receives a written notice from the state patrol advising them that a penalty is due pursuant to RCW 46.16.010 (2)(a), 47.68.255, 82.48.020, 82.49.010, or 88.02.118, and either:

(A) Timely makes a written application to the state patrol for a review of the assessed penalty, and the state patrol finds that the person failed to properly register or license a motor vehicle, an aircraft, a watercraft, a trailer, or a camper; or

(B) Fails to timely make a written application to the state patrol for a review of the assessed penalty.

(f) Misuse of resale certificates. Any buyer who uses a resale certificate to purchase items or services without payment of sales tax, and who is not entitled to use the certificate for the purchase, will be assessed a penalty of fifty percent of the tax due. RCW 82.32.291. The penalty can apply even if there was no intent to evade the payment of the tax. For more information concerning this penalty or the proper use of a resale certificate, refer to WAC 458-20-102 (Resale certificates).

(g) Failure to remit sales tax to seller. The department may assert an additional ten percent penalty against a buyer who has failed to pay the seller the retail sales tax on taxable purchases, if the department proceeds directly against the buyer for the payment of the tax. This penalty is in addition

to any other penalties or interest prescribed by law. RCW 82.08.050.

(h) Failure to obtain the contractor's unified business identifier (UBI) number. If a person who is liable for any fee or tax imposed by chapters 82.04 through 82.27 RCW contracts with another person or entity for work subject to chapter 18.27 RCW (Electricians and electrical installations) or chapter 19.28 RCW (Registration of contractors), that person must obtain and preserve a record of the UBI number of the person or entity performing the work. A person failing to do so is subject to the public works contracting restrictions in RCW 39.06.010 (Contracts with unregistered or unlicensed contractors prohibited), and a penalty determined by the director, but not to exceed two hundred and fifty dollars. RCW 82.32.070 (1)(b).

(6) Statutory restrictions on imposing penalties. Depending on the circumstances of a particular delinquent tax liability, the law may impose multiple penalties on the same tax liability. The law does provide a limited number of restrictions on imposing multiple penalties.

(a) The aggregate of the penalties imposed for the late payment of a return, the late payment of an assessment, and issuance of a warrant (see subsection (5)(a) through (c) of this rule) may be applied against the same tax, but may not exceed a total of thirty-five percent of the tax due, or twenty dollars, whichever is greater. This thirty-five percent penalty limitation does not prohibit or restrict full application of other penalties authorized by law, even when they are applied against the same tax. RCW 82.32.090(6).

(b) The department may impose either the evasion penalty (subsection (5)(e)) or the penalty for disregarding specific written instructions (as appropriate in its opinion) (subsection (5)(d)), but may not impose both penalties on the same tax (which is found to be due).

((f)) The department will add the late payment penalties described in (a) of this subsection to assessments of those taxpayers which had not voluntarily registered prior to being contacted by the department of revenue. However, a person will be considered to have voluntarily registered with the department of revenue if the person contacted any other agency of the state and was issued a uniform business identifier number prior to being contacted by the department of revenue.

(g) The department may assert an additional ten percent penalty against a buyer who has failed to pay the seller the retail sales tax on taxable purchases if the department proceeds directly against the buyer for the payment of the tax. Refer to RCW 82.08.050.

(5)) RCW 82.32.090(7). The department also will not impose the penalty for the misuse of a resale certificate (subsection (5)(f)) in combination with either the evasion penalty or the penalty for disregarding specific written instructions on the same tax.

(7) Interest. The department (of revenue) is (generally) required by law to add interest to assessments for tax deficiencies and overpayments. RCW 82.32.050. Interest (also) applies to (penalties) taxes only. (Refer to WAC 458-20-229 for a discussion of interest as it relates to refunds

and WAC 458-20-230 for a discussion of the statute of limitations as applied to interest.)

(a) For tax liabilities arising before January 1, 1992, interest will be added at the rate of nine percent per annum from the last day of the year in which the deficiency is incurred until the date of payment, or December 31, 1998, whichever comes first. Any interest accrued on these liabilities after December 31, 1998, will be added at the annual variable interest rates described in subsection (7)(e). RCW 82.32.050.

(b) For tax liabilities arising after December 31, 1991, ~~((until the date of payment))~~ and before January 1, 1998, interest will be added ~~((with the rate of interest being variable))~~ at the annual variable interest rates described in subsection (7)(e), from the last day of the year in which the deficiency is incurred until the date of payment.

(c) For interest imposed after December 31, 1998, interest will be added from the last day of the month following each calendar year included in a notice, or the last day of the month following the final month included in a notice if not the end of the calendar year, until the due date of the notice. However, for 1998 taxes only, interest may not begin to accrue any earlier than February 1, 1999, even if the last period included in the notice is not at the end of calendar year 1998. If payment in full is not made by the due date of the notice, additional interest will be due until the date of payment. The rate of interest continues at the annual variable interest rates described in subsection (7)(e). RCW 82.32.050.

(d) The following is an example of how the interest provisions apply. Assume that a tax assessment is issued with a due date of June 30, 2000. The assessment includes periods from January 1, 1997, through September 30, 1999.

(i) For calendar year 1997 tax, interest begins January 1, 1998, (from the last day of the year). When the assessment is issued the interest is computed through June 30, 2000, (the due date of the assessment).

(ii) For calendar year 1998 tax, interest begins February 1, 1999, (from the last day of the month following the end of the calendar year). When the assessment is issued interest is computed through June 30, 2000, (the due date).

(iii) For the 1999 tax period ending with September 30, 1999, interest begins November 1, 1999, (from the last day of the month following the last month included in the assessment period). When the assessment is issued interest is computed through June 30, 2000, (the due date).

(iv) Interest will continue to accrue on any portion of the assessed taxes which remain unpaid after the due date, until the date those taxes are paid.

(e) The annual variable interest rate ((of interest)) will be an average of the federal short-term rate as defined in 26 U.S.C. Sec. 1274(d) plus two percentage points. The rate will be computed by taking an arithmetical average to the nearest percentage point of the federal short-term rate, compounded annually, for the months of January, April, July, and October of the immediately preceding calendar year as published by the United States Secretary of the Treasury. The interest rate will be adjusted on the first day of January of each year.

((e) The following are examples of how the interest provisions apply.

~~(i) Assume a tax assessment is paid on December 31, 1994, and the assessment indicated tax deficiencies in each of the years of 1991, 1992, 1993, and 1994. The interest for 1991 will be calculated at a fixed rate of nine percent per year until the assessment is paid in full. The interest for tax deficiencies in 1992 and 1993 will be calculated at the variable rate discussed in (b) of this subsection. The interest rate for each year is calculated separately. For discussion purposes only, assume the compounded interest rate calculates to be eleven percent for the year 1992 and twelve percent for 1993. Since the tax deficiency for 1992 was not paid for a period of two years from the close of 1992, interest will be charged for two years on the 1992 deficiency. The interest amount is computed by multiplying the tax deficiency by twenty-three percent. The deficiency for 1993 will bear interest at twelve percent and will be computed on the tax deficiency since the deficiency remained unpaid for only one year.~~

~~(ii) If the assessment is not paid by the original due date, extension interest will be added based on the rate in effect at the time the extension is granted or the assessment is revised with the exception that extension interest will be computed at nine percent for all tax deficiencies which occurred prior to 1992.~~

~~(iii)) (f) If the assessment contains tax deficiencies in some years and overpayments in other years with the net difference being a tax deficiency, the interest rate for tax deficiencies will also be applied to the overpayments. (Refer to WAC 458-20-229 for interest on refunds.)~~

~~((6)) (8) Application of payment towards liability. The department will apply taxpayer payments first to interest, next to penalties, and then to the tax, without regard to any direction of the taxpayer. RCW 82.32.080.~~

~~(a) In applying a partial payment to a tax assessment, the payment will first be applied against the oldest tax liability. For purposes of RCW 82.32.145 (Termination, dissolution, or abandonment of corporate business—Personal liability of person in control of collected sales tax funds), it will be assumed that any payments applied to the tax liability will be first applied against any retail sales tax liability. For example, an audit assessment is issued covering a period of two years, which will be referred to as "YEAR 1" (the earlier year) and "YEAR 2" (the most recent year). The tax assessment includes total interest and penalties for YEAR 1 and YEAR 2 of five hundred dollars, retail sales tax of four hundred dollars for YEAR 1, six hundred dollars retail sales tax for YEAR 2, two thousand dollars of other taxes for YEAR 1, and seven thousand dollars of other taxes for YEAR 2. The order of application of any payments will be first against the five hundred dollars of total interest and penalties, second against the four hundred dollars retail sales tax in YEAR 1, third against the two thousand dollars of other taxes in YEAR 1, fourth against the six hundred dollars retail sales tax of YEAR 2, and finally against the seven thousand dollars of other taxes in YEAR 2.~~

~~(9) Waiver or cancellation of penalties. ((The department will waive or cancel the penalties imposed under RCW 82.32.090 and interest imposed under RCW 82.32.050 upon finding that the failure of a taxpayer to pay any tax by the due date was due to circumstances beyond the control of the tax-~~

payer. The department has no authority to cancel penalties or interest for any other reason. Penalties will not be cancelled merely because of ignorance or a lack of knowledge by the taxpayer of the tax liability.) RCW 82.32.105 authorizes the department to waive or cancel penalties under limited circumstances.

(a) Circumstances beyond the control of the taxpayer. The department will waive or cancel the penalties imposed under chapter 82.32 RCW upon finding that the underpayment of the tax, or the failure to pay any tax by the due date, was the result of circumstances beyond the control of the taxpayer. Refer to WAC 458-20-102 (Resale certificates) for examples of circumstances which are beyond the control of the taxpayer specifically regarding the penalty for misuse of resale certificates found in RCW 82.32.291.

(i) A request for a waiver or cancellation of penalties (~~must be in letter form and~~) should contain all pertinent facts and be accompanied by such proof as may be available. The taxpayer bears the burden of establishing that the circumstances were beyond its control and directly caused the late payment. The request should be made in the form of a letter; however, verbal requests may be accepted and considered. Any petition for (~~the cancellation~~) correction of assessment submitted to the department's appeals division for waiver of penalties must be made within the period for filing under RCW 82.32.160 (within thirty days after the issuance of the original notice of the amount owed or within the period covered by any extension of the due date granted by the department)(~~. In all such cases the burden of proving the facts is upon the taxpayer.~~

(b) ~~The following situations will be the only circumstances under which a cancellation of penalties will be considered by the department:~~

(i), and must be in writing, as explained in WAC 458-20-100 (Appeals, small claims and settlements). Refund requests must be made within the statutory period.

(ii) The circumstances beyond the control of the taxpayer must actually cause the late payment. Circumstances beyond the control of the taxpayer are generally those which are immediate, unexpected, or in the nature of an emergency. Such circumstances result in the taxpayer not having reasonable time or opportunity to obtain an extension of the due date or otherwise timely file and pay. Circumstances beyond the control of the taxpayer include, but are not necessarily limited to, the following.

(A) The return payment was (~~filed~~) mailed on time but inadvertently (~~mailed~~) sent to another agency.

(~~(ii) The delinquency was due to~~) (B) Erroneous written information given to the taxpayer by a department officer or employee caused the delinquency. A penalty generally will not be waived when it is claimed that erroneous oral information was given by a department employee. The reason for not cancelling the penalty in cases of oral information is because of the uncertainty of the facts presented, the uncertainty of the instructions or information imparted by the department employee, (~~or~~) and the uncertainty that the taxpayer fully understood the information (~~received~~) given. Reliance by the taxpayer on incorrect advice received from the taxpayer's

legal or accounting representative is not a basis for cancellation of (~~the~~) a penalty.

(~~(iii)~~) (C) The delinquency was directly caused by death or serious illness of the taxpayer, or (~~his~~) a member of the taxpayer's immediate family(~~, or illness or death of his accountant or in the accountant's immediate family, prior to the filing date~~). The same circumstances apply to the taxpayer's accountant or other tax preparer, or their immediate family. This situation is not intended to have an indefinite application. A death or serious illness which denies a taxpayer reasonable time or opportunity to obtain an extension or to otherwise arrange timely filing and payment is a circumstance eligible for penalty waiver.

(~~(iv)~~) (D) The delinquency was caused by the unavoidable absence of the taxpayer or key employee, prior to the filing date. "Unavoidable absence of the taxpayer" does not include absences because of business trips, vacations, personnel turnover, or terminations.

(~~(v)~~) (E) The delinquency was caused by the destruction by fire or other casualty of the taxpayer's place of business or business records.

(~~(vi)~~) (F) The delinquency was caused by an act of fraud, embezzlement, theft, or conversion on the part of the taxpayer's employee or other persons contracted with the taxpayer, which the taxpayer could not immediately detect or prevent, provided that reasonable safeguards or internal controls were in place. See subsection (9)(a)(iii)(E).

(G) The taxpayer, prior to the time for filing the return, made timely application to the Olympia or district office(~~, in writing~~), for proper forms and (~~these~~) the forms were not furnished in sufficient time to permit the completed return to be paid before its (~~delinquent~~) due date. In this circumstance, the taxpayer kept track of pending due dates and reasonably fulfilled its responsibility by timely requesting replacement returns from the department.

(iii) The following are examples of circumstances that are generally not considered to be beyond the control of the taxpayer and will not qualify for a waiver or cancellation of penalty:

(A) Financial hardship;

(B) A misunderstanding or lack of knowledge of a tax liability;

(C) The failure of the taxpayer to receive a tax return form, EXCEPT where the taxpayer timely requested the form and it was still not furnished in reasonable time to mail the return and payment by the due date, as described in subsection (9)(a)(ii)(G), above;

(D) Registration of an account that is not considered a voluntary registration, as described in subsection (5)(a)(ii);

(E) Mistakes or misconduct on the part of employees or other persons contracted with the taxpayer (not including conduct covered in subsection (9)(a)(ii)(F), above); and

(F) Reliance upon unpublished, written information from the department that was issued to and specifically addresses the circumstances of some other taxpayer.

(~~(vii) The delinquency penalty will be waived or cancelled on a one time only basis if the delinquent tax return was received under the following circumstances:~~

(A) ~~The return was received by the department with full payment of tax due within 30 days after the due date; i.e.,~~

within the five percent penalty period prescribed by RCW 82.32.090, and

(B) ~~The delinquency was the result of an unforeseen and unintentional circumstance, not immediately known to the taxpayer, which circumstances will include the error or misconduct of the taxpayer's employee or accountant, confusion caused by communications with the department, failure to receive return forms timely, natural disasters such as a flood or earthquake, and delays or losses related to the postal service.~~

(7)) (b) Waiver of the late payment of return penalty. The late payment of return penalty (see subsection (5)(a) above) may be waived either as a result of circumstances beyond the control of the taxpayer (RCW 82.32.105(1) and subsection (9)(a) of this rule) or after a twenty-four month review of the taxpayer's reporting history, as described below.

(i) If the late payment of return penalty is assessed on a return but is not the result of circumstances beyond the control of the taxpayer, the penalty will still be waived or canceled if the following two circumstances are satisfied:

(A) The taxpayer requests the penalty waiver for a tax return which was required to be filed under RCW 82.32.045 (taxes reported on the combined excise tax return), RCW 82.23B.020 (oil spill response tax), RCW 82.27.060 (tax on enhanced food fish), RCW 82.29A.050 (leasehold excise tax), RCW 84.33.086 (timber and forest lands), RCW 82.14B.030 (tax on telephone access line use); and

(B) The taxpayer has timely filed and paid all tax returns due for that specific tax program for a period of twenty-four months immediately preceding the period covered by the return for which the waiver is being requested. RCW 82.32.105(2).

If a taxpayer has obtained a tax registration endorsement with the department and has engaged in business activities for a period less than twenty-four months, the taxpayer is eligible for the waiver if the taxpayer timely filed and paid any tax returns due for periods prior to the period covered by the return for which the waiver is being requested. (See also WAC 458-20-101 for more information regarding the tax registration and tax reporting requirements.) This is the only situation under which the department will consider a waiver when the taxpayer has not timely filed and paid tax returns covering an immediately preceding twenty-four month period.

(ii) A return will be considered timely for purpose of the waiver if there is no tax liability on it when it is filed. Also, a return will be considered timely if any late payment penalties assessed on it were waived or canceled due to circumstances beyond the control of the taxpayer (see subsection (9)(a)). The number of times penalty has been waived due to circumstances beyond the control of the taxpayer does not influence whether the waiver in this subsection will be granted. A taxpayer may receive more than one of the waivers in this subsection within a twenty-four month period if returns for more than one of the listed tax programs are filed, but no more than one waiver can be applied to any one tax program in a twenty-four month period.

For example, a taxpayer files combined excise tax returns as required under RCW 82.32.045, and timber tax returns as required under RCW 84.33.086. This taxpayer may qualify for two waivers of the late payment of return penalty during the same twenty-four month period, one for each tax program. If this taxpayer had an unwaived late payment of return penalty for the combined excise tax return during the previous twenty-four month period, the taxpayer may still qualify for a penalty waiver for the timber tax program.

(iii) The twenty-four month period reviewed for this waiver is not affected by the due date of the return for which the penalty waiver is requested, even if that due date has been extended beyond the original due date.

For example, assume a taxpayer's January 1999 return has had the original due date of March 1st extended to April 30th. The return and payment are received after the April 30th extended due date. A penalty waiver is requested. Since the delinquent return represented the month of January, 1999, the twenty-four months which will be reviewed begin on January 1, 1997, and end with December 31, 1998, (the twenty-four months prior to January, 1999). All of the returns representing that period of time will be included in the review. The extension of the original due date has no effect on the twenty-four month period under review.

(10) Waiver or cancellation of interest. ~~The ((following situations will constitute circumstances under which a waiver or cancellation of interest upon assessments pursuant to RCW 82.32.050 will be considered by the)) department will waive or cancel interest imposed under chapter 82.32 RCW only in the following situations:~~

(a) The failure to pay the tax prior to issuance of the assessment was the direct result of written instructions given the taxpayer by the department((-); or

(b) The extension of the due date for payment of an assessment was not at the request of the taxpayer and was for the sole convenience of the department. RCW 82.32.105(3).

~~((8)) (11) Stay of collection. ((RCW 82.32.200 provides, "When any assessment or additional assessment (of taxes) has been made, the taxpayer may obtain a stay of collection, under such circumstances and for such periods as the department may by general regulation provide, of the whole or any part thereof, by filing with the department a bond in an amount, not exceeding twice the amount on which stay is desired, and with sureties as the department deems necessary, conditioned for the payment of the amount of the assessments, collection of which is stayed by the bond, together with the interest thereon at the rate of one percent of the amount of such assessment for each thirty days or portion thereof from the due date until paid."~~

~~(Note: RCW 82.32.190 authorizes issuance of an order by the department holding in abeyance tax collection during pendency of litigation. Such tax might be that due on excise tax returns or tax due for unaudited periods for which no assessment has been issued. If, however, an assessment has been issued and is unpaid, RCW 82.32.200, not RCW 82.32.190, is the operative statute for stay of collection with respect to such an assessment.)~~

~~(a) The department will give consideration to a request that it grant a stay of collection if:~~

~~(i) Written request for the stay is made prior to the due date for payment of the tax assessment, and~~

~~(ii) Payment of any unprotested portion of the assessment and other taxes due is timely made, and~~

~~(iii) The requested stay is accompanied by an offer of a cash bond, or the offer of a security bond, the conditions of which are guaranteed by a specified authorized surety insurer; in either case the amount of the bond will ordinarily be set in an amount equal to the assessment or portion thereof for which stay is requested together with interest thereon at the rate of one percent per month, but in appropriate cases the department may require a bond in an increased amount not to exceed twice the amount for which stay is requested.~~

~~(b)) RCW 82.32.190 allows the department to initiate a stay of collection, without the request of the taxpayer and without requiring any bond, for certain tax liabilities when they may be affected by the outcome of a question pending before the courts (see subsection (11)(a) of this rule). RCW 82.32.200 provides conditions under which the department, at its discretion, may allow a taxpayer to file a bond in order to obtain a stay of collection on a tax assessment (see subsection (11)(b) of this rule). The department will grant a taxpayer's stay of collection request, as described in RCW 82.32.200, only when ((it is satisfied and)) the department determines that ((#)) a stay is in the best interests of the state ((to do so. Factors which it will consider in making this determination include: The existence of 1)).~~

~~(a) Circumstances under which the department may consider initiating a stay of collection without requiring a bond (RCW 82.32.190) include, but are not necessarily limited to, the existence of the following:~~

~~(i) A constitutional issue to be litigated by the taxpayer, the resolution of which is uncertain; ((2:))~~

~~(ii) A matter of first impression for which the department has little precedent in administrative practice; ((and 3:)) or~~

~~(iii) An issue affecting other similarly situated taxpayers for whom the department would be willing to stay collection of the tax.~~

~~(b) The department will give consideration to a request for a stay of collection of an assessment (RCW 82.32.200) if:~~

~~(i) A written request for the stay is made prior to the due date for payment of the assessment; and~~

~~(ii) Payment of any unprotested portion of the assessment and other taxes due is made timely; and~~

~~(iii) The request is accompanied by an offer of a cash bond, or a security bond that is guaranteed by a specified authorized surety insurer. The amount of the bond will generally be equal to the total amount of the assessment, including any penalties and interest. However, where appropriate, the department may require a bond in an increased amount not to exceed twice the amount for which the stay is requested.~~

~~(c) Claims of financial hardship or threat of litigation are not grounds ((which would)) that justify the granting of a stay of collection. However, the department will consider a claim of significant financial hardship as grounds for staying collection procedures, but this will be done only if a partial payment agreement is executed and kept in accordance with the department's procedures and with such security as the department deems necessary.~~

(d) If the department grants a stay of collection, the stay will be for a period of no longer than two calendar years from the date of acceptance of the taxpayer request ((therefor)), or thirty days following a decision not appealed from by a tribunal or court of competent jurisdiction upholding the validity of the tax assessed, whichever date occurs first. The department may extend the period of a stay originally granted, but only for good cause shown.

~~((9)) (e) Interest will continue to accrue against the unpaid tax portion of a liability under stay of collection. Effective January 1, 1997, the interest rates prescribed by RCW 82.32.190 and 82.32.200 changed from nine percent and twelve percent per annum, respectively, to the same predetermined annual variable rates as are described in subsection (7)(e), above.~~

(12) **Extensions.** The department, for good cause, may extend the due date for filing any return. Any permanent extension more than ten days beyond the due date, and any temporary extension in excess of thirty days, must be conditional upon deposit by the taxpayer with the department of an amount equal to the estimated tax liability for the reporting period or periods for which the extension is granted. This deposit is credited to the taxpayer's account and may be applied to the taxpayer's liability upon cancellation of the permanent extension or upon reporting of the tax liability where a temporary extension of more than thirty days has been granted.

The amount of the deposit is subject to departmental approval. The amount will be reviewed from time to time, and a change may be required at any time that the department concludes that such amount does not approximate the tax liability for the reporting period or periods for which the extension was granted.

WSR 99-24-041

PROPOSED RULES

HOUSING FINANCE COMMISSION

[Filed November 24, 1999, 10:06 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-20-067.

Title of Rule: Private activity bond allocation.

Purpose: Provide procedures pursuant to which the commission will distribute a portion of the state's private activity bond allocation among competing multifamily housing projects.

Statutory Authority for Adoption: RCW 43.180.040(3).

Statute Being Implemented: RCW 43.180.050.

Summary: The proposed rules establish the commission's procedures for distributing a portion of the state's private activity bond allocation among competing multifamily housing projects.

Reasons Supporting Proposal: The proposed rule provides applicants to the commission's private activity bond allocation program with clear direction regarding the fundamental criteria by which private activity bond allocations will be distributed by the commission.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Paul Edwards, Deputy Director, 1000 Second Avenue, Suite 2700, Seattle, WA 98104-1046, (206) 464-7139 ext. 118.

Name of Proponent: Washington State Housing Finance Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: As noted above, the rules establish the fundamental criteria and conditions a multifamily housing project must satisfy to qualify to receive an allocation from the commission. The rule is intended to provide clear guidance for applicants seeking a private activity bond allocation from the commission.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Statement not required under RCW 19.85.030(1) because proposed rule will not impose "more than minor costs on businesses in an industry."

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Pursuant to subsection (5) of section 201, chapter 403, Laws of 1995, the statute does not apply to this rule adoption. It is not an agency listed in subsection (5)(a)(i), nor has it been voluntarily made applicable to the agency as described in subsection (5)(a)(ii).

Hearing Location: Washington State Housing Finance Commission, 1000 Second Avenue, 28th Floor, Seattle, WA 98104-1046, on January 27, 2000, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Paul Edwards by January 18, 2000, (206) 464-7139.

Submit Written Comments to: Mr. Paul Edwards, Deputy Director, 1000 Second Avenue, Suite 2700, Seattle, WA 98104-1046, fax (206) 587-5113, by January 26, 2000.

Date of Intended Adoption: January 27, 2000.

November 19, 1999

Paul R. Edwards

Deputy Director

NEW SECTION

WAC 262-01-140 Private activity bond allocation. (1)

Applicants for the commission's portion of the state's private activity bond allocation shall submit a completed application in the form prescribed by the commission and the required application fee by the deadline set by the commission each application round.

(2) As part of its application, each applicant shall demonstrate to the commission's satisfaction that it is ready to proceed with the financing of its project.

(3) In order to qualify to receive an allocation from the commission, a project shall meet the requirements of the code and shall be in compliance with local land-use, zoning and permitting processes. To comply with the code, at minimum, a project shall:

(a) Have:

(i) Twenty percent of the units set aside for individuals whose income is fifty percent or less of area median gross income; or

(ii) Forty percent of the units set aside for individuals whose income is sixty percent or less of area median gross income;

(b) Be available for use by the general public;

(c) Be used on other than a transient basis;

(d) Include separate and complete facilities for living, sleeping, eating, cooking and sanitation;

(e) Have been the subject of a public hearing.

(4) For the purposes of ranking projects and making allocations, the commission will give weight to those projects which, among other things:

(a) Promote the development of affordable housing in underserved areas;

(b) Execute a regulatory agreement with the commission having terms that exceed the minimum code requirement;

(c) Reserve units for special-needs populations;

(d) Preserve federally assisted projects as low-income units;

(e) Have sought and received financial assistance from federal, state or local governments;

(f) Opt to leverage the tax-exempt bonds with other sources of funds including taxable bonds.

(5) As a condition of receiving an allocation, an owner shall enter into a regulatory agreement with the commission, in a form acceptable to the commission, which restricts the use of the project for a period of time and which describes the applicable commitments and covenants made by the owner. The agreement shall be recorded as a restrictive covenant running with the land.

(6) Upon receiving an allocation, an applicant shall pay all required commission fees and comply with all applicable requirements and deadlines. Failure to do so may result in withdrawal of the allocation.

(7)(a) The commission may perform on-site inspections of projects, interview residents, review residents' applications and financial information and review an applicant's or an owner's books and records. The applicant or owner shall provide the commission with all requested documentation, including periodic reports and certificates; shall provide the commission access to the project; and shall retain records as required by the code and the regulatory agreement.

(b) The commission will monitor the projects receiving an allocation to verify compliance with the code and with contractual commitments to the commission. The commission will notify the Internal Revenue Service when instances of noncompliance come to its attention.

(8) Unless the commission makes an exception, a transfer of an interest in a project shall require the prior approval of the commission.

(9) Decisions regarding allocations will be made on behalf of the commission by the director of the capital projects division and will be appealable solely to the executive director of the commission.

WSR 99-24-044**PROPOSED RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Aging and Adult Services Administration)

[Filed November 24, 1999, 11:20 a.m.]

Continuance of WSR 99-23-080.

Purpose: The January 4, 2000, hearing for the rules in chapter 388-71 WAC for Aging and Adult Services Administration, filed as WSR 99-23-080 on November 16, 1999, is being moved from the Lacey Government Center Room 104-B to Blake Office Building East in the Rose Room. The Blake Office Building East is a new building next door to the Lacey Government Center.

Hearing Location: Blake Office Building East (new building next door to Lacey Government Center), Rose Room, 4500 10th Avenue S.E., Lacey, WA 98503, on January 4, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by December 21, 1999, phone (360) 664-6094, TTY (360) 664-6178, e-mail wallpg@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Paige Wall, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by January 4, 2000.

Date of Intended Adoption: January 20, 1999.

November 23, 1999

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

WSR 99-24-045**PROPOSED RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Aging and Adult Services Administration)

[Filed November 24, 1999, 11:29 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-06-089.

Title of Rule: Chapter 388-97 WAC, Nursing homes.

Purpose: **Reviser's note:** The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 00-01 issue of the Register.

Statutory Authority for Adoption: RCW 18.51.070 and 74.42.620.

Statute Being Implemented: Chapters 18.51 and 74.42 RCW.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Irene Owens, P.O. Box 45600, Olympia, WA 98504-5600, 1-800-422-3263, or (360) 438-8978; Implementation and Enforcement: NHQA, P.O. Box 45600, Olympia, WA 98504-5600, 1-800-422-3263, or (360) 438-8978.

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: See Purpose above.

Proposal Changes the Following Existing Rules: See Purpose above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rules and has determined that there is no increase in existing costs, no imposition of a new cost and no decrease in benefit to the providers.

RCW 34.05.328 applies to this rule adoption. These rules meet the definition of a significant legislative rule and a cost benefit analysis has been prepared. To request a copy see the staff person identified above.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on January 25, 2000, at 10:00 a.m.; and at Children and Family Services, 1313 North Atlantic Street, Suite 2000, SW Conference Room, Spokane, WA 99201, on January 27, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by January 14, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail wallpg@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Paige Wall, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by January 27, 2000.

Date of Intended Adoption: February 23, 2000.

November 18, 1999

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 00-01 issue of the Register.

WSR 99-24-050**PROPOSED RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed November 29, 1999, 11:12 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-19-047.

Title of Rule: WAC 388-444-0015 When are clients not required to register for work or participate in FS E&T? WAC 388-444-0035 When am I (able bodied adult with no dependents) exempt from the ABAWD rules? WAC 388-444-0055 What are the penalties for refusing or failing to comply? WAC 388-444-065 What happens if I quit my job? and WAC 388-444-0075 What are the disqualification periods for quitting a job without good cause?

Purpose: To simplify the language, clarify exemptions, to clarify food stamp penalties in a comparable program. The penalty for applicants who quit a job without a good reason begins from the date of application instead of the date of quit.

The only time the department can end a disqualification for a voluntary quit without good cause is if the client becomes exempt. Two separate WACs need the same definition for students enrolled in any recognized school.

Statutory Authority for Adoption: RCW 74.04.050 and 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: WAC 388-444-0055 clarifies food stamp penalties when a client is sanctioned in a comparable program. WAC 388-444-0015 and 388-444-0035 need to have the same language definition for students enrolled in any recognized school. WAC 388-444-0075 the penalty period begins at the time of application instead of at the time of the quit for applicants who quit a job without a good reason. The department can end a disqualification only if a client becomes exempt from the work program requirements. WAC 388-444-0065 defines an exception to a rule.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mary Monahan, P.O. Box 45480, Olympia, 98504-5470, (360) 413-3250.

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: WAC 388-444-0055 What are the penalties for refusing or failing to comply? - clarifies food stamp penalties when a client is sanctioned in a comparable program. WAC 388-444-0015 When are clients not required to register for work or participate in FS E&T? and WAC 388-444-0035 When am I (able bodied adult with no dependents) exempt from the ABAWD rules? - need to have the same language definition for students enrolled in any recognized school. WAC 388-444-0075 What are the disqualification periods for quitting a job without good cause? - the penalty period begins at the time of application instead of at the time of the quit for applicants who quit a job without a good reason. The department can end a disqualification only if the client becomes exempt from the work program requirements. WAC 388-444-065 What happens if I quit my job? - defines an exception to a rule.

Proposal Changes the Following Existing Rules: Changes were made to simplify the language, clarify an exception to defined rule, to clarify food stamp penalties in a comparable program. The penalty for applicants who quit a job without a good reason begins from the date of application instead of the date of quit. The department can end a disqualification only if the client becomes exempt from the work program requirements. Two separate rules need the same definition for students enrolled in any recognized school.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rules do not affect business.

RCW 34.05.328 does not apply to this rule adoption. These rules do not fit the definition of a significant legislative rule.

Hearing Location: Blake Office Building East, Rose Conference Room, 4500 10th Avenue S.E., Lacey, WA 98503, on January 4, 1999 [2000], at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by December 22, 1999, phone (360) 664-6094, TTY (360) 664-6178, e-mail wallpg@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Paige Wall, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by January 4, 1999 [2000].

Date of Intended Adoption: No earlier than January 5, 2000.

November 23, 1999

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-444-0015 ~~When are clients ((who are)) not required to register for work or participate in FS E&T (exempt clients)((*)? You (as a client((s))) are not required to register for work or to participate in FS E&T ((are those who are)) if you meet any of the following conditions:~~

(1) Age sixteen or seventeen and not the head-of-household and:

(a) Attending school (such as high school or GED programs); or

(b) Enrolled at least half time (as defined by the institution) in a program under temporary assistance for needy families (TANF), a program under The Workforce Investment Act. (formerly the Job Training Partnership Act (JTPA)), a program under section 236 of the Trade Act of 1974, or other state or local employment and training programs (~~(at least half time)~~).

(2) Determined to be physically or mentally unable to work;

(3) Responsible for the care of a dependent child under six years of age or of ~~((an))~~ a person determined to be incapacitated ((person));

(4) Applying for or receiving unemployment compensation (UC);

(5) Participating in an employment and training program under TANF;

(6) Employed or self-employed and working thirty hours or more per week, or receiving weekly earnings equal to the federal minimum wage multiplied by thirty~~((—This includes migrant and seasonal farm workers under contract or agreement with an employer))~~;

(7) ~~((Enrolled as a student as))~~ Students eighteen or older enrolled at least half time as defined by the institution in:

(a) Any accredited school;

(b) Training program; or

(c) An institution of higher education. Students enrolled in higher education must follow the student criteria as defined in chapter 388-482 WAC, Student status((s-oe)).

(8) Regularly participating in a drug addiction or alcoholic treatment and rehabilitation program.

AMENDATORY SECTION (Amending WSR 99-07-024, filed 7/31/98 [3/10/99], effective 9/1/98 [4/10/99])

WAC 388-444-0035 ~~((Clients who are))~~ **When am I (able-bodied adult with no dependents) exempt from ABAWD provisions((r))?** ~~((A client is))~~ **You are exempt from the ABAWD rules provided in WAC 388-444-0030** ~~((when the client is))~~ **if you are:**

- (1) Under eighteen or fifty years of age or older;
- (2) Determined to be physically or mentally unable to work;
- (3) A parent or other member of a household with responsibility for a dependent child under eighteen years of age or ~~((an))~~ a person determined to be incapacitated ~~((person));~~
- (4) ~~((A))~~ Pregnant ~~((woman));~~
- (5) Living in an ~~((exempt))~~ area approved as exempt by U.S. Department of Agriculture; ~~((or))~~
- (6) ~~((Otherwise exempt under food stamp employment and training as follows:~~
 - ~~((a)))~~ Complying with the work requirements of an employment and training program under temporary assistance for needy families (TANF);
 - ~~((b)))~~ (7) Applying for or receiving unemployment compensation;
 - ~~((e-A))~~ (8) Students enrolled at least half time as defined by the institution in:
 - ~~((a))~~ Any ~~((recognized))~~ accredited school; ~~((or~~
 - ~~((d))~~ (b) Training program; or
 - ~~((c))~~ Institution of higher education. A student enrolled in higher education must follow the student criteria defined in chapter 388-482 WAC.
 - ~~((e))~~ (9) Participating in a chemical dependency treatment program; ~~((or~~
 - ~~((e))~~ (10) Employed a minimum of thirty hours per week or receiving weekly earnings which equal the minimum hourly rate multiplied by thirty hours ~~((-~~
 - ~~((7))~~);
 - (11) Eligible for one of the annual ~~((FNS))~~ federal-approved exemption slots under what is called the fifteen percent exemption rule.

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

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-444-0055 ~~((FS E&T disqualifications.))~~ **What are the penalties for refusing or failing to comply?** (1) ~~((A nonexempt client who refuses or fails to comply with the requirements of the FS E&T program without good cause as provided in WAC 388-444-0050, is disqualified and cannot receive food assistance. The disqualified client is))~~ You must follow the food assistance work requirements as defined in WAC 388-444-0005 or 388-444-0030 unless you have good cause as defined in WAC 388-444-0050. If you do not follow these rules, you will become an ineligible assistance unit member as provided in WAC 388-450-0140. The remaining members of the assistance unit continue to be eligible for food assistance.

(2) ~~((The client is disqualified))~~ If you do not follow these rules unless you have good cause, you cannot receive food assistance for the following ~~((minimum))~~ periods of time and until ~~((the client complies))~~ you comply with program requirements:

- (a) For the first failure to comply, one month;
- (b) For the second failure to comply, three months; and
- (c) For the third or subsequent failure to comply, six months.
- (3) If ~~((a client becomes))~~ you become exempt under WAC 388-444-0015 ~~((, a disqualification ends when the client has served the one, three, or six month disqualification penalty period and if required, is registered for work))~~ and are otherwise eligible, you may begin to receive food assistance.
- (4) ~~((A nonexempt client disqualified under any of the following conditions is also disqualified under FS E&T and))~~ If you do not comply with the requirements of the following programs, you cannot receive food assistance:
 - (a) ~~((Under))~~ WorkFirst ~~((sanction as provided in chapter 388-310 WAC));~~
 - (b) ~~((Disqualified from receiving))~~ Unemployment compensation ~~((for failure to comply with requirements comparable to FS E&T requirements; or));~~
 - (c) ~~((Sanctioned for failing to comply with work requirements under))~~ The refugee cash assistance program ~~((as provided in chapter 388-466 WAC)).~~
 - (5) ~~((At the end of a disqualification period, a client may))~~ Within ten days after learning of your refusal to participate in your program, the financial worker will send you a notice that your food assistance will end unless you comply with your program requirements.
 - (6) If you do not comply within ten days, you will be issued a notice disqualifying you from receiving food assistance until you comply with your program, or until you meet the FS E&T disqualification requirements in subsection (2) of this section.
 - (7) After the penalty period in subsection (2) of this section is over, and you have complied with your program requirements, and you are otherwise eligible, you may receive food assistance if you are alone in the assistance unit and apply to reestablish eligibility.
 - ~~((6))~~ Each client has)
 - (8) If you are a member of an assistance unit, you may resume receiving food assistance.
 - (9) During the penalty period, if you begin to participate in one of the programs listed in subsection (4)(a) through (c) and that penalty is removed, the FS E&T disqualification also ends. If you are otherwise eligible, you may begin to receive food assistance.
 - (10) You have a right to a fair hearing as provided in WAC 388-08-413.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-444-0065 ~~((Quitting a))~~ **What happens if I quit my job((r))?** (1) ~~((A client who quits their most recent job without good cause is))~~ You are not eligible for food assistance if you quit your current job without good cause as

defined in WAC 388-444-0070, and you are in one of the following categories:

(a) ~~((The client was))~~ You were working twenty hours or more per week or the job provided weekly earnings equal to the federal minimum wage multiplied by twenty hours; ~~((and))~~

(b) The quit ~~((occurred))~~ was within sixty days ~~((prior to application))~~ before you applied for food assistance or any time ~~((thereafter))~~ after;

(c) At the time of quit ~~((, the person))~~ you were an applicant and would have been required to register for work as defined in WAC 388-444-0010;

(d) If you worked or you were self-employed and working thirty hours a week or you had weekly earnings at least equal to the federal minimum wage multiplied by thirty hours.

(2) ~~((A client is))~~ You are not eligible to receive food assistance if ~~((the client has))~~ you have participated in a strike against a federal, state or local government and ~~((has lost their))~~ have lost your employment because of such participation.

AMENDATORY SECTION (Amending WSR 99-07-024, filed 7/31/98 [3/10/99], effective 9/1/98 [4/10/99])

WAC 388-444-0075 What are the disqualification(s) periods for quitting a job without good cause(,)
2 (1) ~~((the client))~~ you are an applicant who quits a job without good cause(,)

(a) ~~For applicants, the application is denied and the penalty in subsection (2) of this section is applied beginning with the day of quit; or~~

~~(b) For clients))~~ sixty days before applying for food assistance, the department will deny your application. The penalty period in subsection (3) of this section begins from the date of application.

~~(2) If you are~~ already receiving food ((stamps, the penalty)) assistance and you quit your job without good cause, the department must send you a letter notifying you that you are going to be disqualified from food assistance. The disqualification in subsection ((2)) (3) of this section begins the first of the month following the notice of adverse action.

~~((2) The client is))~~ (3) You are disqualified for the following minimum periods of time and until the conditions in subsection ~~((3))~~ (4) of this section are met:

(a) For the first quit, one month;

(b) For the second quit, three months; and

(c) For the third or subsequent quit, six months.

~~((3) Eligibility may be established during a disqualification period, if the client is otherwise eligible and:~~

~~(a) Secures new employment that has a salary or hours comparable to the job which was quit; or~~

~~(b) Secures a comparable job at less hours or at a lower salary.~~

~~(4) The client may re-establish eligibility after the disqualification, if otherwise eligible by:~~

~~(a) Getting a new job;~~

~~(b) In nonexempt areas, participating in the FS E&T program;~~

~~(e) Participating in Workfare as provided in WAC 388-444-0040;~~

~~(d) Becoming exempt as provided in WAC 388-444-0015, 388-444-0020, or 388-444-0035;~~

~~(e) Applying for or receiving unemployment compensation; or~~

~~(f) Participating in WorkFirst.~~

~~(5) If a disqualified client moves))~~

~~(4) You may re-establish eligibility after the disqualification, if otherwise eligible by:~~

~~(a) Getting a new job;~~

~~(b) In nonexempt areas, participating in the FS E&T program;~~

~~(c) Participating in Workfare as provided in WAC 388-444-0040.~~

~~(5) The department can end the disqualification period if you become exempt from the work registration requirements as provided in WAC 388-444-0015 unless you are applying for or receiving unemployment compensation (UC), or participating in an employment and training program under TAFE.~~

~~(6) If you are disqualified and move from the assistance unit and join((s)) another assistance unit, ((the client)) you continue((s)) to be treated as an ineligible member of the new assistance unit for the remainder of the disqualification period.~~

~~(7) If you are disqualified and move to a FS E&T exempt area, you must serve the remainder of the disqualification period.~~

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

WSR 99-24-051
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed November 29, 1999, 11:15 a.m.]

Original Notice.

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

Title of Rule: WAC 388-406-0015 Expedited service for food assistance.

Purpose: Ensure WAC 388-406-0015 conforms to Section 11 (e)(9) of the Food Stamp Act which does not allow expedited service to clients solely on the basis of homelessness.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: Section 11 (e)(9) of the Food Stamp Act.

Summary: The department will no longer allow expedited service for food assistance applicants solely on the basis of homelessness.

Reasons Supporting Proposal: Section 11 (e)(9) of the Food Stamp Act.

PROPOSED

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joan Wirth, 1009 College Street S.E., Lacey, WA, Mailstop 45470, (360) 413-3073.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, Section 11 (e)(9) of the Food Stamp Act.

Explanation of Rule, its Purpose, and Anticipated Effects: In order to conform to Section 11 (e)(9) of the Food Stamp Act, WAC 388-406-0015 does not allow expedited service for food assistance applicants solely based on homelessness. However, the vast majority of homeless will still qualify for expedited service based on income and resource criteria.

Proposal Changes the Following Existing Rules: WAC 388-406-0015 will no longer allow expedited service for food assistance applicants solely on the basis of homelessness.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule affects food assistance recipients only.

RCW 34.05.328 does not apply to this rule adoption. This is not a significant rule.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on January 4, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by December 22, 1999, phone (360) 664-6094, TTY (360) 664-6178, e-mail wallpg@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Paige Wall, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by January 4, 2000.

Date of Intended Adoption: No sooner than January 28, 2000.

November 18, 1999
Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 99-16-024, filed 7/26/99, effective 9/1/99)

WAC 388-406-0015 Expedited service for food assistance. (1) ~~(Expedited service means a client will have verification postponed and receive food assistance benefits by the end of the fifth calendar day from the day after the date the application is filed. The day after that date is day one.~~

~~(2) The five day period starts at a time after the date the application is filed in the following situations:~~

~~(a) The five day period starts the date of the rescheduled interview when the client is screened as expedited service eligible and causes a delay by not showing for the initial interview;~~

~~(b) The five day period starts the date identity is verified when the client causes a delay by not providing verification of identity at the interview; or~~

~~(c) The five day period starts the date of the interview when the client:~~

~~(i) Waives the expedited interview and is found eligible for the service at the scheduled interview;~~

~~(ii) Is screened as ineligible for expedited service and later found eligible for the service at the scheduled interview; or~~

~~(iii) Does not request expedited service on the application and is found eligible for the service at the interview.~~

~~(3) For SSI recipients, the five day period begins on the date the:~~

~~(a) Applicant's local office receives the application of a noninstitutionalized SSI household; or~~

~~(b) Applicant is released from a public institution.~~

~~(4) When clients request expedited service on a recertification form, the five day period:~~

~~(a) Starts the first day of the new certification period when the recertification is made prior to the end of the current certification period;~~

~~(b) Starts the first day of the new certification period or the date of interview, whichever is later, when the client causes a delay in the recertification; or~~

~~(c) Is the same as a new application when the recertification is made after the current certification period ends.~~

~~(5) Clients are eligible for expedited service when:~~

~~(a) The household has liquid resources of one hundred dollars or less and has gross monthly income under one hundred fifty dollars; or~~

~~(b) The household has combined gross monthly income and liquid resources which are less than the household's current monthly rent and applicable utility allowance; or~~

~~(c) All household members are homeless; or~~

~~(d) The household includes a destitute migrant or seasonal farmworker, as defined in WAC 388-406-0020, whose liquid resources do not exceed one hundred dollars.~~

~~(6) A household must provide verification of:~~

~~(a) The identity of the applicant; or~~

~~(b) The identity of the authorized representative who is applying for the household; and~~

~~(c) Other eligibility factors that can be verified within the five day time period specified in subsection (1) of this section.~~

~~(7) A household is not limited to the number of times it can receive expedited service if, following the last expedited certification, the household:~~

~~(a) Completes the postponed verification requirements; or~~

~~(b) Was certified by the regular nonexpedited processing methods.~~

~~(8) Households eligible for expedited service that are not required to have an office interview will:~~

~~(a) Have a telephone interview or home visit; and~~

~~(b) Still receive their benefits within the five day expedited time period.~~

~~(9) A household is entitled to an agency conference within two working days from the date of denial for expedited service.) When you give us your food assistance application with a request for fast or "expedited service," the department will look at your situation to see if you can get benefits within five calendar days. "Day one" of the five-day period is, most often, the day after you give us your application. See subsection (7) below for situations for applicants when "day one" is a different day.~~

(2) To get expedited service, you must provide proof of your identity and meet one of these three conditions:

(a) You have available cash of one hundred dollars or less and have monthly income before taxes under one hundred fifty dollars; or

(b) Your monthly income before taxes plus available cash is less than the total of your rent and utility allowance; or

(c) You have a destitute migrant or seasonal farm worker household member, as defined in WAC 388-406-0021, whose available cash does not exceed one hundred dollars.

(3) If you get expedited service, you have up to thirty days from the time you apply to provide other information we need before we can give you more benefits.

(4) If you have received expedited service in the past, you can get this service again if you meet the requirements listed in subsection (2) above and you:

(a) Provided all the information we needed to prove eligibility for your last expedited service benefit period; or

(b) Had another benefit period under regular nonexpedited processing after your last expedited service benefit period.

(5) If you are eligible for expedited service and are not required to have an office interview, you can:

(a) Have a telephone interview or home visit; and

(b) Still get benefits within the five-day expedited time period.

(6) If you are denied expedited service, you can ask for a department review of your case. The review will take place within two working days from the date you were denied expedited service.

(7) If you are an applicant, your five-day expedited service period starts on the:

(a) Date of the rescheduled interview when you are screened as expedited service eligible but do not show up for your initial interview;

(b) Date you prove your identity if you do not provide proof at the initial interview;

(c) Date of your interview when you:

(i) Waive your expedited interview and are found eligible for expedited service during your rescheduled interview;

(ii) Are screened as ineligible for expedited service and later found eligible for the service during your interview; or

(iii) Do not request expedited service on the application and are found eligible for the service during your interview.

(d) Date you are released from a public institution if you are a SSI recipient.

(8) If you request expedited service on a recertification form, your five-day period:

(a) Starts the first day of your new certification period when you reapply before the end of your current certification period;

(b) Is the same as a new application when you reapply after the current certification period ends; or

(c) Starts the day of your interview if you cause a delay in the recertification.

**WSR 99-24-056
PROPOSED RULES
COUNTY ROAD
ADMINISTRATION BOARD**

[Filed November 29, 1999, 11:30 a.m.]

Original Notice.

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

Title of Rule: Title 136 WAC.

Purpose: Amend WAC 136-167-020 and 136-167-030.

Statutory Authority for Adoption: Chapter 36.79 RCW.

Name of Agency Personnel Responsible for Drafting and Implementation: Karen Pendleton, Olympia, 753-5989; and Enforcement: Jay Weber, Olympia, 753-5989.

Name of Proponent: County Road Administration Board.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This amendment will revise the rural arterial program.

Proposal Changes the Following Existing Rules: Amend Title 136 WAC.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: 2404 Chandler Court S.W., Suite 240, Olympia, WA 98504-0913, on January 12, 2000, at 2:00 p.m.

Assistance for Persons with Disabilities: Contact Karen Pendleton by December 25, 1999, TDD (800) 833-6384, or (360) 753-5989.

Submit Written Comments to: Karen Pendleton, fax (360) 586-0386, by December 25, 1999.

Date of Intended Adoption: January 12, 2000.

November 8, 1999

J. Weber

Executive Director

AMENDATORY SECTION (Amending WSR 99-01-021, filed 12/7/98, effective 1/7/99)

WAC 136-167-020 Withdrawal of approved project before RATA reimbursement. At any time after the submittal of a final prospectus and prior to the time the first RATA reimbursement has been sent to the county, a county may withdraw a RATA funded project. Withdrawal may occur either before or after the county road administration board has allocated RATA funds to the project. The statement of withdrawal must be in writing and signed by the chair of the board of county commissioners or the county executive, as appropriate. The withdrawal shall be effective upon receipt by the county road administration board. If RATA funds have been allocated to the project and a CRAB/county contract has been executed, the contract will be voided and ~~(at the next regular county road administration board meeting,)~~ the RATA funds will be allocated to other projects within the region.

PROPOSED

AMENDATORY SECTION (Amending WSR 99-01-021, filed 12/7/98, effective 1/7/99)

WAC 136-167-030 Termination of approved project after RATA reimbursement. (1) If a county terminates an uncompleted RATA funded project for which RATA reimbursement has been made and is prepared to repay the RATA for all RATA funds received, the county shall, by means of a letter signed by the chair of the board of county commissioners or the county executive as appropriate, inform the county road administration board of its termination of the project. The letter shall state the reasons for termination and commit to repaying all RATA funds received for the project. Upon acknowledgement of such termination by the county road administration board, the county shall repay the county road administration board for all RATA funds paid to the county on that project within sixty days of such acknowledgement. ~~((Upon))~~ After receipt of the RATA repayment, the county road administration board will void the CRAB/county contract and ~~((, at the next regular county road administration board meeting;))~~ allocate the RATA funds to other projects within the region.

(2) If a county terminates an uncompleted RATA funded project for which RATA reimbursement has been made and does not want to be required to repay the county road administration board for all RATA funds received, a letter of request signed by the chair of the board of county commissioners or the county executive as appropriate must be sent to the county road administration board. The request must include:

- (a) An explanation of the reasons that the project will not proceed to completion;
- (b) A statement of the amount of RATA funds which the county does not want to repay; and
- (c) An explanation of why the county believes full repayment should not be made.

If the county road administration board grants the request, the county shall repay all RATA funds not exempted from repayment, the CRAB/county contract will be amended, and the remaining RATA funds will be allocated to other projects within the region. If the county road administration board denies the request, full repayment shall be made as provided in subsection (1) of this section.

WSR 99-24-059
PROPOSED RULES
DEPARTMENT OF
FINANCIAL INSTITUTIONS

[Filed November 29, 1999, 11:37 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-09-003.

Title of Rule: Small offering exemption (SOE).

Purpose: Amend WAC 460-44A-504 to increase the aggregate offering amount to \$1,000,000 and to include information on the suggested contents for disclosure documents for offerings made pursuant to this section. Minor

amendments to WAC 460-44A-500 clarify the relationship between this chapter and the preemption provisions of section 18 (b)(4)(C) of the federal Securities Act of 1933.

Other Identifying Information: WAC 460-44A-500 and 460-44A-504.

Statutory Authority for Adoption: RCW 21.20.450, 21.20.320(9).

Statute Being Implemented: Chapter 21.20 RCW.

Summary: Amend WAC 460-44A-504 to increase the aggregate offering amount to \$1,000,000 and to include information on the suggested contents for disclosure documents for offerings made pursuant to this section. Minor amendments to WAC 460-44A-500 clarify the relationship between this chapter and the preemption provisions of section 18 (b)(4)(C) of the federal Securities Act of 1933.

Reasons Supporting Proposal: Increasing the offering amount to \$1,000,000 with foster greater uniformity with federal law. Providing a list of suggested topics for disclosure will assist issuers in creating an appropriate disclosure document. The amendments to WAC 460-44A-500 correct previously adopted language concerning federal preemption under section 18 (b)(4)(c) of the Securities Act of 1933.

Name of Agency Personnel Responsible for Drafting: William M. Beatty, 210 11th Avenue S.W., Olympia, WA 98504, (360) 902-8760; Implementation: John L. Bley, 210 11th Avenue S.W., Olympia, WA 98504, (360) 902-8760; and Enforcement: Deborah R. Bortner, 210 11th Avenue S.W., Olympia, WA 98504, (360) 902-8760.

Name of Proponent: Department of Financial Institutions, Securities Division, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Amend WAC 460-44A-504 to increase the aggregate offering amount to \$1,000,000 and to include information on the suggested contents for disclosure documents for offerings made pursuant to this section. Minor amendments to WAC 460-44A-500 clarify the relationship between this chapter and the preemption provisions of section 18 (b)(4)(C) of the federal Securities Act of 1933.

Increasing the offering amount to \$1,000,000 with foster greater uniformity with federal law. Providing a list of suggested topics for disclosure will assist issuers in creating an appropriate disclosure document.

Proposal Changes the Following Existing Rules: Amend WAC 460-44A-504 to increase the aggregate offering amount to \$1,000,000 and to include information on the suggested contents for disclosure documents for offerings made pursuant to this section. The amendments to WAC 460-44A-500 correct previously adopted language concerning federal preemption under section 18 (b)(4)(c) of the Securities Act of 1933.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposal does not impose additional costs on business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Department of Financial Institutions is not one of the agencies listed in section 201.

Hearing Location: Department of Financial Institutions, Securities Division, Executive Conference Room, 210 11th

Avenue S.W., Suite 300, Olympia, WA 98504, on January 6, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Darlene Christianson by January 3, 2000, TDD (360) 664-8126, or (360) 902-8760.

Submit Written Comments to: William M. Beatty, Securities Division, P.O. Box 9033, Olympia, WA 98507-9033, fax (360) 704-6923, e-mail bbeatty@dfi.wa.gov, by January 5, 2000.

Date of Intended Adoption: January 7, 2000.

November 22, 1999

John L. Bley
Director

AMENDATORY SECTION (Amending WSR 98-11-014, filed 5/12/98, effective 6/12/98)

WAC 460-44A-500 Preliminary notes. (1) The rules of WAC 460-44A-501 through 460-44A-508 relate to transactions exempted (~~(or preempted)~~) from the registration requirements of the Federal Securities Act of 1933 (~~(and)~~) that are also exempted or preempted from RCW 21.20.140. WAC 460-44A-504 is an exemption from registration for offerings exempted under Securities and Exchange Commission Rule 504 or Rule 147. WAC 460-44A-505 is an exemption from registration for offerings exempted under Securities and Exchange Commission Rule 505. WAC 460-44A-506 establishes certain conditions for offerings exempted under Securities and Exchange Commission Rule 506. (~~(Such)~~) Unless expressly provided otherwise, such transactions are not exempt from anti-fraud, civil liability, or other provisions of the federal and state securities laws. Issuers are reminded of their obligation to provide such further material information, if any, as may be necessary to make the information required under these rules, in light of the circumstances under which it is furnished, not misleading.

(2) Attempted compliance with the exemption of WAC 460-44A-504, 460-44A-505, or 460-44A-506 does not act as an exclusive election; the issuer can also claim the availability of any other applicable exemption.

(3) These rules are available only to the issuer of the securities and not to any affiliate of that issuer or to any other person for resale of the issuer's securities. The rules provide an exemption only for the transactions in which the securities are offered or sold by the issuer, not for the securities themselves.

(4) In any proceeding involving the rules in WAC 460-44A-501 through 460-44A-508, the burden of proving the exemption, an exception from a definition or condition, or preemption, is upon the person claiming it.

(5) For offerings commenced but not completed prior to the amendment of WAC 460-44A-501 through 460-44A-508, issuers may opt to follow the rules in effect at the date of filing notice of the offering.

(6) Securities offered and sold outside the United States in accordance with Securities and Exchange Commission Regulation S need not be registered under chapter 21.20 RCW. Regulation S may be relied upon for such offers and sales even if coincident offers and sales are made in accor-

dance with Regulation D and WAC 460-44A-501 through 460-44A-508 inside the United States. Thus, for example, persons who are offered and sold securities in accordance with Regulation S would not be counted in the calculation of the number of purchasers under Regulation D and WAC 460-44A-501 through 460-44A-508. Similarly proceeds from such sales would not be included in the aggregate offering price. The provisions of this subsection, however, do not apply if the issuer elects to rely solely on Regulation D for offers or sales to persons made outside the United States.

AMENDATORY SECTION (Amending WSR 98-11-014, filed 5/12/98, effective 6/12/98)

WAC 460-44A-504 Exemption for limited offers and sales of securities not exceeding (~~(\$500,000)~~) \$1,000,000 to not more than twenty purchasers. (1) Exemption. Offers and sales of securities by an issuer in compliance with the Securities Act of 1933, Regulation D, Rules 230.501 through 230.504 and 230.508 as made effective in Release No. 33-6389, and as amended in Release Nos. 33-6437, 33-6663, 33-6758, 33-6825, 33-6863, 33-6949, (~~(and)~~) 33-6996, 33-7300, and 33-7644 or in compliance with the Securities Act of 1933, Rule 230.147 as made effective in Release No. 33-5450 that satisfy the conditions in subsections (2) and (3) of this section shall be exempt under RCW 21.20.320(9).

(2) General conditions to be met. To qualify for exemption under this section, offers and sales must satisfy all the terms and conditions of WAC 460-44A-501 through 460-44A-503 and 460-44A-508.

(3) Specific conditions to be met.

(a) Limitation on aggregate offering price. The aggregate offering price for an offering of securities under this section, as defined in WAC 460-44A-501(3), shall not exceed (~~(\$500,000)~~) \$1,000,000, within or without this state, less the aggregate offering price for all securities sold within the twelve months before the start of and during the offering of securities under this section in reliance on any exemption under RCW 21.20.320(9) or sections 3 (a)(11) or 3(b) of the Securities Act of 1933 or in violation of RCW 21.20.140 or section 5(a) of the Securities Act of 1933.

(b) No commissions. No commission, fee, or other remuneration shall be paid or given, directly or indirectly, to any person for soliciting any prospective purchaser in the state of Washington.

(c) Limitation on number of purchasers. There are no more than or the issuer reasonably believes that there are no more than twenty purchasers of securities in this state from the issuer in any offering in reliance on this section.

(d) In all sales to nonaccredited investors in this state under this section the issuer and any person acting on its behalf shall have reasonable grounds to believe and after making reasonable inquiry shall believe that, as to each purchaser, one of the following conditions, (i) or (ii) of this subsection, is satisfied:

(i) The investment is suitable for the purchaser upon the basis of the facts, if any, disclosed by the purchaser as to his other security holdings and as to his financial situation and needs. For the purpose of this condition only, it may be pre-

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sumed that if the investment does not exceed ten percent of the purchaser's net worth, it is suitable. This presumption is rebuttable; or

(ii) The purchaser either alone or with his purchaser representative(s) has such knowledge and experience in financial and business matters that he is or they are capable of evaluating the merits and risks of the prospective investment.

(e) Disqualifications. No exemption under this section shall be available for the securities of any issuer if any of the parties described in the Securities Act of 1933, Regulation A, Rule 230.262 is disqualified for any of the reasons listed in WAC 460-44A-505 (2)(d) unless inapplicable or waived as set forth in WAC 460-44A-505 (2)(d)(vi) and (vii).

(f) Notice filing. The issuer shall file a notice, with a consent to service of process, and pay a filing fee as set forth in WAC 460-44A-503.

(g) Advice about the limitations on resale.

The issuer, at a reasonable time prior to the sale of securities, shall advise each purchaser of the limitations on resale in the manner contained in WAC 460-44A-502 (4)(b).

(4) Transactions which are exempt under this section may not be combined with offers and sales exempt under any other rule or section of the Securities Act of Washington, however, nothing in this limitation shall act as an election. Should for any reason the offer and sale fail to comply with all of the conditions for the exemption of this section, the issuer may claim the availability of any other applicable exemption.

~~(Note 1:)~~ (5) WAC 460-44A-504 is not the exclusive method by which issuers may make offerings under Securities and Exchange Commission Rules 504 and 147. For example, offers and sales of an issuer in compliance with Securities and Exchange Commission Rule 504 or Rule 147 may also be registered by qualification under chapter 21.20 RCW. An issuer that qualifies may elect to register an offering pursuant to ~~((the Uniform Limited Offering Registration))~~ Small Company Offering Registration (SCOR) as set out in chapter 460-17A WAC. ~~((An issuer may also elect to claim the corporate limited offering exemption as set out in chapter 460-46A WAC.))~~

~~(Note 2: Issuers are reminded that nothing)~~ (6) Nothing in these rules alters ~~((their))~~ the obligation of issuers under RCW 21.20.010. RCW 21.20.010(2) renders it unlawful "to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading..." In addition, issuers must otherwise comply with the anti-fraud provisions of the federal and state securities laws. ~~((No))~~ While no specific format ~~((for disclosure))~~ is prescribed, the disclosure should, at a minimum, normally include a discussion of the following topics(-):

(a) A description of the Issuer; its business, products or services, and competitors; its marketing strategies and competitors; its employees; and principal properties;

(b) Risk factors, including those pertaining to the offering, the issuer, and the industry in which it operates;

(c) Use of offering proceeds;

(d) Capitalization;

(e) Description of securities;

(f) Plan of distribution;

(g) Officers, key personnel, and directors;

(h) Principal stockholders;

(i) Management relationships, transactions with affiliates, and remuneration to officers, directors and key personnel;

(j) Past, pending, or threatened material litigation; and

(k) Financial statements

~~((However, issuers may wish to consider the))~~ The SCOR Form question and answer disclosure format ~~((of the SCOR Form))~~ of chapter 460-17A WAC ~~((, or the corporate limited offering exemption of chapter 460-46A WAC, in determining))~~ may be used to present the disclosure ~~((they make))~~ required by this subsection. If the SCOR Form is used, the issuer should indicate that the disclosure form is being used for an exempt offering under this section rather than in ~~((an))~~ a registered offering under ~~((the chapters under which the form was adopted))~~ chapter 21.20 RCW and chapter 460-17A WAC.

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

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 99-24-076

WITHDRAWAL OF PROPOSED RULES

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(By the Code Reviser's Office)

[Filed November 30, 1999, 8:53 a.m.]

WAC 388-01-210 and 388-01-220, proposed by the Department of Social and Health Services in WSR 99-11-085 appearing in issue 99-11 of the State Register, which was distributed on June 2, 1999, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 99-24-077

WITHDRAWAL OF PROPOSED RULES

EMPLOYMENT SECURITY DEPARTMENT

(By the Code Reviser's Office)

[Filed November 30, 1999, 8:53 a.m.]

WAC 192-12-076 and 192-320-060, proposed by the Employment Security Department in WSR 99-11-090 appearing in issue 99-11 of the State Register, which was distributed on June 2, 1999, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal

was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 99-24-079
PROPOSED RULES
PERSONNEL RESOURCES BOARD

[Filed November 30, 1999, 9:33 a.m.]

Original Notice.

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

Title of Rule: WAC 356-15-100 Call-back for work preceding or following a scheduled workshift and 356-15-110 Call-back for work on scheduled days off or holidays.

Purpose: This new rule pertains to call-back for work preceding or following a scheduled workshift and on scheduled days off or holidays.

Statutory Authority for Adoption: Chapter 41.06 RCW.
Statute Being Implemented: RCW 41.06.150.

Summary: These revisions are to provide for an employee who signs up for voluntary overtime to be considered to have waived his/her right to call-back compensation. The Department of Transportation is proposing these modifications as a result of the adoption of the Department of Corrections proposal.

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, WA, (360) 664-6348; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Corrections, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These rules clarify call-back for work preceding or following a scheduled workshift, and for work on scheduled days off or holidays. These revisions are to provide for an employee who signs up for voluntary overtime to be considered to have waived his/her right to call-back compensation. The Department of Transportation believes the adoption of the rule revisions will reduce the number of times employees are required to work mandatory overtime. Those employees who have signed up for voluntary overtime can be called back to do overtime without the agency incurring additional costs in the form of call-back compensation.

Proposal Changes the Following Existing Rules: See above.

No small business-economic impact statement has been prepared under chapter 19.85 RCW. Not required.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. These rules relate to internal government operations that are not subject to violation by a nongovernmental party. Therefore, pursuant to RCW 34.05.328 [(5)](b)(ii), section 201 does not apply.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on January 13, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Department of Personnel by January 6, 2000, TDD (360) 753-4107, or (360) 664-6280.

Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 47500, fax (360) 586-4694, by January 11, 2000.

Date of Intended Adoption: January 13, 2000.

November 29, 1999

Dennis Karras
Secretary

AMENDATORY SECTION (Amending WSR 90-15-037 [99-19-113] (Order (359), filed 7/13/90 [9/21/99], effective 8/13/90 [11/1/99]))

WAC 356-15-100 Call-back for work preceding or following a scheduled workshift. (1) Scheduled work period employees shall be notified prior to their scheduled quitting time either to return to work after departing the worksite or to change the starting time of their next scheduled workshift.

(a) Lack of such notice for such work shall be considered call-back and shall result in a penalty of three hours of pay at the basic salary in addition to all other compensation due. This penalty shall apply to each call.

(b) The appointing authority may cancel a call-back notification to work extra hours at any time but cancellation shall not waive the penalty cited in this subsection.

(c) These provisions shall not apply to the mid-shift interval in a split shift and an employee called back while in standby status.

(2) Nonscheduled, exceptions, and law enforcement work period employees are not normally paid for call-back. However, if the appointing authority deems it appropriate, those employees may receive compensation, not to exceed the penalty cited above, for call-back.

(3) In the Department of Corrections institutions bargaining unit, lack of such notice as provided in subsection (1) of this section shall not result in a penalty of three hours of pay at the basic salary when such change in an employee's start time of their next scheduled workshift is a result of the employee signing up on a volunteer overtime sheet.

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

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

AMENDATORY SECTION (Amending WSR 96-02-073 [99-19-113], filed 1/3/96 [9/21/99], effective 2/3/96 [11/1/99]))

WAC 356-15-110 Call-back for work on scheduled days off or holidays. (1) Management may assign employees to work on a day off or holiday. Scheduled and nonscheduled work period employees shall be notified of such assignments

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at least prior to the employees' normal quitting times on their second work day preceding the day off or holiday (except Sunday when it is within the assigned workshift).

(a) If management does not give such notice, affected employees shall receive a penalty payment of three hours pay at the basic salary in addition to all other compensation due them.

(b) Management may cancel work assigned on a day off or holiday. However, if management does not notify affected employees of such cancellation at least prior to their normal quitting times on their second work day preceding the day off or holiday work assignment, affected employees shall receive a penalty payment of three hours pay at the basic salary.

(2) These provisions shall apply to employees in paid leave status.

(3) These provisions shall not apply to an employee assigned work on a day off or holiday while in standby status or on a contingency schedule as provided in WAC 356-15-090(5).

(4) Only the provisions provided in subsection (1)(b) of this section shall apply to employees within the Department of Corrections institutions bargaining unit when the employee has volunteered to work such time on an overtime sign-up sheet.

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

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

WSR 99-24-085

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed November 30, 1999, 10:17 a.m.]

Continuance of WSR 99-24-051.

Purpose: The January 4, 2000, hearing on WAC 388-406-0015 for Economic Services Administration, filed as WSR 99-24-051 on November 29th, is being moved from the Lacey Government Center Room 104-B to Blake Office Building East in the Rose Room. The Blake Office Building East is a new building next door to the Lacey Government Center.

Hearing Location: Blake Office Building East (new building next door to Lacey Government Center), Rose Room, 4500 10th Avenue S.E., Lacey, WA 98503, on January 4, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by December 21, 1999, phone (360) 664-6094, TTY (360) 664-6178, e-mail wallpg@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Paige Wall, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by January 4, 2000.

Date of Intended Adoption: No sooner than January 28, 2000.

November 30, 1999

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

WSR 99-24-087

PROPOSED RULES

FOREST PRACTICES BOARD

[Filed November 30, 1999, 10:38 a.m.]

Original Notice.

Title of Rule: Amendment to forest practices rules, WAC 222-30-070.

Purpose: To revise tractor and wheeled skidding rules for inclusion in the forests and fish emergency rules.

Statutory Authority for Adoption: Chapter 34.05 RCW, RCW 34.05.090, 76.09.040, [76.09.]050, [76.09.]055.

Statute Being Implemented: Chapter 76.09 RCW.

Summary: The legislature has authorized the board to adopt emergency rules amending the forest practices rules with respect to protection of aquatic resources, RCW 76.09.055(2). This chapter and section are being proposed for inclusion in the forests and fish emergency rules published under WSR 99-20-144.

Reasons Supporting Proposal: The legislature has found that declines of fish stocks throughout much of the state require immediate action to be taken to help restore these fish runs where possible. An immediate adoption of emergency rules is appropriate in this particular instance, RCW 76.09.055(1).

Name of Agency Personnel Responsible for Drafting: Judith Holter, 1111 Washington Street S.E., Olympia, WA 98504-7012, (360) 902-1412; Implementation and Enforcement: Catherine Elliott, 1111 Washington Street S.E., Olympia, WA 98504-7012, (360) 902-1041.

Name of Proponent: Forest Practices Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule modifies the use of skidding or other ground-based transport of logs so that delivery of sediment to streams is minimized. Specifics are provided for riparian management zones, wetland management zones, and construction of skid trails.

The anticipated effects for these rules include improved water quality and fish habitat, as well as better overall protection of public resources while maintaining a viable forest products industry.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required per RCW 76.09.055(2).

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not required per RCW 76.09.055(2).

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Hearing Location: Natural Resources Building, Room 172, 1111 Washington Street S.E., Olympia, WA, on January 20, 2000, at 9 a.m.

Assistance for Persons with Disabilities: Contact Forest Practices Board Secretary, (360) 902-1413, by January 10, 2000, TTY (360) 902-1125.

Submit Written Comments to: Judith Holter, Department of Natural Resources, Forest Practices Division, fax (360) 902-1789, by January 20, 2000, at 9 a.m.

Date of Intended Adoption: January 20, 2000.

November 30, 1999

John Daly
Chair

AMENDATORY SECTION (Amending WSR 97-24-091, filed 12/3/97, effective 1/3/98)

WAC 222-30-070 Tractor and wheeled skidding systems. *(1) **Typed waters and wetlands.**

(a) Tractor and wheeled skidders or forwarders shall not be used in Type 1, 2 or 3 Water, except with approval by the department and with a hydraulic project approval ~~((of))~~ issued by the department of fish and wildlife.

(b) In order to maintain wetland water movement and water quality, and to prevent soil compaction, tractor or wheeled skidders shall not be used in Type A or B Wetlands without prior written approval of the department.

(c) Within all wetlands, tractors and wheeled skidder systems shall be limited to low impact harvest systems. Ground based logging systems operating in wetlands shall only be allowed within wetlands during periods of low soil moisture or frozen soil conditions.

(d) Skidding or other ground-based transport of logs across any flowing Type 4 Water shall be minimized and when done, temporary stream crossings shall be used, if necessary, to maintain stream bed and bank integrity. Locations of temporary stream crossing shall be shown on the base map of the forest practices application. BMPs for stream crossings can be found in the board manual section 3.

(e) Whenever skidding in or across any type water, the direction of log movement between stream banks shall be ((as close to right angles to the stream channel as is practical)) designed to minimize sediment delivery to the stream.

***(2) Riparian management zone.**

(a) Logging will be permitted within the zone subject to riparian management zone protection in chapter 222-20 WAC. However, any use of tractors, wheeled skidders, or other yarding machines within the zone must be as described in an approved forest practices application or otherwise approved in writing by the department.

(b) ~~((Where skidding))~~ When logging in or through the riparian management zone ((is necessary)), the number of ((skidding)) routes through the zone shall be minimized.

(c) Logs shall be ~~((skidded))~~ harvested so as to minimize damage to leave trees and vegetation in the riparian management zone, to the extent practical and consistent with good safety practices.

***(3) Wetlands management zones.**

(a) Logging will be permitted within wetland management zones.

(b) Where feasible logs shall be skidded at least with one end suspended from the ground so as to minimize soil disturbance and damage to leave trees and vegetation in the wetland management zone.

(c) Tractors, wheeled skidders, or other ground based harvesting systems shall not be used within the minimum WMZ width without written approval of the department.

*** (4) Deadfalls.** Removal or repositioning of any logs firmly embedded in the bed or bank of Type 1, 2, 3 or 4 Waters shall ~~((not be removed or unnecessarily disturbed without hydraulic project approval of the departments of fisheries or wildlife))~~ comply with hydraulic code (chapter 222-10 WAC) and require hydraulic project approval issued by the department of fish and wildlife. Logs firmly embedded in the bed or bank of any Type 4 or 5 Water shall not be removed or repositioned without written approval of the department.

*** (5) Moisture conditions.** Tractor and wheeled skidders shall not be used on exposed erodible soils or saturated soils ~~((when soil moisture content is so high that unreasonable soil compaction, soil disturbance, or))~~ if wetland, stream, lake or pond siltation ~~((would result))~~ can reasonably be expected to occur. When soil moisture is high, tractor and wheeled skidder operation shall be restricted to designated skid trails to minimize or reduce soil compaction.

(6) Protection of residual timber. Reasonable care shall be taken to minimize damage from skidding to the stems and root systems of residual timber and to young reproduction.

*** (7) Skid trail construction.**

(a) Skid trails shall be kept to the minimum feasible width.

(b) Reasonable care shall be taken to minimize the amount of sidecast required and shall only be permitted above the ~~((50-year))~~ 100-year flood level.

(c) Skid trails shall be outloped where practical, but be insloped where necessary to prevent logs from sliding or rolling downhill off the skid trail.

(d) Skid trails running parallel or near parallel to streams shall be located at least 40 feet from the bankfull width of any natural defined stream channel that directly delivers to the stream network unless approved in writing by the department.

(e) Within 200 feet horizontal distance of any natural defined channel that directly delivers to the stream network skid trail gradient shall be limited to 30 percent or less unless approved in writing by the department.

*** (8) Skid trail maintenance.**

(a) Upon completion of use and termination of seasonal use, skid trails on slopes in exposed soils shall be water barred where necessary to prevent soil erosion.

(b) Skid trails located within 200 feet horizontal distance of any natural defined stream channel that directly delivers to the stream network shall use waterbars, grade breaks, and/or slash to prevent sediment delivery to the stream. Waterbars shall be placed at a frequency to minimize gullying and soil erosion. In addition to waterbarring, skid trails with exposed

soil that is erodible and may be reasonably expected to cause damage to a public resource shall be seeded with a noninvasive plant species (preferably a species native to the state) and adapted for rapid revegetation of disturbed soil, or treated with other erosion control measures acceptable to the department.

(9) Slope restrictions. Tractor and wheeled skidders shall not be used on slopes where in the opinion of the department this method of operation would cause ~~((unnecessary))~~ actual or potential material damage to a public resource.

(10) Disturbance avoidance for northern spotted owls. The operation of heavy equipment within a SOSEA boundary shall not be allowed within 0.25 mile of a northern spotted owl site center between March 1 and August 31, provided that, this restriction shall not apply if:

(a) The landowner demonstrates that the owls are not actively nesting during the current nesting season; or

(b) The forest practice is operating in compliance with a plan or agreement developed for the protection of the northern spotted owl under WAC 222-16-080 (6)(a), (e), or (f).

(11) Disturbance avoidance for marbled murrelets. Operation of heavy equipment shall not be allowed within 0.25 mile of an occupied marbled murrelet site during the daily peak activity periods within the critical nesting season, provided that, this restriction shall not apply if the forest practice is operating in compliance with a plan or agreement developed for the protection of the marbled murrelet under WAC 222-16-080 (6)(a) or (c).

WSR 99-24-088
PROPOSED RULES
FOREST PRACTICES BOARD
 [Filed November 30, 1999, 10:39 a.m.]

Continuance of WSR 99-20-144.

Title of Rule: Amendments to forest practices rules, Title 222 WAC.

Statutory Authority for Adoption: Chapter 34.05 RCW, RCW 34.05.090, 76.09.040, [76.09.]050, [76.09.]055.

Statute Being Implemented: Chapter 76.09 RCW.

Summary: The Forest Practices Board will consider adoption of these emergency rules on January 20, 2000. Written comments may be submitted to the address below.

Name of Agency Personnel Responsible for Drafting: Judith Holter, 1111 Washington Street S.E., Olympia, WA 98504-7012, (360) 902-1412; Implementation and Enforcement: Catherine Elliott, 1111 Washington Street S.E., Olympia, WA 98504-7012, (360) 902-1041.

Name of Proponent: Forest Practices Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Detailed explanation given in original publication.

The anticipated effects for these rules include improved water quality and fish habitat, as well as better overall protection of public resources while maintaining a viable forest products industry.

Proposal Changes the Following Existing Rules: Changes described in original publication.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required per RCW 76.09.055(2).

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not required per RCW 76.09.055(2).

Hearing Location: The public hearing was held November 9, 1999.

Submit Written Comments to: Judith Holter, Department of Natural Resources, Forest Practices Division, fax (360) 902-1789, by January 7, 2000.

Date of Intended Adoption: January 20, 2000.

November 30, 1999

John Daly
 Chair

WSR 99-24-105
PROPOSED RULES
INTERAGENCY COMMITTEE
FOR OUTDOOR RECREATION

[Filed December 1, 1999, 8:13 a.m.]

Original Notice.

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

Title of Rule: Land and water conservation fund—Funding and candidate selection.

Purpose: Provide greater flexibility and efficiency in utilizing any federal monies that may become available under the land and water conservation fund.

Other Identifying Information: See WAC 286-40-020 Funding and candidate selection.

Statutory Authority for Adoption: RCW 43.99.080(2).

Summary: Presently, federal funds made available under this program may only be administered under the rules and policies of the Washington wildlife and recreation program (WWRP). This includes the requirement that all projects adhere to the "outdoor recreation account planning requirements of WAC 286-27-040."

Reasons Supporting Proposal: Removing these restrictions will allow the flexibility and efficiency of placing projects in the IAC program which is most appropriate. For example, an application for developing an athletic field, due to timing or project scope, might be more successful if administered under IAC's youth athletic facilities program, not WWRP.

Name of Agency Personnel Responsible for Drafting: Greg Lovelady, 1111 Washington Street S.E., Olympia, WA 98504-0917, (360) 902-3008; Implementation and Enforcement: Laura Eckert Johnson, 1111 Washington Street S.E., Olympia, WA 98504-0917, (360) 902-3000.

Name of Proponent: Interagency Committee for Outdoor Recreation, public and governmental.

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

PROPOSED

WSR 99-24-110

PROPOSED RULES

WASHINGTON STATE PATROL

[Filed December 1, 1999, 8:59 a.m.]

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose, Summary and Reasons Supporting Proposal above.

Proposal Changes the Following Existing Rules: See Summary and Reasons Supporting Proposal above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule change is directed at one group of IAC grant recipient, that is, government agencies. If approved, the changes will enhance efficiency and compliance with existing laws and procedures. We do not believe that small businesses will be impacted in any way.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Interagency Committee for Outdoor Recreation is exempted under RCW 34.05.328 (5)(a)(i).

Hearing Location: Room 259, Natural Resources Building, Second Floor East, 1111 Washington Street S.E., Olympia, WA, on January 10, 2000, at 3:30 p.m.

Assistance for Persons with Disabilities: Contact Greg Lovelady by December 27, 1999, TDD (360) 902-1996 (leave message), or (360) 902-3008.

Submit Written Comments to: Greg Lovelady, Rules Coordinator, Interagency Committee for Outdoor Recreation, P.O. Box 40917, Olympia, WA 98504-0917, fax (360) 902-2026, by January 6, 2000.

Date of Intended Adoption: January 24, 2000.

December 1, 1999

Greg Lovelady

Rules Coordinator

AMENDATORY SECTION (Amending WSR 97-08-003, filed 3/20/97, effective 4/20/97)

WAC 286-40-020 Funding and candidate selection.

Funding for projects approved under this chapter is from the recreation resource account. Candidate project(s) are ~~((selected))~~ recommended by the director, and approved by the committee ~~((, from among those submitted to the Washington wildlife and recreation program (chapter 286-27 WAC)))~~. Selection criteria includes:

~~((1))~~ (1) ~~((Adherence to the outdoor recreation account planning requirements of WAC 286-27-040;~~

~~((2)))~~ (2) How well the project(s) has ranked in the evaluation;

~~((3)))~~ (2) How well the project(s) meets needs identified in the state-wide comprehensive outdoor recreation planning program and the general goals identified in WAC 286-04-030;

~~((4)))~~ (3) How well the project(s) meets the criteria in the Land and Water Conservation Fund Grants Manual;

~~((5)))~~ (4) An assessment of how quickly the project(s) will progress through planning and implementation stages.

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-20-037.

Title of Rule: Chapter 204-38 WAC, Flashing amber lamps.

Purpose: For the safety of rural newspaper carriers and the public.

Statutory Authority for Adoption: RCW 46.37.005, 46.37.280.

Summary: The WAC deals with flashing amber lamps on special vehicles. This proposal adds rural newspaper carriers vehicles to the list entitled to use flashing amber lamps.

Reasons Supporting Proposal: For the safety of rural newspaper carriers and the public safety.

Name of Agency Personnel Responsible for Drafting and Implementation: Ms. Carol Morton, P.O. Box 42635, Olympia, WA 98504, (360) 412-8934; and Enforcement: Commander Jim LaMunyon, P.O. Box 42600, Olympia, WA 98504, (360) 586-2340.

Name of Proponent: Request from some rural newspaper carriers, private.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule allows for flashing amber lamps on vehicles use for special purposes that could be a hazard to the motoring public. Rural newspaper carrier vehicles are a hazard to the public particularly during the hours of darkness. The safety of the carriers and the public will be enhanced with greater visibility.

Proposal Changes the Following Existing Rules: The change adds rural newspaper carrier vehicles to the list allowed to use flashing amber lamps.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The WAC does not require the mounting of flashing amber lamps on special use vehicles but allows it under certain circumstances.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Commercial Vehicle Division Conference Room, Ground Floor, General Administration Building, 210 11th S.W., Olympia, WA 98504, on January 4, 2000, at 8:30 a.m.

Assistance for Persons with Disabilities: Contact Gene McDaniel by January 3, 2000, (360) 753-0658.

Submit Written Comments to: Ms. Carol Morton, P.O. Box 42635, Olympia, WA 98504, fax (360) 493-9090, by December 30, 1999.

Date of Intended Adoption: January 5, 2000.

November 30, 1999

R. M. Leichner

for Annette M. Sandberg

Chief

PROPOSED

AMENDATORY SECTION (Amending WSR 94-17-167, filed 8/24/94, effective 9/24/94)

WAC 204-38-030 Definitions. (1) "Flashing" lamps shall include those lamps which emit a beam of light which is broken intermittently and regularly by use of an electronic or electric switch, a rotating reflector, a rotating lamp, or a strobe lamp.

(2) "Other construction and maintenance vehicles" shall mean those vehicles owned or operated by a private company which is in the process of providing highway construction or maintenance services or is working in conjunction with any public utility.

(3) "Pilot cars" shall mean those vehicles which are used to provide escort for overlegal size loads upon the roadways of this state.

(4) "Public utilities vehicles" shall mean those vehicles used for construction, operations, and maintenance, and which are owned or operated by a public or private utility, including, but not limited to, companies providing water, electricity, natural gas, telephone, and television cable services, and railroads.

(5) "Tow trucks" shall mean those vehicle engaged in removing disabled or abandoned vehicles from the roadway and which are used primarily for that purpose.

(6) "Animal control vehicles" shall mean those vehicles, either publicly or privately owned, which are used primarily for transportation of animals to or from animal shelters, humane society facilities, or veterinary medicine facilities.

(7) "Hazardous materials response team vehicles" shall mean those vehicles either publicly or privately owned which are used for responding to hazardous materials incidents.

(8) "Search and rescue team(~~s~~) vehicles" shall mean those vehicles either publicly or privately owned which are used for responding to search and rescue situations.

(9) "Rural newspaper carrier vehicles" shall mean those vehicles driven on rural roads by carriers delivering newspapers on their route.

AMENDATORY SECTION (Amending WSR 92-11-032, filed 5/15/92, effective 6/15/92)

WAC 204-38-040 Mounting of lamps. One or more flashing amber lamps may be mounted on public utilities vehicles, other construction and maintenance vehicles, pilot cars, tow trucks, animal control vehicles, (~~and~~) hazardous materials response team vehicles, search and rescue team vehicles, and rural newspaper carrier vehicles. The lamp(s) shall be mounted and shall be of sufficient intensity so as to be clearly visible to approaching traffic for at least five hundred feet in normal sunlight.

The provisions of WAC 204-72-030 and 204-72-040 shall be adhered to as they relate to the mounting of warning lamps.

AMENDATORY SECTION (Amending Order 88-02-ESR, filed 7/18/88)

WAC 204-38-050 Use of lamps. Flashing amber lamps shall be used on the vehicles described in WAC 204-38-040

only when such vehicles are actually involved in construction, maintenance, or operations which require that warning be given to ensure the protection of the motoring public or the work crew. Warning lamps shall not be illuminated while traveling to or from the site of operations. For the purposes of tow truck operations, the site of operations shall be only that place where vehicles are attached to or detached from the tow truck. Lamps on pilot cars shall be illuminated only while the vehicle is actually providing escort service. Lamps on rural newspaper delivery vehicles shall only be illuminated when the vehicle is traveling on the delivery route.

Nothing in this chapter shall relieve the operator of any vehicle from displaying any other light or warning device required by statute or regulation, and nothing herein shall permit any vehicle operator to disregard any traffic law. To be considered approved equipment for use under the provisions of this section, all devices must meet the criteria established in RCW 46.37.320. In descending order of preference, these are:

(1) Conformance to Federal Motor Vehicle Safety Standards, or, if none,

(2) Conformance to current standards and specifications of the Society of Automotive Engineers, or, if none,

(3) Certified for compliance by any recognized organization or agency such as, but not limited to, the American National Standards Institute, the Society of Automotive Engineers, or the American Association of Motor Vehicle Administrators.

WSR 99-24-116

PROPOSED RULES

DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT

[Filed December 1, 1999, 10:48 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-20-104.

Title of Rule: State funding of local emergency shelter and transitional housing, operating and rent programs.

Purpose: To update the emergency shelter assistance program (ESAP), chapter 365-120 WAC to correspond to changes recommended by CTED and its advisory committee and to add the conditions and procedures under which state funding will be made available to transitional housing, operating and rent programs for homeless families with children.

Statutory Authority for Adoption: Chapter 43.63A RCW, RCW 43.63A.650, E2SHBa 1493 (chapter 267, Laws of 1999).

Statute Being Implemented: Chapter 365-120 WAC.

Summary: Changes include adding definition for "homelessness prevention"; expanding the existing definition of "families"; and adding language for transitional housing, operating and rent programs to the definitions, funding processes, and eligibility requirements of the WAC.

Reasons Supporting Proposal: All changes were recommended by the program advisory group, with comments solicited during two community forums. The changes help

PROPOSED

clarify the existing rule, allow local contractors more flexibility in program administration, and add language to include new programs for homeless families with children, as mandated by E2SHBa 1493.

Name of Agency Personnel Responsible for Drafting: Jennifer Turin, Department of Community, Trade and Economic Development, (360) 753-1928; Implementation: Jennifer Turin (THOR) or Ted Kelleher (ESAP), Department of Community, Trade and Economic Development, (360) 753-1928 or (360) 753-1926; and Enforcement: Bill Hunter, Department of Community, Trade and Economic Development, (360) 753-2570.

Name of Proponent: Department of Community, Trade and Economic Development, governmental.

Rule is necessary because of state court decision, 133 Wash.2d 894 (1997), 949 P.2d 1291. Washington State Coalition for the Homeless v. Department of Social and Health Services, No. 62879-3, Supreme Court of Washington.

Explanation of Rule, its Purpose, and Anticipated Effects: The following changes were made to the WAC: (1) DEFINITIONS. Changed the order of existing definitions to be alphabetical for easier reference. Definition of "families" expanded to include pregnant or parenting teens, so that homeless teen families have access to programs for homeless families with children. Added "homeless prevention" to expand eligible activities under the emergency shelter assistance program (ESAP). Added "housing stability plan," "rental assistance," "transitional housing," and "transitional housing, operating and rent program" to explain language added to the WAC for the transitional housing, operating and rent (THOR) programs. Changed the definition of "short term" from thirty-one to ninety days to allow local administrators more flexibility in meeting the needs of local area homeless populations. (2) FUNDING ALLOCATION AND APPLICATION. Removed the specific details of the allocation formula and application process, to allow for greater flexibility in changing the formula or the application process when circumstances warrant change. Adjusted language to reflect the general allocation process for both the ESAP and THOR programs. (3) ELIGIBILITY. Removed language specific to any one program and placed in separate sections to clarify the requirements of each program. Added two new sections to describe the eligibility requirements of the THOR operating assistance and rental assistance programs.

The changes to the existing ESAP rule will give local administrators more flexibility to design programs that will best meet the needs of their homeless clients. The new language and sections addressing the THOR programs will allow local administrators to administer the new programs as mandated by the legislature, to help fill the gap between shelter assistance and permanent housing.

Proposal Changes the Following Existing Rules: Changes are described above, in Explanation of Rule, its Purpose, and Anticipated Effects.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Since CTED has determined that there is no impact on small businesses through implementation of these changes, a small business economic impact statement is not necessary.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Department of Community, Trade and Economic Development, 906 Columbia Street S.W., Conference Room 1, Olympia, WA 98504, on January 4, 1999 [2000], at 12:00 to 2:00 p.m.; and the Best Western Hallmark Inn and Conference Center, 3000 Marina Drive, Moses Lake, WA 98837, on January 5, 1999 [2000], at 10:00 to 3:00 p.m.

Assistance for Persons with Disabilities: Contact Jennifer Turin by December 17, 1999, TDD (360) 753-2200.

Submit Written Comments to: Jennifer Turin, Program Manager, Department of Community, Trade and Economic Development, 906 Columbia Street S.W., P.O. Box 48300, Olympia, WA 98504-8300, fax (360) 586-5880, by January 5, 2000.

Date of Intended Adoption: February 8, 2000.

December 1, 1999

Jean Ameluxen

Director of

Intergovernmental Relations

Chapter 365-120 WAC

STATE FUNDING OF LOCAL EMERGENCY SHELTER AND TRANSITIONAL HOUSING, OPERATING AND RENT PROGRAMS

AMENDATORY SECTION (Amending Order 87-12, filed 9/18/87)

WAC 365-120-010 Authority. These rules are adopted under the authority of RCW 43.63A.060 which provides that the director shall make such rules and regulations and do all other things necessary and proper to carry out the purposes of chapter 43.63A RCW. RCW 43.63A.065(2) provides that among its functions and responsibilities the department shall administer state and federal grants and programs which are assigned to the department by the governor or the legislature. RCW 43.63A.650 provides that the department shall be the principal state department responsible for providing shelter and housing services to homeless families with children.

AMENDATORY SECTION (Amending Order 85-19, filed 1/6/86)

WAC 365-120-020 Purpose. The purpose of this chapter is to set forth the conditions and procedures under which state funding will be made available to assist local emergency shelter assistance or transitional housing, operating and rent programs.

AMENDATORY SECTION (Amending Order 87-12, filed 9/18/87)

WAC 365-120-030 Definitions. ~~((1))~~ "Department" means the department of community development.

~~(2)~~ "Director" means the director of the department of community development.

(3) "Emergency shelter assistance program" means the statewide administrative activities carried out within the department of community development to allocate, award, and monitor state funds appropriated to assist local emergency shelter programs.

(4) "Emergency shelter program" means a program within a local agency or organization that provides emergency shelter services.

(5) "Applicant" means a public or private nonprofit organization including local government entities, or a combination thereof, which applies for state emergency shelter funds.

(6) "Contractor" means an applicant which has been awarded state funds under the emergency shelter assistance program and which has entered into a contract with the department of community development to provide emergency shelter services.

(7) "Lead agency contractor" means an applicant which has been awarded state funds under the emergency shelter assistance program and which has entered into a contract with the department of community development to administer subcontracts with one or more local agency providers of emergency shelter services.

(8) "Homeless" means persons, including families, who, on one particular day or night, do not have a decent and safe shelter nor sufficient funds to purchase a place to stay.

(9) "Voucher system" means a method of purchasing emergency shelter services by the night using a notification coupon.

(10) "Religious service" means any sectarian or non-denominational service, rite, or meeting that involves worship of a higher being.

(11) "Short term" means one to thirty one days.

(12) "Families" means one or more adults with dependent children under 18.

(13) "Congregate care facility" means a licensed boarding home or a licensed private establishment which has entered into a congregate care contract with the department of social and health services (WAC 388-15-560).

(14) "Group care facility" means an agency maintained and operated for the care of a group of children on a 24-hour basis (WAC 388-73-014(1)).

(15) "Crisis residential center" means an agency operated under contract with the department of social and health services to provide temporary protective care to children in a semi-secure residential facility in the performance of duties specified and in a manner provided in RCW 13.32A.010 through 13.32A.200 and 74.13.032 through 74.13.036 (WAC 388-73-014(6)).

(16) "Detoxification center" means a public or private agency or program of an agency which is operated for the purpose of providing residential detoxification services for those suffering from acute alcoholism.

(17) "Current or continuous provider" means an agency or organization that currently provides or has provided emergency shelter services for some period during the most recent fiscal year.

(18) "Participating agency" means a local public or private nonprofit organization which enters into a subcontract with a lead agency contractor to provide emergency shelter services.

(19) "Safe home" means a private home where short term emergency shelter is provided primarily to victims of domestic violence.) (1) "Applicant" means a public or private nonprofit organization or agency, including local government entities, or a combination thereof, which applies for state emergency shelter or transitional housing program funds.

(2) "Congregate care facility" means a licensed boarding home or a licensed private establishment which has entered into a congregate care contract with the department of social and health services.

(3) "Contractor" means an applicant who has been awarded state funds under the emergency shelter or transitional housing, operating and rent program and which has entered into a contract with the department to provide emergency shelter or transitional housing services.

(4) "Crisis residential center" means an agency operated under contract with the department of social and health services to provide temporary protective care to children in a semi-secure residential facility in the performance of duties specified and in a manner provided in RCW 13.32A.010 through 13.32A.200 and 74.13.032 through 74.13.036.

(5) "Current or continuous provider" means an agency or organization that currently provides or has provided emergency shelter assistance for some period during the most recent fiscal year.

(6) "Department" means the department of community, trade, and economic development.

(7) "Detoxification center" means a public or private agency or program of an agency that is operated for the purpose of providing residential detoxification services for those suffering from acute alcoholism.

(8) "Director" means the director of the department of community, trade, and economic development.

(9) "Emergency shelter assistance program" means the state-wide administrative activities carried out within the department of community, trade, and economic development to allocate, award, and monitor state funds appropriated to assist local emergency shelter and homelessness prevention programs.

(10) "Emergency shelter program" means a program within a local agency or organization that provides emergency shelter assistance.

(11) "Families" means pregnant women or one or more adults with dependent children under eighteen, including pregnant and parenting teens.

(12) "Group care facility" means an agency maintained and operated for the care of a group of children on a twenty-four-hour basis.

(13) "Homeless" means persons, including families, who, on one particular day or night, do not have a decent and safe shelter or sufficient funds to purchase a place to stay.

(14) "Homelessness prevention" means the following activities or programs designed to prevent the incidence of homelessness:

(a) Subsidies to help defray rent or mortgage arrearages for individuals or families faced with eviction or foreclosure.

(b) Security and damage deposits to enable a homeless individual or family to move into their own housing.

(c) Initial rent costs to enable a homeless individual or family to move into his or her own housing.

(d) Case management to assist individuals and families to remain in their housing or to look for permanent housing.

(e) Landlord-tenant mediation, conciliation or other forms of dispute resolution or negotiation which will keep people in housing or help people with housing barriers to obtain a lease.

(15) "Housing stability plan" means a set of goals and course of action set by the assisted family and housing support staff, to aid the family in transitioning to stable housing and the highest attainable level of self-sufficiency.

(16) "Participating agency" means a local public or private nonprofit organization, which enters into a subcontract with a lead agency contractor to provide emergency shelter assistance.

(17) "Religious service" means any sectarian or non-denominational service, rite, or meeting that involves worship of a higher being.

(18) "Rental assistance" means no less than ninety-one days and no more than twenty-four months of assistance to help homeless families with children pay the cost of rent and utilities for amounts that are consistent with local practices.

(19) "Safe home" means a private home where short-term emergency shelter is provided primarily to victims of domestic violence.

(20) "Short-term" means one to ninety days.

(21) "Transitional housing" means housing provided for no less than ninety-one days and no more than twenty-four months.

(22) "Transitional housing, operating and rent program" or "transitional housing program" means the state-wide administrative activities carried out within the department to allocate, award and monitor state funds appropriated to local communities to provide operating assistance for transitional housing units and partial rental assistance to homeless families with children.

(23) "Voucher system" means a method of purchasing emergency shelter assistance by the night using a notification coupon.

AMENDATORY SECTION (Amending Order 87-12, filed 9/18/87)

WAC 365-120-040 Contractor funding allocation and distribution. ((Each county of the state is allocated a portion of the total contractor appropriation by the legislature according to the following formula:

(1) Five thousand dollars minimum allocation to every county to offset the limited resources and higher costs of providing services in rural areas;

(2) Fifty percent of the remaining funds distributed proportionally based on each county's percent of the state's population with an income of one hundred percent of poverty using federal guidelines; and

(3) Fifty percent of the remaining funds distributed proportionally based on each county's percent of the unemployed population during the last state fiscal year.

(4) Any increases in appropriations to this program by the legislature will be allocated according to each county's

percent of the total state appropriation which was determined in subsections (1), (2), and (3) of this section.

The department may award the combined allocation of two or more counties to a single applicant.

The department may award a contract to one lead agency contractor in each county with the exception of Pierce County, where there may be two lead agency contractors, and King County, where there may be five lead agency contractors to administer subcontracts with one or more local agency providers of emergency shelter services:))

Funds will be distributed state-wide to successful applicants according to department formulas. The department will give priority in the awarding of allocations under the emergency shelter assistance program to applicants who serve families and children in need of shelter.

((In the event that funds are not claimed by an eligible organization in a county, or that a portion of the funds allocated to a county remain unspent, two thirds of those funds will be awarded to shelters serving the homeless mentally ill in King County and one third of the funds will be awarded to shelters serving the homeless mentally ill in Pierce County:))

The department will pay for services provided under the state emergency shelter ((assistance)) and transitional housing programs after the contractor submits a monthly report of expenditures incurred and a request for reimbursement, and any other reports or information required by department guidelines. Reports and requests for reimbursement may be submitted on a less frequent basis if approved by the department.

AMENDATORY SECTION (Amending Order 87-12, filed 9/18/87)

WAC 365-120-050 ((Applicant eligibility criteria:)) Funding application process. (((1) The applicant for funding as a participating agency must have been a provider of emergency shelter for one year prior to the beginning date of the contract year.

(2) The applicant must not require participation in a religious service as a condition of receiving emergency shelter.

(3) The applicant must not require residency in the designated service area as a requirement for a homeless person to receive services.

(4) The applicant must practice nondiscrimination in providing services and employment.

(5) The applicant must not deny shelter to a homeless person because of his or her inability to pay.

(6) The applicant for funding as a participating agency must provide short-term emergency shelter services either directly through a shelter facility, through a voucher system, or through a safe home.

(7) The applicant for lead agency contractor must be authorized by the applicant participating agencies within each county for which funds are applied.

(8) The applicant for lead agency contractor may or may not actually provide emergency shelter program services.

(9) The applicant must be a public or private nonprofit organization, or a local government entity.

(10) Group care facilities, crisis residential centers, congregate care facilities, and detoxification centers are not eli-

~~gible to receive emergency shelter assistance funding.)) (1) The department will notify potential applicants that in order to be considered for state emergency shelter assistance and transitional housing, operating and rent grants, applications must be submitted to the department.~~

~~(2) Department funds may not be substituted for other existing funding sources.~~

~~(3) The department shall notify successful applicants and shall provide to each of them a contract for signature. This contract must be signed by an official with authority to bind the applicant and must be returned to the department prior to the award of any funds under this program.~~

AMENDATORY SECTION (Amending Order 87-12, filed 9/18/87)

WAC 365-120-060 ~~((Financial support application process.)) Eligibility for all applicants.~~ ~~((1) Potential applicants will be notified by the department that in order to be considered for state emergency shelter financial assistance, an application must be submitted to the department.~~

~~(2) An applicant must make formal application using forms issued and procedures established by the department. Such application shall be for the period July 1—June 30. Failure of an applicant to make application in a timely manner, as specified by the department, will result in denial of the funding request.~~

~~(3) Department funds may not be substituted for other existing funding sources.~~

~~(4) The total amount of funds provided to a contractor under this program may not exceed the total funding received from other sources for emergency shelter services during the fiscal year.~~

~~(5) Administrative costs under this program are limited to ten percent of the total award for providing direct services. The administrative costs of a contractor that provides direct emergency shelter services and also serves as a lead agency contractor are limited to ten percent of the contractor award for providing direct services plus ten percent of the multi-agency service provider contract total. However, total administrative costs for a lead agency contractor may not exceed fifteen percent of a county's total allocation.~~

~~(6) The department shall notify successful applicants and shall provide to each of them a contract for signature. This contract must be signed by an official with authority to bind the applicant and must be returned to the department prior to the award of any funds under this program.)) (1) The applicant must not require participation in a religious service as a condition of receiving emergency shelter.~~

~~(2) The applicant must practice nondiscrimination in providing services and employment.~~

NEW SECTION

WAC 365-120-070 Eligibility for emergency shelter assistance. (1) The applicant must have been a provider of emergency shelter for one year prior to the beginning date of the contract year or serve an area or population of demonstrated unmet need determined by a consortium of service providers in a county.

(2) The applicant must not require residency in the designated service area as a requirement for a homeless person to receive services.

(3) The applicant must not deny shelter to a homeless person or family because of inability to pay.

(4) The applicant must provide homelessness prevention assistance or short-term emergency shelter assistance directly through a shelter facility, a voucher system, or a safe home.

(5) The applicant for lead agency contractor must be authorized by the participating agencies within each county for which funds are applied.

(6) The applicant for lead agency contractor may or may not actually provide emergency shelter or homelessness prevention assistance.

(7) Group care facilities, crisis residential centers, congregate care facilities, and detoxification centers are not eligible to receive emergency shelter assistance funding.

NEW SECTION

WAC 365-120-080 Eligibility for operating assistance for transitional housing. (1) Projects must provide transitional housing in a structure designed for the targeted population of homeless families with children whose incomes are at or below thirty percent of the area median income.

(2) Operating subsidies shall not exceed thirty percent of the project's core operating budget for the year.

(3) Rents shall not exceed thirty percent of the income of the targeted population.

NEW SECTION

WAC 365-120-090 Eligibility for rental assistance. (1) Programs must provide rental assistance to homeless families with children whose incomes are at or below fifty percent of the area median.

(2) Assistance must be provided for no less than ninety-one days and no more than twenty-four months to help pay the cost of rent and utilities.

(3) Households must sign a written agreement to participate in a housing stability plan.

(4) Rent subsidies must be appropriate to individual family incomes.

(5) Local program administrators must have written program policies and procedures describing tenant selection, assistance denial or termination, housing safety standards, and a minimum tenant rent payment.

WSR 99-24-118

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed December 1, 1999, 10:55 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-10-089.

Title of Rule: Chapter 180-51 WAC, WAC 180-51-063 Certificate of mastery—High school graduation requirement and 180-51-064 Certificate of mastery—Validity and reliability study.

Purpose: To add new sections addressing the certificate of mastery.

Statutory Authority for Adoption: RCW 28A.230.090.

Summary: The two new sections will determine an effective date for the implementation of the certificate of mastery and establish funding support for validity and reliability substantiation activities.

Reasons Supporting Proposal: This supports education reform.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule will establish an effective date for the implementation of the certificate of mastery.

Proposal Changes the Following Existing Rules: Adds new sections, see below.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: The Evergreen State College, The Long House, 2700 Evergreen Parkway N.W., Olympia, WA 98505, on January 10, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Carolyn Berger by January 3, 2000, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by January 3, 2000.

Date of Intended Adoption: January 12, 2000.

November 30, 1999

Larry Davis

Executive Director

NEW SECTION

WAC 180-51-063 Certificate of mastery—High school graduation requirement—Effective date. (1) Pursuant to RCW 28A.630.885 (3)(c):

(a) The certificate of mastery shall be a graduation requirement, but not the only requirement for graduation from high school; and

(b) The state board of education is responsible for determining when the secondary Washington assessment of student learning has been implemented and is sufficiently valid and reliable.

(2)(a) The state board of education assumes that when the secondary Washington assessment of student learning is fully operational it will be sufficiently valid and reliable. Accordingly, the state board hereby establishes the 2007-08 school year as the first year in which graduating high school students shall be required to have attained the state certificate

of mastery in order to graduate, in addition to other state and local graduation requirements.

(b) The state board will continue to monitor the high school level Washington assessment of student learning. If the board finds that it is lacking in validity or reliability, or both, by the beginning of the 2003-04 school year, the state board may change the effective date of the certificate of mastery to a later school year.

(3) Notwithstanding WAC 180-18-055 and 180-51-107, subsection (2) of this section shall not be waived.

(4) The certificate of mastery shall not be a graduation requirement for students who receive home-based instruction under RCW 28A.200.101(3) nor for students attending private schools under RCW 28A.195.010(6).

NEW SECTION

WAC 180-51-064 Certificate of mastery—Validity and reliability study. The state board of education recognizes that a state investment in activities to verify the validity and reliability of the secondary Washington assessment of student learning is critical. Therefore, the state board will work with the legislature to establish funding support for validity and reliability substantiation activities.

WSR 99-24-119

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed December 1, 1999, 10:57 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-19-120.

Title of Rule: WAC 180-51-074.

Purpose: Rule amendment.

Statutory Authority for Adoption: RCW 28A.230.170, 28A.230.060.

Summary: This amendment will allow military dependent secondary school students who have completed and passed a course of study in state history and government from without the state to have their principal waive the Washington state history and government requirement.

Reasons Supporting Proposal: This social studies requirement will have identified equivalencies.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal Changes the Following Existing Rules: See Summary above.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: The Evergreen State College, The Long House, 2700 Evergreen Parkway N.W., Olympia, WA 98505, on January 10, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Carolyn Berger by January 3, 2000, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by January 3, 2000.

Date of Intended Adoption: January 12, 2000.

November 30, 1999

Larry Davis

Executive Director

may be fulfilled through an alternative learning experience approved by the school principal pursuant to a written district policy. For purposes of this subsection the term "secondary school students" shall mean a student who is in one of the grades seven through twelve.

(3) Pursuant to ~~((the provision of chapter 28A.230 RCW))~~ WAC 180-51-060, one credit shall be required in contemporary world history, geography, and problems. Courses in economics, sociology, civics, political science, international relations, or related courses with emphasis on current problems may be accepted as equivalencies.

WSR 99-24-120

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed December 1, 1999, 10:58 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-06-079.

Title of Rule: WAC 180-27-032 Growth impact fees and mitigation payments.

Purpose: To allow mitigation payments as local share for state assisted projects.

Statutory Authority for Adoption: RCW 28A.525.020.

Summary: To allow mitigation payments as local share for state assisted projects.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Allows mitigation payments as local share for state assisted projects.

Proposal Changes the Following Existing Rules: Allows mitigation payments as local share for state assisted projects.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: The Evergreen State College, The Long House, 2700 Evergreen Parkway N.W., Olympia, WA 98505, on January 10, 2000, at 8 a.m.

Assistance for Persons with Disabilities: Contact Patty Martin by January 3, 2000, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by January 3, 2000.

Date of Intended Adoption: January 12, 2000.

December 1, 1999

Larry Davis

Executive Director

PROPOSED

AMENDATORY SECTION (Amending Order 5-94, filed 1/19/94, effective 2/19/94)

WAC 180-51-075 Social studies requirement—Mandatory courses—Equivalencies. The social studies requirement in WAC 180-51-060 shall consist of the following mandatory courses or equivalencies:

(1) Pursuant to ~~((the provisions of RCW 28A.230.170, 28A.230.060, and 28A.230.090))~~ WAC 180-51-060, one credit shall be required in United States history and government which shall include study of the Constitution of the United States. No other course content may be substituted as an equivalency for this requirement(~~(;)~~).

(2)(a) Pursuant to the provisions of RCW 28A.230.170, ~~((28A.230.060, and))~~ 28A.230.090, and WAC 180-51-060, one-half credit shall be required in Washington state history and government which shall include study of the Constitution of the state of Washington and is encouraged to include information on the culture, history, and government of the American Indian people who were the first inhabitants of the state.

~~((The provisions of WAC 180-51-030 notwithstanding, the Washington state history and government course requirement may be fulfilled by students in grades seven or eight or both. Credits earned in grades seven or eight shall not be applied toward the minimum number of credits required for high school graduation.~~

~~For students who transfer from without the state, north-west history and government may serve as an equivalent course for Washington state history and government in grades seven through twelve if such course included the study of the Constitution of the state of Washington pursuant to RCW 28A.230.170 or if this statutory requirement is fulfilled through an alternative learning experience.~~

~~The Washington state history and government requirement for twelfth grade students who transfer from without the state who have or will have earned two credits in social studies at graduation but who will not be able to make normal progress toward graduation with their class without an exception may have this requirement waived by their principal;~~)

(b) Secondary school students who have completed and passed a state history and government course of study in another state may have the Washington state history and government requirement waived by their principal. The study of the United States and Washington state Constitutions required under RCW 28A.230.170 shall not be waived, but

AMENDATORY SECTION (Amending WSR 94-01-030, filed 12/6/93, effective 1/6/94)

WAC 180-27-032 Growth impact fees and mitigation payments. Notwithstanding the financial requirements of WAC 180-27-030, districts may use growth impact fees as provided for in RCW 82.02.020, 82.02.050 through 82.02.100, 58.17.060 and 58.17.110 to assist in capital construction projects. The impact fees collected pursuant to the above cited statutes, may be used by the district as local match funding for state assisted capital projects and may not be substituted for the amount of state assistance that would otherwise be provided for school capital projects. Mitigation payments as provided for in RCW 43.21C.060 of the State Environmental Policy Act may ~~((not))~~ be used by the district as local match funding ~~((not))~~ and may not be substituted for the amount of state assistance that would otherwise be provided for school capital projects.

Date of Intended Adoption: January 12, 2000.

December 1, 1999

Larry Davis

Executive Director

NEW SECTION

WAC 180-29-068 Construction management. A school district shall employ or contract for professional construction management pursuant to chapter 180-27 WAC. Construction managers shall have recent demonstrable experience on projects of similar size and type. Construction managers hired as employees of the district shall have employment agreements clearly stipulating the duties and responsibilities of the employee. Contracts between the school district and outside consultants shall stipulate the amount of the fee and the consultant's duties to be performed as in chapter 180-27 WAC.

WSR 99-24-121

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed December 1, 1999, 10:59 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-06-078.

Title of Rule: WAC 180-29-068 Construction management.

Purpose: To implement a new rule resulting from EHB 1831.

Statutory Authority for Adoption: RCW 28A.525.020.

Summary: New section that defines the requirements for construction management.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Implements a new rule resulting from EHB 1831.

Proposal Changes the Following Existing Rules: New section defines the requirements for construction management.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: The Evergreen State College, The Long House, 2700 Evergreen Parkway N.W., Olympia, WA 98505, on January 10, 2000, at 8 a.m.

Assistance for Persons with Disabilities: Contact Patty Martin by January 3, 2000, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by January 3, 2000.

WSR 99-24-122

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed December 1, 1999, 11:00 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-16-059.

Title of Rule: Various sections of chapter 180-79A WAC, Standards for teacher, administrator, and educational staff associate certification, WAC 180-79A-006 Purpose, 180-79A-007 Public policy purposes of State Board of Education performance—Based certification system, 180-79A-130 Fee for certification, 180-79A-145 Levels of certificates, initial/residency and continuing/professional, 180-79A-206 Academic and experience requirements for certification—Teachers, 180-79A-250 Initial/residency and continuing/professional certificates—Renewal, reinstatement, and continuing education requirements, and 180-79A-257 Out-of-state candidates.

Purpose: The proposed amendments modify the rules which will govern professional certificate requirements.

Statutory Authority for Adoption: RCW 28A.410.010.

Summary: See Purpose above.

Reasons Supporting Proposal: The amendments are recommendations from the Washington Advisory Council for Professional Teaching Standards.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: The Evergreen State College, The Long House, 2700 Evergreen Parkway N.W., Olympia, WA 98505, on January 10, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Carolyn Berger by December 27, 1999, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by December 27, 1999.

Date of Intended Adoption: January 12, 2000.

December 1, 1999

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-006 Purpose. The purposes of this chapter are:

(1) To establish a performance-based certification system to be fully implemented for all teacher candidates applying for ~~((certification))~~ the residency certificate after August 31, 2000, for all teacher candidates applying for the professional certificate after August 31, 2001, and for all administrator and educational staff associate candidates not later than August 31, 2004.

(2) To establish the various certificates which must be held as a condition to employment in the Washington school system. The performance-based certification system shall include the issuance of a residency certificate, a professional certificate, and other certificates which the state board of education may add in the future.

(3) To establish the conditions and procedures governing issuance and retention of those and other certificates, including endorsements thereon.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-007 Public policy purposes of state board of education performance-based certification system. The policy purposes of state board of education performance-based certification system are:

(1) To provide qualified educators for the emerging performance-based P-12 education system.

(2) To assure that practitioners are more directly involved in decisions related to professional practice.

(3) To recognize that there is a distinction between the level of competence of beginning educators and the competency of educators who have been able to demonstrate their competencies at a professional level.

(4) To assure that all educators demonstrate their competencies before attaining the status of a professional educator.

(5) To establish a certificate level that recognizes service at a high level of achievement.

(6) To ~~((assure that all residency educators have the support required to assist them through their induction))~~ establish a certification system that provides for continuing support and developmental assistance to individuals as they progress toward professional certification.

(7) To ~~((assure each educator has a professional development plan))~~ prepare educators who are able to assess their professional growth and achievement in light of their impact on student learning.

AMENDATORY SECTION (Amending WSR 97-04-088, filed 2/5/97, effective 3/8/97)

WAC 180-79A-130 Fee for certification. (1) In accordance with provisions of RCW 28A.410.060 and 28A.415.010, the fee for certificates which are valid for more than one year, issued by authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be as follows:

(a) The continuing and professional certificates ~~((is))~~, seventy dollars;

(b) The reinstatement, additional endorsement on the teaching certificate, duplicate certificates, substitute certificates, renewal of the residency certificate, and certificates issued for the purpose of showing a name change ~~((is))~~, fifteen dollars; and

(c) Any other certificate or credential or any renewal thereof ~~((shall be))~~, five dollars for each year of validity:

(d) Provided, That the fee for all vocational certificates shall be one dollar.

(2) The fee for any other certificate/credential, or for any renewal thereof, issued by the authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be five dollars.

(3) Officials authorized to collect certification fees are educational service district superintendents, local school district superintendents, deans and directors of education at colleges and universities, or their designees. The fee must accompany the application for a certificate and shall be transmitted by the receiving district, college or university, or program unit designee at least quarterly to the educational service district within which the application is filed for disposition in accordance with provisions of RCW 28A.410.060. The fee shall not be refunded unless the application is withdrawn before it is finally considered (i.e., the issuance of a certificate or a written communication denying such issuance) by the superintendent of public instruction or his or her designee. Fees not refunded shall apply as credit toward certificate fees if such applicant reapplies within twenty-four months of the date of denial. Moneys accrued from certification fees within the boundaries of an educational service district shall be divided in the following manner:

(a) Local school districts employing more than one hundred teachers and other professional staff and collecting certification fees may retain one dollar of each fee in order to hold a professional training institute. If such district does not hold an institute, all such moneys shall be placed to the credit of the educational service district.

(b) No less than fifty percent of the funds accruing within the boundaries of an educational service district shall

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be used to support program activities related to state-wide precertification professional preparation and evaluation.

(c) The remaining funds shall be used to support professional in-service training programs and evaluations thereof.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-145 Levels of certificates, initial/residency and continuing/professional. Two levels of certification may be issued.

(1) Through August 31, 2000, for teachers, and through August 31, 2004, for administrators and educational staff associates, the following levels of certificates will be issued: Provided, That after August 31, 2000, initial and continuing teachers' certificates will be issued only to previous Washington certificate holders, pursuant to WAC 180-79A-123:

(a) Initial certificate. The initial teacher certificate is valid for four years and the initial administrator and educational staff associate certificates are valid for seven years. Initial teacher certificates shall be subject to renewal pursuant to WAC 180-79A-250 and 180-79A-123. Initial administrator and educational staff associate certificates shall not be subject to renewal.

(b) Continuing certificate. The continuing certificate is valid on a continuing basis as specified in WAC 180-79A-250(3).

(2) ~~((After August 31, 2000, for teachers, and after August 31, 2004, for administrators and educational staff associates the following levels of certificates will be issued:))~~ The following levels of certificates will be issued to teachers, administrators, and educational staff associates commencing with the dates indicated below:

(a) Residency certificate. The residency certificate will be issued beginning September 1, 2000, to teachers and beginning no later than September 1, 2004, to administrators and educational staff associates. The residency certificate is valid for five years and shall be subject to renewal pursuant to WAC 180-79A-250.

(b) Professional certificate. The professional certificate will be issued beginning September 1, 2001, to teachers and beginning no later than September 1, 2004, to administrators and educational staff associates. The professional certificate is valid for five years and shall be subject to renewal pursuant to WAC 180-79A-250.

(3) Notwithstanding anything in subsections (1) and (2) of this section to the contrary, a professional teachers' certificate may be issued prior to August 31, 2000, pursuant to WAC 180-78A-555.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-206 Academic and experience requirements for certification—Teachers. Candidates for teachers' certificates shall complete the following requirements in addition to those set forth in WAC 180-79A-150.

(1) Initial/residency.

Candidates for the initial or residency certificate shall hold an approved baccalaureate degree from a regionally

accredited college or university: Provided, That if the approved baccalaureate degree is in early childhood education, elementary education, or special education, the candidate also must have at least thirty quarter hours (twenty semester hours) in one of the academic fields listed in WAC 180-79A-302 (3)(a) through (e) and (4).

(2) Continuing.

(a) Candidates who apply for a continuing certificate shall have at least forty-five quarter hours (thirty semester hours) of upper division and/or graduate work completed from a regionally accredited institution of higher education subsequent to the conferral of the baccalaureate degree: Provided, That if the individual is pursuing study in a new subject matter area or specialization, lower division (freshmen or sophomore level) credit hours in that subject area or specialization shall be accepted toward continuing certification upon completion of the requirements for an endorsement in that subject area or specialization.

(b) Candidates applying for a continuing certificate prior to September 1, 2000, shall have been granted at least two subject area endorsements.

(c) Candidates who apply for a continuing certificate who have not successfully completed course work or an in-service program including a minimum of ten clock hours of instruction on issues of abuse, must complete ~~((such course work or in-service program as a condition for the issuance of a continuing certificate. The content of the course work or in-service program shall discuss the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse, and methods for teaching students about abuse of all types and their prevention))~~ the child abuse course work requirement as defined in WAC 180-79A-030(6).

(d) Candidates for continuing teachers' certificates shall provide documentation of one hundred eighty days or full-time equivalent or more satisfactory teaching experience with an authorized employer—i.e., school district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(3) Professional.

(a) Candidates for the professional certificate shall have successfully completed a state board of education approved, ~~((collaboratively developed))~~ professional certificate program, pursuant to WAC 180-78A-500 through 180-78A-540; Provided, That an individual who holds a teaching certificate issued by the National Board for Professional Teaching Standards (NBPTS) shall be deemed to have met the requirement for completion of a professional certificate program, in recognition that NBPTS certification is issued only to individuals who have demonstrated highly advanced skills as a teacher.

(b) Candidates who apply for a professional certificate who have not successfully completed course work or an in-service program including a minimum of ten clock hours of instruction on issues of abuse, must complete ~~((such course work or in-service program as a condition for the issuance of a professional certificate. The content of the course work or~~

~~in-service program shall discuss the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse, and methods for teaching students about abuse of all types and their prevention)) the child abuse course work requirement as defined in WAC 180-79A-030(6).~~

(c) Candidates for professional teachers' certificates shall provide, as a condition for the issuance of a professional certificate, documentation that they have completed provisional status with a school district under RCW 28A.405.220 or the equivalent with an approved private school.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-250 Initial/residency and continuing/professional certificates—Renewal, reinstatement, and continuing education requirements. The following shall apply to initial/residency and continuing/~~(residency)~~ professional certificates issued pursuant to this chapter:

(1) Initial certificate.

An initial teacher certificate may be renewed for an additional three-year period on application and verification that the individual has completed all course work requirements from a regionally accredited institution of higher education as defined in WAC 180-78A-010(6) for continuing certification or has completed at least fifteen quarter credit hours (ten semester credit hours) since the certificate was issued or renewed. After August 31, 2000, provisions of WAC 180-79A-123 will apply.

(2) Residency certificate. Residency certificates shall be renewed under one of the following options:

(a) Individuals who hold, or have held, a residency certificate and are enrolled in a professional certificate program may have the certificate renewed for ~~((an))~~ one additional two-year~~((s))~~ period upon verification by the professional certificate administrator that the candidate is making satisfactory progress in a state approved professional certificate program.

(b) Individuals who hold, or have held, residency certificates who have not ~~((been employed as contracted teachers))~~ completed provisional status with a school district or equivalent service with an approved private school in Washington may have their residency certificates renewed for ~~((an))~~ one additional five-year~~((s))~~ period by the completion of fifteen quarter credits (ten semester credits) of college credit course work (normally one hundred level or higher) from a regionally accredited institution of higher education taken since the issuance of the residency certificate.

(c) All other individuals who hold, or have held, residency certificates may have their certificates renewed only by appeal to the state board of education, or its designated appeals committee. The following conditions apply to such appeals:

(i) Teachers who appeal shall present a rationale and evidence to support their request to have their residency certificates renewed.

(ii) The state board of education, or its designated appeals committee, in making its decision shall determine the length of the renewal and may establish specific conditions (such as course work requirements) as prerequisites for the reissuance of the residency certificate.

(3) Continuing certificate.

(a) The continuing certificates of holders who were eligible for such certificates prior to August 31, 1987, and who applied for such certificates prior to July 1, 1988, or who would have been eligible for such certificates prior to August 31, 1987, but for one of the three-year experience requirement and who complete such requirement and apply for such certificate prior to August 31, 1988, will be valid for life. Holders of valid continuing certificates affected by this subsection shall be entitled to have such certificate reissued and subject to the terms and conditions applicable to certification at the time of reissuance including the continuing education requirements of chapter 180-85 WAC.

(b) All continuing certificates not affected by the exception stated in (a) of this subsection shall lapse if the holder does not complete the continuing education requirement specified in chapter 180-85 WAC. To reinstate such a lapsed continuing certificate the individual must complete the requirements for reinstatement stated within chapter 180-85 WAC and must meet the conditions stated in WAC 180-79A-253.

(4) Professional certificate. A professional certificate may be renewed for additional five year periods pursuant to meeting continuing education requirements outlined in chapter 180-85 WAC.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-257 Out-of-state candidates. Candidates for certification from other states shall be eligible for Washington certificates as follows:

(1) Initial and residency certificates. The initial certificate (residency certificate after August 31, 2000,) shall be issued by the superintendent of public instruction to any candidate who meets one of the following:

(a) Qualifies under provisions of the interstate compact.

(b) Holds the appropriate degree and, if applicable, credit hours and/or licensing as set forth in this chapter and has completed a state approved preparation program at a regionally accredited college or university in the professional field for which the certificate is to be issued and such additional professional fields as required by WAC 180-79A-150(4).

(c) Holds an appropriate degree from a regionally accredited college or university and also holds or has held an appropriate certificate issued by another state and has practiced at the P-12 level in that respective role outside the state of Washington for three years.

(d) Holds an appropriate degree from a regionally accredited college or university and has practiced three years as an educational staff associate in that role in a state where such certificate was not required.

(e) Holds a valid Nationally Certified School Psychologist (NCSP) certificate issued by the National School Psychology Certification Board (NSPCB) after December 31,

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1991, and applies for an initial educational staff associated school psychologist certificate.

(2) Continuing certificate. The continuing certificate shall be issued through August 31, ((2000)) 2001, on verification that the candidate has met all requirements for initial and continuing certification in the state of Washington.

(3) Professional certificate. After August 31, ((2000)) 2001, the professional certificate shall be issued to out-of-state candidates ~~((only))~~ if the candidate meets the child abuse course work requirement as described in WAC 180-79A-206 (3)(b) and if one of the following conditions is met:

(a) The candidate has completed an advanced level certification procedure approved by the state board of education as equivalent to the approved program procedure required in Washington; or

(b) The candidate holds a valid teaching certificate issued by the National Board for Professional Teaching Standards; or

(c) A Washington state college or university with an approved professional certificate program verifies that the candidate has met all the requirements of that institution's approved program. The college/university shall evaluate the candidate's background to determine whether or not course work or certification activities are equivalent to that college/university's approved program.

WSR 99-24-123

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed December 1, 1999, 11:02 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-16-063.

Title of Rule: Various sections of chapter 180-78A WAC, Approval standards for performance-based preparation programs for teachers, administrators, and educational staff associates, WAC 180-78A-010 Definition of terms, 180-78A-505 Overview—Professional certificate program, 180-78A-510 Responsibilities of the professional certificate administrator, 180-78A-515 Program approval standards for professional certificate approved programs, 180-78A-520 Approval standard—Professional Education Advisory Board, 180-78A-525 Approval standard—Accountability, 180-78A-530 Approval standard—Resources, 180-78A-535 Approval standard—Program design, and 180-78A-540 Approval standard—Knowledge and skills.

Purpose: The proposed amendments to chapter 180-78A WAC refine the rules which will govern professional certification programs.

Statutory Authority for Adoption: RCW 28A.410.010 and 28A.305.130 (1) and (2).

Summary: See Purpose above.

Reasons Supporting Proposal: The amendments are recommendations from the Washington Advisory Council for Professional Teaching Standards.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption. Not applicable.

Hearing Location: The Evergreen State College, The Longhouse, 2700 Evergreen Parkway N.W., Olympia, WA 98505, on January 10, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Carolyn Berger by December 27, 1999, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by December 27, 1999.

Date of Intended Adoption: January 12, 2000.

December 1, 1999

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-010 Definition of terms. The following definitions shall be used in this chapter:

(1) "College or university" means any regionally accredited baccalaureate degree granting Washington institution of higher learning or cooperative group of such institutions which has or develops programs of preparation in education which are submitted to the state board of education for approval.

(2) "Endorsement" means a specification placed on a certificate to indicate the subject area, grade level, and/or specialization for which the individual is prepared to teach.

(3) "Interstate compact" means the contractual agreement among several states authorized by RCW 28A.690.010 and 28A.690.020 which facilitates interstate reciprocity.

(4) "Program approval" means the approval by the state board of education of an educator preparation program within Washington state.

(5) "Field experience" means a sequence of learning experiences which occur in actual school settings or clinical or laboratory settings. Such learning experiences are related to specific program outcomes and are designed to integrate educational theory, knowledge, and skills in actual practice under the direction of a qualified supervisor.

(6) "Regionally accredited institution of higher education" means a community college, college, or university which is fully accredited by one of the following regional accrediting bodies:

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(a) Middle States, Association of Colleges and Schools;
 (b) New England Association of Schools and Colleges;
 (c) North Central Association of Colleges and Schools;
 (d) Northwest Association of Schools and Colleges;
 (e) Southern Association of Colleges and Schools;
 (f) Western Association of Schools and Colleges:
 Accrediting Commission for Junior and Senior Colleges.

(7) "An approved performance-based educator preparation program" means a program that requires the candidate to demonstrate in multiple ways, over time, specific state board of education required standards, criteria, knowledge and skills, including, where appropriate, evidence related to positive impact on student learning.

(8) "A positive impact on student learning" means that a teacher through instruction and assessment has been able to document students' increased knowledge and/or demonstration of a skill or skills related to the state goals and/or essential academic learning requirements: Provided, That teachers employed by private schools who are candidates for the professional teaching certificate shall document students' increased knowledge and/or demonstration of a skill or skills related to either:

(a) The state goals or essential academic learning requirements; or

(b) Such alternative learning goals as the private school has established.

(9) "Collaboration" (as used in WAC 180-78A-500 through 180-78A-540) means ongoing communication among the professional growth team members using a variety of formats (e.g., conferences, electronic mail, conference calls, etc.) to reach consensus regarding the content - course work, experiences, competencies, knowledges and skills - of the candidate's professional growth plan.

(10) "Professional growth team" means a team of persons comprised of the candidate for professional certification, a colleague specified by the candidate, a college or university advisor appointed by the college or university, and a representative from the school district in which the candidate teaches.

(11) "Individual professional growth plan" means the document which identifies the specific competencies, knowledges, skills and experiences needed to meet the standards set forth in WAC 180-78A-540. The individual professional growth plan shall meet requirements set forth in WAC 180-78A-535 (4)(a).

(12) "Preassessment seminar" means that component of the approved professional certificate program in which the candidate for a professional certificate, in collaboration with members of his/her professional growth team, identifies specific competencies, knowledges, skills and/or experiences needed to meet standards for the certificate as required by WAC 180-78A-540. The preassessment seminar shall meet requirements set forth in WAC 180-78A-535 (4)(a).

(13) "Culminating seminar" means that component of the approved professional certificate program in which the candidate for a professional certificate presents his/her final documentation and evidence of professional certificate level knowledge, skill and performance, and positive impact on student learning. The culminating seminar shall meet requirements set forth in WAC 180-78A-535 (4)(e).

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-505 Overview—Professional certificate program. (~~Teachers who complete approved programs after August 31, 2000, shall be issued residency certificates that shall be valid for five years.~~) By September 1, 2001, all colleges and universities offering a professional certificate program must be in compliance with the new program standards. To obtain a professional certificate, the residency teacher will need to (~~have completed~~) complete provisional status with a school district under RCW 28A.405.220 or the equivalent with an approved private school and will need to (~~have completed~~) complete a state board of education approved professional certificate program collaboratively developed by a college/university and the professional educational advisory board (PEAB).

The professional certificate requires successful demonstration of three standards (effective teaching, professional development, and leadership) and 18 criteria, pursuant to WAC 180-78A-540, related to these standards. Wherever appropriate, the residency teacher will need to provide evidence that his/her teaching has had a positive impact on student learning as defined in WAC 180-78A-010(8).

(~~During the implementation phase of the program, the employing approved private school or school district (or an educational service district, if the employing approved private school or school district so delegates) and an individual selected by the candidate from one of the other authorized agencies (i.e., local school district professional association, state-wide professional association, specialty area professional association, or educational service district) shall collaborate along with the college or university and the candidate in the development of an individualized professional growth plan.~~) The candidate and college or university shall develop an individual professional growth plan to be reviewed and agreed upon after input from and consultation and collaboration (WAC 180-78A-010(9)) with his/her professional growth team.

The (~~individualized~~) individual professional growth plan will be based on an analysis of the student/learning context in that teacher's assignment and a preassessment of that teacher's ability to demonstrate the standards and criteria set forth in WAC 180-78A-540.

The (~~individualized~~) individual professional growth plan shall include instruction and assistance components for each residency teacher. The instruction and assistance components will be designed to give the residency teacher the necessary knowledge and skills needed to demonstrate successfully the standards and criteria set forth in WAC 180-78A-540.

The final component of the program will be (~~an~~) a culminating assessment seminar in which the residency teacher's ability to demonstrate the standards and criteria cited above will be evaluated. These assessments shall include multiple forms of data collected over time, including evidence of positive impact on student learning, where appropriate.

As part of the program development, the college/university and the PEAB shall establish criteria and procedures for determining when the residency teacher has successfully

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completed the program. When the ~~((approved))~~ program administrator has verified to the superintendent of public instruction that the candidate has completed the approved program, the state will issue the residency teacher a professional certificate.

Between 1997 and 2000, the state board of education shall approve a number of field tests of the professional certificate programs pursuant to WAC 180-78A-545 through 180-78A-565.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-510 Responsibilities of the professional certificate administrator. Each ~~((approved-professional-certificate-program))~~ college or university shall identify a professional certificate administrator who shall have the primary responsibility for the overall administration of the program. ~~((The person serving as the professional certificate administrator may be an employee, or a joint employee, representing any of the collaborating agencies participating in the program:))~~

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-515 Program approval standards for professional certificate approved programs. The program approval standards for approved programs for teachers are as follows:

(1) **Professional education advisory boards.** The ~~((professional-certificate-program))~~ college or university, in ~~((conformance))~~ compliance with the provisions of WAC 180-78A-250 and 180-78A-520, has established and maintained a professional education advisory board to participate in decisions related to the development, implementation, and revision of the professional certificate program for teachers.

(2) **Accountability.** Each ~~((professional-certificate-program))~~ college or university, in ~~((conformance))~~ compliance with the provision of WAC 180-78A-525, has established a performance-based program.

(3) **Resources.** The ~~((professional-certificate-program))~~ college or university, in ~~((conformance))~~ compliance with the provision of WAC 180-78A-530, is responsible for providing the resources needed to develop and maintain quality professional programs.

(4) **Program design.** Each ~~((professional-certificate-program))~~ college or university, in ~~((conformance))~~ compliance with the provision of WAC 180-78A-535, is responsible for establishing ~~((a collaboratively developed, individualized,))~~ an approved professional certificate program which accommodates the individual professional growth needs of each candidate as set forth in his/her professional growth plan.

(5) **Knowledge and skills.** Each ~~((professional-certificate-program))~~ college or university, in ~~((conformance))~~ compliance with the provision of WAC 180-78A-540, has established policies requiring that all candidates for certification ~~((to))~~ demonstrate the standards and ~~((respective))~~ criteria

for ~~((obtaining))~~ the professional certificate set forth in WAC 180-78A-540.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-520 Approval standard—Professional education advisory board. The following evidence shall be evaluated to determine whether each professional certificate program is in compliance with the program approval standards of WAC 180-78A-515(1).

(1) The professional education advisory board established for the preservice program in accordance with WAC 180-78A-209 shall also serve as the professional advisory board for the professional certificate program.

(2) The professional education advisory board has participated in the development of the professional certificate program and has recommended approval of the proposed program prior to its submission to the state board of education for approval.

(3) The professional education advisory board has reviewed the annual summary on the status of all candidates in the program required by WAC 180-78A-525(7).

(4) The professional education advisory board has made recommendation(s), as appropriate, for program changes to the professional certificate administrator who shall implement or respond to the recommendation(s) ((within twelve months, or provide a rationale for why the recommendation(s) was not implemented)) in a timely manner.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-525 Approval standard—Accountability. The following evidence shall be evaluated to determine whether each professional certificate program is in compliance with the program approval standards of WAC 180-78A-515(2). Each college and university shall:

(1) Submit for initial approval to the state board of education a performance-based professional certificate program for teachers which shall include the five program components specified in WAC 180-78A-535(4).

(2) Provide documentation that the respective professional education advisory board has participated in the development of and has approved the proposal.

(3) Identify the professional certificate administrator who shall be responsible for the administration of the professional certificate program.

(4) ~~((Describe the major responsibilities of each of the collaborating agencies. Identify the staff from one or more of the collaborating agencies who will be assigned the))~~ Delegate to the professional certificate administrator responsibility for reviewing or overseeing the following: Application(s) for the professional certificate program; advising candidates once accepted; developing and implementing the individualized professional growth plan, the instruction and assistance components, and the assessment seminar; maintaining current records on the status of all candidates accepted into the professional certificate program; and ((for)) serving as the liaison with the superintendent of public

instruction certification office (~~in order~~) to facilitate the issuance of the professional certificates when candidates have met the required standards.

(5) Establish the admission criteria that candidates for the professional certificate (~~will need to~~) shall meet (~~in order~~) to be accepted into the (~~collaboratively developed~~) professional certificate program.

(6) Describe the procedures that the approved program will use to determine that a candidate has successfully demonstrated the standards and criteria for (~~obtaining~~) the professional certificate set forth in WAC 180-78A-540.

(7) Prepare an annual summary (~~on~~) of the status of all candidates in the program and submit the summary to the respective professional education advisory board.

(8) Submit any additional information required to the respective professional education advisory board that it requests.

(9) Facilitate an on-site review of the program when requested by the state board of education to ensure that the program meets the state's program approval standards and to provide assessment data relative to the performance standards (~~to the state board of education~~).

Provided, That the on-site reviews shall be scheduled on a five-year cycle unless the state board of education approves a variation in the schedule.

Provided further, That institutions seeking National Council for the Accreditation of Teacher Education (NCATE) accreditation may request from the state board of education approval for concurrent site visits which (~~would~~) shall utilize the same documentation whenever possible.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-530 Approval standard—Resources. The following evidence shall be evaluated to determine whether each professional certificate program is in compliance with the resources program approval standard of WAC 180-78A-515(3):

(1) Administrators, faculty, and teachers implementing the professional certificate program have appropriate qualifications (~~either~~) academic, experience, or both) for the roles to which they are assigned(~~o~~). Such responsibilities (~~shall~~) may be shared, (~~as~~) when appropriate, (~~between and~~) among the collaborating agencies.

(2) (~~One of the collaborating agencies is assigned the~~) The college or university shall have responsibility for maintaining fiscal records (~~in order to monitor and report on the costs of implementing the program both to the collaborating agencies as well as to the candidates whose fees and tuition costs should be the primary source of fiscal support for the~~) and ensuring adequate financial support for the professional certificate program.

(3) Instructional, technological, and other needed resources (~~must~~) shall be sufficient in scope, breadth, and recency to support the professional certificate program.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-535 Approval standard—Program design. The following requirements shall govern the design of the professional certificate program:

(1) To be eligible to apply for admission to a professional certificate program, a candidate shall (~~be contracted~~) hold a contract as a teacher in a public or a state board of education approved private school and shall have completed provisional status with a school district under RCW 28A.405.220 or the equivalent with an approved private school.

(2) The professional certificate program must be available to all qualified candidates (~~who are admitted to the program in Washington in a timely, fair, equitable, and fiscally responsible manner~~).

(3) The professional certificate program shall be (~~collaboratively~~) developed by (~~an existing~~) a college or university and its professional education advisory board (~~with representation from its collaborating agencies~~). Additional agencies may participate in the development of the program if the college or university and professional education advisory board so choose(~~s~~).

(4) Each program shall consist of:

(a) (~~An individualized professional growth plan designed to provide the candidate with the knowledge and skills needed to demonstrate successfully the standards and criteria required to obtain the professional certificate.~~

(b) An assessment seminar designed to provide a variety of assessment opportunities for the candidate to demonstrate successfully each of the criteria related to the standards, pursuant to WAC 180-78A-365 and which may include college or university credit hours.) A preassessment seminar which considers input from the candidate's "professional growth team" (WAC 180-78A-505), the candidate's past experience, the context in which he/she teaches, information from past annual evaluations if the individual chooses, the candidate's personal and professional goals, his/her self-evaluation, and evidences of the candidate's impact on student learning.

The seminar will culminate in preparation and approval of the candidate's individual professional growth plan designed to provide the candidate with the knowledge and skills needed to demonstrate successfully the standards and criteria required by WAC 180-78A-540.

A representative of the college/university and the candidate shall develop the professional growth plan to be reviewed and agreed upon after input from and consultation and "collaboration" (WAC 180-78A-010(9)) with his/her "professional growth team" (WAC 180-78A-010(10)).

The individual professional growth plan shall be based on:

(i) An analysis of the instructional context and teaching assignment(s) to determine strategies which the teacher should use to achieve a positive impact on student learning.

(ii) An assessment of the candidate's ability to demonstrate successfully the professional certificate standards and criteria.

(iii) Specifications of assistance and instructional components needed and any required course work.

(b) Course work, past and current experience, inservice, continuing education and other activities directed at developing and verifying that the candidate has achieved acceptable knowledge, skill and performance on all criteria required state-wide as essential to "effective teaching" as defined in WAC 180-78A-540(1).

(c) Course work, past and current experience, inservice, continuing education and other activities directed at developing and verifying that the candidate has achieved acceptable knowledge, skill and performance on all criteria required state-wide as essential to "professional development" as defined in WAC 180-78A-540(2).

(d) Course work, past and current experience, inservice, continuing education and other activities directed at developing and verifying that the candidate has achieved acceptable knowledge, skill and performance on all criteria required state-wide as essential to "leadership" as defined in WAC 180-78A-540(3).

(e) A culminating seminar in which the candidate presents his/her final documentation and evidence of professional certificate level knowledge, skill and performance; positive impact on student learning; identification of future goals and professional/career interests; and specification of areas for continuing education and development. The candidate must provide multiple forms of evidence as required by WAC 180-78A-535 (4)(e)(i)(D) of his/her positive impact on student learning.

(i) The final program component, the culminating seminar, shall include the following performance-based assessments:

(A) K-12 student achievement data, whenever appropriate, related to one or more of the Washington state essential academic learning requirements.

(B) Evidence of the candidate's positive impact on student learning as defined in WAC 180-78A-010(8) for the standard of effective teaching.

(C) Assessment data for a selected number of students.

(D) Multiple forms of evidence presented over time which may include, but are not limited to, the following: Classroom-based evidence of student learning; portfolios; statements from parents, peer teachers, and/or administrators; and student scores on standardized achievement tests.

(5) ((The individualized professional growth plan shall be based on:

(a) An analysis of the instructional context for determining the appropriate strategies by which the teacher will be able to have a positive impact on student learning. In developing the analysis, consideration should be given, but not limited to, the following data collected in collaboration with the school district or building:

(i) The resources available at the approved private school or school district to support the instruction, including: Textbooks, technological resources, the assignment of teacher assistants, and administrator and/or peer teacher support;

(ii) The teaching assignment(s);

(iii) The age(s) and maturity of the students;

(iv) The number of special needs students in any specific class; and

(v) Other.

(b) A preassessment of the candidate's ability to demonstrate successfully the professional certificate standards and criteria.

(6) A representative of the college/university, a representative of the candidate's employing approved private school or school district (or an educational service district, if the employing approved private school or school district so delegates), and a representative, selected by the candidate, from one of the other authorized agencies (i.e., local school district professional association, state-wide professional association, specialty area professional association or educational service district) as well as the candidate, shall participate in the development and approval of the professional growth plan.

(7) The individualized professional growth plan shall include assistance and instructional components and shall specify any required course work which may include college and university credit hours.

(8) The assessment seminar shall include performance-based assessments which shall include:

(a) K-12 student achievement data, whenever appropriate, related to one or more of the essential academic learning requirements now being developed by the commission on student learning.

(b) Evidence of a positive impact on student learning as defined in WAC 180-78A-010(8) for the standard of effective teaching. In determining positive impact on student learning, the candidate, in consultation with one or more of the collaborating agencies, shall determine, prior to instruction, the level of appropriate achievement of the K-12 student based on the analysis of the instructional context described in WAC 180-78A-360 (5)(a). The positive impact on student learning will then be determined on the basis of the extent to which the level of achievement was met. Candidates may need to repeat these assessments a number of times, utilizing alternative instructional strategies in order to demonstrate consistently a positive impact on student learning.

(c) A focus on the achievement of all, or a limited number of, students in a class. Teachers will not be required to provide assessment data for all their students for the full range of potential content and learning objectives.

(d) Multiple forms of evidence presented over time which may include, but are not limited to, the following: Classroom-based evidence of student learning; portfolios; statements from parents, peer teachers, and/or administrators; and student scores on standardized achievement tests.

(9) No limits shall be placed on the number of times a candidate with a valid residency certificate may participate in the assessment component and on the forms of relevant evidence that the candidate may submit.

(10)) Candidates who do not successfully complete ((the assessment component)) a culminating seminar shall receive an individualized analysis of strengths and weaknesses and a plan for appropriate assistance and instruction.

(6) No limits shall be placed on the number of times a candidate with a valid residency certificate may participate in the culminating seminar.

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-540 Approval standard—Knowledge and skills. The following standards and criteria must be demonstrated successfully by the candidate in order to obtain a professional certificate:

(1) A successful candidate for the professional certificate shall demonstrate the knowledge and skills for effective teaching which ensure student learning by:

(a) Using effective teaching practices, including classroom management;

(b) Using assessment to monitor and improve instruction;

(c) Establishing and maintaining a positive, student-focused, learning environment;

(d) Designing and/or adapting challenging curriculum that is developmentally appropriate;

(e) Demonstrating cultural sensitivity in teaching and in relationships with students, parents, and community members;

(f) Using information ~~((on))~~ about student achievement and performance to advise and involve students and families;

(g) Integrating technology into instruction and assessment; ~~((and))~~

(h) Informing, involving, and collaborating with parents and families ~~((to support student success))~~ as partners in the educational process instrumental to student success; and

(i) Employing democratic principles in instruction.

(2) A successful candidate for the professional certificate shall demonstrate the knowledge and skills for professional development by:

(a) Evaluating the effects of his/her teaching through feedback and reflection;

(b) ~~((Establishing goals for professional improvement;~~

~~((e)))~~ Designing and implementing ~~((personal))~~ professional growth programs, including new directions in career development and goals; and

~~((d))~~ ~~((c))~~ Remaining current in subject area(s), theories, practice, ~~((and))~~ research and ethical practice.

(3) A successful candidate for the professional certificate shall demonstrate leadership that contributes to the improvement of the school, community, and the profession by:

(a) Participating in activities within the school community to improve curriculum and instructional practices;

(b) Participating in professional and/or community organizations;

(c) Advocating for curriculum, instruction, and learning environments which meet the diverse needs of students;

(d) Demonstrating communication skills and/or strategies that facilitate group decision making; and

(e) Participating collaboratively in school improvement activities~~((; and~~

~~((f))~~ Incorporating democratic principles into his/her practice~~(()).~~

WSR 99-24-124

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed December 1, 1999, 11:03 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-16-060.

Title of Rule: WAC 180-79A-260 Establishing equivalency for course work, degrees and programs completed in countries outside the United States.

Purpose: The proposed amendment will allow an individual from a foreign county to submit a transcript from a regionally accredited United States college/university as evidence of degree equivalency.

Statutory Authority for Adoption: RCW 28A.410.010.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption. Not applicable.

Hearing Location: The Evergreen State College, The Longhouse, 2700 Evergreen Parkway N.W., Olympia, WA 98505, on January 10, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Carolyn Berger by December 27, 1999, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by December 27, 1999.

Date of Intended Adoption: January 12, 2000.

December 1, 1999

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-79A-260 Establishing equivalency for course work, degrees and programs completed in countries outside the United States. Certification candidates who have completed degree and/or approved professional preparation programs in a country other than the United States may be required to ~~((submit))~~ provide one or more of the following:

(1) A transcript from a regionally accredited United States college or university indicating that the college/university has accepted the degree as equivalent to its degree.

(2) A statement of degree equivalency for the appropriate degree from a foreign credentials' evaluation agency approved by the office of the superintendent of public instruction.

((2)) (3) A statement from an official of the college or university where the certification program was completed, indicating completion of the program and approval of the program by the agency governing certification in that country.

WSR 99-24-132

PROPOSED RULES

INSURANCE COMMISSIONER'S OFFICE

[Insurance Commissioner Matter No. R 99-2—Filed December 1, 1999,
11:25 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-13-198.

Title of Rule: Managed care revisions.

Purpose: The primary purpose is to make corrections to chapter 284-43 WAC and address several issues related to interpretations of the existing rules. Some provisions of chapter 284-43 WAC need correction as a consequence of changes in federal and state laws. Finally, new problems have been raised by consumers, by the health care community, and by carriers relating to implementation of the rules contained in chapter 284-43 WAC.

Statutory Authority for Adoption: RCW 48.02.060, 48.18.120, 48.20.450, 48.20.460, 48.30.010, 48.44.050, 48.46.030, and 48.46.200.

Statute Being Implemented: RCW 48.44.020, 48.46.060, and 48.46.090.

Summary: Existing rules require health carriers to exercise responsibility for the actions of persons and organizations acting on behalf of the carrier. This standard is clarified by noting that carriers may not offer as a defense to violations of agency rules, that a person or an organization working for the carrier committed the offense. Carriers are required to comply with all state and federal laws relating to the acts and practices of carriers and may not engage in acts or practices that would prevent a person from exercising a right to coverage granted under any state or federal law. The definition of managed care is expanded to include all plans that restrict consumers to the use of participating providers. Whenever a consumer's choice of a particular primary care doctor would limit the consumer to a smaller number of doctors than all of the doctors in the network (a subnetwork), the consumer must be informed in advance of the providers who will not be available as a consequence of this choice. Health carriers must include in their "access plan" that is filed with the commissioner a description of the carrier's privacy policies and procedures. Technical changes are made to the network reporting requirements. The women's direct access rule is amended to clarify that maternity care and reproductive health include all pregnancy-related services. Carriers may not limit coverage by type of provider nor may the carrier limit coverage in a manner that has the effect of excluding a

particular type of women's health care practitioner. Carriers may not impose prior authorization requirements on women's practitioners unless the same requirement is imposed upon all other types of providers performing the same type of service. Carriers may not permit participating providers to limit women to the use of a smaller number of providers (a subnetwork) than those providers under contract as participating providers for the health plan. These changes are made to ensure that women continue to enjoy the benefits granted by statute. Changes are made to rules governing portability of benefits and preexisting conditions to conform to federal requirements. With respect to portability of benefits, a carrier may not impose a waiting period or similar exclusion for maternity benefits under a group plan whether or not related to preexisting health conditions. Carriers must count the day for first employment when calculating the preexisting condition waiting period when employers impose a probationary period for health benefits.

Reasons Supporting Proposal: Recent and ongoing changes in federal law impose requirements on health carriers and health plans sold to groups, particularly employers. The rules clarify carrier responsibility to obey these laws. Access plans required last year should contain information that advises the public of the degree and manner of protection of privacy for plan enrollees. Despite legislative enactment of a law granting women the right to self-refer of certain health conditions to any women's health care practitioner in a plan network, carriers and the providers under contract with the carrier have developed various methods of impermissibly limiting this right. Questions and difficulties in enforcing existing network rules require clarification and simplification to ease compliance. For example, some carriers do not provide information about some plan networks because the regulatory definition that governs reporting is too narrow. Finally, confusion has arisen with respect to the manner of calculating and interpreting waiting periods for preexisting conditions in group plans because of federal standards that override existing state rules.

Name of Agency Personnel Responsible for Drafting: John S. Conniff, P.O. Box 40255, Olympia, WA, (360) 664-3786; Implementation and Enforcement: Bethany Weidner, P.O. Box 40255, Olympia, WA, (360) 664-8137.

Name of Proponent: Deborah Senn, Insurance Commissioner, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Existing rules require health carriers to exercise responsibility for the actions of persons and organizations acting on behalf of the carrier. This standard is clarified by noting that carriers may not offer as a defense to violations of agency rules, that a person or an organization working for the carrier committed the offense. The agency anticipates that carriers will oversee the activities of contracting persons and organizations with greater diligence to prevent violations of law. The rule will provide a basis for ongoing oversight of carrier compliance with the state and federal laws governing carrier practices not directly addressed by rule. The rule will clarify current reporting requirements by removing ambiguities as to the type of managed care plan governed by the

rules. The rule will provide necessary information to consumers about health plan limitations. The rule will provide necessary information to consumers about health plan information privacy protections that could affect a consumer's decision to buy from a particular carrier. These changes will end the conflict between state and federal law that create legal liabilities for plan administrators forced to choose between state and federal.

Proposal Changes the Following Existing Rules: Existing rules require health carriers to exercise responsibility for the actions of persons and organizations acting on behalf of the carrier. This standard is clarified by noting that carriers may not offer as a defense to violations of agency rules, that a person or an organization working for the carrier committed the offense.

The definition of managed care is expanded to include all plans that restrict consumers to the use of participating providers. Health carriers must include in their "access plan" that is filed with the commissioner a description of the carrier's privacy policies and procedures. The rule will provide necessary information to consumers about health plan information privacy protections that could affect a consumer's decision to buy from a particular carrier. Technical changes are made to the network reporting requirements to simplify reporting. The women's direct access rule is amended to clarify that maternity care and reproductive health include all pregnancy-related services. Carriers may not limit coverage by type of provider nor may the carrier limit coverage in a manner that has the effect of excluding a particular type of women's health care practitioner. Carriers may not impose prior authorization requirements on women's practitioners unless the same requirement is imposed upon all other types of providers performing the same type of service. Carriers may not permit participating providers to limit women to the use of a smaller number of providers (a subnetwork) than those providers under contract as participating providers for the health plan. Changes are made to rules governing portability of benefits and preexisting conditions to conform to federal requirements. With respect to portability of benefits, a carrier may not impose a waiting period or similar exclusion for maternity benefits under a group plan whether or not related to preexisting health conditions. Carriers must count the day for first employment when calculating the preexisting condition waiting period when employers impose a probationary period for health benefits.

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

Small Business Economic Impact Statement

Overview: In 1997, the commissioner began the rule-making process on R 97-3, Managed care rules, which dealt with standards and reporting for managed health care plans offered in the state. After considerable dialogue with carriers, the rules were adopted in January of 1998. Since that time, several issues have arisen which call for technical changes and clarifications to those rules. This proposed rule accomplishes that purpose. This proposed rule includes provisions to make the original rule better conform to other legal code, adds certain items required by the federal government,

clarifies issues relating to direct access to women's health care providers, clarifies required filing dates, and incorporates some additional health care plans into the original rule's reporting requirements.

Is the rule required by federal law or federal regulation? This rule is not required by federal law or regulation; however, some provisions of the rule do incorporate requirements of federal law.

What industry is affected by the proposed rule? The industry codes that would be affected by the proposed rules include Hospital and Medical Service Plans, industry code #6324 and health plans offered by Accident and Health Insurers, industry code #6321. In Washington, hospital and medical service plans are called health care service contractors (HCSCs) and health maintenance organizations (HMOs).

List the specific parts of the proposed rule which may impose a cost to business: WAC 284-43-200(6) would require health carriers to disclose in its provider directory when the covered person's choice of a particular primary care provider will result in the inability to access other participating providers.

WAC 284-43-210(11) would require that a description of the health carrier's policy and procedures relating to health information privacy be filed with a product's "access plan."

Health carriers offering managed care health plans within the state currently provide the Office of Insurance Commissioner with certain filings giving information about those plans. The filings include an "access plan" (a one-time filing supplemented when there are material changes to a plan), enrollment information (filed on an annual basis), provider information (filed on a monthly basis), and network accessibility reports based on GeoAccess computer software (or other similar network analysis software, filed on an annual basis). These proposed rules would require some health carriers to file such reports for additional health care plans. Although carriers have already made the capital investments allowing them to provide these filings, and have staff available to produce them, these rules will require some carriers to incur marginal additional costs in order to provide some additional reports. Any additional reports would be produced with existing systems and staff during the normal process of developing the reports that are currently required. The extent to which any particular carrier will need to provide additional reports will depend on the products it sells; carriers which offer only plans featuring primary care providers will not need to file any additional reports.

WAC 284-43-720(2) stipulates that when an employer providing group health coverage to his or her employees imposes a probationary period or similar delay in eligibility for health plan coverage of new employees, the health carrier shall count the day of first employment as the effective date of coverage for purposes of calculating the preexisting condition waiting period. This is currently an ambiguous portion of the administrative code, with some carriers following this protocol and all carriers in need of clarification.

WAC 284-43-250 is amended to clarify certain aspects of the women's direct access rule. Despite legislative enactment of a law granting women the right to self-refer of certain health conditions to any women's health care practitioner in a

plan network, some carriers (and providers under contract with the carriers) have developed various methods of impermissibly limiting this right. While those carriers could conceivably incur additional cost by changing these practices, the practices themselves were an improper circumvention of statute, and thus the costs will not be greater than foreseen by policymakers - or greater than the cost borne by carriers that have not engaged in such practices.

What percentage of the industries in the four-digit standard industrial classification will be affected by the rule? The proposed rule would affect 100% of the health carriers that offer health plans subject to regulation by the Insurance Commissioner.

Will the rule impose a disproportionately higher economic burden on small businesses within the four-digit classification? The OIC is only aware of one business that meets the statutory definition of "small business" for purposes of this economic impact statement. That small business offers only two health care plans, and is currently reporting the information required under the original rules for both those plans. Thus, this small business will not incur additional reporting costs as a result of this rule; the impact in this regard will therefore not be disproportionately higher on small business. If anything, the rule will place a slightly higher proportional cost on the larger businesses which offer a wider variety of health care plans.

Can mitigation be used to reduce the economic impact of the rule on small businesses and still meet the objectives of the proposed rule? The rule does not include any mitigatory tactics to reduce the already minimal anticipated costs to small business. The commissioner encourages any suggestions that can accomplish the goals in a more cost-efficient manner and encourages dialogue with all carriers.

What steps will the commissioner take to reduce the costs of the rule on small businesses? During the drafting of the original "managed care rules" (Insurance Commissioner Matter 97-3), several changes to preliminary drafts of the filing requirements were made in order to reduce the economic impact of the proposed rule. Since this proposed rule deals with technical changes to the earlier managed care rules, and there is only one small business in the market to this agency's knowledge, additional cost-saving approaches were not incorporated to these new rules.

The rule-drafting process will continue and small businesses are invited to comment on any proposed section of the rule and offer suggestions or alternatives. The rule drafters will continue to discuss the proposed rules with industry representatives to discuss methods to reduce any potential costs on smaller carriers. Additionally, the commissioner will provide technical assistance to aid carriers in understanding and implementing the new rules.

Which mitigation techniques have been considered and incorporated into the proposed rule? Since these proposed rules deal with technical changes to the earlier managed care rules, additional mitigation techniques were not used in these rules. The rule drafters will discuss the proposed rules with industry representatives to discuss methods to reduce any potential costs.

Which mitigation techniques were considered for incorporation into the proposed rule but were rejected, and why? No mitigation techniques were considered for incorporation and then rejected.

Briefly describe the reporting, recordkeeping, and other compliance requirements of the proposed rule: Health carriers offering managed care health plans within the state currently provide the Office of Insurance Commissioner with certain filings giving information about those plans. The filings include an "access plan" (a one-time filing supplemented when there are material changes to a plan), enrollment information (filed on an annual basis), provider information (filed on a monthly basis), and network accessibility reports based on GeoAccess computer software (or other similar network analysis software, filed on an annual basis). These proposed rules would require some health carriers to file such reports for additional health care plans. Although carriers have already made the capital investments allowing them to provide these filings, and have staff available to produce them, these rules will require some carriers to incur marginal additional costs in order to provide some additional reports. Any additional reports would be produced with existing systems and staff during the normal process of developing the reports that are currently required. The extent to which any particular carrier will need to provide additional reports will depend on the products it sells; carriers which offer only plans featuring primary care providers will not need to file any additional reports.

Health carriers would be required to disclose, in their provider directories, when a covered person's choice of a particular primary care provider will result in the inability to access other participating providers.

The rule would require that a description of the health carrier's policy and procedures relating to health information privacy be filed with the commissioner in a plan's "access plan." Access Plans are filed when a new product is offered, or when a material change is made to an existing plan.

List the kinds of professional services that a small business is likely to need in order to comply with the reporting, recordkeeping, and other compliance requirements of the proposed rule: A small business is not likely to need any additional professional services because of the proposed rule. If a small business markets a product for which a covered person's choice of a particular primary care provider will result in the inability to access other participating providers, it will need to point that out in its provider directory. However, this would be a marginal change done in the routine process of updating a provider directory, and is unlikely to require professional services.

The commissioner will seek to provide whatever technical assistance is necessary to enable the smaller carriers to understand and implement the rule.

Analyze the cost of compliance including, specifically: *Cost of equipment:* There is no anticipated additional cost of equipment. The equipment needed to supply required filings has already been purchased by the carriers.

Cost of supplies: The only anticipated cost of supplies attributable to the rule will be the paper and ink required by

some carriers to provide additional Access Plans and enrollment figures to the OIC on an annual basis (at most); this is a negligible cost.

Cost of labor: It is not anticipated that the rule will be responsible for additional cost of labor. The most labor-intensive aspects of this rule would be the generation of some additional filings for some carriers. However, the information systems required for producing these reports are already in place, and thus their production would be a marginal investment of time by existing staff who are already producing similar filings which are currently required. OIC does not expect that any additional staff will be required as a result of this rule.

Cost of increased administration: There is no anticipated increased cost of administration. Additional filings should not require increased administration, since the filing formats are identical to those already provided to the OIC and carriers have already incorporated the filing process into their operations.

Compare the cost of compliance for small business with the cost of compliance for the largest business in the same four-digit classification: The cost of compliance for small business will be proportionally less for because it will not need to provide any additional filings to the OIC. In contrast, the largest business will likely need to provide some additional filings as a result of the rule, making any costs to it proportionally greater.

The rules drafters will consider any alternatives that accomplish the goals of the rules while mitigating the costs of compliance, particularly those costs incurred by small businesses.

Have businesses that will be affected been asked what the economic impact will be? In the original managed care rulemaking in 1997, the agency used surveys to determine economic impacts and received significant input from the industry. Since these rules represent technical clarifications and marginal additions to current filing requirements for some carriers, the companies were not resurveyed for economic impact information. The rule drafters will discuss the proposed rules with industry representatives to ascertain methods to reduce any potential costs.

How did the commissioner involve small business in the development of the proposed rule? The small business that is affected by the rule was notified by the CR-101, as was the rest of the insurance industry. This rule making revisits subjects addressed in earlier rule makings. Small carriers and other parties had the opportunity to participate in workgroup meetings and make comments throughout that rule making. The results of those discussions lead to the modifications of the original rules and provided guidance through this rule making. As stated previously the drafters will discuss the proposed rule with any industry representatives, including those of small business, as the rule-making process continues.

How and when were affected small businesses advised of the proposed rule? The CR-101 for this rule was filed on June 23, 1999. It was mailed to interested parties and posted on the Commissioner's website.

A copy of the statement may be obtained by writing to Kacy Brandeberry, P.O. Box 40255, Olympia, WA 98504-0255, phone (360) 664-3784, fax (360) 664-2782, e-mail KacyB@oic.wa.gov.

RCW 34.05.328 applies to this rule adoption.

Hearing Location: 14th and Water, Cherberg Building, Olympia, Washington, Senate Hearing Room 2, on January 4, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Lorie Villaflores by TDD (360) 407-0409.

Submit Written Comments to: Kacy Brandeberry, P.O. Box 40255, Olympia, WA 98504-0255, Internet e-mail KacyB@oic.wa.gov, fax (360) 664-2782, by January 3, 2000.

Date of Intended Adoption: January 5, 2000.

December 1, 1999

Robert A. Harkins

Chief Deputy Commissioner

AMENDATORY SECTION (Amending Order R 97-3, filed 1/22/98, effective 2/22/98)

WAC 284-43-120 Applicability and scope. This chapter shall apply to all health plans and all health carriers subject to the jurisdiction of the state of Washington except as otherwise expressly provided in this chapter. Health carriers are responsible for compliance with the provisions of this chapter and are responsible for the compliance of any person or organization acting on behalf of or at the direction of the carrier, or acting pursuant to carrier standards or requirements concerning the coverage of, payment for, or provision of health care services. A carrier may not offer as a defense to a violation of any provision of this chapter that the violation arose from the act or omission of a participating provider or facility, network administrator, claims administrator, or other person under contract with the carrier rather than from the direct act or omission of the carrier. Nothing in this chapter shall be construed to permit the direct regulation of health care providers or facilities by the office of the insurance commissioner.

NEW SECTION

WAC 284-43-125 Compliance with state and federal laws. Health carriers shall comply with all Washington state and federal laws relating to the acts and practices of carriers and relating to health plans. No carrier may engage in any act or practice that would prevent or limit a person from exercising a right to health care service or coverage granted under any state or federal law. For example, health carriers are expected to comply with federal laws governing mental health coverage and requiring certificates of creditable coverage under the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

PROPOSED

**SUBCHAPTER B
HEALTH CARE NETWORKS**

AMENDATORY SECTION (Amending Order R 97-3, filed 1/22/98, effective 2/22/98)

WAC 284-43-200 Network adequacy. (1) A health carrier offering a managed care plan shall maintain each plan network in a manner that is sufficient in numbers and types of providers and facilities to assure that all health plan services to covered persons will be accessible without unreasonable delay. In the case of emergency services, covered persons shall have access twenty-four hours per day, seven days per week. The carrier's service area shall not be created in a manner designed to discriminate against persons because of age, sex, family structure, ethnicity, race, health condition, employment status, or socioeconomic status. Each carrier shall ensure that its networks will meet these requirements by the end of the first year of operation; or, for those plans already in existence, ~~((within six months after the effective date of this rule))~~ by August 22, 1998.

(2) Sufficiency may be established by the carrier with reference to any reasonable criteria used by the carrier, including but not limited to: Provider-covered person ratios by specialty, primary care provider-covered person ratios, geographic accessibility, waiting times for appointments with participating providers, hours of operation, and the volume of technological and specialty services available to serve the needs of covered persons requiring technologically advanced or specialty care. Evidence of carrier compliance with network adequacy standards that are substantially similar to those standards established by state agency health care purchasers (e.g., the state health care authority and the department of social and health services) and by private managed care accreditation organizations may be used to demonstrate sufficiency. At a minimum, a carrier will be held accountable for meeting those standards described and disclosed in its access plan(s) under WAC 284-43-210.

(3) In any case where the health carrier has an insufficient number or type of participating providers or facilities to provide a covered health care service, the carrier shall ensure through referral by the primary care provider or otherwise that the covered person obtains the covered service at no greater cost to the covered person than if the service were obtained from network providers and facilities, or shall make other arrangements acceptable to the commissioner.

(4) The health carrier shall establish and maintain adequate arrangements to ensure reasonable proximity of network providers and facilities to the business or personal residence of covered persons. In determining whether a health carrier has complied with this provision, the commissioner will give due consideration to the relative availability of health care providers in the service area under consideration and to the standards established by state agency health care purchasers.

(5) A health carrier shall monitor, on an ongoing basis, the ability and clinical capacity of its network providers and facilities to furnish health plan services to covered persons.

(6) In every circumstance where the covered person's choice of a particular primary care provider will result in the covered person's inability to access other participating providers, the carrier must fully disclose in the provider directory that these restrictions or limitations apply. For example, if the primary care provider is the member of a large practice group, the provider may have a financial incentive to restrict access to only those specialists who are members of the same group. If this incentive will result in the primary care provider limiting referrals to particular providers, the covered person shall be informed in advance of those participating providers who will not be available to the covered person.

AMENDATORY SECTION (Amending Order R 97-3, filed 1/22/98, effective 2/22/98)

WAC 284-43-210 ~~((Network reporting requirement and))~~ **Access plan.** Beginning January 1, 1999, health carriers shall file with the commissioner an access plan meeting the requirements of this subchapter for each of the managed care plans that the carrier offers in this state. The health carrier shall make the access plans available on its business premises and shall provide them to any interested party upon request. The carrier shall prepare an access plan prior to offering a new managed care plan, and shall update an existing access plan whenever it makes any material change to an existing managed care plan. The access plan shall contain at least the following:

(1) A description of the health carrier's network of providers and facilities by license or certification type and by geographic location;

(2) ~~((The following provision is a restatement of a statutory requirement found in RCW 48.43.095 (1)(e) included here for ease of reference:—))~~ A full description of the procedures to be followed by an enrollee for consulting a provider other than the primary care provider and whether the enrollee's primary care provider, the carrier's medical director, or another entity must authorize the referral(⁽²⁾);

(3) A description of the health carrier's process for monitoring and assuring on an ongoing basis the sufficiency of the network to provide covered services that meet the health care needs of populations that enroll in managed care plans;

(4) A description of the health carrier's efforts to address the needs of covered persons with limited English proficiency and literacy, with diverse cultural and ethnic backgrounds, and with physical and mental disabilities;

(5) A description of the health carrier's methods for assessing the health care needs of covered persons and their satisfaction with services;

(6) A description of the health carrier's method of informing covered persons of the plan's services and features, including but not limited to, the plan's grievance procedures, its process for covered persons choosing and changing providers, and its procedures for providing and approving emergency and specialty care including ~~((the following restated statutory requirements found in RCW 48.43.095 (1)(e), (f), and (i) included here for ease of reference:—))~~ procedures, if any, that an enrollee must first follow for obtaining prior authorization for health care services(~~(---)~~) and (~~(---)~~) description of any reimbursement or payment arrangements,

including, but not limited to, capitation provisions, fee-for-service provisions, and health care delivery efficiency provisions, between a carrier and a provider(~~(---~~), and(~~(---~~) descriptions and justifications for provider compensation programs, including any incentives or penalties that are intended to encourage providers to withhold services or minimize or avoid referrals to specialists(~~(---~~);

(7) A description of the health carrier's system for ensuring the coordination and continuity of care for covered persons referred to specialty providers, for covered persons using ancillary services, including social services and other community resources, and for ensuring appropriate discharge planning;

(8) A description of the health carrier's proposed plan for providing continuity of care in the event of contract termination between the health carrier and any of its participating providers and facilities, or in the event of the health carrier's insolvency or other inability to continue operations. The description shall explain how covered persons will be notified of the contract termination, or the health carrier's insolvency or other cessation of operations, and transferred to other providers in a timely manner; (~~and~~)

(9) A description of the health carrier's strategy for integrating public health goals with health services offered to covered persons under the managed care plans of the health carrier, including a description of the health carrier's good faith efforts to initiate or maintain communication with public health agencies(~~(---~~);

(10) A description of the health carrier's methods for assessing the health status of its covered persons including a description of how the carrier incorporates findings of local public health community assessments;

(11) A description of the health carrier's policy and procedures relating to health information privacy including information concerning any rights the covered person has to restrict access to health information and to obtain access to their own health information.

With respect to the above required elements of an access plan, each carrier shall provide sufficient information to allow the commissioner and consumers to determine the extent of a carrier's efforts. For example, if a carrier makes little or no effort to coordinate health plan services with public health goals, then the carrier shall report that it does not coordinate services with public health goals.

AMENDATORY SECTION (Amending Order R 97-3, filed 1/22/98, effective 2/22/98)

WAC 284-43-220 Network reports—Format. Beginning January 1, 1999, and by January 31st of every subsequent year, each health carrier shall provide a description of each of its networks to the commissioner. In describing its network, each carrier shall include an explanation of its established access standards, noting the criteria used to measure the standards. For example, a carrier should indicate whether travel distances or driving times are used to determine accessibility. In addition, each carrier shall indicate which providers are classified as primary care providers, obstetric and women's health care providers.

(1) Beginning January 1, 1999, each health carrier shall provide the insurance commissioner with:

(a) An annual electronic or hard copy paper report of all participating providers by managed care plan and monthly updates. This report shall contain all the data items shown in the table. (Form A.) Filing of this data satisfies the reporting requirements of RCW 48.44.080 and the requirements of RCW 48.46.030 relating to filing of notices that describes changes in the provider network.

(b) An annual electronic or hard copy paper report indicating the total number of covered persons who were entitled to health care services during each month of the year, excluding nonresidents, by line of business, by product (with identifying form number filed with this office, if appropriate), by county, and by sex. The report shall conform to the table. (Form B.)

(2) In addition to the provider and covered persons reports, each carrier shall file annual reports meeting the standards below and shall update the reports whenever a material change in a carrier's provider network occurs that significantly affects the ability of covered persons to access covered services. Each carrier shall file for each managed care plan (with identifying form number(s) filed with this office, if appropriate), using a network accessibility analysis system, such as GeoNetworks or any other similar system:

(a) A map showing the location of covered persons and primary care providers with a differentiation between single and multiple provider locations.

(b) An access table illustrating the relationship between primary care providers and covered persons as of December of each year by county, including at a minimum:

(i) County.

(ii) Total number of covered persons.

(iii) Total number of primary care providers.

(iv) Number of covered persons meeting the carrier's self defined access standard.

(v) Percentage of covered persons meeting the carrier's self defined access standard.

(vi) Average distance to at least one primary care provider for its covered persons.

(c) A list indicating alphabetically by county and by city:

(i) County;

(ii) City;

(iii) Total number of covered persons;

(iv) Total number of primary care providers (or, if the plan is a Preferred Provider Organization style of managed care, the total number of contracted providers);

(v) Total number of obstetric and women's health care providers;

(vi) Total number of specialists;

(vii) Total number of nonphysician providers by license type;

(viii) Total number of hospitals; and

(ix) Total number of pharmacies.

(3) A carrier may vary the method of reporting required under subsection (2) of this section upon written request and subsequent written approval by the commissioner after a showing by the carrier that the carrier does not use or does not have easy access to electronic or data systems permitting the

FORM A: PROVIDER LISTING FORMAT

ORGANIZATION REPORTING: _____

FOR THE YEAR ENDED DECEMBER 31, 19____

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 Washington State Register, Issue 99-24
 method of reporting required without incurring substantial costs.

FIELD NAME	PROVIDER TYPE			FIELD WIDTH	VALID CODES/STANDARD
	PRACTITIONER	HOSPITAL	PHARMACY		
Health Carrier	*	*	*	10	Alpha
Provider Type	*	*	*	1	1=Practitioner, 2=Hospital, 3=Pharmacy
National Provider Identifier					If available
WA Licence Number (Primary)	*			10	AA00000000 (2 Alpha, 8 Numeric)
WA Licence Number (Secondary)	*			10	AA00000000 (2 Alpha, 8 Numeric)
Licence Type	*			12	Alpha
Last Name	*			25	Alpha
First Name	*			15	Alpha
Middle Initial/Name	*			15	Alpha
Birth Date	*			10	Month-Day-Year (XX-XX-XXXX)
Primary Specialty	*			14	Alpha
Secondary Specialty	*			14	Alpha
Languages, other than English	*			30	Alpha, If multiple, truncate and separate with commas
Business on Building	*	*	*	36	Alphanumeric
Address 1	*	*	*	36	Not a PO Box, meets US Postal Service requirements
Address 2	*	*	*	36	Not a PO Box, meets US Postal Service requirements
City	*	*	*	20	Alpha
State	*	*	*	2	WA,OR,ID
Zip	*	*	*	10	Numeric
County	*	*	*	13	Alpha
Day Phone	*			23	(XXX) XXX-XXXX ext XXXXX
Managed Care Plan (s)	*	*	*	60	String with comma separators if multiple
Plan Contract Number (s)	*	*	*	60	String with comma separators if multiple
Provides obstetric care?	*			1	Y=Yes, N=No
PCP, Specialist or Both	*			1	P=PCP, S=Specialist, B= Both
Date Credentialed					Month-Day-Year (XX-XX-XXXX)
Enrollee capacity	*			5	Numeric

* = Required

Date: _____

Signed: _____

Title: _____

FORM B: REPORT OF COVERED PERSONS AND PLAN VOLUME

ORGANIZATION REPORTING: _____ BUSINESS: _____ PRODUCT: _____ FOR THE CALENDAR YEAR ENDED DECEMBER 31, _____

	Jan			Feb			Mar			Apr			May			Jun		
	Female enrollees	Male enrollees	Total enrollees	Female enrollees	Male enrollees	Total enrollees	Female enrollees	Male enrollees	Total enrollees	Female enrollees	Male enrollees	Total enrollees	Female enrollees	Male enrollees	Total enrollees	Female enrollees	Male enrollees	Total enrollees
Adams																		
Asotin																		
Benton																		
Chelan																		
Clallam																		
Clark																		
Columbia																		
Cowlitz																		
Douglas																		
Ferry																		
Franklin																		
Garfield																		
Grant																		
Grays Harbor																		
Island																		
Jefferson																		
King																		
Kitsap																		
Kittitas																		
Klickitat																		
Lewis																		
Lincoln																		
Mason																		
Okanogan																		
Pacific																		
Pend Orielle																		
Pierce																		
San Juan																		
Skagit																		
Skamania																		
Snohomish																		
Spokane																		
Stevens																		
Thurston																		
Wahkiakum																		
Walla Walla																		
Whatcom																		
Whitman																		
Yakima																		
Total																		

[147]

Proposed

Date _____

Signed _____

Title: _____

PROPOSED

FORM B: REPORT OF COVERED PERSONS AND PLAN VOLUME

ORGANIZATION REPORTING: _____ BUSINESS: _____ PRODUCT: _____

FOR THE CALENDAR YEAR ENDED DECEMBER 31, _____

Proposed

WSR 99-24-132

Washington State Register, Issue 99-24

Place Illustration Here

	Jul			Aug			Sep			Oct			Nov			Dec		
	Female enrollees	Male enrollees	Total enrollees	Female enrollees	Male enrollees	Total enrollees	Female enrollees	Male enrollees	Total enrollees	Female enrollees	Male enrollees	Total enrollees	Female enrollees	Male enrollees	Total enrollees	Female enrollees	Male enrollees	Total enrollees
Adams																		
Asotin																		
Benton																		
Chelan																		
Clallam																		
Clark																		
Columbia																		
Cowlitz																		
Douglas																		
Ferry																		
Franklin																		
Garfield																		
Grant																		
Grays Harbor																		
Island																		
Jefferson																		
King																		
Kitsap																		
Kittitas																		
Klickitat																		
Lewis																		
Lincoln																		
Mason																		
Okanogan																		
Pacific																		
Pend Orielle																		
Pierce																		
San Juan																		
Skagit																		
Skamania																		
Snohomish																		
Spokane																		
Stevens																		
Thurston																		
Wahkiakum																		
Walla Walla																		
Whatcom																		
Whitman																		
Yakima																		
Total																		

[148]

Date _____

Signed _____

Title: _____

AMENDATORY SECTION (Amending Order R 97-3, filed 1/22/98, effective 2/22/98)

WAC 284-43-250 Health carrier standards for women's right to directly access certain health care practitioners for women's health care services. (1)(a) "Women's health care services" is defined to include, but need not be limited to, maternity care, reproductive health services, gynecological care, general examination, and preventive care as medically appropriate, and medically appropriate follow-up visits for these services. General examinations, preventive care, and medically appropriate follow-up care are limited to services related to maternity, reproductive health services, gynecological care, or other health services that are particular to women, such as breast examinations. Women's health care services also include any appropriate health care service for other health problems, discovered and treated during the course of a visit to a women's health care practitioner for a women's health care service, which is within the practitioner's scope of practice. Maternity care, reproductive health, and preventive services include all pregnancy-related conditions including the desire to avoid pregnancy through the use of contraception, pregnancy termination, breast-feeding, and complications of pregnancy.

(b) A carrier may not exclude or limit coverage for women's health care services by a particular type of women's health care practitioner acting within his or her scope of practice unless such exclusion or limitation is similarly imposed upon all providers authorized by law to render such service. In addition, no carrier may exclude or limit coverage for appropriate health care service within a practitioner's scope of practice if the effect of such exclusion or limitation is to prevent access to services rendered by a particular type of women's health care practitioner. For example, a carrier may not impose a limitation on maternity services that would require all child birth to occur in a hospital attended by a physician thus, preventing a woman from choosing and using the birthing services of an advanced registered nurse practitioner specialist in midwifery.

(c) A carrier may not impose notification or prior authorization requirements upon women's health care practitioners who render women's health care services or upon women who directly access such services unless such notification or prior authorization requirement is imposed upon other providers for similar types of services. For example, a carrier may not require a nurse practitioner to notify the plan within seven days of providing direct women's health care services if a primary care provider would not also be required to provide seven-day notice to the carrier for the same or similar service.

(2) A health carrier shall not deny coverage for medically appropriate laboratory services, imaging services, diagnostic services, or prescriptions for pharmaceutical or medical supplies, which are ordered by a directly accessed women's health care practitioner, and which are within the practitioner's scope of practice, if such services would be covered when provided by another type of health care practitioner. A health carrier shall not require authorization by another type of health care practitioner for these services.

(3)(a) All health carriers shall permit each female policyholder, subscriber, enrolled participant, or beneficiary of carrier policies, plans, and programs written, amended, or renewed after July 23, 1995, to directly access the types of women's health care practitioners identified in RCW 48.42.100(2), for appropriate covered women's health care services without prior referral from another health care practitioner.

(b) Direct access may be limited to those women's health care practitioners who have signed participating provider agreements with the carrier for a specific benefit plan network. Irrespective of the financial arrangements a carrier may have with participating providers, a carrier may not limit and shall not permit a network provider to limit access to a subset of participating providers or facilities within the network. Such an impermissible limitation might arise when a primary care provider's group practice receives a capitation payment for comprehensive care to a covered person and then represents to the covered person that only those gynecologists in the primary care provider's clinic are available for direct access.

(c) Every carrier shall include in each provider network, a sufficient number of each type of practitioner included in the definition of women's health care practitioners in RCW 48.42.100(2) to ensure that enrollees can exercise their right of direct access.

(4) To inform enrollees of their rights under RCW 48.42.100, all health carriers shall include in enrollee handbooks a written explanation of a woman's right to directly access women's health care practitioners for covered women's health care services. Enrollee handbooks shall include information regarding any limitations to direct access, including, but not limited to:

(a) Limited direct access based on a benefit plan's closed network of practitioners, if appropriate; and

(b) The carrier's right to limit coverage to medically necessary and appropriate women's health care services.

(5) No carrier shall impose cost-sharing, such as copayments or deductibles, for directly accessed women's health care services, that are not required for access to health care practitioners acting as primary care providers.

SUBCHAPTER G ISSUANCE, RENEWAL, AND PORTABILITY OF HEALTH PLANS

AMENDATORY SECTION (Amending Order R 97-3, filed 1/22/98, effective 2/22/98)

WAC 284-43-710 Portability of health insurance benefits. (1) Every health carrier shall waive any preexisting condition exclusion or limitation for persons or groups who had similar health coverage under a different health plan at any time during the three-month period immediately preceding the date of application for the new health plan to the extent that such person was continuously covered under the immediately preceding health plan. If the person was continuously covered for at least three months under the immediately preceding health plan, the carrier may not impose a

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waiting period for coverage of preexisting conditions unless the plan is dissimilar to the immediately preceding plan as determined in accordance with subsection (4) of this section. If the person was continuously covered for less than three months under the immediately preceding health plan, the carrier may not impose a waiting period for a preexisting condition that exceeds the difference between the number of months the person was continuously covered under the immediately preceding health plan and any preexisting condition waiting period under the new health plan. For purposes of portability of benefits under this section and to meet federal requirements (adapted from the federal definition of "creditable coverage" under section 701 of Public Law 104-191, August 21, 1996), "health plan" includes:

- (a) Employer provided health plans including self-funded plans;
- (b) Part A or part B of Title XVIII of the Social Security Act;
- (c) Title XIX of the Social Security Act, other than coverage consisting solely of benefits under section 1928 of the Act;
- (d) Chapter 55 of Title 10, United States Code;
- (e) A medical care program of the Indian Health Service or of a tribal organization;
- (f) The Washington state health insurance pool created under RCW 48.41.040;
- (g) A health plan offered under chapter 89 of Title 5, United States Code;
- (h) The state basic health plan; and
- (i) A health benefit plan under section 5(e) of the Peace Corps Act (22 U.S.C. Sec. 2504(e)).

(2) When an employer providing group health coverage to his or her employees imposes a probationary period or similar delay in eligibility for health plan coverage of new employees, the health carrier shall count the day of first employment with the new employer as the first day of coverage for purposes of applying the portability of benefit provisions of this section so that the new employees and dependents obtain the protections of this rule at the end of such probationary period.

(3) A carrier may not avoid the portability requirements of this section by taking into consideration, for rating purposes, the health condition or health experience of a person applying for an individual health plan or of a person being added to an existing group plan. For example, a person being added to a group or applying for an individual health plan who is availing himself or herself of the portability provisions of this section may not be rated based upon health conditions or past health experience.

(4) For purposes of this section only, a new health plan is similar to the immediately preceding health plan if the actuarial value of the benefits under the new health plan as a whole is not more than twenty-five percent greater than the benefits provided under the immediately preceding health plan when all cost-sharing and other benefit limitations are taken into consideration.

A health carrier asserting that the new health plan is dissimilar to the immediately preceding health plan of a person applying for coverage must provide such person with a writ-

ten statement describing the basis for the carrier's determination.

(5) Nothing contained in this section requires a health carrier to amend a health plan to provide new benefits in its existing health plans. For example, if a person was provided maternity benefits under the immediately preceding health plan, the carrier need not amend the new health plan being purchased to provide such benefits if the new health plan being purchased does not include maternity benefits for any covered person. In addition, nothing in this section requires a carrier to waive benefit limitations not related to an individual or group's preexisting conditions or health history. For example, this rule does not apply to a one-year waiting period for use of a particular benefit (e.g., organ transplants) imposed equally upon all covered persons without regard to health condition. However, this rule does prohibit and a carrier may not apply any waiting period or similar exclusion for use of maternity benefits under a group plan whether or not related to preexisting health conditions.

AMENDATORY SECTION (Amending Order R 97-3, filed 1/22/98, effective 2/22/98)

WAC 284-43-720 Guaranteed issue and restrictions on the denial, exclusion, or limitation of health benefits for preexisting conditions. (1) All health carriers shall accept for enrollment any state resident within the carrier's service area and provide or assure the provision of all covered services regardless of age, sex, family structure, ethnicity, race, health conditions, geographic location, employment status, socioeconomic status, other conditions or situation, or HIV status. Thus, health carriers may not reject health plan applicants and may not limit or exclude plan coverage for any reason associated with health risk or perceived health risk except for the imposition of a preexisting condition exclusion as permitted in this chapter.

(2) No carrier may reject an applicant for any health plan it offers based upon preexisting conditions of the applicant or in the case of a group applicant, individuals within the group and no carrier may deny, exclude, or otherwise limit coverage for an individual's preexisting health conditions; except that a carrier may impose a three-month benefit waiting period for preexisting conditions for which medical advice was given, or for which a provider recommended or provided treatment within the three months before the effective date of coverage.

When an employer providing group health coverage to his or her employees imposes a probationary period or similar delay in eligibility for health plan coverage of new employees, the health carrier shall count the day of first employment as the effective date of coverage for purposes of calculating the preexisting condition waiting period.

(3) Genetic information shall not be treated as a health condition in the absence of a diagnosis of the condition related to such information.

(4) A carrier may not impose any preexisting condition exclusion relating to pregnancy as a preexisting condition in group health plans.

(5) No carrier may avoid the requirements of this section through the creation of a new rate classification or the modi-

fication of an existing rate classification. A new or changed rate classification will be deemed an attempt to avoid the provisions of this section if the new or changed classification would substantially discourage applications for coverage from individuals or groups who are higher than average health risks. For example, a carrier could not create a new rate classification for "uninsurable risks."

(6) The guaranteed issue provisions of this section do not apply to health plans in which the carrier has zero enrollment.

AMENDATORY SECTION (Amending WSR 99-19-032, Matter No. R 98-7, filed 9/8/99, effective 10/9/99)

WAC 284-43-130 Definitions. Except as defined in other subchapters and unless the context requires otherwise, the following definitions shall apply throughout this chapter.

(1) "Covered health condition" means any disease, illness, injury or condition of health risk covered according to the terms of any health plan.

(2) "Covered person" means an individual covered by a health plan including an enrollee, subscriber, policyholder, or beneficiary of a group plan.

(3) "Emergency medical condition" means the emergent and acute onset of a symptom or symptoms, including severe pain, that would lead a prudent layperson acting reasonably to believe that a health condition exists that requires immediate medical attention, if failure to provide medical attention would result in serious impairment to bodily functions or serious dysfunction of a bodily organ or part, or would place the person's health in serious jeopardy.

(4) "Emergency services" means otherwise covered health care services medically necessary to evaluate and treat an emergency medical condition, provided in a hospital emergency department.

(5) "Enrollee point-of-service cost-sharing" or "cost-sharing" means amounts paid to health carriers directly providing services, health care providers, or health care facilities by enrollees and may include copayments, coinsurance, or deductibles.

(6) "Facility" means an institution providing health care services, including but not limited to hospitals and other licensed inpatient centers, ambulatory surgical or treatment centers, skilled nursing centers, residential treatment centers, diagnostic, laboratory, and imaging centers, and rehabilitation and other therapeutic settings.

(7) "Grievance" means a written complaint submitted by or on behalf of a covered person regarding:

(a) Denial of health care services or payment for health care services; or

(b) Issues other than health care services or payment for health care services including dissatisfaction with health care services, delays in obtaining health care services, conflicts with carrier staff or providers, and dissatisfaction with carrier practices or actions unrelated to health care services.

(8) "Health care provider" or "provider" means:

(a) A person regulated under Title 18 RCW or chapter 70.127 RCW, to practice health or health-related services or otherwise practicing health care services in this state consistent with state law; or

(b) An employee or agent of a person described in (a) of this subsection, acting in the course and scope of his or her employment.

(9) "Health care service" or "health service" means that service offered or provided by health care facilities and health care providers relating to the prevention, cure, or treatment of illness, injury, or disease.

(10) "Health carrier" or "carrier" means a disability insurance company regulated under chapter 48.20 or 48.21 RCW, a health care service contractor as defined in RCW 48.44.010, and a health maintenance organization as defined in RCW 48.46.020.

(11) "Health plan" or "plan" means any individual or group policy, contract, or agreement offered by a health carrier to provide, arrange, reimburse, or pay for health care service except the following:

(a) Long-term care insurance governed by chapter 48.84 RCW;

(b) Medicare supplemental health insurance governed by chapter 48.66 RCW;

(c) Limited health care service offered by limited health care service contractors in accordance with RCW 48.44.035;

(d) Disability income;

(e) Coverage incidental to a property/casualty liability insurance policy such as automobile personal injury protection coverage and homeowner guest medical;

(f) Workers' compensation coverage;

(g) Accident only coverage;

(h) Specified disease and hospital confinement indemnity when marketed solely as a supplement to a health plan;

(i) Employer-sponsored self-funded health plans;

(j) Dental only and vision only coverage; and

(k) Plans deemed by the insurance commissioner to have a short-term limited purpose or duration, or to be a student-only plan that is guaranteed renewable while the covered person is enrolled as a regular full-time undergraduate or graduate student at an accredited higher education institution, after a written request for such classification by the carrier and subsequent written approval by the insurance commissioner.

(12) "Managed care plan" means a health plan that ~~((coordinates the provision of covered health care services to a covered person through the use of a primary care provider and a network))~~ restricts covered persons to the use of participating providers and facilities.

(13) "Medically necessary" or "medical necessity" in regard to mental health services is a carrier determination as to whether a health service is a covered benefit if the service is consistent with generally recognized standards within a relevant health profession.

(14) "Mental health provider" means a health care provider or a health care facility authorized by state law to provide mental health services.

(15) "Mental health services" means in-patient or out-patient treatment, partial hospitalization or out-patient treatment to manage or ameliorate the effects of a mental disorder listed in the *Diagnostic and Statistical Manual (DSM) IV* published by the American Psychiatric Association, excluding diagnoses and treatments for substance abuse, 291.0 through 292.9 and 303.0 through 305.9.

(16) "Network" means the group of participating providers and facilities providing health care services to a particular health plan. A health plan network for carriers offering more than one health plan may be smaller in number than the total number of participating providers and facilities for all plans offered by the carrier.

(17) "Out-patient therapeutic visit" or "out-patient visit" means a clinical treatment session with a mental health provider of a duration consistent with relevant professional standards used by the carrier to determine medical necessity for the particular service being rendered, as defined in *Physicians Current Procedural Terminology*, published by the American Medical Association.

(18) "Participating provider" and "participating facility" means a facility or provider who, under a contract with the health carrier or with the carrier's contractor or subcontractor, has agreed to provide health care services to covered persons with an expectation of receiving payment, other than coinsurance, copayments, or deductibles, from the health carrier rather than from the covered person.

(19) "Person" means an individual, a corporation, a partnership, an association, a joint venture, a joint stock company, a trust, an unincorporated organization, any similar entity, or any combination of the foregoing.

(20) "Primary care provider" means a participating provider who supervises, coordinates, or provides initial care or continuing care to a covered person, and who may be required by the health carrier to initiate a referral for specialty care and maintain supervision of health care services rendered to the covered person.

(21) "Preexisting condition" means any medical condition, illness, or injury that existed any time prior to the effective date of coverage.

(22) "Premium" means all sums charged, received, or deposited by a health carrier as consideration for a health plan or the continuance of a health plan. Any assessment or any "membership," "policy," "contract," "service," or similar fee or charge made by a health carrier in consideration for a health plan is deemed part of the premium. "Premium" shall not include amounts paid as enrollee point-of-service cost-sharing.

(23) "Small group" means a health plan issued to a small employer as defined under RCW 48.43.005(24) comprising from one to fifty eligible employees.

WSR 99-24-133

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed December 1, 1999, 11:26 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-15-016.

Title of Rule: Organic crop production standards.

Purpose: Chapter 16-154 WAC are the rules for organic crop production. The rules provide standards for organic crop production and set recordkeeping requirements for organic crop producers.

Statutory Authority for Adoption: Chapter 15.86 RCW.
Statute Being Implemented: Chapter 15.86 RCW.

Summary: The proposed amendments to chapter 16-154 WAC update the crop production standards. The amendments specify the food production guidelines, recordkeeping requirements, and gives a comprehensive list of the materials and practices that are approved and prohibited in crop production. The amendments include two new sections that outline the organic farm plan requirements and mushroom standards.

Reasons Supporting Proposal: Applicants to the organic food program will benefit from the rule update and from the clarification of the definitions, crop production standards, materials that are approved and prohibited for use in organic production, and recordkeeping requirements.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Miles McEvoy, Olympia, (360) 902-1924.

Name of Proponent: Organic Food Program, Washington State Department of Agriculture, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The organic crop production standards, chapter 16-154 WAC, were first adopted in 1987. The rules provide the standards for organic crop production and include a list of generically approved materials that may be used by producers of organic crops. The standards include a list of approved fertilizers, soil amendments, crop production aids, pest control materials and post harvest materials. The standards also include a list of prohibited materials and practices. In addition the rule specify the requirements regarding buffer zones, borders at risk, treated wood, roadside vegetation management, genetically engineered organisms, organic farm plan and record keeping for organic crop production.

The organic crop production standards are being revised for a number of reasons. One, they will clarify the standards regarding genetic engineering, transplants, seeds, sprouts, and transitional requirements. Two, they will align Washington's organic standards with national and international organic standards. Three, the proposed amendments will enhance organic integrity through the requirements for notification and nonchemical vegetation management. Fourth, the list of approved and prohibited materials will be clarified and updated to national organic standards.

Proposal Changes the Following Existing Rules: **WAC 16-154-030 Definitions.**

Adds definitions for Aged Manure, Commercially Unavailable, Compost, Composting, Crop Production Aid, EPA, EPA's List 1, EPA's List 2, EPA's List 4A, EPA's List 4B, Fertilizer, Genetic Engineering, Growing Medium, Growing Medium Amendment, Manure, Organic Food, Practice, Raw Manure, Site, Soil Amendment, Spawn, and Transition to Organic Food. Amends the definitions of Inert Ingredient, Material, and Prohibited.

WAC 16-154-050 Organic crop production standards.

- Buffer zones - Clarifies that crops in buffer zones cannot be marketed as organic.

- Soil building - Deletes requirement in this section and incorporates requirement for soil testing and soil quality plan under the organic farm plan, WAC 16-154-053.
- Requires clear identification of all sites in organic crop production.
- Specifies that borders at risk for pesticide drift are periodically sampled.
- Requires nonchemical vegetation management in areas in proximity to organic crop production.
- Requires producers to notify adjoining land owners of the location of organic crop production sites.
- Transitional requirements - Clarifies that organic crops must have no applications of prohibited materials for three years prior to harvest.
- Transplants - Clarifies that annuals and biennials must be organically grown from seed to harvest. Seeds - Clarifies that untreated seeds must be used unless they are commercially unavailable.
- Sprouts - Clarifies that sprouts must be grown from certified organic seed.
- Prohibits genetically engineered crops in organic crop production.
- Treated wood - Specifies approved and prohibited wood preservatives and uses of treated wood.

WAC 16-154-053 Organic farm plan.

This is a new section that requires all organic producers to complete an organic farm plan that documents the soil quality and pest management strategies implemented by the producer. The organic farm plan needs to be updated annually.

This section also requires that each site has a soil test every three years.

WAC 16-154-060 Records.

- Clarifies the recordkeeping requirements for the acreage used to grow organic crops as well as the materials applied to those crops.
- Includes additional requirements for sales records of all organic crops and yield records for wholesale crops.
- Includes a requirement to maintain records of complaints received by the producers. This requirement is added to comply with the international standards organization requirements for ISO 65 accreditation. ISO 65 accreditation is needed to access many export markets.

WAC 16-154-070, 16-154-080, 16-154-090, 16-154-100, 16-154-110, and 16-154-120.

These sections include the approved and prohibited materials for organic crop production. These sections have been rewritten to clarify the materials approved for use in organic crop production. The major changes are noted below under each section.

WAC 16-154-070 Fertilizers, growth promoters, crop production aids, and soil amendments.

- Approves for use alfalfa meal, corn calcium, corn gluten, cover crops, soaps, and vitamin B-1.
- Approves for restricted use acetic acid, amino acids, ascorbic acid, unwaxed cardboard, citric acid, food processing waste, ligno sulfonates, paint, potting soil, row covers, sulfur burners, wetting agents, and yard waste.

- Specifies the pesticide residue testing requirements for cottonseed meal, food processing waste, yard waste, mushroom compost and grape and apple pomaces.
- Prohibits the use of calcium chloride, detergents, leather meal and sewage sludge.
- Prohibits the use of sodium nitrate starting in the year 2003.
- Specifies the restrictions on the use of latex paint in organic crop production.

WAC 16-154-080 Insect pest control materials and practices.

- Approves azadirachtin (neem).
- Clarifies criteria for inert ingredients in pest control materials.
- Prohibits cryolite (sodium floualuminat) and detergents.

WAC 16-154-090 Weed control materials and practices.

- Approves biological control organisms, corn gluten, cover crops, microbial products, mulches and plant and fungal extracts for organic weed control.
- Prohibits herbicidal soaps and synthetic herbicides.

WAC 16-154-100 Disease control materials and practices.

- Clarifies criteria for the approval of antibiotics and other disease control materials.
- Approves for use plant and fungal extracts, potassium bicarbonate, and vinegar.
- Approves the restricted use of microorganisms, paint and waxes for use in organic crop production.
- Prohibits avermectin in organic crop production.

WAC 16-154-110 Vertebrate control materials and practices.

Prohibits the use of strychnine in organic crop production.

WAC 16-154-120 Post-harvest materials and practices.

- Approves use of acetic acid, ascorbic acid, biological control organisms, microorganisms and periacetic acid.
- Approves use of chlorine as a sanitizer. Restricts the use of chlorine in wash water to the maximum residual disinfectant limit.
- Prohibits the use of detergents and quaternary ammonia compounds as post-harvest materials.

WAC 16-154-180 Mushroom standards.

This is a new section that codifies organic mushroom standards. The standards require certified organic growing medium and no applications of prohibited materials in the production of organic mushrooms.

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

Small Business Economic Impact Statement

Introduction: The organic crop production standards, chapter 16-154 WAC, were first adopted in 1987. The rules provide the standards for organic crop production. The standards include a list of approved fertilizers, soil amendments, crop production aids, pest control materials and post harvest materials that may be used by producers of organic crops.

The standards also include a list of prohibited materials and practices. In addition the rules specify the requirements regarding buffer zones, borders at risk, treated wood, roadside vegetation management, genetically engineered organisms, organic farm plan and record keeping for organic crop production.

Purpose for the Rule Amendment: The organic crop production standards are being revised for a number of reasons. One, they will clarify the standards regarding genetic engineering, transplants, seeds, sprouts, and transitional requirements. Two, they will align Washington's organic standards with national and international organic standards. Three, the proposed amendments will enhance organic integrity through the requirements for notification and nonchemical vegetation management. Fourth, the list of approved and prohibited materials will be clarified and updated to national organic standards.

The Washington State Department of Agriculture's (WSDA) Organic Advisory Board has worked in collaboration with the WSDA organic food program staff to develop the proposed amendments. The proposed changes are based on the United States Department of Agriculture's National Organic Standards Board and the Organic Trade Association's American Organic Standards.

Summary of Amendments: Twenty-two definitions are added to the definition section. Three definitions are amended. The organic crop production standards, WAC 16-154-050, adds sections on buffers at risk, roadside vegetation management, notification, sprouts, genetic engineering, transitional requirements and treated wood standards. Record-keeping requirements are expanded to include sales and yield information along with records of complaints received by producers.

WAC 16-154-070, 16-154-080, 16-154-090, 16-154-100, 16-154-110, and 16-154-120 include approved and prohibited materials for organic crop production. These sections have been rewritten to clarify the materials approved for use in organic crop production. They also propose to prohibit leather meal, strychnine and sodium nitrate to bring Washington's organic standards in harmony with organic standards in the United States and Europe.

Two new sections are added to the rule. The organic farm plan, WAC 16-154-053, will require producers to document soil quality and pest management strategies utilized on their farm. The mushroom standards, WAC 16-154-180, will codify organic mushroom standards.

Businesses Affected by the Rule: Chapter 16-154 WAC affects all individuals and businesses that produce organic crops and transition to organic crops in Washington state. All producers of organic and transition to organic crops are small businesses (less than fifty full-time, year-round employees). The proposed amendments would impact all organic producers and would not impose a disproportionate impact on small businesses.

All producers of organic and transition to organic food products in Washington state within the following SIC codes are impacted by chapter 16-156 WAC: 019 general farms, primarily crop; 515 farm product—raw materials. As of

1999 this includes four-hundred-forty-five (445) producers of organic and transition to organic food products.

Reporting, Recordkeeping and Compliance Requirements:

Notification: The proposal requires producers to notify adjoining land owners of the sites in organic crop production. As part of the application packet, the organic food program (OFP) provides an informational letter regarding organic crop production and methods to prevent pesticide drift. This letter may be copied and sent to adjoining land owners or the OFP will mail the letter to adjoining land owners upon request.

We estimate that the notification process will take producers an average of 30 minutes to contact their neighbors concerning their organic crop production.

Roadside Vegetation Management: In order to protect the integrity of organic crops many organic producers obtain nonchemical vegetation management agreements with the appropriate road or highway department. These agreements take approximately one hour of time for the producers to establish an agreement.

Farm Plan: As part of the current application process, applicants are required to complete a farm management plan. The completion of this form, as proposed, will take producers approximately one hour to complete.

Soil Testing: The proposal requires soil testing of each site in organic production once every three years. The cost of soil tests are from \$35 to \$65 per sample. Soil testing is a common agronomic practice that many organic producers already conduct on a regular basis.

Sales and Yield Records: Organic producers are required to maintain these records under the organic certification rules, chapter 16-156 WAC. The inclusion of this requirement in chapter 16-154 WAC reiterates that these records must be maintained. It is not a new requirement.

Maintaining Records of Complaints: The proposal includes a requirement that producers must maintain records of complaints received and the action that they take. This requirement is added to comply with the International Standards Organization requirements for ISO 65 accreditation. ISO 65 accreditation is needed to maintain access to many export markets. Organic producers receive very few complaints and this requirement should have minimal impact on organic producers.

Professional Services: The reporting, recordkeeping and compliance requirements would not necessitate the need for professional services. No professional service expenses would be incurred by the small businesses affected by chapter 16-154 WAC.

Cost of Compliance: The cost of complying with the new requirements in chapter 16-154 WAC will average about \$50 per producer in direct costs (soil tests) and \$75 in indirect costs (time valued at \$30/hour).

Mitigation: The organic food program will provide recordkeeping forms for sales and yield records, organic farm plans, and complaints. Application packets for organic certification will include information on how to comply with the soil testing, roadside vegetation management and notification requirements.

Industry Outreach: The WSDA has worked closely with the Organic Advisory Board (OAB) on the proposed amendments to chapter 16-154 WAC. The OAB is comprised of organic industry members including farmers, packers, processors, consumers and farm input suppliers. The proposed amendments are being sent to all organic producers, processors and handlers as well as distributors and suppliers of materials used by organic producers. The proposal will include a comment form in order to facilitate the affected industry's ability to comment on the proposal.

Hearing Location: 11 a.m., January 5, 2000, Room 259, Natural Resources Building, 1111 Washington Street, Olympia, WA 98504-2560.

Send Comments to: Comments can be e-mailed to Miles McEvoy at mmcevoy@agr.wa.gov or mailed to WSDA Organic Food Program, P.O. Box 42560, Olympia, WA 98504-2560, or faxed to (360) 902-2087 attention: Organic Food Program. Questions about the proposed amendments should be directed to Miles McEvoy at (360) 902-1924.

Date of Intended Adoption: January 14, 1999 [2000].

A copy of the statement may be obtained by writing to Miles McEvoy, Organic Food Program, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1924, fax (360) 902-2087.

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

Hearing Location: Room 259, Natural Resources Building, 1111 Washington Street, Olympia, WA 98504-2560, on January 5, 2000, at 11 a.m.

Assistance for Persons with Disabilities: Contact Julie Carlson by December 29, 1999, TDD (360) 902-1996, or (360) 902-1880.

Submit Written Comments to: Miles McEvoy, Organic Food Program, P.O. Box 42560, Olympia, WA 98504-2560, fax (360) 902-2087, by 5 p.m., January 5, 2000.

Date of Intended Adoption: January 14, 2000.

December 1, 1999

Candace Jacobs, DVM
Assistant Director

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-030 Definitions. As used in this chapter:

(1) "Active ingredient" means any ingredient which will prevent, destroy, repel, control, or mitigate pests, or which will act as a plant regulator, defoliant, desiccant, or spray adjuvant.

(2) "Aged manure" means manure that has been piled or held for six months or more but which has not been composted.

(3) "Approved" means any material or practice which meets the required criteria or standards for use in organic food production.

((3)) (4) "Commercially unavailable" means the documented inability to obtain a production input or ingredient in an appropriate form, quality, quantity or variety to be feasibly

used to fulfill an essential function in a system of organic farming, processing or handling.

(5) "Compost" means a material produced from a controlled process in which organic materials are digested by microbial action.

(6) "Composting" means a process in which organic materials are digested by microbial action.

(7) "Crop production aid" means any substance, material, structure or device that is used to aid a producer of an agricultural product except for fertilizers and pesticides.

(8) "Defoliant" means any substance or mixture of substances intended to cause the leaves or foliage to drop from a plant with or without causing abscission.

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

((5)) (10) "Desiccant" means any substance or mixture of substances intended to artificially accelerate the drying of plant tissues.

((6)) (11) "Director" means the director of the department of agriculture or his or her duly authorized representative.

((7)) (12) "EPA" means the United States Environmental Protection Agency.

(13) "EPA's List 1" means the United States Environmental Protection Agency's List 1 of other (inert) pesticide ingredients of toxicological concern. This list is available at EPA's website www.epa.gov/opprd001/inerts/lists.html.

(14) "EPA's List 2" means the United States Environmental Protection Agency's List 2 of other (inert) pesticide ingredients of suspected toxicological concern. This list is available at EPA's website www.epa.gov/opprd001/inerts/lists.html.

(15) "EPA's List 4A" means the United States Environmental Protection Agency's List 4A of other (inert) pesticide ingredients that are generally regarded as safe. This list is available at EPA's website www.epa.gov/opprd001/inerts/lists.html.

(16) "EPA's List 4B" means the United States Environmental Protection Agency's List 4B of other (inert) pesticide ingredients that have sufficient data to substantiate they can be used safely in pesticide products. This list is available at EPA's website www.epa.gov/opprd001/inerts/lists.html.

(17) "Fertilizer" means any substance containing one or more recognized plant nutrients.

(18) "Genetic engineering" means techniques that alter the molecular or cell biology of an organism by means that are not possible under natural conditions or processes. Genetic engineering includes, but is not limited to, recombinant DNA, cell fusion, micro- and macro-encapsulation, gene deletion, and doubling, introducing a foreign gene, and changing the positions of genes. It does not include breeding, conjugation, fermentation, hybridization, in-vitro fertilization and tissue culture.

(19) "Growing medium" means any material that fungi may grow in.

(20) "Growing medium amendment" means a nutritional supplement added to the growing medium to enhance vigor and yields.

(21) "Inert ingredient" means an ingredient ((which)) in a pesticide formulation that is not an active ingredient.

~~((8))~~ (22) "Manure" means feces, urine, bedding, and other waste incidental to an animal. It does not include sewage sludge, biosolids or human waste products.

(23) "Material" means any pesticide, ~~((plant regulator, defoliant, desiccant,))~~ spray adjuvant, fertilizer, soil amendment, growth regulator, crop production aid, post-harvest material or other substance or mixture of substances which is intended to be used in agricultural production or post-harvest use.

~~((9))~~ (24) "Organic food" means any agricultural product, including meat, dairy and beverage, that (a) is marketed using the term organic or any derivative of organic in its labeling or advertising; (b) has had no applications of prohibited substances within three years prior to the harvest of the crop; and (c) is produced in compliance with standards defined in chapter 15.86 RCW and rules adopted thereunder.

(25) "Pesticide" means, but is not limited to:

(a) Any substance or mixture of substances intended to prevent, destroy, control, repel, or mitigate any insect, rodent, nematode, mollusk, fungus, weed, and any other form of plant or animal life or virus (except virus on or in living man or other animal) which is normally considered to be a pest or which the director may declare to be a pest;

(b) Any substance or mixture of substances intended to be used as a plant regulator, defoliant, or desiccant;

(c) Any substance or mixture of substances intended to be used as a spray adjuvant; and

(d) Any other substances intended for such use as may be named by the director by regulation.

~~((10))~~ (26) "Plant regulator" means any substance or mixture of substances intended through physiological action, to accelerate or retard the rate of growth or maturation, or to otherwise alter the behavior of ornamental or crop plants but shall not include substances insofar as they are intended to be used as plant nutrients, trace elements, nutritional chemicals, plant inoculant, or soil amendments.

~~((11))~~ (27) "Practice" means the physical action of doing something.

(28) "Prohibited" means any material or practice ~~((which is disallowed in organic food production, handling, or processing))~~ that is not approved or that is specifically prohibited under this chapter.

~~((12))~~ (29) "Raw manure" means manure that is less than six months old and has not been composted.

(30) "Site" means a defined field, orchard, block, pasture, paddock, garden, circle, plot or other designated area.

(31) "Soil amendment" means any substance that is intended to improve the quality of the soil.

(32) "Spawn" means a medium that has been colonized with the desired fungal mycelia. It is used to inoculate growing medium.

(33) "Spray adjuvant" means any wetting agent, spreading agent, deposit builder, adhesive, emulsifying agent, deflocculating agent, water modifier, or similar agent with or without toxic properties of its own intended to be used with any other pesticide as an aid to the application or to the effect thereof, and which is in a package or container separate from that of the pesticide with which it is to be used.

(34) "Transition to organic food" means any agricultural product that:

(a) Is marketed using the term transition to organic or transitional in its labeling and advertising; and

(b) Satisfies all of the requirements of organic food except that it has had no applications of prohibited substances within one year prior to the harvest of the crop.

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-050 Organic crop production standards. (1) Buffer zones. Crops harvested and marketed as "organic," "organically grown," or "transition to organic" shall be grown, raised, or produced within the meaning of RCW 15.86.030 at least twenty-five feet from the nearest application of prohibited materials. Crops grown in the buffer zone may not be marketed as "organic" or "transition to organic."

(2) ~~((Soil building.~~

~~(a) In order for a crop to be considered "organically grown" a soil building program must be in place for at least three years, except for those crops grown hydroponically. In order for a crop to be considered "transition to organic" a soil building program must be in place for at least one year, except for those crops grown hydroponically.~~

~~(b) Upon request by the department producers of organic crops shall demonstrate their soil building programs and the department shall restrict producers from using the terms "organic," "organically grown," or "transition to organic" on crops grown without adequate soil building programs. An adequate soil building program includes using humic building materials such as manure, compost, cover crops, and rock minerals which build or maintain soil organic matter. Demonstration of soil building programs shall entail documentation of soil inputs and soil testing.~~

(3) ~~Transplants.~~

~~(a) Annuals must be grown in an organic environment from seed through harvest. Annual transplants must be organically grown in order to meet the organic crop production standards.~~

~~(b) Nonorganically grown perennial transplants will be considered "organic" after they have been grown in organic soil for one year.~~

~~(4) Seeds. Untreated seeds and/or seeds treated with materials approved for organic food production are permitted for organic food production. The use of synthetic insecticides on or in seeds is prohibited. Seeds treated with fungicides may be used if the grower can demonstrate through written documentation that untreated seeds are unavailable. Strawberry crowns and potatoes are considered seeds for the purpose of this section.)~~ Boundaries of site: The boundaries of each site in organic or transition to organic production must be clearly and unambiguously identified along all borders. Identification may consist of flagging, fences, posts, signs, roads or other markers.

(3) Borders at risk: Organic and transition to organic crops produced in proximity to the aerial or airblast application of prohibited materials are considered borders at risk. The department may periodically sample crops grown in bor-

ders at risk to assure that pesticide drift does not affect the integrity of the organic crops.

(4) Roadside and right of way vegetation management: Nonchemical vegetation management agreements must be established with road departments, railroads, irrigation districts, and other rights of way that are in proximity to organic and transition to organic food production, or, where no agreement is possible, adequate buffer zones must be established.

(5) Notification: Producers of organic and transition to organic crops must notify owners and/or managers of adjoining land that they are producing organic and/or transition to organic crops. The notification must state the location of the sites in organic and transition to organic food production. Notification must be made on an annual basis.

(6) Transitional requirements: Organic crops must have had no applications of prohibited materials to the crops or land for three years prior to the harvest of the organic crop. Transition to organic crops must have had no applications of prohibited materials to the crops or land for one year prior to the harvest of the transition to crop.

(7) Transplants and seedlings:

(a) Annual and biennial seedlings and transplants must be organically produced from seed.

(b) Perennial transplants must be grown on a certified organic site for at least twelve months prior to the harvest of an organic crop except for: Strawberries and fall bearing raspberries may be from a nonorganic source provided that organically grown transplants are commercially unavailable.

(8) Seeds: Seeds treated with prohibited materials are prohibited except for seeds treated with fungicides provided that untreated seeds are commercially unavailable. Garlic cloves, potatoes and crops with similar life cycles are considered seeds for the purpose of this section.

(9) Sprouts produced for human consumption must be produced from certified organic seeds.

(10) Genetic engineering: Genetically engineered organisms and their derivatives are prohibited from being considered organic or transition to organic. Genetically engineered organisms must not be used as seeds, transplants or sources of any crops used in organic or transition to organic food production.

(11) Treated wood:

(a) Approved wood preservatives include sodium tetraborate, sodium octaborate, copper hydroxide, and copper sulfate.

(b) Prohibited wood preservatives include pentachlorophenol, creosote, and copper chromium arsenate.

(c) It is prohibited to use wood treated with prohibited wood preservatives in the new construction of raised beds.

(d) It is prohibited to use wood treated with prohibited substances in the new construction of greenhouses except when the wood is sealed or shielded from contact with the soil where organic crops are being grown.

(e) Existing greenhouses, raised beds, trellises and other structures that contain wood treated with prohibited wood preservative may be used in organic crop production.

NEW SECTION

WAC 16-154-053 Organic farm plan. Producers of organic and/or transition to organic food products must have an organic plan that consists of the following elements:

(1) Soil quality - The organic plan must contain provisions designed to foster soil quality, primarily through the management of the organic matter of the soil. The producer must conduct a baseline assessment of soil quality on each site in organic or transition to organic production. The baseline assessment must include measurement of percent organic matter, bulk density, electrical conductivity cation exchange capacity, pH, N, P, K, S, Ca, Na, Zn, Mn, Fe, Cu and B. Each site must be assessed once every three years.

(2) Pest management - The organic plan must contain provisions that include an integrated approach to pest management that stresses biointensive pest control and limits the use of botanical insecticides and copper compounds.

The principles of biointensive pest control are:

(a) Building prevention into pest management systems to lessen need for treatments.

(b) Identify and enhance the ability of beneficial organisms to directly control pest populations, compete with them for habitat, food and water, or repel them.

(c) Alter the pests' ability to reproduce or progress through its normal life cycle.

(d) Strengthen plant or tree defense mechanisms, and ability to overcome stress caused by pests and other environmental factors, through good cultural practices.

The department shall require producers to complete an organic plan and the plans shall be updated annually. The department shall restrict producers from selling, offering for sale or representing food products as organic and/or transition to organic food products when an organic plan is not implemented.

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-060 Records. ~~((All producers who sell farm products identified as organic shall keep accurate records of the location of the acreage used for growing such products and the additions, excluding water, made to the soil or applied to the plant or added to irrigation water. Such records shall be retained for two years after date of such sale.))~~ All producers who sell farm products identified as organic and/or transition to organic shall keep accurate records for each site enrolled in the organic certification program of:

(1) The location of the acreage used for growing such products;

(2) The materials applied, excluding water, made to the soil or applied to the plant or added to irrigation water. The records of materials applied shall include the date the material was applied, the quantity of the material applied, the application rate and the name of the material applied. Brand name materials must be identified by the complete brand name. Unbranded materials must be identified by type of material (e.g., chicken manure) and source (e.g., XYZ poul-

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try farm). This information must be recorded on the same day that the material was applied;

(3) Sales of all certified organic and transition to organic food products produced and sold by the farm;

(4) Yield records for all organic and transition to organic food products sold in the wholesale market or to processors;

(5) Any complaints received and actions taken to address those complaints;

(6) Such records shall be retained for five years;

(7) The department shall keep confidential any business related information obtained under this chapter and such information shall be exempt from public inspection and copying as provided in RCW 15.86.110 and 42.17.310 (1)(ff).

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-070 (~~Materials list for organic food production~~) **Fertilizers, growth promoters, crop production aids and soil amendments.** (1) Approved materials and practices. The following list of fertilizers, growth promoters, crop production aids and soil amendments are approved for use in organic crop production. Some approved materials have certain restrictions regarding their use. These restrictions are noted in the list. ALWAYS CAREFULLY READ THE LABEL AND ANY OTHER DOCUMENTATION. All materials must be applied with awareness and care for the environment and in compliance with all state and federal laws.

(a) Acetic acid. Used as a drip irrigation cleaner and as an adjuvant to adjust pH of solutions.

(b) Alfalfa meal.

(c) Algae.

~~((b) Animal manure: Excessive use of animal manure can lead to nitrate contamination of ground water. Heavy nitrogen use can also lead to high nitrate levels in leafy greens. Raw manure may be applied to:~~

~~(i) Any green manure crop;~~

~~(ii) Any perennial crop;~~

~~(iii) Any crop not for human consumption; and~~

~~(iv) Any crop for human consumption, if such crop is harvested after a reasonable period of time after the most recent application of raw manure, but in no event shall such period be less than sixty days.~~

~~(e) Blood meal.~~

~~(d) Blue-green algae or cyanobacteria.~~

~~(e) Bone meal.~~

~~(f) Boron products.~~

~~(g) Biodynamic preparations.~~

~~(h) Chelates: Chelated micronutrient sprays may be used in conjunction with soil and/or plant tissue tests. Amino acid, ligno-sulphate, citric acid, malic acid, tartaric acid, and other di- and tri- acid chelates are acceptable.~~

~~(i) Chilean nitrate (see sodium nitrate).~~

~~(j) Cocoa bean hulls: Needs to be tested for pesticide residues.~~

~~(k) Compost.~~

~~(l) Cottonseed meal: Needs to be tested for pesticide residues.~~

~~(m) Cyanobacteria or blue-green algae.~~

~~(n) Diatomaceous earth: Use a dust mask when applying to prevent lung irritation.~~

~~(o) Dolomite: May cause buildup of magnesium.~~

~~(p) Enzymes: Acceptable if derived microbiologically from natural materials and not fortified with synthetic plant nutrients.~~

~~(q) Epsom salts or magnesium sulphate.~~

~~(r) Fish emulsions: Forms which are "fortified" with urea or other synthetic plant nutrients are prohibited. Phosphoric acid used as a stabilizer in fish emulsion cannot exceed one percent by weight of P_2O_5 .~~

~~(s) Fish meal.~~

~~(t) Gibberellie acid: Acceptable if made without synthetic substances.~~

~~(u) Grape, apple, and other pomacees.~~

~~(v) Greensand.~~

~~(w) Guano, bat, or bird.~~

~~(x) Gypsum.~~

~~(y) Hoof and horn meal.~~

~~(z) Humates: Humates are usually natural deposits which are mined and may contain high trace mineral contents. Acceptable if derived from Leonardite, lignite, or coal.~~

~~(aa) Humic acid derivatives: These are extracts of humates which may be made with either natural or unnatural processes. These are only acceptable if derived from natural sources and not fortified.~~

~~(bb) Iron sulfate.~~

~~(cc) Kelp extracts.~~

~~(dd) Kelp meal.~~

~~(ee) Kieserite.~~

~~(ff) K mag or sul-po-mag.~~

~~(gg) Leather meal or tankage: Needs to be tested for heavy metals.~~

~~(hh) Limestone.~~

~~(ii) Manure: See (b) animal manure.~~

~~(jj) Microbial soil inoculants.~~

~~(kk) Mined materials.~~

~~(ll) Mulches: Plastic mulches must not be incorporated into soil.~~

~~(mm) Mushroom compost: Needs to be tested for pesticide residues.~~

~~(nn) Peat moss: Unfortified forms only.~~

~~(oo) Perlite.~~

~~(pp) Phosphate rock.~~

~~(qq) Potassium sulfate.~~

~~(rr) Rock phosphate.~~

~~(ss) Shells, ground: Oyster, clam, lobster, and crab.~~

~~(tt) Sodium nitrate: Discouraged because of high sodium content. Cannot be used as the primary source of nitrogen. Sodium nitrate can be used for up to twenty percent of total nitrogen inputs. Total nitrogen is defined as pounds of nitrogen from all sources including, in part, manure, blood meal, compost, green manures, cover crops, and fish meal.~~

~~(uu) Spent controlled atmosphere lime.~~

~~(vv) Sugar beet lime: Needs to be tested for pesticide residues.~~

~~(ww) Sulfur, elemental: Direct application to soil discouraged.~~

~~(xx) Sulfates of zinc or iron.~~

~~(yy) Sul-po-mag or K-Mag.~~

~~(zz) Vermiculite.~~

~~(aaa) Wood ashes.~~

~~(bbb) Worm castings.~~

~~(ccc) Zinc sulfate.)~~

(d) Amino acids from naturally occurring organisms are allowed. Amino acids produced from genetically engineered organisms are prohibited.

(e) Animal byproducts including bone meal, blood meal, feather meal, hoof meal, horn meal, shrimp meal, crab meal and crab meat. Leather by-products are prohibited.

(f) Ascorbic acid. Used as a drip irrigation cleaner and as an adjuvant to adjust pH of solutions.

(g) Biodynamic preparations.

(h) Blood meal.

(i) Bone meal.

(j) Boron products. Mined sources are allowed including sodium tetraborate, sodium octaborate.

(k) Cardboard. Unwaxed cardboard may be used as mulch or as a compost feedstock. Waxed cardboard is prohibited.

(l) Chelates: Chelated micronutrient sprays may be used in conjunction with soil and/or plant tissue tests. Amino acid, lignin-sulfonate, citric acid, malic acid, tartaric acid and other di- and tri-acid chelates are acceptable. Synthetic chelating agents such as EDTA and HEDTA are prohibited.

(m) Citric acid. Used as a drip irrigation cleaner and as an adjuvant to adjust pH of solutions.

(n) Cocoa bean hulls: Must be composted or tested for pesticide residues of organochlorines and organophosphates. Testing of product must indicate that organochlorines and organophosphates residues are below 10 parts per billion.

(o) Compost: The materials (feedstocks) used to produce compost must consist of approved materials. Approved feedstocks include materials approved under WAC 16-154-070(1) and any uncontaminated natural materials including animal manure, food processing waste, and crop residue. Prohibited feedstocks include mixed municipal solid waste, sewage sludge, biosolids, glossy paper, gypsum by-product and other materials prohibited under this chapter.

(p) Corn calcium.

(q) Corn gluten.

(r) Cottonseed meal: Must be composted or tested for pesticide residues of organochlorines and organophosphates. Testing of product must indicate that organochlorines and organophosphates residues are below 10 parts per billion.

(s) Cover crops.

(t) Cyanobacteria or blue-green algae.

(u) Diatomaceous earth.

(v) Dolomite lime: (Magnesium carbonate and calcium carbonate.) May cause buildup of magnesium. Must be from a natural mined source.

(w) Enzymes: Acceptable if derived microbiologically from natural materials and not fortified with synthetic plant nutrients. Enzymes produced from genetically engineered organisms are prohibited.

(x) Epsom salts or magnesium sulphate.

(y) Feather meal.

(z) Fish emulsions: Forms which are "fortified" with urea or other synthetic plant nutrients are prohibited. Sulfuric, citric and/or phosphoric acid may be used to lower the pH to 3.5.

(aa) Fish meal.

(bb) Food processing waste. Must be from a certified organic source, composted or tested for pesticide residues of organochlorines and organophosphates. Testing of product must indicate that organochlorines and organophosphates residues are below 10 parts per billion. The department may require additional testing to ensure pesticide residues will not affect the integrity of the organic crops.

(cc) Gibberellic acid: Acceptable if made from a fermentation process.

(dd) Grape, apple and other pomaces: Must be from certified organic source, composted or tested for pesticide residues of organochlorines and organophosphates. Testing of product must indicate that organochlorines and organophosphates residues are below 10 parts per billion.

(ee) Greensand or glauconite.

(ff) Guano, bat or bird.

(gg) Gypsum (calcium sulfate): Must be from a naturally mined source. Gypsum by-product from drywall or other sources is prohibited.

(hh) Hoof and horn meal.

(ii) Humates: Acceptable if derived from leonardite, lignite or coal.

(jj) Humic acid derivatives: Extracts from natural humates by hydrolysis or potassium hydroxide extraction are allowed. These are only acceptable if derived from a natural source and not fortified.

(kk) Kelp meal and extracts.

(ll) Ligno sulfonates. Includes calcium lignosulfate, lignosulfonic acid and sodium lignosulfate. Allowed as a chelating agent, inert ingredient and dust suppressant.

(mm) Lime and limestone. Naturally mined lime including dolomite lime (magnesium carbonate) and agricultural lime (calcium carbonate) are approved for use. Synthetic sources (hydrated lime) and industrial sources (cement kiln lime, spent controlled atmosphere lime) are prohibited.

(nn) Manure: Raw and aged manure must not be applied within sixty days prior to harvest.

(oo) Meat meal.

(pp) Microbial products, for use with leguminous crops, as compost starters and as soil amendments. Microbial products cannot contain any synthetic ingredients, such as synthetic forms of nitrogen. Genetically engineered organisms and their products are prohibited.

(qq) Mined materials. Approved mined materials include boron products, Kieserite, Langbenite, leonardite, rock phosphate, gypsum, and greensand. Prohibited mined materials include potassium chloride, calcium chloride, potassium nitrate and other chloride salts.

(rr) Mulches: The materials used to produce mulch must consist of approved materials. Approved materials include uncontaminated natural vegetation, materials approved under WAC 16-154-070(1), newspaper and nonglossy paper. Prohibited materials include colored ink, glossy paper and waxed cardboard. Plastic mulches may be used and must not be

incorporated into soil. Biodegradable paper mulch that contain fungicides or other prohibited materials are prohibited.

(ss) Mushroom compost: Must be certified organic, composted or tested for pesticide residues of organochlorines and organophosphates. Testing of product must indicate that organochlorines and organophosphates residues are below 10 parts per billion.

(tt) Paint: Latex paint is allowed as a tree seal for wounds and grafting purposes and may be used for painting greenhouses. Latex paint is prohibited for painting tree trunks. Nonlatex paints are prohibited in organic crop production.

(uu) Peat moss: Unfortified forms only.

(vv) Perlite.

(ww) Potting soil. Must consist of approved materials. Potting soil that contains synthetic fertilizer, prohibited wetting agents or other prohibited materials is prohibited.

(xx) Pumice.

(yy) Rock phosphate.

(zz) Row covers. Must not be incorporated into soil.

(aaa) Shells from oysters, crabs, clams and other shellfish.

(bbb) Soaps. Sodium and potassium salts of fatty acids are approved. Synthetic detergents are prohibited.

(ccc) Sodium nitrate: Discouraged because of high sodium content. Cannot be used as the primary source of nitrogen. Sodium nitrate can be used for up to twenty percent of total nitrogen inputs through the year 2002. Total nitrogen is defined as pounds of nitrogen from all sources including, in part, manure, blood meal, compost, green manures, cover crops and fish meal.

(ddd) Sugar beet lime: Must be composted or tested for pesticide residues of organochlorines and organophosphates. Testing of product must indicate that organochlorines and organophosphates residues are below 10 parts per billion.

(eee) Sulfur burners: Alkaline well water may be sweetened with sulfur burners.

(fff) Sulfur, elemental.

(ggg) Sulfates of zinc or iron. May be used only to correct for deficiencies determined by soil or plant tissue testing.

(hhh) Sul po mag.

(iii) Vermiculite.

(jjj) Vitamin B-1.

(kkk) Wetting agents. Natural wetting agents including soaps, saponins and microbial wetting agents are allowed. Synthetic wetting agents are prohibited.

(lll) Wood ashes, from nonindustrial sources only.

(mmm) Worm castings.

(nnn) Yard waste. Yard waste from certified organic sources is approved. Yard waste from conventional sources must be source separated composted or tested for pesticide residues of organochlorines and organophosphates. Testing of product must indicate that organochlorines and organophosphates residues are below 10 parts per billion.

(2) Prohibited materials. The fertilizers, growth promoters, and soil amendments that are prohibited for use in organic crop production includes but is not limited to the following:

(a) ~~(Ammonia products:~~

(b) Calcium nitrate.

~~(e) Fortified humic acid derivatives.~~

~~(d) Growth regulators, synthetic.~~

~~(e) Hydrated lime.~~

~~(f) Magnesium nitrate.~~

~~(g) Mono-ammonium phosphate.~~

~~(h) Muriate of potash.~~

~~(i) Phosphoric acid.~~

~~(j) Potassium nitrate.~~

~~(k) Super phosphate.~~

~~(l) Triple phosphate.~~

~~(m) Urea.~~

~~(n) Vitamin B-1.) Ammonia products.~~

~~(b) Biosolids.~~

~~(c) Calcium chloride.~~

~~(d) Calcium hydroxide (hydrated lime).~~

~~(e) Calcium nitrate.~~

~~(f) Calcium oxide or quicklime.~~

~~(g) Detergents.~~

~~(h) Enzymes produced from genetically engineered organisms.~~

~~(i) Fortified humic acid derivatives.~~

~~(j) Gypsum by-product from drywall and other sources.~~

~~(k) Hydrated lime (calcium hydroxide).~~

~~(l) Leather meal and leather by-products.~~

~~(m) Magnesium nitrate.~~

~~(n) Mono-ammonium phosphate.~~

~~(o) Muriate of potash (potassium chloride).~~

~~(p) Phosphoric acid.~~

~~(q) Plant regulators, synthetic.~~

~~(r) Potassium nitrate.~~

~~(s) Sewage sludge.~~

~~(t) Sodium nitrate is prohibited starting in the year 2003.~~

~~(u) Super phosphate.~~

~~(v) Synthetic chelating agents such as EDTA and HEDTA.~~

~~(w) Synthetic fertilizers.~~

~~(x) Synthetic wetting agents.~~

~~(y) Triple phosphate.~~

~~(z) Urea.~~

~~(aa) Wood treated with copper chromium arsenate, pentachlorophenol and creosote.~~

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-080 (~~(Materials list for organic food production—)~~) **Insect pest control materials and practices.** (1) **Approved materials and practices.** The following list of pest control materials and practices for insects, mites, and other invertebrates are approved for use in organic crop production. Some approved materials have certain restrictions regarding their use. These restrictions are noted in the list. Materials with active ingredients may contain inert ingredients from EPA's List 4A and List 4B. ALWAYS CAREFULLY READ THE LABEL AND ANY OTHER DOCUMENTATION. All materials must be applied with awareness and care for the environment and in compliance with all state and federal laws.

(a) ~~((*Bacillus thuringiensis*: Liquid forms containing xylene are prohibited.~~

(b) ~~Beneficial insects.~~

(e) ~~Boric acid: Cannot be used on edible plant parts.~~

(d) ~~Codling moth granulosis virus.~~

(e) ~~Cryolite or sodium fluoaluminate: The mined material from Greenland is permitted.~~

(f) ~~Diatomaceous earth: Use a dust mask when applying to prevent lung irritation.~~

(g) ~~Dormant oils: Use only on woody plants as a dormant spray.~~

(h) ~~Garlic.~~

(i) ~~Herbal preparations: May not be extracted with synthetic solvents.~~

(j) ~~Insect extracts.~~

(k) ~~Azadirachtin (neem). May not contain EPA List 1 or 2 Inert Ingredients.~~

(b) Bacillus thuringiensis: May not contain EPA List 1 or 2 Inert Ingredients. Must not be a product of genetically engineered organisms.

(c) Beneficial insects.

(d) Biological control organisms.

(e) Boric acid: Cannot be used on edible plant parts.

(f) Diatomaceous earth: Use a dust mask when applying to prevent lung irritation.

(g) Dormant oils: Must have an average fifty percent boiling point at 10mm mercury pressure between 415-470 degrees Fahrenheit. Use only on woody plants as a dormant spray. May not contain EPA List 1 or 2 Inert Ingredients.

(h) Fungal organisms.

(i) Garlic.

(j) Herbal preparations: May not be extracted with synthetic solvents.

(k) Insect extracts.

(l) Insect traps and monitoring devices.

(m) Lime sulfur. May not contain EPA List 1 or 2 Inert Ingredients.

(n) Microbial products. Microbial products cannot contain any synthetic ingredients, such as synthetic forms of nitrogen. Genetically engineered organisms and their products are prohibited.

(o) Microorganisms.

(p) Neem (azadirachtin). May not contain EPA List 1 or 2 Inert Ingredients.

(q) Nematodes.

((+)) (r) Pheromones.

((+)) (s) Piperonyl butoxide (PBO)((-California and Oregon no longer allow the use of PBO in the production of organic food)).

((+)) (t) Plants and plant extracts such as garlic and cayenne pepper.

(u) Pyrethrums: Naturally occurring forms are allowed. The pyrethrums are highly unstable in the presence of air, light, and moisture. They have low mammalian toxicity and can cause dermatitis in humans. Use with caution. May not contain EPA List 1 or 2 Inert Ingredients.

((+)) (v) Rotenone: Use with caution. Rotenone is highly toxic to fish. Its persistence in the soil is unknown, though it loses its effectiveness within one week. Should not

be used on crops nearing harvest time. Commercial rotenone comes from tropical leguminous shrubs in the genera *Lonchocarpus* and *Derris*. The active compounds, rotenoids, are present in a variety of legumes including soybeans. May not contain EPA List 1 or 2 Inert Ingredients.

((+)) (w) Ryania: Use with caution. The toxicological properties of ryania are largely unknown. May not contain EPA List 1 or 2 Inert Ingredients.

((+)) (x) Sabadilla: Use with caution.

((+)) (y) Soaps, insecticidal (must be salts of fatty acids). May not contain EPA List 1 or 2 Inert Ingredients.

((+)) (z) Sulfur((-elemental)). May not contain EPA List 1 or 2 Inert Ingredients.

((+)) (aa) Summer oils: May be used on woody plants only, carrot and/or weed oils are prohibited. Must have an average fifty percent boiling point at 10mm mercury pressure between 415-470 degrees Fahrenheit. May not contain EPA List 1 or 2 Inert Ingredients.

((+)) (bb) Trapping substances as long as they do not contain prohibited materials.

((+)) (c) Tree seals: May be petroleum based but may not contain synthetic chemicals or fungicides.

(w) Virus sprays.

(cc) Vegetable oils.

(dd) Viruses.

(ee) Waxes for grafting or sealing tree wounds.

(2) Prohibited materials and practices. The insect pest control materials and practices that are prohibited for use in organic crop production includes but is not limited to the following:

(a) Abamectin or avermectin.

(b) Carbamates.

(c) Chlorinated hydrocarbons.

(d) Cryolite or sodium fluoaluminate.

(e) Detergents.

(f) Dimethyl sulfoxide.

((+)) (g) Methyl bromide.

((+)) (h) Methyl sulfoxide.

((+)) (i) Moth balls/crystals.

((+)) (j) Nicotine: Nicotine is prohibited because of

((extreme)) its acute toxicity.

((+)) (k) Organophosphates.

((+)) (l) Plant protectants, synthetic.

((+)) (m) Pyrethroids, synthetic.

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-090 ((Materials list for organic food production--)) Weed control materials and practices. (1) Approved materials and practices. The following list of weed control materials and practices are approved for use in organic crop production. Some approved materials have certain restrictions regarding their use. These restrictions are noted in the list. ALWAYS CAREFULLY READ THE LABEL AND ANY OTHER DOCUMENTATION. All materials must be applied with awareness and care for the environment and in compliance with all state and federal laws.

(a) Biological control organisms.

(b) Corn gluten.

(c) Cover crops.

(d) Flaming: Broadcast and/or field burning is prohibited.

~~((b))~~ (e) Grazing.

~~((e))~~ Herbicidal soaps.

~~(d))~~ (f) Mechanical and cultural controls.

~~((e))~~ Mulches of organic materials.

(f)) (g) Microbial products. Microbial products cannot contain any synthetic ingredients. Genetically engineered organisms and their products are prohibited.

(h) Mulches: The materials used to produce mulch must consist of approved materials. Approved materials include uncontaminated natural vegetation, materials approved under WAC 16-154-070(1), newspaper and nonglossy paper. Prohibited materials include colored ink, glossy paper and waxed cardboard. Plastic mulches may be used and must not be incorporated into soil. Biodegradable paper mulch that contain fungicides or other prohibited materials are prohibited.

(i) Plant and fungal extracts.

(j) Plastics for mulch, row covers, and solarization must not be incorporated into soil.

~~((g))~~ (k) Weeder geese.

(2) Prohibited materials and practices. The weed control materials and practices that are prohibited for use in organic crop production includes but is not limited to the following:

(a) Broadcast and/or field burning.

(b) Carrot oil.

(c) Field burning.

(d) Herbicidal soaps.

(e) Synthetic herbicides.

~~((e))~~ (f) Synthetic growth regulators.

~~((f))~~ (g) Weed oils.

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-100 (~~(Materials list for organic food production—)~~) **Disease control materials and practices.**

(1) Approved materials and practices. The following list of disease control materials and practices are approved for use in organic crop production. Some approved materials have certain restrictions regarding their use. These restrictions are noted in the list. Materials with active ingredients may contain inert ingredients from EPA's List 4A and List 4B. ALWAYS CAREFULLY READ THE LABEL AND ANY OTHER DOCUMENTATION. All materials must be applied with awareness and care for the environment and in compliance with all state and federal laws.

(a) Antibiotics: Naturally derived antibiotics including streptomycin and terramycin are permitted for disease control. May not contain EPA List 1 or 2 Inert Ingredients.

(b) Bordeaux mixes: Use with caution. Excessive use ((of bordeaux)) may cause buildup of copper in the soil ((and limit its continued use)). May not contain EPA List 1 or 2 Inert Ingredients.

(c) Calcium hydroxide (hydrated lime). Foliar application only. Must not be used as a liming material. Must not contain EPA List 1 or 2 Inert Ingredients.

(d) Compost tea. The materials (feedstocks) used to produce compost tea must consist of approved materials.

Approved feedstocks include materials approved under WAC 16-154-070(1) and any uncontaminated natural materials including animal manure, food processing waste and crop residue. Prohibited feedstocks include materials prohibited under WAC 16-154-070(2), mixed municipal solid waste, sewage sludge, biosolids, waxed cardboard, glossy paper, and gypsum by-product.

(e) Copper hydroxide. May not contain EPA List 1 or 2 Inert Ingredients.

~~((d))~~ (f) Copper sulfate: Use with caution. Excessive use ((of copper sulfate)) may cause buildup of copper in the soil ((and limit its continued use)). May not contain EPA List 1 or 2 Inert Ingredients.

~~((e))~~ (g) Dormant oils: Must have an average fifty percent boiling point at 10mm mercury pressure between 415-470 degrees Fahrenheit. Use only on woody plants as a dormant spray. May not contain EPA List 1 or 2 Inert Ingredients.

~~((f))~~ (h) Hydrated lime: Foliar application as a fungicide only. Shall not be used as a liming material. May not contain EPA List 1 or 2 Inert Ingredients.

~~((g))~~ (i) Hydrogen peroxide.

~~((h))~~ (j) Lime sulfur: ((Foliar application as a fungicide only-)) May not contain EPA List 1 or 2 Inert Ingredients.

~~((i))~~ (k) Microorganisms and microbial products. Genetically engineered organisms and their products are prohibited.

(l) Paint: Latex paint is allowed as a tree seal for wounds and grafting purposes and may be used for painting greenhouses. Latex paint is prohibited for painting tree trunks. Nonlatex paints are prohibited in organic crop production.

(m) Plant and fungal extracts.

(n) Potassium bicarbonate.

(o) Soil pasteurization.

~~((j))~~ (p) Sulfur, elemental. May not contain EPA List 1 or 2 Inert Ingredients.

~~((k))~~ Tree seals: May be petroleum based but may not contain synthetic chemicals or fungicides-)) (q) Summer oils: May be used on woody plants only, carrot and/or weed oils are prohibited. Must have an average fifty percent boiling point at 10mm mercury pressure between 415-470 degrees Fahrenheit. May not contain EPA List 1 or 2 Inert Ingredients.

(r) Vinegar.

(s) Waxes for grafting or sealing tree wounds.

(2) Prohibited materials and practices. The disease control materials and practices that are prohibited for use in organic crop production includes but is not limited to the following:

(a) Avermectin.

(b) Broadcast and/or field burning.

~~((b))~~ (c) Soil fumigants.

~~((e))~~ (d) Synthetic fungicides, fumigants, sterilizants, and bactericides.

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-110 (~~(Materials list for organic food production—)~~) **Vertebrate control materials and prac-**

tices. (1) Approved materials and practices. The following list of vertebrate pest control materials and practices are approved for use in organic crop production. Some approved materials have certain restrictions regarding their use. These restrictions are noted in the list. ALWAYS CAREFULLY READ THE LABEL AND ANY OTHER DOCUMENTATION. All materials must be applied with awareness and care for the environment and in compliance with all state and federal laws.

(a) Airborne projectiles.

(b) Deer and rabbit repellents: Acceptable if derived from a natural source.

~~((b))~~ (c) Predators: Cats, hawks, coyotes(~~(, airborne projectiles)~~).

~~((e))~~ (d) Rodent traps.

~~((d) Strychnine: Underground use only.)~~

(e) Synthetic vitamin baits.

(2) Prohibited materials and practices. The vertebrate pest control materials and practices that are prohibited for use in organic crop production includes but is not limited to the following:

(a) Anticoagulant rodent baits

(b) Aluminum phosphide

(c) Alpha-Naphthylthiourea

(d) Coumarins

(e) Calcium cyanide

(f) Indandiones

(g) Organochlorines

(h) Organo phosphates

(i) Pyriminilureas

(j) Phosphorus

(k) Sodium fluoroacetate

(l) Strychnine

(m) Thallium sulfate

~~((m))~~ (n) Zinc phosphide.

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-120 (~~(Materials list for organic food production—)~~) **Post-harvest materials and practices.** (1)

Approved materials and practices. The following list of materials and practices are approved for post-harvest use for organic food. Some materials have certain restrictions regarding their use. These restrictions are noted in the list. All materials must be used with awareness and care for the environment and in compliance with state and federal laws.

(a) Acetic acid.

(b) Ascorbic acid.

(c) Beneficial insects.

~~((b))~~ (d) Biological control organisms.

(e) Carbon dioxide gas.

~~((e))~~ (f) Chlorine compounds include calcium hypochlorite, sodium hypochlorite and chlorine dioxide. Chlorine compounds are allowed to sanitize food contact surfaces. Chlorine compounds in wash water must be potable as defined under the Safe Drinking Water Act and cannot exceed the Maximum Residual Disinfectant Limit under the Safe Drinking Water Act, currently 4mg/L expressed for free chlorine and 0.8 mg/L for chlorine dioxide.

~~((d))~~ (g) Citric acid, naturally derived.

~~((e))~~ (h) Controlled atmosphere. Storage with diphenylamine treated food products is prohibited.

~~((f))~~ (i) Ethylene gas: Ethylene gas may be used on bananas only.

~~((g))~~ (j) Fruit waxes: Natural waxes are permitted as long as they do not contain synthetic additives.

~~((h))~~ (k) Hydrogen peroxide.

~~((i))~~ (l) Lignosulfonates for floating tree fruits.

~~((j))~~ (l) Microorganisms and microbial products. Genetically engineered organisms and their products are prohibited.

(m) Ozone.

(n) Periacetic acid. Also known as peracetic or peroxyacetic acid.

(o) Soap, biodegradable. Must be sodium or potassium salts of fatty acids.

~~((k))~~ (p) Soda ash for floating tree fruits.

~~((h))~~ (q) Sodium silicate for floating tree fruits.

(2) Prohibited materials. The post-harvest materials and practices that are prohibited for use in organic crop production includes but is not limited to the following:

(a) Antibiotics.

(b) Artificial preservatives.

(c) Detergents are prohibited for washing organic or transitional crops. Approved to clean food contact surfaces.

(d) Fumigants.

~~((d))~~ (e) Fungicides.

~~((e))~~ (f) Irradiation.

(g) Quaternary ammonium compounds are prohibited on food-bearing surfaces.

NEW SECTION

WAC 16-154-180 Mushroom standards. Green plants create tissue from sunlight, carbon dioxide and the soil in which they are grown. In contrast, fungi produce tissue directly and exclusively from the medium on which they are grown since they do not have the ability to manufacture food through photosynthesis. The organic requirements for the growth media for the products of fungi should reflect their complete reliance on their growth media for sustenance.

(1) **Materials and production methods.**

(a) **Agar medium:** The agar medium does not have to contain certified organic ingredients and can contain antibiotics (see "antibiotics" below in (c) of this subsection).

(b) **Growing medium amendments: All amendments must be certified organic.**

(c) **Antibiotics:** The agar medium may contain antibiotics not to exceed 1/25th of a gram per liter of agar mix.

(d) **Chlorine compounds** include calcium hypochlorite, sodium hypochlorite and chlorine dioxide. Chlorine compounds are allowed to sanitize mushroom and growing medium contact surfaces. Chlorine compounds must not be applied to mushrooms or growing medium.

(e) **Growing medium:** If grain, straw or hay is used, it must be certified organic. If wood is used, see (h) of this subsection.

(f) **Hay or straw:** Must be certified organic.

(g) **Spawn:** Grain used for making spawn must be certified organic and must not have any synthetic amendments.

(h) Wood used as a growing medium must be obtained from a source that has had no prohibited materials applied to the trees for at least three years before harvest. Logs and sawdust treated with prohibited materials during the milling process are prohibited for use in organic mushroom production.

(i) Any pest control materials used in the organic production areas or storage areas must be approved for use in organic food production under this chapter. Outside production areas cannot have any prohibited materials applied to the land on which logs, wood chips or other such approved growing medium will lie, for at least three years.

(2) **Mixed operations** - Organic and nonorganic production may exist in the same indoor growing area if:

(a) The organic and nonorganic products are clearly identified at all stages of the growth cycle on all containers or areas that contain spawn, growing medium, substrate or fungi.

(b) No prohibited materials are applied to the organic or nonorganic fungi, spawn or growing medium.

Organic and nonorganic production must be in separate facilities and have separate ventilation systems if prohibited materials are applied to the fungi, spawn or growing medium during any stage of the growth cycle.

(3) **Growth cycle** - For a mushroom product to be sold as certified organic, the operation must comply with these mushroom standards throughout the entire growing cycle of the fungus.

NO EXPEDITED ADOPTIONS FILED IN THIS ISSUE

EXPEDITED ADOPTION



WSR 99-17-094
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed August 17, 1999, 11:47 a.m., effective December 1, 1999]

Date of Adoption: August 17, 1999.

Purpose: See Issue 99-17.

Citation of Existing Rules Affected by this Order: See Issue 99-17.

Statutory Authority for Adoption: RCW 49.17.010, [49.17].040, [49.17].050.

Adopted under notice filed as WSR 99-12-089 on June 1, 1999.

Effective Date of Rule: December 1, 1999.

August 17, 1999

Gary Moore

Director

Reviser's note: The following sections were inadvertently omitted from publication in Issue 99-17 that appeared as WSR 99-17-094 filed on August 17, 1999. The effective date of these sections is December 1, 1999.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-24-23529 Operators. (1) Cranes shall be operated only ~~((be))~~ by regular crane operators, authorized substitutes who have had adequate experience and training under the supervision of a competent operator, or by crane repairmen or inspectors.

(2) ~~((No person should be permitted to operate a crane who cannot speak and read the English language, or who is under eighteen years of age.))~~ Crane operators must be able to communicate with others at the worksite sufficiently to understand the signs, notices, operation instructions, and the signal code in use to ensure safe operation of the crane.

(3) No minor under eighteen years of age shall be employed in occupations involving the operation of any power-driven hoisting apparatus or assisting in such operations by work such as hooking on, loading slings, rigging gear, etc.

(4) No person shall be permitted to operate a crane whose hearing or eye-sight is impaired, or who may be suffering from heart disease or similar ailments. The following physical qualifications shall be minimum requirements for overhead and gantry crane operators and trainees:

(a) They shall have vision of at least 20/30 in one eye, and 20/50 in the other, with or without corrective lenses.

(b) They shall be able to distinguish colors, regardless of position of colors, if color differential is required for operation.

(c) Their hearing, with or without hearing aid, must be adequate for a specific operation.

(d) They shall have sufficient strength, endurance, agility, coordination, and speed of reaction to meet the demands of equipment operation.

(e) They shall have normal depth perception, field of vision, reaction time, manual dexterity, coordination and no tendencies to dizziness or similar undesirable characteristics.

(f) Evidence of physical defects, or emotional instability which could render the operator or trainee a hazard to their self or others, or could interfere with their safe performance may be sufficient cause for disqualification. In such cases, specialized clinical or medical judgments or tests shall be required (which include annual medical certification for recovered heart attack patients).

(g) Evidence that an operator or trainee is subject to seizures or loss of physical control shall be sufficient reason for disqualification. Specialized medical tests shall be required to substantiate these conditions.

~~((4))~~ (5) Persons who have recovered from a heart attack shall be exempted from the provisions of subsection ~~((3))~~ (4) of this section, as it pertains to their heart condition, provided:

(a) A medical release is obtained from their attending medical doctor.

(b) The release shall state that the operation of a crane will not present a hazard to their self or others.

(c) An examination by a medical doctor, and renewal of the work release certification is required annually.

~~((5))~~ (6) The operator shall be fully familiar with all crane rules and with the crane mechanism and its proper care. Needed adjustments or repairs shall be reported at once to the proper authority.

~~((6))~~ (7) The operator shall not eat, smoke or read while actually engaged in the operation of the crane, or operate the crane when physically unfit.

~~((7))~~ (8) The operator or someone especially designated shall properly lubricate all working parts of the crane.

~~((8))~~ (9) Cranes shall be kept clean.

~~((9))~~ (10) Whenever the operator finds the main or emergency switch open, it shall not be closed, even when starting on regular duty, until it is determined that no one is on or about the crane. The crane shall not be oiled or repaired unless the main switch is open.

~~((10))~~ (11) If the power goes off, the operator shall immediately throw all controllers to "off" position until the power is again available.

~~((11))~~ (12) Before closing the main switch the operator shall make sure that all controllers are in "off" position until the power is again available.

~~((12))~~ (13) The operator shall recognize signals only from the employee who is supervising the lift. Operating signals shall follow an established standard. Whistle signals may be used where one crane only is in operation.

~~((13))~~ (14) Bumping into runway stops or other cranes shall be avoided. When the operator is ordered to engage with or push other cranes, it shall be done with special care for the safety of persons on or below cranes.

~~((14))~~ (15) When lowering a load, the operator shall proceed carefully and make sure the load is under safe control.

~~((15))~~ (16) When leaving the cage the operator shall throw all controllers to "off" position and open the main switch.

~~((16))~~ (17) If the crane is located out-of-doors the operator shall lock the crane in a secure position to prevent it from being blown along or off the track by a severe wind.

((17)) (18) Operators shall not permit anyone to ride on the load or hooks, unless using a lifeline or safety device approved by the department.

Note: Grasp the cuff at opposite sides and twirl the gloves so as to roll it up the cuff and produce air pressure within the glove, then look for leaks and thin places in the rubber.

AMENDATORY SECTION (Amending Order 76-38, filed 12/30/76)

WAC 296-32-260 Rubber insulating equipment. (1) Rubber insulating equipment designed for the voltage levels to be encountered shall be provided and the employer shall ensure that they are used by employees as required by this section. ((This equipment shall meet the electrical and physical requirements contained in ANSI J6.6-1971 "Standard Specifications for Rubber Insulating Gloves," and ANSI J6.4-1971 "Standard Specifications for Rubber Insulating Blankets," with the exception that the maximum proof test current for a 14 inch Class I glove shall be no more than 14mA, and with the further exception that existing 14-inch Class I rubber gloves that meet a maximum proof test current of 14 mA and a minimum breakdown voltage of 10,000 volts (RMS) acquired prior to January 1, 1976, may be used as long as these gloves comply with the retest requirements of subsection (2) of this section.)) The requirements of WAC 296-24-092, Electrical protective equipment, shall be followed except for Table A-6.

(2) The employer is responsible for periodic retesting of all insulating gloves, blankets, and other rubber insulating equipment. This retesting shall be electrical, visual and mechanical. The following maximum retesting intervals shall apply:

Gloves, Blankets, and Other Insulating Equipment	Natural Rubber (Months)	Synthetic Rubber (Months)
New	12	18
Reissued	9	15

(3) Protector for gloves. Approved protectors must be worn at all times over rubber gloves. Inner liners may be worn if desired.

(4) ((Protective equipment fabricated of material other than rubber shall provide electrical and mechanical protection at least equal to that of the rubber equipment.

(5)(a)) Gloves and blankets shall be marked to indicate compliance with the retest schedule and shall be marked with the date the next test date is due.

((b)) Any rubber gloves found to be defective shall be removed from service and marked as being defective.

((6) Insulating gloves and blankets shall be stored away from direct sunlight, steam pipes, radiators and other sources of excessive heat.

(7) Gloves and blankets shall not be folded while in storage. A separate container shall be provided for rubber blankets and blankets shall be wiped clean and rolled before placing in container.

(8) Inspect rubber goods. Before using a pair of rubber gloves or rubber blankets, workers shall personally inspect each glove for defects and give an air test, and the blanket shall be visually inspected for cracks or cuts before using.

(9)) (5) Patching rubber goods is prohibited; rubber protective equipment shall not be vulcanized or patched.

((10)) (6) Rubber gloves for workers. ((a)) A pair of rubber gloves, specifically designed for the protection of workers, shall be assigned each worker when required to work on or be exposed to energized parts.

((b) Rubber gloves when not in use shall be carried in a bag provided and designed for that purpose.))

WSR 99-22-002

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed October 20, 1999, 3:13 p.m.]

Purpose: Revised WAC numbers to group related regulations, dropped unnecessary regulations, revised conflicting sections, made minor, nonsubstantive revisions to existing sections for clarity, made new WAC section for chemigation and fertigation regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 16-10-010, 16-10-020, 16-10-030, 16-200-742, 16-228-010, 16-228-020, 16-228-115, 16-228-116, 16-228-117, 16-228-120, 16-228-125, 16-228-130, 16-228-140, 16-228-143, 16-228-145, 16-228-155, 16-228-157, 16-228-160, 16-228-161, 16-228-162, 16-228-164, 16-228-166, 16-228-168, 16-228-170, 16-228-172, 16-228-180, 16-228-185, 16-228-190, 16-228-195, 16-228-210, 16-228-213, 16-228-214, 16-228-215, 16-228-220, 16-228-223, 16-228-225, 16-228-227, 16-228-230, 16-228-232, 16-228-233, 16-228-400, 16-228-410, 16-228-420, 16-228-430, 16-228-600, 16-228-650, 16-228-655, 16-228-660, 16-228-905, 16-228-910, 16-228-915, 16-228-920, 16-228-925, 16-228-930, and 16-228-14501.

Statutory Authority for Adoption: Chapters 15.54 15.58, and 17.21 RCW.

Adopted under notice filed as WSR 99-15-033 on July 14, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 47, Amended 0, Repealed 55.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

PERMANENT

Effective Date of Rule: Thirty-one days after filing.
 October 20, 1999
 Jim Jesernig
 Director

Chapter 16-228
GENERAL PESTICIDE REGULATIONS

NEW SECTION

WAC 16-228-1010 Definitions. The definitions set forth in this section shall apply throughout this chapter, unless the context otherwise requires:

(1) "Agricultural commodity" means any plant, or part of a plant, or animal, or animal product, produced by a person (including farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or other comparable persons) primarily for sale, consumption, propagation, or other use by people or animals.

(2) "Agricultural emergency" means a sudden occurrence or set of circumstances which the agricultural employer could not have anticipated and over which the agricultural employer has no control, and which requires entry into a pesticide treated area during a restricted-entry interval, when no alternative practices would prevent or mitigate a substantial economic loss.

(3) "Authorized agent" is any person who is authorized to act on behalf of a certified applicator for the purpose of purchasing pesticides.

(4) "Bait box" for rodenticides is a box constructed of durable metal, wood, plastic, or other treated synthetic material. It shall be designed to hold rodent bait securely, allow rodents to enter and leave, and prevent unauthorized persons and domestic animals from gaining access to the bait. The cover shall be provided with a lock that can be unlocked only by a combination, key, special tool, or forced entry. Fragile materials are unacceptable.

(5) "Bait station" may be any location where baits are placed to allow target pests to gain access to the bait.

(6) "Bulk fertilizer" is a commercial fertilizer, agricultural mineral, or lime, distributed in nonpackaged form.

(7) "Certified applicator" means any individual who is licensed as a commercial pesticide applicator, commercial pesticide operator, public operator, private-commercial applicator, demonstration and research applicator, or certified private applicator, or any other individual who is certified by the director to use or supervise the use of any pesticide which is classified by the EPA as a restricted use pesticide or by the state as restricted to use by certified applicators only.

(8) A "complainant" is defined as a person who has requested an inspection of an area in which a pesticide violation is believed to have occurred.

(9) "Complete wood destroying organism inspection" means (a) an inspection of a structure for the purpose of determining (i) evidence of infestation(s), and (ii) damage, and (iii) conducive conditions; or (b) any wood destroying organism inspection which is conducted as the result of a telephone solicitation by an inspection firm or pest control

business, even if the inspection would otherwise fall within the definition of a limited wood destroying organism inspection.

(10) "Conducive conditions" means those conditions which may lead to or enhance an infestation of wood destroying organisms.

(11) "Controlled disposal site" means any place where solid or liquid waste is disposed: *Provided*, That the area has been designated as a disposal site for waste materials by the appropriate jurisdictional agency: *Provided further*, That the site is fenced, barricaded or otherwise enclosed or attended by some person in charge to facilitate control-access of domestic animals, pets, and unauthorized persons.

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

(13) "Diluent" means a material, liquid or solid, serving to dilute the pesticide product to field strength for adequate coverage (such as water).

(14) "Director" means the director of the department or a duly authorized representative.

(15) "Dry pesticide" is any granular, pelleted, dust or wettable powder pesticide.

(16) "EPA" means the United States Environmental Protection Agency.

(17) "EPA restricted use pesticide" means any pesticide with restricted uses as classified for restricted use by the administrator, EPA.

(18) "Fertilizer" as included in this order means any liquid or dry mixed fertilizer, fertilizer material, specialty fertilizer, agricultural mineral, or lime.

(19) "FIFRA" means the Federal Insecticide, Fungicide and Rodenticide Act as amended (61 stat. 163, 7 U.S.C. Sec. 136 et seq.).

(20) "Floor level" is considered to be the floor upon which people normally walk—not shelves, ledges, overhead beams, tops of stacked materials, surfaces of equipment, or similar places.

(21) "Food service establishment" means any fixed or mobile restaurant; coffee shop; cafeteria; short order cafe; luncheonette; grill; tearoom; sandwich shop; soda fountain; tavern; bar; cocktail lounge; nightclub; roadside stand; industrial-feeding establishment; retail grocery; retail food market; retail meat market; retail bakery; private, public, or nonprofit organization routinely serving food; catering kitchen; commissary or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere; and any other eating or drinking establishment or operation where food is served or provided for the public with or without charge.

(22) "Fumigant" means any substance or combination of substances that produce gas, fumes, vapors, or smoke, and is used to kill pests in some kind of enclosure.

(23) "Highly toxic pesticide" for the purpose of this chapter, means any pesticide that conforms to the criteria in 40 C.F.R. Sec. 156.10 for toxicity Category I due to oral inhalation or dermal toxicity.

(24) "Landscape application" means an application by a certified applicator of any EPA registered pesticide to any exterior landscape plants found around residential property, commercial properties such as apartments or shopping cen-

ters, parks, golf courses, schools including nursery schools and licensed day cares, or cemeteries or similar areas. This definition shall not apply to: (a) Applications made by certified private applicators; (b) mosquito abatement, gypsy moth eradication, or similar wide-area pest control programs sponsored by governmental entities; and (c) commercial pesticide applicators making structural applications.

(25) "Limited wood destroying organism inspection" means the inspection of a structure for purposes of identifying or verifying evidence of an infestation of wood destroying organisms.

(26) "Person" is defined as any individual, partnership, association, corporation, or organized group of persons whether or not incorporated.

(27) A "person aggrieved" by a violation is defined as a person who has reasonable grounds to believe that he or she has been subjected to harm or an unreasonable risk by such violation.

(28) "Private applicator" means a certified applicator who uses or is in direct supervision of the use of (a) any EPA restricted use pesticide; or (b) any state restricted use pesticide restricted to use only by certified applicators by the director for the purposes of producing any agricultural commodity and for any associated noncrop application on land owned or rented by the private applicator or the applicator's employer or if applied without compensation other than trading of personal services between producers of agricultural commodities on the land of another person.

(29) "Private-commercial applicator" means a certified applicator who uses or supervises the use of (a) any EPA restricted use pesticide; or (b) any restricted use pesticide restricted to use only by certified applicators for purposes other than the production of any agricultural commodity on lands owned or rented by the applicator or the applicator's employer.

(30) "State restricted use pesticide" means any pesticide determined to be a restricted use pesticide by the director under the authority of chapters 17.21 and 15.58 RCW that are restricted to use only by certified applicators.

(31) "Substantial economic loss" means a loss in profitability greater than that which would be expected based on the experience and fluctuations of crop yields in previous years. Only losses caused by the agricultural emergency specific to the affected site and geographic area are considered. The contribution of mismanagement cannot be considered in determining the loss.

(32) "Unreasonable adverse effects on the environment" means any unreasonable risk to people or the environment taking into account the economic, social and environmental costs and benefits of the use of any pesticide, or as otherwise determined by the director.

(33) "Waste pesticide" is any pesticide formulation which cannot be used according to label directions in Washington state because of cancellation or suspension of its federal or state registration, or deterioration of the product or its label, and any pesticide formulation whose active ingredients are not clearly identifiable because of label deterioration or because the pesticide is not stored in its original container.

(34) "Wood destroying organisms" means those organisms including, but not limited to, subterranean termites,

dampwood termites, carpenter ants, wood boring beetles of the family anobiidae (deathwatch beetle), and wood decay fungus (rot). Wood destroying organisms shall not include such organisms which occurred prior to the manufacturing or processing of the lumber, e.g., pocket rot.

(35) "Wood destroying organism inspection" means the service of inspecting a building for the presence of wood destroying organism pests destructive to its structural components, and/or their damage, and/or conducive conditions. For purposes of these rules a wood destroying organism inspection shall be either a "complete wood destroying organism inspection" or a "limited wood destroying organism inspection."

NEW SECTION

WAC 16-228-1020 Rights of complainants. If an inspection is conducted by the department of an area in which a pesticide violation is believed to have occurred, a complainant shall:

(1) Be promptly provided with the department's decision, as set forth in the "notice of intent to assess civil penalty and/or deny, suspend, or revoke a license," or in any document issuing a warning or determining no action; the department will endeavor to provide notice concurrently with the department's service of such document on the alleged violator.

(2) Be entitled, upon written request to the department, to have his or her name protected from disclosure in any communication with persons outside the department and in any record published, released, or made available pursuant to chapter 17.21 RCW: Provided, That in any adjudicative proceeding under chapter 34.05 RCW the identity of complainant shall be disclosed to the alleged violator upon request of the alleged violator.

(3) Be otherwise entitled to those rights of persons aggrieved as set forth in WAC 16-228-1030, if aggrieved, except that the complainant shall be provided, automatically without request, a copy of the final order referred to therein.

NEW SECTION

WAC 16-228-1030 Rights of person aggrieved. A person aggrieved shall:

(1) Be entitled to be notified promptly of any final action taken by the department pursuant to an investigation under chapter 17.21 RCW; the department will provide notice concurrently with service of notice on the violator: Provided, That such person has made timely written application to the department requesting such notice. Written application to the department requesting such notice shall be received no later than the date of service of a final order.

(2) Within thirteen days of the date of mailing of a final order to a person aggrieved, the person aggrieved may request in writing that the director reconsider the matter, shall specify in writing why said person believes the penalty decision is inappropriate, and shall serve such request on the violator.

(3) Upon reconsideration, the director will reconsider the entire matter including any written statement submitted by any party, and may adjust the penalty decision set forth in the

final order if the director finds that the penalty was inappropriate.

(4) If such person is aggrieved by the director's order on reconsiderations, within twenty days of service of the order he or she may request in writing an adjudicative proceeding under chapter 34.05 RCW, shall specify in writing why the person believes the penalty decision is inappropriate, and shall serve such request on the alleged violator. The subject of such proceeding shall be limited to the appropriateness of the penalty decision of the director on reconsideration based on a review of the record as supplemented by any new evidence received by the presiding officer. The alleged violator shall be given notice and an opportunity to participate in the proceeding by the department. The proceeding shall be heard by a presiding officer who has not heard the adjudicative proceeding on the merits against the alleged violator. Chapter 34.05 RCW and chapter 16-08 WAC shall govern the conduct of such proceeding and any review thereon.

(5) Upon the filing of any request for proceeding pursuant to subsection (2) of this section, any final order of the director shall be automatically stayed pending resolution of such request and expiration of any time period for pursuing additional relief. The director shall provide written notice to the alleged violator of any such resolution, thereby reinstating the rights of the alleged violator to seek further relief.

NEW SECTION

WAC 16-228-1040 Investigative response time. Upon receipt of a verified report of loss as set forth in RCW 17.21.190, the department shall initiate an investigation. Investigation of a complaint concerning immediate acute pesticide exposure to humans or animals shall be initiated immediately. Other complaint investigations shall be initiated no later than forty-eight hours after receipt of the verified report of loss.

NEW SECTION

WAC 16-228-1100 Statement of purpose—Penalty assignment. For the purpose of fair, uniform determination of penalty as set forth in WAC 16-228-1110 through 16-228-1150, the director hereby declares:

(1) Regulatory action is necessary to deter violations of the pesticide laws and rules, and to educate persons about the consequences of such violation(s); and

(2) Any regulatory action taken by the department against any person who violates the provisions of chapter 17.21 RCW, chapter 15.58 RCW, and/or rules adopted thereunder shall be commensurate with the seriousness of the violation under the circumstances; and

(3) Each person shall be treated fairly in accordance with the rules set forth in this chapter.

NEW SECTION

WAC 16-228-1110 Definitions—Penalty assignment. In addition to the definitions set forth in RCW 17.21.020, 15.58.030, and WAC 16-228-1010, the following shall apply to WAC 16-228-1100 through 16-228-1150:

(1) "Adverse effect(s)" means a possibility of pesticide exposure that could cause damage or injury to humans, animals, plants, or the environment.

(2) "Knowingly" means that the alleged violator knew or should have known that conditions existed that would result in adverse effect(s) or knew that a violation would occur.

(3) "Level of violation" means that the alleged violation is a first, second, third, fourth, fifth, or more violation(s).

(a) First violation. This means the alleged violator has committed no prior incident(s) which resulted in a violation or violations within three years of committing the current alleged violation.

(b) Second violation. This means the alleged violator committed one prior incident which resulted in a violation or violations within three years of committing the current alleged violation.

(c) Third violation. This means the alleged violator committed two prior incidents which resulted in a violation or violations within three years of committing the current alleged violation.

(d) Fourth violation. This means the alleged violator committed three prior incidents which resulted in a violation or violations within three years of committing the current alleged violation.

(e) Fifth or more violation. This means the alleged violator committed at least four prior incidents which resulted in a violation or violations within three years of committing the current alleged violation.

(4) "Not probable" means that the alleged violator's conduct more likely than not would not have an adverse effect.

(5) "Probable" means that the alleged violator's conduct more likely than not would have an adverse effect.

(6) "Unknowingly" means that the alleged violator did not act knowingly.

(7) "Violation" means commission of an act or acts prohibited by chapter 17.21 RCW, chapter 15.58 RCW, and/or rules adopted thereunder.

NEW SECTION

WAC 16-228-1120 Calculation of penalty. (1) Median penalty selection. In the disposition of administrative cases, the department shall determine the penalty by first determining the penalty assignment schedule table listed in either WAC 16-228-1130 or 16-228-1140 that is applied based on the type of violation alleged. The department shall then determine the penalty range based on the level of violation, adverse effect(s) at the time of the incident(s) giving rise to the violation, and the knowledge of the alleged violator. The median penalty is then selected as the penalty unless a proportionate adjustment is required and/or there are aggravating or mitigating factors as provided herein. The median penalty under Table A listed in WAC 16-228-1130 may be proportionately adjusted and/or aggravated to a level more than the maximum penalty listed for the violation in the penalty assignment schedule table. The median penalty under Table B listed in WAC 16-228-1140 may be proportionately adjusted and/or aggravated to a level more than the maximum penalty listed for the violation. The median penalty under Table A and B may not be proportionately adjusted and/or

mitigated to a level less than the minimum penalty listed for the violation.

(2) Proportionate adjustment of median penalty. The department reserves the right to proportionately increase the civil penalty and proportionately decrease the licensing action when circumstances in the particular case demonstrate the ineffectiveness of the licensing action as a deterrent including but not limited to violations by persons who are not licensed and violations by certified private applicator(s), or proportionately decrease the civil penalty and proportionately increase the licensing action when circumstances in the particular case demonstrate the ineffectiveness of a civil penalty action as a deterrent.

(3) Aggravating factors. The department may consider circumstances enhancing the seriousness of the violation, including, but not limited to, the following:

(a) Each separate additional incident of violation(s) alleged within a single notice of intent to have been committed by the alleged violator within the same calendar year.

(b) The high magnitude of the harm, or potential harm, including quantity and/or degree, caused by the violation.

(c) The similarity of the current alleged violation to previous violations that occurred within three years of the current alleged violation.

(d) The extent to which the alleged violation is part of a pattern of the same or substantially similar conduct by others which necessitates a greater deterrent factor.

(4) Mitigating factors. The department may consider circumstances reducing the seriousness of the violation including, but not limited to, the following:

(a) A voluntary disclosure of a violation by the alleged violator.

(b) The low magnitude of the harm, or potential harm, including quantity and/or degree, caused by the violation.

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

NEW SECTION

WAC 16-228-1130 Penalty assignment schedule-Table A. Pesticide use, application, disposal, licensing, distribution, recommendation, and label violations (See WAC 16-228-1150 for other dispositions of alleged violations, including warning letters.)

Level of Violation	Adverse Effect(s)	Unknowingly			Knowingly		
		Minimum	Median	Maximum	Minimum	Median	Maximum
First	a. Not probable	\$100 and 1 day suspension	\$200 and 3 days suspension	\$300 and 5 days suspension	\$200 and 3 days suspension	\$300 and 5 days suspension	\$400 and 7 days suspension
	b. Probable	\$150 and 1 day suspension	\$250 and 3 days suspension	\$350 and 5 days suspension	\$250 and 3 days suspension	\$350 and 5 days suspension	\$450 and 7 days suspension
Second	a. Not probable	\$200 and 3 days suspension	\$300 and 5 days suspension	\$400 and 7 days suspension	\$300 and 5 days suspension	\$400 and 7 days suspension	\$500 and 9 days suspension
	b. Probable	\$300 and 3 days suspension	\$350 and 5 days suspension	\$450 and 7 days suspension	\$350 and 5 days suspension	\$450 and 7 days suspension	\$550 and 9 days suspension
Third	a. Not probable	\$400 and 10 days suspension	\$700 and 15 days suspension	\$1000 and 20 days suspension	\$500 and 10 days suspension	\$1000 and 20 days suspension	\$1500 and 30 days suspension
	b. Probable	\$500 and 10 days suspension	\$1800 and 20 days suspension	\$3000 and 25 days suspension	\$700 and 20 days suspension	\$2100 and 30 days suspension	\$3500 and 40 days suspension
Fourth	a. Not probable	\$600 and 15 days suspension	\$1800 and 20 days suspension	\$3000 and 25 days suspension	\$700 and 20 days suspension	\$2100 and 30 days suspension	\$3500 and 40 days suspension
	b. Probable	\$700 and 20 days suspension	\$2100 and 30 days suspension	\$3500 and 40 days suspension	\$800 and 30 days suspension	\$2400 and 40 days suspension	\$4000 and 50 days suspension
Fifth or More	a. Not Probable	\$800 and 20 days suspension	\$3400 and 40 days suspension	\$6000 and 60 days suspension	\$900 and 50 days suspension	\$3700 and 60 days suspension	\$6500 and 7 days suspension
	b. Probable	\$900 and 50 days suspension OR DENIAL OR REVOCATION	\$3700 and 60 days suspension OR DENIAL OR REVOCATION	\$6500 and 70 days suspension OR DENIAL OR REVOCATION	\$1000 and 50 days suspension OR DENIAL OR REVOCATION	\$4250 and 70 days suspension OR DENIAL OR REVOCATION	\$7500 and 90 days suspension OR DENIAL OR REVOCATION

NEW SECTION

WAC 16-228-1140 Penalty assignment schedule—Table B. Records, posting of storage for category one pesticides, removal of examination material, and impersonating state official other violations not listed in Table A (See WAC 16-228-1150 for other dispositions of alleged violations, including warning letters.)

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(WAC 16-228-1140 Table B)

Level of Violation	Adverse Effect(s)	Unknowingly			Knowingly		
		Minimum	Median	Maximum	Minimum	Median	Maximum
First	a. Not probable	\$100 and 1 day suspension	\$150 and 2 days suspension	\$200 and 3 days suspension	\$150 and 2 days suspension	\$200 and 3 days suspension	\$250 and 4 days suspension
	b. Probable	\$150 and 1 day suspension	\$200 and 2 days suspension	\$250 and 3 days suspension	\$200 and 2 days suspension	\$250 and 3 days suspension	\$300 and 4 days suspension
Second	a. Not probable	\$200 and 2 days suspension	\$250 and 3 days suspension	\$300 and 4 days suspension	\$250 and 3 days suspension	\$300 and 4 days suspension	\$350 and 5 days suspension
	b. Probable	\$250 and 2 days suspension	\$300 and 3 days suspension	\$350 and 4 days suspension	\$300 and 3 days suspension	\$350 and 4 days suspension	\$400 and 5 days suspension
Third	a. Not probable	\$300 and 3 days suspension	\$350 and 4 days suspension	\$400 and 5 days suspension	\$350 and 4 days suspension	\$400 and 5 days suspension	\$450 and 6 days suspension
	b. Probable	\$350 and 3 days suspension	\$400 and 4 days suspension	\$450 and 5 days suspension	\$400 and 4 days suspension	\$450 and 5 days suspension	\$500 and 6 days suspension
Fourth	a. Not probable	\$400 and 4 days suspension	\$450 and 5 days suspension	\$500 and 6 days suspension	\$450 and 5 days suspension	\$500 and 6 days suspension	\$550 and 7 days suspension
	b. Probable	\$450 and 4 days suspension	\$500 and 5 days suspension	\$550 and 6 days suspension	\$500 and 5 days suspension	\$550 and 6 days suspension	\$600 and 7 days suspension
Fifth or More	a. Not Probable	\$500 and 5 days suspension	\$550 and 6 days suspension	\$600 and 7 days suspension	\$550 and 6 days suspension	\$600 and 7 days suspension	\$650 and 8 days suspension
	b. Probable	\$550 and 5 days suspension	\$600 and 6 days suspension	\$650 and 7 days suspension	\$600 and 6 days suspension	\$650 and 7 days suspension	\$750 and 8 days suspension

NEW SECTION

WAC 16-228-1150 Other dispositions of alleged violations. Nothing herein shall prevent the department from:

- (1) Choosing not to pursue a case administratively.
- (2) Issuing a warning letter in lieu of pursuing administrative action.
- (3) Negotiating settlement(s) of cases on such terms and for such reasons as it deems appropriate. Prior violation(s) covered by a prior settlement agreement may be used by the department for the purpose of determining the appropriate penalty for the current alleged violation(s) if not prohibited by the agreement.

NEW SECTION

WAC 16-228-1200 Restriction on distribution, transportation, storage and disposal. (1) No person shall handle, transport, store, display, apply, dispose of or distribute pesticides in such a manner as to endanger humans and their environment or to endanger food, feed, or any other product that may be transported, stored, displayed, or distributed with such pesticides. Toxicities of pesticides shall be considered in distribution, storage, handling, and merchandising practices.

(2) Highly toxic pesticides shall not be transported in the same compartment of the vehicle or other equipment together with clothes, food, feed, or any other material intended for consumption by humans or animals. Any vehicle or other equipment shall be inspected by the owner or authorized agent for contamination before reuse. In instances where leakage or spillage has occurred, the shipper of the pesticides shall be immediately notified for instructions concerning the best method to be employed for the removal of the contamination. Vehicles or other equipment which have been con-

taminated shall not be returned to service until the contamination has been removed.

(3) Pesticide containers shall be secured during transit by use of side or end racks, bracing, chocks, tiedowns, or other means to prevent their sliding, falling, tipping, rolling, or falling off the vehicle with normal vehicle acceleration, deceleration, or change in direction.

(4) Valves shall be tightly closed and manhole covers shall be secured on cargo or portable tanks used for transporting pesticides, whether tanks are full or empty.

(5) Portable tanks shall be secured to prevent their sliding, falling, tipping, or rolling with normal vehicle acceleration, deceleration, or change in direction. Ends, sidewalls, or doors of van bodies shall not be relied upon for securement.

(6) Pesticides shall not be delivered to a pesticide consignee unless the consignee or authorized agent is present to accept delivery of the pesticides and signs a delivery slip and the pesticides are secured in a proper storage.

(7) Pesticides shall not be stored and/or displayed over or adjacent to meat or vegetable cases, other human foods, animal feeds, or drugs, or in any manner that may result in contamination of food, feed, or clothing. Pesticides intended for sale or distribution shall only be stored and displayed within an enclosed area of a building or fence and shall not be displayed on sidewalks.

(8) Pesticide dealers shall not sell, offer for sale, or hold for sale highly toxic pesticides in the same department where food for human consumption is displayed or sold. The use of the same "checkstand" or food packaging area is prohibited for the distribution of highly toxic pesticides.

(9) All pesticide incidents involving undesirable impacts on human health shall be reported to the Washington state department of social and health services.

PERMANENT

(10) Pesticides in leaking, broken, corroded, or otherwise damaged containers shall not be displayed, offered for sale, or transported and shall be handled or disposed of in a manner that would not contaminate the environment or cause injury to humans and/or animals. Pesticides with obscured or damaged labels shall not be displayed or offered for sale.

(11) No person shall distribute or sell any pesticide unless it is in the registrant's or the manufacturer's unbroken, immediate container and there is affixed to the container its registered pesticide label.

(12) A user of a pesticide may distribute a properly labelled pesticide to another user who is legally entitled to use that pesticide without obtaining a pesticide dealer's license if the exclusive purpose of distributing the pesticide is keeping it from becoming a hazardous waste as defined in chapter 70.105 RCW.

(13) The distribution and use of DDT and DDD shall be prohibited in this state except for uses allowed by the Environmental Protection Agency or the Center for Disease Control of the United States Department of Health and Human Services.

NEW SECTION

WAC 16-228-1220 Restrictions applying to any person holding, handling, using, or disposing of pesticides and their containers. (1) Any person handling, applying, or disposing of pesticides or pesticide containers shall do so in such a manner to minimize hazard to commercially important pollinating insect species. Due care shall be taken to regulate the timing and technique of pesticide applications to or around blossoming plants.

(2) No person shall transport, handle, store, load, apply, or dispose of any pesticide, pesticide container or apparatus in such a manner as to pollute water supplies or waterways, or cause damage or injury to land, including humans, desirable plants and animals, or wildlife: *Provided*, That a pesticide labeled for aquatic use and used as directed shall not be considered a violation of this subsection: *Provided further*, That disposing of pesticides at disposal sites approved by the appropriate agency complies with the requirements of this subsection. Toxicity, volatility, and mobility of pesticides shall be considered in complying with this subsection.

(3) No person shall pollute streams, lakes, and other water supplies in pesticide loading, mixing, and application. Adequate, functioning devices and procedures to prevent backsiphoning shall be used.

(4) None of the following pesticides shall be applied by aircraft or airblast sprayers immediately adjacent to occupied schools in session, hospitals, nursing homes or other similar establishments under conditions that may result in contamination of these establishments or their premises:

- (a) Disulfoton (DiSyston)-Liquid
- (b) Parathion
- (c) Phorate (Thimet)-Liquid

(5) No person shall apply pesticides if weather conditions are such that physical drift or volatilization may cause damage to adjacent land, including humans, desirable plants or animals.

(6) Requirements for unattended pesticides and their containers:

(a) Good generally accepted housekeeping practices shall be maintained for all pesticides and their containers.

(b) The provisions of (d) and (e) of this subsection and subsection (7) of this section shall not apply to empty pesticide containers when adequately decontaminated (e.g., three successive rinsings); shall not apply to categories 2, 3, and 4 pesticide formulations labeled for home and garden use only.

(c) For the purposes of (d) and (e) of this subsection and subsection (7) of this section, pesticides and their containers at the loading area shall not be considered unattended during the spraying operation if the operator maintains either visual control or repeatedly returns at closely spaced intervals.

(d) Category 1 — Pesticides labeled with the signal word "danger" and their containers shall be stored in one of the following enclosures which, when unattended, shall be so constructed and locked (except (v) below) to prevent children, unauthorized persons, livestock, or other animals from gaining entry.

(i) Closed vehicle.

(ii) Closed trailer.

(iii) Building or room or fenced area with a fence at least six feet high.

(iv) Foot locker or other container which can be locked.

(v) Unattended trucks or trailers which have solid sideracks and secured tailgate at least six feet above ground, ramp or platform level.

(vi) Bulk storage containers fifty gallons and larger with tight screw-type bungs and/or secured or locked valves.

(e) Category 2 — pesticides labeled with the signal word "warning" and categories 3 and 4 — pesticides labeled with the signal word "caution" and their containers shall be stored in secured storage out of the reach of children in one of the enclosures listed in (d) of this subsection: *Provided*, That metal containers, twenty-eight gallons and larger, with tight screw-type bungs and/or secured or locked valves and sealed five gallon containers (requiring tool to unseal) shall be considered secured storage.

(7) Requirements for posting of storage for category 1 pesticides:

(a) For purposes of this subsection, warning signs shall show the skull and crossbones symbol and the words: "Danger/Poison (or Pesticide or Chemical) Storage Area/Keep Out" in letters large enough to be legible at a distance of thirty feet.

(b) Warning signs shall be posted:

(i) On enclosures specified in subsection (6)(d) of this section, when such enclosures are unattended;

(ii) At each entrance or exit from a storage area and on each exterior wall, so that a sign is visible from any direction;

(iii) If the pesticide storage area is contained in a larger, multipurpose structure, warning signs shall be clearly visible on each exterior wall of the structure within thirty feet of the pesticide storage area and from the main entrance to the larger structure: *Provided*, That posting of the main entrance shall not be required, if a sign is visible from the entrance which clearly identifies the possibility that pesticides may be stored on the premises, (i.e., XYZ Pest Control or XYZ Wood Treatment, Inc.);

(8) No person shall disperse a pesticide or pesticide rinse from any aircraft while in flight except over the target field and at the customary application height for that crop: *Provided*, That emergency dumping shall not be considered a violation of this section.

NEW SECTION

WAC 16-228-1230 State restricted use pesticides for use by certified applicators only. (1) Pesticides containing the following active ingredients are hereby declared state restricted use pesticides for the protection of groundwater and shall be distributed only by licensed pesticide dealers to certified applicators or their duly authorized representatives. These pesticides shall be used or applied only by certified applicators or persons under the direct supervision of a certified applicator and only for those uses covered by the certified applicator's license category(s).

Common Chemical Name	Also Known As*
alachlor	Lasso
aldicarb	Temik
atrazine	
bromacil	Hyvar, Krovar
carbofuran	Furadan
cyanazine	Bladex
DCPA	Dacthal
1,3-dichloropropene	Telone
disulfoton	Di-Syston
diuron	Karmex, Krovar
heptachlor	
hexazinone	Velpar
metolachlor	Dual
metribuzin	Lexone, Sencor
oxamyl	Vydate
picloram	Tordon
prometon	Pramitol
simazine	Princep
tebuthiuron	Spike

* This column is to be used only as a guide and may not include all brand or trade names under which these chemicals are distributed.

(2) Pesticides defined by the following categories are hereby declared state restricted use pesticides and shall be distributed only by licensed pesticide dealers to certified applicators or their duly authorized representatives. These pesticides shall be used or applied only by certified applicators or persons under the direct supervision of a certified applicator, and only for those uses covered by the certified applicator's license category.

(a) Any EPA restricted use pesticide not listed in this rule.

(b) 2,4-D - all dry formulations and all liquid formulations distributed in quantities larger than one gallon to be used in counties located east of the crest of the Cascade

Mountains. The following types of formulations are exempt from this requirement:

(i) Dry formulations labeled and intended for home and garden use only;

(ii) Liquid amine formulations of any concentration up to and including one gallon in size when purchased and used in all counties located east of the crest of the Cascade Mountains; and

(iii) One gallon containers of liquid amine formulations containing fifteen percent or less of restricted use herbicides, labeled for consumer use.

(c) Strychnine and its salts

(3) Pesticides which are not classified as EPA restricted use pesticides and which are labeled and intended only for the following uses are exempt from the requirements of this section:

(a) Home and garden use;

(b) Pet products;

(c) Cooling tower, air conditioner, industrial systems and humidifier biocides;

(d) Use within wholly enclosed structures (with floors) or fumigation chambers. Greenhouses are not considered as wholly enclosed structures for the purposes of this section.

NEW SECTION

WAC 16-228-1240 Aquatic pesticides. (1) All pesticide formulations labeled for application onto or into water to control pests in or on water are hereby declared state restricted use pesticides and shall be distributed only by licensed pesticide dealers to certified applicators or their duly authorized representatives. These pesticides shall be used or applied only by certified applicators or persons under the direct supervision of a certified applicator.

(2) Pesticides which are not classified as EPA restricted use pesticides and which are labeled only for the following uses shall be exempt from this section:

(a) Swimming pools

(b) Wholly impounded ornamental pools or fountains

(c) Aquariums

(d) Closed plumbing and sewage systems

(e) Enclosed food processing systems

(f) Air conditioners, humidifiers, and cooling towers

(g) Industrial heat exchange, air washing, and similar industrial systems

(h) Disinfectants

(i) Aquatic environments in states other than Washington

(3) Distribution of pesticides bearing combined labeling for uses into or onto water and for other uses may be made by licensed pesticide dealers to noncertified applicators, if the dealer indicates on the sales slip or invoice that the purchaser of the pesticide agrees that it is not to be applied into or onto water. If requested by the department, dealers shall furnish records on the sales of pesticides labeled for application into or onto water, whether sold for that use or not. Records shall include the name and address of the purchaser, the complete product name and/or EPA registration number of the pesticide and the amount purchased.

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(4) Licensed dealers shall keep records as specified in WAC 16-228-1300(1) on each distribution of pesticides designated in subsection (1) of this section. The director shall have access to these records immediately upon request.

(5) Certified applicators may designate authorized agent(s) for the purpose of purchasing or receiving restricted use pesticides designated in subsection (1) of this section by making previous arrangements with the pesticide dealer, or the authorized agent may provide written authorization to the dealer at the time of purchase. At the time of purchase by an authorized agent the pesticide dealer shall require the certified applicator's name and license or certification number.

Reviser's note: The unnecessary underline 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 16-228-1250 Phenoxy herbicide restrictions.

(1) The distribution, use and application of all high volatile ester and dust formulations of phenoxy herbicides shall be prohibited throughout the state.

(2) Pesticide dealers shall make available to the purchaser a copy of the rules pertaining to the use of dicamba and/or phenoxy hormone-type herbicides, including 2,4-D and MCPA, in the area in which the material will be applied.

Reviser's note: The unnecessary underline 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 16-228-1260 Tributyltin. (1) The distribution for use in Washington state of paint, stain, paint additives, or similar products containing any chemical form of tributyltin for use in interiors of inhabited structures (i.e., residences, office buildings, institutions, recreational vehicles, and retail stores) shall be prohibited: *Provided*, That this section shall not apply to specialty products, such as tile grout additives or cooling tower biocides.

(2) No tributyltin-containing paint, stain, paint additives, or similar products as specified in subsection (1) of this section may be registered for distribution unless its label clearly indicates that it shall not be used on interior surfaces of inhabited structures or that it shall be used on exterior surfaces only.

NEW SECTION

WAC 16-228-1270 Use of pesticides on small seeded vegetable seed crops and seed alfalfa. (1) For purposes of pesticide registration, the following crops, when grown to produce seed specifically for crop reproduction purposes, are considered nonfood and nonfeed sites of pesticide use:

Common Name	Synonyms
alfalfa	
arugula	Mediterranean salad, rucola, rockette, Ghargir
beet	

broccoli raab	Rapani, Choy Sum, Chinese flowering cabbage
Brussels sprouts	
cabbage	
carrot	
cauliflower	
Chinese cabbage	Pe-tsai
Chinese kale	Chinese broccoli
Chinese mustard	Pak Choi (Choy), Bok Choi (Choy) Taisai, celery mustard, spoon cabbage
collard	
coriander	cilantro
dill	
endive	
kale	bore kale
kohlrabi	
leek	
lettuce	
mustard	
onion (bulb)	
onion (bunching)	
parsley	
parsnip	
radish (other than daikon)	
rape	
rutabaga	
spinach	
spinach mustard	
swiss chard	spinach beet
turnip	

(2) For the seed crops listed in subsection (1) of this section, the following conditions shall be met:

(a) All seed screenings shall be disposed of in such a way that they cannot be distributed or used for food or feed. The seed conditioner shall keep records of screening disposal for three years from the date of disposal and shall furnish the records to the director forthwith upon request. Disposal records shall consist of documentation from a controlled dump site, incinerator, or other equivalent disposal site and shall show the lot numbers, amount of material disposed of, its grower(s), and the date of disposal.

(b) No portion of the seed plant, including but not limited to green chop, hay, pellets, meal, whole seed, cracked seed, roots, bulbs, leaves and seed screenings may be used or distributed for food or feed purposes.

(c) All seed from the crops listed in subsection (1) of this section grown or conditioned in this state shall bear a tag or container label which forbids use of the seed for human consumption or animal feed.

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(d) No seed from the crops listed in subsection (1) of this section grown or conditioned in this state may be distributed for human consumption or animal feed.

(3) Violation of any condition listed in subsection (2) of this section is declared to be a violation of chapters 17.21 and 15.58 RCW.

(4) Any seed crop certified under provisions of RCW 15.86.070, the Organic Food Products Act, shall be exempt from the requirements of this section.

NEW SECTION

WAC 16-228-1300 Distribution records (1) Pesticide dealers shall furnish records to the director immediately upon request on the distribution of any pesticide except those labeled only for home and garden. These requests shall be limited to records necessary for investigations of suspected violations, damage complaints, monitoring distribution and use under provisions of special local needs registrations, emergency exemptions from federal registration and experimental use permits, and monitoring of any pesticide suspected of unreasonable adverse effects on the environment. The records shall contain the following information:

- (a) Name and address of purchaser;
 - (b) Name and address of certified applicator (if different from (a) above if applicable);
 - (c) Name of authorized agent (if applicable);
 - (d) Brand and specific pesticide name and/or EPA registration number;
 - (e) Number of pounds or gallons of the pesticide distributed;
 - (f) Date of distribution;
 - (g) Certified applicator number (if applicable).
- (2) Certified applicators may designate authorized agent(s) for the purpose of purchasing or receiving restricted use pesticides by making previous arrangements with the pesticide dealer, or the authorized agent may provide written authorization to the dealer at the time of purchase. At the time of purchase by an authorized agent the pesticide dealer shall require the certified applicator's name and license or certification number.

(3) Pesticide dealers shall keep records of distribution of state restricted use pesticides for a period of seven years from the date of distribution.

NEW SECTION

WAC 16-228-1320 Applicator requirements. (1) Certified applicators and all persons applying pesticides to more than one acre of agricultural land in a calendar year including public entities engaged in roadside spraying shall keep records on a form prescribed by the director which shall include the following:

- (a) The name and address of the person for whom the pesticide was applied.
- (b) The address or exact location of the land where the pesticide was applied. If the application is made to one acre or more of agricultural land, the field must be located on the map on the prescribed form.
- (c) The year, month, day and time the pesticide was applied.

(d) The product name used on the registered label and the United States Environmental Protection Agency registration number, if applicable, of the pesticide which was applied.

(e) The direction from which the wind is blowing and estimated velocity of the wind in miles per hour (mph) and the temperature in degrees Fahrenheit at the time the pesticide was applied: *Provided*, That this subsection (e) shall not apply to applications of baits in bait stations and pesticide applications within structures.

(f) The total amount of pesticide applied such as pounds, gallons, ounces, etc.

(g) The amount of pesticide applied per acre or one thousand square feet or other appropriate measure.

(i) For PCO classification or residential ornamental applications, the amount shall be recorded to the nearest ounce of product or to the nearest gallon of liquid spray per site.

(ii) Fumigation records shall include the pounds of gas released per one thousand cubic feet of space, the temperature, and the duration of the exposure period.

(h) The concentration of pesticide that was applied. Liquid applications may be recorded as amount of product per one hundred gallons of liquid spray or other appropriate measure.

(i) The pests to be controlled (for PCO classification only).

(j) Specific crop or site to which pesticide was applied.

(k) Apparatus license plate number.

(l) The licensed applicator's name, certified pesticide applicator license number, address, telephone number, and the name and license number(s) if applicable of the individual or individuals making the application.

(m) The number of acres or other appropriate measure to which the pesticide was applied.

(2) Application records shall be completed and available to the department the same day the pesticides were applied.

(3) Application records shall be kept for a period of seven years from the date of the application of the pesticide to which such records refer. The director shall, upon request in writing, be furnished with a copy of such records forthwith by the licensee.

(4) Upon written request, the applicator shall provide the customer with a record of each application of pesticides to his/her land, for the current season, which shall contain the information listed in WAC 16-228-1330(1).

(5) Except as stated in subsection (6) of this section, the information required in subsection (1) of this section shall be kept on the appropriate page of the pesticide record form (figures 1-8): *Provided*, That computerized records may be maintained as long as the records can be produced in the form and format prescribed by the department.

(6) The department may allow by written permit the information required in subsection (1) of this section to be kept in a different form and format than that described in figures 1-8: *Provided*, That the following criteria are met:

(a) The pesticide application record keeping system is computerized;

(b) The pesticide application record keeping system was in place and operational prior to July 23, 1989;

(c) The pesticide application record keeping system contains all the information required by subsection (1) of this section, and can be produced in a form and format acceptable to the department.

(7) All apparatus shall be kept in good repair and only that apparatus capable of performing all functions necessary to ensure proper and thorough application of pesticides shall be used. Apparatus shall be cleaned so that no residue remains which may cause injury to land, including humans, desirable plants and animals, from subsequent applications.

(8) On demand of the director, the applicator shall make immediately available for inspection the pesticides being

applied and the apparatus used for the application: *Provided*, That this inspection is made at the site of application or where the apparatus is located.

(9) The applicator shall make available necessary safety equipment in proper working order and advise employees on its use to meet the safety requirements of the pesticide label.

(10) Maintain a uniform mixture at all times in operating apparatus when applying pesticides:

(11) All containers used for prepared mixtures, other than those in an apparatus, shall have a label identifying the contents as a pesticide, the active ingredient, and appropriate cautions.

State of Washington
Department of Agriculture
Pesticide Application Record

PESTICIDE APPLICATION RECORD (Version 1)

NOTE: This form must be completed same day as the application and it must be retained for 2 years after the application.

- 1. Date of Application - Year: Month: Day: Time:
- 2. Name of Person for whom the pesticide was applied:
Firm Name (if applicable):
Street Address: City: State: Zip:
- 3. Licensed Applicator's Name (if different from #2 above): License No.
Firm Name (if applicable): Tel. No.
Street Address: City: State: Zip:
- 4. Name of person(s) who applied the pesticide (if different from #3 above):
License No(s), if applicable:
- 5. Application Crop or Site:
- 6. Total Area Treated (acre, sq. ft., etc.):
- 7. Was this application made as a result of a WSDA Permit? No Yes (if yes, give Permit No.) #
- 8. Pesticide Information (please list all information for each pesticide in the tank mix)

a) Product Name	b) EPA Reg. No.	c) Total Amount of Pesticide Applied in Area Treated	d) Pesticide Applied/Acre (or other measure)	e) Concentration Applied
			/	
			/	
			/	
			/	

9. Address or exact location of application. NOTE: if the application is made to one acre or more of agricultural land, the field location must be shown on the map on page two of this form

10. Wind direction and estimated velocity during the application:

11. Temperature during the application:

12. Apparatus license plate number (if applicable):

13. Air Ground Chemigation

14. Miscellaneous Information:

PERMANENT

Location of Application: If the application covers more than one township or range please indicate the township & range for the top left section of the map only:

Township

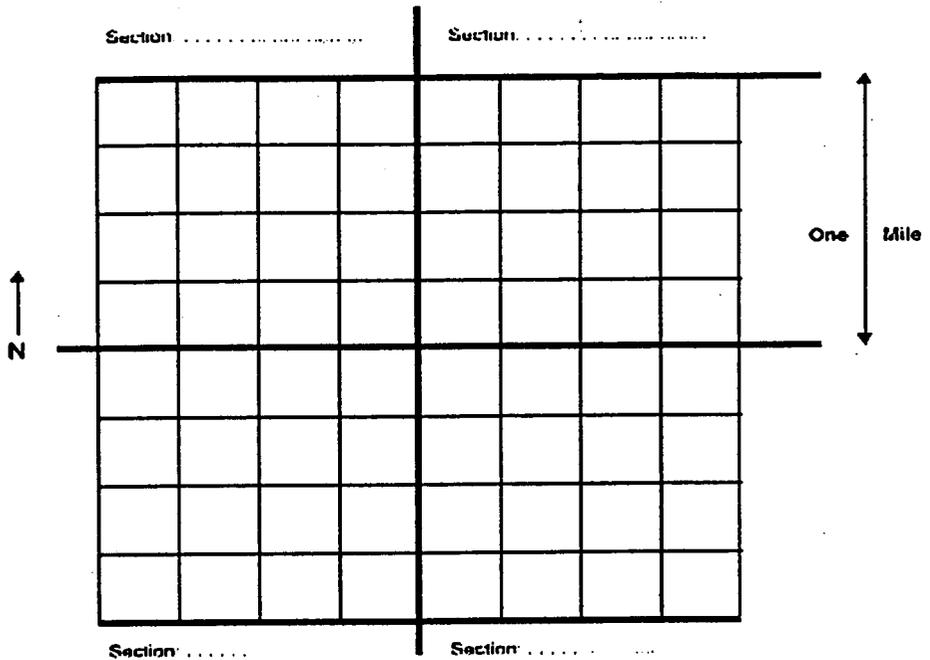
Range, E or W (places indicated)

Section(s)

County

PLEASE NOTE:

The map is divided into 4 sections with each section divided into quarter-quarter sections. Please complete it by marking the appropriate section number(s) on the map and indicate as accurately as possible the location of the area treated.



Miscellaneous Information:

PERMANENT

State of Washington
Department of Agriculture
Olympia, Washington 98512

PESTICIDE APPLICATION RECORD (Version 2)

NOTE: Application information must be completed same day as the application and must be retained for seven years (Ref. RCW 17.21)

1 Name & Address of Person for Whom Pesticide was Applied			2 Applicator Name and Address (if different from 1): To: No. _____ Co: No. _____ City: _____ State: _____ Zip: _____					
3 Address or exact location of application (NOTE: If the application is made to one acre or more of agricultural land, the field location must be shown on the map on page two of this form)			4 Misc. Info:					
5 Date and Time of Application	6 Crop or Site Treated	7 Acres Treated (or other measure)	8 PRODUCT NAME	9 EPA Registration Number	10 Amount of Product Applied		11 Concentration	12 Weather Conditions, Apparatus, License Plate No. and Name and License No. of person(s) who applied pesticide
					Rate per acre (or other measure)	Total Product Applied		
	<input type="checkbox"/> Air <input type="checkbox"/> Ground <input type="checkbox"/> Chemigation							
	<input type="checkbox"/> Air <input type="checkbox"/> Ground <input type="checkbox"/> Chemigation							
	<input type="checkbox"/> Air <input type="checkbox"/> Ground <input type="checkbox"/> Chemigation							
	<input type="checkbox"/> Air <input type="checkbox"/> Ground <input type="checkbox"/> Chemigation							

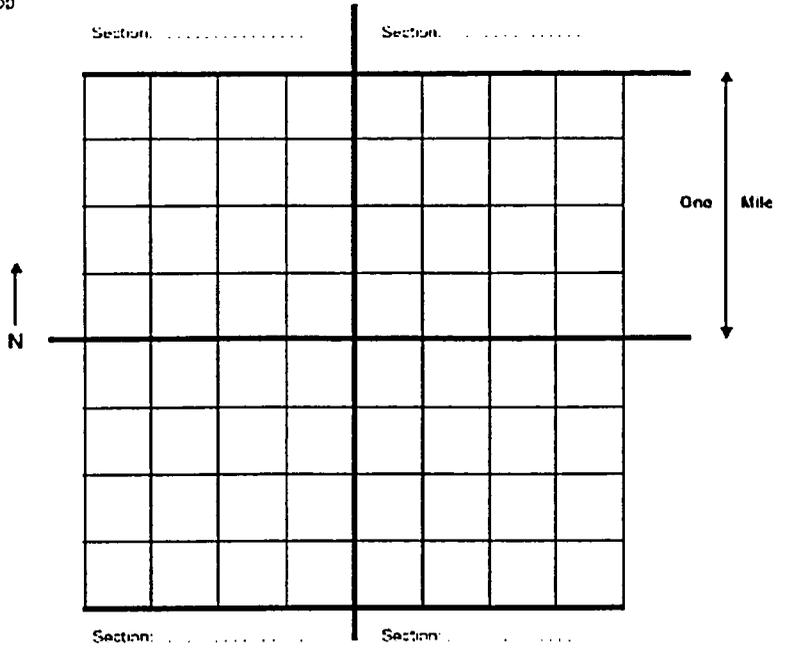
PERMANENT

Location of Application (If the application covers more than one township or range, please indicate the township & range for the top left section of the map only.

Township _____ N
Range E (or W) (please indicate): _____
Section(s) _____
County _____

PLEASE NOTE:

The map is divided into 4 sections with each section divided into quarter-quarter sections. Please complete it by marking the appropriate section number(s) on the map and indicate as accurately as possible the location of the area treated.



State of Washington
Department of Agriculture
Office of Washington State

PESTICIDE APPLICATION RECORD (Version 3)

NOTE: This form must be completed same day as the application and it must be retained for 7 years (WAC 163-201)

- 1 Date of Application - Year: Month: Day(s):
- 2 Name of Person for whom the pesticide was applied:
Firm Name (if applicable):
Street Address: City: State: Zip:
- 3 Licensed Applicator's Name (if different from #2 above): License No.
Firm Name (if applicable): Tel No.
Street Address: City: State: Zip:
- 4 Air Ground Chemigation
- 5 Application Crop or Site:
- 6 Total Area Treated (acre, sq ft., etc.)
- 7 Was this application made as a result of a WSDA Permit? No Yes (if yes, give Permit No.) #.
- 8 Pesticide Information (please list all information for each pesticide in the tank mix)

a) Product Name	b) EPA Reg. No.	c) Total Amount of Pesticide Applied in Area Treated	d) Pesticide Applied/Acre (or other measure)	e) Concentration Applied
			/	
			/	
			/	
			/	
			/	

9. Address or exact location of application. NOTE: if the application is made to one acre or more of agricultural land, the field location must be shown on the map on page two of this form.

10 Date	11 Name of person(s) making the application	12 License No.	13 Apparatus Lic. Plate No.	14 Time Start	14 Time Stop	15 Acres Completed	16 Wind Dir	16 Wind Vel	17 Temp

WSR 99-22-002

PERMANENT

State of Washington
Department of Agriculture
Olympia, Washington 98504

PESTICIDE APPLICATION RECORD (Version 4)

NOTE: This form must be completed same day as the application and it must be retained for 7 years (Ret. 10/29/17 23)

- A. Date of Application: Year: Month: Day:
- B. Firm Name: Telephone No:
Commercial Applicator's Name: License No.:
Street Address: City: State: Zip:
- C. Name of person(s) who applied the pesticide:
License No(s):
- D. Pesticide information (please list all information for each pesticide in the tank mix):

<u>Product Name</u>	<u>EPA Reg. No.</u>	<u>Concentration</u>
		<u>Amount - (Lbs., Ozs., etc.) of brand per 100 gallons of tank mix. Amount and unit must be specified.</u>

E. Application crop or site: F. Apparatus License Plate No:

G. Record the following information for the specific conditions during each application:

	<u>CUSTOMER</u>		<u>AMOUNT APPLIED</u> (gals. of mix)	<u>AREA TREATED</u> (sq. ft., etc.)	<u>TIME</u>	<u>TEMP</u> F°	<u>WIND</u>	
	<u>a) full name</u>	<u>b) location of application - street address</u>					<u>DIR</u>	<u>VEL. mph</u>
1. a)								
b)								
2. a)								
b)								
3. a)								
b)								
4. a)								
b)								
5. a)								
b)								
6. a)								
b)								
7. a)								
b)								
8. a)								
b)								
9. a)								
b)								

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DAILY PESTICIDE APPLICATION RECORD (Version 5)

For Commercial Pest Control Operators Only

NOTE: This form must be completed same day as the application and retained for seven years (Ref. RCW 17.21)

A FIRM NAME AND ADDRESS

TELEPHONE NUMBER

B APPLICATOR NAME

LICENSE NO.

C PERSON MAKING APPLICATION

LICENSE NO.

D DATE

E APPLICATOR LICENSE NO.

Table with 5 columns: CUSTOMER, APPLICATOR, PESTICIDE, APPLICATION SITE, and PESTICIDE APPLIED. Includes rows 1-7 for recording application details.

OPTIONAL: MILEAGE START MILEAGE END

PERMANENT

NEW SECTION

WAC 16-228-1330 Compliance with federal requirements. (1) All pilots and aircraft, used for or engaged in the commercial application of pesticides shall comply fully with the appropriate rules and regulations of the Federal Aviation Administration.

(2) All applicants for an aerial applicators license shall comply with FAA certification requirements. The department may require a current copy of the FAA operating certificate prior to issuance of a license. [Statutory Authority:

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

NEW SECTION

WAC 16-228-1370 Waste pesticide disposal. Under authority of chapter 15.58 RCW, the department may establish a waste pesticide disposal program for farmers, or other parties regulated under chapter 17.21 RCW or licensed under chapter 15.58 RCW.

(1) Upon review and determination that a pesticide is no longer useable, the department may declare a pesticide to be a "waste pesticide."

(2) The department may take possession of a waste pesticide with the owner's written consent for the purpose of disposal.

(3) For the purpose of waste pesticide disposal, the department may:

(a) Become identified as a hazardous waste generator;

(b) Enter into contracts or cooperative agreements to carry out portions of or all of the waste pesticide disposal program. The department may also enter into cooperative agreements to carry out portions of or all of the development of education programs relating to waste pesticide disposal and programs for dissemination of information concerning the department's disposal program.

(4) The department may accept pesticides whose active ingredients are not clearly identifiable for disposal. These pesticides may be analyzed by either the department or a private laboratory. If upon analysis the material is not a pesticide, not identified or not acceptable for disposal, it shall be returned to the owner and/or not accepted for disposal.

NEW SECTION

WAC 16-228-1380 Regulation of application of vertebrate control pesticides. Vertebrate control pesticides shall be used only under the following conditions:

(1) Vertebrate control pesticides shall be placed only in locations that are not readily accessible to nonpest animals, children, and unauthorized persons, and in a manner that shall preclude contamination of food, feed, drugs, and other consumer commodities. Exposure of rodenticides baits within buildings shall not be above floor levels.

(2) Baits shall be colored or otherwise formulated so that they will be identifiable from foods common to the establishment in which the bait is placed.

(3) When the use of bait boxes is necessary to ensure that baits are not readily accessible to nonpest animals, children, and unauthorized persons, the bait boxes shall be of sturdy construction and designed to accomplish that purpose, and shall be labeled clearly with letters on contrasting background showing the following information:

(a) Any information required by the EPA or Washington state registered label for the bait or the concentrate from which it was formulated.

(b) The name of the active ingredient(s).

(c) The name of the firm and/or applicator, address, and the telephone number.

(4) Containers used for exposing vertebrate control baits to pests shall be composed of tough, nonabsorbent, corrosion resistant materials and designed so they cannot be readily overturned or carried off by pest animals. Those containers that are used for exposing vertebrate control pesticides outside of bait boxes shall bear a legible warning label with wording not less restrictive than requirements on bait boxes being used as per WAC 16-228-1380(3), (except for the size of lettering). Food containers, such as "meat boats" and "souffle cups" are unacceptable. Containers used for liquid bait exposure shall be water and/or liquid impervious.

(5) All vertebrate control pesticide stocks, when not in use or when unattended, shall be kept in locked storage or locked service vehicles.

(6) All containers used for storing or transporting vertebrate control pesticides shall bear an EPA or department registered label.

(7) Servicemen's kits which contain vertebrate control pesticides shall be handled with extra caution and shall not be left where children or other unauthorized persons or nontarget animals might remove contents.

(8) Upon completion of a baiting operation, all bait boxes, containers, and/or throw bags, if they may become readily accessible to the public, shall be recovered for disposal in an approved manner.

(9) Wherever poisoned carcasses jeopardize public sanitation, or create a health hazard to wildlife, domestic animals, or the public, they shall be recovered and disposed of by burning, burying not less than three feet below the soil surface, or placed in proper waste containers and delivered to an approved disposal site.

(10) Thallium-containing compounds shall not be used for vertebrate control.

NEW SECTION

WAC 16-228-1385 Special restrictions on the use of Compounds 1080, 1081 and phosphorus paste. Compounds 1080 and 1081, and phosphorus paste shall be restricted for use as follows:

(1) No person shall possess or use these pesticides except federal, state, county, or municipal officers or their employees for use in their official duties in pest control; research or chemical laboratories in their respective fields; pest control applicators and operators licensed by the state; and wholesalers or jobbers who distribute, sell, or export these pesticides to the aforementioned persons.

(2) No person shall use these pesticides in occupied structures such as private homes, apartment houses, other human dwellings or food service establishments. Those persons authorized in subsection (1) above shall use these pesticides only in buildings such as grain elevators, seed houses, or warehouses. The portions of these buildings being baited must be under control of the licensee. A controlled building is one that is locked or attended and that is under at least once-a-day surveillance by the licensee, unless authorized as per WAC 16-228-1385.(7).

(3) Compounds 1080 and 1081 and phosphorous paste shall be used only by authorized persons who have read and will comply with the "Instructions For Using Sodium Fluoroacetate (Compound 1080)," by the National Research Council and all other labeling of the registrant, and are familiar with hazards of the above compounds.

(4) Compounds 1080 and 1081 and phosphorous paste may be used in warehouses, grain elevators, seed houses and industrial buildings only when warning signs are used which are not less than eight by ten inches with the words "DANGER" — "FATAL POISON" — "RODENT BAITS" in red letters not less than one inch in height on a contrasting background and the skull and crossbones, in red, not smaller than the letters. These signs must be conspicuously posted at all entrances to the building and portions of the building under control of the licensee. Below is the suggested format:

DANGER

FATAL POISON - RODENT BAIT

IN THIS AREA

(skull/crossbones) DO NOT TOUCH BAITS (skull/crossbones)

OR DEAD ANIMALS

Name, address, and phone number
of applicator

Name of the rodenticide

All authorized personnel in the building must be notified of the baiting; a diagram showing the number of bait stations and the location of each on the premises must be readily available on the property; and a copy of such diagram must

PERMANENT

be in the possession of the licensee who is performing the baiting operation.

(5) No person shall use Compounds 1080 and 1081, or phosphorus paste unless all unused baits are recovered and disposed of appropriately at the end of the baiting operation, and carcasses shall be recovered daily and disposed of as per WAC 16-228-1380(9), unless a permit issued pursuant to WAC 16-228-1385(7) provides alternative requirements.

(6) When placed in burrows, baits should be put far enough into the burrow so that domestic animals cannot reach them readily. Baits applied to dumps should be placed beneath objects, in containers, or into holes so that it is inaccessible. Appropriate warning cards, as per WAC 16-228-1380(4) shall be conspicuously displayed in adequate numbers whenever Compounds 1080 and 1081 or phosphorus baits are used on public property or on private property accessible to the public.

(7) Any authorized person desiring to use these pesticides in any areas other than licensee-controlled buildings, controlled dumps, sanitary sewers or in emergency situations where application sites are controlled and attended, such as waterfronts, shall apply for and obtain a permit from the director prior to applying the pesticide. These permits may be issued by the department if, after an on-site inspection, the department determines that:

(a) Good housekeeping and sanitary procedures are being followed to help control the rodent population;

(b) Rodent populations and conditions are such that an emergency situation exists and less toxic rodenticides and other control measures will not be adequate for the needed rodent control;

(c) The applicant designates a competent trained person to be named on the permit, who will accept responsibility for properly collecting and disposing of dead rodents; and

(d) A date is given for completion of the baiting operation (not more than thirty days duration) when the licensee will service the bait boxes (if any) and determine if a renewal of the permit is necessary.

(8) All compound 1080 solutions shall be dyed black. All 1080 baits shall be discolored.

(9) Compounds 1080 and 1081 shall be kept in a locked container within locked storage or locked service vehicle.

Reviser's note: The unnecessary underline 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.

General Pesticide Regulations - Registration

NEW SECTION

WAC 16-228-1400 Pesticide labeling requirements.

(1) Pesticide labeling shall meet the standards or criteria of the Federal Insecticide, Fungicide and Rodenticide Act.

(2) Conditions set forth as part of an exemption from registration under provisions of section 18 of FIFRA shall be considered labeling for purposes of enforcement.

NEW SECTION

WAC 16-228-1410 Home and garden products—

Definition For purposes of this section, "home and garden

use only" means any pesticide determined by the department to be packaged and labeled solely for use by the general public in and around a residence. In making this determination, the department shall consider, but not be limited to, the following criteria:

- (a) Packaging;
- (b) Package size;
- (c) Label instructions;
- (d) Application method;
- (e) Equipment to be used;
- (f) Rates of application.

NEW SECTION

WAC 16-228-1420 Complete pesticide formula. The complete pesticide formula shall include a listing of each active and inert ingredient and the percentage of each ingredient. This information will be kept confidential and is exempt from disclosure as a public record as provided by RCW 15.58.065. Information required by this section may be submitted on company letterhead marked "confidential" in red ink on each sheet or each "EPA confidential statement of formula" information sheet.

NEW SECTION

WAC 16-228-1430 Adequate containers. Containers, i.e., packages, cartons, bags, cans, barrels, bins, etc., in which pesticides are sold, offered for sale, or transported within the state of Washington shall be of sufficient strength and of such construction as to alleviate danger of spillage or breakage. Pesticides found to be packaged in unsafe containers shall be placed under "stop sale" order. Containers shall meet the minimum federal specifications.

NEW SECTION

WAC 16-228-1440 Artificial coloring. (1) No highly toxic pesticide in powdered or granular form or highly toxic pesticide baits having a label recommendation for use in any building, ship, or similar enclosure shall be sold within the state of Washington unless it is distinctly colored or discolored in such a way that it does not resemble any food.

(2) A pesticide in liquid form with colors resembling a beverage or liquid food, which does not have a distinctive odor, shall have an odorous substance added that is distinctly different from any beverage or liquid food.

NEW SECTION

WAC 16-228-1450 Pesticide-fertilizer registration and labeling.

(1) Each pesticide-fertilizer mix containing different pesticide active ingredients and/or percentages must be registered with the director: *Provided*, That the fertilizer portion shall be considered an inert ingredient for the purpose of this order: *And provided further*, That such registrations may be to the nearest one-tenth of one percent by weight of all active ingredient/s, except for nitrification inhibitor-pesticide mixes as stated in (4) below.

(2) A specimen pesticide-fertilizer label shall be registered with the director before distribution or sale. These labels shall bear the following items:

(a) A pesticide ingredient statement identifying the active ingredient(s) and showing the percent by weight of each active ingredient;

(b) EPA registration number of each pesticide used to formulate the pesticide-fertilizer mix;

(c) Crop(s) on which the pesticide-fertilizer mix may be used and the amount of pesticide-fertilizer mix to be applied per acre;

(d) Timing of application (for instance, preplant) and the preharvest interval;

(e) Net weight of the shipment;

(f) Name and address of the registrant or manufacturer;

(g) Any other information required by the director.

(3) Labeling bearing all of the information specified in (2) above and a complete specimen label for each pesticide product used to formulate the pesticide-fertilizer mix shall accompany each pesticide-fertilizer mix shipment. All or portions of the information required in (2) above may occur on the invoice of a custom mix: *Provided*, That an appropriate specimen invoice has been registered by the director as pesticide labeling.

(4) Pesticide-fertilizer mixes containing nitrification inhibitors or agents intended for nitrogen stabilization only, and no other pesticide active ingredients, may be registered without specifying the percentage of active ingredient. The amount of active ingredient in the mix must be stated on the label that accompanies each shipment.

NEW SECTION

WAC 16-228-1455 Pesticide-fertilizer mix restrictions. No person shall distribute, sell, offer for sale, or hold for sale any dry pesticide incorporated in a dry blended bulk fertilizer mix.

NEW SECTION

WAC 16-228-1460 Experimental use permits. (1) Pesticides shall not be distributed or used for experimental purposes unless a written permit has been obtained from the director. All distribution and use of pesticides for experimental purposes shall be subject to restrictions and conditions described in the experimental use permit. Applications for experimental use permits shall include the following (when applicable):

(a) Name of the active ingredient and/or product name and/or EPA registration number of the product to be used;

(b) Person responsible for carrying out provisions of the experimental permit and means of locating this person in case of emergency;

(c) Target pest(s);

(d) Crop or site and location(s) to which the pesticide is to be applied;

(e) Disposition of any treated food or feed and of subsequent crops from treated sites;

(f) Rate of application of formulation or active ingredient and number of applications;

(g) Timing and duration of the proposed program;

(h) Area to which the pesticide is to be applied;

(i) Total amount of pesticide to be applied;

(j) Federal experimental use permit number and text;

(k) Labeling to accompany the pesticide in the field;

(l) Any other information required by the director.

(2) An experimental use permit shall not be issued for use of a pesticide on a food or feed unless a tolerance greater than residues anticipated from the treatment or exemption from the requirement of a tolerance has been obtained from the Environmental Protection Agency, provisions for destruction of the treated food or feed and any crop residue have been made, or adequate demonstration has been made to the department that no detectable pesticide residue from the experimental program will be present in food or feed. The director may require evidence to substantiate any of the above.

(3) Collective experimental use permits may be issued by the director for experimental programs conducted by recognized research institutions on land owned or controlled by the institution.

(4) The director may monitor the implementation of any experimental use permit. This may include collection of samples, inspection of premises, records and equipment, and any other related activities specified by the director. The conditions of any experimental use permit may require notification of a designated department office prior to application and/or presence of a departmental representative at the application. Experimental use permits shall be considered labeling for purposes of enforcement. Violations of these permits shall be considered use inconsistent with the label.

(5) Summaries of experimental results and environmental effects shall be retained by the holder of the permit for three years and shall be submitted to the department upon request of the director.

(6) Pesticides intended for experimental use must be contained in secure containers, the labeling of which must present such precautions as are known to be necessary to protect the health of persons who may come in contact with the pesticide and to prevent unreasonable adverse effects on the environment.

(7) The director may limit the amount of pesticide, acres or areas to be treated, licensing, or qualifications of persons exercising the permit, or any other condition of an experimental use permit. The director may deny, amend, suspend or revoke any experimental use permit if it is found to be in violation of applicable federal regulations, in violation of chapters 15.58 and 17.21 RCW or rules adopted thereunder, or if the director deems such action necessary to protect public health and the environment.

General Pesticide Regulations - Licensing

NEW SECTION

WAC 16-228-1500 License denied, revoked or suspended. (1) The director may deny, suspend, or revoke any provision of a license, registration, permit or certification issued under chapters 17.21 and 15.58 RCW if he finds that the applicant or the holder of the license, permit, or certifica-

tion has committed any of the following acts each of which is declared to be a violation:

- (a) Made false or fraudulent claims through any media misrepresenting the effect of materials or methods to be utilized;
- (b) Made a pesticide recommendation or gave advice or used a pesticide inconsistent with the labeling, the EPA or Washington state registration for that pesticide, an EPA or Washington state experimental use permit for that pesticide, an exemption from registration under provisions of section 18 of FIFRA, or in violation of the EPA or Washington state restrictions on the use of that pesticide;
- (c) Applied known ineffective or improper pesticides or materials;
- (d) Operated a faulty or unsafe apparatus;
- (e) Operated in a faulty, careless or negligent manner;
- (f) Refused or neglected to comply with the provisions of the applicable sections of chapters 15.58 and 17.21 RCW, the rules adopted thereunder, or of any lawful order of the director;
- (g) Refused or neglected to keep and maintain records required by chapters 15.58, 17.21 RCW, and rules adopted thereunder, or to make reports when and as required;
- (h) Made false or fraudulent records, invoices, reports, and/or recommendations;
- (i) Caused the application of a pesticide without having a licensed or certified applicator or operator in direct supervision;
- (j) Operated an unlicensed apparatus or an apparatus without a license plate issued for that particular apparatus as provided for in chapter 17.21 RCW or failed to locate the apparatus license plate on the apparatus in a manner required by the department;
- (k) Failed to properly display, when required, a department issued certified commercial ground applicator vehicle sticker;
- (l) Used, or supervised the use of a pesticide which is restricted to use by certified applicators without having qualified as a certified applicator;
- (m) Used fraud or misrepresentation in making an application for a license, permit, or certification or renewal of a license, permit or certification;
- (n) Refused or neglected to comply with any limitations or restrictions on or in a duly issued license, permit or certification;
- (o) Aided or abetted a certified applicator, or licensed person or an uncertified or unlicensed person to evade the provisions of chapters 17.21 and 15.58 RCW, conspired with such a certified applicator or licensed person or an uncertified or unlicensed person to evade the provisions of chapters 17.21 and 15.58 RCW or allowed one's license, permit, or certification to be used by another person;
- (p) Made false, misleading or erroneous statements or reports during or after an inspection concerning any infestation or infection of pests found on land or in connection with any pesticide complaint or department investigation;
- (q) Impersonated any state, county, or city inspector or official;
- (r) Is not qualified to perform as a pest control consultant or pesticide dealer manager or certified applicator in the clas-

sifications in which he/she is licensed to operate or has operated, regardless of whether or not he/she has previously passed an examination provided for in chapter 15.58 RCW;

(s) To have in his/her possession a department pesticide applicator, operator, dealer manager or pest control consultant examination or to remove or cause to remove any said examination from the department without expressed consent from the department; or

(t) Made or failed to make an inspection, statement, or report in violation of WAC 16-228-2000 through 16-228-2040.

(2) A penalty fee assessed as a result of a late license or registration renewal does not prevent the department from taking additional regulatory action against the violator.

(3) No pesticide dealer or dealer manager license shall be denied, suspended, or revoked, simply because a pesticide purchased from that dealer was applied in violation of chapters 15.58, 17.21 RCW or rules adopted thereunder, unless the department finds the dealer or dealer manager in violation of chapters 15.58, 17.21 RCW or rules adopted thereunder.

NEW SECTION

WAC 16-228-1520 Financial responsibility insurance certificate (FRIC). (1) A commercial pesticide applicator's license shall not be issued until a properly executed financial responsibility insurance certificate is filed with the department which shall certify: (Forms to be supplied by the department).

(a) Name of insured (identical to name on application form)

(b) Address of insured

(c) Policy number

(d) Plane number(s) (if applicable)

(e) Effective period

(f) Amount of insurance. Minimum requirements are:

(i) Public liability (personal injury) fifty thousand dollars; and property damage fifty thousand dollars; or

(ii) Alternately providing both public liability (personal injury), and property damage liability coverage within the same limit, providing such policy is issued in an amount of not less than one hundred thousand dollars.

(iii) Amount of deductible (if applicable): Maximum deductible, five thousand for all applicators.

(g) List of any pesticides or group of pesticides not covered by the policy.

(h) Acknowledgement of provisions for ten days' prior written notice of cancellation or reduction of the insurance coverage.

(2) The department may waive the requirements of this section, wholly or in part, if a properly executed surety bond in a form prescribed by the director is offered as evidence of financial responsibility, as provided for in RCW 17.21.160 and 17.21.170.

NEW SECTION

WAC 16-228-1530 Pesticide licenses—Renewal dates—Penalties. (1) The following pesticide licenses shall expire on the December 31st following their issuance:

(a) Commercial pesticide applicator licenses issued under the authority of RCW 17.21.070;

(b) Commercial pesticide operator licenses issued under the authority of RCW 17.21.110;

(c) Private applicator licenses issued under the authority of RCW 17.21.126;

(d) Public operator licenses issued under the authority of RCW 17.21.220.

(e) Private-commercial applicator licenses issued under the authority of RCW 17.21.122;

(f) Pesticide dealer-manager licenses issued under the authority of RCW 15.58.200;

(g) Demonstration and research licenses issued under the authority of RCW 17.21.129.

(2) The following pesticide licenses shall expire on the final day of February of each year:

(a) Pest control consultant licenses issued under the authority of RCW 15.58.210;

(b) Public pest control consultant licenses issued under the authority of RCW 15.58.220.

(3) Pesticide renewal applications for licenses issued under the authority of chapter 17.21 RCW shall be filed on or before January 1st of the appropriate year.

(4) If an application for renewal of any pesticide license issued under the authority of chapter 17.21 RCW is not filed on or prior to January 1st following the expiration date of the license, a penalty shall be assessed as provided in RCW 17.21.140.

(5) If an application for renewal of a pesticide dealer license issued under the authority of chapter 15.58 RCW is not filed on or before the master license expiration date, the master license delinquency fee shall be assessed under chapter 19.02 RCW and shall be paid by the applicant before the renewal license is issued.

(6) If an application for renewal of any license issued under the authority of chapter 15.58 RCW, other than the pesticide dealer license, is not filed on or before the expiration date of the license, penalty equivalent to the license fee shall be assessed and added to the original fee, and shall be paid by the applicant before the renewal license is issued.

(7) Nothing herein shall be construed to limit the department's ability, as otherwise provided by law, to deny a license, to condition license renewal, or to enforce violations of applicable laws, subsequent to the expiration of a license.

(8) An applicant shall complete the application form for a pesticide license and pay the required license application fee prior to being given pesticide examinations, unless prior arrangements have been made.

NEW SECTION

WAC 16-228-1540 Examination requirements. (1) An examination fee of ten dollars shall be paid prior to administration of any pesticide license examination at other than a regularly scheduled examination session. Scheduled exam sessions occur every Tuesday at the Olympia and Yakima pesticide management division offices. The department reserves the right to restrict the number of applicants examining at any given time.

(2) Any individual who fails any pesticide licensing examination twice shall be required to wait at least fourteen days before retaking that examination a third time. Subsequent testing shall be at the director's discretion.

NEW SECTION

WAC 16-228-1550 Apparatus display signs. (1) A certified applicator making a landscape application shall display the name and telephone number of the applicator or applicator's employer on any power equipment.

(2) A certified applicator making a right of way application shall display the name and telephone number of the applicator or the applicator's employer and the words "VEGETATION MANAGEMENT APPLICATION."

(3) Apparatus display signs shall be attached to and prominently displayed on the application apparatus and shall be clearly visible.

(4) Lettering of the apparatus display signs shall be, at a minimum, two inches in height and shall be printed in color contrasting to the background.

NEW SECTION

WAC 16-228-1555 Requirements on placement of commercial applicator apparatus license plates and windshield identification. (1) Apparatus license plates, as provided for in chapter 17.21 RCW, shall be attached to and prominently displayed on the apparatus for which they have been issued: *Provided*, That an apparatus license plate may be affixed to a vehicle which contains the particular apparatus. Attached plates shall be clearly visible and in a location easily accessible for inspection by the department.

(2) Each vehicle involved in the operations of a certified commercial ground application business, which does not prominently display a department issued apparatus license plate on its exterior or on the specific apparatus when that apparatus is exteriorly visible, shall be required to have a department issued sticker affixed to the lower left side of the windshield.

NEW SECTION

WAC 16-228-1570 Permits. (1) Private applicator certification, demonstration and research applicator certification, user permits and private-commercial applicator licenses shall be considered as certified applicator permits as provided for in RCW 17.21.030 and 15.58.040 (2)(h).

(2) User permits may be issued by the director as temporary applicator certification in emergency situations. User permits will be issued in a form prescribed by the director, which shall include the following:

- (a) Permit number
- (b) Date of issuance
- (c) Expiration date, which shall be not longer than one year from the date of issuance
- (d) Name and address of certified applicator
- (e) Crop or site and area to which the pesticide will be applied
- (f) Amount of pesticide obtained
- (g) Any other information prescribed by the director.

(3) Pesticide dealers shall keep user permits for a period of one year from the date of issuance, and the director shall have access to these records upon request.

NEW SECTION

WAC 16-228-1580 Change of exemptions. The licensing exemption for jurisdictional health officers as provided for in RCW 17.21.220; and research personnel provided for in RCW 17.21.203 shall not apply when applying EPA restricted use pesticides or state restricted use pesticides which are restricted to use by certified applicators only: *Provided*, That research personnel shall be required to obtain a demonstration and research applicator certification.

NEW SECTION

WAC 16-228-1585 Ground maintenance on an occasional basis—Exempt from licensing requirements. Grounds maintenance persons are exempt from licensing requirements as a commercial pesticide applicator, as provided under chapter 17.21 RCW, only if they perform ground maintenance on an occasional basis not amounting to a regular occupation. Exempted persons shall only perform pesticide applications to the grounds of residential dwellings and shall only use home and garden products.

NEW SECTION

WAC 16-228-1590 Pesticide dealer and dealer manager licenses. (1) When more than one pesticide dealer is engaged in the business from the same outlet or location, each pesticide dealer shall obtain a license for said outlet or location.

(2) A licensed pesticide dealer manager shall be available to the staff, customers, and department representatives at all times that an outlet or location distributes pesticides. A dealer manager may be the designated dealer manager of more than one outlet or location only if the dealer manager can be physically present at both outlets or locations during all times of pesticide distribution and handling

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.

General Pesticide Regulations - Wood Destroying Organisms

NEW SECTION

WAC 16-228-2000 Inspection and reporting criteria for complete wood destroying organism inspections. All persons to conduct wood destroying organism inspections shall comply with the following criteria when performing complete wood destroying organism inspections.

(1) The inspector shall make a thorough inspection of accessible areas of the subject structure which are not excluded. The inspection shall be conducted by making a careful visual examination, and/or probing with inspection instruments.

(2) Substructural crawl areas shall be inspected when accessible.

(3) Upon completion of an inspection, a wood destroying organism report shall be issued to the person paying for and/or otherwise requesting the inspection. Such report shall include the following: *Provided*, That all diagrammatic representations may be omitted from the report provided to the person paying for or otherwise requesting the inspection, but shall be maintained on file pursuant to subsection (3)(k) of this section.

(a) Date of inspection;

(b) Name of seller/owner and purchaser (when applicable);

(c) Street address of structure inspected. When there is more than one structure that may be used as a dwelling at a given street address it shall be clearly indicated which structure was inspected;

(d) Name of structural inspector and department pesticide license number;

(e) Substructural crawl areas which are not accessible due to inadequate clearance, or foundation walls/partitions, etc., which block access, shall be clearly indicated on the complete wood destroying organism inspection report including any diagram which is a part of that report. It shall be stated on the report that such areas may be vulnerable to attack by wood destroying organisms, and should be made accessible for inspection if feasible. In the event that it is neither feasible or necessary to make access into such areas, a statement indicating the reason(s) shall be included on the report;

(f) With the exception of areas within the living quarters of an occupied structure, all areas which are excluded from the inspection shall be clearly indicated on any complete wood destroying organism inspection report;

(g) Evidence of infestation of wood destroying organisms which shall include:

(i) Common name of the wood destroying organism(s). Termites shall be described as either dampwoods or subterraneans. Wood boring beetles shall be described by the appropriate family name, i.e., anobiidae (deathwatch beetles). Buprestid and Cerambycid beetles shall not be described as "powder post beetles";

(ii) Statement describing specific evidence of infestation(s) observed;

(iii) If evidence of infestation(s) is observed only in wood which is not normally considered a part of the structure i.e., form boards, cellulose debris, roots, stumps, landscaping wood/lumber, etc., the report shall so state;

(iv) Diagrammatic representation of areas infested sufficient to identify the approximate location of areas infested;

(h) Optional method of control. When infestations of dampwood termites or rot fungus are localized in a structure, or observed only in wood which is not normally considered a part of the structure, such as form boards, cellulose debris, roots, stumps, landscaping wood/lumber, it shall be stated in the report that such infestations may be eliminated by removal of all infested wood and correction of any contributing conducive conditions;

(i) Damage caused by wood destroying organisms:

PERMANENT

(i) A statement describing any damage which was observed in accessible areas of the structure which were not excluded from the inspection.

(ii) A diagrammatic representation indicating such areas of damage;

(j) Conducive conditions for an infestation of wood destroying organisms. Written statements and diagrammatic representation of the following shall be provided:

(i) Inadequate clearance: Where there is less than eighteen inches clear space between the bottom of floor joists and the unimproved ground area in any crawl space or portion thereof.

(ii) Earth-wood contact: Where wood of the structure is in direct contact with the soil. This does not include wood that has been treated for direct soil contact.

(iii) Cellulose debris: Where wood by-product material can be raked or is larger than can be raked, or where any stumps, roots, form boards, etc., are on the ground of a crawl space.

(iv) Excess moisture: Where there is standing water or evidence of seasonal standing water in crawl space or basement. Plumbing and other moisture leaks.

(v) Inadequate ventilation: Where there is detectable excessive moisture content in the wood of a substructure, and/or an active infestation of wood destroying organisms which can be attributed to the lack of sufficient ventilation in the substructure;

(k) A record of the complete wood destroying organism inspection report shall be maintained on file by the structural inspector or employer for a period of seven years. Such record shall be made available to the department upon request.

NEW SECTION

WAC 16-228-2020 Inspection and report prerequisite to wood destroying organism treatment. All persons licensed to conduct wood destroying organism inspections shall conduct either a limited or complete wood destroying organism inspection prior to treatment.

(1) A limited or complete wood destroying organism inspection shall be conducted and a report issued to the person paying for and/or otherwise requesting the inspection prior to the contracting of any treatment for wood destroying organisms, except when the treatment is for preventative purposes only. In situations when treatment is for preventative purposes, the person requesting treatment shall provide the following preauthorization:

I have requested that perform a preventative treatment for control of on the structure located at I acknowledge that this preventative treatment may be performed without inspection.

(2) A limited or complete wood destroying organism inspection report or treatment preauthorization form shall accompany or be included within any proposal/estimate for treatment of wood destroying organisms.

(3) When no evidence of infestation is observed, and any proposed treatment is for preventative purposes only, a limited or complete wood destroying organism inspection report shall include:

(a) A statement describing that no evidence of infestation was observed, and the treatment proposed is for preventative purposes only. Such statement shall stand out by having larger print than the main body of the report, or by being highlighted or underlined.

(b) The initials of the person, or representative thereof, that requested the inspection shall be inscribed directly under or adjacent to the statement as described in (a) of this subsection. Such initials shall be obtained prior to the commencement of any preventative treatment.

(4) Treatment performed for wood destroying organisms under an existing warranty shall not require the preparation of a limited or complete wood destroying organism inspection report.

NEW SECTION

WAC 16-228-2030 Limited wood destroying organism inspections. A limited wood destroying organism inspection shall not be construed as a complete wood destroying organism inspection. In no case shall a limited wood destroying organism inspection report be submitted in lieu of a complete wood destroying organism inspection report to a lending institution, title company, real estate office or agent, or other person, when a complete wood destroying organism inspection has been requested for the purpose of verifying that a structure is free of visible evidence of wood destroying organisms, their damage, or conducive conditions.

NEW SECTION

WAC 16-228-2040 Reporting criteria for limited wood destroying organism inspections. All persons licensed to conduct wood destroying organism inspections shall comply with the following criteria when performing a limited wood destroying organism inspection.

(1) A limited wood destroying organism inspection report shall include the following: *Provided*, That all diagrammatic representations may be omitted from the report provided to the person paying for or otherwise requesting the inspection, but shall be maintained on file pursuant to subsection (2) of this section:

(a) Date of inspection;

(b) Name of person or agency requesting the inspection, proposal, or estimate;

(c) Address of structure inspected;

(d) Name of structural inspector and WSDA license number;

(e) A statement describing specific evidence of infestation(s) observed;

(f) If evidence of infestation(s) is observed only in wood which is not normally considered a part of the structure, i.e., form boards, cellulose debris, roots, stumps, landscaping wood/lumber, etc., the report shall so state;

(g) Common name of wood destroying organisms. Termites shall be described as either dampwoods or subterranean. Wood boring beetles shall be described by the appropriate family name, i.e., anobiidae (deathwatch beetles). Buprestid and Cerambycid beetles shall not be described as "powder post beetles";

(h) A diagrammatic representation of area of infestation sufficient to identify the appropriate location of areas infested: *Provided*, That a diagram shall not be necessary when the homeowner/caretaker presents an insect and/or wood sample to the inspector, and this is the only evidence of infestation(s) observed;

(i) Optional method of control: When infestations of dampwood termites or rot fungus are localized in a structure, or observed only in wood which is not normally considered a part of the structure, such as form boards, cellulose debris, roots, stumps, landscaping wood/lumber, it shall be stated in the report that such infestations may be eliminated by removal of all infested wood and correction of any contributing conducive conditions.

(2) A record of the limited wood destroying organism inspection report shall be maintained on file by the structural inspector or employer for a period of one year. Such records shall be made available to the department upon request.

Chapter 16-202 WAC

APPLICATION OF PESTICIDES AND PLANT NUTRIENTS THROUGH IRRIGATION SYSTEMS

NEW SECTION

WAC 16-202-1000 Chemigation. After October 31, 1988, the following shall apply:

(1) No pesticide may be applied through an irrigation system, unless its registered label contains statement(s) specifically permitting this means of application: *Provided*, That applications of spray adjuvants are exempt from requirements of this section.

(2) Any person calibrating, loading, starting up, monitoring during application, or shutting down a chemigation system shall be knowledgeable about the system, and shall be under the direct supervision of a certified applicator.

(3) Any irrigation system used for chemigation shall contain the following functional equipment:

(a) A backflow prevention device or system in the water supply line, upstream from the point of pesticide introduction. Discharge of water into a reservoir tank prior to pesticide injection is acceptable: *Provided*, That there is an air gap between the outlet end of the fill pipe and the top (or overflow rim) of the reservoir tank of at least twice the inside diameter of the fill pipe;

(b) An automatic, quick-closing check valve in the pesticide injection pipeline to prevent the flow of liquid back toward the injection pump;

(c) A normally closed, solenoid-operated valve located on the intake side of the injection pump, connected with the system interlock to prevent fluid from being withdrawn from the supply tank during shutdown;

(d) An interlocking control to automatically shut off the injection pump when the water pump stops or when water pressure decreases to a point where pesticide distribution is affected; and

(e) A metering pump fitted into the system interlock specified in (d) of this subsection.

(4) The department may issue permits exempting specific irrigation systems or locations from requirements of

subsection (3) of this section: *Provided*, That alternative technology is substituted which will adequately fulfill the function of each waived requirement. In evaluating a permit request, the department may consult qualified engineers and Washington State University personnel.

NEW SECTION

WAC 16-202-2000 Fertigation The following shall apply to fertigation: (1) Any irrigation system used for fertigation shall contain the following functional equipment:

(a) A backflow prevention device or system in the water supply line, upstream from the point of fertilizer introduction. Discharge of water into a reservoir tank prior to fertilizer injection is acceptable: *PROVIDED*, that there is an air gap between the outlet end of the fill pipe and the top (or overflow rim) of the reservoir tank of at least twice the diameter of the fill pipe;

(b) An automatic, quick-closing check valve in the fertilizer injection pipeline to prevent the flow of the liquid back toward the injection pump;

(c) A normally closed, solenoid-operated valve located on the intake side of the injection pump, connected with the system interlock to prevent fluid from being withdrawn from the supply during shutdown;

(d) An interlocking control to automatically shut off the injection pump when the water pump stops or when water pressure decreases to a point where fertilizer distribution is affected;

(e) A metering pump fitted into the system interlock specified in (d) of this subsection.

(2) The department may issue permits exempting specific irrigation systems or locations from requirements of subsection (1) of this section: *Provided*, That alternative technology is substituted which will adequately fulfill the function of each waived requirement. In evaluating a permit request, the department may consult qualified engineers and Washington State University personnel.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 16-10-010, Definitions
- WAC 16-10-020, Rights of complainants
- WAC 16-10-030, Rights of persons aggrieved
- WAC 16-200-742, Fertigation
- WAC 16-228-010, Definitions
- WAC 16-228-020, Pesticide Licenses-Renewal dates-Penalties
- WAC 16-228-115, Pesticide labeling requirements
- WAC 16-228-116, Complete pesticide formula
- WAC 16-228-117, Home and garden products—Definition—Registration fee
- WAC 16-228-120, Artificial coloring
- WAC 16-228-125, Experimental use permits
- WAC 16-228-130, Pesticide-fertilizer registration and labeling
- WAC 16-228-140, Pesticide-fertilizer mix restrictions
- WAC 16-228-143, Pirt surcharge

WAC 16-228-145, Adequate containers
 WAC 16-228-155, Pesticides—Not for distribution to home and garden
 WAC 16-228-157, Waste pesticide disposal
 WAC 16-228-160, Restriction on distribution, transportation, storage and disposal
 WAC 16-228-161, Distribution records
 WAC 16-228-162, Phenoxy herbicide restrictions
 WAC 16-228-164, State restricted use pesticides for use by certified applicators only
 WAC 16-228-166, Aquatic pesticides
 WAC 16-228-168, Change of exemptions
 WAC 16-228-170, Pesticide dealer and dealer manager licenses
 WAC 16-228-172, Permits
 WAC 16-228-180, License denied, revoked or suspended
 WAC 16-228-185, Restrictions applying to any person holding, handling, using, or disposing of pesticides and their containers
 WAC 16-228-190, Applicator requirements
 WAC 16-228-195, Compliance with federal requirements
 WAC 16-228-210, Financial responsibility insurance certificate (FRIC)
 WAC 16-228-213, Requirements on placement of commercial applicator apparatus license plates and windshield identification
 WAC 16-228-214, Apparatus display signs
 WAC 16-228-215, Application fee and FAA certificate
 WAC 16-228-220, Examination requirements
 WAC 16-228-223, Ground maintenance on an occasional basis—Exempt from licensing requirements
 WAC 16-228-225, Regulation of application of vertebrate control pesticides
 WAC 16-228-227, Tributyltin
 WAC 16-228-230, Special restrictions on the use of Compounds 1080, 1081 and phosphorus paste
 WAC 16-228-232, Chemigation
 WAC 16-228-233, Investigative response time
 WAC 16-228-400, Inspection and reporting criteria for complete wood destroying organism inspections
 WAC 16-228-410, Inspection and report prerequisite to wood destroying organism treatment
 WAC 16-228-420, Limited wood destroying organism inspections
 WAC 16-228-430, Reporting criteria for limited wood destroying organism inspections
 WAC 16-228-600, Use of pesticides on small seeded vegetable seed crops and seed alfalfa
 WAC 16-228-650, Declaration of an agricultural emergency
 WAC 16-228-655, Agricultural activities permitted under an agricultural emergency
 WAC 16-228-660, Record keeping required for agricultural emergencies
 WAC 16-228-905, Statement of purpose—Penalty assignment
 WAC 16-228-910, Definitions—Penalty assignment
 WAC 16-228-915, Calculation of penalty

WAC 16-228-920, Penalty Assignment Schedule-Table A
 WAC 16-228-925, Penalty Assignment Schedule-Table B
 WAC 16-228-930, Other dispositions of alleged violations
 WAC 16-228-14501, Sale or possession of sodium fluoracetate, fluoracetamide, and phosphorus pastes

WSR 99-24-005
PERMANENT RULES
HEALTH CARE AUTHORITY
 (Basic Health Plan)

[Order 99-06—Filed November 18, 1999, 11:54 a.m.]

Date of Adoption: November 18, 1999.

Purpose: To allow basic health to close nonsubsidized enrollment and provide transition coverage for subsidized enrollees who lose eligibility for premium subsidy.

Citation of Existing Rules Affected by this Order: Amending WAC 182-25-010, 182-25-030, 182-25-040, and 182-25-090.

Statutory Authority for Adoption: RCW 70.47.050.

Other Authority: RCW 70.47.060 and 70.47.100.

Adopted under notice filed as WSR 99-19-027 on September 8, 1999.

Changes Other than Editing from Proposed to Adopted Version: WAC 182-25-090 (2)(d) has been revised, based on stakeholder input, to clarify disenrollment of nonsubsidized enrollees when no MHCS is available to them.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 4, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 4, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 4, Repealed 0.

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

November 18, 1999

Cyndi L. Presnell
 for Melodie Bankers
 Rules Coordinator

AMENDATORY SECTION (Amending WSR 98-15-018, filed 7/6/98, effective 8/6/98)

WAC 182-25-010 Definitions. The following definitions apply throughout these rules.

(1) "Administrator" means the administrator of the Washington state health care authority (HCA) or designee.

(2) "Appeal procedure" means a formal written procedure for resolution of problems or concerns raised by enrollees which cannot be resolved in an informal manner to the enrollee's satisfaction.

(3) "Basic health plan" (or BHP) means the system of enrollment and payment on a prepaid capitated basis for basic health care services administered by the administrator through managed health care systems.

(4) "BHP plus" means the program of expanded benefits available to children through coordination between the department of social and health services (DSHS) and basic health plan. Eligibility for BHP Plus is determined by the department of social and health services, based on Medicaid eligibility criteria. To be eligible for the program children must be under age nineteen, with a family income at or below two hundred percent of federal poverty level, as defined by the United States Department of Health and Human Services. They must be Washington state residents, not eligible for Medicare, and may be required to meet additional DSHS eligibility requirements.

(5) "Co-payment" means a payment indicated in the schedule of benefits which is made by an enrollee to a health care provider or to the MHCS.

(6) "Covered services" means those services and benefits in the BHP schedule of benefits (as outlined in the member handbook issued to the enrollee, or to a subscriber on behalf of the enrollee), which an enrollee shall be entitled to receive from a managed health care system in exchange for payment of premium and applicable co-payments.

(7) "Disenrollment" means the termination of covered services in BHP for a subscriber and dependents, if any.

(8) "Effective date of enrollment" means the first date, as established by BHP, on which an enrollee is entitled to receive covered services from the enrollee's respective managed health care system.

(9) "Dependent" means:

(a) The subscriber's lawful spouse, not legally separated, who resides with the subscriber; or

(b) The unmarried child of the subscriber or the subscriber's dependent spouse, whether by birth, adoption, legal guardianship, or placement pending adoption, who is:

(i) Younger than age nineteen, and who has not been relinquished for adoption by the subscriber or the subscriber's dependent spouse; or

(ii) Younger than age twenty-three, and a registered student at an accredited secondary school, college, university, technical college, or school of nursing, attending full time, other than during holidays, summer and scheduled breaks; or

(c) A person of any age who is under legal guardianship of the subscriber or the subscriber's dependent spouse, and who is incapable of self-support due to disability.

(10) "Eligible full-time employee" means an employee who meets all eligibility requirements in WAC 182-25-030 and who is regularly scheduled to work thirty or more hours per week for an employer. The term includes a self-employed individual (including a sole proprietor or a partner of a partnership, and may include an independent contractor) if the individual:

(a) Is regularly scheduled to work thirty hours or more per week; and

(b) Derives at least seventy-five percent of his or her income from a trade or business that is licensed to do business in Washington.

Persons covered under a health benefit plan pursuant to the Consolidated Omnibus Budget Reconciliation Act of 1986 shall not be considered eligible employees for purposes of minimum participation requirements.

(11) "Eligible part-time employee" means an employee who meets all the criteria in subsection (10) of this section, but who is regularly scheduled to work fewer than thirty hours per week for an employer.

(12) "Employee" means one who is in the employment of an employer, as defined by RCW 50.04.080.

(13) "Employer" means an enterprise licensed to do business in Washington state, as defined by RCW 50.04.080, with employees in addition to the employer, whose wages or salaries are paid by the employer.

(14) "Enrollee" means a person who meets all eligibility requirements, who is enrolled in BHP, and for whom applicable premium payments have been made.

(15) "Family" means an individual or an individual and spouse, if not legally separated, and dependents. For purposes of eligibility determination and enrollment in the plan, an individual cannot be a member of more than one family.

(16) "Financial sponsor" means a person, organization or other entity, approved by the administrator, that is responsible for payment of all or a designated portion of the monthly premiums on behalf of a subscriber and any dependents.

(17) "Gross family income" means total cash receipts, as defined in (a) of this subsection, before taxes, from all sources, for subscriber and dependents whether or not they are enrolled in BHP, with the exceptions noted in (b) of this subsection.

(a) Income includes:

(i) Money wages, tips and salaries before any deductions;

(ii) Net receipts from nonfarm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership, after deductions for business expenses);

(iii) Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses);

(iv) Regular payments from Social Security, railroad retirement, unemployment compensation, strike benefits from union funds, workers' compensation, veterans' payments, public assistance, alimony, child support, military family allotments, private pensions, government employee pensions (including military retirement pay), and regular insurance or annuity payments;

(v) Work study or training stipends;

(vi) Dividends and interest accessible to the enrollee without a penalty;

(vii) Net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings.

(b) Income does not include the following types of money received:

(i) Capital gains;

(ii) Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car;

(iii) Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury (except workers' compensation);

(iv) Noncash benefits, such as the employer-paid or union-paid portion of health insurance or other employee fringe benefits, food or housing received in lieu of wages, the value of food and fuel produced and consumed on farms, the imputed value of rent from owner-occupied nonfarm or farm housing, and such noncash benefit programs as Medicare, Medicaid, food stamps, school lunches, and housing assistance;

(v) Income earned by dependent children;

(vi) Income of a family member who resides in another household when such income is not available to the subscriber or dependents seeking enrollment in BHP;

(vii) College or university scholarships, grants, fellowships and assistantships;

(viii) Payments from the department of social and health services adoption support program authorized under RCW 26.33.320 and 74.13.100 through 74.13.145;

(ix) Documented child care expenses for the care of a dependent child of a subscriber may be deducted (at a rate set by the administrator and consistent with Internal Revenue Service requirements) when calculating gross family income. To qualify for this deduction, the subscriber must be employed during the time the child care expenses were paid, and payment may not be paid to a parent or step parent of the child or to a dependent child of the subscriber or his/her spouse.

(18) "Home care agency" means a private or public agency or organization that administers or provides home care services directly or through a contract arrangement to ill, disabled, or infirm persons in places of temporary or permanent residence, and is licensed by the department of social and health services (DSHS) as a home care agency. In order to qualify, the agency must be under contract with one of the following DSHS programs: Chore, Medicaid Personal Care, Community Options Program Entry System (COPEs) or Respite Care (up to level three).

(19) "Institution" means a federal, state, county, city or other government correctional or detention facility or government-funded facility where health care historically has been provided and funded through the budget of the operating agency, and includes, but is not limited to: Washington state department of corrections institutions; federal, county and municipal government jail and detention institutions; Washington state department of veterans affairs soldiers' and veterans' homes; department of social and health services state hospitals and facilities and juvenile rehabilitation institutions and group homes. An institution does not include: Educational institutions; government-funded acute health care or mental health facilities except as provided above; chemical dependency facilities; and nursing homes.

(20) "Institutionalized" means to be confined, voluntarily or involuntarily, by court order or health status, in an institution, as defined in subsection (19) of this section. This does not include persons on work release or who are residents of higher education institutions, acute health care facilities,

alcohol and chemical dependency facilities, or nursing homes.

(21) "Insurance broker" or "agent" means a person who is currently licensed as a disability insurance broker or agent, according to the laws administered by the office of the insurance commissioner under chapter 48.17 RCW.

(22) "Managed health care system" (or "MHCS") means any health care organization (including health care providers, insurers, health care service contractors, health maintenance organizations, or any combination thereof) which has entered into a contract with the HCA to provide basic health care services.

(23) "Maternity benefits through medical assistance," also known as S-Medical, means the coordinated program between BHP and DSHS for eligible pregnant women. This program includes all Medicaid benefits, including maternity coverage. Eligible members must be at or below one hundred eighty-five percent of the federal poverty level. Eligibility for this program is determined by DSHS, based on Medicaid eligibility criteria.

(24) "Medicaid" means the Title XIX Medicaid program administered by the department of social and health services, and includes the medical care programs provided to the "categorically needy" and the "medically needy" as defined in chapter 388-503 WAC.

(25) "Medicare" means programs established by Title XVIII of Public Law 89-97, as amended, "Health Insurance for the Aged and Disabled."

(26) "Nonsubsidized enrollee" or "full premium enrollee" means an individual who enrolls in BHP, as the subscriber or dependent, and who pays or on whose behalf is paid the full costs for participation in BHP, without subsidy from the HCA.

(27) "Open enrollment" means a time period designated by the administrator during which enrollees may enroll additional dependents or apply to transfer their enrollment from one managed health care system to another. ~~((There shall be at least one annual open enrollment period of at least twenty consecutive days.))~~

(28) "Participating employee" means an employee of a participating employer or home care agency who has met all the eligibility requirements and has been enrolled for coverage under BHP.

(29) "Participating employer" means an employer who has been approved for enrollment in BHP as an employer group.

(30) "Preexisting condition" means any illness, injury or condition for which, in the three months immediately preceding an enrollee's effective date of enrollment in BHP:

(a) Treatment, consultation or a diagnostic test was recommended for or received by the enrollee; or

(b) The enrollee was prescribed or recommended medication; or

(c) Symptoms existed which would ordinarily cause a reasonably prudent individual to seek medical diagnosis, care or treatment.

(31) "Premium" means a periodic payment, based upon gross family income and determined under RCW 70.47.060(2), which an individual, their employer or a finan-

cial sponsor makes to BHP for subsidized or nonsubsidized enrollment in BHP.

(32) "Program" means subsidized BHP, nonsubsidized BHP, BHP Plus, or maternity benefits through medical assistance.

(33) "Provider" or "health care provider" means a health care professional or institution duly licensed and accredited to provide covered services in the state of Washington.

~~((33))~~ (34) "Rate" means the per capita amount, including administrative charges and any applicable premium and prepayment tax imposed under RCW 48.14.020, negotiated by the administrator with and paid to a managed health care system, to provide BHP health care benefits to enrollees.

~~((34))~~ (35) "Schedule of benefits" means the basic health care services adopted and from time to time amended by the administrator, which an enrollee shall be entitled to receive from a managed health care system in exchange for payment of premium and applicable co-payments, as described in the member handbook.

~~((35))~~ (36) "Service area" means the geographic area served by a managed health care system as defined in its contract with HCA.

~~((36))~~ (37) "Subscriber" is a person who applies to BHP on his/her own behalf and/or on behalf of his/her dependents, if any, who meets all applicable eligibility requirements, is enrolled in BHP, and for whom the monthly premium has been paid. Notices to a subscriber and, if applicable, a financial sponsor or employer shall be considered notice to the subscriber and his/her enrolled dependents.

~~((37))~~ (38) "Subsidized enrollee" or "reduced premium enrollee" means an individual who enrolls in BHP, either as the subscriber or an eligible dependent, whose current gross family income does not exceed twice the federal poverty level as adjusted for family size and determined annually by the federal Department of Health and Human Services, and who receives a premium subsidy from the HCA.

~~((38))~~ (39) "Subsidy" means the difference between the amount of periodic payment the HCA makes to a managed health care system on behalf of a subsidized enrollee, and the amount determined to be the subsidized enrollee's responsibility under RCW 70.47.060(2).

AMENDATORY SECTION (Amending Order 99-02, filed 7/26/99, effective 8/26/99)

WAC 182-25-030 Eligibility. (1) To be eligible for enrollment in BHP, an individual must be a Washington state resident who is not:

(a) Eligible for free Medicare coverage or eligible to buy Medicare coverage; or

(b) Institutionalized at the time of enrollment.

(2) Persons not meeting these criteria, as evidenced by information submitted on the application for enrollment or otherwise obtained by BHP, will not be enrolled. An enrollee who is no longer a Washington resident, who becomes eligible for free or purchased Medicare, or who is later determined to have failed to meet BHP's eligibility criteria at the time of enrollment, will be disenrolled from the plan as provided in WAC 182-25-090. An enrollee who was not confined to an institution at the time of enrollment, who is subse-

quently confined to an institution, will not be disenrolled, provided he or she remains otherwise eligible and continues to make all premium payments when due.

(3) Eligibility for BHP Plus and maternity benefits through medical assistance is determined by DSHS, based on Medicaid eligibility criteria.

(4) ~~((To be eligible))~~ For subsidized enrollment in BHP, an individual must meet the eligibility criteria in subsection (1) of this section, have a gross family income that does not exceed two hundred percent of federal poverty level as adjusted for family size and determined annually by the U.S. Department of Health and Human Services, and must pay, or have paid on ~~((their))~~ his or her behalf, the monthly BHP premium.

(5) To be eligible for nonsubsidized enrollment in BHP, an individual may have any income level, must meet the eligibility criteria in subsection (1) of this section, and must pay, or have paid on their behalf, the full costs for participation in BHP, including the cost of administration, without subsidy from the HCA.

(6)(a) An individual otherwise eligible for enrollment in BHP may be denied enrollment if the administrator has determined that acceptance of additional enrollment would exceed limits established by the legislature, would jeopardize the orderly development of BHP, or would result in an overexpenditure of BHP funds. ~~((In the event that))~~ An individual otherwise eligible for enrollment in either the subsidized or nonsubsidized program may also be denied enrollment if no MHCS is accepting new enrollment in that program or from the geographic area where the applicant lives.

(b) If the administrator closes or limits subsidized enrollment ~~((and))~~, to the extent funding is available, BHP will continue to accept and process applications for enrollment from:

~~((a))~~ (i) Applicants who will pay the full premium, provided at least one MHCS is accepting new nonsubsidized enrollment from the geographic area where the applicant lives;

~~((b))~~ (ii) Children eligible for BHP Plus;

~~((c))~~ (iii) Children eligible for subsidized BHP, who were referred to DSHS for BHP Plus coverage, but were found ineligible for BHP Plus for reasons other than noncompliance;

~~((d))~~ (iv) Employees of a home care agency group enrolled or applying for coverage under WAC 182-25-060;

~~((e))~~ (v) Eligible individual home care providers;

~~((f))~~ (vi) Licensed foster care workers;

~~((g))~~ (vii) Limited enrollment of new employer groups; and

~~((h))~~ (viii) Subject to availability of funding, additional space for enrollment may be reserved for other applicants as determined by the administrator, in order to ensure continuous coverage and service for current individual and group accounts. (For example: Within established guidelines, processing routine income changes that may affect subsidy eligibility for current enrollees; adding new family members to an existing account; transferring enrollees between group and individual accounts; restoring coverage for enrollees who are otherwise eligible for continued enrollment under WAC 182-25-090 after a limited suspension of coverage due to late pay-

ment or other health care coverage; adding newly hired employees to an existing employer group; or adding new or returning members of federally recognized native American tribes to that tribe's currently approved financial sponsor group.)

(c) If the administrator has closed or limited subsidized enrollment, applicants for subsidized BHP who are not in any of ((these)) the categories in (b) of this subsection may reserve space on a reservation list to be processed according to the date the reservation or application is received by BHP. ((In the event that)) When enrollment is reopened by the administrator, applicants whose names appear on the reservation list will be notified by BHP of the opportunity to enroll. BHP may require new application forms and documentation from applicants on the reservation list, or may contact applicants to verify continued interest in applying, prior to determining their eligibility.

NEW SECTION

WAC 182-25-031 Transition coverage. (1) During plan year 2000, because most MHCS are not accepting new enrollment in the nonsubsidized program, all MHCS serving subsidized enrollees will offer limited transition coverage for enrollees who lose eligibility for premium subsidy. For coverage after December 31, 1999, a subsidized enrollee who loses eligibility for premium subsidy may remain enrolled with no change in MHCS, benefits, or copayments through December 31, 2000, provided:

- (a) The enrollee's subsidy change was processed after September 10, 1999;
- (b) The enrollee is otherwise eligible for BHP;
- (c) The enrollee continues to reside within the MHCS service area; and
- (d) The enrollee pays the full cost of his or her coverage, plus a fee for HCA administrative costs.

(2) To retain coverage for plan year 2001, the enrollee will be required to select a MHCS contracting to serve non-subsidized enrollees and will be covered according to the schedule of benefits for nonsubsidized enrollees.

AMENDATORY SECTION (Amending Order 99-02, filed 7/26/99, effective 8/26/99)

WAC 182-25-040 Enrollment in the plan. (1) Any individual applying for enrollment in BHP must submit a signed, completed BHP application for enrollment. Applications for enrollment of children under the age of eighteen must be signed by the child's parent or legal guardian, who shall also be held responsible for payment of premiums due on behalf of the child. If an applicant is accepted for enrollment, the applicant's signature acknowledges the applicant's obligation to pay the monthly premium in accordance with the terms and conditions identified in the member handbook. Applications for subsidized enrollment on behalf of children under the age of nineteen shall be referred to the department of social and health services for Medicaid eligibility determination, unless the family chooses not to access this option.

(2) Each applicant shall list all eligible dependents to be enrolled and supply other information and documentation as

required by BHP and, where applicable, DSHS medical assistance.

(a) Documentation will be required, showing the amount and sources of the applicant's gross family income. Documentation will include a copy of the applicant's most recently filed federal income tax form, and/or other documentation that shows year-to-date income, or income for the most recent thirty days or complete calendar month as of the date of application. An average of documented income received over a period of several months may be required for purposes of eligibility determination.

(b) Documentation of Washington state residency shall also be required, displaying the applicant's name and address. Other documentation may be accepted if the applicant does not have a physical residence.

(c) BHP may request additional information from applicants for purposes of establishing or verifying eligibility, premium responsibility or managed health care system selection.

(d) Submission of incomplete or inaccurate information may delay or prevent an applicant's enrollment in BHP. Intentional submission of false information may result in disenrollment of the subscriber and all enrolled dependents.

(3) Each member may be enrolled in only one BHP account. Each family applying for enrollment must designate a managed health care system from which the applicant and all enrolled dependents will receive covered services. All applicants from the same family who are covered under the same account must receive covered services from the same managed health care system (with the exception of cases in which a subscriber who is paying for BHP coverage for his/her dependent who lives in a different service area). No applicant will be enrolled for whom designation of a managed health care system has not been made as part of the application for enrollment. The administrator will establish procedures for the selection of managed health care systems, which will include conditions under which an enrollee may change from one managed health care system to another. Such procedures will allow enrollees to change from one managed health care system to another during open enrollment, or otherwise upon showing of good cause for the transfer.

(4) When a managed health care system assists BHP applicants in the enrollment process, it must provide them with the toll-free number for BHP and information on all MHCS available within the applicant's county of residence and the estimated premiums for each available MHCS.

(5) If specific funding has been appropriated for that purpose, insurance brokers or agents who have met all statutory and regulatory requirements of the office of the insurance commissioner, are currently licensed through the office of the insurance commissioner, and who have completed BHP's training program, will be paid a commission for assisting eligible applicants to enroll in BHP.

(a) Individual policy commission: Subject to availability of funds, and as a pilot program, BHP will pay a one-time fee to any currently licensed insurance broker or agent who sells BHP to an eligible individual applicant if that applicant has not been a BHP member within the previous five years.

(b) Group policy commission: Subject to availability of funds, and as a pilot program, fees paid for the sale of BHP

group coverage to an eligible employer will be based on the number of employees in the group for the first and second months of the group's enrollment.

(c) Insurance brokers or agents must provide the prospective applicant with the BHP toll-free information number and inform them of BHP benefits, limitations, exclusions, waiting periods, co-payments, all managed health care systems available to the applicant within his/her county of residence and the estimated premium for each of them.

(d) All statutes and regulations of the office of the insurance commissioner will apply to brokers or agents who sell BHP, except they will not be required to be appointed by the MHCS.

(e) BHP will not pay renewal commissions.

(6) Except as provided in WAC 182-25-030(6), applications for enrollment will be reviewed by BHP within thirty days of receipt and those applicants satisfying the eligibility criteria and who have provided all required information, documentation and premium payments will be notified of their effective date of enrollment.

(7) Eligible applicants will be enrolled in BHP in the order in which their completed applications, including all required documentation, have been received by BHP, provided that:

(a) At least one MHCS is accepting new enrollment in the program for which the applicant is applying and from the geographic area where the applicant lives; and

(b) The applicant also remits full payment of the first premium bill to BHP by the due date specified by BHP.

In the event a reservation list is implemented, eligible applicants will be enrolled in accordance with WAC 182-25-030(6).

(8) An open enrollment period of at least twenty consecutive days will be held annually. During this open enrollment period, enrollees may apply to enroll additional family members or to transfer their enrollment to a different MHCS, provided the MHCS selected is accepting new enrollment for the enrollee's program in the geographic area where the enrollee lives.

(9) Not all family members are required to apply for enrollment in BHP; however, any family member for whom application for enrollment is not made at the same time that other family members apply, may not subsequently enroll as a family member until the next open enrollment period, unless the subscriber has experienced a "qualifying change in family status." "Qualifying changes in family status" include:

(a) The loss of other health care coverage, for a family member who has previously waived coverage, provided BHP receives the family member's application within thirty days of the loss of other coverage, along with proof of the family member's continuous medical coverage from the date the subscriber enrolled in BHP;

(b) Marriage or assuming custody or dependency of a child or adult dependent (other than newborn or newly adopted children), provided BHP receives the new family member's application within thirty days of the change in family status; or

(c) Addition of an eligible newborn child or a child newly placed for adoption provided BHP receives the child's application for enrollment within sixty days of the date of

birth or placement for adoption. These children may be enrolled effective from the date of birth or placement for adoption.

~~((9))~~ (10) On a schedule approved by the administrator, BHP will request verification of information from all or a subset of enrollees ("recertification"), requiring new documentation of income to determine if the enrollee has had a change in income that would result in a different subsidy level. For good cause, BHP may require recertification on a more widespread or more frequent basis. Enrollees who fail to comply with a recertification request will be converted to nonsubsidized enrollment for at least one month, until new income documentation has been submitted and processed. Each enrollee is responsible for notifying BHP within thirty days of any changes which could affect the enrollee's eligibility or premium responsibility. If, as a result of recertification, BHP determines that an enrollee has not reported income or income changes accurately, the enrollee will be subject to the provisions of WAC 182-25-085.

AMENDATORY SECTION (Amending Order 99-01, filed 5/26/99, effective 6/26/99)

WAC 182-25-090 Disenrollment from BHP. (1) An enrollee or employer group may disenroll effective the first day of any month by giving BHP at least ten days prior written notice of the intention to disenroll.

(2) BHP may disenroll any enrollee or group from BHP for good cause, which includes:

(a) Failure to meet the eligibility requirements set forth in WAC 182-25-030, 182-25-050, 182-25-060, and 182-25-070;

(b) Nonpayment of premium under the provisions of subsection (5) of this section;

(c) Nonpayment of civil penalties assessed under WAC 182-25-085;

(d) When the enrollee's MHCS will no longer be available to him or her and no other MHCS in the area where the enrollee lives is accepting new enrollment in the enrollee's program;

(e) Repeated failure to pay co-payments in full on a timely basis;

~~((e))~~ (f) Fraud, failure to provide requested verification of eligibility, or knowingly providing false information;

~~((f))~~ (g) Abuse or intentional misconduct;

~~((g))~~ (h) Danger or threat to the safety or property of the MHCS or the health care authority or their staff, providers, patients or visitors; and

~~((h))~~ (i) Refusal to accept or follow procedures or treatment determined by a MHCS to be essential to the health of the enrollee, when the MHCS has advised the enrollee and demonstrated to the satisfaction of BHP that no professionally acceptable alternative form of treatment is available from the MHCS.

In addition to being disenrolled, any enrollee who knowingly provides false information to BHP or to a participating managed health care system may be held financially responsible for any covered services fraudulently obtained through BHP.

(3) At least ten days prior to the effective date of disenrollment under subsection (2) of this section, BHP will send enrollees written notice of disenrollment.

(a) The notice of disenrollment will:

- (i) State the reason for the disenrollment;
- (ii) State the effective date of the disenrollment;
- (iii) Describe the procedures for disenrollment; and
- (iv) Inform the enrollee of his or her right to appeal the disenrollment decision as set forth in WAC 182-25-100 and 182-25-105.

(b) The notice of disenrollment will be sent to both the employer or sponsor and to all members of an employer group, home care agency group or financial sponsor group that is disenrolled under these provisions. Enrollees affected by the disenrollment of a group account will be offered coverage under individual accounts. Coverage under individual accounts will not begin unless the premium for individual coverage is paid by the due date for the coverage month. A one-month break in coverage may occur for enrollees who choose to transfer to individual accounts.

(4) Enrollees covered under BHP Plus or receiving maternity benefits through medical assistance will not be disenrolled from those programs when other family members lose BHP coverage, as long as they are still eligible for those programs.

(5) Under the provisions of this subsection, BHP will suspend or disenroll enrollees and groups who do not pay their premiums when due, including amounts owed for subsidy overpayment. Partial payment or payment by check which cannot be processed or is returned due to nonsufficient funds will be regarded as nonpayment.

(a) At least ten days before coverage will lapse, BHP will send a delinquency notice to each subscriber whose premium payment has not been received by the due date. The delinquency notice will include a delinquency due date and a notice that BHP coverage will lapse unless payment is received by the delinquency due date.

(b) Except as provided in (c) of this subsection, coverage will be suspended for one month if an enrollee's premium payment is not received by the delinquency due date. BHP will send written notice of suspension to the subscriber, stating:

- (i) The effective date of the suspension;
- (ii) The due date by which payment must be received to restore coverage after the one-month suspension;
- (iii) The subscriber and any enrolled dependents will be disenrolled if payment is not received by the final due date; and
- (iv) The enrollee's right to appeal under WAC 182-25-105.

(c) Enrollees whose premium payment has not been received by the delinquency due date, and who have been suspended twice within the previous twelve months will be disenrolled for nonpayment as of the effective date of the third suspension.

(d) Enrollees who are suspended and do not pay the premium for the next coverage month by the due date on the notice of suspension will be immediately disenrolled and issued a notice of disenrollment as provided in subsection (3)(a) of this section.

(6)(a) Enrollees who voluntarily disenroll or are disenrolled from BHP may not reenroll for a period of twelve months from the date their coverage ended. An exception to this provision will be made for:

(i) Enrollees who left BHP for other health insurance, who are able to provide proof of continuous coverage from the date of disenrollment, and who apply to reenroll in BHP within thirty days of losing the other coverage;

(ii) Enrollees who left BHP because they lost eligibility and who subsequently become eligible to reenroll; and

(iii) Persons enrolling in subsidized BHP, who had enrolled and subsequently disenrolled from nonsubsidized BHP under subsection (1) or (2)(b) of this section while waiting on a reservation list for subsidized coverage.

(iv) Enrollees who were disenrolled by BHP because no MHCS was contracted to serve the program in which they were enrolled in the geographic area where they live; these enrollees may reenroll if a MHCS begins accepting enrollment for their program in their area or if they become eligible and apply for another BHP program.

(b) An enrollee who is required to wait twelve months for reenrollment under (a) of this subsection and who has been waiting on a reservation list for subsidized BHP may not reenroll prior to the end of the required twelve-month wait. If the enrollee satisfies the required twelve-month wait for reenrollment while on the reservation list, enrollment will not be completed until funding is available to enroll him or her from the reservation list.

WSR 99-24-007

PERMANENT RULES

DEPARTMENT OF REVENUE

[Filed November 19, 1999, 11:16 a.m., effective December 31, 1999, 11:59 p.m.]

Date of Adoption: November 19, 1999.

Purpose: Explains the exemption from wholesaling and retailing business and occupation (B&O) tax for persons meeting the statutory requirements (RCW 82.04.423) as direct sellers.

Citation of Existing Rules Affected by this Order: Amending WAC 458-20-246 Sales to or through a direct seller's representative.

Statutory Authority for Adoption: RCW 82.32.300.

Adopted under notice filed as WSR 99-17-029 on August 11, 1999.

Changes Other than Editing from Proposed to Adopted Version: (1) Subsection (4)(b)(i)(A) provides a description of "buy-sell" and "deposit-commission" basis. The phrase "by the consumer" was deleted from the sentence reading "A transaction is on a "deposit-commission basis" if the direct seller's representative performing the selling or soliciting services is entitled to retain part or all of a purchase deposit paid by the consumer in connection with the transaction." The phrase "by the consumer" was unnecessarily limiting in that some direct seller's representatives might be making wholesale sales to other persons.

(2) Where appropriate the word "agreement" has been struck throughout the rule and has been replaced by the word

"contract," which is the word used in the statute. Specifically, in subsections (4)(b)(iv), (v), and (vi) the word "agreement" has been changed to "contract."

(3) In subsection (4)(b)(iv) the following sentence has been deleted: "A series of writings used to establish the intent is insufficient to comply with this provision." This change was made to comport with traditional doctrines regarding what is a written contract.

(4) In subsection (4)(b)(vi) the phrase "The agreement must state that the representative is not an employee..." has been revised to read "The contract must provide that the representative will not be treated as an employee..." This change uses the exact language of the statute. Additionally, this sentence has been moved to subsection (4)(b)(v).

(5) The following language has been deleted from subsection (4)(b)(v) because of redundancy caused by moving the sentence from subsection (4)(b)(vi): "and the agreement must be specific as to the federal tax status of the representative."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: December 31, 1999, 11:59 p.m.

November 19, 1999

Claire Hesselholt

Rules Manager

AMENDATORY SECTION (Amending Order 84-3, filed 11/30/84)

WAC 458-20-246 Sales to or through a direct seller's representative. ((Under RCW 82.04.423, the business and occupation tax does not apply to any out-of-state person in respect to the gross income derived from the business of making sales in this state of "consumer products" at wholesale or retail to or through a "direct seller's representative," subject to certain requirements explained more fully below. The effective date of this exemption is August 23, 1983. For an outline of the tax liability of persons making sales of goods which originate in other states to customers in Washington, other than sales to or through a "direct seller's representative," see WAC 458-20-193B.

Definitions

For purposes of the exemption explained herein, the following definitions shall apply:

The term "consumer product" means any article of tangible personal property, or component part thereof, of the type sold for personal use or enjoyment. The term includes only those kinds of items of tangible personal property which are customarily sold at stores, shops, and retail outlets open to the public in general. It includes such things as home furnishings, clothing, personal effects, household goods, food products, and similar items purchased for personal use or consumption. The term does not include commercial equipment, manufacturing items, industrial use products, and the like, including component parts thereof. However, if a product is primarily used for personal use or enjoyment, it remains a "consumer product" within this definition notwithstanding that a portion of the product's distribution is for commercial, industrial, or manufacturing purposes.

A "direct seller's representative" is a person who (a) buys "consumer products" on a buy-sell basis or a deposit commission basis for resale, by the buyer or any other person, in the home or other than in a permanent retail establishment or (b) sells or solicits the sale of, "consumer products" in the home or other than in a permanent retail establishment. In order to be considered a "direct seller's representative" a person must also show that:

1. Substantially all of the remuneration paid, whether or not paid in cash, for the performance of services is directly related to sales or other output, including the performance of services, rather than the number of hours worked; and

2. The services performed are performed pursuant to a written contract between such person and the person for whom the services are performed and such contract provides that the person will not be treated as an employee with respect to such services for federal tax purposes.

Business and Occupation Tax

Wholesaling and retailing. The business and occupation tax does not apply to an out-of-state seller making wholesale or retail sales to or through a "direct seller's representative." The out-of-state seller must show that it is represented in this state by a "direct seller's representative," as defined above. In addition, the out-of-state seller must also show that it:

1. Does not own or lease real property within this state;

2. Does not regularly maintain a stock of tangible personal property in this state for sale in the ordinary course of business;

3. Is not a corporation incorporated under the laws of this state; and

4. Makes sales in this state exclusively to or through a "direct seller's representative."

Thus, a representative who solicits sales of "consumer products" in this state, other than in a permanent retail establishment, and also meets the other requirements of the law as set forth above, qualifies as a "direct seller's representative." If the out-of-state seller and the in-state representative can factually establish compliance with all of the above-listed requirements, the out-of-state seller is exempt from business and occupation tax.

The exemption is available only where an out-of-state seller is present in this state and represented exclusively by a "direct seller's representative." If an out-of-state seller makes

wholesale or retail sales of "consumer products" in Washington to or through a "direct seller's representative" and also has a branch office, local outlet, or other local place of business, or is represented by any other employee, agent, or other representative, no portion of the sales are exempt from business and occupation tax.

The business and occupation tax likewise applies to the gross income of a "direct seller's representative" who buys "consumer products" for resale and does in fact resell the products. The measure of the business and occupation tax is the gross proceeds of sales.

Service. The law provides no similar business and occupation tax exemption with regard to the compensation paid to the "direct seller's representative." Thus, the representative will remain subject to the business and occupation tax on all commissions or other compensation earned.

Sales and Use Tax

An out-of-state vendor is required to pay or collect and remit the tax imposed by chapter 82.08 or 82.12 RCW if the vendor regularly solicits or makes retail sales of "consumer products" in this state through a "direct seller's representative," as defined above, even though such sales are exempt from business and occupation tax pursuant to RCW 82.04.423.

Every person who engages in this state in the business of acting as a "direct seller's representative" for unregistered principals, and who receives compensation by reason of sales of "consumer products" of such principals for use in this state, is required to collect the use tax from purchasers, and remit the same to the department of revenue, in the manner and to the extent set forth in WAC 458-20-221.) (1) **Introduction.** RCW 82.04.423 provides an exemption from the business and occupation (B&O) tax on wholesale and retail sales by a person who does not own or lease real property in the state, is not incorporated in the state, does not maintain inventory in this state, and makes sales in this state exclusively to or through a "direct seller's representative." This rule explains the statutory elements that must be satisfied in order to be eligible to take this exemption.

(2) **Background.** The statutory language describing the direct seller's representative is substantially the same language as contained in the federal Tax Equity and Fiscal Responsibility Act (TEFRA) of 1982, PL 97-248. See 26 USC 3508. The federal law designates types of statutory nonemployees for social security tax purposes. The purpose of the direct seller provision in the federal tax law is to provide that a direct seller's representative is not an employee of the direct seller, thereby relieving the direct seller of a tax duty. Under the federal law, the direct seller is a business that sells its products using a representative who either purchases from the direct seller and resells the product or sells for or solicits sales on behalf of the direct seller. Retail sales are limited to those occurring in the home or in a temporary retail establishment, such as a vendor booth at a fair.

The 1983 Washington state legislature used the same criteria to delineate, for state tax purposes, the necessary relationship between a direct seller and a direct seller's representative.

(3) **The direct seller's exemption.** The exemption provided by RCW 82.04.423 is limited to the B&O tax on wholesaling or retailing imposed in chapter 82.04 RCW (Business and occupation tax). A direct seller is subject to other Washington state tax obligations, including, but not limited to, the sales tax under chapter 82.08 RCW, the use tax under chapter 82.12 RCW, and the litter tax imposed by chapter 82.19 RCW.

(4) **Who may take the exemption.** The B&O tax exemption may be taken by a person (the direct seller) selling a consumer product using the services of a representative who sells or solicits the sale of the product as outlined in statute. There are ten elements in the statute that must be present in order for a person to qualify for the exemption for Washington sales. The person must satisfy each element to be eligible for the exemption. The taxpayer must retain sufficient records and documentation to substantiate that each of the ten required elements has been satisfied. RCW 82.32.070.

(a) The four statutory elements describing the direct seller. RCW 82.04.423 provides that a direct seller:

(i) Cannot own or lease real property within this state. For example, if the direct seller's representative is selling vitamins door to door for the direct seller, but the direct seller owns or leases a coffee roasting factory in the state, the direct seller is not eligible for this exemption; and

(ii) Cannot regularly maintain a stock of tangible personal property in this state for sale in the ordinary course of business. This provision does not, however, prohibit the direct seller from holding title to the consumer product in the state. For instance, the direct seller owns the consumer products sold by the direct seller's representative when the representative is making retail sales for the direct seller. However, the personal property must not be a stock of goods in the state that is for sale in the ordinary course of business. The phrase "sale in the ordinary course of business" means sales that are arm's length and that are routine and reasonably expected to occur from time to time; and

(iii) Is not a corporation incorporated under the laws of this state; and

(iv) Makes sales in this state exclusively to or through a direct seller's representative. This provision of the statute describes how sales by the direct seller may be made. To be eligible for the exemption, all sales by the direct seller in this state must be made to or through a direct seller's representative. The direct seller may not claim any B&O tax exemption under RCW 82.04.423 if it has made sales in this state using means other than a direct seller's representative. This requirement does not, however, limit the methods the direct seller's representative may use to sell these products. For example, the representative can use the mail or the internet, if all other conditions of the exemption are met. The direct seller's use of mail order or internet, separate from the representative's use, may or may not be found to be "sales in this state" depending on the facts of the situation. If the direct seller's use of methods other than to or through a direct seller's representative constitutes "sales in this state," the exemption is lost. Additionally, a direct seller does not become ineligible for the exemption due to action by the direct seller's representative that is in violation of the statute, such as selling a product to a permanent retail establishment,

if the department finds by a review of the facts that the ineligible sales are irregular, prohibited by the direct seller, and rare.

If a seller uses a direct seller's representative to sell "consumer products" in Washington, and also has a branch office, local outlet, or other local place of business, or is represented by any other type of selling employee, selling agent, or selling representative, no portion of the sales are exempt from B&O tax under RCW 82.04.423. For example, a person who uses representatives to sell consumer products door to door and who also sells consumer products through retail outlets is not eligible for the exemption. The phrase "sales exclusively to ... a direct seller's representative" describes wholesale sales made by the direct seller to a representative. The phrase "sales exclusively ... through a direct seller's representative" describes retail sales made by the direct seller to the consumer. The B&O tax exemption provided by RCW 82.04.423 is limited to these types of wholesale and retail sales.

(b) The six statutory elements describing the direct seller's representative. RCW 82.04.423 provides the following elements that relate to the direct seller's representative:

(i) How the sale is made. A direct seller's representative is "a person who buys consumer products on a buy-sell basis or a deposit-commission basis for resale, by the buyer or any other person, in the home or otherwise than in a permanent retail establishment, or who sells, or solicits the sale of, consumer products in the home or otherwise than in a permanent retail establishment." The direct seller sells the product using the services of a representative in one of two ways, which are described by two clauses in the statute. The first clause ("a person who buys ... for resale" from the direct seller) describes a wholesale sale by the direct seller. The second clause (a person who "sells or solicits the sale" for the direct seller) describes a retail sale by the direct seller.

(A) A transaction is on a "buy-sell basis" if the direct seller's representative performing the selling or soliciting services is entitled to retain part or all of the difference between the price at which the direct seller's representative purchases the product and the price at which the direct seller's representative sells the product. The part retained is remuneration from the direct seller for the selling or soliciting services performed by the representative. A transaction is on a "deposit-commission basis" if the direct seller's representative performing the selling or soliciting services is entitled to retain part or all of a purchase deposit paid in connection with the transaction. The part retained is remuneration from the direct seller for the selling or soliciting services performed by the representative.

(B) The location where the retail sale of the consumer product may take place is specifically delineated by the terms of the statute. The direct seller may take the exemption only if the retail sale of the consumer product takes place either in the home or otherwise than in a permanent retail establishment. The resale of the products sold by the direct seller at wholesale is restricted by the statute through the following language: "For resale, by the buyer or any other person, in the home or otherwise than in a permanent retail establishment." This restrictive phrase requires the product be sold at retail either in the home or in a nonpermanent retail establish-

ment. Regardless of to whom the representative sells, the retail sale of the product must take place either in the buyer's home or in a location that is not a permanent retail establishment. Examples of permanent retail establishments are grocery stores, hardware stores, newsstands, restaurants, department stores, and drug stores. Also considered as permanent retail establishments are amusement parks and sports arenas, as well as vendor areas and vendor carts in these facilities if the vendors are operating under an agreement to do business on a regular basis. Persons selling at temporary venues, such as a county fair or a trade show, are not considered to be selling at a permanent retail establishment.

(ii) What product the direct seller must be selling. The direct seller must be selling a consumer product, the sale of which meets the definition of "sale at retail," used for personal, family, household, or other nonbusiness purposes. "Consumer product" includes, but is not limited to, cosmetics, cleaners and soaps, nutritional supplements and vitamins, food products, clothing, and household goods, purchased for use or consumption. The term does not include commercial equipment, industrial use products, and the like, including component parts. However, if a consumer product also has a business use, it remains a "consumer product," notwithstanding that the same type of product might be distributed by other unrelated persons to be used for commercial, industrial, or manufacturing purposes. For example, desktop computers are used extensively in the home as well as in businesses, yet they are a consumer product when sold for nonbusiness purposes.

(iii) How the person is paid. The statute requires that "substantially all of the remuneration paid to such person, whether or not paid in cash, for the performance of services described in this subsection is directly related to sales or other output, including the performance of services, rather than the number of hours worked." The remuneration must be for the performance of sales and solicitation services and it must be based on measurable output. Remuneration based on hours does not qualify. A fixed salary or fixed compensation, without regard to the amount of services rendered, does not qualify.

Remuneration need not be in cash, and it may be the consumer product itself or other property, such as a car.

(iv) How the contract is memorialized. The services by the person must be performed pursuant to a written contract between the representative and the direct seller. The requirement that the contract be in writing is a specific statutory condition of RCW 82.04.423.

(v) What the contract must contain. The sale and solicitation services must be the subject of the contract. The contract must provide that the representative will not be treated as an employee of the direct seller for federal tax purposes.

(vi) The status of the representative. A person satisfying the requirements of the statute should also be a statutory non-employee under federal law, since the requirements of RCW 82.04.423 and 26 U.S.C. 3508 are the same. The direct seller must maintain proof the representative is a statutory non-employee.

(5) Tax liability of the direct seller's representative. The statute provides no tax exemption with regard to the "direct seller's representative." The direct seller's representa-

tive is subject to the service and other activities B&O tax on commission compensation earned for services described in RCW 82.04.423. Likewise, a direct seller's representative who buys consumer products for resale and does in fact resell the products is subject to either the wholesaling or retailing B&O tax upon the gross proceeds of these sales. Retail sales tax must be collected and remitted to the department on retail sales unless specifically exempt by law. For example, certain food products are statutorily exempt from retail sales tax (see WAC 458-20-244).

(a) Subject to the agreement of the representatives, the direct seller may elect to remit the B&O taxes of the representatives and collect and remit retail sales tax as agents of the representatives through an agreement with the department. The direct seller's representative should obtain a tax registration endorsement with the department unless otherwise exempt under RCW 82.32.045. (See also WAC 458-20-101 on tax registration.)

(b) Every person who engages in this state in the business of acting as a direct seller's representative for unregistered principals, and who receives compensation by reason of sales of consumer products of such principals for use in this state, is required to collect the use tax from purchasers, and remit the same to the department of revenue, in the manner and to the extent set forth in WAC 458-20-221. (Collection of use tax by retailers and selling agents.)

(6) The retail sales and/or use tax reporting responsibilities of the direct seller. A direct seller is required to collect and remit the tax imposed by chapter 82.08 RCW (Retail sales tax) or 82.12 RCW (Use tax) if the seller regularly solicits or makes retail sales of "consumer products" in this state through a "direct seller's representative" even though the sales are exempt from B&O tax pursuant to RCW 82.04.423.

client's control; added text explaining that a client can avoid having the lump sum budgeted against the benefits if they request termination prior to the receipt of the lump sum.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 5, Amended 2, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 5, Amended 2, Repealed 1.

Effective Date of Rule: January 1, 2000.

November 19, 1999

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

Chapter 388-455 WAC

LUMP SUM INCOME

NEW SECTION

WAC 388-455-0005 How lump sum payments affect benefits. (1) For the purpose of determining benefits for cash assistance, temporary assistance for needy families (TANF)/state family assistance (SFA)-related medical assistance, and food assistance, a lump sum payment is money that the client receives but does not expect to receive on a continuing basis.

(2) For cash assistance and TANF/SFA-related medical assistance:

(a) The department counts payments awarded for wrongful death, personal injury, damage, or loss of property as resources as described in WAC 388-455-0010.

(b) We count all other lump sum payments as income as described in WAC 388-455-0015.

(3) For food assistance, all lump sum payments are counted as resources as described in WAC 388-470-0055.

NEW SECTION

WAC 388-455-0010 How the department treats lump sum payments as a resource for cash assistance and TANF/SFA-related medical assistance. This section applies to cash assistance and TANF/SFA-related medical assistance.

(1) In the month the payment is received, the department does not count any amount of a lump sum payment awarded for:

- (a) Wrongful death;
- (b) Personal injury;
- (c) Damage; or
- (d) Loss of property.

WSR 99-24-008

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed November 19, 1999, 11:23 a.m., effective January 1, 2000]

Date of Adoption: November 19, 1999.

Purpose: These rules will reflect the department's choice of prospective budgeting as the sole method for budgeting income and deductions.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-406-0020; and amending WAC 388-450-0225 and 388-450-0230.

Statutory Authority for Adoption: RCW 74.08.090 and 74.04.510.

Adopted under notice filed as WSR 99-19-161 on September 22, 1999 and WSR 99-20-100 on October 5, 1999.

Changes Other than Editing from Proposed to Adopted Version: WAC 388-455-0015, added text to compare the value of the lump sum to the existing resources prior to determining the countable amount of the lump sum; added text that the countable amount may decrease if all or part of the lump sum becomes unavailable due to reasons beyond the

PERMANENT

(2) In the month following the month of receipt, we count the entire amount as a resource except for the portion of the payment designated for:

- (a) Repair or replacement of damaged or lost property; or
- (b) Medical bills.

(3) We do not count the portion described in subsection (2) of this section for sixty days following the month the payment is received. At the end of the sixty-day period, we count any amount that remains as a resource.

NEW SECTION

WAC 388-455-0015 How the department treats lump sum payments as income for cash assistance and TANF/SFA-related medical assistance. For cash assistance and TANF/SFA-related medical assistance, lump sum payments not awarded for wrongful death, personal injury, damage, or loss of property are counted as income. They are budgeted against the client's benefits according to the effective dates in WAC 388-418-0020. The rules in this section describe what portion is countable and when the department counts it. For rules on how lump sum payments awarded for wrongful death, personal injury, damage, or loss of property affect benefits, see WAC 388-450-0010.

(1) To identify what portion of the lump sum the department will count as income, we take the following steps:

- (a) First, we subtract the value of your existing resources from the resource limit as described in WAC 388-470-0005;
- (b) Then, we subtract the difference in (1)(a) from the total amount of the lump sum; and
- (c) The amount left over is the countable amount of the lump sum.

(2) For cash assistance, the amount of the lump sum that is countable may change if any or all of the lump sum becomes unavailable for reasons beyond your control. See WAC 388-450-0005. When the countable amount of the lump sum is:

- (a) Less than your payment standard plus additional requirements, we consider it as income in the month it is received.
- (b) More than one month's payment standard plus additional requirements but less than two months:
 - (i) We consider the portion equal to one month's payment standard plus additional requirements as income in the month it is received; and
 - (ii) We consider the remainder as income the following month.

(c) Equal to or greater than the total of the payment standard plus additional requirements for the month of receipt and the following month, we consider the payment as income for those months.

(3) If you are ineligible or disqualified from receiving cash benefits and you receive a one-time lump sum payment:

- (a) We allocate the payment to meet your needs as specified in WAC 388-450-0105; and
- (b) The remainder is treated as a lump sum payment available to the eligible assistance unit members according to the rules of this section.

(4) You can avoid having the lump sum budgeted against your benefits if you request termination of your cash assistance the month before you receive the lump sum.

(5) For TANF/SFA-related medical assistance:

- (a) We consider lump sum payments as income in the month of receipt.
- (b) We consider any money that remains on the first of the next month as a resource.

NEW SECTION

WAC 388-406-0021 How the department decides if you are a migrant or seasonal farmworker and if you are destitute. The rules in this section apply to food assistance.

(1) A migrant is a person who travels away from home on a regular basis, usually with a group of other workers, to seek employment in an agriculturally-related activity. A migrant assistance unit is an assistance unit that travels for this purpose.

(2) A seasonal farmworker is a person who:

- (a) Does agricultural work on a farm for edible crops; and
- (b) Is not required to be away from their permanent place of residence overnight in order to perform this work.

(3) For seasonal farmworkers, agricultural work is field work in which the person:

- (a) Plants;
- (b) Cultivates; or
- (c) Harvests the crop.

(4) An assistance unit is considered a seasonal farmworker assistance unit if it receives its only countable income from:

- (a) Seasonal farmwork;
 - (b) Unemployment compensation between seasons; or
 - (c) Interest earned on a checking or savings account.
- (5) A migrant or seasonal farmworker is considered destitute when:

- (a) The assistance unit's income for the month of application was received before the date of application and was from a source no longer providing income; or
- (b) The assistance unit's income of the month of application is from a new source and the assistance unit will not receive more than twenty-five dollars during the ten calendar days from the date of application.
- (6) A household member changing jobs but continuing to work for the same employer is considered to be receiving income from the same source.

NEW SECTION

WAC 388-450-0162 The department uses countable income to determine if you are eligible and the amount of your cash and food assistance benefits. The department uses countable income to determine if the client is eligible and the amount of the cash and food assistance benefits.

(1) Countable income is all income that remains after we subtract the following:

- (a) Excluded or disregarded income under WAC 388-450-0015;
- (b) Deductions or earned income incentives under WAC 388-450-0170 through 388-450-0200;

(c) Allocations to someone outside of the assistance unit under WAC 388-450-0095 through 388-450-0160.

(2) Countable income includes all income that must be deemed or allocated from financially responsible persons who are not members of your assistance unit.

(3) For cash assistance:

(a) We compare your countable income to the payment standard in WAC 388-478-0020 and 388-478-0030.

(b) You are not eligible for benefits when your assistance unit's countable income is equal to or greater than the payment standard plus any authorized additional requirements.

(c) Your benefit level is the payment standard and authorized additional requirements minus your assistance unit's countable income.

(4) For food assistance:

(a) We compare your countable income to the monthly net income standard specified in WAC 388-478-0060.

(b) You are not eligible for benefits when your assistance unit's income is equal to or greater than the monthly net income standard.

(c) Your benefit level is the maximum allotment in WAC 388-478-0060 minus thirty percent of your countable income.

AMENDATORY SECTION (Amending WSR 99-16-024, filed 7/26/99, effective 9/1/99)

WAC 388-450-0225 How ~~((to))~~ the department calculates the benefit amount for the first month of eligibility for ~~((TANF/SFA and RCA applicants))~~ cash assistance.

~~((The benefit amount for the first calendar month of eligibility for TANF/SFA and RCA approved applications is the sum of:~~

~~((a) The prorated grant amount; and~~

~~((b) Approved additional requirements.~~

~~((2) The grant amount is calculated by subtracting the countable income as described in WAC 388-450-0180 from the payment standard.~~

~~((a)) To determine the client's benefit amount for the first month of eligibility for cash assistance, the department compares the countable income to the payment standard as described in WAC 388-450-0162.~~

~~((2) Even if your countable income exceeds the payment standard, you can still receive additional requirements.~~

~~((3) When ~~((the))~~ your countable income is ~~((equal to or exceeds))~~ less than the payment standard ~~((and there are no approved additional requirements, the assistance unit is not eligible for cash assistance in the first month of eligibility.~~~~

~~((b) When the countable income is more than the payment standard and additional requirements are approved, the amount that exceeds the payment standard is subtracted from the additional requirements.~~

~~((e) When the countable income is less than the payment standard, the grant amount is prorated by:~~

~~((i)) , we prorate your grant amount based on the date you are eligible.~~

~~((4) We do not prorate the approved additional requirements.~~

~~((5) We prorate your grant by:~~

~~((a) Dividing the grant amount by the number of days in the first month of eligibility; and~~

~~((ii)) ~~((b) Multiplying the figure in ~~((e)(i) of this subsection))~~ (5)(a) of this section by the number of days from the date of eligibility to the last day of the month~~((:~~~~~~

~~((3) The approved additional requirements are not prorated)).~~

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-406-0020 Destitute household definition.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-450-0230 Treatment of income in the month of application for destitute food assistance households. (1) When a migrant or seasonal farm worker is determined destitute under WAC ~~((388-406-0020))~~ 388-406-0021, eligibility and benefit amount for the month of application is determined by:

(a) Counting the household's income that is received from the first of the month through the date of application; and

(b) Excluding income from a new source that the household expects to receive during the ten days after the date of application.

(2) A household member changing jobs but continuing to work for the same employer is considered to be receiving income from the same source.

WSR 99-24-011

PERMANENT RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 99-202—Filed November 19, 1999, 3:18 p.m.]

Date of Adoption: November 16, 1999.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-412; and amending WAC 220-20-016, 220-47-302, 220-47-304, 220-47-307, 220-47-311, 220-47-325, 220-47-401, 220-47-410, 220-47-411, 220-47-427, and 220-47-428.

Statutory Authority for Adoption: RCW 75.08.080.

Adopted under notice filed as WSR 99-19-168 on September 22, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

PERMANENT

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 11, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 19, 1999

J. P. Koenings
Director

AMENDATORY SECTION (Amending Order 85-43, filed 5/10/85)

WAC 220-20-016 Sale of commercial caught salmon.

It is unlawful for any person licensed to take salmon for commercial purposes as required under chapter 75.28 RCW to:

(1) ~~((Keep more than three salmon taken under such license for personal use, up to a maximum of six salmon in possession for multi-day trips.)) Retain for personal use more than the equivalent of one daily sport bag limit for the area being fished. All salmon taken under commercial license must be recorded on state of Washington fish receiving tickets.~~ The daily limit and possession limit described in this subsection also apply to crew members of the licensed fishing vessel.

(2) Sell any salmon he takes under such license to anyone other than a licensed wholesale dealer located within or outside the state of Washington: Provided, That a person who is himself licensed as a wholesale dealer under the provisions of RCW 75.28.300 may sell his catch to individuals or corporations other than licensed wholesale dealers.

AMENDATORY SECTION (Amending Order 97-124, filed 7/29/97, effective 8/29/97)

WAC 220-47-302 Puget Sound—Lawful gear—Gill net. (1) Lawful drift gill net salmon gear in Puget Sound shall not exceed 1,800 feet in length nor contain meshes of a size less than 5 inches.

(2) Lawful skiff gill net salmon nets in Puget Sound shall not exceed 300 feet in length and 90 meshes in depth nor contain meshes of a size less than 5 inches. Nets must be retrieved by hand (no hydraulics may be used). Nets must be attended by the fisher at all times.

(3) Drift gill nets and skiff gill nets shall be operated substantially in a straight line. Circle setting or setting other than substantially in a straight line shall be unlawful.

(4) ~~((All gill net gear used in Puget Sound must have floats or corks of a contrasting color attached in 50-foot intervals along the corkline.~~

(5)) It shall be unlawful to take or fish for salmon with gill net gear beginning in 1998 in Areas 7 or 7A sockeye or pink fisheries unless said gill net gear is constructed so that the first 20 meshes below the corkline are composed of five-inch mesh white opaque minimum 210d/30 (#12) diameter nylon twine.

AMENDATORY SECTION (Amending Order 98-122, filed 7/15/98, effective 8/15/98)

WAC 220-47-304 Puget Sound—All citizen salmon species seasons and gill net mesh sizes. ((The following are Puget Sound all citizens salmon species seasons listed by area and species:

AREA	SPECIES	DATE	RANGE
6D:	COHO	9/20	10/24
7,7A:	FRASER SOCKEYE	6/21	9/26
	CHUM	9/27	11/14
7B:	CHINOOK	8/9	9/5
	COHO	9/6	10/24
	CHUM	10/25	12/12
7C:	CHINOOK	8/9	10/10
8:	CHUM	10/25	11/28
8A:	CHUM	10/18	11/28
8D:	COHO	9/20	11/7
	CHUM	11/8	12/19
9A:	COHO	9/13	10/31
10, 11:	COHO	9/6	10/10
	CHUM	10/11	11/28
12:	CHUM	10/18	11/20
12A:	COHO	8/30	10/10
12B:	CHUM	10/18	11/20
12C:	CHUM	10/25	11/27))

(1) The following are the 1999 Puget Sound all citizens salmon species seasons listed by area and species:

AREA	SPECIES	DATE	RANGE
6D:	COHO	9/19	10/23
	FRASER SOCKEYE		
	AND PINK	6/26	9/25
7,7A:	CHUM	9/26	11/13
	FRASER SOCKEYE	6/26	9/25
7B:	AND PINK CHUM	9/26	11/13
	CHINOOK	8/8	9/4
	COHO	9/5	10/23
7C:	CHUM	10/24	12/11
	CHINOOK	8/8	10/9
8:	PINK	8/22	9/18
	COHO	8/29	10/23
	CHUM	10/24	11/27
8A:	PINK	8/8	9/11
	COHO	9/5	10/16
	CHUM	10/17	11/27
8D:	COHO	9/19	11/6
	CHUM	11/7	12/18
9A:	COHO	9/19	10/30
10, 11:	COHO	9/5	10/9
	CHUM	10/10	11/27
12:	COHO	9/26	10/16
	CHUM	10/17	11/20
12A:	COHO	8/29	10/16
12B:	COHO	10/13	10/16
	CHUM	10/17	11/20
12C:	CHUM	10/31	11/27

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(2) It is unlawful to fish for or possess salmon taken with gill net gear using mesh other than the mesh listed below for the species seasons set out in this section:

<u>CHINOOK SEASON</u>	<u>7 INCH MINIMUM MESH</u>
<u>COHO SEASON</u>	<u>5 INCH MINIMUM MESH</u>
<u>PINK SEASON</u>	<u>5 INCH MINIMUM MESH</u> <u>5-1/2 INCH MAXIMUM MESH</u> <u>AND IN SMCRA 8 - 60 MESH</u> <u>MAXIMUM DEPTH</u>
<u>CHUM SEASON</u>	<u>6-1/4 INCH MINIMUM MESH</u>
<u>FRASER SOCKEYE</u>	<u>5 INCH MINIMUM MESH</u> <u>5-1/2 INCH MAXIMUM MESH</u>

AMENDATORY SECTION (Amending Order 98-122, filed 7/15/98, effective 8/15/98)

WAC 220-47-307 Closed areas—Puget Sound salmon. It is unlawful at any time, unless otherwise provided, to take, fish for, or possess salmon taken for commercial purposes with any type of gear from the following portions of Puget Sound Salmon Management and Catch Reporting Areas, except that closures listed in this section shall not apply to reef net fishing areas listed in RCW 75.12.140:

Areas 4B, 5, 6, 6B, and 6C - The Strait of Juan de Fuca Preserve as defined in WAC 220-47-266.

Area 6D - That portion within ((1,000 feet)) 1/4 mile of each mouth of the Dungeness River.

Area 7 - (1) The San Juan Island Preserve as defined in WAC 220-47-262.

(2) Those waters within 1,500 feet of shore on Orcas Island from Deer Point northeasterly to Lawrence Point thence west to a point intercepting a line projected from the northernmost point of Jones Island thence 90° true to Orcas Island.

(3) Those waters within 1,500 feet of the shore of Cypress Island from Cypress Head to the northernmost point of Cypress Island.

(4) Those waters easterly of a line projected from Iceberg Point to Iceberg Island, to the easternmost point of Charles Island, then true north from the northernmost point of Charles Island to the shore of Lopez Island.

(5) Those waters northerly of a line projected from the southernmost point of land at Aleck Bay to the westernmost point of Colville Island, thence from the easternmost point of Colville Island to Point Colville.

(6) Those waters easterly of a line projected from Biz Point on Fidalgo Island to the Williamson Rocks Light, thence to the Dennis Shoal Light, thence to the light on the westernmost point of Burrows Island, thence to the southwesternmost point of Fidalgo Head, and including those waters within 1,500 feet of the western shore of Allan Island, those waters within 1,500 feet of the western shore of Burrows Island, and those waters within 1,500 feet of the shore of Fidalgo Island from the southwesternmost point of Fidalgo Head northerly to Shannon Point.

(7) Additional Fraser sockeye and pink seasonal closure: Those waters within 1,500 feet of the shore of Fidalgo Island from the Initiative 77 marker northerly to Biz Point(~~—those waters easterly of a line projected from Biz Point on Fidalgo Island to the Williamson Rocks light, thence to the Dennis~~

~~Shoal Light, thence to the light on the westernmost point of Burrows Island, thence to the southwesternmost point of Fidalgo Island, those waters within 1,500 feet of the western shore of Allan Island, those waters within 1,500 feet of the western shore of Burrows Island, and those waters within 1,500 feet of the shore of Fidalgo Island from Fidalgo Head northerly to Shannon Point)).~~

~~((7))~~ (8) Those waters within 1,500 feet of the eastern shore of Lopez Island from Point Colville northerly to Lopez Pass, and those waters within 1,500 feet of the eastern shore of Decatur Island from the southernmost point of land northerly to Fauntleroy Point(~~(-~~

~~(8))~~, and including those waters within 1,500 feet of the shore of James Island.

Area 7A - The Drayton Harbor Preserve as defined in WAC 220-47-252.

Area 7B - That portion south and east of a line from William Point on Samish Island to Saddlebag Island to the south-eastern tip of Guemes Island, and that portion northerly of the railroad trestle in Chuckanut Bay.

Area 7C - That portion southeasterly of a line projected from the mouth of Oyster Creek 237° true to a fishing boundary marker on Samish Island.

Area 8 - (1) That portion of Skagit Bay easterly of a line projected from Brown Point on Camano Island to a white monument on the easterly point of Ika Island, thence across the Skagit River to the terminus of the jetty with McGlenn Island.

(2) Those waters within 1,500 feet of the western shore of Camano Island south of a line projected true west from Rocky Point.

Area 8A - (1) Those waters easterly of a line projected from Mission Point to Buoy C1, excluding the waters of Area 8D, thence through the green light at the entrance jetty of the Snohomish River and across the mouth of the Snohomish River to landfall on the eastern shore, and those waters northerly of a line from Camano Head to the northern boundary of Area 8D.

(2) Additional pink seasonal closure: Those waters southerly of a line projected from the Clinton ferry dock to the Mukilteo ferry dock.

Area 9 - Those waters lying inside and westerly of a line projected from the Point No Point light to Sierra Echo buoy thence to Forbes Landing wharf, east of Hansville.

Area 10 - (1) Those waters easterly of a line projected from Meadow Point to West Point.

(2) Those waters of Port Madison northwest of a line from the Agate Pass entrance light to the light on the end of the Indianola dock.

(3) Additional coho seasonal closure: Those waters of Elliott Bay east of a line from Alki Point to the light at Four-mile Rock and those waters northerly of a line projected from Point Wells to "SF" Buoy then west to President's Point.

Area 10E - Those waters of Liberty Bay north of a line projected due east from the southernmost Keyport dock, those waters of Dyes Inlet north of the Manette Bridge, and those waters of Sinclair Inlet southwest of a line projected true east from the Bremerton ferry terminal.

Area 11 - (1) Those waters northerly of a line projected true west from the light at the mouth of Gig Harbor and those

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waters south of a line from Browns Point to the northernmost point of land on Point Defiance.

(2) Additional coho seasonal closure: Those waters south of a line projected from the light at the mouth of Gig Harbor to the Tahlequah ferry dock then south to the Point Defiance ferry dock, and those waters south of a line projected from the Point Defiance ferry dock to Dash Point.

Area 12 - Those waters inside and easterly of a line projected from Lone Rock to the navigation light off Big Beef Creek, thence southerly to the tip of the outermost northern headland of Little Beef Creek.

Area 12A - Those waters north of a line projected due east from Broad Spit.

Area 12B - Those waters within 1/4 mile of the mouths of the Dosewallips, Duckabush, and Hamma Hamma rivers and Anderson Creek.

Areas 12, 12A, and 12B - Additional chinook seasonal closure: Those waters north and east of a line projected from Tekiu Point to Triton Head.

Areas 12, 12B and 12C - Those waters within 1,000 feet of the eastern shore.

Area 12C - (1) Those waters within 2,000 feet of the western shore between the dock at Glen Ayr R.V. Park and the Hoodspout marina dock.

(2) Those waters south of a line projected from the Cushman Powerhouse to the public boat ramp at Union.

(3) Those waters within 1/4 mile of the mouth of the Dewatto River.

Areas 12 and 12D - Additional coho and chum seasonal closure: Those waters of Area 12 south and west of a line projected 94 degrees true from Hazel Point to the light on the opposite shore, bounded on the west by the Area 12/12B boundary line, and those waters of Area 12D.

Area 13A - Those waters of Burley Lagoon north of State Route 302, those waters within 1,000 feet of the outer oyster stakes off Minter Creek Bay including all waters of Minter Creek Bay, those waters westerly of a line drawn due north from Thompson Spit at the mouth of Glen Cove, and those waters within 1/4 mile of Green Point.

((AREA	TIME	DATE	TIME	DATE
	6AM	11/16	4PM	11/20
	6AM	11/23	4PM	11/27
	6AM	11/30	4PM	12/04
	6AM	12/07	4PM	12/11
8:	7AM	-	6PM	10/26
	7AM	-	5PM	11/03, 11/09, 11/17, 11/23
8A:	7AM	-	6PM	10/21, 10/22, 10/26, 10/27
	7AM	-	5PM	11/04, 11/05, 11/09, 11/10, 11/18, 11/19, 11/23, 11/24, 11/25, 11/30, 12/01
8D:	7AM	-	7PM	9/21, 9/22, 9/23, 9/24, 9/29, 9/30, 10/01, 10/02, 10/05, 10/06, 10/07, 10/08, 10/13, 10/14, 10/15, 10/16, 10/21, 10/22, 10/26, 10/27
	7AM	-	6PM	10/21, 10/22, 10/26, 10/27
	7AM	-	5PM	11/04, 11/05, 11/09, 11/10, 11/18, 11/19, 11/23, 11/24, 11/25, 11/30, 12/01
10, 11:	7AM	-	6PM	10/26
	7AM	-	5PM	11/03, 11/04, 11/09, 11/17, 11/23
12, 12B:	7AM	-	6PM	10/20, 10/26
	7AM	-	5PM	11/04, 11/05, 11/09, 11/10, 11/17
12C:	7AM	-	5PM	11/17, 11/23))

AMENDATORY SECTION (Amending Order 98-122, filed 7/15/98, effective 8/15/98)

WAC 220-47-311 Purse seine—Open periods. During ((+1997)) 1999, it is unlawful to take, fish for or possess salmon taken with purse seine gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the periods provided for hereinafter in each respective Management and Catch Reporting Area:

((AREA	TIME	DATE	TIME	DATE
7, 7A:	7AM	-	6PM	10/20, 10/26
	7AM	-	5PM	11/04, 11/05, 11/09, 11/10, 11/11, 11/12
7B:	6AM	9/08	4PM	9/11
	6AM	9/14	4PM	9/18
	6AM	9/20	4PM	10/31
	6AM	11/02	4PM	11/06
	6AM	11/09	4PM	11/13

AREA	TIME	DATE	TIME	DATE
7, 7A:	7AM	-	6PM	10/19, 10/25
	7AM	-	5PM	11/3, 11/4, 11/8, 11/9, 11/10, 11/11
7B:	6AM	9/7	4PM	9/9
	6AM	9/13	4PM	9/15
	6AM	9/19	4PM	10/23
	6AM	10/25	4PM	10/29
	6AM	11/1	4PM	11/5
	6AM	11/8	4PM	11/12
	6AM	11/15	4PM	11/19
	6AM	11/22	4PM	11/26
	6AM	11/29	4PM	12/3
	6AM	12/6	4PM	12/10
8:	7AM	-	6PM	10/25
	7AM	-	5PM	11/2, 11/8, 11/16, 11/22
8A:	5AM	-	9PM	8/24, 8/30

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AREA	TIME	DATE	TIME	DATE
	7AM	=	7PM	10/11
	7AM	=	6PM	10/20, 10/21, 10/25, 10/26
	7AM	=	5PM	11/3, 11/4, 11/8, 11/9, 11/17, 11/18, 11/22, 11/23, 11/24
8D:	7AM	=	7PM	9/21, 9/22, 9/23, 9/28, 9/29, 9/30, 10/4, 10/5, 10/6, 10/7, 10/11
	7AM	=	6PM	10/20, 10/21, 10/25, 10/26
	7AM	=	5PM	11/3, 11/4, 11/8, 11/9, 11/17, 11/18, 11/22, 11/23, 11/24
10, 11:	7AM	=	6PM	10/19, 10/25
	7AM	=	5PM	11/2, 11/3, 11/8, 11/16
12, 12B:	7AM	=	6PM	10/19, 10/25
	7AM	=	5PM	11/3, 11/4, 11/8, 11/9, 11/16
12C:	7AM	=	5PM	11/16, 11/22

It is unlawful to retain chinook salmon taken with purse seine gear. It is unlawful to retain coho salmon taken with purse seine gear in Areas 7 and 7A. It is unlawful to retain chum salmon taken with purse seine gear in Areas 7 and 7A prior to October 1. All other saltwater and freshwater areas - closed.

AMENDATORY SECTION (Amending Order 97-124, filed 7/29/97, effective 8/29/97)

WAC 220-47-325 Purse seine—Release of incidentally caught fish. (1) It is unlawful for any purse seine vessel operator landing salmon to land salmon directly into the hold. All salmon must be landed to the deck, or sorting tray or table, of the harvesting vessel with the hold hatch cover(s) closed until release of salmon that may not be retained is complete and additionally:

(2) During Fraser sockeye and pink salmon species seasons in Areas 7 and 7A, it is unlawful for any purse seine vessel operator to bring salmon aboard a vessel unless all salmon captured in the seine net are removed from the seine net using a brailer or dip net meeting the specifications in this section prior to the seine net being removed from the water.

(3) The brailer shall be constructed in the following manner and with the following specifications:

(a) A bag of web hung on a rigid hoop attached to a handle;

(b) The bag shall be opened by releasing a line running through rings attached to the bottom of the bag; and

(c) The web shall be of soft knotless construction and the mesh size may not exceed 57 mm (2.25 inches) measured along two contiguous sides of a single mesh.

(4) Hand held dip nets shall be constructed of a shallow bag of soft, knotless web attached to a handle.

AMENDATORY SECTION (Amending Order 98-122, filed 7/15/98, effective 8/15/98)

WAC 220-47-401 Reef net open periods. During ((1997)) 1999, it is unlawful to take, fish for or possess salmon taken with reef net gear for commercial purposes in Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas, during the periods provided for hereinafter in each respective area:

AREA	TIME	DATE(S)
7,7A	7AM - 7PM Daily	((DAILY 9/7—9/11 9/14—9/18 9/21—9/25 9/28—10/2 10/5—10/9 10/12—10/16 10/19—10/23 10/26—10/30 11/2—11/6 11/9—11/13)) 9/12 through 11/13

It is unlawful to retain chinook salmon taken with reef net gear. It is unlawful to retain coho salmon taken with reef net gear while the Fraser River Panel of the Pacific Salmon Commission maintains regulatory control of fisheries in Area 7. It is unlawful to retain chum salmon taken with reef net gear prior to October 1. All other saltwater and freshwater areas - closed.

AMENDATORY SECTION (Amending Order 98-122, filed 7/15/98, effective 8/15/98)

WAC 220-47-410 Gill net—Daily hours. It ((shall be)) is unlawful to take or fish ((for sockeye or pink salmon)) during the Fraser sockeye and pink salmon species seasons in Areas 7 or 7A with gill net gear from 12:00 midnight to 1.5 hours after sunrise.

AMENDATORY SECTION (Amending Order 98-122, filed 7/15/98, effective 8/15/98)

WAC 220-47-411 Gill net—Open periods. During ((1997)) 1999, it is unlawful to take, fish for or possess salmon taken with gill net gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the seasons provided for hereinafter in each respective fishing area:

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((AREA	TIME	DATE(S)	AREA	TIME :	DATE(S)
6D:	7AM-7PM Daily	9/21-9/25 9/28-10/2 10/5-10/9 10/12-10/16 10/19-10/23	6D:	7AM : 7PM	9/20, 9/21, 9/22, 9/23, 9/24, 9/27, 9/28, 9/29, 9/30, 10/1, 10/4, 10/5, 10/6, 10/7, 10/8, 10/11, 10/12, 10/13, 10/14, 10/15, 10/18, 10/19, 10/20, 10/21, 10/22
<p>Note: Area 6D skiff gill net only. It is unlawful to retain chinook, pink, or chum salmon in Area 6D:</p>			<p>Note: Area 6D skiff gill net only, using 5-inch minimum and 5 1/2-inch maximum mesh. It is unlawful to retain chinook or pink salmon taken in Area 6D at any time, or any chum salmon taken in Area 6D prior to October 16. In Area 6D, any chinook or pink salmon captured at any time, or any chum salmon captured prior to October 16, must be removed from the net by cutting the meshes ensnaring the fish.</p>		
7.7A:	7AM-7PM 7AM-6PM	10/19 10/27, 11/2, 11/3, 11/9, 11/10, 11/11, 11/12	7.7A:	7AM : 8PM	10/18, 10/26, 11/1, 11/2, 11/8, 11/9, 11/10, 11/11
7B:	7PM-9AM 6AM -9/8 - 4PM 9/11 6AM 9/14 - 4PM 9/18 6AM 9/20 - 4PM 10/31 6AM 11/2 - 4PM 11/6 6AM 11/9 - 4PM 11/13 6AM 11/16 - 4PM 11/20 6AM 11/23 - 4PM 11/27 6AM 11/30 - 4PM 12/4 6AM 12/7 - 4PM 12/11	NIGHTLY- 8/17, 8/24, 8/31	7B:	7PM-9AM NIGHTLY 6AM 9/7 : 4PM 9/9 6AM 9/13 : 4PM 9/15 6AM 9/19 : 4PM 10/23 6AM 10/25 : 4PM 10/29 6AM 11/1 : 4PM 11/5 6AM 11/8 : 4PM 11/12 6AM 11/15 : 4PM 11/19 6AM 11/22 : 4PM 11/26 6AM 11/29 : 4PM 12/3 6AM 12/6 : 4PM 12/10	8/16, 8/23, 8/24, 8/30, 8/31
7C:	7PM-9AM	NIGHTLY- 8/17, 8/24, 8/31	7C:	7PM-9AM NIGHTLY	8/16, 8/23, 8/24, 8/30, 8/31
8:	7AM-6PM 7AM-5PM	10/27, 11/2, 11/10, 11/16 11/24	8:	6AM : 11PM 7AM : 8PM	8/24, 8/30 10/26, 11/1, 11/9, 11/15, 11/23
8A:	7AM-7PM 7AM-6PM 7AM-5PM	10/19, 10/20 10/28, 10/29, 11/2, 11/3, 11/11, 11/12, 11/16, 11/17 11/23, 11/24, 11/25, 12/2, 12/3	8A:	6AM : 11PM 7AM : 8PM	8/23, 8/31 10/12, 10/18, 10/19, 10/27, 10/28, 11/1, 11/2, 11/10, 11/11, 11/15, 11/16, 11/22, 11/23, 11/24
8D:	6PM-8AM 7AM-7PM 7AM-6PM 7AM-5PM	NIGHTLY- 9/21-9/24 9/28-10/1 10/5-10/8 10/12-10/15 10/19, 10/20 10/28, 10/29, 11/2, 11/3, 11/11, 11/12, 11/16, 11/17 11/23, 11/24, 11/25, 12/2, 12/3	8D:	6PM-8AM NIGHTLY 7AM : 8PM	9/20, 9/21, 9/22, 9/27, 9/28, 9/29, 10/4, 10/5, 10/6, 10/7 10/12, 10/18, 10/19, 10/27, 10/28, 11/1, 11/2, 11/10, 11/11, 11/15, 11/16, 11/22, 11/23, 11/24
9A:	6AM -9/13 through 4PM -10/31		9A:	6AM 9/19 through 4PM	10/30
10, 11:	5PM-8AM 4PM-8AM	10/26, 10/27 NIGHTLY- 11/2, 11/3, 11/9, 11/16, 11/23	10, 11:	5PM-8AM NIGHTLY 4PM-8AM NIGHTLY	10/18, 10/25 11/1, 11/2, 11/8, 11/15
12, 12B:	7AM-7PM 7AM-6PM	10/19 10/27, 11/2, 11/3, 11/11, 11/12, 11/16	12, 12B:	7AM : 8PM	10/18, 10/26, 11/1, 11/2, 11/10, 11/11, 11/15
12C:	7AM-6PM 7AM-5PM	11/16 11/24	12C:	7AM : 8PM	11/15, 11/23

All other saltwater and freshwater areas - closed.
Nightly openings refer to the start date.))

All other saltwater and freshwater areas - closed.
Nightly openings refer to the start date.

AMENDATORY SECTION (Amending Order 98-122, filed 7/15/98, effective 8/15/98)

WAC 220-47-427 Puget Sound—Beach seine—Emerging commercial fishery—Eligibility—Lawful gear.
(1) The Puget Sound beach seine salmon fishery is designated as an emerging commercial fishery for which a vessel is required. An emerging commercial fishery license and an experimental fishery permit are required to participate in this fishery.

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(2) The department will issue five Quilcene Bay salmon beach seine experimental fishery permits (Quilcene permits).

(3) The following is the selection process the department will use to offer a Quilcene permit.

(a) Persons who held a Quilcene Bay salmon beach seine experimental fishery permit in ~~((1997))~~ 1998 will be eligible for a permit in ~~((1998))~~ 1999.

(b) The department established a pool of applicants by drawing on September 9, 1996. The pool established by this drawing will be maintained to replace any permit(s) which may be voided.

(4) Permit holders are required to participate in the Quilcene Bay salmon beach seine experimental fishery.

(a) For purposes of this section, "participation" means the holder of the Quilcene permit being aboard the designated vessel in the open fishery area ~~((four days each week during the open fishing period, except that during the Fraser sockeye and pink salmon species season in Areas 7 and 7A "participation" means the holder of the Quilcene permit being aboard the designated vessel in the open fishery area))~~ two days each week during the open fishing period.

(b) If the Quilcene permit holder fails to participate, the Quilcene permit issued to that fisher will be void and a new Quilcene permit will be issued through a random drawing from the applicant pool established in 1996.

(c) The department may require proof of participation by registering with state, federal or tribal officials each day the Quilcene permit holder participates.

(d) Persons who participate, but violate conditions of a Quilcene permit, will have the permit voided and a new Quilcene permit will be reissued through a random drawing from the pool of the voided permit holder.

(5) Chum salmon may not be retained by a Quilcene permit holder. Chum salmon must be released alive, or, at the direction of federal or state officials, submitted for brood-stock purposes.

~~((5))~~ (6) Any person who fails to purchase the license, fails to participate, or violates the conditions of a Quilcene permit will have his or her name permanently withdrawn from the pools.

~~((6))~~ (7) It is unlawful to take salmon with beach seine gear that does not meet the requirements of this subsection.

(a) Beach seine salmon nets in Puget Sound shall not exceed 600 feet in length or 100 meshes in depth, or contain meshes of a size less than 3 inches or greater than 4 inches.

(b) Mesh webbing must be constructed with a twine size no smaller than 210/30d nylon, 12 thread cotton, or the equivalent diameter in any other material.

AMENDATORY SECTION (Amending Order 98-122, filed 7/15/98, effective 8/15/98)

WAC 220-47-428 Beach seine—Open periods. During ~~((1997))~~ 1999, it is unlawful to take, fish for, or possess salmon taken with beach seine gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the periods provided hereinafter in each respective Management and Catch Reporting Area:

AREA	TIME	DATE(S)
12A:	7AM - 7PM Daily	((8/31—9/4 9/7—9/11 9/14—9/18 9/21—9/25 9/28—10/2 10/5—10/9)) 8/30, 8/31, 9/1, 9/2, 9/3, 9/6, 9/7, 9/8, 9/9, 9/10, 9/13, 9/14, 9/15, 9/16, 9/17, 9/20, 9/21, 9/22, 9/23, 9/24, 9/27, 9/28, 9/29, 9/30, 10/1, 10/4, 10/5, 10/6, 10/7, 10/8, 10/11, 10/12, 10/13, 10/14, 10/15

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-47-412 Drift gill net and skiff gill net—Mesh sizes.

NEW SECTION

WAC 220-47-430 Puget Sound commercial salmon—Log book required. It is unlawful for any licensed commercial salmon fisher fishing for salmon in Puget Sound SMCRA 7 and 7A during the Fraser sockeye and pink salmon season set out in WAC 220-47-304 to fail to possess and maintain a department-approved Puget Sound Commercial Salmon Log Book as provided for in this section:

(1) The log book must be kept aboard the vessel while it is fishing in SMCRA 7 and 7A, or while in possession of fish caught in these areas. The fisher must submit the completed log book for inspection immediately upon request by authorized department representatives.

(2) In each purse seine log book the fisher shall record the vessel name and license number. For each day fished, the fisher shall record the date. Immediately following each retrieval of the net the fisher shall record the Puget Sound Commercial Salmon Log Book Location Code, the time of the retrieval, and the number of chinook, coho and chum salmon in the net upon retrieval.

(3) In each gill net log book the fisher shall record the vessel name and license number. For each day fished, the fisher shall record the date. Immediately following each retrieval of the net the vessel operator shall record the Puget Sound Commercial Salmon Log Book Location Code where the net is retrieved, the start and end time of the set, and the number of chinook, coho and chum salmon in the net upon retrieval.

(4) The following are the Puget Sound Commercial Salmon Log Book Location Codes that are required entries in purse seine log books and gill net log books as provided for in this section:

(a) Location Code 1: Those waters of Puget Sound Commercial Salmon Management and Catch Reporting Area

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7A northerly of a line projected from Birch Point to Savage Point on Tumbo Island.

(b) Location Code 2: Those waters of Puget Sound Commercial Salmon Management and Catch Reporting Area 7A southerly of a line projected from Birch Point to Savage Point on Tumbo Island.

(c) Location Code 3: Those waters of Puget Sound Commercial Salmon Management and Catch Reporting Area 7 easterly of a line projected true north from Orcas Island through the easternmost point on Matia Island to the intersection with the 77A boundary line and easterly of a line projected from Point Colville on Lopez Island to Smith Island.

(d) Location Code 4: Those waters of Puget Sound Commercial Salmon Management and Catch Reporting Area 7 westerly and northerly of a line projected from Point Colville on Lopez Island to Smith Island and thence to the Y B "VD" buoy on Beaumont Shoal (as listed on NOAA Chart 18421 [38th ed., Oct. 31/92]) and southerly of a line projected from Cadboro Point on Vancouver Island 60 degrees true to the point of land on San Juan Island.

(e) Location Code 5: Those waters of Puget Sound Commercial Salmon Management and Catch Reporting Area 7 southerly of a line projected from Smith Island to the Y B "VD" buoy on Beaumont Shoal (as listed on NOAA Chart 18421 [38th ed., Oct. 31/92]).

(f) Location Code 6: Those waters of Puget Sound Commercial Salmon Management and Catch Reporting Area 7 northerly of a line projected from Cadboro Point on Vancouver Island 60 degrees true to the point of land on San Juan Island and westerly of a line projected true north from Orcas Island through the easternmost point on Matia Island to the intersection with the 77A boundary line.

(5) In each reef net log book the fisher shall record the fisher's name and license number and the location of the fishing site. For each day fished the fisher shall record the date and the total number of chinook, coho and chum salmon caught.

(6) All log books must be sent to the department no later than October 10 of each year.

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

WSR 99-24-013
PERMANENT RULES
DEPARTMENT OF LICENSING

[Filed November 22, 1999, 9:12 a.m.]

Date of Adoption: November 20, 1999.

Purpose: Meet criteria supporting Governor Locke's Executive Order 97-02.

Citation of Existing Rules Affected by this Order: Repealing WAC 308-94-170, 308-94-181, 308-94-191, 308-94-200, 308-94-210, 308-94-220, 308-94-240, 308-94-250, 308-94-261, 308-94-265, and 308-94-270.

Statutory Authority for Adoption: RCW 46.01.110.

Adopted under notice filed as WSR 99-19-144 on September 22, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 5, Amended 0, Repealed 11.

Number of Sections Adopted Using Negotiated Rule Making: New 5, Amended 0, Repealed 11; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 22, 1999

Fred Stephens
Director

Chapter 308-94A WAC

OFF-ROAD AND NONHIGHWAY VEHICLES

NEW SECTION

WAC 308-94A-005 Certificates of ownership and registration. (1) **May I apply for a certificate of ownership for my off-road/nonhighway vehicle?** Yes, you may apply for a certificate of ownership at your local vehicle licensing office or through the department.

(2) **Do I have to purchase registration at the time of applying for certificate of ownership?** No, if you choose not to purchase registration at the time of titling, your vehicle record will be established without a road or off-road/nonhighway vehicle registration.

(3) **What are the different ways I may register my off-road/nonhighway vehicle?** You may register your off-road/nonhighway vehicle in one of the following ways:

(a) You may purchase registration for off-road/nonhighway use if the manufacturer's statement of origin or certificate of ownership indicates the vehicle is not eligible for road use.

(b) If your vehicle qualifies for road use, you can purchase registration for use on the road as a motorcycle, passenger vehicle, truck, etc.; or

(c) If you are going to operate your vehicle where an off-road vehicle use permit or license is required, and your vehicle is licensed for road use, then you may purchase a temporary off-road vehicle permit for sixty days or annual off-road vehicle use permit (registration) and license without invalidating your regular road license. You are required to carry registrations on your person or on the vehicle and display license plate(s) with validating tabs assigned to those plates, and the decals with assigned validating tabs on the vehicle. The registrations may or may not expire at the same time.

(4) **Where do I carry the off-road/nonhighway temporary or annual vehicle use permit?** The off-road/non-

highway temporary or annual vehicle use permit must be carried on the vehicle on which it was assigned at all times. The permit may be carried by the operator on his or her person or in a moisture proof protective case attached to the vehicle. The use permit must be made available for inspection by any person having the authority to enforce the provisions of the Off-Road and Nonhighway Vehicle Act.

(5) **May I operate my off-road/nonhighway vehicle using a temporary or annual vehicle use permit on any dirt or gravel road, or trail in Washington?** It is recommended you check with local, state, or federal authorities in the areas you intend to operate to insure you are operating in accordance with their requirements.

NEW SECTION

WAC 308-94A-010 Annual off-road/nonhighway vehicle use permit period. (1) **How long is my annual off-road/nonhighway vehicle use permit valid?** The registration year of the off-road/nonhighway annual use permit starts the day it is issued for the first time and expires the same day of the following year and is renewable annually on that date.

(2) **Under what circumstances will the registration expiration date be changed?** The registration expiration date shall change when:

- (a) It has been expired for more than one year and there is no change in ownership;
- (b) The registration is expired at the time ownership is transferred and the new owner applies for an off-road/nonhighway annual use permit;
- (c) The registered owner requests a change of registration expiration month. This can only be done at the time of renewal and requires the registered owner to purchase more than twelve months of registration, limited to the vehicle field system constraints and tab availability; or
- (d) The vehicle has subsequently been registered in another jurisdiction and:
 - (i) No change in ownership has occurred;
 - (ii) The off-road/nonhighway vehicle is being registered again in Washington; or
 - (iii) The previous Washington registration has expired for more than one year.

(3) **Can I get a refund for my unused portion of my off-road/nonhighway annual use permit?** No, there is no refund for the unused portion.

NEW SECTION

WAC 308-94A-015 Off-road/nonhighway vehicle use permit not required—When. **When is an off-road/nonhighway vehicle use permit not required?** A vehicle used exclusively within the exceptions set forth in RCW 46.09.050 is not required to obtain an off-road/nonhighway vehicle use permit. Owners of off-road/nonhighway vehicles, which have been converted to, and registered as snowmobiles shall not be required to obtain off-road/nonhighway vehicle use permits.

NEW SECTION

WAC 308-94A-020 Display of off-road/nonhighway vehicle use permit decals and validation tabs. (1) **How do I display the assigned off-road/nonhighway vehicle use permit number and validation tabs on my vehicle?** The off-road/nonhighway use permit number and validation tabs shall be displayed by:

- (a) Affixing the decals provided by the department to the right and left side or on the front and rear of the off-road vehicle. The decals shall be visible at all times; or
 - (b) Painting the vehicle use permit number in a manner that is readily legible and visible at all times. The characters must be at least one-inch high with a minimum of one-eighth inch stroke and in a color contrasting with the background; and
 - (c) Reading from left to right; and
 - (d) Affixing the validation month tab issued by the department no more than two inches in front of the beginning of the annual use permit decal number; and
 - (e) Affixing the validation year tab no more than two inches following the last digit in the annual use permit decal number.
- (2) **If my off-road/nonhighway vehicle is registered for dual use, is the license plate required to be displayed?** Yes, the license plate must be displayed in the same manner as required for highway use.

NEW SECTION

WAC 308-94A-025 Temporary off-road/nonhighway vehicle use permit application. **What information does the department require when I apply for a temporary off-road/nonhighway vehicle use permit?** An application for a temporary off-road/nonhighway vehicle use permit may include the following:

- (1) Name and address of the applicant;
- (2) Off-road or nonhighway vehicle plate or registration number if registered in another state;
- (3) Make and year of vehicle;
- (4) Expiration date of the foreign state registration;
- (5) Vehicle identification number; and
- (6) Appropriate fees.

NEW SECTION

WAC 308-94A-030 Off-road vehicle dealer plate—Cost. **What is the cost of an off-road vehicle dealer's plate?** An off-road vehicle dealer shall pay three dollars and fifty cents, plus the reflectorization fee, for each dealer plate ordered from the department.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 308-94-170 Certificates of title.
- WAC 308-94-181 Vehicles titled that are not eligible for road use.

PERMANENT

- WAC 308-94-191 Vehicles issued regular title and off-road use permits.
- WAC 308-94-200 Off-road and nonhighway vehicle use permit period.
- WAC 308-94-210 Off-road and nonhighway vehicle use permit not required—When.
- WAC 308-94-220 Display of off-road and nonhighway vehicle use permit decal.
- WAC 308-94-240 Validating tab—Display.
- WAC 308-94-250 The off-road and nonhighway vehicle use permit must be carried on vehicle.
- WAC 308-94-261 Temporary off-road and nonhighway vehicle use permit.
- WAC 308-94-265 Off-road vehicle dealer permit.
- WAC 308-94-270 Off-road vehicle dealer plates—Cost.

Effective Date of Rule: Thirty-one days after filing.
 November 19, 1999
 D. Lee Hoemann
 Rules Coordinator

AMENDATORY SECTION (Amending WSR 95-16-093, filed 7/31/95, effective 9/1/95)

WAC 174-116-040 Parking permits—General information. ((+)) Parking permits are issued by the parking office following application and the payment of the appropriate fees. All privately-owned motor vehicles parked or left standing unattended on college property are required to display a currently valid Evergreen parking permit during the hours of 7:00 a.m. to 9:00 p.m., Monday through Friday throughout the calendar year. The college maintains the authority to sell and require the display of special event parking permits during times and days established by the college. Vehicles parked on campus pursuant to these regulations are required to display valid parking permits at all times and days of the week as established by these rules.

((2)) Fees for parking permits are as follows:

	Automobile	Motoreycle
Quarterly	25.00	12.50
Annual	75.00	37.00
Academic year	65.00	35.00
Daily	1.00	1.00
Special event parking	1.00	1.00))

By delegation of the board of trustees, fees for parking and the effective date thereof, shall be approved by the president of the college. Prior to approval by the president, the college shall, after notice, hold a hearing on the proposed schedule. The hearing shall be open to the public, and shall be presided over by a presiding officer designated by the president. The presiding officer shall prepare a memorandum for consideration by the president, summarizing the contents of the presentations made at the hearing. Approved fee schedules shall be available in the public area of the parking services office and in the Policy and Procedures Manual.

WSR 99-24-014

PERMANENT RULES

THE EVERGREEN STATE COLLEGE

[Filed November 22, 1999, 9:37 a.m.]

Date of Adoption: November 12, 1999.

Purpose: Deletion of parking permit fees from WAC; adoption of new language describing the process for setting parking fees at The Evergreen State College.

Citation of Existing Rules Affected by this Order: Amending WAC 174-116-040.

Statutory Authority for Adoption: RCW B40.120(12) [28B.40.120(12)].

Adopted under notice filed as WSR 99-20-081 on October 5, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

WSR 99-24-021

PERMANENT RULES

DEPARTMENT OF ECOLOGY

[Order 99-19—Filed November 22, 1999, 1:56 p.m., effective December 31, 1999]

Date of Adoption: November 22, 1999.

Purpose: This rule revision is to allow the current vehicle emission inspection fee of \$12 to increase up to \$15 after December 31, 1999, and incorporate additional exemptions from emission testing adopted by the legislature. A test fee increase is needed because 1) The 1998 legislature reduced the number of vehicles to be tested by about 20%, 2) test station contractor costs have increased, and 3) the requirement that the emission check program be self-supporting.

PERMANENT

Citation of Existing Rules Affected by this Order: Amending WAC 173-422-130 Inspection fees, 173-422-160 Fleet and diesel owner vehicle testing requirements, and 173-422-170 Exemptions.

Statutory Authority for Adoption: RCW 70.120.080, 70.120.170 (4)(a), 46.16.015 (2)(h).

Other Authority: RCW 70.120.120.

Adopted under notice filed as WSR 99-19-123 on September 21, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 3, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: December 31, 1999.

November 22, 1999

Tom Fitzsimmons

Director

AMENDATORY SECTION (Amending Order 93-10, filed 2/8/94, effective 3/1/94)

WAC 173-422-130 Inspection fees. At an inspection facility operated under contract to the state, the fee for the first emission inspection on each vehicle applicable to a vehicle license year shall be ~~((twelve))~~ fifteen or less dollars. If the vehicle fails, one reinspection will be provided free of charge at any inspection station operated under contract to the state, provided that the reinspection is applicable to the same vehicle license year. Any additional reinspection of a failed vehicle applicable to the same vehicle license year will require the payment of ~~((twelve))~~ fifteen or less dollars.

AMENDATORY SECTION (Amending Order 93-35, filed 2/28/95, effective 3/31/95)

WAC 173-422-160 Fleet and diesel owner vehicle testing requirements. The department may authorize emission inspections by fleet operators including government agencies and the owners of diesel motor vehicles with a gross vehicle weight rating in excess of 8500 pounds or by an automotive service or testing facility engaged by the vehicle owner for such activity. Authorizations to conduct emission tests and issue certificates of compliance under this section are limited to authorized fleet vehicles or diesel vehicles with a gross vehicle weight rating in excess of 8500 pounds.

(1) All persons engaged in testing of gasoline fleet or diesel vehicles must comply with all applicable provisions of this chapter except as approved by the department.

(2) All persons conducting tests for the purpose of issuing certificates for fleet or diesel vehicles shall be ecology authorized emission specialists.

(3) Legibly completed forms will constitute certificates of compliance for licensing purposes. Any person conducting testing under this section shall forward to the department within ten working days after the end of each month, a copy of each certificate of compliance issued during that month. Copies of each certificate of compliance shall be retained by the person issuing the certificate for at least two years from date of issuance. Alternative arrangements for providing and or storing this information using automated data storage devices may be approved or required by the department.

Forms must be purchased from the department in advance of issuance through payment of ~~((twelve))~~ fifteen or less dollars to the department for each certificate requested. Refunds or credit may be given for unused certificates returned to the department.

Payment for fleet forms is waived for state and local government fleets.

Test forms provided under this section are official documents. Persons receiving the forms from the department are accountable for each form provided.

Voided forms must be handled the same as certificates of compliance. One copy shall be sent to the department within ten days after the end of the month in which the form was voided and one copy shall be retained by the person accountable for the forms for at least two years after date of voiding. Refunds will not be made for voided forms.

(4) All persons authorized to conduct fleet or government vehicle inspections under this section shall be subject to performance audits and compliance inspections by the department, during normal business hours.

(5) Fleet vehicles may be inspected any time between their scheduled license renewals.

(6) Certificates of acceptance may not be issued under this section.

AMENDATORY SECTION (Amending Order 96-11, filed 11/15/96, effective 12/16/96)

WAC 173-422-170 Exemptions. The following motor vehicles are exempt from the inspection requirement:

(1) Vehicles proportionally registered pursuant to chapter 46.85 RCW.

~~((2))~~ ~~((Vehicles whose model year is 1967 or earlier.~~

~~((3))~~ ~~((New motor vehicles whose equitable or legal title has never been transferred to a person who in good faith purchases the vehicle for purposes other than resale; this does not exempt motor vehicles that are or have been leased.~~

~~((4))~~ ~~((3))~~ Motor vehicles that use propulsion units powered exclusively by electricity.

~~((5))~~ ~~((4))~~ Motor-driven cycles as defined in chapter 46.04 RCW as amended.

~~((6))~~ ~~((5))~~ Farm vehicles as defined in chapter 46.04 RCW as amended.

~~((7))~~ ~~((6))~~ Vehicles not required to be licensed.

~~((8))~~ ~~((7))~~ Mopeds as defined in chapter 46.04 RCW as amended.

~~((9))~~ (8) Vehicles garaged and operated out of the emission contributing area.

~~((10))~~ (9) Vehicles registered with the state but not for highway use.

~~((11))~~ (10) Used vehicles at the time of sale by a Washington licensed motor vehicle dealer.

~~((12))~~ (11) Motor vehicles fueled by propane, compressed natural gas, or liquid petroleum gas and so registered by the department of licensing.

~~((13))~~ (12) Motor vehicles whose manufacturer or engine manufacturer provides information that the vehicle cannot meet emission standards because of its design. In lieu of exempting these vehicles, alternative standards and or inspection procedures may be established.

~~((14))~~ (13) Motor vehicles whose registered ownership is being transferred between parents, siblings, grandparents, grandchildren, spouse or present co-owners and all transfers to the legal owner or a public agency.

~~((15))~~ (14) To ensure a biennial inspection of vehicles registered in the emission contributing areas, motor vehicles with model year matching (even to even, odd to odd) the expiration year of the license being purchased. This ~~((exemption))~~ exemption does not apply to vehicles being inspected because the registered owner is being changed. ~~((However, (a) an emission inspection used to change the registered owner may also be used to renew the current license; (b) an emission inspection used to obtain the current license may also be used to change the registered owner.))~~ However, (a) an emission inspection used to change the registered owner may also be used to renew the current license; (b) an emission inspection used to obtain the current license may also be used to change the registered owner.

~~((16) When the model year of the vehicle is the same as [or greater than] the year in which the vehicle's license expires.~~

(17) (15) When the difference between the model year of the vehicle and the expiration year of the license being purchased is four or less. ~~((This exemption applies only to vehicles registered in the Clark County United States Postal Service Zip Codes 98604, 98606, 98629, and 98642.))~~

(16) When the difference between the model year of the vehicle and the expiration year of the license being purchased is twenty-six or greater.

Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 2, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 22, 1999

Alan E. Rathbun

Assistant Director

Business and Professions Division

Chapter 196-30 WAC

FEEES FOR ON-SITE WASTEWATER TREATMENT DESIGNERS AND INSPECTORS

NEW SECTION

WAC 196-30-020 Onsite wastewater treatment designer and inspector fees. The business and professions division of the department of licensing shall assess the following fees:

Title of Fee	Amount (\$)
Practice permit application	100.00
Practice permit renewal	250.00
Designer license application	175.00
Designer license application (comity)	50.00
Designer license renewal	250.00
Designer license re-examination	100.00
Late Renewal Penalty	100.00
Certificate of competency (inspector)	
Application	175.00
Certificate of competency renewal	250.00
Certificate of competency re-examination	100.00
Late Renewal Penalty	100.00

NEW SECTION

WAC 196-30-030 License renewals. (1) Practice permits are valid for one year. They must be renewed each year by paying the required fee no later than the anniversary date of when the permit was originally issued. A valid practice permit will remain in force until the permit holder is issued a designer license, or July 1, 2003, whichever comes first. The permit holder must renew for a full year. No refunds will be made, or payments accepted, for a partial year.

WSR 99-24-022
PERMANENT RULES
DEPARTMENT OF LICENSING
 [Filed November 23, 1999, 10:06 a.m.]

Date of Adoption: November 22, 1999.

Purpose: To implement the fees required by 2SSB 5821, chapter 263, Laws of 1999, codified as chapter 18.210 RCW.

Statutory Authority for Adoption: RCW 43.24.086 and 18.210.050.

Adopted under notice filed as WSR 99-19-165 on September 22, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal

PERMANENT

(2) The initial designer license and certificate of competency will expire on the licensee's or certificate holder's next birth date. However, if the licensee's or certificate holder's next birth date is within three months of the initial date of issuing the license or certificate, the original license or certificate will expire on his or her second birthday following issuance of the original license or certificate. All subsequent renewals shall be for a one-year period due on the individuals birth date. No refunds will be made, or payments accepted for a partial year.

(3) It shall be the licensee's or certificate holder's responsibility to pay the prescribed renewal fee to the department of licensing on or before the date of expiration.

(4) Licensees and certificate holders who fail to pay the prescribed renewal fee within ninety days of the license expiration date will be subject to a late penalty fee of \$100.00. However, the license or certificate is invalid the date of expiration (if not renewed) even though an additional 90 days is granted to pay the renewal fee without penalty. After ninety days, the base renewal fee plus the penalty fee must be paid before the license or certificate can be renewed to a valid status.

(5) Any designer license or certificate of competency that remains expired for more than two years would be canceled. After cancellation, a new application must be made in accordance with chapter 18.210 RCW to obtain another license or certificate.

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 99-24-029

PERMANENT RULES

NOXIOUS WEED CONTROL BOARD

[Filed November 23, 1999, 11:43 a.m., effective January 3, 2000]

Date of Adoption: November 16, 1999.

Purpose: The state Noxious Weed Control Board has amended the state noxious weed list to add species determined to be noxious, to change areas designated for control of some noxious weeds, and to delete a noxious weed from the list. The board also added an attendance policy for state Noxious Weed Control Board members and made several minor changes throughout the WAC to improve clarity and readability.

Citation of Existing Rules Affected by this Order: Repealing WAC 16-750-175 and 16-750-190; and amending WAC 16-750-001, 16-750-003, 16-750-004, 16-750-005, 16-750-011, 16-750-015, 16-750-020, 16-750-025, 16-750-105, 16-750-115, 16-750-120, 16-750-130, 16-750-135, 16-750-140, 16-750-145, 16-750-150, 16-750-155, 16-750-165, and 16-750-185.

Statutory Authority for Adoption: Chapter 17.10 RCW.

Adopted under notice filed as WSR 99-20-137 on October 6, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; **Federal Rules or Standards:** New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 0, Repealed 1.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 16, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 11, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; **Pilot Rule Making:** New 0, Amended 0, Repealed 0; or **Other Alternative Rule Making:** New 0, Amended 0, Repealed 0.

Effective Date of Rule: January 3, 2000.

November 23, 1999

Lisa E. Lantz

Executive Secretary

AMENDATORY SECTION (Amending WSR 91-24-072, filed 12/2/91, effective 1/2/92)

WAC 16-750-001 State noxious weed list—Purpose. In accordance with RCW 17.10.080 a state noxious weed list (~~(comprising)~~ of the names of those plants which the state noxious weed control board finds to be highly destructive, competitive, or difficult to control by cultural or chemical practices is (~~(hereby)~~ adopted (~~(in this chapter)~~)).

AMENDATORY SECTION (Amending WSR 97-06-108, filed 3/5/97, effective 4/5/97)

WAC 16-750-003 Definitions. (1) The definitions (~~(set forth)~~) in this section shall apply throughout this chapter, unless the context (~~(otherwise)~~) plainly requires otherwise:

(a) "Action" means the transaction of the official business of the Washington state noxious weed control board including but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, and final actions.

(b) "Board" means the Washington state noxious weed control board, or a duly authorized representative.

(c) "Director" means the director of the department of agriculture, or the director's appointed representative.

(d) "Executive secretary" means the executive secretary of the Washington state noxious weed control board.

(e) "Department" means the department of agriculture of this state.

(f) (~~("Person" means any individual, partnership, corporation, firm, or any other entity.~~

(~~g~~)) "Final action" means a collective positive or negative decision, or an actual vote by a majority of board members when sitting as a body or entity, upon a motion, proposal, resolution, or order.

((~~h~~)) (~~g~~) "Meeting" means meetings at which action is taken.

((~~i~~)) (~~h~~) "Regular meetings" means recurring meetings held in accordance with a periodic schedule (~~(declared by)~~) in compliance with applicable statute or rule.

(2) The definitions (~~(set forth)~~) in this subsection (~~(shall)~~) apply throughout this chapter, chapter 17.10 RCW,

and any rules adopted thereunder unless the context (~~other~~wise)) plainly requires otherwise:

(a) "Control" means to prevent all seed production and to prevent the dispersal of the following propagules of aquatic noxious weeds - turions, fragments, tubers, and nutlets.

(b) "Contain" means to confine a noxious weed and its propagules to an identified area of infestation.

(c) "Eradicate" means to eliminate a noxious weed within an area of infestation.

(d) "Prevent the spread of noxious weeds" means to contain noxious weeds.

(e) Class A noxious weeds are those noxious weeds not native to the state that are of limited distribution or are unrecorded in the state and that pose a serious threat to the state.

(f) Class B noxious weeds are those noxious weeds not native to the state that are of limited distribution or are unrecorded in a region of the state and that pose a serious threat to that region.

(g) "Class B designate" means those Class B noxious weeds whose populations in a region or area are such that all seed production can be prevented within a calendar year.

(h) Class C are any other noxious weeds.

(3) Any county noxious weed control board may enhance the clarity of any definition contained in subsection (2) of this section, making that definition more specific, but shall not change its general meaning.

AMENDATORY SECTION (Amending WSR 91-24-072, filed 12/2/91, effective 1/2/92)

WAC 16-750-004 Noxious weed region descriptions.

The state of Washington is divided into ten regions for the purpose of designating Class B noxious weeds.

(1) Region 1 description. A region consisting of all lands lying within the boundaries of Clallam and Jefferson counties.

(2) Region 2 description. A region consisting of all lands lying within the boundaries of Whatcom, Skagit, Snohomish, San Juan, and Island counties.

(3) Region 3 description. A region consisting of:

(a) All lands lying within the boundaries of Okanogan County.

(b) All lands lying within the boundaries of Chelan and Douglas counties and north of Highway 2.

(4) Region 4 description. A region consisting of:

(a) All lands lying within the boundaries of Ferry, Stevens, and Pend Oreille counties.

(b) All lands lying within the boundaries of Spokane County and north of the Spokane River.

(5) Region 5 description. A region consisting of all lands lying within the boundaries of Grays Harbor, Mason, Kitsap, Thurston, Pierce, and King counties.

(6) Region 6 description. A region consisting of:

(a) All lands lying within the boundaries of Kittitas and Grant counties.

(b) All lands lying within the boundaries of Chelan and Douglas counties and south of Highway 2.

(c) All lands lying within the boundaries of Yakima County and north of Highway 12 from the Yakima — Lewis

County line to Yakima and north of Highway 82 from Yakima to the Yakima — Kittitas County line.

(d) All lands lying within the boundaries of Ranges 28E, 29E, and 30E of Adams County.

(7) Region 7 description. A region consisting of:

(a) All lands lying within the boundaries of Lincoln and Whitman counties.

(b) All lands lying within the boundaries of Spokane County and south of the Spokane River.

(c) All lands lying (~~with~~) within the boundaries of Ranges 31E, 32E, 33E, 34E, 35E, 36E, 37E, and 38E of Adams County.

(8) Region 8 description. A region consisting of all lands lying within the boundaries of Pacific, Lewis, Wahkiakum, Cowlitz, Skamania, and Clark counties.

(9) Region 9 description. A region consisting of:

(a) All lands lying within the boundaries of Benton and Klickitat counties.

(b) All lands lying within the boundaries of Yakima County and south of Highway 12 from the Yakima — Lewis County line to Yakima and south of Highway 82 from Yakima to the Yakima — Kittitas County line.

(c) All lands lying within the boundaries of Franklin County and west of Highway 395.

(10) Region 10 description. A region consisting of:

(a) All lands lying within the boundaries of Asotin, Garfield, Columbia, and Walla Walla counties.

(b) All lands lying within the boundaries of Franklin County and east of Highway 395.

AMENDATORY SECTION (Amending WSR 98-24-026, filed 11/23/98, effective 1/2/99)

WAC 16-750-005 State noxious weed list—Class A noxious weeds.

Common Name	Scientific Name
bean-caper, Syrian	<i>Zygophyllum fabago</i>
blueweed, Texas	<i>Helianthus ciliaris</i>
broom, Spanish	<i>Spartium junceum</i>
buffalobur	<i>Solanum rostratum</i>
clary, meadow	<i>Salvia pratensis</i>
cordgrass, salt meadow	<i>Spartina patens</i>
crupina, common	<i>Crupina vulgaris</i>
flax, spurge	<i>Thymelaea passerina</i>
four o'clock, wild	<i>Mirabilis nyctaginea</i>
<u>goatsrue</u>	<u><i>Galega officinalis</i></u>
hawkweed, yellow devil	<i>Hieracium floribundum</i>
hogweed, giant	<i>Heracleum mantegazzianum</i>
hydrilla	<i>Hydrilla verticillata</i>
johnsongrass	<i>Sorghum halepense</i>
knapweed, bighead	<i>Centaurea macrocephala</i>
knapweed, Vochin	<i>Centaurea nigrescens</i>
lawnweed	<i>Soliva sessilis</i>
<u>mustard, garlic</u>	<u><i>Alliaria petiolata</i></u>

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nightshade, silverleaf (peganum)	<i>Solanum elaeagnifolium</i>
sage, clary	<i>Peganum harmala</i>
sage, Mediterranean	<i>Salvia sclarea</i>
saltcedar	<i>Salvia aethiopis</i>
spurge, eggleaf	<i>Tamarix ramosissima</i>
starthistle, purple	<i>Euphorbia oblongata</i>
thistle, Italian	<i>Centaurea calcitrapa</i>
thistle, milk	<i>Carduus pycnocephalus</i>
thistle, slenderflower	<i>Silybum marianum</i>
velvetleaf	<i>Carduus tenuiflorus</i>
woad, dyers	<i>Abutilon theophrasti</i>
	<i>Isatis tinctoria</i>

AMENDATORY SECTION (Amending WSR 98-24-026, filed 11/23/98, effective 1/2/99)

WAC 16-750-011 State noxious weed list—Class B noxious weeds.

Name	Will be a "Class B designate" in all lands lying within:
(1) blackgrass <i>Alopecurus myosuroides</i>	(a) regions 1, 2, 3, 5, 6, 8, 9, 10
	(b) Ferry, Stevens, Pend Oreille counties of region 4
	(c) Adams County of region 7.
(2) blueweed <i>Echium vulgare</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9, 10
	(b) region 7 except for an area starting at the Stevens County line on SR 291 south to the SR 291 bridge over the Little Spokane River, thence upstream along the Little Spokane River to the first Rutter Parkway Bridge; thence south along the Rutter Parkway to the intersection of Rutter Parkway and Indian Trail Road; thence southerly along Indian Trail Road to a point three miles south (on section line between sections 22 and 27, T-26N, R-42E); thence due west to a point intersecting the line between Ranges 41 and 42; thence north along this line to a point 1/4 mile south of Charles Road; thence northwesterly parallel to Charles Road to a point 1/4 miles south of the intersection of Charles Road and West Shore Road; thence northerly along West Shore Road to the Spokane River (Long Lake); thence southeasterly along the Spokane River to the point of beginning.

Name	Will be a "Class B designate" in all lands lying within:
(3) broom, Scotch <i>Cytisus scoparius</i>	(a) regions 3, 4, 6, 7, 9, 10.
(4) bryony, white <i>Bryonia alba</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9
	(b) region 7 except Whitman County
	(c) Franklin County of region 10.
(5) bugloss, common <i>Anchusa officinalis</i>	(a) regions 1, 2, 3, 5, 6, 8, 9, 10
	(b) region 4 except Stevens and Spokane counties
	(c) Lincoln, Adams, and Whitman counties of region 7.
(6) bugloss, annual <i>Anchusa arvensis</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9
	(b) Lincoln and Adams counties
	(c) Whitman County except ranges 43 through 46 East of Townships 16 through 20 North.
(7) camelthorn <i>Alhagi maurorum</i>	(a) regions 1, 2, 3, 4, 5, 7, 8, 9
	(b) region 6 except those portions of Sections 23, 24, 25, and 29 through 36, T16N, R27E, W.M. lying outside Intercounty Weed District No. 52 and except Sections 1 through 12, T15N, R27E, W.M. in Grant County and except the area west of Highway 17 and north of Highway 26 in Adams County
	(c) Franklin, Columbia, Garfield, and Asotin counties of region 10
	(d) an area beginning at the Washington — Oregon border at the southwest portion of section 5, R32E, T6N, then north to the northwest corner of section 3, R32E, T7N, then east to the northeast corner of section 3, R36E, T7N, then south to southeast portion of section 15, R36E, T6N, at the Washington — Oregon border, then west along the Washington — Oregon border to the point of beginning.
(8) carrot, wild <i>Daucus carota</i>	(a) regions 3, 7, 10 (except where intentionally cultivated)
	(b) Spokane and Ferry counties of region 4 (except where intentionally cultivated)

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Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
	(c) region 6, except Yakima County (except where intentionally cultivated)		(c) region 6 except those areas lying within Yakima and Kittitas counties west of Range 13 E.
	(d) region 9, except Yakima County (except where intentionally cultivated).	(15) elodea, Brazilian <i>Egeria densa</i>	(a) regions 3, 4, 6, 7, 9, 10
(9) catsear, common <i>Hypochaeris radicata</i>	(a) regions 3, 4, 6, 7, 10		(b) Lewis County of region 8
	(b) region 9 except Klickitat County.	(16) fanwort <i>Cabomba caroliniana</i>	(c) <u>Clallam County of region 1.</u>
(10) chervil, wild <i>Anthriscus sylvestris</i>	(a) regions 1, ((2,)) 3, 4, 6, 7, ((8,)) 9, 10		(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10
	(b) region 5 except those portions of Thurston County within T 15, 16, 17N, R2, 3, 4W	(17) fieldcress, Austrian <i>Rorippa austriaca</i>	(b) region 8 except T8N, R3W of Cowlitz County.
	(c) <u>region 2 except Guemes Island in Skagit County</u>		(a) regions 1, 2, 3, 4, 5, 6, 8, 9
	(d) <u>region 8 except Clark County.</u>		(b) regions 7 and 10 except within the Palouse River Canyon from Big Palouse Falls to the Snake River.
(11) cinquefoil, sulfur <i>Potentilla recta</i>	(a) regions 1, 3, 8, 10	(18) gorse <i>Ulex europaeus</i>	(a) regions 3, 4, 6, 7, 9, 10
	(b) region 2 except Skagit County		(b) Skagit and Whatcom counties of region 2
	(c) region 4 except Stevens, Ferry, and Pend Oreille counties		(c) Thurston, Pierce, and King counties of region 5
	(d) region 5 except Thurston County	(19) hawkweed, mouseear <i>Hieracium pilosella</i>	(d) Wahkiakum, Cowlitz, and Lewis counties of region 8
	(e) region 6 except Yakima County		(e) <u>Clallam County of region 1.</u>
	(f) region 7 except Spokane County		(a) regions 1, 2, 3, 4, 6, 7, 8, 9, 10
	(g) region 8 except Lewis County		(b) region 5 except Thurston County
	(h) region 9 except Klickitat County.	(20) hawkweed, orange <i>Hieracium aurantiacum</i>	(c) Thurston County lying within T17N, R1W, S31; T16N, R2W, S30 W1/2; T16N, R3W, S25, SE1/4; T16N, R3W, S36, N1/2; T16N, R2W, S31, NW1/4.
(12) cordgrass, smooth <i>Spartina alterniflora</i>	(a) regions 1, 3, 4, 5, 6, 7, 9, 10		(a) regions 3, 6, 9, 10
	(b) region 2 except Padilla Bay of Skagit County		(b) Clallam County of region 1
	(c) region 8 except bays and estuaries of Pacific County.		(c) Skagit County of region 2
(13) cordgrass, common <i>Spartina anglica</i>	(a) regions 1, 3, 4, 5, 6, 7, 8, 9, 10		(d) Ferry County of region 4
	(b) region 2 except bays and estuaries of Skagit and Island counties and except bays and estuaries north of Everett in Snohomish County.		(e) Thurston and King counties of region 5
	(a) regions 7, 10	(21) hawkweed, polar <i>Hieracium atratum</i>	(f) Lincoln and Adams counties of region 7
(14) daisy, oxeye <i>Leucanthemum vulgare</i>	(a) regions 7, 10		(g) <u>Lewis County of region 8.</u>
	(b) region 9 except those areas lying within Klickitat and Yakima counties west of Range 13 East	(22) hawkweed, smooth <i>Hieracium laevigatum</i>	(a) regions 1, 2, 3, 4, 6, 7, 8, 9, 10
			(b) region 5 outside the boundaries of Mt. Rainier National Park.
			(a) regions 1, ((2,)) 3, 4, 5, 6, 7, 8, 9, 10
			(b) San Juan ((and)), Island, and Skagit counties of region 2.

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Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
(23) hawkweed, yellow <i>Hieracium caespitosum</i>	(a) regions 1, 2, 3, 5, 6, 7, 8, 10 (b) region 4 except north of T32N in Pend Oreille County and east Highway 395 and north of Highway 20 in Stevens County (c) region 9 except sections 32, 33 and 34 of T6N, R12E, and sections 4, 5, 6, and 7 of T5N, R12E, and section 12 of T5N, R11E, of Klickitat County.		(b) Grant County lying in Townships 13 through 16 North, Ranges 25 through 27 East; Townships 17 and 18 N., Ranges 25 through 30 East; Townships 19 and 20 North, Ranges 29 and 30 East; T21N, R23E, Sections 1 through 30; T21N, R26E., Sections 5, 6, 7, 8, 17, and 18; East 1/2 Township 21N, Range 27E.; T21N, Ranges 28 through 30 E; those portions of Townships 22 through 28N, Ranges 28 through 30 E.; those portions of Township 22 through 28N., Ranges 23 through 30E. lying in Grant County; all W.M.
(24) hedgeparsley <i>Torilis arvensis</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 8, 10 (b) Yakima, Benton, Franklin counties (c) Klickitat County except those lands lying within T4N, R10E, R11E, R12E, R13E, R14E; T3N, R10E, R11E, R12E, R13E; T2N, R12E, R13E.		(c) Adams County except those areas within T15N, R36E, Section 36; T15N, R37E, Sections 22, 26, 27, 28, 31, 32, 33 and 34; T15N, R37E, western half of Sections 23, 24 and 25; T15N, R38E, Sections 2, 10, 11, 14, 15, 19 and 20; T16N, R38E, Sections 34 and 35; T17N, R37E, Sections 5 and 6
(25) helmet, policeman's <i>Impatiens glandulifera</i>	(a) regions 1, 3, 4, 6, 7, 8, 9, 10 (b) region 2 except Whatcom County (c) region 5 except Pierce ((County)) and Thurston counties.		(d) Franklin County of regions 9 and 10.
(26) herb-Robert <i>Geranium robertianum</i>	(a) regions 3, 4, 6, 7, 9, 10	((31))	(a) regions 1, 2, 3, 4, 5, 7, 9, 10
(27) houndstongue <i>Cynoglossum officinale</i>	(a) <u>Kittitas County of region 6.</u>	(32) knapweed, meadow <i>Centaurea jacea x nigra</i>	
(28) indigobush <i>Amorpha fruticosa</i>	(a) regions 1, 2, 3, 4, 5, 6 (b) regions 7 and 10 except within 200 feet of the Snake River from Central Ferry downstream (c) regions 8, 9, and 10 except within 200 feet of the Columbia River.	((32))	(b) region 6 except Kittitas County (c) region 8 except Clark County.
((28))	(a) regions 1, 2, 3, 4, 5, 7, 9, 10	(33) knapweed, Russian <i>Acroptilon repens</i>	(a) regions 1, 2, 5, 7, 8
(29) knapweed, black <i>Centaurea nigra</i>	(b) region 6 except Kittitas County (c) region 8 except Clark County.		(b) region 4 except that area lying within the boundaries of the Colville Indian Reservation within Ferry County (c) Adams County of region 6 except for the area west of Highway 17 and North of Highway 26
((29))	(a) regions 1, 2, 3, 4, 5, 7, 9, 10		(d) Intercounty Weed District No. 52 (e) region 10 except Franklin County.
(30) knapweed, brown <i>Centaurea jacea</i>	(b) region 6 except Kittitas County (c) region 8 except Clark County.	((33))	(a) regions 1, 2, 3, 5, 6, 8, 9
((30))	(a) regions 1, 2, 5, 8	(34) knapweed, spotted <i>Centaurea biebersteinii</i>	(b) Ferry County of region 4 (c) Adams and Whitman counties of region 7
(31) knapweed, diffuse <i>Centaurea diffusa</i>			

Name	Will be a "Class B designate" in all lands lying within:
	(d) region 10 except Garfield County.
(35) knotweed, giant <i>Polygonum sachalinense</i>	(a) <u>Kittitas County of region 6.</u>
(36) knotweed, Japanese <i>Polygonum cuspidatum</i>	(a) <u>Kittitas County of region 6.</u>
((34))	(a) Skagit and Whatcom counties of region 2
(37) kochia <i>kochia scoparia</i>	(b) Pend Oreille County of region 4
	(c) King County of region 5
	(d) Kittitas County of region 6.
((35))	(a) regions 1, 2, 3, 4, 5, 6, 8, 9, 10
(38) lepyrodielis <i>Lepyrodielis holosteoides</i>	(b) region 7 except an area within Whitman County east of the Pullman — Wawawai Road from Wawawai to Pullman and south of State Highway 270 from Pullman to Moscow, Idaho.
((36))	(a) regions 1, 2, 3, 4, 6, 7, 8, 9, 10
(39) loosestrife, garden <i>Lysimachia vulgaris</i>	(b) region 5 except King County
	(c) Those portions of King County lying north of I-90 and east of the line extending from SR522 to SR202 to E. Lake Sammamish Parkway; west of I-5 including Vashon Island; south of I-90 and east and south of I-405 to the county line.
((37))	(a) regions 1, 4, 7, 8
(40) loosestrife, purple <i>Lythrum salicaria</i>	(b) region 2 except Snohomish County
	(c) region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside
	(d) Grays Harbor, Mason, Kitsap, and Thurston counties of region 5

Name	Will be a "Class B designate" in all lands lying within:
	(e) Those portions of King County lying north of I-90 and east of the line extending from SR522 to SR202 to E. Lake Sammamish Parkway; west of I-5 including Vashon Island; south of I-90 and east and south of I-405 to the county line
	(f) Pierce County, except those areas lying within T2D, 21, 22N, R1W and R1E, all sections
	(g) region 6 except that portion of Grant County lying northerly of the Frenchmen Hills-O'Sullivan Dam Road, southerly of Highway Interstate 90, easterly of the section line of the location of County Road J SW/NW if constructed and westerly of the section line of the location of County Road H SE/NE if constructed
	(h) region 9 except Benton County
	(i) region 10 except Walla Walla County
	(j) Intercounty Weed Districts No. 51 and No. 52.
	(a) regions 1, 4, 7, 8
((38))	
(41) loosestrife, wand <i>Lythrum virgatum</i>	(b) region 2 except Snohomish County
	(c) region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside
	(d) region 5 except King County
	(e) Those portions of King County lying north of I-90 and east of the line extending from SR522 to SR202 to E. Lake Sammamish Parkway; west of I-5 including Vashon Island; south of I-90 and east and south of I-405 to the county line

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Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
	(f) region 6 except that portion of Grant County lying northerly of the Frenchmen Hills-O'Sullivan Dam Road, southerly of Highway Interstate 90, easterly of the section line of the location of County Road J SW/NW if constructed and westerly of the section line of the location of County Road H SE/NE if constructed		city of Mabton) to the intersection of Highway 22 and the Reservation Boundary (Division Road) and continuing north to the Yakima River. Then it will follow the river northwest to the Wapato-Donald Road continuing north along said road to Highway 12 then Highway 12 to Parker Heights Road.
	(g) region 9 except Benton County		(ii) an area lying southerly of State Route 14 and within T2N, Ranges 13 and 14 E of Klickitat County
	(h) region 10 except Walla Walla County		(d) region 10 except Walla Walla County.
	(i) Intercounty Weed Districts No. 51 and No. 52.		(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10
	(a) regions 1, 2, 3, 4, 5, 7, 8		(b) region 8 except Skamania County.
	(b) region 6 except those areas lying between State Highway 26 and State Highway 28, and westerly of Dodson Road in Grant County, and except S 1/2, Sec. 2, T20N, R25E., W.M.	((40)) (43) oxtongue, hawkweed <i>Picris hieracioides</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10
	(c) region 9 except:	((41)) (44) parrotfeather <i>Myriophyllum aquaticum</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10
	(i) except those areas lying within the following boundary description within Yakima County: Beginning at the intersection of Highway 12 and Parker Heights Road and continuing easterly to Konnowac Pass Road follow said road north to the intersection of Konnowac Pass Road and Nightingale Road. The northern boundary shall be the Roza Canal, continuing from the established point at Nightingale Road. The boundaries will follow the Roza Canal easterly to the County Line Road. The east boundaries will be the Yakima/Benton County Line from a point beginning at the County Line and Highway 22 (near Byron) continuing westerly along Highway 22 (to near the	((42)) (45) pepperweed, perennial <i>Lepidium latifolium</i>	(b) region 8 except Clark, Cowlitz, and Wahkiakum counties.
		(46) primrose, water <i>Ludwigia hexapetala</i>	(a) regions 1, 2, 3, 4, 5, 7, 8, 10
		((43)) (47) puncturevine <i>Tribulus terrestris</i>	(b) Intercounty Weed Districts No. 51 and 52
		((44)) (48) ragwort, tansy <i>Senecio jacobaea</i>	(c) Kittitas County of region 6
			(d) Adams County of region 6 except for the area west of Highway 17 and north of Highway 26.
			(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10
			(b) region 8 except T8N, R3W, S14 of Cowlitz County.
			(a) Skagit County of region 2
			(b) Kittitas County of region 6
			(c) Adams County
			(d) Clallam County of region 1.
			(a) regions 3, 4, 6, 7, 9, 10

((39))
(42) nutsedge, yellow
Cyperus esculentus

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Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
	<p>(b) region 5, that portion of Pierce County lying south or east of a boundary beginning at the White River and State Highway 410, then west along State Highway 410 to intersection with State Highway 162 (Orting) to intersection with Orville Road, then south along Orville Road to intersection with Kapowsin Highway (304th Street East), then west following Kapowsin Highway to intersection with State Route 7, then south along State Route 7 to intersection with State Route 702, then west along State Route 702 to intersection with State Route 507, then southwest along State Route 507 to intersection with the Nisqually River.</p>		<p>(d) region 6 except that portion lying within Grant County that is southerly of State Highway 28, northerly of Interstate Highway 90 and easterly of Grant County Road E Northwest</p> <p>(e) Stevens County north of Township 33 North of region 4</p> <p>(f) Ferry and Pend Oreille counties of region 4</p> <p>(g) Asotin County of region 10</p> <p>(h) Garfield and Columbia counties south of Highway 12</p> <p>(i) Whitman County lying in Ranges 43 through 46 East of Townships 15 through 20 North; T14N, Ranges 44 through 46 East; and T13N, Ranges 45 and 46 East.</p>
<p>((45)) (49) rocket, garden <i>Eruca Vesicaria ssp. sativa</i></p> <p>((46)) (50) sandbur, longspine <i>Cenchrus longispinus</i></p>	<p>(a) regions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 (except where intentionally cultivated).</p> <p>(a) regions 1, 2, 3, 4, 5, 7, 8</p> <p>(b) Adams County of region 6 except for that area lying within Intercounty Weed District No. 52</p> <p>(c) Intercounty Weed District No. 51</p> <p>(d) <u>Kittitas County of region 6.</u></p>	<p>((48)) (52) Snapdragon, dwarf <i>Chaenorrhinum minus</i></p> <p>((49)) (53) sowthistle, perennial <i>Sonchus arvensis ssp. arvensis</i></p>	<p>(a) regions 1, 2, 3, 5, 6, 8, 9, 10</p> <p>(b) region 4 except Spokane County</p> <p>(c) region 7 except Spokane County.</p> <p>(a) regions 1, 2, 3, 4, 7, 8, 9, 10</p> <p>(b) Adams County of region 6</p> <p>(c) region 5 except for sections 28, 29, 30, 31, 32, and 33 in T19N, R1E of Thurston and Pierce counties.</p>
<p>((47)) (51) skeletonweed, rush <i>Chondrilla juncea</i></p>	<p>(a) regions 1, 2, 3, 5, 8, 9</p> <p>(b) Franklin County except T13N, R36E; and T14N, R36E</p> <p>(c) Adams County except those areas lying east of a line running north from Franklin County along the western boundary of Range 36 East to State Highway 26 then north on Sage Road until it intersects Lee Road, then due north until intersection with Providence Road, then east to State Highway 261, then north along State Highway 261 to its intersection with Interstate 90, henceforth on a due north line to intersection with Bauman Road, then north along Bauman Road to its terminus, then due north to the Lincoln County line.</p>	<p>((50)) (54) spurge, leafy <i>Euphorbia esula</i></p> <p>((51)) (55) starthistle, yellow <i>Centaurea solstitialis</i></p>	<p>(a) regions 1, 2, 3, 4, 5, 6, 8, 9, 10</p> <p>(b) region 7 except as follows:</p> <p>(i) T27N, R37E, Sections 34, 35, 36; T27N, R38E, Sections 31, 32, 33; T26N, R37E, Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 26; T26N, R38E, Sections 5, 6, 7, 8 of Lincoln County</p> <p>(ii) T24N, R43E, Section 12, Qtr. Section 3, Parcel No. 9068 of Spokane County.</p> <p>(a) regions 1, 2, 3, 5, 6, 8</p>

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Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
	(b) region 4 except those areas within Stevens County bounded by a line beginning at the intersection of State Highway 20 and State Highway 25, then north to intersection with Pinkston Creek Road, then east along Pinkston Creek Road to intersection with Highland Loop Road, then south along Highland Loop Road to intersection with State Highway 20, then west along State Highway 20 to intersection with State Highway 25		(c) an area beginning at the Washington — Oregon border at the southwest portion of Section 15, R32E, T6N, then north to the northwest corner of Section 3, R32E, T7N, then east to the northeast corner of Section 3, R36E, T7N, then south to the southeast portion of Section 15, R36E, T6N, at the Washington — Oregon border, then west along the Washington — Oregon border to the point of beginning
	(c) region 7 except those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border	((53)) (57) thistle, musk <i>Carduus nutans</i>	(d) Weed District No. 3 of Grant County (e) Adams County of region 6. (a) regions 1, 2, 3, 5, 6, 7, 8, 9, 10
	(d) Franklin County	((54)) (58) thistle, plumeless <i>Carduus acanthoides</i>	(b) Spokane and Pend Oreille counties. (a) regions 1, 2, 3, 5, 6, 7, 8, 9, 10
	(e) region 9 except Klickitat County	((55)) (59) thistle, Scotch <i>Onopordum acanthium</i>	(b) region 4 except those areas within Stevens County lying north of State Highway 20. (a) regions 1, 2, 3, 4, 5, 6, 8, 9
	(f) in all lands lying within Asotin County, Region 10, except as follows: T11N, R44E, Sections 25, 26, 27, 28, 29, 31, 32, 33, 34, and 35; T11N, R45E, Sections 21, 22, 23, and 25; T11N, R36E, Sections 19, 20, 21, 28, 29, 30, 31, 32, and 33; T10N, R44E, Sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 15, and 16; T10N, R45E, Sections 23 and 24; T10N, R46E, Sections 7, 8, 17, 18, 19, 20, 21, 22, 27, 34, and 35; T9N, R46E, Sections 1, 2, 12, 13, 14, 23, 24, 25, 26, 35, and 36; T9N, R47E, Sections 18, 19, 30, and 31; T8N, R46E, Sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 23, and 24; T8N, R47E, Sections 8, 17, 18, 19, 20, 29, 30, 31, and 32.	((56)) (60) toadflax, Dalmatian <i>Linaria dalmatica ssp. dalmatica</i>	(b) region 7 except for those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border (c) Franklin County. (a) regions 1, 2, 5, 8, 10
((52)) (56) Swainsonpea <i>Sphaerophysa salsula</i>	(a) regions 1, 2, 3, 4, 5, 7, 8		(b) Douglas County of region 3 lying south of T25N, west of R25E, and east of R28E (c) Okanogan County lying within T 33, 34, 35N, R19, 20, 21, 22E, except the southwest, southeast, and northeast quarters of the northeast quarter of section 27, T35N, R21E; and the northeast quarter of the southeast quarter of section 27, T35N, R21E
	(b) Columbia, Garfield, Asotin, and Franklin counties		

Name	Will be a "Class B designate" in all lands lying within:
	(d) Kittitas, Chelan, Douglas, and Adams counties of region 6
	(e) Intercounty Weed District No. 51
	(f) Weed District No. 3 of Grant County
	(g) Lincoln and Adams counties
	(h) The western two miles of Spokane County of region 7
	(i) region 9 except as follows: <ul style="list-style-type: none"> (i) those areas lying within Yakima County (ii) those areas lying west of the Klickitat River and within Klickitat County.
(((\$7)) (61) watermilfoil, Eurasian <i>Myriophyllum spicatum</i>	(a) regions 1, 9, 10
	(b) region 7 except Spokane County
	(c) region 8 except within 200 feet of the Columbia River
	(d) Adams County of region 6
	(e) in all water bodies of public access, except the Pend Oreille River, in Pend Oreille County of region 4.

Common Name	Scientific Name
thistle, bull	Cirsium vulgare
thistle, Canada	Cirsium arvense
toadflax, yellow	Linaria vulgaris
((thistle, Canada	Cirsium arvense))
whitetop, hairy	Cardaria pubescens
wormwood, absinth	Artemisia absinthium

AMENDATORY SECTION (Amending WSR 97-06-108, filed 3/5/97, effective 4/5/97)

WAC 16-750-020 Noxious weeds—Civil infractions—Schedule of monetary penalties. Civil infractions under chapter 17.10 RCW shall be assessed a monetary penalty according to the following schedule:

(1) Any owner knowing of the existence of any noxious weeds on the owner's land who fails to control ~~((such)) the noxious weeds ((in accordance with chapter 17.10 RCW and the rules and regulations in force pursuant thereto shall))~~ will be assessed the following monetary penalties. The penalties ~~((shall be))~~ are assessed per parcel, per noxious weed species, per day after expiration of the notice to control filed pursuant to RCW 17.10.170:

(a) Any Class A noxious weed:

1st offense within five years	\$ 750
2nd and any subsequent offense	1,000

(b) Any Class B designate noxious weed in the noxious weed control region in which the land lies:

1st offense within five years	\$ 500
2nd offense	750
3rd and any subsequent offense	1,000

(c) Any Class B nondesignate noxious weed in the noxious weed control region in which the land lies; or any Class C noxious weed:

1st offense within five years	\$ 250
2nd offense	500
3rd offense	750
4th and any subsequent offense	1,000

(2) Any person who enters upon any land in violation of an order in force pursuant to RCW 17.10.210 ~~((shall))~~ will be assessed as follows:

1st offense within five years	\$ 500
2nd offense	750
3rd and any subsequent offense	1,000

(3) Any person who interferes with the carrying out of the provisions of chapter 17.10 RCW shall be assessed as follows:

1st offense within five years	\$ 500
2nd offense	750
3rd and any subsequent offense	1,000

AMENDATORY SECTION (Amending WSR 98-24-026, filed 11/23/98, effective 1/2/99)

WAC 16-750-015 State noxious weed list—Class C noxious weeds.

Common Name	Scientific Name
babysbreath	Gypsophila paniculata
beard, old man's	Clematis vitalba
bindweed, field	Convolvulus arvensis
canarygrass, reed	Phalaris arundinacea
cockle, white	Silene latifolia ssp. alba
cocklebur, spiny	Xanthium spinosum
cress, hoary	Cardaria draba
dodder, smoothseed alfalfa	Cuscuta approximata
goatgrass, jointed	Aegilops cylindrica
henbane, black	Hyoscyamus niger
houndstongue	Cynoglossum officinale
knotweed, giant	Polygonum sachalinense
knotweed, Japanese	Polygonum cuspidatum
mayweed, scentless	Matricaria perforata
poison-hemlock	Conium maculatum
rye, cereal	Secale cereale
spikeweed	Hemizonia pungens
St. Johnswort, common	Hypericum perforatum
tansy, common	Tanacetum vulgare

PERMANENT

AMENDATORY SECTION (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

WAC 16-750-025 Plant monitor list—Purpose. The purpose of the monitor list is to gather more information on suspect weeds as well as monitor for occurrence or spread. Information collected may be used to justify future inclusion on the state noxious weed list. There is no ~~((legal or))~~ regulatory aspect to this list. Reasons for plant inclusion on the monitor list include:

(1) ~~((A))~~ There is reason to believe the species is invasive or poses a potential threat to Washington.

(2) Additional information is needed on distribution, abundance, or biology.

(3) The species was once present in Washington and on the state noxious weed list. It is now being monitored for reoccurrence.

(4) ~~((A))~~ There is need to verify existence (site investigation), verify identification, and/or obtain voucher specimen.

(5) It exists in an adjacent state or province or occurs on an adjacent state or province's noxious weed list and is not known ~~((from))~~ to occur in Washington.

Native species of Washington will not be included on the monitor list. Each weed included on the monitor list will be included by vote of the noxious weed committee ~~((and will require a sponsor for monitoring))~~. A sponsor is required in order to place a weed on the monitor list. The current monitor list is kept in the state noxious weed board office.

AMENDATORY SECTION (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

WAC 16-750-105 State noxious weed control board—Powers—Duties—Responsibilities. The powers and duties of the board include:

(1) Adopting rules defining the words "control," "contain," "eradicate," and the term "prevent the spread of noxious weeds";

(2) Conducting elections to the board, and adopting rules as set forth in this chapter establishing a position number for each elected position to the board and ~~((designate))~~ designating in which county noxious weed control board members are eligible to vote for each elected position;

(3) Electing officers, conducting meetings, holding hearings, appointing committees, entering upon any property to administer chapter 17.10 RCW, and adopting the necessary rules to carry out its powers and duties identified herein;

(4) When petitioned, holding a hearing in a county to determine the need for activation of the county noxious weed control board and, if such a need is found to exist, ordering the county legislative authority to activate and appoint members to such board;

(5) Each year or more often, adopting a state noxious weed list, classifying the weeds on the list, and entering written findings for the inclusion of each weed on the list;

(6) Sending a copy of the state noxious weed list to each activated county noxious weed control board, regional noxious weed control board, weed district, and each county legislative authority of each county with an inactivated noxious weed control board;

(7) When petitioned and following a hearing, ordering any county noxious weed board to include a noxious weed from the state list on the county board or district's weed list;

(8) Adopting a schedule of monetary penalties for each violation of chapter 17.10 RCW classified as a civil infraction and submitting the schedule to the appropriate courts;

(9) Employing an executive secretary whose qualifications, duties, and responsibilities are set forth in this chapter and RCW ~~((17.10.060))~~ 17.10.070;

(10) Preparing and distributing a biennial written report showing the ~~((funds disbursed by the department to each noxious weed control board or weed district))~~ expenditure of state funds on noxious weed control; specifying how the funds were spent~~((;))~~; the status of state, county, and district programs; recommending the continued best use of state funds~~((;))~~; and recommending the long-term needs regarding weed control;

(11) Advising the director as provided for in chapter 17.10 RCW.

AMENDATORY SECTION (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

WAC 16-750-115 State noxious weed control board—Membership. The board ~~((shall be))~~ is comprised of nine voting members and three nonvoting members selected as follows:

(1) Four of the members ~~((shall be))~~ are elected by the members of activated county noxious weed control boards eligible to vote for the elected position established by the state noxious weed board. Two ~~((such))~~ members ~~((shall be))~~ are elected from the west side of the state, the crest of the Cascades being the dividing line, and two from the east side of the state.

(2) The director ~~((shall be))~~ is a voting member.

(3) One member ~~((shall be))~~ is elected by the directors of activated weed districts formed under chapter 17.04 or 17.06 RCW.

(4) The Washington state association of counties ~~((shall))~~ appoints one voting member who ~~((shall))~~ must be a member of a county legislative authority.

(5) The director ~~((shall))~~ appoints two voting members to represent the public interest, one from the west side and one from the east side of the state.

(6) The director ~~((shall))~~ appoints three nonvoting members representing scientific disciplines relating to weed control.

AMENDATORY SECTION (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

WAC 16-750-120 State noxious weed control board—Nominations—Elections—Terms of office—Vacancies. (1) Nominations and elections to board positions ~~((shall be))~~ are conducted by regular mail.

(2) The board ~~((shall))~~ calls for nominations to elected positions at least sixty days prior to expiration of position terms.

(3) The board ~~((shall))~~ sends ballots to eligible activated county noxious weed control boards or weed district directors

by regular mail at least forty-five days prior to expiration of each position term.

(4) Ballots ~~((shall))~~ must be returned no later than thirty days before expiration of each term. Only official ballots will be accepted. Photocopied ballots will be considered invalid.

(5) The board chairperson ~~((shall))~~ appoints a committee to count ballots and certify elections at least thirty days prior to expiration of each term.

(6) Results of elections ~~((shall be))~~ are announced prior to the next scheduled board meeting.

(7) For the purpose of conducting nominations or elections, the board ~~((shall))~~ uses the current list of county noxious weed control board voting members and weed district directors.

(8) Any person who is a resident in and member of an activated county noxious weed control board in the counties represented by positions 1, 2, 3, and 4 may enter his or her name, or that of any qualified person in nomination for election to the board position by voting members of the above activated county noxious weed control boards.

(9) Any director of an active weed district formed under chapter 17.04 or 17.06 RCW may enter a name in nomination for election to position 5 on the board.

(10) Each candidate or each person nominating such candidate ~~((shall))~~ must complete a certificate of nomination, and ~~((shall))~~ must return it to the board postmarked by the date specified.

(11) The board ~~((shall))~~ creates a ballot listing the names in alphabetical order beginning with the last name first, of the candidates nominated to the position of the board: Provided, That the board shall remove the name of any person nominated who notifies the board in writing that he or she is unwilling to serve on the board.

(12) The ballot, along with the statement, if any, of each candidate in ~~((such))~~ the election ~~((shall))~~ will be mailed by regular mail to each voting member of an activated county noxious weed control board or director of an active weed district. Only county board members or weed district directors within the established position area are eligible to vote for the board member to represent that area.

(13) Each voting member of an activated county noxious weed control board or director of an activated weed district may cast one vote for the candidates appearing on the appropriate ballot and return it to the board as provided above and as per the dates specified ~~((thereon))~~.

(14) The candidate receiving the highest number of votes ~~((shall be deemed))~~ is elected: Provided, That if ~~((such))~~ the candidate fails to receive more than fifty percent of the votes cast in an election, a second election ~~((shall))~~ will be held between such candidate and the candidate receiving the next highest votes and: Provided further, That if there is only one candidate, ~~((said))~~ that candidate ~~((shall))~~ will be deemed elected unanimously.

(15) The term of office for all members of the board ~~((shall be))~~ is three years from the date of election or appointment.

(16) Vacancies among board members appointed by the director ~~((shall))~~ will be filled by the director. Vacancies among elected members ~~((shall))~~ will be filled by special election by those entities eligible to elect that position for the

expired term. Special elections follow the same procedure ~~((set forth for))~~ as regular elections. Board members appointed to fill vacancies will serve out the existing term.

AMENDATORY SECTION (Amending WSR 97-06-108, filed 3/5/97, effective 4/5/97)

WAC 16-750-130 State noxious weed control board—Organization. The organization of the board is as follows:

(1) The officers of the board ~~((shall be))~~ are the chairperson, vice-chairperson, and secretary. The title of the chief administrative officer ~~((shall be))~~ is the executive secretary.

(2) Duties of officers.

(a) The chairperson ~~((shall))~~ presides at all meetings of the board, has the power to appoint committees, ~~((shall))~~ acts as ex officio member of all committees except the executive committee, serves as chairperson of the executive committee, serves as official signer of agreements between the board and public or private agencies, and ~~((shall))~~ performs such other duties as pertain to the office.

(b) The vice-chairperson ~~((shall))~~ performs the duties of the chairperson in his or her absence, ~~((shall))~~ acts as an ex officio member of all committees, and any other duties delegated by the chairperson. The vice-chairperson ~~((shall))~~ will assume the duties of and serve out the term of the chairperson upon permanent departure of ~~((same))~~ the chairperson.

(c) The secretary ~~((shall be))~~ is the official keeper of the minutes and ~~((shall))~~, approves them, and presents ~~((the minutes))~~ them to the board for adoption. In the absence of the chairperson and vice-chairperson, the secretary ~~((will))~~ performs the duties of the chairperson.

(d) The ~~((duty))~~ duties of the executive secretary, in addition to administrative duties assigned elsewhere in this chapter, ~~((will be))~~ are to keep a record of the proceedings of the board, notify all board members, county noxious weed control boards, and weed districts of meetings, act as an ex officio nonvoting member of all committees, negotiate agreements with public and private agencies on behalf of the board, and perform other responsibilities as delegated by the chairperson.

(3) Term of office. Term of office for officers of the board ~~((shall be for))~~ is twelve months effective July 27 of the year elected and ending July 26 of the following year.

(4) Election of officers. Elections will be held at the first meeting of the fiscal year in July. Officers ~~((shall be))~~ are elected by a majority vote of the voting members present.

(5) Vacancies of officers other than chairperson, shall be filled by election of the voting board members present.

AMENDATORY SECTION (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

WAC 16-750-135 State noxious weed control board—Meetings. (1) All meetings of the board ~~((shall be))~~ are open and public and all persons ~~((shall be))~~ are permitted to attend any meeting of the board, except as otherwise provided in the Open Public Meetings Act, chapter 42.30 RCW.

(2) Members of the public ~~((shall not be))~~ are not required, as a condition to attendance at a board meeting, to

register names, other information, or otherwise to fulfill any condition (~~precedent to attendance~~) prior to attending.

(3) Interruptions. In the event that any meeting is interrupted by any person as to render the orderly conduct of (~~such~~) the meeting unfeasible, and order cannot be restored by the removal of individuals who are interrupting the meeting, the chairperson may order the meeting room cleared and continue in session or may adjourn the meeting and reconvene at another location selected by a majority vote of the board members present. In such a session, the board will follow the procedures set forth in the Open Public Meetings Act (RCW 42.30.050).

(4) Adoption of rules, regulations, resolution, etc. The board shall not adopt any rules, regulations, resolution, etc. except in a meeting open to the public and then only at a meeting, the date of which is fixed by rule, or at a meeting of which notice has been given according to the provisions of the Open Public Meetings Act. Any action taken at meetings failing to comply with this section (~~shall be~~) is null and void.

(5) Regular meetings—Schedule—Publication in State Register—Notice of change. The board (~~shall~~) will meet once every two months and at other times determined by the chairperson or by a majority of the voting members. If any regular meeting falls on a holiday, (~~such regular~~) the meeting (~~s shall~~) will be held on the next business day. The executive secretary (~~shall~~) files with the code reviser a schedule of the time and place of (~~such~~) regular meetings on or before January of each year for publication in the Washington State Register. Notice of any change from (~~such~~) this meeting schedule (~~shall~~) will be published in the State Register for distribution at least twenty days prior to the rescheduled meeting date.

(6) Notice. Ten days notice of all meetings (~~shall~~) will be given by mailing a copy of the notice and agenda to each board member, county noxious weed control board, and weed district.

(7) Special meetings. The ten-day notice may be waived for special meetings which may be called at any time by the chairperson, director, or a majority of the voting board members. Special meeting notification shall follow the procedures for special meetings set forth in the Open Public Meetings Act (RCW 42.30.080).

(8) Adjournments. (~~The chairperson may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the executive secretary may declare the meeting adjourned to a stated time and place. He or she shall cause a written notice of the adjournment to be given in the same manner as provided for special meetings, unless such notice is waived as provided for special meetings. Whenever any meeting is adjourned a copy of the order or notice of adjournment shall be conspicuously posted immediately after the time of the adjournment on or near the door of the place where the regular, adjourned regular, special, or adjourned special meeting was held. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for~~

~~all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings. If a meeting is adjourned before the advertised time, a written notice will be posted at the meeting place that specifies when the meeting was adjourned.~~

(9) Executive sessions.

(a) The board may hold an executive session during a regular meeting which may be called by the chairperson or a majority of voting board members present. No official actions (~~shall~~) will be taken at executive sessions (~~which shall be binding~~). Executive sessions (~~shall~~) may deal only with matters authorized by RCW 42.30.110.

(b) Before convening in executive session, the chairperson shall publicly announce the purpose of excluding the public from the meeting place and the time when the executive session will be concluded. The executive session may be extended to a (~~stated~~) later time by announcement of the chairperson.

(10) Agenda. The agenda (~~shall~~) will be prepared by the executive secretary in consultation with the chairperson. Items may be submitted by all board members to the executive secretary at least fifteen days prior to the board meeting.

(11) Attendance. Each board member is expected to attend all board and assigned committee meetings. In the event a board member is unable to attend, he or she is requested to provide the chairperson or executive secretary with the reasons for the absence prior to the meeting. Any voting member who misses two consecutive board meetings without providing the chairperson or the executive secretary with the reasons for the absences prior to the meeting may be removed from the board, following due notice and a hearing. Removal procedures may be initiated by a quorum vote of the board.

(12) Voting procedures. Board voting procedures on all matters (~~shall be~~) are as follows:

(a) Five voting members (~~shall~~) constitute a quorum to conduct the affairs of the board.

(b) The chairperson may vote on all matters coming before the board.

(c) A roll call of all voting board members present may be requested on all motions by any member.

(d) All members have the right to move (~~and~~) or second motions.

(e) (~~There shall be no~~) Proxy voting is not permitted.

(13) Minutes. The minutes of all regular and special meetings, except executive sessions, (~~shall~~) will be promptly recorded and such records (~~shall be~~) are open to public inspection.

(14) Press releases. All press releases and official information concerning board activities (~~shall~~) will be released from the board office.

(15) Public participation.

(a) Any person wishing to make a formal presentation at a regularly scheduled meeting of the board (~~shall~~) must notify the executive secretary of the subject matter at least fifteen days before the meeting.

(b) Permission to appear before the board (~~shall~~) will be granted by the executive secretary in consultation with the chairperson before the meeting. Permission (~~shall~~) includes

the date and time of the meeting and the time set for formal presentation.

(c) The chairperson may, at his or her discretion, recognize anyone in the audience who indicates at the time of the meeting a desire to speak.

AMENDATORY SECTION (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

WAC 16-750-140 State noxious weed control board—Committees. Standing committees shall fairly reflect the composition of the board and unless advertised and open to the public, not more than four voting members may attend a committee meeting.

(1) Executive committee. ~~((There shall be))~~ An executive committee is authorized to deal with housekeeping and personnel matters, subject to board approval at the next scheduled board meeting. The chairperson ~~((shall))~~ appoints the executive committee with approval of the board.

(2) Standing committees. The standing committees of the board ~~((shall be))~~ are: Budget, executive, ~~((grant program))~~ noxious weed, and education. The board chairperson ~~((shall))~~ appoints the chairperson and other members of each committee.

(3) Ad-hoc committees may be appointed from time to time.

(4) Committee voting procedures.

(a) All members of a particular committee ~~((shall))~~ have the right to vote. Other members in attendance may enter into discussion, but shall have no vote.

(b) ~~((There shall be no))~~ Proxy voting is not permitted.

(c) All questions decided by the committee ~~((shall))~~ will be by majority of the committee members present.

(5) Advisory committees. Advisory committees ~~((shall be))~~ are established by the board as deemed necessary to the functioning of the board. Advisory committees ~~((shall be))~~ are limited in their scope to the purposes determined by the board.

~~((6))~~ ~~((Committee of the whole. The chairperson may, from time to time, direct that items of major importance be discussed in the committee of the whole. Meetings of the committee of the whole shall be chaired by the chairperson. When meeting as a committee of the whole, all voting members shall have the right to vote. There shall be no proxy voting.~~

~~((7))~~ Notice. Notice of committee meetings shall be given to the executive secretary.

~~((8))~~ (7) Committee reports.

(a) Committee reports and recommendations ~~((shall be))~~ are submitted to the board in writing except when committees meet in conjunction with the board.

(b) Minority reports may be submitted by members of a committee, if signed by ~~((said))~~ those members.

~~((9))~~ (8) Committee compensation. Board members attending meetings of committees ~~((shall))~~ will, upon request, be reimbursed on the same basis as for attendance at regularly called board meetings.

(9) All committee appointments will be reviewed in July of even-numbered years.

AMENDATORY SECTION (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

WAC 16-750-145 State noxious weed control board—Executive secretary—Definition. The executive secretary acts as the chief administrative officer for the board and:

(1) Implements and administers the statutes, administrative rules, and policies of the noxious weed control program assigned to the board;

(2) Plans, develops, and prepares administrative rules and policies for the state noxious weed control program in conjunction with the board and the department; arranges public hearings in compliance with the Administrative Procedure Act and acts as chief hearing officer for the board; conducts elections for positions on the board;

(3) Coordinates the educational and weed control efforts of county and regional noxious weed control boards and weed districts;

(4) Coordinates board activities with the department, maintains a liaison and performs coordinating activities with other public and private agencies;

(5) Negotiates agreements, on behalf of the board, with federal agencies, tribes, and other public and private agencies;

(6) Represents the board before the state legislature; coordinates the development, edits, and oversees the production of the biennial report to the ~~((governor, legislature,))~~ county noxious weed boards~~((;))~~ and weed districts on how state funds were spent and recommendations for the continued best use of state funds for noxious weed control;

(7) Plans, prepares, and presents programs on noxious weed control, specific weed species, and the role of the board; acts as the principal spokesperson of the board to the media, technical audiences, and the public;

(8) Maintains a collection of scientific and technical information relating to noxious weeds and integrated vegetation management; prepares written findings for the inclusion of species on the state noxious weed list;

(9) Develops, maintains, and ensures dissemination of information relating to noxious weeds to county noxious weed control boards and weed districts and keeps the general public and program participants informed of board activities and accomplishments;

~~((10))~~ ~~((Coordinates with the department on the administration of the noxious weed grant program; advises and assists local county and weed district agencies in preparing state noxious weed control grants;))~~ Provides technical advice to county noxious weed boards and weed districts on the state noxious weed law and related rules;

(11) Plans and coordinates state-wide approaches to selected noxious weeds, assists in the development of state-wide noxious weed survey standards, coordinates efforts with department weed specialists;

(12) Coordinates the activities of the board by scheduling all regular and committee meetings; in consultation with the chair, prepares meeting agendas; prepares all board correspondence; updates board on local, state, and federal noxious weed activities; acts as an ex officio, nonvoting member of all committees;

(13) Records the official minutes of the board and ensures their distribution; ~~((maintains records on the noxious weed grant program and on county noxious weed boards and weed districts;))~~ maintains all board records, acts as public record officer;

(14) Oversees fiscal management of the board's administrative budget and cooperates with the department in budget development;

(15) Supervises all board employees, approves hiring, rehiring, promotion, and termination of all board employees and ensures these processes and any disciplinary actions comply with state and department personnel policies; notifies board and department prior to initiating an adverse personnel action against any employee;

(16) Performs other assignments as determined by the board.

AMENDATORY SECTION (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

WAC 16-750-150 State noxious weed control board—Executive secretary—Hiring and dismissal. The board ~~((shall have))~~ has the responsibility for hiring and removing from office the executive secretary. The executive secretary may be dismissed by a majority vote of the full board upon the recommendation of the chairperson and the executive committee. Prior to initiating a dismissal the executive committee will notify the department. Neglect of duty, gross inefficiency, gross incompetence, gross misconduct, malfeasance or willful violation of obligations may give cause for a recommendation for dismissal or dismissal. Before any action is taken by the board to dismiss the executive secretary, the chairperson and one member of the executive committee will confer with the executive secretary and provide in writing and fully explain the charges and contemplated recommendation for dismissal. The privilege of a hearing before the executive committee or full board will be granted to the executive secretary prior to any formal action taken by the board. The executive secretary is granted thirty days preparation time for the hearing and is entitled to present evidence, to be assisted by favorable witnesses, and to confront unfavorable witnesses at the hearing.

AMENDATORY SECTION (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

WAC 16-750-155 State noxious weed control board—Exchange time. The board shall provide exchange time in lieu of overtime pay to its employees for hours worked in excess of forty hours per week. The time shall accrue on an hour-for-hour basis. Exchange time has no cash value.

AMENDATORY SECTION (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

WAC 16-750-165 State noxious weed control board—Budget and finances. (1) All board funds ~~((shall))~~ must be expended in a manner consistent with board wishes. The executive secretary is authorized to make these expenditures as appropriate. All matters related to payment of com-

pensation and other expenses of the board ~~((shall be))~~ are subject to the State Budget and Accounting Act (chapter 43.88 RCW).

(2) Budget approval. The executive secretary ~~((shall))~~ prepares the biennial budget after consulting the budget committee. The budget will provide for costs associated with salary, personal benefits, travel, equipment, and goods and services for the operation of the board. The budget ~~((shall be))~~ is reviewed by the board for recommendation to and approval by the department and office of financial management.

(3) The board reserves the right to pursue additional funds for its administrative budget ~~((or the noxious weed grant account))~~ independent of the department.

AMENDATORY SECTION (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

WAC 16-750-185 State noxious weed control board—Access to public records and documents. (1) In accordance with the Public Records Disclosure Act of Washington, the board shall make available for public inspection and copying all public records, unless the record falls within the specific exemptions of RCW 42.17.260~~((5))~~ (6), 42.17.310, 42.17.315, or other statute which exempts or prohibits disclosure of specific information or records.

(2) The provisions of chapter 42.17 RCW shall be liberally construed to promote full access to public records so as to assure continuing public confidence and to assure the public interest will be fully protected.

(3) Place and times for inspection and copying. The executive secretary will make public records available for inspection upon request.

(4) Charges for copying. No fee shall be charged for the inspection of public records. The executive secretary may impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy public records, which charges shall not exceed the amount necessary to reimburse the board for its actual costs incident to such copying.

(5) Responses to requests. Responses to requests for public records shall be made promptly. Within five business days of receiving a public record request the board will respond as follows:

(a) With the record requested;

(b) Acknowledgment of the request and a reasonable estimate of the time it will take to provide the requested records or documents;

(c) Denying the public record request.

Denials of requests will be accompanied by a written statement of the specific reasons the request is being denied and shall have received a prompt review and final determination by the board's executive committee. Additional time may be required to respond to a request due to time needed to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is exempt. In acknowledging receipt of a public record request that is unclear, the executive secretary may ask the requestor to clarify what information the requestor is

seeking. If the requestor fails to clarify the request, the board will not respond to it.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 16-750-175 State noxious weed control board—Reports.
- WAC 16-750-190 State noxious weed control board—Rule amendments.

WSR 99-24-029A
PERMANENT RULES
DEPARTMENT OF
NATURAL RESOURCES

[Order 701—Filed November 23, 1999, 2:01 p.m.]

Date of Adoption: September 23, 1999.

Purpose: To better carry out the purposes of chapter 174, Laws of 1984 by extending the open period for nonmotorized recreational use to year-around.

Citation of Existing Rules Affected by this Order: Amending WAC 332-52-065 Milwaukee Road Corridor.

Statutory Authority for Adoption: RCW 79.08.277, 79.08.279, and 79.08.281.

Adopted under notice filed as WSR 99-12-092 on June 1, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 1, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

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

October 26, 1999

Kaleen Cottingham
Department Supervisor

AMENDATORY SECTION (Amending Order 577, filed 2/11/92, effective 3/13/92)

WAC 332-52-065 Milwaukee Road Corridor—Recreational use. Motorized vehicles including snowmobiles are prohibited on the corridor at all times, except for motorized use for authorized administrative purposes or motorized use approved by the department for reasons of health and

safety. The corridor (~~will be~~) is open for nonmotorized use, by permit only, (~~from October 1 through June 15~~) year around, east of the Columbia River. (~~The remainder of the year the corridor will be closed to all recreational use.~~) The department may close portions of the corridor, at any time of the year, to reduce fire danger or protect public safety after consultation with local legislative authorities and fire districts. After December 31, (~~1990~~) 2000 the department may, if determined necessary to better carry out the purposes of chapter 174, Laws of 1984, adjust the designated periods of the year during which permits will be issued, after first giving public notice and holding at least one public hearing each in Eastern and Western Washington.

WSR 99-24-033
PERMANENT RULES
DEPARTMENT OF REVENUE

[Filed November 23, 1999, 3:07 p.m.]

Date of Adoption: November 23, 1999.

Purpose: To update the rule so that it provides the rate of interest that will be included when property taxes paid in 2000 are refunded.

Citation of Existing Rules Affected by this Order: Amending WAC 458-18-220 Refunds—Rates of interest.

Statutory Authority for Adoption: RCW 84.69.100.

Adopted under notice filed as WSR 99-19-106 on September 20, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

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

November 23, 1999

Claire Hesselholt
Rules Manager
Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 99-01-066, filed 12/14/98, effective 1/1/99)

WAC 458-18-220 Refunds—Rate of interest. The following rates of interest shall apply on refunds of taxes made pursuant to RCW 84.69.010 through 84.69.090 in accordance with RCW 84.69.100. The following rates shall also apply to judgments entered in favor of the plaintiff pursuant to RCW

PERMANENT

84.68.030. The interest rate is derived from the equivalent coupon issue yield of the average bill rate for twenty-six week treasury bills as determined at the first bill market auction conducted after June 30th of the calendar year preceding the date the taxes were paid. The rate thus determined shall be applied to the amount of the judgment or the amount of the refund, until paid:

Year tax paid	Auction Year	Rate
1985	1984	11.27%
1986	1985	7.36%
1987	1986	6.11%
1988	1987	5.95%
1989	1988	7.04%
1990	1989	8.05%
1991	1990	8.01%
1992	1991	5.98%
1993	1992	3.42%
1994	1993	3.19%
1995	1994	4.92%
1996	1995	5.71%
1997	1996	5.22%
1998	1997	5.14%
1999	1998	5.06%
<u>2000</u>	<u>1999</u>	<u>4.96%</u>

**WSR 99-24-034
PERMANENT RULES
DEPARTMENT OF REVENUE**

[Filed November 23, 1999, 3:09 p.m., effective January 1, 2000]

Date of Adoption: November 23, 1999.

Purpose: To provide county assessors with the rate of interest and property tax component that will be used in valuing farm and agricultural land classified under chapter 84.34 RCW during assessment year 2000.

Citation of Existing Rules Affected by this Order: Amending WAC 458-30-262 Agricultural land valuation—Interest rate—Property tax component.

Statutory Authority for Adoption: RCW 84.34.065, 84.34.360.

Adopted under notice filed as WSR 99-19-107 on September 20, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: January 1, 2000.

November 23, 1999

Claire Hesselholt

Rules Manager

Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 99-01-067, filed 12/14/98, effective 1/1/99)

WAC 458-30-262 Agricultural land valuation—Interest rate—Property tax component. For assessment year (~~(1999)~~) 2000, the interest rate and the property tax component that are to be used to value classified farm and agricultural lands are as follows:

- (1) The interest rate is (~~(9.38)~~) 9.43 percent; and
- (2) The property tax component for each county is:

COUNTY	PERCENT	COUNTY	PERCENT
Adams	((1.46)) <u>1.42</u>	Lewis	((1.22)) <u>1.23</u>
Asotin	((1.45)) <u>1.40</u>	Lincoln	((1.50)) <u>1.47</u>
Benton	((1.53)) <u>1.48</u>	Mason	((1.26)) <u>1.25</u>
Chelan	1.31	Okanogan	((1.39)) <u>1.30</u>
Clallam	((1.21)) <u>1.20</u>	Pacific	((1.23)) <u>1.24</u>
Clark	1.34	Pend Oreille	((1.28)) <u>1.30</u>
Columbia	((1.33)) <u>1.42</u>	Pierce	((1.59)) <u>1.52</u>
Cowlitz	((1.18)) <u>1.21</u>	San Juan	((0.81)) <u>0.85</u>
Douglas	((1.35)) <u>1.34</u>	Skagit	((1.30)) <u>1.29</u>
Ferry	((1.25)) <u>1.22</u>	Skamania	((1.07)) <u>1.06</u>
Franklin	((1.54)) <u>1.52</u>	Snohomish	((1.38)) <u>1.41</u>
Garfield	((1.69)) <u>1.66</u>	Spokane	((1.50)) <u>1.54</u>
Grant	((1.50)) <u>1.52</u>	Stevens	((1.16)) <u>1.19</u>
Grays Harbor	((1.27)) <u>1.40</u>	Thurston	((1.49)) <u>1.50</u>
Island	((0.99)) <u>1.05</u>	Wahkiakum	((1.13)) <u>1.11</u>
Jefferson	((1.19)) <u>1.26</u>	Walla Walla	1.46
King	((1.30)) <u>1.31</u>	Whatcom	((1.27)) <u>1.30</u>
Kitsap	((1.40)) <u>1.47</u>	Whitman	((1.44)) <u>1.42</u>
Kittitas	((1.05)) <u>1.07</u>	Yakima	((1.36)) <u>1.25</u>
Klickitat	1.14		

**WSR 99-24-035
PERMANENT RULES
DEPARTMENT OF REVENUE**

[Filed November 23, 1999, 3:12 p.m.]

Date of Adoption: November 23, 1999.

Purpose: To provide a rate of inflation used by county officials to calculate interest that will be added to deferred property taxes under certain circumstances.

Citation of Existing Rules Affected by this Order: Amending WAC 458-30-590 Rates of inflation.

PERMANENT

Statutory Authority for Adoption: RCW 84.34.360.

Other Authority: RCW 84.34.310.

Adopted under notice filed as WSR 99-19-108 on September 20, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

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

November 23, 1999

Claire Hesselholt

Rules Manager

Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 99-01-068, filed 12/14/98, effective 1/1/99)

WAC 458-30-590 Rates of inflation. (1) Introduction.

This section sets forth the rates of inflation discussed in WAC 458-30-550.

(2) **Rates of inflation.** The rates of inflation to be used for calculating the interest as required by WAC 458-30-550 are as follows:

YEAR	PERCENT	YEAR	PERCENT
1976	5.6	1977	6.5
1978	7.6	1979	11.3
1980	13.5	1981	10.3
1982	6.2	1983	3.2
1984	4.3	1985	3.5
1986	1.9	1987	3.7
1988	4.1	1989	4.8
1990	5.4	1991	4.2
1992	3.3	1993	2.7
1994	2.2	1995	2.3
1996	2.2	1997	2.1
1998	0.85	<u>1999</u>	<u>1.42</u>

WSR 99-24-038

PERMANENT RULES

TRANSPORTATION IMPROVEMENT BOARD

[Filed November 23, 1999, 4:08 p.m.]

Date of Adoption: November 19, 1999.

Purpose: SHB 5615, passed by the 1999 legislature, consolidated a number of TIB funding accounts. As a result of this legislation, the TIB had to revise its WACs to be consistent with the revised RCWs. The changes are housekeeping in nature and do not reflect any major policy changes.

Citation of Existing Rules Affected by this Order: Repealing WAC 479-02-020, 479-02-030, 479-12-010, 479-12-020, 479-13-010, 479-13-011, 479-13-025, 479-13-035, 479-13-070, 479-16-010, 479-16-015, 479-16-016, 479-16-020, 479-16-030, 479-16-035, 479-16-040, 479-16-045, 479-16-050, 479-16-060, 479-16-080, 479-16-085, 479-16-098, 479-20-007, 479-20-010, 479-20-011, 479-20-013, 479-20-016, 479-20-020, 479-20-025, 479-20-027, 479-20-031, 479-20-037, 479-20-086, 479-20-089, 479-20-095, 479-24-010, 479-24-020, 479-24-030, 479-24-040, 479-24-050, 479-24-070, 479-112-001, 479-112-003, 479-112-0055, 479-112-007, 479-112-008, 479-112-009, 479-112-010, 479-112-017, 479-112-018, 479-112-020, 479-113-010, 479-113-011, 479-113-029, 479-113-031, 479-113-035, 479-113-070, 479-116-010, 479-116-015, 479-116-016, 479-116-020, 479-116-030, 479-116-035, 479-116-040, 479-116-045, 479-116-050, 479-116-060, 479-116-070, 479-116-080, 479-120-010, 479-120-011, 479-120-013, 479-120-016, 479-120-020, 479-120-025, 479-120-027, 479-120-031, 479-120-037, 479-120-086, 479-120-089, 479-120-095, 479-310-010, 479-310-050, 479-310-100, 479-310-150, 479-310-200, 479-312-010, 479-312-050, 479-312-100, 479-312-150, 479-312-200, 479-312-250, 479-312-300, 479-316-010, 479-316-050, 479-316-100, 479-316-200, 479-316-250, 479-316-300, 479-320-050, 479-320-100, 479-320-150, 479-320-200, 479-410-010, 479-410-020, 479-410-100, 479-410-150, 479-410-160, 479-410-170, 479-410-180, 479-410-200, 479-412-020, 479-412-100, 479-412-150, 479-412-200, 479-412-250, 479-412-300, 479-412-310, 479-416-010, 479-416-015, 479-416-016, 479-416-018, 479-416-020, 479-416-030, 479-416-035, 479-416-040, 479-416-045, 479-416-050, 479-420-010, 479-420-011, 479-420-013, 479-420-016, 479-420-020, 479-420-025, 479-420-027, 479-420-031, 479-420-037, 479-420-086, 479-420-089, 479-420-095, 479-510-060, 479-510-076, 479-510-080, 479-510-110, 479-510-120, 479-510-210, 479-510-220, 479-510-410, 479-510-420 and 479-510-500; and amending WAC 479-01-010, 479-01-020, 479-01-040, 479-01-050, 479-02-010, 479-02-050, 479-02-060, 479-02-110, 479-12-005, and 479-12-008.

Statutory Authority for Adoption: Chapters 47.26 and 47.66 RCW.

Adopted under notice filed as WSR 99-20-143 on October 6, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 79, Amended 10, Repealed 150.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 79, Amended 10, Repealed 150.

PERMANENT

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 79, Amended 10, Repealed 150.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 19, 1999

Jerry M. Fay

Executive Director

AMENDATORY SECTION (Amending WSR 95-22-056, filed 10/30/95, effective 11/30/95)

WAC 479-01-010 Organization of transportation improvement board. The transportation improvement board is a twenty-one member board, organized under the provisions of chapter 269, Laws of 1995. The board administers the urban arterial trust account ((~~program~~)), the transportation improvement account ((~~program, small city account program, city hardship assistance program, central Puget Sound public transportation account~~)), and public transportation systems account((~~, Intermodal Surface Transportation and Efficiency Act of 1991, surface transportation program state-wide competitive, and~~)). The board evaluates petitions requesting any additions to or deletions from the state highway system ((created and financed under the provisions contained therein. Nineteen members of the board are appointed by the secretary of transportation, with six being city officials, six being county officials, two representatives of public transit systems, a private sector member, a member representing the ports, a member representing nonmotorized transportation, a member representing special needs transportation and two representatives from the department of transportation. One member shall be appointed by the governor. The county road administration engineer, created by RCW 36.78.060 is an ex officio member of the board)) and forwards recommendations to the legislature. The board selects projects for the STP state-wide competitive program and the enhancement program and forwards the recommended list to the legislature. Board membership is defined in RCW 47.26.121.

AMENDATORY SECTION (Amending WSR 95-04-072, filed 1/30/95, effective 3/2/95)

WAC 479-01-020 Time and place of meetings. Regular public meetings of the board shall be held on the fourth Friday of ((every)) the month or the third Friday if ((that)) the fourth Friday is a holiday. Each such regular meeting shall be held at the offices of the board in Olympia, Washington, and begin at the hour of 9:00 a.m. or at such other time and place as designated by the board.

A special meeting of the board may be called by the chairperson or by a majority of the members of the board, by delivering personally or by mail written notice to all other members of the board at least twenty-four hours before the time of such meeting as specified in the notice. The notice calling a special meeting shall state the purpose for which the

meeting is called and the date, hour, and place of such meeting and all provisions of chapter 42.30 RCW shall apply.

AMENDATORY SECTION (Amending WSR 95-04-072, filed 1/30/95, effective 3/2/95)

WAC 479-01-040 Definitions. For purposes of implementing the requirements of RCW 47.26.160 relative to the transportation improvement board, the following definitions shall apply:

(1) Board - the transportation improvement board.

(2) TIB - the transportation improvement board.

(3) Director - the executive director of the transportation improvement board.

(4) Agency - all cities, towns, counties, and public transit agencies eligible to receive board funding.

(5) Urban area - the term "urban area" as used for the arterial improvement program and the transportation partnership program refers to the portion of a county within the federal urban area boundary as designated by FHWA and/or Washington state's Growth Management Act.

AMENDATORY SECTION (Amending WSR 95-22-056, filed 10/30/95, effective 11/30/95)

WAC 479-01-050 Administration costs. The board costs for necessary staff services and facilities that are attributable to the urban arterial trust account, ((small city account, city hardship assistance account,)) transportation improvement account, ((central Puget Sound public transportation account)) and public transportation systems account shall be paid in proportion to the anticipated expenditures of the ((programs)) accounts as determined by the biennial appropriation.

AMENDATORY SECTION (Amending WSR 91-13-056, filed 6/17/91, effective 7/18/91)

WAC 479-02-010 Purpose. The purpose of this chapter shall be to ensure compliance by the Washington transportation improvement board with the provisions of RCW 42.17.250 through ((42.17.340)) 42.17.348 dealing with public records.

AMENDATORY SECTION (Amending WSR 91-13-056, filed 6/17/91, effective 7/18/91)

WAC 479-02-050 Public records officer. The transportation improvement board public records shall be in the charge of the ((confidential secretary)) executive secretary who shall be the public records officer for the board. The person so designated shall be officed in the Transportation Improvement Boards office in Olympia, Washington. The public records officer shall be responsible for implementation of the board's rules and regulations regarding release of public records, coordinating staff efforts of the board in this regard and generally ensuring compliance of the staff with the public records disclosure requirements of chapter 1, Laws of 1973.

AMENDATORY SECTION (Amending WSR 91-13-056, filed 6/17/91, effective 7/18/91)

WAC 479-02-060 Public records available. All public records of the board as defined in ((WAC 479-02-020)) chapter 42.17 RCW are deemed available for public inspection and copying pursuant to these rules, ((except as provided in WAC 479-02-030)) unless the record falls within the specific exemptions of RCW 42.17.310 or other statute that exempts or prohibits disclosure of specific information or records.

AMENDATORY SECTION (Amending WSR 95-04-072, filed 1/30/95, effective 3/2/95)

WAC 479-02-110 Denial of request. (1) The executive director shall determine which public records requested in accordance with these rules are exempt under the provisions of RCW 42.17.310 or other statute.

(2) Each denial of a request for a public record shall be accompanied by a written statement to the person requesting the record clearly specifying the reasons for 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.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 479-02-020 Definitions.
- WAC 479-02-030 Exempted records.

Chapter 479-05 WAC

PROGRAM REQUIREMENTS

NEW SECTION

WAC 479-05-010 Time and place for submission of proposed transportation improvement board projects. Prospectuses for predesign or design phase shall be requested by the board after:

- (1) Submitted project applications have been evaluated as to priority;
- (2) The legislative appropriation authority has been reviewed and capacity to authorize additional projects determined.

Prospectuses for predesign phase or design phase shall be received by the board by the first day of the month preceding the month in which project authorization is proposed unless a later receipt is approved by the director.

Prospectuses for the construction phase shall be received by the twentieth day of the month preceding the month in which construction project authorization is proposed unless a later receipt date is approved by the director.

NEW SECTION

WAC 479-05-020 Six-year transportation programs for urban areas. The six-year transportation programs of

agencies required, respectively, by RCW 35.77.010, 36.81.121 and 35.58.2795 must have proposed transportation improvement board projects included prior to board approval of funds.

A copy of the six-year transportation program including the proposed projects to be approved shall be submitted to the board along with a copy of the resolution of the city or county adopting such program.

NEW SECTION

WAC 479-05-030 Six-year financial plan. At the beginning of each fiscal year the board shall update its six-year financial plan to determine the amount of estimated revenue to be available for new project starts in the ensuing biennium. The estimate of funds for new project starts shall take into consideration projects approved by the board for the design phase where construction funding approval is pending.

NEW SECTION

WAC 479-05-040 Value engineering study requirements. Value engineering studies shall be required in accordance with the policy adopted by the board.

NEW SECTION

WAC 479-05-050 Procedures for project approval. Predesign, design proposals and related construction projects authorized by the board for financial assistance shall be selected for authorization based upon the following factors:

The proposed project scope shall include improvements that will address or mitigate the items for which the project was selected.

The board shall evaluate the project scope and may reduce the project scope if the scope exceeds that which is necessary to address or mitigate items.

The following factors relative to each project, in addition to other factors required by law, shall be evaluated:

- (1) Each project shall be evaluated on the availability and source of matching funds.
- (2) Construction prospectuses for projects previously approved for design and right of way funding by the board shall be required to be accompanied by the following information demonstrating the readiness of the project to be placed under contract for construction.

(a) A certification from the legislative body or other designated responsible official, of the administering agency, that an environmental impact analysis has been conducted and an environmental impact statement including the conformity with the state and Federal Clean Air Acts or negative declaration of environmental impact, as appropriate, has been circulated pursuant to chapter 43.21C RCW, and that the results have been utilized in arriving at the decisions reflected in the prospectus for the construction project.

(b) A certification that all right of way required for the project is available or if right of way remains to be acquired that the agency has obtained a possession and use agreement on the parcels in question.

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(c) A certification from the legislative body that the project is completely designed and ready to be advertised for bids.

(d) The date the project will be advertised for bids.

(e) Each construction project prospectus shall identify changes between the scope of work of the proposed project and the work contemplated in the current six-year transportation program or the project design prospectus. An explanation and justification for such changes shall also be included.

(f) The board shall consider adjustments to the amount previously requested in accordance with the board's rule on increases in transportation improvement board funds.

NEW SECTION

WAC 479-05-060 Methods of construction. All construction by agencies using board funds shall be advertised, competitively bid and contracted, except:

(1) Utility and railroad relocations and adjustments; and

(2) Installation of traffic control devices, if accomplished by the personnel of the agency.

A competitive bid is not required for projects which meet the requirements of chapters 36.77, 35.22, 35.23, and 35.27 RCW.

NEW SECTION

WAC 479-05-070 Registered engineer in charge. All construction projects using transportation improvement board funds shall be planned, designed, and constructed under the supervision of a professional engineer registered in the state of Washington.

NEW SECTION

WAC 479-05-080 Standard specifications. The current edition of the *Standard Specifications for Road, Bridge, and Municipal Construction* or equivalent, shall be included in any contract entered into by an agency using board funds.

NEW SECTION

WAC 479-05-090 Design standards for transportation improvement board projects. All transportation improvement board funded projects shall be prepared using currently applicable design standards.

NEW SECTION

WAC 479-05-100 Utility and railroad adjustments and relocations. Utility and railroad adjustments and relocations may be performed by negotiated contract with the owner of those facilities. The administering agency shall review and approve a written statement that includes the items of work and an estimate of cost prepared by the utility or railroad for the work required as a result of the improvement. Updated statements of items of work and estimates of cost may be reviewed and approved by the administering agency. All costs of utility and railroad adjustments, as finally approved by the administering agency, shall be subject to audit. If federal aid highway funds are included in the

project, the negotiated contract shall include the applicable provisions of federal Highway Administration policies and procedures prescribed in 23 C.F.R. 140, 23 C.F.R. 645 and 23 C.F.R. 646, Federal Aid Policy Guide.

NEW SECTION

WAC 479-05-110 Undergrounding utilities. Board funds may be used in the actual, necessary costs of relocating utility or other service facilities resulting from an approved project when:

(1) The local agency administering the project directly incurs such costs; or

(2) The local agency administering the project is obligated by law or by previously established and documented policies and practices for such costs.

Board funds may be used in the costs to underground service connections for street illumination and traffic signal services within the prescribed limits of the approved project.

The board funds used in the costs of relocating utility or other service facilities, other than service connections for street illumination and traffic signal services within the prescribed limits of the approved project, shall be further limited as follows:

(a) Where a local agency requires that existing overhead facilities be placed underground, board funds shall be limited. The board considers this type of improvements to be aesthetic in nature as is landscaping, therefore, the cost involved in undergrounding the utility facilities, in excess of the estimated cost to relocate them overhead, will be included within the three percent allowance for landscaping costs.

(b) If utility lines or other service facilities are already underground, board funds may be used in the costs of replacing such facilities on an underground basis.

NEW SECTION

WAC 479-05-120 Traffic control devices. Traffic control devices included in a participating project may be installed by the employees and with the equipment and materials of the local governmental units subject to the limits of RCW 35.22.620(3), 35.23.352(1), and 36.77.065(3): Provided, That the basis for payment of board funds is reimbursement of the appropriate portion of actual cost of such work, subject to audit.

NEW SECTION

WAC 479-05-130 Project landscaping. Board funds may be used at the appropriate matching ratio in the cost of landscaping and the use of other plantings and supporting materials within the project right of way to a maximum of three percent of the total authorized project costs: Provided, That requests for increases in the authorized amount of board funds to cover landscaping and related costs shall be considered jointly with other cost increases and approval of all such requests shall be limited to the amount authorized by WAC 479-05-250 to be approved by the director. Erosion control treatment shall not be considered a part of landscaping costs.

The three percent limitation for landscaping and related costs shall not affect the agency's authority to include land-

scaping and the use of other plantings or supporting materials in the project in amounts that exceed the three percent limit provided they are paid for solely with funds other than board supplied funds.

NEW SECTION

WAC 479-05-140 Acquisition of rights of way. Right of way for board funded projects shall be acquired in accordance with chapter 468-100 WAC.

NEW SECTION

WAC 479-05-150 Inclusion of bicycle facilities in transportation improvement board projects. If an eligible agency has a project funded by transportation improvement board funds that includes the construction of bicycle facilities, the agency shall submit its bikeway plan to the board in map form along with the agency's verification that the plan has been reviewed with, and approved by, the agency's legislative body.

The proposed bicycle facility shall be in accordance with definitions, criteria, and design standards shown in Chapter 1020 of the *Washington Department of Transportation Design Manual*.

NEW SECTION

WAC 479-05-160 Reimbursable costs. Project costs eligible for reimbursement from the account shall be those proper and allowable costs incurred on a project after the project is authorized by the board except as provided by the following:

Reimbursement of right of way acquisition costs are eligible within the design phase of the project. In the event the project is not built, those funds expended for right of way shall be refunded to the board.

NEW SECTION

WAC 479-05-170 Reimbursable costs for engineering. Design and construction engineering costs eligible for reimbursement shall be limited to twenty-five percent of the approved contract bid amount including adjustments for change orders and actual quantity amounts during construction and agency force construction. Exceptions to the twenty-five percent engineering limit may be considered by the board. Agency costs for value engineering and other special studies and right of way appraisals and acquisition costs will not be used to determine the amount subject to the limit.

NEW SECTION

WAC 479-05-180 Direct costs. Direct costs eligible for board participation are those costs which are directly attributable to a specific project and shall include:

(1) Direct labor (engineering and/or construction) including related employee benefits:

(a) Salaries and wages (at actual or average rates) covering productive labor hours of city and county employees (excluding the administrative organization of the operating

unit involved) for periods of time, actively or incidentally engaged in:

- (i) Predesign engineering;
- (ii) Design engineering;
- (iii) Construction engineering;
- (iv) Acquisition of rights of way; and
- (v) Actual construction activities are considered a direct cost of construction projects.

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 for non-board projects.

(b) Employee benefits relating to direct labor are considered a direct cost of construction projects. The following items may be included as employee benefits:

- (i) F.I.C.A. (Social Security) - employer's share;
- (ii) Retirement benefits;
- (iii) Hospital, health, dental and other welfare insurance;
- (iv) Life insurance;
- (v) Industrial and medical insurance;
- (vi) Vacation;
- (vii) Holiday;
- (viii) Sick leave;
- (ix) 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.

- (2) Contract engineering services.
- (3) Right of way acquisition costs including:
 - (a) Purchase of land and easements acquired for and devoted to the project;
 - (b) Purchase of improvements;
 - (c) Adjustment or reestablishment of improvements;
 - (d) Salaries, expenses or fees of appraisers, negotiators or attorneys;
 - (e) Removal or demolition of improvement;
 - (f) 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.

(4) Contract construction work, and/or capital equipment acquisition approved by the board.

(5) 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 city's or county's "equipment rental and revolving fund" following the methods prescribed by the division of audit: Provided, That such costs shall be charged on a uniform basis to equipment used for all projects regardless of the source of funding. Cities which may not use this type of fund shall be allowed the same rates as used by the department of transportation.

(6) 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 audit.

(a) 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.

(b) 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.

(7) Interdepartmental charges for work performed by county or city 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. Such indirect costs shall be determined by a rate which is readily and properly supportable by the governmental unit's accounting records and shall be the same rate as applied to nonboard projects; however, this rate shall not exceed the indirect cost allocation rate established by the board. If individual units of government do not have such an internal indirect cost allocation rate, the rate predetermined by the board shall be used in determining the amount of indirect costs includable in the total interdepartmental charges.

(8) Other direct costs incurred for materials or services acquired for a specific project shall be eligible for participation by board funds and may include, but shall not be limited to, such items as:

- (a) Telephone charges;
- (b) Reproduction and photogrammetry costs;
- (c) Computer usage;
- (d) Printing and advertising.

NEW SECTION

WAC 479-05-190 Indirect costs. Indirect costs incurred by an agency for common or joint objectives which include an authorized board funded project, and which are not included in those direct costs set forth and defined in WAC 479-05-190, shall be eligible for board fund participation on a particular project at a rate not to exceed ten percent of direct labor costs.

NEW SECTION

WAC 479-05-200 Partial or progress payments for project costs. Participation and payment of board funds to agencies shall be governed by the following:

(1) Board participation. Board funds shall not participate in any cost which is not incurred in conformity with all applicable federal and state law and the rules, regulations and procedures as may be prescribed by the board promulgated in conformity with the statutes.

(2) Project acceptance. Projects for which board funds are requested by the eligible agencies and for which the board has allocated funds will be the subject of a project approval process. The agencies' participation in this process demonstrates acceptance of the conditions to payment of funds, as prescribed by laws and regulations, and the amount of funds to be obligated.

(3) Changes in project work and cost. No material change in the termini, character, or scope of the work on an approved project shall be made without prior concurrence in such changes by the board.

(4) Payments. Eligible agencies are to submit requests for payment of funds claimed to be due on approved projects. Such requests are to be on forms prescribed by the board. Supporting data may be required by the board. Requests for payment may be submitted from time to time as the work progresses and final requests shall be signed and submitted within six months of contract completion. Payment of TIB funds shall at no time exceed the approved amount of the project costs incurred to the date of the payment request.

(5) Compliance with laws and regulations. If an eligible agency has failed to comply with laws and regulations with respect to a project, payment of funds may be withheld on such projects, or approval of additional projects may be withheld until compliance or remedial action has been accomplished by the eligible agency to the satisfaction of the board.

(6) Costs incurred prior to phase approval shall be considered ineligible.

NEW SECTION

WAC 479-05-210 Record requirements. All eligible agencies requesting payment of board funds on authorized projects shall have procedures in effect that will provide adequate assurance that payments requested are proper and accurate:

(1) Quantities of complete construction contract work shall be supported by all related source documents upon which payment to the contractor is based. These source documents shall include, but shall not be limited to, tickets for items measured on a weight or volume basis, cross section notes, inspector's diaries, engineering calculations for items measured in place, material tests, shipping invoices for steel, and all other field records normally developed by field engineers to support final quantities paid to contractors. The quantity field record should be summarized so that final pay estimates would lend themselves to comparison with supporting records.

(2) All appraisal reports, record of negotiations with grantors including a negotiator's diary indicating dates of contracts, offers made, and final acceptance by grantor, title insurance documents, transfer documents such as warranty deeds, quit claim deeds, easements, contract and sale documents, shall be maintained.

(3) Daily labor time records, equipment use records, requisitions for materials used, invoices for goods and services, and other invoices shall be maintained. Records shall also be maintained which support employee benefit percentages which are used in calculating amounts charged to construction projects.

(4) All records shall be retained until notification from the board that a project audit is complete or is not required.

NEW SECTION

WAC 479-05-220 Audits of project records. Projects shall be audited in accordance with the policy adopted by the board. Project records for each project developed through the

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use of board funds may be audited to determine that funds paid can be attributed to the project and supported by project records. The audit will determine if there has been compliance with the rules of the board. Projects may be audited by the board at the time of the project completion or at such additional times as may be directed by the director.

The director may, where the cumulative amount of audit exceptions is less than five hundred dollars in board funds, advise the agency that no recovery of funds is requested.

Audit exceptions which the director considers to be significant in relation to board rules or significant in amount to warrant potential recovery of funds, shall be furnished to the administering agency to allow an opportunity to respond in writing to the audit report.

After reviewing the written response, the director shall advise the agency whether any recovery of funds is indicated.

If recovery of board funds is indicated, as determined by the director, or by the board, the agency shall be provided ninety days from the date of the notice from the board to make repayment.

If repayment of funds by the agency is not made within ninety days from the date of the notice from the board, the subject shall be placed before the board for review and action.

NEW SECTION

WAC 479-05-230 Expenditure schedule of board funds. Each eligible agency having an approved project shall, when requested by the director, submit an updated schedule of its estimated demand for board funds to the board. This schedule shall be on forms provided by the board and shall include the estimated demand for board funds at least biannually until project completion.

Such estimates shall be differentiated between the design engineering, right of way and construction stages of project development.

Additional information pertaining to estimated demands for board funds by eligible agencies may be requested by the director as required to permit adequate funding of the programs.

NEW SECTION

WAC 479-05-240 Procedure to request increase in board funds. The amount of funds approved will be based upon the amount requested at design approval. This amount may be adjusted from the amount shown in the project application with adequate justification. Board fund increases are not approved at pre-design phase.

Local agencies may request an increase in funds over the amount set forth in the design phase, at the construction phase, bid opening or contract completion of a project in accordance with the following procedures:

(1) At the construction phase all requests shall be reviewed by the director. The director shall report the findings to the board for its review, consideration and final action. The board shall not grant a request for increase at this phase if:

(a) The requested increase is to pay for an expansion of the scope of the work that is beyond the work required to

accomplish the intent of the project as approved at the design phase.

(b) The granting of the request will obligate funding beyond the level acceptable to the board or will in any way adversely affect authorized funds previously approved by the board.

(2) Request for increases at bid opening shall not exceed ten percent of the engineer's estimate submitted to the board at the time the construction phase was approved multiplied by the account matching ratio. Requests for increases at this phase will take priority over design and construction phase approvals. Such requests shall be reviewed by the director and will not be approved if:

(a) The requested increase is to pay for an expansion of the authorized scope of the work; or

(b) If the request is not substantiated and the director determines that the increased funds should have been anticipated by the local agency at the construction phase of the project.

(3) Requests for increases in funds submitted to the board at contract completion shall not exceed the account matching ratio multiplied by the sum of ten percent of the original contract amount up to one million dollars and five percent of the amount in excess of one million dollars. Requests for increases at this phase will take priority over design and construction phase approvals. Such requests shall be reviewed by the director and will not be approved if:

(a) The requested increase is to pay for an expansion of the authorized scope of the work; or

(b) If the request is not substantiated and the director determines that the increased funds should have been anticipated by the local agency at the construction approval phase of the project.

(4) If the director or the board, as the case may be, does not approve the request of a local agency for an increase, the administering agency may:

(a) Proceed with the project, paying for any additional costs with local or other funds; or

(b) Withdraw the request for participation; or, if applicable

(c) Within the authorized amount, and subject to approval by the director, reduce the scope of the project while retaining a usable and functional improvement.

NEW SECTION

WAC 479-05-250 Review of delayed projects. The director may contact, in writing, each local agency administering a transportation improvement board-funded project that appears to be delayed when evaluated in relation to the proposed schedule for project development. If the agency does not respond to the inquiry of the director within twenty days explaining why the project is delayed, it shall be placed before the board as a candidate for cancellation as a delayed project.

The written response from the administering agency shall be reviewed to determine if the reason or reasons for the project delay is acceptable. The administrative agency will be advised by certified mail by the director if the delay is for

an unacceptable reason. The letter from the director shall advise the local agency that:

- (1) The project is delayed for an unacceptable reason;
- (2) The local agency has a period of three months from the date of the director's letter to resolve the reason or reasons for delay and to provide evidence to the board that the problems have been resolved. Such evidence shall, if requested by the director, include a time schedule for project development which sets forth project development dates in sufficient detail to permit monthly monitoring of project progress;
- (3) If the reason or reasons for delay are not resolved within the specified time period, the project may be placed before the board as a candidate for cancellation.

The administering agency for any project placed before the board as a candidate for cancellation shall be requested to appear before the board to explain the status of the project.

NEW SECTION

WAC 479-05-260 Recovery of board funds on canceled projects. Project development costs incurred by an agency on behalf of an authorized project that is subsequently canceled at the request of the agency, or by the board, shall be eligible for participation by board funds if, in the opinion of the board, the agency has pursued the project's development in good faith with a reasonable expectation of completing the project: Provided, That in all projects where the total project cost exceeds the amount of authorized board funds plus local matching funds, board funds shall be recovered in sufficient amount that the percentage of nonrecovered payments in relation to total project costs to the date of cancellation or withdrawal shall not exceed the percentage determined by dividing the total authorized amount of board funds by the most recently determined total project cost.

All board funds previously paid to an agency on behalf of an authorized project as a result of falsification, negligence, or deliberate misrepresentation on the part of the administering agency, in the opinion of the board, shall be repaid to the appropriate account, or a repayment agreement that is acceptable to the board shall be executed between the local agency and the board, within ninety days following cancellation of the specified project by request of the agency or by the board.

NEW SECTION

WAC 479-05-270 Identification and consideration of surplus funds on authorized board projects. When requested by the director, by certified mail, each project authorized for financial assistance from the local agency shall review their project to identify probable reductions in project cost in relation to the previously authorized amount of funds. The agency shall review the project to:

- (1) Close the project by submitting a final request for payment and summary cost documents if all work has been completed; or
- (2) Advise the board of total costs to date, remaining costs necessary to complete the project, and the amount of estimated surplus funds, if any, on the project.

Each response shall be reviewed by the director to determine whether the explanations appear reasonable and

whether the agency appears to be pursuing the completion of the project at a reasonable rate. Any project where the agency does not appear to be pursuing the project to completion at a reasonable rate, or fails to submit a final request for payment within six months from the date that all work appears to be complete, shall be referred by the director to the board for appropriate action.

Each agency administering a project that is not considered to be developing to completion at a reasonable rate, or fails to submit a final request for payment within six months when all physical work appears to be completed, shall be notified by the director by certified mail that the project is being scheduled for a hearing before the board at a specified time and place. The agency shall be requested to provide suitable representation to such board meeting to explain the status of the authorized project, the reasons why the project has not been completed and finalized out, the amount of board funds estimated to be required to complete the project, and the resulting surplus in relation to previously authorized board funds.

NEW SECTION

WAC 479-05-280 Funding shortfall. If it is determined by the transportation improvement board that the funding in any of the accounts will be insufficient to meet the obligations identified for the selected projects, the transportation improvement board shall have discretion as to the action it will take.

NEW SECTION

WAC 479-05-290 Over-programming of funds. The transportation improvement board shall select projects based on its estimate of revenues and expenditures. The transportation improvement board may utilize the principle of over-programming when selecting projects, the degree of such over-programming to be at the discretion of the transportation improvement board for each account and application period.

AMENDATORY SECTION (Amending WSR 95-04-072, filed 1/30/95, effective 3/2/95)

WAC 479-12-005 Purpose and authority. RCW 47.26.160 provides that the transportation improvement board shall adopt reasonable rules necessary to implement the urban arterial trust account (~~program. The intent of the urban arterial trust account program is to improve mobility and safety while supporting an environment essential to the quality of life of the citizens of Washington state~~).

AMENDATORY SECTION (Amending WSR 96-04-015, filed 1/29/96, effective 2/29/96)

WAC 479-12-008 Definitions. For purposes of implementing the requirements of RCW 47.26.185 relative to the urban arterial trust account, the following definitions shall apply:

- (1) (~~Board—when board is used in this chapter, it refers to the transportation improvement board.~~

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(2)) UATA - this is the abbreviation for the urban arterial trust account.

~~((3) Director - the executive director of the transportation improvement board.~~

~~(4) Eligible agencies - the urban arterial trust account eligible agencies are the counties with urban areas, cities within an urban area, and cities with a population of five thousand or above.~~

~~(5) Urban area - the term "urban area" as used for the UATA program refers to the portion of a county within the federal urban area boundary as designated by FHWA.~~

~~(6) Eligible projects.~~

~~(a) Improvements on federally classified arterials.~~

~~(b) Improvement involving state highway and transit when they are part of a joint project with eligible agencies.~~

~~(c) A project within the federal urban boundary or a project that extends partially or is totally beyond the federal urban boundary and is an extension of a federally classified arterial which connects two other federally classified arterials.~~

~~(d) A project that is on the federal functional classification system and in an area that is outside of the federal urban boundary, but has definite urban characteristics as defined by local comprehensive plans.)~~ (2) AIP - arterial improvement program.

(3) SCP - small city program.

(4) CHAP - city hardship assistance program.

(5) PSMP - pedestrian safety and mobility program.

NEW SECTION

WAC 479-12-011 Programs funded from the urban arterial trust account. Funds from the urban arterial trust account shall fund the arterial improvement program, the small city program, the city hardship assistance program, and the pedestrian safety and mobility program.

NEW SECTION

WAC 479-12-100 Intent of the arterial improvement program. The intent of the arterial improvement program is to improve mobility and safety while supporting an environment essential to the quality of life of the citizens of Washington state. Eligible agencies are counties with urban areas, cities and towns within an urban area, and cities with a population of five thousand or greater.

NEW SECTION

WAC 479-12-110 Priority criteria for arterial improvement program projects. The transportation improvement board shall evaluate the proposed arterial improvement projects by utilizing the following criteria to prioritize projects.

(1) Safety, improvements to reduce accidents;

(2) Mobility, improvements to increase mobility;

(3) Structural condition of the roadway, improvements to the roadway surface;

(4) Roadway widths, improvements to widen standard lanes and shoulders and adding sidewalks;

(5) Multimodal, improvements for a variety of transportation modes such as transit, bicycle, trucks, etc.;

(6) Project cost, improvements with lower cost in relationship to traffic and length;

(7) Other, consideration given to agencies that show initiative to improve their local transportation system in various ways.

NEW SECTION

WAC 479-12-120 Establishing regions for arterial improvement program. For the purpose of apportioning arterial improvement program funds, the counties of the state are grouped within five regions of the state as follows:

(1) Northeast region shall include eligible agencies within the counties of Adams, Chelan, Douglas, Ferry, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, and Whitman.

(2) Southeast region shall include eligible agencies within the counties of Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Klickitat, Walla Walla, and Yakima.

(3) Puget Sound region shall include eligible agencies within the counties of King, Pierce, and Snohomish.

(4) Northwest region shall include eligible agencies within the counties of Clallam, Island, Jefferson, Kitsap, San Juan, Skagit, and Whatcom.

(5) Southwest shall include eligible agencies within the counties of Clark, Cowlitz, Grays Harbor, Lewis, Mason, Pacific, Skamania, Thurston, and Wahkiakum.

NEW SECTION

WAC 479-12-130 Apportionment of funds to arterial improvement program regions. Beginning 1995, every four years, the board shall determine the distribution formula to apportion unobligated arterial trust account funds to each urban region. The distribution formula shall be defined in the following manner:

(1) One-third of the ratio shall be the population the urban areas of each region bears to the total population of all urban areas of the state as last determined by the office of financial management;

(2) One-third of the ratio shall be the vehicle to mile ratio traveled on the classified arterial system within the urban areas of each region, compared to the total vehicle to mile ratio traveled on all classified urban arterial systems;

(3) One-third of the ratio shall be an actual or historical indicator of needs within the region as determined by the board.

The distribution of funds within each region shall be administered so as to permit complete arterial improvement program projects in each arterial classification to be authorized and funded.

NEW SECTION

WAC 479-12-140 Eligible arterial improvement program projects. Eligible projects are:

(1) Improvements on federally classified arterials;

(2) Improvement involving state highway and transit when they are part of a joint project with eligible agencies;

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(3) Within the urban growth area in counties which are in full compliance with Washington state's Growth Management Act;

(4) Within the Federal Aid Urban Boundary for those counties that are in the process, but have not formally adopted urban growth areas; or

(5) Projects which have definite urban characteristics as defined by local comprehensive plans.

NEW SECTION

WAC 479-12-150 Matching ratios for arterial improvement program projects. Urban arterial trust account funds for local agency arterial projects shall be matched in accordance with the following scheduled percentage of the total project cost.

City with a population less than 10,000 or a county with a population less than 70,000 - 10% match.

City with a population from 10,000 to 14,999 or a county with a population from 70,000 to 210,000 - 15% match.

City with a population from 15,000 and up or a county with a population over 210,000 - 20% match.

NEW SECTION

WAC 479-12-200 Intent of the small city program. The intent of the small city program is to preserve and improve the roadway system in a manner that is consistent with local needs. An eligible agency is a city or town that has a population less than five thousand.

NEW SECTION

WAC 479-12-210 Priority criteria for small city program projects. The board will use the following criteria to prioritize proposed small city account projects:

(1) Structural ability to carry loads (pavement condition);

(2) Roadway width;

(3) Safety; and

(4) Other factors: Criteria deemed appropriate by the board on a case-by-case basis.

NEW SECTION

WAC 479-12-220 Establishing regions for small city program. For the purpose of apportioning urban arterial trust account funds to the small city program, the counties of the state are grouped within three regions as follows:

(1) East region shall include eligible agencies within the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima.

(2) Puget Sound region shall include eligible agencies within the counties of King, Pierce, and Snohomish.

(3) West region shall include eligible agencies within the counties of Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, Kitsap, Lewis, Mason, Pacific, San Juan, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom.

NEW SECTION

WAC 479-12-230 Apportionment of funds to small city program regions. Of the funds obligated to the small city program, the amount apportioned to projects in a region will be within plus or minus five percent of the ratio which the population of cities under five thousand in a region bears to the state-wide population for cities under five thousand as last determined by the office of financial management.

NEW SECTION

WAC 479-12-240 Eligible small city program projects. Incorporated areas outside federal designated urban areas shall be required to identify their streets as either arterials or local access. An arterial shall be defined by at least one of the following standards:

(1) Serves as the logical extension of a county arterial into the corporate boundary; or

(2) Serves as a route connecting local (traffic) generators such as schools, medical facilities, social centers, recreational areas, commercial centers, or industrial sites within the corporate boundary; or

(3) Acts as a bypass or truck route to relieve the central core area.

Streets failing to qualify under these standards for arterials are not eligible for small city account funds.

NEW SECTION

WAC 479-12-250 Matching requirements for small city program projects. There will be no local agency matching requirements for cities with a population of five hundred or less. Those agencies with a population over five hundred must provide a minimum local match of five percent.

NEW SECTION

WAC 479-12-260 Increases in small city program projects. An increase in the amount of small city program funds for a project may be requested in accordance with the provisions of WAC 479-05-250, except, where in the board's judgment at project completion, ten percent of unexpected project costs would create an undue financial burden on the agency, the board may elect to fund all or a portion of the unexpected cost.

NEW SECTION

WAC 479-12-300 Intent of the city hardship assistance program. RCW 47.26.164, provides that the transportation improvement board shall adopt reasonable rules necessary to implement the city hardship assistance program as recommended by the road jurisdiction study. An eligible project is an improvement on a section of roadway that meets the requirements of RCW 47.26.164 and the requirements specified in this chapter. A listing of the roadways eligible for city hardship assistance program funding is included in WAC 479-12-340.

NEW SECTION

WAC 479-12-310 Priority criteria for city hardship assistance program projects. The board will use the following criteria to prioritize proposed city hardship assistance program projects:

- (1) Structural ability to carry loads (pavement condition);
- (2) Deterioration rate for the roadway;
- (3) Safety; and
- (4) Other factors:
 - (a) Relationship to other local agency projects;
 - (b) Extent of previous participation in the program; and
 - (c) Other criteria deemed appropriate by the board on a case-by-case basis.

NEW SECTION

WAC 479-12-340 Eligible city hardship assistance program agencies or streets. Agencies eligible for city hardship assistance program funds are:

(1) Only those cities with a net gain in cost responsibility due to jurisdictional transfers in RCW 47.26.164, which have a population of fifteen thousand or less may participate;

(2) The board is authorized to allocate funds from the city hardship assistance program to cities with a population under twenty thousand to offset extraordinary costs associated with the transfer of roadways other than pursuant to RCW 47.26.164, that occur after January 1, 1991.

The following cities or towns are eligible for city hardship assistance program funding: Clarkston, Old SR 128, 0.13 Miles, SR 12 to Poplar Street; Kelso, Old SR 431, 0.90 Miles, SR 5 to Cowlitz Way; Kelso, Old I-5, 1.20 Miles, north end of Coweeman River Bridge to 2,480 feet south of Haussler Road and those sections of Kelso Drive, Minor Road, Grade Street and Kelso Avenue referred to in the memorandum of understanding for this turn back, approximately 2.7 miles; Leavenworth, Old SR 209, 0.11 Miles, SR 2 to 260 feet north of Fir Street; Milton, Old SR 514, 2.46 Miles, Junction SR 99 to 50 feet west of SR 161; Napavine, Old SR 603, 0.79 Miles, 810 feet southwest of Lincoln Street to 8th Avenue West; Pomeroy, Old SR 128, 0.72 Miles, SR 12 to 2,690 feet south of Arlington Avenue; Skykomish, Old SR 2 Spur, 0.16 Miles, SR 2 to Railroad Avenue; Stanwood, Old SR 530, 1.59 Miles, 790 feet north of 86th Drive NW to 740 feet northwest of 72nd Avenue NW; Toledo, Old SR 505, 0.12 Miles, Fifth Street to 210 feet northwest of Sixth Street; Toppenish, Old SR 220, 0.27 Miles, Junction SR 22 to 630 feet east of Linden Road; Vader, Old SR 411, 0.25 Miles, 520 feet south of SR 506 to 1,840 feet south of SR 506; Washougal, Old SR 140, 0.70 Miles, SR 14 to west end of Washougal River Bridge; Winlock, Old SR 603, 0.61 Miles, Walnut Street to 160 feet south of Olequa Creek Bridge; and other cities under 20,000 population could become eligible for turn backs approved after January 1, 1991.

NEW SECTION

WAC 479-12-350 Matching ratios for city hardship assistance program projects. There will be no local agency

matching requirements for city hardship assistance program funded projects.

NEW SECTION

WAC 479-12-360 Allowable city hardship assistance program activities. Unless otherwise approved by the board, city hardship assistance program funding shall be limited to the direct and attributable indirect costs associated with rehabilitation activities on the eligible project. City hardship assistance program funds cannot be used for landscaping. City hardship assistance program funds will not participate in the cost involved with adding lanes or turn lanes.

NEW SECTION

WAC 479-12-370 City hardship assistance program participation with other funds. City hardship assistance program funds may be used to fund rehabilitation work associated with the widening of the section of roadway but participation will be limited to the minimum standard or existing lane and shoulder widths. City hardship assistance program funds will be considered local agency funds if they are used in other board funded projects.

NEW SECTION

WAC 479-12-400 Intent of pedestrian safety and mobility program. The intent of this program is to enhance and promote pedestrian safety and mobility as a viable transportation choice by providing funding for pedestrian projects that provide access and address system continuity and connectivity of pedestrian facilities.

NEW SECTION

WAC 479-12-410 Priority criteria for pedestrian safety and mobility projects. The board will use the following criteria to prioritize proposed urban pedestrian safety and mobility projects:

- (1) Pedestrian safety;
- (2) Pedestrian movements;
- (3) Pedestrian convenience;
- (4) Neighborhood impact; and
- (5) Project cost.

The board will use the following criteria to prioritize proposed small city pedestrian safety and mobility projects:

- (a) Pedestrian safety;
- (b) Pedestrian movements;
- (c) Economic development; and
- (d) Funding partners.

NEW SECTION

WAC 479-12-420 Establishing regions for the pedestrian safety and mobility program. For the purpose of apportioning urban arterial trust account funds to the pedestrian safety and mobility program, the counties of the state are grouped within three regions as follows:

(1) East region shall include eligible agencies within the counties of Adams, Asotin, Benton, Chelan, Columbia, Dou-

glas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima.

(2) Puget Sound region shall include eligible agencies within the counties of King, Pierce, and Snohomish.

(3) West region shall include eligible agencies within the counties of Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, Kitsap, Lewis, Mason, Pacific, San Juan, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom.

NEW SECTION

WAC 479-12-430 Apportionment of funds to pedestrian safety and mobility program regions. Of the funds obligated to pedestrian safety and mobility projects within urban areas, forty percent will be allocated to projects on a state-wide basis and then, at least fifteen percent will be allocated to projects in the east region, at least fifteen percent to projects in the west region, and approximately thirty percent to projects in the Puget Sound region.

Of the funds obligated to pedestrian safety and mobility projects within small cities, the amount apportioned to projects in a region will be within plus or minus five percent of the ratio which the population of cities under five thousand in a region bears to the state-wide population for cities under five thousand as last determined by the office of financial management.

NEW SECTION

WAC 479-12-440 Eligible pedestrian safety and mobility projects. Minimum project requirements are:

(1) An urban pedestrian safety and mobility project must be on a pedestrian route with linkages to a functionally classified route. Small city pedestrian safety and mobility projects must be on or related to a street on the board approved arterial system;

(2) Primary purpose of the project is transportation;

(3) Urban agency matching funds cannot be less than twenty-percent;

(4) For small city pedestrian safety and mobility project there will be no local agency matching requirements for cities with a population of five hundred or less. For those agencies with a population over five hundred, but less than five thousand, there will be a minimum local match requirement of five-percent;

(5) This program will not participate in the cost of right of way acquisition;

(6) Maximum board participation for a project is specified by the board;

(7) No increases are given on urban projects; and

(8) All projects must be completed within two years of board selection.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 479-12-010 Data to be submitted on proposed projects.

WAC 479-12-020

Time and place for submission of proposed urban arterial trust account projects.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 479-13-010

Six-year transportation programs for urban areas.

WAC 479-13-011

Priority criteria for urban arterial trust account projects.

WAC 479-13-025

Six-year financial plan.

WAC 479-13-035

Value engineering study requirements.

WAC 479-13-070

Procedures for project approval.

Chapter 479-14 WAC

SUBMISSION OF PROPOSED TRANSPORTATION IMPROVEMENT ACCOUNT PROJECTS TO TRANSPORTATION IMPROVEMENT BOARD

NEW SECTION

WAC 479-14-005 Purpose and authority. RCW 47.26.084 and 47.26.086 provides that the transportation improvement board shall adopt reasonable rules necessary to implement the transportation improvement account.

NEW SECTION

WAC 479-14-008 Definitions. For purposes of implementing the requirements of RCW 47.26.185 relative to the transportation improvement account, the following definitions shall apply:

(1) TIA - Transportation Improvement Account.

(2) TPP - Transportation Partnership Program.

NEW SECTION

WAC 479-14-010 Programs funded from the transportation improvement account. Funds from the transportation improvement account shall fund the transportation partnership program.

NEW SECTION

WAC 479-14-100 Intent of the transportation partnership program. The intent of the program is to improve mobility of people and goods in Washington state by supporting economic development and environmentally responsive solutions to our state-wide transportation system needs. Eligible agencies are counties that have an urban area, all cities with a population of five thousand or more, and transportation benefit districts.

PERMANENT

NEW SECTION

WAC 479-14-110 Priority criteria for the transportation partnership program. The following criteria shall be utilized by the transportation improvement board to prioritize projects:

- (1) The percentage of agency(ies) and private matching funds.
- (2) Multimodal solutions for projects including, but not limited to, transit, high occupancy vehicle (HOV) lanes, ferry, high capacity transit/rail, or intermodal facility.
- (3) Economic development is encouraged.
- (4) Multiagency involvement in projects.
- (5) Mobility enhancement by betterment of service level.
- (6) Improvements necessitated by existing or foreseeable congestion or safety problems due to economic development or growth.
- (7) Other considerations demonstrating improvement of the local transportation system such as traffic demand management or local transportation funding.

NEW SECTION

WAC 479-14-120 Establishing regions for transportation partnership program. For the purpose of apportioning TIA funds to the transportation partnership program, the counties of the state are grouped within three regions of the state as follows:

- (1) East region shall include eligible agencies within the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima.
- (2) Puget Sound region shall include eligible agencies within the counties of King, Pierce, and Snohomish.
- (3) West region shall include eligible agencies within the counties of Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, Kitsap, Lewis, Mason, Pacific, San Juan, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom.

NEW SECTION

WAC 479-14-130 Apportionment of funds to transportation partnership program regions. Of the funds in the program, forty percent will be allocated to projects on a state-wide basis and then, at least fifteen percent will be allocated to projects in the East region, at least fifteen percent to projects in the West region, and approximately thirty percent to projects in the Puget Sound region.

NEW SECTION

WAC 479-14-140 Eligible transportation partnership program projects. Eligible projects are:

- (1) Improvements on federally classified arterials;
- (2) Improvement involving state highway and transit when they are part of a joint project with eligible agencies;
- (3) Within the urban growth area in counties which are in full compliance with Washington state's Growth Management Act;

(4) Within the Federal Aid Urban Boundary for those counties that are in the process, but have not formally adopted urban growth areas; or

(5) Projects which have definite urban characteristics as defined by local comprehensive plans.

NEW SECTION

WAC 479-14-150 Designation of lead agency for transportation partnership program projects. The agencies involved in a multiagency transportation partnership program project shall designate one agency as the lead agency. The lead agency must be a city, county, or transportation benefit district.

NEW SECTION

WAC 479-14-160 Verification of coordination with planning authority for transportation partnership program projects. All applications for transportation partnership program funding shall be consistent with the regional transportation plan. In areas of the state where there is no regional transportation planning authority, a letter of verification shall be signed by the chair of the lead agency legislative authority.

NEW SECTION

WAC 479-14-170 Planning requirements for multi-agency transportation partnership program projects. The board requires joint planning for all transportation partnership program funded multiagency projects. The lead agency shall submit documentation to the board stating that the approving authority of each agency involved in the project has indicated support for the project. In the case of projects that stop at or near a corporate boundary or could affect other transportation agencies' facilities or programs, a copy of a letter requesting review by other affected agencies shall accompany the project application.

NEW SECTION

WAC 479-14-180 Local/private matching funds on transportation partnership program projects. Transportation partnership program funds for urban program projects authorized by the board shall be matched by an amount not less than twenty percent of the total cost of the transportation project. Matching funds will be considered to be all contributions other than those provided by the board.

NEW SECTION

WAC 479-14-190 Certification of local/private matching funds for transportation partnership program projects. Within one year after board approval of a prospectus for funding and before any transportation partnership program funds are committed to the project, each agency with an interest in the transportation partnership program project shall provide written certification to the board of the pledged percentage of local and/or private funding. Funds allocated

to an applicant that does not certify funding within one year after approval may be reallocated by the board.

Chapter 479-15 WAC

SUBMISSION OF PROPOSED PUBLIC TRANSPORTATION SYSTEMS ACCOUNT PROJECTS TO TRANSPORTATION IMPROVEMENT BOARD

NEW SECTION

WAC 479-15-005 Purpose and authority. RCW 47.66.010 provides that the transportation improvement board shall adopt reasonable rules necessary to implement the public transportation systems account.

NEW SECTION

WAC 479-15-008 Definitions. For purposes of implementing the requirements of RCW 47.66.010 relative to the public transportation systems account, the following definitions shall apply:

- (1) PTSA - Public Transportation Systems Account.
- (2) PTSP - Public Transportation Systems Program.

NEW SECTION

WAC 479-15-010 Programs funded from the public transportation systems account. Funds from the public transportation systems account shall fund the public transportation systems program.

NEW SECTION

WAC 479-15-100 Intent of the public transportation systems program. The intent of the program is to ensure that viable multimodal programs are available throughout Washington state. All public transit agencies are eligible to apply for public transportation systems program funds.

NEW SECTION

WAC 479-15-110 Priority criteria for public transportation systems program. The following criteria shall be utilized by the transportation improvement board to prioritize projects:

- (1) Multimodal solutions;
- (2) Mobility enhancements;
- (3) Customer satisfaction/safety/security;
- (4) Financial;
- (5) Economic development;
- (6) Environmental responsive solutions; and
- (7) Innovative solutions.

NEW SECTION

WAC 479-15-120 Establishing regions for public transportation systems program. For the purpose of apportioning public transportation systems funds to the public transportation systems program, the counties of the state are grouped within two regions of the state as follows:

The central Puget Sound region shall include eligible agencies within the counties of King, Kitsap, Pierce, and Snohomish.

The remaining region shall include eligible agencies within the counties of Adams, Asotin, Benton, Chelan, Clallam, Clark, Columbia, Cowlitz, Douglas, Ferry, Franklin, Garfield, Grant, Grays Harbor, Island, Jefferson, Kittitas, Klickitat, Lewis, Lincoln, Mason, Okanogan, Pacific, Pend Oreille, San Juan, Skagit, Skamania, Spokane, Stevens, Thurston, Walla Walla, Wahkiakum, Whatcom, Whitman, and Yakima.

NEW SECTION

WAC 479-15-130 Apportionment of funds to public transportation systems program regions. Of the funds obligated to the public transportation systems program, the amount apportioned to projects in a region will be based on the revenue provided by RCW 82.44.150.

NEW SECTION

WAC 479-15-140 Eligible public transportation systems program projects. Projects eligible for funding from the public transportation systems program shall be limited to public transportation projects for:

- (1) Planning;
- (2) Development of capital projects;
- (3) Development of high capacity transportation systems as defined in RCW 81.104.015;
- (4) Development of high occupancy vehicle lanes and related facilities as defined in RCW 81.100.020;
- (5) Public transportation system contributions required to fund projects under federal programs and those approved by the transportation improvement board; and
- (6) Commute trip reduction tax credits.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 479-16-010	Methods of construction.
WAC 479-16-015	Registered engineer in charge.
WAC 479-16-016	Certification of completed work.
WAC 479-16-020	Standard specifications.
WAC 479-16-030	Utility and railroad adjustments and relocations.
WAC 479-16-035	Undergrounding utilities.
WAC 479-16-040	Traffic control devices.
WAC 479-16-045	Project plantings.
WAC 479-16-050	Acquisition of rights of way.

PERMANENT

WAC 479-16-060	Design standards for transportation improvement board projects.
WAC 479-16-080	Apportionment of urban arterial trust account fund to regions.
WAC 479-16-085	Funding for pedestrian facilities.
WAC 479-16-098	Inclusion of bicycle facilities in transportation improvement board projects.

Chapter 479-17 WAC

STATE-WIDE COMPETITIVE AND ENHANCEMENT PROGRAMS

NEW SECTION

WAC 479-17-100 Transportation Equity Act for the 21st Century or its successor acts, surface transportation program, state-wide competitive program account—Eligibility. (1) Eligibility to apply shall be limited to public agencies.

(2) Programs and projects eligible for funding shall be limited to the following purposes:

- (a) Planning;
- (b) Preliminary engineering;
- (c) Right of way acquisition;
- (d) Construction; and
- (e) Capital equipment acquisition.

(3) Projects eligible for funding under the account shall be limited to applications that directly benefit Washington state.

(4) All projects must be regionally significant.

NEW SECTION

WAC 479-17-200 Transportation Equity Act for the 21st Century or its successor acts, state-wide competitive program account—Criteria. (1) Projects selected for funding from the state-wide competitive program account shall be consistent with the following criteria without regard to geographic distribution:

- (a) Local, regional, and state transportation plans;
 - (b) Local transit development plans; and
 - (c) Local comprehensive land use plans.
- (2) The following criteria shall be considered:

(a) Objectives of the Growth Management Act, the High Capacity Transportation Act, the Commute Trip Reduction Act, transportation demand management programs, federal and state air quality requirements, and federal Americans with Disabilities Act and related state accessibility requirements; and

(b) Energy efficiency issues, freight and goods movement, economic development, rural isolation, fish passage, flood mitigation, the leveraging of other funds including funds administered by the transportation improvement board, and safety and security issues.

(3) In addition to the criteria identified in subsections (1) and (2) of this section, the transportation improvement board may choose to identify additional criteria for program and project selection for the state-wide competitive program. Such criteria shall be subject to public meetings as required by federal law, and shall be identified in the application guidelines.

(4) The transportation improvement board shall prepare application forms and guidelines to assist eligible applicants and ensure their distribution to all eligible applicants no later than thirty days prior to the date on which the applications must be submitted.

(5) The transportation improvement board shall select projects for the state-wide competitive program and forward the recommended list to the legislature, governor's office, and Washington state department of transportation by February 1st of each year.

NEW SECTION

WAC 479-17-300 Transportation Equity Act for the 21st Century or its successor acts, enhancement program account—Eligibility. (1) Eligibility to apply shall be limited to public agencies.

(2) Programs and projects eligible for funding shall be limited to the following purposes:

- (a) Provision of bicycle and pedestrian facilities;
- (b) Acquisition of scenic easement;
- (c) Scenic or historic highway programs (including tourist and welcome center facilities);
- (d) Landscaping and other scenic beautification;
- (e) Historic preservation;
- (f) Rehabilitation and operation of historic transportation buildings, structures or facilities;
- (g) Preservation of abandoned railway corridors;
- (h) Control and removal of outdoor advertising;
- (i) Archaeological planning and research;
- (j) Mitigation of water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity;
- (k) Establishment of transportation museums.

(3) Projects eligible for funding under the account shall be limited to applications that directly benefit Washington state.

NEW SECTION

WAC 479-17-400 Transportation Equity Act for the 21st Century or its successor acts, enhancement program account—Criteria. (1) Projects selected for funding from the enhancement program account shall be consistent with the following criteria:

- (a) Local, regional and state transportation plans;
 - (b) Local comprehensive land use plans.
- (2) The following procedure shall be considered:

(a) Project applications shall be reviewed and regionally prioritized by the regional transportation planning organizations or metropolitan planning organizations and shall be forwarded to the transportation improvement board for selection.

(b) The Washington state department of transportation shall prepare application forms and guidelines to assist eligible applicants and ensure their distribution to all eligible applicants no later than thirty days prior to the date on which the applications must be submitted.

(c) The transportation improvement board shall establish priorities to fund regionally significant projects by allocating twenty-five percent of the funds to projects on a state-wide basis and the remaining funds based on population distribution to the regional transportation planning organizations or metropolitan planning organizations.

(d) The transportation improvement board shall select projects for the enhancement program and forward the recommended list to the legislature, governor's office and Washington state department of transportation by February 1st of each year.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 479-20-007 Matching ratios for urban arterial trust account funds.
- WAC 479-20-010 Reimbursable costs.
- WAC 479-20-011 Reimbursable costs for engineering.
- WAC 479-20-013 Direct costs.
- WAC 479-20-016 Indirect costs.
- WAC 479-20-020 Partial or progress payments for project costs.
- WAC 479-20-025 Record requirements.
- WAC 479-20-027 Audits of urban arterial project records.
- WAC 479-20-031 Expenditure schedule of urban arterial trust account funds.
- WAC 479-20-037 Procedure to request increase in board funds.
- WAC 479-20-086 Review of delayed projects.
- WAC 479-20-089 Recovery of urban arterial trust funds on canceled projects.
- WAC 479-20-095 Identification and consideration of surplus funds on authorized urban arterial trust account projects.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 479-112-001 Purpose and authority.

- WAC 479-112-003 Transportation improvement account program intent.
- WAC 479-112-0055 Definitions.
- WAC 479-112-007 Designation of lead agency for transportation improvement account projects.
- WAC 479-112-008 Verification of coordination with planning authority for transportation improvement account projects.
- WAC 479-112-009 Planning requirements for multiagency transportation improvement account projects.
- WAC 479-112-010 Application for transportation improvement account projects.
- WAC 479-112-017 Local/private matching funds on transportation improvement account projects.
- WAC 479-112-018 Certification of local/private matching funds for transportation improvement account projects.
- WAC 479-112-020 Time and place for submission of proposed TIA projects.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 479-310-010 Purpose and authority.
- WAC 479-310-050 Adoption of rules.
- WAC 479-310-100 Funds for the city hardship assistance program.
- WAC 479-310-150 Definitions.
- WAC 479-310-200 Administration costs.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 479-312-010 Eligible agencies and streets.
- WAC 479-312-050 Population requirement for eligible agencies.
- WAC 479-312-100 Data to be submitted for CHAP project application.
- WAC 479-312-150 Six-year transportation plan requirements.

PERMANENT

- WAC 479-312-200 Other applicable federal, state and local regulations.
- WAC 479-312-250 Process and selection criteria for priority array.
- WAC 479-312-300 Matching requirements for city hardship assistance program projects.

- WAC 479-410-180 Allocation of small city account funds to regions.
- WAC 479-410-200 Administration costs.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 479-316-010 Allowable activities.
- WAC 479-316-050 Minimum roadway widths.
- WAC 479-316-100 Participation with other funds.
- WAC 479-316-200 Record requirements.
- WAC 479-316-250 Audits of CHAP projects.
- WAC 479-316-300 Project plantings on CHAP projects.

- WAC 479-412-020 Time and place for submission of proposed small city account projects.
- WAC 479-412-100 Application for small city account projects.
- WAC 479-412-150 Six-year transportation plan requirements for small city account projects.
- WAC 479-412-200 Other applicable federal, state and local regulations.
- WAC 479-412-250 Priority criteria for small city account projects.
- WAC 479-412-300 Matching requirements for small city account projects.
- WAC 479-412-310 Order of construction funding of small city account projects.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 479-320-050 Eligible project costs.
- WAC 479-320-100 Eligible costs for engineering.
- WAC 479-320-150 Procedure for requesting an increase in authorized amount of city hardship assistance program funds.
- WAC 479-320-200 Partial or progress payments for city hardship assistance program costs.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 479-416-010 Methods of construction for small city account projects.
- WAC 479-416-015 Registered engineer in charge for small city account projects.
- WAC 479-416-016 Certification of completed work for small city account projects.
- WAC 479-416-018 Design standards for small city account program projects.
- WAC 479-416-020 Standard specifications for small city account projects.
- WAC 479-416-030 Utility and railroad adjustments and relocations for small city account projects.
- WAC 479-416-035 Undergrounding utilities on small city account projects.
- WAC 479-416-040 Traffic control devices on small city account projects.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 479-410-010 Purpose and authority.
- WAC 479-410-020 Small city account program intent.
- WAC 479-410-100 Funds for the small city account program.
- WAC 479-410-150 Definitions.
- WAC 479-410-160 Classification standards for arterials in small cities.
- WAC 479-410-170 Establishing regions for small city account program.

PERMANENT

WAC 479-416-045

Project plantings on small city account projects.

WAC 479-416-050

Acquisition of right of way for small city account program projects.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 479-420-010

Eligible project costs for small city account projects.

WAC 479-420-011

Eligible costs for engineering for small city account projects.

WAC 479-420-013

Direct costs for small city account projects.

WAC 479-420-016

Indirect costs for small city account projects.

WAC 479-420-020

Partial or progress payments for small city account project costs.

WAC 479-420-025

Record requirements for small city account projects.

WAC 479-420-027

Audits of small city account project records.

WAC 479-420-031

Expenditure schedule of small city account funds.

WAC 479-420-037

Procedure for requesting an increase in authorized amount of transportation improvement account funds.

WAC 479-420-086

Review of delayed projects for the small city account program.

WAC 479-420-089

Recovery of small city account funds on canceled projects.

WAC 479-420-095

Identification and consideration of surplus funds on authorized small city account projects.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 479-510-060

Application guidelines.

WAC 479-510-076

Funding shortfall.

WAC 479-510-080

Over-programming of funds.

WAC 479-510-110

Central Puget Sound public transportation account—Eligibility.

WAC 479-510-120

Central Puget Sound public transportation account—Criteria.

WAC 479-510-210

Public transportation systems account—Eligibility.

WAC 479-510-220

Public transportation systems account—Criteria.

WAC 479-510-410

Transportation Equity Act for the 21st Century or its successor acts, surface transportation program, state-wide competitive program account—Eligibility.

WAC 479-510-420

Transportation Equity Act for the 21st Century or its successor acts, surface transportation program, state-wide competitive program account—Criteria.

WAC 479-510-500

Financial and payment requirements.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 479-24-010

Purpose.

WAC 479-24-020

Incorporation of the SEPA guidelines adopted by the council on environmental policy.

WAC 479-24-030

Timing of the environmental review process.

WAC 479-24-040

Procedures when consulted.

WAC 479-24-050

Designation of responsible official.

WAC 479-24-070

Designation of lead agency.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 479-113-010

Six-year programs for transportation improvement account projects.

WAC 479-113-011

Priority criteria for transportation improvement account projects.

PERMANENT

WAC 479-113-029	Establishing regions for transportation improvement account program.	WAC 479-116-070	Funding for pedestrian facilities.
WAC 479-113-031	Allocation of transportation improvement account funds to regions.	WAC 479-116-080	Inclusion of bicycle facilities in TIB projects.
WAC 479-113-035	Value engineering study requirements for transportation improvement account projects.	<u>REPEALER</u>	
WAC 479-113-070	Procedures for project phase approval for transportation improvement account projects.	The following chapter of the Washington Administrative Code is repealed:	
		WAC 479-120-010	Reimbursable costs for transportation improvement account projects.
		WAC 479-120-011	Reimbursable costs for engineering for transportation improvement projects.
		WAC 479-120-013	Direct costs for transportation improvement account projects.
		WAC 479-120-016	Indirect costs for transportation improvement account projects.
		WAC 479-120-020	Partial or progress payments for transportation improvement account project costs.
		WAC 479-120-025	Record requirements for transportation improvement account projects.
		WAC 479-120-027	Audits of transportation improvement account project records.
		WAC 479-120-031	Expenditure schedule of transportation improvement account funds.
		WAC 479-120-037	Procedure for requesting an increase in authorized amount of transportation improvement account funds.
		WAC 479-120-086	Review of delayed projects for the transportation improvement account program.
		WAC 479-120-089	Recovery of transportation improvement account funds on canceled projects.
		WAC 479-120-095	Identification and consideration of surplus funds on authorized transportation improvement account projects.
<u>REPEALER</u>			
The following chapter of the Washington Administrative Code is repealed:			
WAC 479-116-010	Methods of construction for transportation improvement account projects.		
WAC 479-116-015	Registered engineer in charge for transportation improvement account projects.		
WAC 479-116-016	Certification of completed work for transportation improvement account projects.		
WAC 479-116-020	Standard specifications for transportation improvement account projects.		
WAC 479-116-030	Utility and railroad adjustments and relocations for transportation improvement account projects.		
WAC 479-116-035	Undergrounding utilities on transportation improvement account projects.		
WAC 479-116-040	Traffic control devices on transportation improvement account projects.		
WAC 479-116-045	Project plantings on transportation improvement account projects.		
WAC 479-116-050	Acquisition of right of way for transportation improvement account projects.		
WAC 479-116-060	Design standards for transportation improvement account projects.		

WSR 99-24-039
PERMANENT RULES
DEPARTMENT OF AGRICULTURE

[Filed November 24, 1999, 9:26 a.m.]

Date of Adoption: November 24, 1999.

Purpose: To repeal outdated, unnecessary requirements. The standards for frozen yogurt, frozen lowfat yogurt, frozen nonfat yogurt, soft serve frozen yogurt mix, soft serve frozen lowfat yogurt mix and soft serve frozen nonfat yogurt mix in this rule are no longer needed because of new federal FDA food labeling requirements under the Nutrition Labeling and Education Act of 1990 and amendments to Title 21 C.F.R.

Citation of Existing Rules Affected by this Order: Repealing WAC 16-144-090, 16-144-100, 16-144-110, 16-144-120, 16-144-130, and 16-144-140.

Statutory Authority for Adoption: RCW 15.36.020.

Adopted under preproposal statement of inquiry filed as WSR 99-19-166 on September 22, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 6; Federal Rules or Standards: New 0, Amended 0, Repealed 6; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 6.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 6.

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

November 24, 1999

Jim Jesernig
Director

WSR 99-24-042
PERMANENT RULES
DEPARTMENT OF AGRICULTURE

[Filed November 24, 1999, 10:59 a.m.]

Date of Adoption: October 11, 1999.

Purpose: Provides for the application, fees and standards in the seed certification program for buckwheat, chickpea, field pea, lentil, millet, soybean, sorghum and small grain seeds in chapter 16-316 WAC.

Citation of Existing Rules Affected by this Order: Amending WAC 16-316-474, 16-316-717, and 16-316-727.

Statutory Authority for Adoption: RCW 15.49.310 and 15.49.370(3).

Adopted under notice filed as WSR 99-13-184 on June 23, 1999, and WSR 99-20-024 on September 28, 1999.

Changes Other than Editing from Proposed to Adopted Version: Fees have been adjusted to comply with the Washington state fiscal growth factor.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 3, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 3, Repealed 0.

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

October 11, 1999

James M. Jesernig
Director

AMENDATORY SECTION (Amending WSR 98-12-032, filed 5/28/98, effective 6/28/98)

WAC 16-316-474 Buckwheat—Chickpea—Field pea—Lentil—Millet—Soybean—Sorghum—Small grain—Application and fees. (1) An application for seed certification with application fee, field inspection fee, and late application fee (if due) for each field shall be filed by or for each grower with Washington State Crop Improvement Association, Inc., the certifying agency for seeds of buckwheat, chickpea (garbanzo beans), field pea, lentil, millet, soybean, sorghum and small grains.

(2) Due dates:

(a) Buckwheat - June 1

(b) Field pea - June 1

(c) Chickpea - June 1

(d) Lentil - June 1

(e) Millet - June 1

(f) Soybean - July 1

(g) Sorghum - July 15

(h) Small grains - June 1 for both winter varieties and spring varieties.

(i) After due date, an application with late application fee may be accepted for service.

(3) Fees:

(a) Application fee per variety per grower ~~(\$19.03)~~
\$18.87

(b) Field inspection fee per acre
except millet and hybrid sorghum ~~(\$ 2.65)~~
\$ 2.63

(c) Millet - first acre ~~(\$28.29)~~
\$28.06
- each additional acre ~~(\$ 5.65)~~
\$ 5.61

(d) Hybrid sorghum - first acre ~~(\$28.29)~~
\$28.06

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- each additional acre ((~~\$11.31~~)) \$11.22

(e) Special field inspection fee per acre ((~~\$ 2.36~~)) \$ 2.24

(f) Late application fee ((~~\$17.83~~)) \$17.68

(g) Reinspection fee ((~~\$35.69~~)) \$35.39

minimum for each field which did not pass field inspection plus \$ 0.40 for each acre over twenty-five. The reinspection fee for isolation requirements only for a field of any size is ((~~\$35.69~~)) \$35.39

(h) Final certification fee \$0.225

per cwt. of clean seed sampled, which shall be charged to conditioning plant, or production fee \$0.105

per cwt. of production from fields inspected which is utilized for seed, which shall be charged to the grower or the final seller prior to brokerage, retail sale, sale to plant not approved for conditioning certified seed, or transshipment out-of-state.

(i) Sampling fee \$0.105

per cwt. of clean seed sampled, with minimum charge of ten dollars per sample, which shall be charged to conditioning plant in lieu of mechanical sampling.

(4) A field may be withdrawn upon notification by the applicant to the certifying agency's office before field inspection. In such case, the field inspection fee shall be refunded upon request until June 30 of the year following harvest.

(5) Harvest before field inspection causes forfeitures of both the application and field inspection fees, and completion of certification.

AMENDATORY SECTION (Amending Order 5045, filed 5/27/94, effective 6/27/94)

WAC 16-316-717 Field pea standards. (1) Field pea - land, isolation, and field standards:

CLASS	LAND	ISOLATION	OFF-TYPE MAXIMUM PLANTS/ACRE	FIELD
	MINIMUM YEARS	MINIMUM FEET		OTHER CROP MAXIMUM PLANTS/ACRE
Foundation	5*	100**	None found	None found***
Registered	3*	100**	10	None found***
Certified	2*	25**	20	None found***

**Reduce to three feet from fields producing a certified class of the same variety. In addition, each field pea field for certification must be isolated from small grain fields by three feet. To prevent mechanical field mixing of swathed field pea seedcrop, the planting of small grain between field pea fields, except for three feet of isolation, is recommended.

(*) ~~Also required is minimum number of years the following crop kinds were out of production:~~

	NUMBER OF YEARS MINIMUM
Foundation	10
Registered	10
Certified	10)

*Spring peas also require 10 years land history with no production of Austrian pea for all classes.

***For spring peas, no Austrian pea or rye is permitted. For Austrian peas, no rye is permitted.

(2) Field pea - seed standards:

CLASS	OFF-TYPE MAXIMUM %	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM %	WEED MAXIMUM %	GERMINATION MINIMUM %
Foundation	None found	99.00	1.00	None found	None found	85
Registered	None found	99.00	1.00	None found	0.25**	85
Certified	0.03	99.00	1.00	0.10*	0.25**	85

*For spring peas, no Austrian pea or rye is permitted. For Austrian peas, no rye is permitted.

PERMANENT

** Other tolerance for weed seed:

	OBJECTIONABLE WEED SEED MAXIMUM
Registered	1/lb
Certified	2/lb

AMENDATORY SECTION (Amending Order 5086, filed 10/25/95, effective 11/25/95)

WAC 16-316-727 Chickpea standards. (1) Chickpea - land, isolation, and field standards:

FIELD STANDARDS

Land Requirements (1) (minimum years)	Isolation (min feet)	Off-type (plants/acre)	Other Crop (2) (plants/acre)	Noxious (3) Weeds	Ascochyta Blight (4) (plants/acre)
Class					
Foundation	3	100	none found	none found	none found
Registered	((3)) 2	50	5	none found	none found
Certified	((3)) 2	25	10	none found	10

- (1) Shall not have been planted to chickpeas for three years for foundation class, and two years for registered and certified class, unless the previous crop is of the same variety and passed certification field standards of the same or higher generation.
- (2) Inseparable other crops.
- (3) Prohibited, restricted, and other weeds difficult to separate must be controlled.
- (4) None found in all classes of nontolerant varieties. Planting seedstock shall be treated with Thiabendazole (2-(4-triazoyl) benzimidazole).

FIELD INSPECTION

Foundation and registered class fields must have two field inspections. One at bloom stage and one at late pod stage. Certified class fields must have one inspection at bloom stage plus another at pod stage if ascochyta blight is observed during the bloom stage inspection.

SEED STANDARDS

Class (7)	Pure seed	Inert	Other crop	Weed seed	Germination
Foundation	99.00%	1.0%	none found	none found	85%
Registered	99.00%	1.0%	none found	none found	85%
Certified	99.00%	1.0%	2 seeds/lb (5)	2 seeds/lb (6)	85%

- (5) None found for Austrian pea, rye, or vetch.
- (6) None found for nightshade berries or prohibited noxious weed seeds.
- (7) All classes shall be treated with Thiabendazole (2-(4-thiazoyl) benzimidazole at the labeled rate.)

PERMANENT

WSR 99-24-043
PERMANENT RULES
DEPARTMENT OF AGRICULTURE

[Filed November 24, 1999, 11:01 a.m.]

Date of Adoption: August 31, 1999.

Purpose: Certification fees for forest reproductive material.

Citation of Existing Rules Affected by this Order: Amending WAC 16-319-041.

Statutory Authority for Adoption: RCW 15.49.370(3).

Adopted under notice filed as WSR 99-13-185 on June 23, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 1, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

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

August 31, 1999

James Jesernig

Director

AMENDATORY SECTION (Amending WSR 98-12-031, filed 5/28/98, effective 6/28/98)

WAC 16-319-041 Application for certification of forest reproductive material. (1) The conditions of applicant's submittal and of certifying agency's acceptance of application are:

(a) The application should show all classes for which certification services are requested.

(b) All reproductive material acquired or distributed by applicant of a type for which certification is requested is subject to audit.

(c) Applicant shall be responsible for payment of fees for certification services.

(d) Applicant is responsible for developing a record keeping system and labels available and satisfactory to the certifying agency.

(e) Certifying agency reserves the right to refuse certification service to applicant.

(f) Application for audit certification reproductive material shall be filed with certifying agency of the state in which warehouse, nursery, etc., is located with a copy to the certifying agency in the state where the reproductive material is collected.

(2) Timing of application requests for certification services:

(a) Application requests for source identified subclass B and lower classes for the current year's production of reproductive material shall be received by certifying agency from applicant not later than three days prior to initiation of collection, production, or propagation of forest reproductive material.

(b) For source identified subclass A and higher certification class, the applicant shall make application for service, and present a written plan to the certifying agency two weeks prior to the beginning of the collection season. The written plan will include the following:

(i) For subzone collection, areas shall be defined by legal description.

(ii) Details of the collection organization including names of buyers and field supervisors, estimated harvest volume, receiving station location(s), and other pertinent information.

(c) Application requests for all other services shall be received by certifying agency from applicant not later than seven days before need.

(3) The certifying agency establishes the fee schedule for certification services. These may be adjusted at the beginning of a crop year if certifying agency determines that costs are significantly more or less than anticipated: Provided, That increases shall not exceed twenty-five percent.

(a) Cones and seed:

(i) Tested and selected - the service includes review of test plans, audit of pertinent records and field inspection at the hourly job time rate shown in current fee schedule.

(ii) Source identified classes - the fee includes field inspection at the per bushel rate shown in the current fee schedule and audit of conditioning at the hourly rate also shown in the current fee schedule.

The fee for each lot containing less than sixty bushels shall be a maximum of thirty-six dollars: Provided, That the certifying agency, due to specific circumstances, may waive this maximum fee or a part thereof.

(iii) Audit class - the fee includes audit of applicant's field and conditioning records at the hourly rate shown in the current fee schedule.

(b) Trees: The fee includes the verification of the source of the trees from the seed source, stratification, sowing, bed identification, lifting, sorting, package identification, storing and/or transplanting.

(c) Not entered for certification: The fee for audit of reproductive material not entered for certification service is performed as required by and satisfactory to certifying agency to exercise said audit simultaneously with audit of reproductive material which applicant has requested certification service.

(d) The fee for certification classes applied for shall be charged whether or not offered material qualifies.

(e) The certifying agency may provide other services, such as training to comply with these standards, advising on the development of recordkeeping systems directly connected with certification needs if requested by the applicant.

(4) Fee schedule:

~~(Effective June 28, 1998, the fee schedule is as follows:~~

~~(a) Tree cones and seed-~~

STATE BOARD OF EDUCATION

[Filed November 24, 1999, 1:55 p.m.]

Date of Adoption: October 29, 1999.

Purpose: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify existing provisions, or implement new rules resulting from EHB 1831.

Citation of Existing Rules Affected by this Order: Amending WAC 180-26-040.

Statutory Authority for Adoption: RCW 28A.525.020.

Adopted under notice filed as WSR 99-19-153 on September 22, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 22, 1999

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 98-19-140, filed 9/23/98, effective 10/24/98)

WAC 180-26-040 District authority to proceed. Upon completion of the educational specifications (~~review and comment~~) and the site review by the superintendent of public instruction as provided for in WAC 180-26-020, the school district is authorized to proceed as follows:

(1) Commence with the design of the school facility in accordance with the district's educational specifications.

(2) Complete the energy conservation report pursuant to WAC 180-27-075.

(3) Complete a value engineering study and constructability review pursuant to WAC 180-27-080.

(4) Contract for building commissioning pursuant to WAC 180-27-080.

(5) Contract for construction management pursuant to WAC 180-27-102.

Certification Classes	Field		Fee Due
	Inspection	Audit	
Tested and Selected	\$22.42/hr.	\$22.42/hr.	When billed
Source Identified Classes:			
Lots 11 bu. and more	\$0.75/bu.	\$22.42/hr.	
Lots 6-10 bu.	\$18.04/lot	\$22.42/hr.	
Lots 0-5 bu.	\$10.93/lot	\$22.42/hr.	
Audit	None	\$22.42/hr.	When billed

~~(b) Tree certification—\$22.42/hr.~~

~~Seedling certification—experience has shown that seedling certification normally requires a minimum of five nursery visits totalling approximately thirty-two hours. Plantation certification procedures shall be billed at the hourly rate.~~

~~(e) Other services including education to comply with the standards, development of record system, verification of source of pollen, cuttings, audit of forest reproductive material not offered for certification by applicant or other services requested, etc. at \$22.42/hour payable when billed.~~

~~(d) OECD certification (certificates of provenance) \$0.54 per certificate plus the hourly audit rate. (Auditors shall issue certificates.)~~

Effective July 1, 1998, the fee schedule is as follows:

(a) Tree cones and seed -

Certification Classes	Field		Fee Due
	Inspection	Audit	
Tested and Selected	(\$23.35/hr.) <u>\$24.12/hr.</u>	(\$23.35/hr.) <u>\$24.12/hr.</u>	When billed
Source Identified Classes:			
Lots 11 bu. and more	(\$0.78/bu.) <u>\$0.80/bu.</u>	(\$23.35/hr.) <u>\$24.12/hr.</u>	
Lots 6-10 bu.	(\$18.79/lot) <u>\$19.41/lot</u>	(\$23.35/hr.) <u>\$24.12/hr.</u>	
Lots 0-5 bu.	(\$11.38/lot) <u>\$11.75/lot</u>	(\$23.35/hr.) <u>\$24.12/hr.</u>	
Audit	None	(\$23.35/hr.) <u>\$24.12/hr.</u>	When billed

~~(b) Tree certification - (\$23.35/hr.)~~ \$24.12/hr.

~~Seedling certification - experience has shown that seedling certification normally requires a minimum of five nursery visits totalling approximately thirty-two hours. Plantation certification procedures shall be billed at the hourly rate.~~

~~(c) Other services including education to comply with the standards, development of record system, verification of source of pollen, cuttings, audit of forest reproductive material not offered for certification by applicant or other services requested, etc. at (\$23.35/hour)~~ \$24.12/hr. payable when billed.

~~(d) OECD certification (certificates of provenance) -(\$0.56)~~ \$0.57 per certificate plus the hourly audit rate. (Auditors shall issue certificates.)

PERMANENT

WSR 99-24-052
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Division of Assistance Programs)

[Filed November 29, 1999, 11:17 a.m., effective December 1, 1999]

Date of Adoption: November 29, 1999.

Purpose: Updates the utility allowance for food assistance programs. These amounts are used to determine benefit amount for food assistance benefits.

Citation of Existing Rules Affected by this Order: Amending WAC 388-450-195.

Statutory Authority for Adoption: RCW 74.040.510 [74.04.510].

Adopted under notice filed as WSR 99-20-101 on October 5, 1999.

Changes Other than Editing from Proposed to Adopted Version: The amounts for the utility allowances have been changed to reflect the actual amounts to be used. The figures used for the proposed rule change were preliminary due to the unavailability of data to determine the correct amount in time for filing.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 1, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: The final figures are not available until after the time of filing for proposed changes. The standard must be updated effective December 1 of each year. The federal government requires that states use a scientifically valid method to determine allowance amounts and all data is not available at the time of the proposed filing date.

Effective Date of Rule: December 1, 1999.

November 29, 1999

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 99-09-055, filed 7/31/98 [4/19/99], effective 9/1/98 [5/20/99])

WAC 388-450-0195 Utility allowances for food assistance programs. You can use the amounts in the chart below to calculate total shelter costs. Total shelter costs are used in calculating your food assistance benefits.

If you have to pay:

Separate heating or cooling costs

Separate utility costs, but no heating or cooling costs

Separate costs for phone service only

Then, you can use the:

Standard utility allowance (SEA) of \$((~~21~~)) 220

Limited utility allowance (L.A.) of \$((~~158~~)) 160

Telephone utility allowance (TA) of \$29

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

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

WSR 99-24-053
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Division of Assistance Programs)
[Filed November 29, 1999, 11:20 a.m.]

Date of Adoption: November 29, 1999.

Purpose: The federal government requires that income eligibility standards for food assistance programs change every October. The standards are used to determine food assistance benefit levels.

Citation of Existing Rules Affected by this Order: Amending WAC 388-478-0060 Income eligibility standards for food assistance.

Statutory Authority for Adoption: RCW 74.04.510.

Adopted under notice filed as WSR 99-20-101 on October 5, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 1, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

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

November 29, 1999
Marie Myerchin-Redifer
Manager

AMENDATORY SECTION (Amending WSR 99-16-024, filed 7/26/99, effective 9/1/99)

WAC 388-478-0060 Income eligibility standards for food assistance. (1) When all household members receive

cash benefits (TANF, GA-U, GA-S, etc.) or Supplemental Security Income (SSI), they do not have to meet the income standard.

(2) All households, based on their size, must have income at or below the limits shown in column B to be eligible for food assistance, except as follows:

(a) Column C is to be used when a household includes a person sixty years or older, or with disabilities;

(b) Column E is to be used when determining separate household status for an elderly person and a person with permanent disability, as described in WAC 388-408-0035 (1)(d).

EFFECTIVE ((40-1-98)) 10-1-99

Column A Household Size	Column B Maximum Gross Monthly Income	Column C Maximum Net Monthly Income	Column D Maximum Allotment	Column E 165% of Poverty Level
1	\$ ((873)) <u>893</u>	\$ ((671)) <u>687</u>	\$ ((125)) <u>127</u>	\$ ((1,107)) <u>1,133</u>
2	((1,176)) <u>1,199</u>	((905)) <u>922</u>	((230)) <u>234</u>	((1,492)) <u>1,521</u>
3	((1,479)) <u>1,504</u>	((1,138)) <u>1,157</u>	((329)) <u>335</u>	((1,877)) <u>1,909</u>
4	((1,783)) <u>1,810</u>	((1,371)) <u>1,392</u>	((419)) <u>426</u>	((2,262)) <u>2,297</u>
5	((2,086)) <u>2,115</u>	((1,605)) <u>1,627</u>	((497)) <u>506</u>	((2,647)) <u>2,684</u>
6	((2,389)) <u>2,421</u>	((1,838)) <u>1,862</u>	((597)) <u>607</u>	((3,032)) <u>3,072</u>
7	((2,693)) <u>2,726</u>	((2,071)) <u>2,097</u>	((659)) <u>671</u>	((3,417)) <u>3,460</u>
8	((2,996)) <u>3,032</u>	((2,305)) <u>2,332</u>	((754)) <u>767</u>	((3,802)) <u>3,848</u>
9	((3,300)) <u>3,338</u>	((2,539)) <u>2,567</u>	((848)) <u>863</u>	((4,187)) <u>4,236</u>
10	((3,604)) <u>3,644</u>	((2,773)) <u>2,802</u>	((942)) <u>959</u>	((4,572)) <u>4,624</u>
Each Additional Member	+((304)) <u>306</u>	+((234)) <u>235</u>	+((94)) <u>96</u>	+((385)) <u>388</u>

PERMANENT

WSR 99-24-054
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Management Services Administration)
 [Filed November 29, 1999, 11:22 a.m.]

Date of Adoption: November 29, 1999.

Purpose: To repeal a rule that is outdated, duplicative and redundant. Any acronyms that are relevant to DSHS programs are contained in program rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-07-005.

Statutory Authority for Adoption: RCW 74.08.090.

Adopted under preproposal statement of inquiry filed as WSR 99-20-099 on October 5, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 1.

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

November 29, 1999

Marie Myerchin-Redifer, Manager
 Rules and Policies Assistance Unit

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-07-005 Acronyms.

**WSR 99-24-055
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed November 29, 1999, 11:28 a.m., effective December 31, 1999]

Date of Adoption: November 29, 1999.

Purpose: Adopt January 1, 2000, rate and experience rating plan revisions with adjustments to individual risk classifications, but no general rate increase. Adopt and amend rules to include members of a limited liability company in the exemption from mandatory workers' compensation coverage per RCW 51.12.020.

Citation of Existing Rules Affected by this Order: Amending WAC 296-17-855, 296-17-875, 296-17-880, 296-17-885, 296-17-890, 296-17-895, 296-17-89502, 296-17-920, 296-17-31007, and 296-17-31018.

Statutory Authority for Adoption: RCW 51.04.020, 51.16.035, 51.32.073.

Adopted under notice filed as WSR 99-19-162 on October 6 [September 22], 1999.

Changes Other than Editing from Proposed to Adopted Version: (1) WAC 296-17-895, rates for classifications 6614, 6615, 6616, and 6618 corrected as follows:

Classification	Accident Fund		Medical Aid Fund	
	From	To	From	To
6614	705.0000	702.0000	638.0000	637.0000
6615	258.0000	256.0000	235.0000	233.0000
6616	219.0000	217.0000	199.0000	197.0000
6618	98.0000	78.0000	89.0000	71.0000

(2) The language that was filed in the proposal for WAC 296-17-31007 was the version that was in effect prior to October 1, 1999. Amendments to subsection (2) of WAC 296-17-31007 regarding the effective date of elective owner/officer coverage were adopted effective October 1, 1999. That amendment was being codified at the time we filed the proposal for this package, and was not available to make the current changes to. The updated version (which incorporates both the October 1, 1999, and January 1, 2000, amendments) is being filed with the adoption of these rules.

(3) The word "exempt" has been added to the first sentence of the special note in WAC 296-17-75306 to further clarify that the rule applies only to *exempt* members of a limited liability company as defined in RCW 51.12.020.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 1, Amended 2, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 8, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 10, Repealed 0.

Effective Date of Rule: December 31, 1999.

November 29, 1999

Gary Moore
Director

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-31007 Owner coverage. (1) As a business owner, can I buy workers' compensation insurance to cover myself?

Yes(~~((as a business owner or corporate officer))~~). If you are a sole proprietor, partner, corporate officer, or member of a limited liability company you may not be required to have industrial insurance coverage as provided in RCW 51.12.020. In these instances, you can still obtain workers' compensation coverage from us. We refer to this coverage as optional coverage since as the owner/((~~corporate~~)) officer, you are not required to have this insurance. Because owner insurance coverage is optional, you must meet certain conditions and requirements which are detailed on the *application for owner/((~~corporate~~)) officer optional coverage*. These requirements include:

- Completing an application for optional owner/((~~corporate~~)) officer coverage;
- Reporting owner/((~~corporate~~)) officer hours in the classification assigned to your business that is applicable to the work being performed by the owner/officer;
- Submitting a supplemental report which lists the name of each covered owner/((~~corporate~~)) officer; and
- Reporting four hundred eighty hours or actual hours worked each quarter for each covered owner/((~~corporate~~)) officer and in the applicable workers' compensation classification code.

(2) When will my owner/((~~corporate~~)) officer coverage become effective?

Your coverage will become effective upon receipt of your application in the department unless you indicate a future date. We will not make coverage effective on a date prior to our receipt of your completed application for owner/((~~corporate~~)) officer coverage.

(3) Where can I obtain an application for owner/((~~corporate~~)) officer coverage?

To obtain a copy of this application, contact your local labor and industries office. We are listed in the government

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pages of your local directory or you can call our underwriting section at (360) 902-4817.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-31018 Exception classifications. (1) What are exception classifications?

In WAC 296-17-31012 we discussed our classification policy. We described the process used to classify risk and stated that we assign the basic classification or basic classifications that best describe the nature of your company's business. While this policy is modeled after the policy used by private insurance carriers and is geared to administrative ease for you, we recognize that there are some duties or operations where your employees do not share the same general workplace hazards that your other employees are exposed to. To provide for those operations that are outside the scope of a basic classification, we have created three types of exception classifications listed below:

- Standard exception classifications,
- Special exception classifications, and
- General exclusion classifications.

(2) What are the standard exception classifications?

Standard exception classifications cover those employments that are administrative in nature and common to many industries. Employees covered by a standard exception classification cannot be exposed to any operative hazard of the business. If the language of the basic classification assigned to your business does not include these employments, you may be able to report them separately. The standard exception classifications are:

- Classification 4904 (WAC 296-17-653) "clerical office employment." This classification includes clerical, administrative, and drafting employees.
- Sales personnel classifications 6301 (WAC 296-17-696), 6302 (WAC 296-17-697), and 6303 (WAC 296-17-698) includes outside sales personnel and messengers.
- Classification 7101 (WAC 296-17-754) applies to corporate officers who have elected optional coverage. A corporate officer as used in these rules is a person who is an officer in the corporation, such as the president, who also serves on the corporation's board of directors and owns stock in the corporation.
- Classification 7100 (WAC 296-17-75306) applies to members of a limited liability company who have elected optional coverage.

Clerical office employees are defined as employees whose duties are limited to: Answering telephones; handling correspondence; creating or maintaining financial, employment, personnel, or payroll records; composing informational material on a computer; creating or maintaining computer software; and technical drafting. Their work must be performed in a clerical office which is restricted to:

- A work area which is physically separated by walls, partitions, or other physical barriers, from all other work areas of the employer, and
- Where only clerical office work as described in this rule is performed.

A clerical office does not include any work area where inventory is located, where products are displayed for sale, or area where the customer brings products for payment. Clerical office employees can perform cashiering and telephone sales work if they do not provide any retail or wholesale customer service that involves handling, showing, demonstrating, or delivering any product sold by the employer. Clerical office employees can make bank deposits, pick up and deliver mail at the post office, or purchase office supplies, if their primary work duties are clerical office duties as defined in this rule.

Sales personnel are defined as employees whose duties are limited to: Soliciting new customers by telephone or in person; servicing existing customer accounts; showing, selling, or explaining products or services; completing correspondence; placing orders; performing public relations duties; and estimating. Although some of sales person's duties may be performed in a clerical office, most of their work is conducted away from the employer's physical business location or in showrooms. We refer to work that takes place away from the employer's premises as "outside sales." Sales personnel whose duties include customer service activities such as, but not limited to, the delivery of product, stocking shelves, handling inventory, or otherwise merchandising products sold to retail or wholesale customers are excluded from all standard exception classifications. Sales personnel with duties such as delivery and stocking of shelves are to be reported in the basic classification applicable to the business unless the basic classification assigned to the business requires another treatment.

Messengers are defined as employees whose duties are delivering interoffice mail, making deposits, and similar duties that are exclusively for the administration of the employer's business. Classification 6303 "messengers" does not include delivering mail or packages to the employer's customer or as a service to the public. If a messenger is engaged in delivering mail or packages as a service to the public they are to be assigned to the basic classification of the business or classification 1101 as applicable.

Corporate officers duties in classification 7101 must be limited to: Clerical duties; outside sales duties as described above; administrative duties such as hiring staff, attending meetings, negotiating contracts, and performing public relations work. To qualify for this classification, a corporate officer must:

- Be a shareholder in the corporation,
- Be elected as a corporate officer and empowered in accordance with the articles of incorporation or bylaws of the corporation,
- Serve on the corporation's board of directors,
- Not have any exposure to any operative hazard of the business, and
- Not directly supervise employees who have any exposure to any operative hazard of the business.

Members of a limited liability company (LLC) duties in classification 7100 must be limited to: Clerical duties; outside sales duties as described above; administrative duties such as hiring staff, attending meetings, negotiating contracts, and performing public relations work. This includes only those members who

have duties and authority similar to the exemption criteria of corporate officers in RCW 51.12.020.

Classification 6303 may apply to a corporate officer or member of a limited liability company whose duties are limited to outside sales activities as described in the sales personnel section of this rule. Under no circumstance is classification 4904 to be assigned to any corporate officer or member of a limited liability company. You cannot divide the work hours of an employee between a standard exception classification and a basic classification unless it is permitted by another rule. If an employee works part of their time in a standard exception classification and part of their time in your basic classification, then all exposure (hours) must be reported in the highest rated basic classification applicable to the work being performed.

(3) What are the special exception classifications?

Special exception classifications represent operations found within an employer's business that are allowed to be reported separately when certain conditions are met. Assuming the conditions have been met, the following classifications may be used even if your basic classification includes the phrases "all operations" or "all employees."

Security guards - classification 6601 (WAC 296-17-723) will apply if the security guard:

- Is an employee of an employer engaged in logging or construction,
- Is for the purpose of guarding the employer's logging or construction sites,
- Is employed at the site only during the hours the employer is not conducting any other operations at the site,
- Has no other duties during their work shift as a security guard.

If all of the above conditions are not met, the security guard is to be reported in the basic classification applicable to the construction or logging operation being conducted.

Janitors - classification 6602 (WAC 296-17-724) will apply if:

- The janitorial/cleaning activities being performed are limited to the employer's clerical office,
- The clerical office meets the criteria described earlier in this rule, and
- The employer's office employment is assigned to be reported in classification 4904.

Log truck drivers - classification 5003 (WAC 296-17-6601) will apply if the log truck driver has no other duties during their work shift that are subject to the logging classification 5001 (WAC 296-17-659).

(4) What are the general exclusion classifications?

General exclusion classifications represent operations that are so exceptional or unusual that they are excluded from the scope of all basic classifications. If you have these operations, we will assign a separate classification to cover them. You must keep accurate records of the work hours your employees work in these classifications. If you do not keep accurate time records for each employee performing work covered by a general exclusion classification, we will assign the work hours in question to the highest rated classification applicable to those hours. The general exclusion classifications are:

- Aircraft operations: All operations of the flying crew.
- Racing operations: All operations of the drivers and pit crews.
- Diving operations: All operations of diving personnel and ship tenders who assist in diving operations.
- New construction or alterations of the business premises.
- Musicians and entertainers.

A division of work time is permitted between a standard exception classification and flight crew operations, racing operations, or diving operations. If you fail to keep original time records that clearly show the time spent in the office or in sales work, we will assign all work hours in question to the highest rated classification applicable to the work hours in question.

Example: Assume a corporate officer performs duties which are described in classification 7101. Occasionally, the officer flies a plane to attend a meeting. You would report the flying exposure (hours) of the corporate officer in classification 6803. The remainder of the corporate officer's time would continue to be reported in classification 7101.

NEW SECTION

WAC 296-17-75306 Classification 7100.

7100-00 Exempt limited liability company members, N.O.C. Applies to members of a limited liability company exempt from mandatory coverage under RCW 51.12.020(13) who have elected optional coverage, and perform only administrative, clerical and outside sale duties. Any LLC member electing optional coverage who performs duties directly related to the operational activities of the company must be reported in the basic classification applicable to the work being performed.

Special note: Under no circumstances is classification 4904 to be assigned to any exempt member of a limited liability company. Any member of a limited liability company who has elected optional coverage and is engaged exclusively in outside sales is to be reported separately in classification 6303.

AMENDATORY SECTION (Amending WSR 98-24-094, filed 12/1/98, effective 1/1/99)

WAC 296-17-855 Experience modification. The basis of the experience modification shall be a comparison of the actual losses charged to an employer during the experience period with the losses which would be expected for an average employer reporting the same exposures in each classification. The comparison shall contain actuarial refinements designed to mitigate the effects of losses which may be considered catastrophic or of doubtful statistical significance, due consideration being given to the volume of the employer's experience. Except for those employers who qualify for an adjusted experience modification as specified in WAC 296-17-860 or 296-17-865, the experience modification shall be calculated from the formula:

$$\text{MODIFICATION} = \frac{\text{Ap} + \text{WAe} + (1 - \text{W}) \text{Ee} + \text{B}}{\text{E} + \text{B}}$$

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The components Ap, WAe, and (1-W) Ee are values which shall be charged against an employer's experience record. The component, E, shall be the expected value of these charges for an average employer reporting the same exposures in each classification. The meaning and function of each symbol in the formula is specified below.

"Ap" signifies "primary actual losses." For each claim the primary actual loss is defined as that portion of the claim which is considered completely rateable for all employers and which is to enter the experience modification calculation at its full value. For each claim in excess of \$10,072 the primary actual loss shall be determined from the formula:

$$\text{PRIMARY LOSS} = \frac{((25,180) \frac{26,260}{15,756})}{\text{Total loss} + ((15,108)) 15,756} \times \text{total loss}$$

Primary actual losses for selected claim values are shown in Table I. For each claim less than ((\$10,072)) \$10,504 the full value of the claim shall be considered a primary loss.

"Ae" signifies "excess actual losses." For each claim the excess actual loss is defined as that portion of the claim which is not considered completely rateable for all employers. The excess actual loss for each claim shall be determined by subtracting the primary loss from the total loss.

"W" signifies "W value." For each employer, the W value determines the portion of the actual excess losses which shall be included in the calculation of his experience modification, due consideration being given to the volume of his experience. This amount is represented by the symbol "WAe" in the experience modification formula. W values are set forth in Table II.

"E" signifies "expected losses." An employer's expected losses shall be determined by multiplying his reported exposure in each classification during the experience period by the classification expected loss rate. Expected loss rates are set forth in Table III.

"Ee" signifies "expected excess losses." Expected losses in each classification shall be multiplied by the classification "D-Ratio" to obtain "expected primary losses." Expected excess losses shall then be calculated by subtracting expected primary losses from expected total losses. Each employer shall have a statistical charge included in the calculation of his experience modification, said charge to be actuarially equivalent to the amount forgiven an average employer because of the exclusion of a portion of his excess actual losses. This charge is represented by "(1-W) Ee" in the experience modification formula. D-Ratios are set forth in Table III.

"B" signifies "B value" or "ballast." In order to limit the effect of a single severe accident on the modification of a small employer, a stabilizing element (B value) shall be added to both actual and expected losses. B values are set forth in Table II.

AMENDATORY SECTION (Amending WSR 98-24-094, filed 12/1/98, effective 1/1/99)

WAC 296-17-875 Table I.

~~((Primary Losses for Selected Claim Values~~

CLAIM VALUE	PRIMARY LOSS
10,072	10,072
11,720	11,000
13,755	12,000
16,125	13,000
18,919	14,000
26,332	16,000
37,875	18,000
58,332	20,000
104,521	22,000
168,469*	23,108
251,800**	23,755

- * Average death value
- ** Maximum claim value))

Primary Losses for Selected Claim Values

CLAIM VALUE	PRIMARY LOSS
10,504	10,504
11,358	11,000
13,259	12,000
15,447	13,000
17,992	14,000
24,571	16,000
34,335	18,000
50,339	20,000
81,369	22,000
180,015*	24,147
262,600**	24,774

- * Average death value
- ** Maximum claim value

AMENDATORY SECTION (Amending WSR 98-24-094, filed 12/1/98, effective 1/1/99)

WAC 296-17-880 Table II.

~~(("B" and "W" Values~~

Maximum Claim Value = \$251,800
 Average Death Value = \$168,469

Expected Losses	B	W
5,455 & Under	47,510	0.00
5,456	10,992	47,035
		0.01

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109,993	-	16,612	46,560	0.02	435,503	-	449,888	23,755	0.50
16,613	-	22,317	46,085	0.03	449,889	-	464,654	23,280	0.51
22,318	-	28,109	45,610	0.04	464,655	-	479,818	22,805	0.52
28,110	-	33,990	45,135	0.05	479,819	-	495,395	22,330	0.53
33,991	-	39,963	44,659	0.06	495,396	-	511,404	21,855	0.54
39,964	-	46,030	44,184	0.07	511,405	-	527,863	21,380	0.55
46,031	-	52,194	43,709	0.08	527,864	-	544,793	20,904	0.56
52,195	-	58,456	43,234	0.09	544,794	-	562,213	20,429	0.57
58,457	-	64,820	42,759	0.10	562,214	-	580,147	19,954	0.58
64,821	-	71,288	42,284	0.11	580,148	-	598,618	19,479	0.59
71,289	-	77,864	41,809	0.12	598,619	-	617,652	19,004	0.60
77,865	-	84,549	41,334	0.13	617,653	-	637,274	18,529	0.61
84,550	-	91,347	40,859	0.14	637,275	-	657,514	18,054	0.62
91,348	-	98,261	40,384	0.15	657,515	-	678,403	17,579	0.63
98,262	-	105,294	39,908	0.16	678,404	-	699,972	17,104	0.64
105,295	-	112,450	39,433	0.17	699,973	-	722,255	16,629	0.65
112,451	-	119,732	38,958	0.18	722,256	-	745,291	16,153	0.66
119,733	-	127,143	38,483	0.19	745,292	-	769,119	15,678	0.67
127,144	-	134,688	38,008	0.20	769,120	-	793,780	15,203	0.68
134,689	-	142,371	37,533	0.21	793,781	-	819,321	14,728	0.69
142,372	-	150,194	37,058	0.22	819,322	-	845,790	14,253	0.70
150,195	-	158,163	36,583	0.23	845,791	-	873,241	13,778	0.71
158,164	-	166,282	36,108	0.24	873,242	-	901,728	13,303	0.72
166,283	-	174,555	35,633	0.25	901,729	-	931,315	12,828	0.73
174,556	-	182,988	35,157	0.26	931,316	-	962,065	12,353	0.74
182,989	-	191,585	34,682	0.27	962,066	-	994,052	11,878	0.75
191,586	-	200,350	34,207	0.28	994,053	-	1,027,351	11,402	0.76
200,351	-	209,291	33,732	0.29	1,027,352	-	1,062,047	10,927	0.77
209,292	-	218,411	33,257	0.30	1,062,048	-	1,098,231	10,452	0.78
218,412	-	227,717	32,782	0.31	1,098,232	-	1,136,003	9,977	0.79
227,718	-	237,216	32,307	0.32	1,136,004	-	1,175,469	9,502	0.80
237,217	-	246,912	31,832	0.33	1,175,470	-	1,216,749	9,027	0.81
246,913	-	256,814	31,357	0.34	1,216,750	-	1,259,972	8,552	0.82
256,815	-	266,927	30,882	0.35	1,259,973	-	1,305,280	8,077	0.83
266,928	-	277,260	30,406	0.36	1,305,281	-	1,352,830	7,602	0.84
277,261	-	287,819	29,931	0.37	1,352,831	-	1,402,794	7,126	0.85
287,820	-	298,613	29,456	0.38	1,402,795	-	1,455,363	6,651	0.86
298,614	-	309,649	28,981	0.39	1,455,364	-	1,510,748	6,176	0.87
309,650	-	320,937	28,506	0.40	1,510,749	-	1,569,183	5,701	0.88
320,938	-	332,485	28,031	0.41	1,569,184	-	1,630,930	5,226	0.89
332,486	-	344,304	27,556	0.42	1,630,931	-	1,696,282	4,751	0.90
344,305	-	356,402	27,081	0.43	1,696,283	-	1,765,565	4,276	0.91
356,403	-	368,791	26,606	0.44	1,765,566	-	1,839,149	3,801	0.92
368,792	-	381,482	26,131	0.45	1,839,150	-	1,917,149	3,326	0.93
381,483	-	394,486	25,655	0.46	1,917,450	-	2,000,938	2,851	0.94
394,487	-	407,815	25,180	0.47	2,000,939	-	2,090,152	2,375	0.95
407,816	-	421,483	24,705	0.48	2,090,153	-	2,185,705	1,900	0.96
421,484	-	435,502	24,230	0.49	2,185,706	-	2,288,300	1,425	0.97

2,288,301	-	2,398,750	950	0.98	300.165	=	311.420	30,720	0.38
2,398,751	-	2,517,999	475	0.99	311.421	=	322.930	30,224	0.39
2,518,000 & Over			0	1.00))	322.931	=	334.702	29,729	0.40

"B" and "W" Values

Maximum Claim Value= \$262,600

Average Death Value= \$180,015

Expected Losses		B	W						
5.689 & Under		49.548	0.00	411.407	=	425.307	26,260	0.47	
5.690	=	11.463	49.053	0.01	425.308	=	439.561	25,765	0.48
11.464	=	17.324	48.557	0.02	439.562	=	454.182	25,269	0.49
17.325	=	23.274	48.062	0.03	454.183	=	469.184	24,774	0.50
23.275	=	29.314	47.566	0.04	469.185	=	484.584	24,279	0.51
29.315	=	35.448	47.071	0.05	484.585	=	500.398	23,783	0.52
35.449	=	41.677	46.575	0.06	500.399	=	516.644	23,288	0.53
41.678	=	48.005	46.080	0.07	516.645	=	533.339	22,792	0.54
48.006	=	54.433	45.584	0.08	533.340	=	550.504	22,297	0.55
54.434	=	60.964	45.089	0.09	550.505	=	568.160	21,801	0.56
60.965	=	67.601	44.593	0.10	568.161	=	586.327	21,306	0.57
67.602	=	74.346	44.098	0.11	586.328	=	605.030	20,810	0.58
74.347	=	81.203	43.602	0.12	605.031	=	624.294	20,315	0.59
81.204	=	88.175	43.107	0.13	624.295	=	644.143	19,819	0.60
88.176	=	95.265	42.611	0.14	644.144	=	664.608	19,324	0.61
95.266	=	102.475	42.116	0.15	664.609	=	685.716	18,828	0.62
102.476	=	109.810	41.620	0.16	685.717	=	707.500	18,333	0.63
109.811	=	117.273	41.125	0.17	707.501	=	729.994	17,837	0.64
117.274	=	124.867	40.629	0.18	729.995	=	753.234	17,342	0.65
124.868	=	132.597	40.134	0.19	753.235	=	777.258	16,846	0.66
132.598	=	140.465	39.638	0.20	777.259	=	802.107	16,351	0.67
140.466	=	148.477	39.143	0.21	802.108	=	827.826	15,855	0.68
148.478	=	156.636	38.647	0.22	827.827	=	854.463	15,360	0.69
156.637	=	164.947	38.152	0.23	854.464	=	882.067	14,864	0.70
164.948	=	173.414	37.656	0.24	882.068	=	910.695	14,369	0.71
173.415	=	182.042	37.161	0.25	910.696	=	940.405	13,873	0.72
182.043	=	190.837	36.666	0.26	940.406	=	971.260	13,378	0.73
190.838	=	199.802	36.170	0.27	971.261	=	1,003.330	12,882	0.74
199.803	=	208.944	35.675	0.28	1,003.331	=	1,036.688	12,387	0.75
208.945	=	218.268	35.179	0.29	1,036.689	=	1,071.416	11,892	0.76
218.269	=	227.779	34.684	0.30	1,071.417	=	1,107.600	11,396	0.77
227.780	=	237.485	34.188	0.31	1,107.601	=	1,145.336	10,901	0.78
237.486	=	247.390	33.693	0.32	1,145.337	=	1,184.727	10,405	0.79
247.391	=	257.503	33.197	0.33	1,184.728	=	1,225.886	9,910	0.80
257.504	=	267.829	32.702	0.34	1,225.887	=	1,268.937	9,414	0.81
267.830	=	278.376	32.206	0.35	1,268.938	=	1,314.014	8,919	0.82
278.377	=	289.152	31.711	0.36	1,314.015	=	1,361.265	8,423	0.83
289.153	=	300.164	31.215	0.37	1,361.266	=	1,410.855	7,928	0.84
					1,410.856	=	1,462.962	7,432	0.85

PERMANENT

<u>1,462,963</u>	=	<u>1,517,786</u>	<u>6,937</u>	<u>0.86</u>	0502	1.2426	1.0885	0.9714	0.429
<u>1,517,787</u>	=	<u>1,575,546</u>	<u>6,441</u>	<u>0.87</u>	0504	1.2224	1.0652	0.9450	0.404
<u>1,575,547</u>	=	<u>1,636,487</u>	<u>5,946</u>	<u>0.88</u>	0506	3.7331	3.2321	2.8478	0.385
<u>1,636,488</u>	=	<u>1,700,883</u>	<u>5,450</u>	<u>0.89</u>	0507	2.8413	2.4918	2.2255	0.427
<u>1,700,884</u>	=	<u>1,769,037</u>	<u>4,955</u>	<u>0.90</u>	0508	2.7879	2.3853	2.0757	0.347
<u>1,769,038</u>	=	<u>1,841,292</u>	<u>4,459</u>	<u>0.91</u>	0509	1.5341	1.3334	1.1797	0.397
<u>1,841,293</u>	=	<u>1,918,032</u>	<u>3,964</u>	<u>0.92</u>	0510	1.2508	1.1054	0.9955	0.455
<u>1,918,033</u>	=	<u>1,999,691</u>	<u>3,468</u>	<u>0.93</u>	0511	1.0283	0.9191	0.8379	0.496
<u>1,999,692</u>	=	<u>2,086,761</u>	<u>2,973</u>	<u>0.94</u>	0512	1.2064	1.0711	0.9695	0.473
<u>2,086,762</u>	=	<u>2,179,801</u>	<u>2,477</u>	<u>0.95</u>	0513	0.6226	0.5557	0.5058	0.492
<u>2,179,802</u>	=	<u>2,279,452</u>	<u>1,982</u>	<u>0.96</u>	0514	1.1527	1.0310	0.9407	0.494
<u>2,279,453</u>	=	<u>2,386,448</u>	<u>1,486</u>	<u>0.97</u>	0515	2.6517	2.3092	2.0474	0.407
<u>2,386,449</u>	=	<u>2,501,636</u>	<u>991</u>	<u>0.98</u>	0516	1.2508	1.1054	0.9955	0.455
<u>2,501,637</u>	=	<u>2,625,999</u>	<u>495</u>	<u>0.99</u>	0517	1.4465	1.2903	1.1733	0.484
<u>2,626,000 & Over</u>			<u>0</u>	<u>1.00</u>	0518	1.4947	1.2960	1.1443	0.393
					0519	1.6199	1.4271	1.2810	0.442
					0520	1.3963	1.2176	1.0814	0.414
					0521	1.1763	1.0246	0.9085	0.404
					0601	0.5051	0.4545	0.4170	0.517
					0602	0.3786	0.3436	0.3181	0.548
					0603	0.7746	0.6768	0.6024	0.419
					0604	0.9704	0.8666	0.7892	0.486
					0606	0.2679	0.2468	0.2319	0.591
					0607	0.3157	0.2849	0.2624	0.526
					0608	0.2478	0.2233	0.2053	0.516
					0701	1.7727	1.5135	1.3147	0.347
					0803	0.3138	0.2854	0.2647	0.551
					0804	0.5877	0.5213	0.4711	0.467
					0901	1.4947	1.2960	1.1443	0.393
					1002	0.6871	0.6211	0.5725	0.529
					1003	0.6868	0.6166	0.5647	0.506
					1004	0.4392	0.3905	0.3541	0.474
					1005	5.6608	4.8673	4.2552	0.360
					1007	0.2938	0.2635	0.2411	0.507
					1101	0.4676	0.4262	0.3962	0.557
					1102	1.1068	0.9764	0.8773	0.448
					1103	0.5663	0.5092	0.4668	0.513
					1104	0.3758	0.3447	0.3223	0.572
					1105	0.6398	0.5775	0.5316	0.524
					1106	0.2669	0.2427	0.2253	0.542
					1108	0.3907	0.3550	0.3290	0.545
					1109	0.6978	0.6339	0.5874	0.542
					1301	0.3686	0.3332	0.3069	0.526
					1303	0.1464	0.1335	0.1243	0.560
					1304	0.0201	0.0183	0.0169	0.537
					1305	0.3569	0.3198	0.2921	0.494
					1401	0.4877	0.4379	0.4008	0.502
					1404	0.4636	0.4207	0.3892	0.544

AMENDATORY SECTION (Amending WSR 98-24-094, filed 12/1/98, effective 1/1/99)

WAC 296-17-885 Table III.

**Expected Loss Rates and D-Ratios
for Indicated Fiscal Year**

Expected Loss Rates in Dollars Per Worker Hour

((Class	1995	1996	1997	D-Ratio					
0101	1.2089	1.0530	0.9338	0.407	0608	0.2478	0.2233	0.2053	0.516
0102	1.0608	0.9347	0.8389	0.445	0701	1.7727	1.5135	1.3147	0.347
0103	1.4254	1.2595	1.1338	0.455	0803	0.3138	0.2854	0.2647	0.551
0104	0.8625	0.7561	0.6753	0.429	0804	0.5877	0.5213	0.4711	0.467
0105	1.0865	0.9724	0.8868	0.495	0901	1.4947	1.2960	1.1443	0.393
0106	1.2089	1.0530	0.9338	0.407	1002	0.6871	0.6211	0.5725	0.529
0107	1.0068	0.8875	0.7972	0.450	1003	0.6868	0.6166	0.5647	0.506
0108	0.8625	0.7561	0.6753	0.429	1004	0.4392	0.3905	0.3541	0.474
0109	1.4947	1.2960	1.1443	0.393	1005	5.6608	4.8673	4.2552	0.360
0112	0.5877	0.5213	0.4711	0.467	1007	0.2938	0.2635	0.2411	0.507
0201	2.3324	2.0138	1.7697	0.378	1101	0.4676	0.4262	0.3962	0.557
0202	2.3324	2.0138	1.7697	0.378	1102	1.1068	0.9764	0.8773	0.448
0210	0.7859	0.6901	0.6175	0.436	1103	0.5663	0.5092	0.4668	0.513
0212	0.8038	0.7008	0.6224	0.410	1104	0.3758	0.3447	0.3223	0.572
0214	0.9807	0.8678	0.7827	0.462	1105	0.6398	0.5775	0.5316	0.524
0217	1.0608	0.9347	0.8389	0.445	1106	0.2669	0.2427	0.2253	0.542
0219	0.9766	0.8538	0.7602	0.417	1108	0.3907	0.3550	0.3290	0.545
0301	0.5601	0.5059	0.4658	0.524	1109	0.6978	0.6339	0.5874	0.542
0302	1.6414	1.4199	1.2501	0.386	1301	0.3686	0.3332	0.3069	0.526
0303	1.5420	1.3419	1.1892	0.406	1303	0.1464	0.1335	0.1243	0.560
0306	0.8814	0.7750	0.6947	0.441	1304	0.0201	0.0183	0.0169	0.537
0307	0.6661	0.5941	0.5405	0.488	1305	0.3569	0.3198	0.2921	0.494
0308	0.4887	0.4472	0.4172	0.570	1401	0.4877	0.4379	0.4008	0.502
0403	1.3030	1.1525	1.0390	0.455	1404	0.4636	0.4207	0.3892	0.544

PERMANENT

1405	0.3406	0.3048	0.2785	0.4093	3410	0.1791	0.1654	0.1558	0.593
1501	0.3493	0.3176	0.2945	0.550	3411	0.3333	0.2997	0.2749	0.511
1507	0.3247	0.2967	0.2765	0.567	3412	0.3445	0.3109	0.2861	0.525
1701	0.6155	0.5479	0.4969	0.476	3413	0.4197	0.3816	0.3539	0.549
1702	1.4931	1.2934	1.1406	0.387	3414	0.4156	0.3749	0.3449	0.521
1703	0.2939	0.2612	0.2268	0.475	3415	0.4580	0.4135	0.3806	0.524
1704	0.6155	0.5479	0.4969	0.476	3501	0.7601	0.6742	0.6092	0.462
1801	0.7675	0.6685	0.5931	0.403	3503	0.2389	0.2218	0.2098	0.605
1802	0.7431	0.6619	0.6006	0.478	3506	0.8275	0.7308	0.6582	0.461
2002	0.5152	0.4700	0.4275	0.557	3509	0.3241	0.3010	0.2849	0.618
2004	0.5361	0.4957	0.4671	0.603	3510	0.3492	0.3188	0.2968	0.560
2007	0.4108	0.3681	0.3362	0.497	3511	0.5104	0.4641	0.4303	0.545
2008	0.2336	0.2107	0.1938	0.520	3512	0.3150	0.2908	0.2738	0.593
2009	0.2832	0.2584	0.2405	0.556	3513	0.3592	0.3278	0.3053	0.559
2101	0.5281	0.4743	0.4241	0.504	3602	0.1017	0.0941	0.0888	0.602
2102	0.3754	0.3430	0.3196	0.560	3603	0.4142	0.3779	0.3516	0.557
2104	0.2239	0.2066	0.1943	0.591	3604	1.0359	0.9497	0.8881	0.577
2105	0.5125	0.4650	0.4301	0.544	3605	0.3951	0.3588	0.3322	0.544
2106	0.2895	0.2613	0.2407	0.519	3701	0.2117	0.1918	0.1772	0.534
2201	0.2071	0.1865	0.1713	0.514	3702	0.3451	0.3174	0.2978	0.588
2202	0.4547	0.4171	0.3903	0.579	3707	0.4870	0.4338	0.3933	0.461
2203	0.2830	0.2613	0.2461	0.598	3708	0.3769	0.3402	0.3132	0.521
2204	0.1912	0.1721	0.1581	0.514	3801	0.1469	0.1351	0.1267	0.582
2401	0.3339	0.3045	0.2832	0.551	3802	0.1469	0.1351	0.1267	0.582
2903	0.5565	0.5086	0.4741	0.563	3808	0.3202	0.2884	0.2649	0.517
2904	0.6371	0.5722	0.5241	0.502	3901	0.1394	0.1294	0.1224	0.608
2905	0.4151	0.3845	0.3632	0.610	3902	0.3279	0.2994	0.2789	0.559
2906	0.2937	0.2661	0.2461	0.539	3903	1.0106	0.9121	0.8397	0.516
2907	0.4443	0.4033	0.3733	0.540	3905	0.1394	0.1294	0.1224	0.608
2908	0.7846	0.7067	0.6491	0.517	3906	0.3719	0.3379	0.3130	0.543
2909	0.3562	0.3250	0.3026	0.558	3909	0.1502	0.1387	0.1307	0.596
3101	0.6247	0.5498	0.4930	0.437	4002	0.7544	0.6842	0.6323	0.545
3102	0.2117	0.1918	0.1772	0.534	4101	0.2046	0.1876	0.1754	0.575
3103	0.6829	0.5996	0.5365	0.428	4103	0.2240	0.2110	0.2024	0.664
3104	0.4464	0.3976	0.3610	0.483	4107	0.1169	0.1068	0.0997	0.564
3105	0.6629	0.6062	0.5654	0.569	4108	0.1386	0.1247	0.1146	0.514
3303	0.2178	0.1988	0.1850	0.558	4109	0.1931	0.1767	0.1648	0.565
3304	0.4629	0.4232	0.3944	0.561	4201	0.3613	0.3273	0.3023	0.544
3309	0.3257	0.2990	0.2798	0.576	4301	0.6441	0.5814	0.5353	0.518
3401	0.3333	0.2997	0.2749	0.511	4302	0.4644	0.4201	0.3876	0.535
3402	0.3595	0.3277	0.3047	0.557	4304	0.5873	0.5327	0.4928	0.538
3403	0.1729	0.1537	0.1394	0.471	4305	0.7517	0.6782	0.6240	0.526
3404	0.3567	0.3267	0.3054	0.573	4401	0.3685	0.3283	0.2981	0.472
3405	0.1988	0.1809	0.1681	0.555	4402	0.5869	0.5345	0.4966	0.552
3406	0.2062	0.1886	0.1759	0.565	4404	0.3389	0.3042	0.2784	0.500
3407	0.3156	0.2877	0.2675	0.559	4501	0.1227	0.1118	0.1040	0.552
3408	0.0992	0.0903	0.0837	0.546	4502	0.0379	0.0344	0.0319	0.543
3409	0.0892	0.0825	0.0777	0.601	4504	0.0812	0.0758	0.0722	0.632

4601	0.5336	0.4824	0.4447	0.525	6108	0.3669	0.3389	0.3192	0.596
4802	0.1896	0.1717	0.1586	0.531	6109	0.0582	0.0527	0.0486	0.527
4803	0.1700	0.1564	0.1470	0.586	6110	0.3305	0.3002	0.2781	0.543
4804	0.4453	0.4075	0.3803	0.565	6201	0.2556	0.2291	0.2095	0.503
4805	0.2532	0.2294	0.2120	0.532	6202	0.5204	0.4667	0.4269	0.497
4806	0.0477	0.0431	0.0397	0.523	6203	0.0657	0.0618	0.0593	0.656
4808	0.3828	0.3425	0.3124	0.493	6204	0.1319	0.1221	0.1154	0.606
4809	0.2186	0.2022	0.1907	0.604	6205	0.1817	0.1676	0.1577	0.594
4810	0.1190	0.1085	0.1009	0.548	6206	0.1575	0.1455	0.1371	0.597
4811	0.1909	0.1760	0.1656	0.591	6207	1.1722	1.0818	1.0180	0.585
4812	0.2751	0.2502	0.2321	0.549	6208	0.2372	0.2165	0.2018	0.549
4813	0.1545	0.1393	0.1282	0.514	6209	0.2095	0.1930	0.1814	0.587
4900	0.3853	0.3397	0.3070	0.464	6301	0.1180	0.1038	0.0932	0.440
4901	0.0466	0.0421	0.0390	0.536	6302	0.1411	0.1274	0.1173	0.519
4902	0.0630	0.0577	0.0539	0.571	6303	0.0401	0.0534	0.0493	0.524
4903	0.0515	0.0470	0.0438	0.563	6304	0.1739	0.1620	0.1679	0.622
4904	0.0238	0.0219	0.0206	0.583	6305	0.0647	0.0598	0.0583	0.595
4905	0.2525	0.2231	0.2194	0.592	6306	0.1355	0.11931	0.1813	0.587
4906	0.0681	0.0622	0.0581	0.569	6308	0.0460	0.0421	0.0393	0.568
4907	0.0525	0.0476	0.0441	0.537	6309	0.1141	0.1048	0.1137	0.579
4908	0.1045	0.0986	0.0952	0.656	6402	0.2154	0.1992	0.1948	0.604
4909	0.0464	0.0433	0.0412	0.612	6403	0.1400	0.1280	0.1367	0.559
4910	0.3248	0.2956	0.2746	0.550	6404	0.1526	0.1411	0.1395	0.597
5001	3.9466	3.4100	2.9976	0.380	6405	0.3415	0.4355	0.3991	0.507
5002	0.4206	0.3829	0.3555	0.555	6406	0.0579	0.0542	0.0553	0.641
5003	1.2397	1.0738	0.9504	0.393	6407	0.1242	0.1745	0.1629	0.565
5004	1.0961	0.9780	0.8994	0.481	6408	0.2664	0.2461	0.2317	0.600
5005	0.8641	0.7536	0.6689	0.409	6409	0.4197	0.3816	0.3539	0.549
5006	1.2281	1.0738	0.9595	0.426	6410	0.1482	0.1342	0.1242	0.533
5101	0.6779	0.6288	0.5945	0.613	6501	0.0913	0.0853	0.0812	0.639
5103	0.6406	0.5904	0.5549	0.589	6502	0.0226	0.0214	0.0199	0.549
5106	0.6406	0.5904	0.5549	0.589	6503	0.0577	0.0516	0.0472	0.499
5108	0.4938	0.4505	0.4195	0.559	6504	0.3220	0.2998	0.2837	0.608
5109	0.5713	0.5075	0.4598	0.471	6505	0.0863	0.0787	0.0733	0.549
5201	0.2645	0.22399	0.2220	0.544	6506	0.0692	0.0629	0.0618	0.547
5204	0.7193	0.6418	0.5841	0.485	6508	0.2871	0.2610	0.2420	0.541
5206	0.3833	0.3397	0.3070	0.464	6509	0.2274	0.2079	0.1939	0.560
5207	0.1368	0.1283	0.1228	0.646	6510	0.2871	0.2610	0.2420	0.541
5208	0.7123	0.6414	0.5893	0.517	6511	0.2871	0.2610	0.2420	0.541
5209	0.6010	0.5434	0.5011	0.530	6601	0.1353	0.11429	0.11342	0.582
5301	0.0270	0.0247	0.0232	0.575	6602	0.3700	0.3385	0.3157	0.565
5305	0.0420	0.0393	0.0375	0.642	6603	0.2822	0.2565	0.2378	0.545
5306	0.0386	0.0354	0.0330	0.565	6604	0.0537	0.0483	0.0443	0.503
5307	0.2856	0.2601	0.2416	0.556	6605	0.2652	0.2526	0.2449	0.693
6103	0.0627	0.0583	0.0554	0.620	6607	0.1312	0.1215	0.1145	0.602
6104	0.2255	0.2089	0.1975	0.610	6608	0.2675	0.2382	0.2161	0.480
6105	0.1610	0.1459	0.1349	0.536	6620	1.2146	1.1144	1.0427	0.582
6107	0.0943	0.0873	0.0824	0.599	6704	0.0983	0.0902	0.0844	0.576

PERMANENT

6705	0.6228	0.5814	0.5536	0.630	7308	0.1944	0.1821	0.1740	0.639
6706	0.3268	0.3004	0.2819	0.577	7309	0.1644	0.1543	0.1476	0.646))
6707	1.3699	1.2678	1.1966	0.602					
6708	5.5217	4.9151	4.4626	0.459	Class	1996	1997	1998	D-Ratio
6709	0.1644	0.1543	0.1476	0.646	0101	1.1939	1.1467	0.9438	0.408
6801	0.2210	0.2018	0.1880	0.567	0103	1.5073	1.4525	1.2134	0.443
6802	0.3454	0.3198	0.3023	0.604	0104	0.8558	0.8231	0.6820	0.423
6803	0.6935	0.5942	0.5184	0.353	0105	1.0556	1.0246	0.8809	0.506
6804	0.1761	0.1623	0.1526	0.595	0106	1.1939	1.1467	0.9438	0.408
6809	4.0833	3.7922	3.5938	0.608	0107	0.9855	0.9500	0.7957	0.450
6901	0.0402	0.0392	0.0390	0.741	0108	0.8558	0.8231	0.6820	0.423
6902	0.6820	0.5929	0.5247	0.401	0112	0.5559	0.5373	0.4537	0.465
6903	3.9732	3.3781	2.9254	0.327	0201	2.3887	2.2871	1.8550	0.373
6904	0.1904	0.1765	0.1666	0.615	0202	2.3887	2.2871	1.8550	0.373
6905	0.2352	0.2167	0.2036	0.594	0210	0.8052	0.7756	0.6483	0.447
6906	0.1102	0.1059	0.1038	0.688	0212	0.7489	0.7197	0.5932	0.410
6907	0.9003	0.8184	0.7584	0.548	0214	0.9580	0.9248	0.7798	0.467
6908	0.4165	0.3788	0.3515	0.550	0217	0.9966	0.9621	0.8101	0.461
6909	0.0880	0.0812	0.0763	0.594	0219	0.9043	0.8716	0.7283	0.442
7002	0.0000	0.0000	0.0000	0.500	0301	0.5087	0.4954	0.4311	0.533
7101	0.0255	0.0230	0.0209	0.490	0302	1.6845	1.6105	1.3022	0.371
7102	3.2856	3.0428	2.8758	0.590	0303	1.6352	1.5683	1.2844	0.398
7103	0.2707	0.2437	0.2237	0.515	0306	0.8583	0.8259	0.6871	0.435
7104	0.0214	0.0198	0.0187	0.603	0307	0.6389	0.6189	0.5289	0.495
7105	0.0208	0.0193	0.0184	0.625	0308	0.4671	0.4563	0.4023	0.566
7106	0.1272	0.1164	0.1088	0.569	0403	1.3011	1.2588	1.0637	0.462
7107	0.2158	0.1991	0.1874	0.594	0502	1.2196	1.1728	0.9719	0.425
7108	0.1756	0.1648	0.1577	0.648	0504	1.2033	1.1569	0.9522	0.402
7109	0.1353	0.1255	0.1186	0.607	0506	3.5412	3.3986	2.7796	0.389
7110	0.2618	0.2337	0.2127	0.488	0507	2.7558	2.6539	2.2051	0.426
7111	0.3417	0.3117	0.2899	0.555	0508	2.5763	2.4610	1.9760	0.351
7112	0.4854	0.4440	0.4141	0.567	0509	1.5473	1.4834	1.2109	0.389
7113	0.4865	0.4435	0.4127	0.559	0510	1.2436	1.2000	1.0069	0.451
7114	0.6096	0.5749	0.5526	0.664	0511	1.1017	1.0649	0.9024	0.477
7115	0.4298	0.3973	0.3748	0.604	0512	1.1159	1.0777	0.9087	0.464
7116	0.4121	0.3746	0.3472	0.543	0513	0.6194	0.5992	0.5103	0.490
7117	0.8708	0.8079	0.7634	0.611	0514	1.0931	1.0603	0.9082	0.495
7118	1.3687	1.2527	1.1704	0.571	0515	2.8938	2.7752	2.2699	0.394
7119	1.5742	1.4433	1.3492	0.579	0516	1.2436	1.2000	1.0069	0.451
7120	4.1969	3.7761	3.4668	0.509	0517	1.4134	1.3687	1.1641	0.480
7121	4.2770	3.8504	3.5356	0.513	0518	1.3861	1.3306	1.0937	0.407
7201	0.8348	0.7550	0.6959	0.536	0519	1.5467	1.4937	1.2555	0.452
7202	0.0366	0.0327	0.0298	0.485	0520	1.3443	1.2905	1.0632	0.414
7203	0.1063	0.0976	0.0915	0.571	0521	1.0583	1.0176	0.8392	0.409
7204	0.0000	0.0000	0.0000	0.500	0601	0.4792	0.4653	0.4019	0.522
7301	0.4684	0.4190	0.3821	0.494	0602	0.3884	0.3782	0.3312	0.556
7302	0.5614	0.5123	0.4768	0.556	0603	0.7383	0.7097	0.5875	0.423
7307	0.4842	0.4451	0.4174	0.580	0604	0.9155	0.8881	0.7591	0.488

PERMANENT

<u>Class</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>D-Ratio</u>	<u>Class</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>D-Ratio</u>
<u>0606</u>	<u>0.2857</u>	<u>0.2797</u>	<u>0.2490</u>	<u>0.585</u>	<u>2203</u>	<u>0.2977</u>	<u>0.2921</u>	<u>0.2620</u>	<u>0.604</u>
<u>0607</u>	<u>0.3179</u>	<u>0.3085</u>	<u>0.2656</u>	<u>0.509</u>	<u>2204</u>	<u>0.2091</u>	<u>0.2034</u>	<u>0.1761</u>	<u>0.520</u>
<u>0608</u>	<u>0.2370</u>	<u>0.2306</u>	<u>0.1995</u>	<u>0.519</u>	<u>2401</u>	<u>0.3217</u>	<u>0.3152</u>	<u>0.2805</u>	<u>0.583</u>
<u>0701</u>	<u>1.6925</u>	<u>1.6123</u>	<u>1.2870</u>	<u>0.347</u>	<u>2903</u>	<u>0.5305</u>	<u>0.5191</u>	<u>0.4608</u>	<u>0.579</u>
<u>0803</u>	<u>0.3311</u>	<u>0.3227</u>	<u>0.2828</u>	<u>0.553</u>	<u>2904</u>	<u>0.6295</u>	<u>0.6120</u>	<u>0.5271</u>	<u>0.504</u>
<u>0901</u>	<u>1.3861</u>	<u>1.3306</u>	<u>1.0937</u>	<u>0.407</u>	<u>2905</u>	<u>0.4022</u>	<u>0.3950</u>	<u>0.3561</u>	<u>0.619</u>
<u>1002</u>	<u>0.7360</u>	<u>0.7151</u>	<u>0.6168</u>	<u>0.513</u>	<u>2906</u>	<u>0.2930</u>	<u>0.2855</u>	<u>0.2496</u>	<u>0.547</u>
<u>1003</u>	<u>0.7275</u>	<u>0.7070</u>	<u>0.6090</u>	<u>0.506</u>	<u>2907</u>	<u>0.4327</u>	<u>0.4220</u>	<u>0.3693</u>	<u>0.544</u>
<u>1004</u>	<u>0.4302</u>	<u>0.4160</u>	<u>0.3520</u>	<u>0.467</u>	<u>2908</u>	<u>0.8003</u>	<u>0.7776</u>	<u>0.6709</u>	<u>0.514</u>
<u>1005</u>	<u>5.3289</u>	<u>5.0987</u>	<u>4.1192</u>	<u>0.363</u>	<u>2909</u>	<u>0.3354</u>	<u>0.3275</u>	<u>0.2880</u>	<u>0.555</u>
<u>1007</u>	<u>0.2921</u>	<u>0.2832</u>	<u>0.2428</u>	<u>0.505</u>	<u>3101</u>	<u>0.6005</u>	<u>0.5798</u>	<u>0.4867</u>	<u>0.449</u>
<u>1101</u>	<u>0.4690</u>	<u>0.4578</u>	<u>0.4022</u>	<u>0.556</u>	<u>3102</u>	<u>0.1970</u>	<u>0.1924</u>	<u>0.1697</u>	<u>0.565</u>
<u>1102</u>	<u>1.0844</u>	<u>1.0456</u>	<u>0.8743</u>	<u>0.442</u>	<u>3103</u>	<u>0.6360</u>	<u>0.6135</u>	<u>0.5107</u>	<u>0.423</u>
<u>1103</u>	<u>0.6474</u>	<u>0.6271</u>	<u>0.5336</u>	<u>0.481</u>	<u>3104</u>	<u>0.4637</u>	<u>0.4486</u>	<u>0.3800</u>	<u>0.473</u>
<u>1104</u>	<u>0.3599</u>	<u>0.3529</u>	<u>0.3156</u>	<u>0.595</u>	<u>3105</u>	<u>0.6444</u>	<u>0.6306</u>	<u>0.5618</u>	<u>0.592</u>
<u>1105</u>	<u>0.7016</u>	<u>0.6806</u>	<u>0.5821</u>	<u>0.490</u>	<u>3303</u>	<u>0.2307</u>	<u>0.2254</u>	<u>0.1985</u>	<u>0.559</u>
<u>1106</u>	<u>0.2817</u>	<u>0.2752</u>	<u>0.2410</u>	<u>0.539</u>	<u>3304</u>	<u>0.4602</u>	<u>0.4497</u>	<u>0.3957</u>	<u>0.555</u>
<u>1108</u>	<u>0.4023</u>	<u>0.3927</u>	<u>0.3448</u>	<u>0.554</u>	<u>3309</u>	<u>0.3272</u>	<u>0.3200</u>	<u>0.2833</u>	<u>0.570</u>
<u>1109</u>	<u>0.7378</u>	<u>0.7190</u>	<u>0.6256</u>	<u>0.529</u>	<u>3401</u>	<u>0.3449</u>	<u>0.3348</u>	<u>0.2875</u>	<u>0.502</u>
<u>1301</u>	<u>0.3955</u>	<u>0.3849</u>	<u>0.3349</u>	<u>0.535</u>	<u>3402</u>	<u>0.3492</u>	<u>0.3406</u>	<u>0.2988</u>	<u>0.553</u>
<u>1303</u>	<u>0.1462</u>	<u>0.1426</u>	<u>0.1255</u>	<u>0.562</u>	<u>3403</u>	<u>0.1657</u>	<u>0.1606</u>	<u>0.1367</u>	<u>0.478</u>
<u>1304</u>	<u>0.0200</u>	<u>0.0195</u>	<u>0.0170</u>	<u>0.533</u>	<u>3404</u>	<u>0.3659</u>	<u>0.3575</u>	<u>0.3156</u>	<u>0.567</u>
<u>1305</u>	<u>0.3291</u>	<u>0.3200</u>	<u>0.2756</u>	<u>0.503</u>	<u>3405</u>	<u>0.2018</u>	<u>0.1972</u>	<u>0.1746</u>	<u>0.576</u>
<u>1401</u>	<u>0.4823</u>	<u>0.4692</u>	<u>0.4058</u>	<u>0.515</u>	<u>3406</u>	<u>0.2045</u>	<u>0.1997</u>	<u>0.1757</u>	<u>0.556</u>
<u>1404</u>	<u>0.4292</u>	<u>0.4177</u>	<u>0.3635</u>	<u>0.535</u>	<u>3407</u>	<u>0.3332</u>	<u>0.3249</u>	<u>0.2855</u>	<u>0.563</u>
<u>1405</u>	<u>0.3231</u>	<u>0.3142</u>	<u>0.2715</u>	<u>0.512</u>	<u>3408</u>	<u>0.1031</u>	<u>0.1008</u>	<u>0.0891</u>	<u>0.572</u>
<u>1501</u>	<u>0.3614</u>	<u>0.3519</u>	<u>0.3071</u>	<u>0.544</u>	<u>3409</u>	<u>0.0914</u>	<u>0.0897</u>	<u>0.0805</u>	<u>0.606</u>
<u>1507</u>	<u>0.3683</u>	<u>0.3588</u>	<u>0.3135</u>	<u>0.547</u>	<u>3410</u>	<u>0.1808</u>	<u>0.1773</u>	<u>0.1580</u>	<u>0.582</u>
<u>1701</u>	<u>0.6051</u>	<u>0.5872</u>	<u>0.5042</u>	<u>0.504</u>	<u>3411</u>	<u>0.3449</u>	<u>0.3348</u>	<u>0.2875</u>	<u>0.502</u>
<u>1702</u>	<u>1.4905</u>	<u>1.4290</u>	<u>1.1665</u>	<u>0.388</u>	<u>3412</u>	<u>0.3695</u>	<u>0.3586</u>	<u>0.3077</u>	<u>0.501</u>
<u>1703</u>	<u>0.3453</u>	<u>0.3297</u>	<u>0.2621</u>	<u>0.318</u>	<u>3413</u>	<u>0.4159</u>	<u>0.4056</u>	<u>0.3555</u>	<u>0.552</u>
<u>1704</u>	<u>0.6051</u>	<u>0.5872</u>	<u>0.5042</u>	<u>0.504</u>	<u>3414</u>	<u>0.4155</u>	<u>0.4042</u>	<u>0.3501</u>	<u>0.523</u>
<u>1801</u>	<u>0.6960</u>	<u>0.6701</u>	<u>0.5543</u>	<u>0.413</u>	<u>3415</u>	<u>0.4924</u>	<u>0.4787</u>	<u>0.4131</u>	<u>0.513</u>
<u>1802</u>	<u>0.6108</u>	<u>0.5932</u>	<u>0.5106</u>	<u>0.508</u>	<u>3501</u>	<u>0.7484</u>	<u>0.7243</u>	<u>0.6132</u>	<u>0.466</u>
<u>2002</u>	<u>0.5359</u>	<u>0.5235</u>	<u>0.4607</u>	<u>0.557</u>	<u>3503</u>	<u>0.2360</u>	<u>0.2322</u>	<u>0.2095</u>	<u>0.609</u>
<u>2004</u>	<u>0.5662</u>	<u>0.5548</u>	<u>0.4956</u>	<u>0.596</u>	<u>3506</u>	<u>0.8404</u>	<u>0.8091</u>	<u>0.6771</u>	<u>0.454</u>
<u>2005</u>	<u>0.2808</u>	<u>0.2749</u>	<u>0.2435</u>	<u>0.568</u>	<u>3509</u>	<u>0.3243</u>	<u>0.3185</u>	<u>0.2872</u>	<u>0.620</u>
<u>2007</u>	<u>0.3961</u>	<u>0.3844</u>	<u>0.3297</u>	<u>0.498</u>	<u>3510</u>	<u>0.3273</u>	<u>0.3200</u>	<u>0.2831</u>	<u>0.571</u>
<u>2008</u>	<u>0.2345</u>	<u>0.2280</u>	<u>0.1973</u>	<u>0.518</u>	<u>3511</u>	<u>0.5048</u>	<u>0.4917</u>	<u>0.4277</u>	<u>0.530</u>
<u>2009</u>	<u>0.2808</u>	<u>0.2749</u>	<u>0.2435</u>	<u>0.568</u>	<u>3512</u>	<u>0.3206</u>	<u>0.3148</u>	<u>0.2831</u>	<u>0.609</u>
<u>2101</u>	<u>0.5838</u>	<u>0.5661</u>	<u>0.4825</u>	<u>0.481</u>	<u>3513</u>	<u>0.3679</u>	<u>0.3588</u>	<u>0.3136</u>	<u>0.539</u>
<u>2102</u>	<u>0.3754</u>	<u>0.3666</u>	<u>0.3223</u>	<u>0.554</u>	<u>3602</u>	<u>0.0966</u>	<u>0.0949</u>	<u>0.0853</u>	<u>0.609</u>
<u>2104</u>	<u>0.2307</u>	<u>0.2263</u>	<u>0.2022</u>	<u>0.589</u>	<u>3603</u>	<u>0.4154</u>	<u>0.4056</u>	<u>0.3565</u>	<u>0.554</u>
<u>2105</u>	<u>0.5375</u>	<u>0.5234</u>	<u>0.4574</u>	<u>0.547</u>	<u>3604</u>	<u>0.9761</u>	<u>0.9536</u>	<u>0.8408</u>	<u>0.564</u>
<u>2106</u>	<u>0.2889</u>	<u>0.2816</u>	<u>0.2453</u>	<u>0.529</u>	<u>3605</u>	<u>0.3937</u>	<u>0.3836</u>	<u>0.3352</u>	<u>0.545</u>
<u>2201</u>	<u>0.2091</u>	<u>0.2034</u>	<u>0.1761</u>	<u>0.520</u>	<u>3701</u>	<u>0.1970</u>	<u>0.1924</u>	<u>0.1697</u>	<u>0.565</u>
<u>2202</u>	<u>0.4541</u>	<u>0.4435</u>	<u>0.3916</u>	<u>0.570</u>	<u>3702</u>	<u>0.3398</u>	<u>0.3326</u>	<u>0.2959</u>	<u>0.588</u>

<u>Class</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>D-Ratio</u>	<u>Class</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>D-Ratio</u>
3708	0.4023	0.3911	0.3370	0.508	4909	0.0471	0.0466	0.0423	0.614
3802	0.1240	0.1221	0.1108	0.628	4910	0.3214	0.3137	0.2750	0.546
3808	0.3326	0.3232	0.2790	0.513	5001	3.9217	3.7561	3.0558	0.383
3901	0.1368	0.1345	0.1213	0.609	5002	0.4225	0.4118	0.3609	0.553
3902	0.3080	0.3011	0.2654	0.561	5003	1.2004	1.1526	0.9479	0.407
3903	1.0013	0.9759	0.8466	0.516	5004	1.0217	0.9900	0.8407	0.471
3905	0.1368	0.1345	0.1213	0.609	5005	0.7502	0.7217	0.5987	0.426
3906	0.3495	0.3411	0.2999	0.556	5006	1.2771	1.2277	1.0139	0.415
3909	0.1498	0.1471	0.1319	0.601	5101	0.7103	0.6964	0.6238	0.604
4002	0.7897	0.7681	0.6696	0.548	5103	0.6357	0.6236	0.5576	0.594
4101	0.2092	0.2046	0.1810	0.574	5106	0.6357	0.6236	0.5576	0.594
4103	0.2325	0.2294	0.2103	0.659	5108	0.5471	0.5353	0.4749	0.578
4107	0.1134	0.1108	0.0976	0.560	5109	0.5455	0.5284	0.4505	0.487
4108	0.1358	0.1321	0.1143	0.516	5201	0.2641	0.2570	0.2235	0.532
4109	0.1949	0.1905	0.1680	0.563	5204	0.6886	0.6681	0.5724	0.496
4201	0.3979	0.3861	0.3339	0.530	5206	0.3581	0.3467	0.2946	0.479
4301	0.6281	0.6127	0.5344	0.533	5207	0.1363	0.1344	0.1224	0.637
4302	0.4574	0.4448	0.3861	0.532	5208	0.6472	0.6300	0.5478	0.531
4304	0.5898	0.5753	0.5029	0.542	5209	0.5947	0.5785	0.5018	0.527
4305	0.7930	0.7701	0.6665	0.527	5301	0.0269	0.0262	0.0234	0.583
4401	0.3548	0.3444	0.2935	0.474	5305	0.0440	0.0433	0.0395	0.645
4402	0.5804	0.5661	0.4957	0.546	5306	0.0390	0.0382	0.0339	0.581
4404	0.3185	0.3095	0.2660	0.496	5307	0.3023	0.2945	0.2574	0.548
4501	0.1260	0.1231	0.1089	0.567	6103	0.0631	0.0622	0.0562	0.619
4502	0.0383	0.0374	0.0328	0.548	6104	0.2404	0.2359	0.2116	0.604
4504	0.0807	0.0794	0.0719	0.623	6105	0.1609	0.1568	0.1367	0.535
4601	0.5307	0.5166	0.4478	0.520	6107	0.0934	0.0916	0.0818	0.583
4802	0.1816	0.1770	0.1539	0.527	6108	0.3407	0.3349	0.3016	0.610
4803	0.1700	0.1667	0.1485	0.584	6109	0.0579	0.0565	0.0496	0.553
4804	0.4457	0.4358	0.3852	0.567	6110	0.3303	0.3223	0.2822	0.545
4805	0.2406	0.2350	0.2062	0.547	6201	0.2625	0.2543	0.2168	0.487
4806	0.0454	0.0442	0.0386	0.527	6202	0.5379	0.5227	0.4475	0.486
4808	0.3688	0.3581	0.3076	0.500	6203	0.0671	0.0664	0.0611	0.657
4809	0.2292	0.2245	0.2004	0.590	6204	0.1304	0.1279	0.1146	0.597
4810	0.1170	0.1144	0.1005	0.542	6205	0.1840	0.1802	0.1601	0.581
4811	0.1931	0.1893	0.1688	0.587	6206	0.1618	0.1588	0.1423	0.604
4812	0.2737	0.2672	0.2348	0.557	6207	1.1898	1.1689	1.0440	0.580
4813	0.1417	0.1382	0.1203	0.527	6208	0.2305	0.2258	0.1989	0.543
4900	0.3581	0.3467	0.2946	0.479	6209	0.2066	0.2027	0.1809	0.584
4901	0.0514	0.0500	0.0433	0.524	6301	0.1144	0.1104	0.0923	0.440
4902	0.0654	0.0639	0.0564	0.571	6302	0.1388	0.1354	0.1177	0.524
4903	0.0542	0.0529	0.0466	0.564	6303	0.0584	0.0569	0.0496	0.533
4904	0.0237	0.0232	0.0206	0.580	6304	0.1783	0.1918	0.0615	0.638
4905	0.2640	0.2592	0.2317	0.588	6305	0.0673	0.0684	0.1766	0.605
4906	0.0683	0.0668	0.0591	0.575	6306	0.2022	0.1981	0.1766	0.590
4907	0.0494	0.0481	0.0420	0.536	6308	0.0447	0.0438	0.1135	0.578
4908	0.1087	0.1081	0.1003	0.662	6309	0.1130	0.1278	0.1992	0.575

PERMANENT

PERMANENT

<u>Class</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>D-Ratio</u>	<u>Class</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>D-Ratio</u>
6402	0.2177	0.2216	0.1284	0.613	7100	0.0252	0.0245	0.0210	0.488
6403	0.1288	0.1441	0.1388	0.581	7101	0.0252	0.0245	0.0210	0.488
6404	0.1499	0.1545	0.3948	0.604	7102	3.3121	3.2662	2.9421	0.590
6405	0.4670	0.4545	0.3948	0.528	7103	0.2809	0.2729	0.2359	0.519
6406	0.0575	0.0604	0.1663	0.621	7104	0.0211	0.0208	0.0186	0.597
6407	0.1915	0.1875	0.1663	0.575	7105	0.0208	0.0205	0.0186	0.636
6408	0.2601	0.2549	0.2282	0.603	7106	0.1295	0.1268	0.1125	0.576
6409	0.4159	0.4056	0.3555	0.552	7107	0.2177	0.2137	0.1918	0.603
6410	0.1641	0.1597	0.1383	0.515	7108	0.1858	0.1831	0.1667	0.632
6501	0.0948	0.0934	0.0851	0.652	7109	0.1289	0.1268	0.1146	0.616
6502	0.0232	0.0226	0.0199	0.553	7110	0.2860	0.2772	0.2367	0.489
6503	0.0578	0.0562	0.0484	0.516	7111	0.3433	0.3352	0.2947	0.556
6504	0.3187	0.3141	0.2847	0.621	7112	0.4935	0.4824	0.4267	0.573
6505	0.0843	0.0825	0.0730	0.557	7113	0.4771	0.4662	0.4123	0.572
6506	0.0691	0.0715	0.2024	0.558	7114	0.5884	0.5814	0.5353	0.665
6508	0.2377	0.2324	0.2046	0.554	7115	0.4282	0.4201	0.3774	0.610
6509	0.2345	0.2294	0.2024	0.558	7116	0.4116	0.4020	0.3532	0.552
6510	0.2727	0.2653	0.2289	0.505	7117	0.8533	0.8384	0.7568	0.622
6511	0.2832	0.2768	0.2431	0.546	7118	1.1243	1.0992	0.9749	0.580
6601	0.1519	0.1491	0.1334	0.594	7119	1.5635	1.5281	1.3547	0.582
6602	0.3542	0.3462	0.3054	0.562	7120	4.2819	4.1663	3.6016	0.512
6603	0.2953	0.2883	0.2529	0.549	7121	4.2481	4.1311	3.5690	0.513
6604	0.0524	0.0511	0.0443	0.509	7201	0.8874	0.8617	0.7461	0.530
6605	0.2578	0.2556	0.2380	0.688	7202	0.0335	0.0325	0.0278	0.490
6607	0.1427	0.1398	0.1247	0.586	7203	0.1041	0.1021	0.0908	0.571
6608	0.3068	0.2964	0.2502	0.464	7204	0.0000	0.0000	0.0000	0.500
6620	1.6084	1.5726	1.4009	0.597	7301	0.4611	0.4466	0.3794	0.474
6704	0.0979	0.0960	0.0856	0.591	7302	0.5830	0.5687	0.4971	0.540
6705	0.6298	0.6207	0.5653	0.637	7307	0.4690	0.4592	0.4067	0.569
6706	0.3234	0.3173	0.2828	0.579	7308	0.2079	0.2050	0.1866	0.629
6707	1.3625	1.3380	1.2018	0.603	7309	0.1660	0.1637	0.1495	0.642
6708	5.8152	5.6516	4.7942	0.448					
6709	0.1660	0.1637	0.1495	0.642					
6801	0.2373	0.2317	0.2047	0.577					
6802	0.3478	0.3415	0.3066	0.603					
6803	0.6579	0.6298	0.5092	0.363	((Class	1995	1996	1997	D-Ratio
6804	0.1812	0.1775	0.1587	0.597	0522	0.0185	0.0161	0.0143	0.407
6809	4.3146	4.2483	3.8343	0.607	0523	0.0120	0.0104	0.0093	0.414
6901	0.0447	0.0453	0.0440	0.756	0524	0.0115	0.0101	0.0090	0.441
6902	0.6917	0.6640	0.5445	0.399	0525	0.0081	0.0070	0.0063	0.420
6903	4.5443	4.3263	3.4170	0.311	0526	0.0071	0.0063	0.0055	0.406
6904	0.2089	0.2046	0.1838	0.620	0527	0.0005	0.0004	0.0004	0.364
6905	0.2474	0.2419	0.2151	0.591	0528	0.0018	0.0016	0.0014	0.416
6906	0.1124	0.1130	0.1072	0.689	0529	0.0012	0.0011	0.0010	0.410
6907	0.8930	0.8704	0.7620	0.551	0530	0.0166	0.0144	0.0128	0.403
6908	0.4197	0.4100	0.3626	0.576	0531	0.0108	0.0094	0.0083	0.414
6909	0.0864	0.0847	0.0756	0.595	0532	0.0009	0.0008	0.0006	0.403
					0533	0.0028	0.0025	0.0022	0.401

**Expected Loss Rates in Dollars Per Sq. Ft.
of Wallboard Installed**

<u>Expected Loss Range</u>	<u>Maximum Experience Modification</u>
21.509 - 23.697	0.62
23.698 - 26.151	0.61
26.152 & Higher	0.60

0513	0.7619	0.2629
0514	1.3096	0.5473
0516	1.5063	0.5304
0517	1.6510	0.6797
0518	1.9184	0.5365
0519	1.8909	0.7171
0521	1.4291	0.4755
0601	0.5971	0.2294
0602	0.4516	0.1728
0603	0.9792	0.2926
0604	1.0582	0.4854
0606	0.2767	0.1511
0607	0.3588	0.1526
0608	0.2626	0.1306
0701	2.4974	0.4790
0803	0.3504	0.1577
0901	1.9184	0.5365
1002	0.7639	0.3433
1003	0.7629	0.3390
1004	0.5042	0.2030
1005	7.1860	2.0386
1007	0.3495	0.1312
1101	0.5047	0.2462
1102	1.3476	0.4593
1103	0.6578	0.2642
1104	0.3701	0.2211
1105	0.7115	0.3190
1106	0.2557	0.1589
1108	0.4199	0.2054
1109	0.7200	0.3846
1301	0.4049	0.1876
1303	0.1613	0.0752
1304	0.0207	0.0111
1305	0.3775	0.1867
1401	0.5209	0.2533
1404	0.5319	0.2240
1405	0.3558	0.1799
1501	0.3975	0.1713
1507	0.3663	0.1628
1701	0.7029	0.2878
1702	1.8741	0.5600
1703	0.3520	0.1272
1704	0.7029	0.2878
1801	0.9120	0.3213
1802	0.8596	0.3418
2002	0.5378	0.2826
2004	0.5669	0.2970
2007	0.4514	0.2051

AMENDATORY SECTION (Amending WSR 98-24-094, filed 12/1/98, effective 1/1/99)

WAC 296-17-895 Industrial insurance accident fund base rates and medical aid base rates by class of industry. Industrial insurance accident fund and medical aid fund base rates by class of industry shall be as set forth below.

((Base Rates Effective January 1, 1999

<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>
0101	1.5203	0.4584
0103	1.7561	0.5816
0104	1.0744	0.3380
0105	1.2392	0.5152
0107	1.2724	0.3893
0108	1.0744	0.3380
0112	0.7012	0.2552
0201	3.0120	0.8173
0202	3.0120	0.8173
0210	0.9815	0.3077
0212	0.9933	0.3155
0214	1.2178	0.3955
0217	1.2946	0.4373
0219	1.1908	0.3957
0301	0.6081	0.2879
0302	2.1719	0.5481
0303	1.9927	0.5514
0306	1.1049	0.3435
0307	0.7890	0.2955
0308	0.5297	0.2582
0403	1.4958	0.5961
0502	1.5896	0.4618
0504	1.4679	0.5049
0506	4.6762	1.4043
0507	3.4005	1.1975
0508	3.6793	0.9062
0509	1.8957	0.5981
0510	1.5063	0.5304
0511	1.2412	0.4448
0512	1.4816	0.4997

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2008	0.2520	0.1205	3513	0.3685	0.2005
2009	0.2807	0.1638	3602	0.0981	0.0618
2101	0.5813	0.2643	3603	0.4283	0.2295
2102	0.3815	0.2122	3604	1.1141	0.5536
2104	0.2157	0.1358	3605	0.4356	0.2013
2105	0.5967	0.2422	3701	0.2230	0.1134
2106	0.2938	0.1605	3702	0.3745	0.1836
2201	0.2248	0.1060	3707	0.4379	0.2981
2202	0.4890	0.2433	3708	0.3985	0.1997
2203	0.2899	0.1616	3802	0.1497	0.0839
2204	0.2129	0.1004	3808	0.3566	0.1584
2401	0.3235	0.1977	3901	0.1246	0.0908
2903	0.5774	0.3081	3902	0.3378	0.1828
2904	0.6584	0.3437	3903	0.9803	0.5866
2905	0.4303	0.2356	3905	0.1246	0.0908
2906	0.3282	0.1463	3906	0.3952	0.1983
2907	0.4717	0.2366	3909	0.1436	0.0917
2908	0.8793	0.3852	4002	0.9166	0.3348
2909	0.3658	0.1987	4101	0.2160	0.1118
3101	0.7236	0.2792	4103	0.2227	0.1364
3102	0.2230	0.1134	4107	0.1189	0.0660
3103	0.7667	0.3178	4108	0.1468	0.0728
3104	0.5417	0.1904	4109	0.1999	0.1074
3105	0.7318	0.3418	4201	0.4525	0.1518
3303	0.2251	0.1205	4301	0.6507	0.3593
3304	0.4615	0.2676	4302	0.5417	0.2179
3309	0.3293	0.1871	4304	0.6216	0.3142
3402	0.3921	0.1869	4305	0.8822	0.3475
3403	0.1892	0.0852	4401	0.3756	0.1990
3404	0.3737	0.1962	4402	0.6147	0.3191
3405	0.2161	0.1032	4404	0.3501	0.1823
3406	0.2115	0.1155	4501	0.1209	0.0713
3407	0.3543	0.1584	4502	0.0388	0.0211
3408	0.1022	0.0549	4504	0.0761	0.0512
3409	0.0896	0.0521	4601	0.5567	0.2881
3410	0.1656	0.1127	4802	0.1956	0.1041
3411	0.3697	0.1651	4803	0.1647	0.1020
3412	0.3910	0.1668	4804	0.4430	0.2581
3413	0.4638	0.2137	4805	0.2582	0.1406
3414	0.4553	0.2106	4806	0.0472	0.0272
3415	0.5064	0.2301	4808	0.4268	0.1868
3501	0.8562	0.3604	4809	0.2226	0.1261
3503	0.2067	0.1602	4810	0.1075	0.0748
3506	1.0930	0.2933	4811	0.1826	0.1163
3509	0.3364	0.1845	4812	0.2942	0.1458
3510	0.3685	0.1893	4813	0.1514	0.0888
3511	0.5354	0.2768	4900	0.4505	0.1698
3512	0.3007	0.1925	4901	0.0518	0.0233

4902	0.0684	0.0333	6303	0.0604	0.0326
4903	0.0563	0.0267	6304	0.1737	0.1221
4904	0.0233	0.0141	6305	0.0628	0.0416
4905	0.2339	0.1586	6306	0.2153	0.1189
4906	0.0724	0.0367	6308	0.0472	0.0258
4907	0.0538	0.0290	6309	0.1271	0.0793
4908	0.0600	0.0890	6402	0.2376	0.1230
4909	0.0293	0.0375	6403	0.1474	0.0999
4910	0.3354	0.1794	6404	0.1529	0.0982
5001	5.0974	1.3877	6405	0.5284	0.2453
5002	0.4712	0.2110	6406	0.0581	0.0393
5003	1.5547	0.4681	6407	0.1880	0.1115
5004	1.1885	0.5519	6408	0.2845	0.1457
5005	1.0777	0.3344	6409	0.4638	0.2137
5006	1.5419	0.4746	6410	0.1474	0.0843
5101	0.6905	0.3926	6501	0.0962	0.0517
5103	0.6268	0.3820	6502	0.0237	0.0134
5106	0.6268	0.3820	6503	0.0679	0.0259
5108	0.5083	0.2741	6504	0.2831	0.2138
5109	0.6538	0.2649	6505	0.0765	0.0551
5201	0.2988	0.1302	6506	0.0702	0.0435
5204	0.8059	0.3468	6508	0.2839	0.1657
5206	0.4505	0.1698	6509	0.2175	0.1367
5207	0.1224	0.0905	6510	0.2925	0.1685
5208	0.7941	0.3516	6511	0.2925	0.1685
5209	0.6687	0.3001	6601	0.1457	0.0959
5301	0.0272	0.0154	6602	0.3823	0.2063
5305	0.0415	0.0254	6603	0.2920	0.1548
5306	0.0391	0.0220	6604	0.0497	0.0323
5307	0.3216	0.1426	6605	0.2233	0.1878
6103	0.0559	0.0411	6607	0.1281	0.0789
6104	0.2279	0.1315	6608	0.3166	0.1185
6105	0.1706	0.0856	6614	642.0000*	432.0000*
6107	0.0834	0.0615	6615	236.0000*	158.0000*
6108	0.3524	0.2233	6616	200.0000*	134.0000*
6109	0.0612	0.0312	6617	71.0000*	48.0000*
6110	0.3495	0.1773	6618	89.0000*	60.0000*
6201	0.2944	0.1195	6620	1.4333	0.6288
6202	0.5352	0.2814	6704	0.0976	0.0572
6203	0.0563	0.0450	6705	0.5642	0.4053
6204	0.1244	0.0818	6706	0.2936	0.2089
6205	0.1818	0.1062	6707	1.3170	0.8361
6206	0.1574	0.0923	6708	4.5520	3.6000
6207	0.9789	0.7988	6709	0.1473	0.1088
6208	0.1943	0.1610	6801	0.2491	0.1103
6209	0.1950	0.1304	6802	0.3230	0.2157
6301	0.1365	0.0528	6803	0.8957	0.2366
6302	0.1398	0.0802	6804	0.1857	0.0971

<u>1004</u>	<u>0.4858</u>	<u>0.1988</u>	<u>3101</u>	<u>0.6838</u>	<u>0.2725</u>
<u>1005</u>	<u>6.6700</u>	<u>1.9655</u>	<u>3102</u>	<u>0.2030</u>	<u>0.1068</u>
<u>1007</u>	<u>0.3400</u>	<u>0.1308</u>	<u>3103</u>	<u>0.6897</u>	<u>0.3074</u>
<u>1101</u>	<u>0.4888</u>	<u>0.2500</u>	<u>3104</u>	<u>0.5334</u>	<u>0.2092</u>
<u>1102</u>	<u>1.2820</u>	<u>0.4622</u>	<u>3105</u>	<u>0.6753</u>	<u>0.3453</u>
<u>1103</u>	<u>0.7271</u>	<u>0.3044</u>	<u>3303</u>	<u>0.2316</u>	<u>0.1282</u>
<u>1104</u>	<u>0.3456</u>	<u>0.2127</u>	<u>3304</u>	<u>0.4488</u>	<u>0.2646</u>
<u>1105</u>	<u>0.7534</u>	<u>0.3523</u>	<u>3309</u>	<u>0.3224</u>	<u>0.1870</u>
<u>1106</u>	<u>0.2639</u>	<u>0.1679</u>	<u>3402</u>	<u>0.3658</u>	<u>0.1845</u>
<u>1108</u>	<u>0.4156</u>	<u>0.2164</u>	<u>3403</u>	<u>0.1772</u>	<u>0.0830</u>
<u>1109</u>	<u>0.7450</u>	<u>0.4047</u>	<u>3404</u>	<u>0.3761</u>	<u>0.1989</u>
<u>1301</u>	<u>0.4355</u>	<u>0.1955</u>	<u>3405</u>	<u>0.2110</u>	<u>0.1076</u>
<u>1303</u>	<u>0.1571</u>	<u>0.0750</u>	<u>3406</u>	<u>0.2045</u>	<u>0.1140</u>
<u>1304</u>	<u>0.0201</u>	<u>0.0110</u>	<u>3407</u>	<u>0.3728</u>	<u>0.1622</u>
<u>1305</u>	<u>0.3350</u>	<u>0.1775</u>	<u>3408</u>	<u>0.1053</u>	<u>0.0566</u>
<u>1401</u>	<u>0.4982</u>	<u>0.2566</u>	<u>3409</u>	<u>0.0885</u>	<u>0.0537</u>
<u>1404</u>	<u>0.4682</u>	<u>0.2141</u>	<u>3410</u>	<u>0.1620</u>	<u>0.1136</u>
<u>1405</u>	<u>0.3274</u>	<u>0.1749</u>	<u>3411</u>	<u>0.3758</u>	<u>0.1700</u>
<u>1501</u>	<u>0.3981</u>	<u>0.1785</u>	<u>3412</u>	<u>0.4089</u>	<u>0.1784</u>
<u>1507</u>	<u>0.4046</u>	<u>0.1830</u>	<u>3414</u>	<u>0.4443</u>	<u>0.2116</u>
<u>1701</u>	<u>0.6762</u>	<u>0.2890</u>	<u>3415</u>	<u>0.5281</u>	<u>0.2497</u>
<u>1702</u>	<u>1.8518</u>	<u>0.5635</u>	<u>3501</u>	<u>0.8237</u>	<u>0.3608</u>
<u>1703</u>	<u>0.4091</u>	<u>0.1393</u>	<u>3503</u>	<u>0.2027</u>	<u>0.1552</u>
<u>1704</u>	<u>0.6762</u>	<u>0.2890</u>	<u>3506</u>	<u>1.0885</u>	<u>0.2990</u>
<u>1801</u>	<u>0.7950</u>	<u>0.3095</u>	<u>3509</u>	<u>0.3232</u>	<u>0.1857</u>
<u>1802</u>	<u>0.6686</u>	<u>0.3011</u>	<u>3510</u>	<u>0.3309</u>	<u>0.1816</u>
<u>2002</u>	<u>0.5340</u>	<u>0.3009</u>	<u>3511</u>	<u>0.5212</u>	<u>0.2697</u>
<u>2004</u>	<u>0.5687</u>	<u>0.3193</u>	<u>3512</u>	<u>0.3033</u>	<u>0.1928</u>
<u>2007</u>	<u>0.4276</u>	<u>0.1980</u>	<u>3513</u>	<u>0.3650</u>	<u>0.2059</u>
<u>2008</u>	<u>0.2457</u>	<u>0.1223</u>	<u>3602</u>	<u>0.0918</u>	<u>0.0579</u>
<u>2009</u>	<u>0.2635</u>	<u>0.1682</u>	<u>3603</u>	<u>0.4186</u>	<u>0.2302</u>
<u>2101</u>	<u>0.6212</u>	<u>0.2961</u>	<u>3604</u>	<u>0.9976</u>	<u>0.5332</u>
<u>2102</u>	<u>0.3743</u>	<u>0.2102</u>	<u>3605</u>	<u>0.4214</u>	<u>0.2020</u>
<u>2104</u>	<u>0.2116</u>	<u>0.1422</u>	<u>3701</u>	<u>0.2030</u>	<u>0.1068</u>
<u>2105</u>	<u>0.5992</u>	<u>0.2613</u>	<u>3702</u>	<u>0.3490</u>	<u>0.1860</u>
<u>2106</u>	<u>0.2858</u>	<u>0.1620</u>	<u>3708</u>	<u>0.4216</u>	<u>0.2095</u>
<u>2201</u>	<u>0.2216</u>	<u>0.1079</u>	<u>3802</u>	<u>0.1108</u>	<u>0.0793</u>
<u>2202</u>	<u>0.4816</u>	<u>0.2378</u>	<u>3808</u>	<u>0.3565</u>	<u>0.1684</u>
<u>2203</u>	<u>0.2920</u>	<u>0.1725</u>	<u>3901</u>	<u>0.1183</u>	<u>0.0891</u>
<u>2204</u>	<u>0.2216</u>	<u>0.1079</u>	<u>3902</u>	<u>0.3053</u>	<u>0.1743</u>
<u>2401</u>	<u>0.3079</u>	<u>0.1902</u>	<u>3903</u>	<u>0.9482</u>	<u>0.5856</u>
<u>2903</u>	<u>0.5289</u>	<u>0.2997</u>	<u>3905</u>	<u>0.1183</u>	<u>0.0891</u>
<u>2904</u>	<u>0.6471</u>	<u>0.3356</u>	<u>3906</u>	<u>0.3595</u>	<u>0.1892</u>
<u>2905</u>	<u>0.4016</u>	<u>0.2299</u>	<u>3909</u>	<u>0.1376</u>	<u>0.0924</u>
<u>2906</u>	<u>0.3143</u>	<u>0.1497</u>	<u>4002</u>	<u>0.9376</u>	<u>0.3490</u>
<u>2907</u>	<u>0.4442</u>	<u>0.2338</u>	<u>4101</u>	<u>0.2163</u>	<u>0.1133</u>
<u>2908</u>	<u>0.8738</u>	<u>0.3957</u>	<u>4103</u>	<u>0.2180</u>	<u>0.1434</u>
<u>2909</u>	<u>0.3347</u>	<u>0.1877</u>	<u>4107</u>	<u>0.1152</u>	<u>0.0622</u>

<u>4108</u>	<u>0.1400</u>	<u>0.0722</u>	<u>5204</u>	<u>0.7497</u>	<u>0.3395</u>
<u>4109</u>	<u>0.1969</u>	<u>0.1081</u>	<u>5206</u>	<u>0.4065</u>	<u>0.1652</u>
<u>4201</u>	<u>0.4860</u>	<u>0.1659</u>	<u>5207</u>	<u>0.1185</u>	<u>0.0891</u>
<u>4301</u>	<u>0.6183</u>	<u>0.3550</u>	<u>5208</u>	<u>0.6897</u>	<u>0.3322</u>
<u>4302</u>	<u>0.5121</u>	<u>0.2198</u>	<u>5209</u>	<u>0.6450</u>	<u>0.2979</u>
<u>4304</u>	<u>0.6042</u>	<u>0.3201</u>	<u>5301</u>	<u>0.0265</u>	<u>0.0153</u>
<u>4305</u>	<u>0.9220</u>	<u>0.3592</u>	<u>5305</u>	<u>0.0423</u>	<u>0.0264</u>
<u>4401</u>	<u>0.3513</u>	<u>0.1956</u>	<u>5306</u>	<u>0.0385</u>	<u>0.0223</u>
<u>4402</u>	<u>0.5945</u>	<u>0.3142</u>	<u>5307</u>	<u>0.3314</u>	<u>0.1505</u>
<u>4404</u>	<u>0.3177</u>	<u>0.1750</u>	<u>6103</u>	<u>0.0547</u>	<u>0.0412</u>
<u>4501</u>	<u>0.1220</u>	<u>0.0731</u>	<u>6104</u>	<u>0.2342</u>	<u>0.1404</u>
<u>4502</u>	<u>0.0382</u>	<u>0.0214</u>	<u>6105</u>	<u>0.1654</u>	<u>0.0865</u>
<u>4504</u>	<u>0.0735</u>	<u>0.0505</u>	<u>6107</u>	<u>0.0797</u>	<u>0.0609</u>
<u>4601</u>	<u>0.5386</u>	<u>0.2885</u>	<u>6108</u>	<u>0.3101</u>	<u>0.2127</u>
<u>4802</u>	<u>0.1821</u>	<u>0.1003</u>	<u>6109</u>	<u>0.0596</u>	<u>0.0313</u>
<u>4803</u>	<u>0.1588</u>	<u>0.1028</u>	<u>6110</u>	<u>0.3336</u>	<u>0.1821</u>
<u>4804</u>	<u>0.4376</u>	<u>0.2549</u>	<u>6201</u>	<u>0.2958</u>	<u>0.1227</u>
<u>4805</u>	<u>0.2333</u>	<u>0.1386</u>	<u>6202</u>	<u>0.5296</u>	<u>0.2996</u>
<u>4806</u>	<u>0.0433</u>	<u>0.0264</u>	<u>6203</u>	<u>0.0543</u>	<u>0.0466</u>
<u>4808</u>	<u>0.3935</u>	<u>0.1873</u>	<u>6204</u>	<u>0.1214</u>	<u>0.0793</u>
<u>4809</u>	<u>0.2231</u>	<u>0.1332</u>	<u>6205</u>	<u>0.1820</u>	<u>0.1050</u>
<u>4810</u>	<u>0.1017</u>	<u>0.0746</u>	<u>6206</u>	<u>0.1589</u>	<u>0.0935</u>
<u>4811</u>	<u>0.1813</u>	<u>0.1162</u>	<u>6207</u>	<u>0.9702</u>	<u>0.8076</u>
<u>4812</u>	<u>0.2852</u>	<u>0.1460</u>	<u>6208</u>	<u>0.1820</u>	<u>0.1583</u>
<u>4813</u>	<u>0.1369</u>	<u>0.0816</u>	<u>6209</u>	<u>0.1844</u>	<u>0.1302</u>
<u>4900</u>	<u>0.4065</u>	<u>0.1652</u>	<u>6301</u>	<u>0.1303</u>	<u>0.0516</u>
<u>4901</u>	<u>0.0554</u>	<u>0.0259</u>	<u>6302</u>	<u>0.1337</u>	<u>0.0800</u>
<u>4902</u>	<u>0.0695</u>	<u>0.0342</u>	<u>6303</u>	<u>0.0584</u>	<u>0.0323</u>
<u>4903</u>	<u>0.0575</u>	<u>0.0282</u>	<u>6304</u>	<u>0.1693</u>	<u>0.1273</u>
<u>4904</u>	<u>0.0228</u>	<u>0.0138</u>	<u>6305</u>	<u>0.0623</u>	<u>0.0441</u>
<u>4905</u>	<u>0.2364</u>	<u>0.1665</u>	<u>6306</u>	<u>0.2000</u>	<u>0.1154</u>
<u>4906</u>	<u>0.0708</u>	<u>0.0369</u>	<u>6308</u>	<u>0.0443</u>	<u>0.0254</u>
<u>4907</u>	<u>0.0493</u>	<u>0.0275</u>	<u>6309</u>	<u>0.1223</u>	<u>0.0785</u>
<u>4908</u>	<u>0.0625</u>	<u>0.0912</u>	<u>6402</u>	<u>0.2307</u>	<u>0.1256</u>
<u>4909</u>	<u>0.0291</u>	<u>0.0379</u>	<u>6403</u>	<u>0.1312</u>	<u>0.0927</u>
<u>4910</u>	<u>0.3193</u>	<u>0.1804</u>	<u>6404</u>	<u>0.1445</u>	<u>0.0972</u>
<u>5001</u>	<u>4.9973</u>	<u>1.4029</u>	<u>6405</u>	<u>0.4945</u>	<u>0.2414</u>
<u>5002</u>	<u>0.4594</u>	<u>0.2129</u>	<u>6406</u>	<u>0.0558</u>	<u>0.0385</u>
<u>5003</u>	<u>1.4897</u>	<u>0.4589</u>	<u>6407</u>	<u>0.1836</u>	<u>0.1125</u>
<u>5004</u>	<u>1.0828</u>	<u>0.5182</u>	<u>6408</u>	<u>0.2677</u>	<u>0.1429</u>
<u>5005</u>	<u>0.9198</u>	<u>0.2971</u>	<u>6409</u>	<u>0.4427</u>	<u>0.2154</u>
<u>5006</u>	<u>1.5668</u>	<u>0.5027</u>	<u>6410</u>	<u>0.1609</u>	<u>0.0922</u>
<u>5101</u>	<u>0.7194</u>	<u>0.3975</u>	<u>6501</u>	<u>0.0962</u>	<u>0.0539</u>
<u>5103</u>	<u>0.6000</u>	<u>0.3818</u>	<u>6502</u>	<u>0.0227</u>	<u>0.0133</u>
<u>5106</u>	<u>0.6000</u>	<u>0.3818</u>	<u>6503</u>	<u>0.0660</u>	<u>0.0267</u>
<u>5108</u>	<u>0.5495</u>	<u>0.3058</u>	<u>6504</u>	<u>0.2662</u>	<u>0.2143</u>
<u>5109</u>	<u>0.6137</u>	<u>0.2556</u>	<u>6505</u>	<u>0.0719</u>	<u>0.0547</u>
<u>5201</u>	<u>0.2842</u>	<u>0.1337</u>	<u>6506</u>	<u>0.0676</u>	<u>0.0442</u>

<u>6509</u>	<u>0.2173</u>	<u>0.1419</u>	<u>7112</u>	<u>0.5100</u>	<u>0.2670</u>
<u>6510</u>	<u>0.2701</u>	<u>0.1518</u>	<u>7113</u>	<u>0.4915</u>	<u>0.2584</u>
<u>6511</u>	<u>0.2628</u>	<u>0.1707</u>	<u>7114</u>	<u>0.5173</u>	<u>0.3846</u>
<u>6601</u>	<u>0.1411</u>	<u>0.0927</u>	<u>7115</u>	<u>0.4267</u>	<u>0.2441</u>
<u>6602</u>	<u>0.3517</u>	<u>0.2001</u>	<u>7116</u>	<u>0.4110</u>	<u>0.2306</u>
<u>6603</u>	<u>0.2948</u>	<u>0.1646</u>	<u>7117</u>	<u>0.8468</u>	<u>0.4927</u>
<u>6604</u>	<u>0.0471</u>	<u>0.0321</u>	<u>7118</u>	<u>1.1730</u>	<u>0.6017</u>
<u>6605</u>	<u>0.2050</u>	<u>0.1830</u>	<u>7119</u>	<u>1.6938</u>	<u>0.8014</u>
<u>6607</u>	<u>0.1360</u>	<u>0.0847</u>	<u>7120</u>	<u>4.3145</u>	<u>2.3371</u>
<u>6608</u>	<u>0.3576</u>	<u>0.1349</u>	<u>7121</u>	<u>4.4322</u>	<u>2.2277</u>
<u>6614</u>	<u>702.0000*</u>	<u>637.0000*</u>	<u>7201</u>	<u>1.0542</u>	<u>0.3890</u>
<u>6615</u>	<u>256.0000*</u>	<u>233.0000*</u>	<u>7202</u>	<u>0.0352</u>	<u>0.0173</u>
<u>6616</u>	<u>217.0000*</u>	<u>197.0000*</u>	<u>7203</u>	<u>0.0871</u>	<u>0.0689</u>
<u>6617</u>	<u>78.0000*</u>	<u>71.0000*</u>	<u>7204</u>	<u>0.0000</u>	<u>0.0000</u>
<u>6618</u>	<u>78.0000*</u>	<u>71.0000*</u>	<u>7301</u>	<u>0.5007</u>	<u>0.2264</u>
<u>6620</u>	<u>1.7802</u>	<u>0.8015</u>	<u>7302</u>	<u>0.5828</u>	<u>0.3244</u>
<u>6704</u>	<u>0.0947</u>	<u>0.0572</u>	<u>7307</u>	<u>0.4416</u>	<u>0.2803</u>
<u>6705</u>	<u>0.5606</u>	<u>0.4042</u>	<u>7308</u>	<u>0.1698</u>	<u>0.1426</u>
<u>6706</u>	<u>0.2828</u>	<u>0.2070</u>	<u>7309</u>	<u>0.1444</u>	<u>0.1087</u>
<u>6707</u>	<u>1.2593</u>	<u>0.8374</u>			
<u>6708</u>	<u>4.7253</u>	<u>3.8209</u>			
<u>6709</u>	<u>0.1444</u>	<u>0.1087</u>			
<u>6801</u>	<u>0.2634</u>	<u>0.1169</u>			
<u>6802</u>	<u>0.3198</u>	<u>0.2141</u>			
<u>6803</u>	<u>0.7992</u>	<u>0.2560</u>			
<u>6804</u>	<u>0.1818</u>	<u>0.1020</u>			
<u>6809</u>	<u>3.4753</u>	<u>2.9677</u>			
<u>6901</u>	<u>0.0000</u>	<u>0.0509</u>			
<u>6902</u>	<u>0.8522</u>	<u>0.2676</u>			
<u>6903</u>	<u>5.7734</u>	<u>1.5612</u>			
<u>6904</u>	<u>0.2367</u>	<u>0.1021</u>			
<u>6905</u>	<u>0.2683</u>	<u>0.1267</u>			
<u>6906</u>	<u>0.0000</u>	<u>0.1267</u>			
<u>6907</u>	<u>0.9736</u>	<u>0.4491</u>			
<u>6908</u>	<u>0.4520</u>	<u>0.2161</u>			
<u>6909</u>	<u>0.0853</u>	<u>0.0495</u>			
<u>7100</u>	<u>0.0245</u>	<u>0.0142</u>			
<u>7101</u>	<u>0.0245</u>	<u>0.0142</u>			
<u>7102</u>	<u>2.1935</u>	<u>2.5663</u>			
<u>7103</u>	<u>0.3105</u>	<u>0.1370</u>			
<u>7104</u>	<u>0.0191</u>	<u>0.0133</u>			
<u>7105</u>	<u>0.0191</u>	<u>0.0129</u>			
<u>7106</u>	<u>0.1261</u>	<u>0.0748</u>			
<u>7107</u>	<u>0.2070</u>	<u>0.1303</u>			
<u>7108</u>	<u>0.1596</u>	<u>0.1226</u>			
<u>7109</u>	<u>0.1137</u>	<u>0.0828</u>			
<u>7110</u>	<u>0.3177</u>	<u>0.1368</u>			
<u>7111</u>	<u>0.3513</u>	<u>0.1871</u>			

* These rates are calculated on a per license basis for parimutuel race tracks and are base rated.

AMENDATORY SECTION (Amending WSR 98-24-094, filed 12/1/98, effective 1/1/99)

WAC 296-17-89502 Industrial insurance accident fund, medical aid and supplemental pension rates by class of industry for nonhourly rated classifications. The base rates as set forth below are for classifications whose premium rates are based on units other than hours worked.

Base Rates Effective
January 1, ((1999)) 2000

Class	Accident Fund	Medical Aid Fund	Supplemental Pension Fund
0524	((0.0149)) <u>0.0161</u>	((0.0042)) <u>0.0048</u>	0.0004
0526	((0.0093)) <u>0.0094</u>	((0.0025)) <u>0.0027</u>	0.0004
0527	0.0007	0.0002	0.0001
0528	((0.0024)) <u>0.0023</u>	0.0007	0.0001
0529	((0.0016)) <u>0.0015</u>	0.0004	0.0001
0530	((0.0216)) <u>0.0227</u>	((0.0058)) <u>0.0065</u>	0.0004
0531	((0.0142)) <u>0.0132</u>	((0.0038)) <u>0.0036</u>	0.0004
0532	0.0011	0.0003	0.0001
0533	((0.0036)) <u>0.0035</u>	0.0011	0.0001

PERMANENT

0534 ((0.0024)) 0.0007 0.0001
0.0023

AMENDATORY SECTION (Amending WSR 98-24-094, filed 12/1/98, effective 1/1/99)

WAC 296-17-920 Assessment for supplemental pension fund. The amount of ((24.6)) 28.7 mills (((\$.0246)) \$.0287) shall be retained by each employer from the earnings of each worker for each hour or fraction thereof the worker is employed. The amount of money so retained from the employee shall be matched in an equal amount by each employer, except as otherwise provided in these rules, all such moneys shall be remitted to the department on or before the last day of January, April, July and October of each year for the preceding calendar quarter, provided self-insured employers shall remit to the department as provided under WAC 296-15-060. All such moneys shall be deposited in the supplemental pension fund.

WSR 99-24-057

PERMANENT RULES

COUNTY ROAD

ADMINISTRATION BOARD

[Filed November 29, 1999, 11:33 a.m.]

Date of Adoption: October 14, 1999.

Purpose: Revision to WAC 136-130-070, the rural arterial program.

Citation of Existing Rules Affected by this Order: Amending WAC 136-130-070.

Statutory Authority for Adoption: Chapter 36.79 RCW.

Adopted under notice filed as WSR 99-17-039 on August 12, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 8, 1999

J. Weber

Executive Director

AMENDATORY SECTION (Amending WSR 99-01-021, filed 12/7/98, effective 1/7/99)

WAC 136-130-070 Project prioritization in southwest region (SWR). Each county in the SWR may submit projects requesting RATA funds not to exceed thirty percent of the SWR biennial apportionment. No bridge replacement projects will be funded. Each project shall be rated in accordance with the SWR RAP rating procedures. SWR RAP rating points shall be assigned on the basis of fifty road condition points, consisting of twenty-five points for structural condition and twenty-five points for surface condition, ((thirty)) fifty points for geometrics, ten points for traffic volume and ten points for traffic accidents, except that portland cement concrete surfaces and asphalt surfaces with cement concrete bases shall have fifty points for road surface condition and no points for structural condition and except that gravel roads shall have thirty-five points maximum for surface condition, and fifteen points maximum for roadbed width in geometrics and no other geometric points. Prioritization of SWR projects shall be on the basis of total SWR RAP rating points shown on the project worksheets and the prospectus form of the project application.

WSR 99-24-060

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed November 29, 1999, 11:40 a.m.]

Date of Adoption: November 19, 1999.

Purpose: The proposed changes adjust the licensing fees for private psychiatric hospitals, and private alcohol and chemical dependency hospitals.

Citation of Existing Rules Affected by this Order: Amending WAC 246-322-990 and 246-324-990.

Statutory Authority for Adoption: RCW 43.70.250, 43.20B.020.

Adopted under notice filed as WSR 99-20-091 on October 5, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 23, 1999

M. C. Selecky

Secretary

AMENDATORY SECTION (Amending WSR 95-22-013, filed 10/20/95, effective 11/20/95)

WAC 246-324-990 Fees. The licensee shall submit:

(1) An initial fee of ~~((forty-seven))~~ forty-eight dollars and ~~((thirty))~~ eighty-five cents for each bed space within the proposed licensed bed capacity; and

(2) An annual renewal fee of ~~((forty-seven))~~ forty-eight dollars and ~~((thirty))~~ eighty-five cents for each licensed bed space.

AMENDATORY SECTION (Amending WSR 95-12-097, filed 6/7/95, effective 7/8/95)

WAC 246-322-990 Private psychiatric hospital fees.

Private psychiatric hospitals licensed under chapter 71.12 RCW shall:

(1) Submit an annual fee of ~~((forty-seven))~~ forty-eight dollars and ~~((thirty))~~ eighty-five cents for each bed space within the licensed bed capacity of the hospital to the department;

(2) Include all bed spaces and rooms complying with physical plant and movable equipment requirements of this chapter for twenty-four-hour assigned patient rooms;

(3) Include bed spaces assigned for less than twenty-four-hour patient use as part of the licensed bed capacity when:

(a) Physical plant requirements of this chapter are met without movable equipment; and

(b) The private psychiatric hospital currently possesses the required movable equipment and certifies this fact to the department;

(4) Limit licensed bed spaces as required under chapter 70.38 RCW;

(5) Submit applications for bed additions to the department for review and approval under chapter 70.38 RCW subsequent to department establishment of the private psychiatric hospital's licensed bed capacity; and

(6) Set up twenty-four-hour assigned patient beds only within the licensed bed capacity approved by the department.

WSR 99-24-061

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed November 29, 1999, 11:43 a.m.]

Date of Adoption: November 29, 1999.

Purpose: The proposed changes adjust the licensing fees for medical test sites. The fee increase is needed to defray the cost of administering the medical test site licensure program, as mandated under RCW 70.42.090.

Citation of Existing Rules Affected by this Order: Amending WAC 246-338-990.

Statutory Authority for Adoption: RCW 70.42.090.

Adopted under notice filed as WSR 99-21-074 on October 20, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 23, 1999

Eric Stagle

for Mary Selecky

Secretary

AMENDATORY SECTION (Amending WSR 96-12-011, filed 5/24/96, effective 6/24/96)

WAC 246-338-990 Fees. (1) ~~((For the purpose of this section, the following words and phrases have the following meanings:~~

(a) ~~"Accredited by organization" means a testing site is accredited, certified, or licensed by an organization meeting the requirements of WAC 246-338-040, Approval of accreditation bodies;~~

(b) ~~"Limited testing" means a medical test site performing not more than seven hundred fifty licensed tests per year;~~

(c) ~~"Low volume" means a medical test site performing greater than seven hundred fifty licensed tests per year, and not more than two thousand licensed tests per year;~~

(d) ~~"Category A" means a medical test site performing greater than two thousand licensed tests per year, not more than ten thousand licensed tests per year and three or less specialties;~~

(e) ~~"Category B" means a medical test site performing greater than two thousand licensed tests per year, not more than ten thousand licensed tests per year and at least four specialties;~~

(f) ~~"Category C" means a medical test site performing greater than ten thousand licensed tests per year, not more than twenty-five thousand licensed tests per year and three or less specialties;~~

(g) ~~"Category D" means a medical test site performing greater than ten thousand licensed tests per year, not more than twenty-five thousand licensed tests per year and four or more specialties;~~

(h) ~~"Category E" means a medical test site performing greater than twenty-five thousand, but not more than fifty thousand licensed tests per year;~~

(i) ~~"Category F" means a medical test site performing greater than fifty thousand, but not more than seventy-five thousand licensed tests per year;~~

(j) ~~"Category G" means a medical test site performing greater than seventy-five thousand, but not more than one hundred thousand licensed tests per year;~~

(k) "Category H" means a medical test site performing greater than one hundred thousand, but not more than five hundred thousand licensed tests per year;

(l) "Category I" means a medical test site performing greater than five hundred thousand, but not more than one million licensed tests per year;

(m) "Category J" means a medical test site performing more than one million licensed tests per year;

(n) "Direct staff time" means all state employees' work time, including travel time and expenses involved in functions associated with medical test site licensure or complaint investigation including:

- (i) On-site follow up visit; and
- (ii) Telephone contacts and staff or management conferences in response to a deficiency statement or complaint.

(2)) The department ((shall)) will assess and collect biennial fees for medical test sites as follows:

- (a) Charge fees, based on the requirements authorized under RCW 70.42.090 and this section;
- (b) Assess additional fees when a medical test site adds licensed tests that result in a change of category; and
- (c) Determine fees according to criteria ((below:)) described in Table 990-1.

((Certificate of waiver- Provider-performed microscopic procedures- Limited testing- Low volume- Category A- Category B- Category C- Category D- Category E- Category F- Category G- Category H- Category I- Category J- Accredited by organization- Follow up survey for deficiencies- Complaint investigation-	<p style="text-align: right;">-\$105 per biennium;</p> <p style="text-align: right;">-158 per biennium;</p> <p style="text-align: right;">-526 per biennium;</p> <p style="text-align: right;">-1051 per biennium;</p> <p style="text-align: right;">-1577 per biennium;</p> <p style="text-align: right;">-1892 per biennium;</p> <p style="text-align: right;">-2208 per biennium;</p> <p style="text-align: right;">-2628 per biennium;</p> <p style="text-align: right;">-3154 per biennium;</p> <p style="text-align: right;">-3680 per biennium;</p> <p style="text-align: right;">4310 per biennium;</p> <p style="text-align: right;">4941 per biennium;</p> <p style="text-align: right;">5257 per biennium;</p> <p style="text-align: right;">5782 per biennium;</p> <p style="text-align: right;">-315 per biennium;</p> <p style="text-align: right;">-direct staff time;</p> <p style="text-align: right;">-direct staff time.</p>
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(3) The department shall exclude from fee charges the women, infant, and children (WIC) programs performing only hematoerit testing or hemoglobin testing as listed in WAC 246-338-030 (11)(f) or (i) for food distribution purposes and the Washington state migrant council performing only hematoerit testing or hemoglobin testing as listed in WAC 246-338-030 (11)(f) or (i) for nutritional evaluation:))

Table 990-1 License Categories and Fees

<u>Category of License</u>	<u>Number of Tests/Year</u>	<u>Biennial Fee</u>
<u>Certificate of Waiver</u>	<u>N/A</u>	<u>\$ 108</u>
<u>PPMP</u>	<u>N/A</u>	<u>\$ 163</u>
<u>Accredited</u>	<u>N/A</u>	<u>\$ 325</u>
<u>Limited Testing</u>	<u>1-750 tests</u>	<u>\$ 543</u>
<u>Low Volume</u>	<u>751-2,000 tests</u>	<u>\$1,086</u>

<u>Category A</u>	<u>2,001-10,000 tests, 1-3 specialties</u>	<u>\$1,629</u>
<u>Category B</u>	<u>2,001-10,000 tests, 4 or more specialties</u>	<u>\$1,955</u>
<u>Category C</u>	<u>10,001-25,000 tests, 1-3 specialties</u>	<u>\$2,281</u>
<u>Category D</u>	<u>10,001-25,000 tests, 4 or more specialties</u>	<u>\$2,715</u>
<u>Category E</u>	<u>25,001-50,000 tests</u>	<u>\$3,259</u>
<u>Category F</u>	<u>50,001-75,000 tests</u>	<u>\$3,802</u>
<u>Category G</u>	<u>75,001-100,000 tests</u>	<u>\$4,453</u>
<u>Category H</u>	<u>100,001-500,000 tests</u>	<u>\$5,105</u>
<u>Category I</u>	<u>500,001-1,000,000 tests</u>	<u>\$5,432</u>
<u>Category J</u>	<u>> 1,000,000 tests</u>	<u>\$5,974</u>
<u>Follow-up survey for deficiencies</u>		<u>Direct staff time</u>
<u>Complaint investigation</u>		<u>Direct staff time</u>

(2) The following programs are excluded from fee charges when performing only waived hematoerit or hemoglobin testing for nutritional evaluation and food distribution purposes:

- (a) Women, infant and children programs (WIC); and
- (b) Washington state migrant council.

WSR 99-24-062
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Filed November 29, 1999, 11:46 a.m.]

Date of Adoption: November 23, 1999.
 Purpose: Amend nursing assistant fees, WAC 246-841-990, Nursing assistant—Fees and renewal cycle.
 Citation of Existing Rules Affected by this Order: Amending WAC 246-841-990 Nursing assistant—Fees and renewal cycle.
 Statutory Authority for Adoption: RCW 18.88A.050(1).
 Adopted under notice filed as WSR 99-21-066 on October 19, 1999.
 Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

PERMANENT

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

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

November 23, 1999

Eric Stagle

for Mary Selecky

Secretary

AMENDATORY SECTION (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

WAC 246-841-990 Nursing assistant—Fees and renewal cycle. (1) Certificates and registrations must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) The following nonrefundable fees will be charged for registrations:

Title of Fee	Fee
Application - registration	\$ ((10.00)) <u>15.00</u>
Renewal of registration	((20.00)) <u>25.00</u>
Duplicate registration	10.00
Registration late penalty	((20.00)) <u>25.00</u>
Expired registration reissuance	((20.00)) <u>25.00</u>

(3) The following nonrefundable fees will be charged for certifications:

Application for certification	((10.00)) <u>15.00</u>
Certification renewal	((20.00)) <u>25.00</u>
Duplicate certification	10.00
Certification late penalty	((20.00)) <u>25.00</u>
Expired registration reissuance	((20.00)) <u>25.00</u>

WSR 99-24-063

PERMANENT RULES

DEPARTMENT OF HEALTH

(Board of Osteopathic Medicine and Surgery)

[Filed November 29, 1999, 11:47 a.m.]

Date of Adoption: November 24, 1999.

Purpose: To raise fees as required by law to provide sufficient revenue to cover program expenditures.

Citation of Existing Rules Affected by this Order: Amending WAC 246-853-990 Osteopathic fees and renewal cycle.

Statutory Authority for Adoption: RCW 43.70.250.

Adopted under notice filed as WSR 99-21-068 on October 19, 1999.

Changes Other than Editing from Proposed to Adopted Version: The osteopathic physician fee for expired inactive license reissuance was left in and changed from \$125 to \$175. The osteopathic physician assistant late renewal penalty fee was changed from \$125 to \$100.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

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

November 23, 1999

Eric Stagle

for Mary Selecky

Secretary

AMENDATORY SECTION (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

WAC 246-853-990 Osteopathic fees and renewal cycle. (1) Licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2, except postgraduate training limited licenses.

(2) Postgraduate training limited licenses must be renewed every year to correspond to program dates.

(3) The following nonrefundable fees will be charged for osteopath:

Title of Fee	Fee
<u>Active renewal</u>	\$((360.00)) <u>475.00</u>
<u>Active late renewal penalty</u>	<u>237.50</u>
Certification of license	((25.00)) <u>50.00</u>

(4) The following nonrefundable fees will be charged for osteopathic physician:

Endorsement application	((500.00)) <u>650.00</u>
<u>Active license renewal</u>	((360.00)) <u>475.00</u>
<u>Active late renewal penalty</u>	<u>237.50</u>
<u>Active expired license reissuance</u>	<u>237.50</u>

PERMANENT

Title of Fee	Fee
Inactive license renewal	((250.00)) <u>350.00</u>
(Late renewal penalty	50.00
Expired license reissuance	180.00
Inactive license reinstatement	360.00
Expired inactive license reissuance	((125.00)) <u>175.00</u>
<u>Inactive late renewal penalty</u>	<u>175.00</u>
Endorsement/state exam application	((500.00)) <u>750.00</u>
Reexam	100.00
Certification of license	((25.00)) <u>50.00</u>
Limited license application	((250.00)) <u>300.00</u>
Limited license renewal	((205.00)) <u>250.00</u>
Temporary permit application	((50.00)) <u>70.00</u>
<u>Duplicate certificate</u>	<u>20.00</u>
Substance abuse monitoring surcharge	((15.00)) <u>25.00</u>
 (5) The following nonrefundable fees will be charged for osteopathic physician assistant:	
Application	((150.00)) <u>250.00</u>
Renewal	((50.00)) <u>200.00</u>
<u>Late renewal penalty</u>	<u>100.00</u>
Expired license reissuance	((50.00)) <u>100.00</u>
Certification of license	((25.00)) <u>30.00</u>
Practice plan	((50.00)) <u>70.00</u>
<u>Interim permit</u>	<u>167.00</u>
<u>License after exam</u>	<u>83.00</u>
<u>Duplicate certificate</u>	<u>20.00</u>
Substance abuse monitoring surcharge	((15.00)) <u>25.00</u>

WSR 99-24-064
PERMANENT RULES
DEPARTMENT OF HEALTH
(Podiatric Medical Board)
[Filed November 29, 1999, 11:49 a.m.]

Date of Adoption: November 24, 1999.
Purpose: To raise fees as required by law to provide sufficient revenue to cover program expenditures.

Citation of Existing Rules Affected by this Order: Amending WAC 246-922-990 Podiatry fees and renewal cycle.

Statutory Authority for Adoption: RCW 43.70.250.

Adopted under notice filed as WSR 99-21-069 on October 19, 1999.

Changes Other than Editing from Proposed to Adopted Version: The active expired license reissuance has been changed from \$325.00 to \$300.00.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

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

November 23, 1999

Eric Stagle

for Mary Selecky

Secretary

AMENDATORY SECTION (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

WAC 246-922-990 Podiatry fees and renewal cycle.

(1) Licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2, except for postgraduate training limited licenses.

(2) Postgraduate training limited licenses must be renewed every year to correspond to program dates.

(3) The following nonrefundable fees will be charged:

Title of Fee	Fee
Application (examination and reexamination)	\$((500.00)) <u>600.00</u>
Reciprocity application	((400.00)) <u>650.00</u>
License renewal	((625.00)) <u>650.00</u>
Inactive license renewal	135.00

PERMANENT

Title of Fee	Fee
<u>Inactive late renewal penalty</u>	<u>67.50</u>
<u>Active late renewal penalty</u>	((100.00)) <u>300.00</u>
<u>Active expired license reissuance</u>	300.00
Expired inactive license ((renewal)) <u>reissuance</u>	67.50
Duplicate license	((15.00)) <u>30.00</u>
Certification of license	((25.00)) <u>50.00</u>
Retired active status	150.00
Temporary practice permit	50.00
Limited license application	((150.00)) <u>200.00</u>
Limited license renewal	((200.00)) <u>240.00</u>
Substance abuse monitoring surcharge	25.00

WSR 99-24-072
PERMANENT RULES
BATES TECHNICAL COLLEGE
 [Filed November 29, 1999, 12:06 p.m.]

Date of Adoption: November 24, 1999.

Purpose: To correct WAC 495-141-165 Fines and penalties.

Citation of Existing Rules Affected by this Order: Amending WAC 495A-141-165 Fines and penalties.

Statutory Authority for Adoption: RCW 28B.50.140(10).

Adopted under notice filed as WSR 99-19-030 on September 8, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 24, 1999

Jon G. Thorpe
 Director College Operations

AMENDATORY SECTION (Amending WSR 97-12-038, filed 5/30/97, effective 6/30/97)

WAC 495A-141-165 Fines & penalties. The vice president of business & finance, or designee, is authorized to impose the following fines and penalties for violation of the regulations:

(1) A schedule of fines shall be set by the board of trustees. The schedule shall be published by the college and included on the traffic parking citation form.

(2) Fines will be assessed in accordance with the schedules as established by the board of trustees for the following violations:

- (a) No valid permit displayed
- (b) Occupying more than one parking space
- (c) Occupying space/area not designated for parking
- (d) Parking in area not authorized by permit
- (e) Parking in reserved staff space without authorization
- (f) Disabled parking violation
- (g) Blocking or obstructing traffic (may be towed if creating a safety hazard)
- (h) Parking adjacent to fire hydrant (may be towed if creating a safety hazard)
- (i) Parking in fire lane (may be towed if creating a safety hazard)
- (j) Parking in zone or area marked "no parking"
- (k) Speeding

(1) Reckless/negligent driving (1) 1st offense - ~~((warning, (2) 2nd offense - posted rate (if paid within twenty-four hours fine will be reduced by one-half), (3) 3rd offense - fine triples, (4) Any subsequent offense could result in loss of parking privileges on campus))~~ Parking privileges on all campuses revoked.

(3) At the discretion of the vice president of business & finance, or designee, an accumulation of citations by a staff member may be turned over to a private collection agency for the collection of past due fines. Other appropriate collection procedures may be initiated as deemed necessary.

(4) Vehicles parking in a manner so as to obstruct traffic, including access to and from parking spaces and areas may be subject to a fine and may be impounded. The expenses of such impounding and storage shall be the responsibility of the registered owner or driver of the vehicle.

(5) Vehicles impounded by means of an immobilizing device shall be charged a service fee according to the current fee schedule.

(6) The college shall not be liable for loss or damage of any kind resulting from impounding and storage of vehicles.

(7) Vehicles involved in violations of these regulations may be impounded as provided for in these regulations.

(8) Persons may appeal the issuance of a citation.

(9) In the event a student fails or refuses to pay an untested fine which has been outstanding in excess of five days, the vice president of business & finance, or designee, may initiate the following actions:

(a) Student may not be able to obtain transcript of credits until all fines are paid.

(b) Student may not receive a degree/diploma/certificate of completion until all fines are paid.

PERMANENT

WSR 99-24-073
PERMANENT RULES
HIGHER EDUCATION
COORDINATING BOARD
[Filed November 29, 1999, 1:49 p.m.]

WSR 99-24-075
PERMANENT RULES
INSURANCE COMMISSIONER'S OFFICE
[Insurance Commissioner Matter No. R 98-17—Filed November 29, 1999, 4:10 p.m.]

Date of Adoption: September 22, 1999.

Purpose: Repeal WAC sections referencing the Higher Education Facilities Commission which no longer identifies the agency's name, location, organization or responsibilities.

Citation of Existing Rules Affected by this Order: Repealing WAC 250-04-010 to 250-04-080, and 250-08-010 to 250-08-040.

Statutory Authority for Adoption: Chapter 28B.80 RCW.

Adopted under preproposal statement of inquiry filed as WSR 99-19-148 on September 22, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 12.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 29, 1999

Belma Villa

Executive Assistant

Rules Coordinator

REPEALER

- WAC 250-04-010 Legal name and official address of the commission
- WAC 250-04-020 Principal officers of the commission
- WAC 250-04-030 Commission staff
- WAC 250-04-040 Coordination with other agencies
- WAC 250-04-050 Rules of Procedures
- WAC 250-04-060 Records of proceedings
- WAC 250-04-070 Reports and materials required by the U.S. Office of Education
- WAC 250-04-080 Announcement of commission decisions and dispositional application for hearing
- WAC 250-08-010 Opportunity for hearing
- WAC 250-08-020 Procedure for requesting a hearing
- WAC 250-08-030 Deadlines for commission action on a request for hearing
- WAC 250-08-040 Commission responsibility for notifying the U.S. Commissioner of Education

Date of Adoption: November 29, 1999.

Purpose: To set standards for expedited review of health care service denials by health carriers when an enrollee's life and health would be jeopardized by the timelines and procedures for more routine enrollee grievances.

Citation of Existing Rules Affected by this Order: Amending WAC 284-44-043, 284-46-507, 284-50-377, and 284-96-015.

Statutory Authority for Adoption: RCW 48.02.060, 48.18.120, 48.20.450, 48.20.460, 48.30.010, 48.43.055, 48.44.050, 48.46.100, and 48.46.200.

Adopted under notice filed as WSR 99-19-173 on September 22, 1999.

Changes Other than Editing from Proposed to Adopted Version: The definition of "adverse determination" was changed to clarify that the rules did not apply to claim audits and other similar retrospective reviews. Carriers must accept oral as well as written appeals for expedited review; but carriers may require standard appeals to be in writing. The time period for standard appeals is clarified by requiring a decision within 14 days and after notice is given an extension not to exceed 30 days. The covered person and the carrier may agree to a longer time period only after the informed written consent of the covered person. Existing rules are amended only with respect to the time standard for expedited review.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 4, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 29, 1999

Robert A. Harkins

Chief Deputy Commissioner

SUBCHAPTER F
GRIEVANCE PROCEDURES

NEW SECTION

WAC 284-43-610 Definitions. For the purposes of this subchapter:

(1) "Adverse determination" means a decision by a health carrier to deny, modify, reduce, or terminate payment,

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coverage, authorization, or provision of health care services or benefits including the admission to or continued stay in a facility. Such term does not include a decision affecting payment or coverage after the service or benefit has been provided.

(2) "Clinical review criteria" means the written screening procedures, decision abstracts, clinical protocols, health care service management computer software, and practice guidelines used by the health carrier to determine the necessity and appropriateness of health care services.

NEW SECTION

WAC 284-43-620 Procedures for health care service review decisions. (1) A covered person or the covered person's representative, including the treating provider (regardless of whether the provider is affiliated with the carrier) acting on behalf of the covered person may appeal an adverse determination in writing. The carrier must reconsider the adverse determination and notify the covered person of its decision within fourteen days of receipt of the appeal unless the carrier notifies the covered person that an extension is necessary to complete the appeal; however, the extension cannot delay the decision beyond thirty days of the request for appeal, without the informed, written consent of the coverage person.

(2) Whenever a health carrier makes an adverse determination and delay would jeopardize the covered person's life or materially jeopardize the covered person's health, the carrier shall expedite and process either a written or an oral appeal and issue a decision no later than seventy-two hours after receipt of the appeal. If the treating health care provider determines that delay would jeopardize the covered person's life or materially jeopardize the person's health, the carrier shall presume the need for expeditious review.

(3) A carrier may not take or threaten to take any punitive action against a provider acting on behalf or in support of a covered person appealing an adverse determination.

(4) Appeals of adverse determinations shall be evaluated by health care providers who were not involved in the initial decision and who have appropriate expertise in the field of medicine that encompasses the covered person's condition or disease.

(5) All appeals must include a review of all relevant information submitted by the covered person or a provider acting on behalf of the covered person.

(6) The carrier shall issue to affected parties and to any provider acting on behalf of the covered person a written notification of the adverse determination that includes the actual reasons for the determination, the instructions for obtaining an appeal of the carrier's decision, a written statement of the clinical rationale for the decision, and instructions for obtaining the clinical review criteria used to make the determination.

AMENDATORY SECTION (Amending Order 92-15, filed 10/21/92, effective 11/21/92)

WAC 284-44-043 Experimental and investigational prescriptions, treatments, procedures, or services—Definition required—Standard for definition—Written

notice of denial required—Appeal process required. (1) Every health care service contract which excludes or limits, or reserves the right to exclude or limit, benefits for any treatment, procedure, facility, equipment, drug, drug usage, medical device, or supply (hereinafter individually and collectively referred to as services) for one or more medical condition or illness because such services are deemed to be experimental or investigational must include within the contract and any certificate of coverage issued thereunder, a definition of experimental or investigational.

(2) The definition of experimental or investigational services must include an identification of the authority or authorities which will make a determination of which services will be considered to be experimental or investigational. If the health care service contractor specifies that it, or an affiliated entity, is the authority making the determination, the criteria it will utilize to determine whether a service is experimental or investigational must be set forth in the contract and any certificate of coverage issued thereunder. As an example, and not by way of limitation, the requirement to set forth criteria in the contract and any certificate of coverage issued thereunder may be satisfied by using one or more of the following statements, or other similar statements:

(a) "In determining whether services are experimental or investigational, the plan will consider whether the services are in general use in the medical community in the state of Washington, whether the services are under continued scientific testing and research, whether the services show a demonstrable benefit for a particular illness or disease, and whether they are proven to be safe and efficacious."

(b) "In determining whether services are experimental or investigational, the plan will consider whether the services result in greater benefits for a particular illness or disease than other generally available services, and do not pose a significant risk to health or safety of the patient."

The supporting documentation upon which the criteria are established must be made available for inspection upon written request in all instances and may not be withheld as proprietary.

(3) Every health care service contractor that denies a request for benefits or that refuses to approve a request to preauthorize services, whether made in writing or through other claim presentation or preauthorization procedures set out in the contract and any certificate of coverage thereunder, because of an experimental or investigational exclusion or limitation, must do so in writing within twenty working days of receipt of a fully documented request. The health care service contractor may extend the review period beyond twenty days only with the informed written consent of the covered individual. The denial letter must identify by name and job title the individual making the decision and fully disclose:

(a) The basis for the denial of benefits or refusal to preauthorize services;

(b) The procedure through which the decision to deny benefits or to refuse to preauthorize services may be appealed;

(c) What information the appellant is required to submit with the appeal; and

(d) The specific time period within which the company will reconsider its decision.

(4)(a) Every health care service contractor must establish a reasonable procedure under which denials of benefits or refusals to preauthorize services because of an experimental or investigational exclusion or limitation may be appealed. The appeals procedure may be considered reasonable if it provides that:

(i) A final determination must be made and provided to the appellant in writing within twenty working days of receipt of the fully documented appeal. The health care service contractor may extend the review period beyond twenty days only with the informed written consent of the covered individual;

(ii) The appeal must be reviewed by a person or persons qualified by reasons of training, experience and medical expertise to evaluate it; and

(iii) The appeal must be reviewed by a person or persons other than the person or persons making the initial decision to deny benefits or to refuse to preauthorize services.

(b) When the initial decision to deny benefits or to refuse to preauthorize services is upheld upon appeal, the written notice shall set forth:

(i) The basis for the denial of benefits or refusal to preauthorize services; and

(ii) The name and professional qualifications of the person or persons reviewing the appeal.

(c) Disclosure of the existence of an appeal procedure shall be made by the health care service contractor in each contract and any certificate of coverage issued thereunder which contains an experimental or investigational exclusion or limitation.

(5) Whenever a covered person appeals the health care service contractor's decision and delay would jeopardize the covered person's life or health, the health care service contractor must follow the appeal procedures and time frames in WAC 284-43-620(2).

AMENDATORY SECTION (Amending Order 92-14, filed 10/21/92, effective 11/21/92)

WAC 284-46-507 Experimental and investigational prescriptions, treatments, procedures, or services—Definition required—Standard for definition—Written notice of denial required—Appeal process required. (1) Every health maintenance agreement which excludes or limits, or reserves the right to exclude or limit, benefits for any treatment, procedure, facility, equipment, drug, drug usage, medical device, or supply (hereinafter individually and collectively referred to as services) for one or more medical condition or illness because such services are deemed to be experimental or investigational must include within the agreement and any certificate of coverage issued thereunder, a definition of experimental or investigational.

(2) The definition of experimental or investigational services must include an identification of the authority or authorities which will make a determination of which services will be considered to be experimental or investigational. If the health maintenance organization specifies that it, or an affiliated entity, is the authority making the determination, the criteria it will utilize to determine whether a service is experimental or investigational must be set forth in the

agreement and any certificate of coverage issued thereunder. As an example, and not by way of limitation, the requirement to set forth criteria in the agreement or any certificate of coverage thereunder may be satisfied by using one or more of the following statements, or other similar statements:

(a) "In determining whether services are experimental or investigational, the plan will consider whether the services are in general use in the medical community in the state of Washington, whether the services are under continued scientific testing and research, whether the services show a demonstrable benefit for a particular illness or disease, and whether they are proven to be safe and efficacious."

(b) "In determining whether services are experimental or investigational, the plan will consider whether the services result in greater benefits for a particular illness or disease than other generally available services, and do not pose a significant risk to health or safety of the patient."

The supporting documentation upon which the criteria are established must be made available for inspection upon written request in all instances and may not be withheld as proprietary.

(3) Every health maintenance organization that denies a request for benefits or that refuses to approve a request to preauthorize services, whether made in writing or through other claim presentation or preauthorization procedures set out in the agreement and any certificate of coverage thereunder, because of an experimental or investigational exclusion or limitation, must do so in writing within twenty working days of receipt of a fully documented request. The health maintenance organization may extend the review period beyond twenty days only with the informed written consent of the covered individual. The denial letter must identify by name and job title the individual making the decision and fully disclose:

(a) The basis for the denial of benefits or refusal to preauthorize services;

(b) The procedure through which the decision to deny benefits or to refuse to preauthorize services may be appealed;

(c) What information the appellant is required to submit with the appeal; and

(d) The specific time period within which the company will reconsider its decision.

(4)(a) Every health maintenance organization must establish a reasonable procedure under which denials of benefits or refusals to preauthorize services because of an experimental or investigational exclusion or limitation may be appealed. The appeals procedure may be considered reasonable if it provides that:

(i) A final determination must be made and provided to the appellant in writing within twenty working days of receipt of the fully documented appeal. The health maintenance organization may extend the review period beyond twenty days only with the informed written consent of the covered individual;

(ii) The appeal must be reviewed by a person or persons qualified by reasons of training, experience and medical expertise to evaluate it; and

(iii) The appeal must be reviewed by a person or persons other than the person or persons making the initial decision to deny benefits or to refuse to preauthorize services.

(b) When the initial decision to deny benefits or to refuse to preauthorize services is upheld upon appeal, the written notice shall set forth:

(i) The basis for the denial of benefits or refusal to preauthorize services; and

(ii) The name and professional qualifications of the person or persons reviewing the appeal.

(c) Disclosure of the existence of an appeal procedure shall be made by the health maintenance organization in each agreement and any certificate of coverage issued thereunder which contains an experimental or investigational exclusion or limitations.

(5) Whenever a covered person appeals the decision of the health maintenance organization and delay would jeopardize the covered person's life or health, the health maintenance organization must follow the appeal procedures and time frames in WAC 284-43-620(2).

AMENDATORY SECTION (Amending Order R 92-17, filed 10/21/92, effective 11/21/92)

WAC 284-50-377 Experimental and investigational prescriptions, treatments, procedures, or service—Definition required—Standard for definition—Written notice of denial required—Appeal process required. (1) Every individual disability insurance policy which excludes or limits, or reserves the right to exclude or limit, benefits for any treatment, procedure, facility, equipment, drug, drug usage, medical device, or supply (hereinafter individually and collectively referred to as services) for one or more medical condition or illness because such services are deemed to be experimental or investigational must include within the policy a definition of experimental or investigational.

(2) The definition of experimental or investigational services must include an identification of the authority or authorities which will make a determination of which services will be considered to be experimental or investigational. If the individual disability insurer specifies that it, or an affiliated entity, is the authority making the determination, the criteria it will utilize to determine whether a service is experimental or investigational must be set forth in the policy. As an example, and not by way of limitation, the requirement to set forth criteria in the policy may be satisfied by using one or more of the following statements, or other similar statements:

(a) "In determining whether services are experimental or investigational, we will consider whether the services are in general use in the medical community in the state of Washington, whether the services are under continued scientific testing and research, whether the services show a demonstrable benefit for a particular illness or disease, and whether they are proven to be safe and efficacious."

(b) "In determining whether services are experimental or investigational, we will consider whether the services result in greater benefits for a particular illness or disease than other generally available services, and do not pose a significant risk to health or safety of the patient."

The supporting documentation upon which the criteria are established must be made available for inspection upon written request in all instances and may not be withheld as proprietary.

(3) Every individual disability insurer that denies a request for benefits or that refuses to approve a request to preauthorize services, whether made in writing or through other claim presentation or preauthorization procedures set out in the policy, because of an experimental or investigational exclusion or limitation, must do so in writing within twenty working days of receipt of a fully documented request. The individual disability insurer may extend the review period beyond twenty days only with the informed written consent of the covered individual. The denial letter must identify by name and job title the individual making the decision and fully disclose:

(a) The basis for the denial of benefits or refusal to preauthorize services;

(b) The procedure through which the decision to deny benefits or to refuse to preauthorize services may be appealed;

(c) What information the appellant is required to submit with the appeal; and

(d) The specific time period within which the company will reconsider its decision.

(4)(a) Every individual disability insurer must establish a reasonable procedure under which denials of benefits or refusals to preauthorize services because of an experimental or investigational exclusion or limitation may be appealed. The appeals procedure may be considered reasonable if it provides that:

(i) A final determination must be made and provided to the appellant in writing within twenty working days of receipt of the fully documented appeal. The individual disability insurer may extend the review period beyond twenty days only with the informed written consent of the covered individual;

(ii) The appeal must be reviewed by a person or persons qualified by reasons of training, experience and medical expertise to evaluate it; and

(iii) The appeal must be reviewed by a person or persons other than the person or persons making the initial decision to deny benefits or to refuse to preauthorize services.

(b) When the initial decision to deny benefits or to refuse to preauthorize services is upheld upon appeal, the written notice shall set forth:

(i) The basis for the denial of benefits or refusal to preauthorize services; and

(ii) The name and professional qualifications of the person or persons reviewing the appeal.

(c) Disclosure of the existence of an appeal procedure shall be made by the individual disability insurer in each policy which contains an experimental or investigational exclusion or limitation.

(5) Whenever a covered person appeals the insurer's decision and delay would jeopardize the covered person's life or health, the insurer must follow the appeal procedures and time frames in WAC 284-43-620(2).

AMENDATORY SECTION (Amending Order R 92-16, filed 10/21/92, effective 11/21/92)

WAC 284-96-015 Experimental and investigational prescriptions, treatments, procedures, or services—Definition required—Standard for definition—Written notice of denial required—Appeal process required. (1) Every group disability insurance policy which excludes or limits, or reserves the right to exclude or limit, benefits for any treatment, procedure, facility, equipment, drug, drug usage, medical device, or supply (hereinafter individually and collectively referred to as services) for one or more medical condition or illness because such services are deemed to be experimental or investigational must include within the policy and any certificate of coverage issued thereunder, a definition of experimental or investigational.

(2) The definition of experimental or investigational services must include an identification of the authority or authorities which will make a determination of which services will be considered to be experimental or investigational. If the group disability insurer specifies that it, or an affiliated entity, is the authority making the determination, the criteria it will utilize to determine whether a service is experimental or investigational must be set forth in the policy and any certificate of coverage issued thereunder. As an example, and not by way of limitation, the requirement to set forth criteria in the policy and any certificate of coverage issued thereunder may be satisfied by using one or more of the following statements, or other similar statements:

(a) "In determining whether services are experimental or investigational, we will consider whether the services are in general use in the medical community in the state of Washington, whether the services are under continued scientific testing and research, whether the services show a demonstrable benefit for a particular illness or disease, and whether they are proven to be safe and efficacious."

(b) "In determining whether services are experimental or investigational, we will consider whether the services result in greater benefits for a particular illness or disease than other generally available services, and do not pose a significant risk to health or safety of the patient."

The supporting documentation upon which the criteria are established must be made available for inspection upon written request in all instances and may not be withheld as proprietary.

(3) Every group disability insurer that denies a request for benefits or that refuses to approve a request to preauthorize services, whether made in writing or through other claim presentation or preauthorization procedures set out in the policy and any certificate of coverage thereunder, because of an experimental or investigational exclusion or limitation, must do so in writing within twenty working days of receipt of a fully documented request. The group disability insurer may extend the review period beyond twenty days only with the informed written consent of the covered individual. The denial letter must identify by name and job title the individual making the decision and fully disclose:

(a) The basis for the denial of benefits or refusal to preauthorize services;

(b) The procedure through which the decision to deny benefits or to refuse to preauthorize services may be appealed;

(c) What information the appellant is required to submit with the appeal; and

(d) The specific time period within which the company will reconsider its decision.

(4)(a) Every group disability insurer must establish a reasonable procedure under which denials of benefits or refusals to preauthorize services because of an experimental or investigational exclusion or limitation may be appealed. The appeals procedure may be considered reasonable if it provides that:

(i) A final determination must be made and provided to the appellant in writing within twenty working days of receipt of the fully documented appeal. The group disability insurer may extend the review period beyond twenty days only with the informed written consent of the covered individual;

(ii) The appeal must be reviewed by a person or persons qualified by reasons of training, experience and medical expertise to evaluate it; and

(iii) The appeal must be reviewed by a person or persons other than the person or persons making the initial decision to deny benefits or to refuse to preauthorize services.

(b) When the initial decision to deny benefits or to refuse to preauthorize services is upheld upon appeal, the written notice shall set forth:

(i) The basis for the denial of benefits or refusal to preauthorize services; and

(ii) The name and professional qualifications of the person or persons reviewing the appeal.

(c) Disclosure of the existence of an appeal procedure shall be made by the group disability insurer in each policy and any certificate of coverage issued thereunder which contains an experimental or investigational exclusion or limitation.

(5) Whenever a covered person appeals the insurer's decision and delay would jeopardize the covered person's life or health, the group disability insurer must follow the appeal procedures and time frames in WAC 284-43-620(2).

WSR 99-24-080

PERMANENT RULES

PERSONNEL RESOURCES BOARD

[Filed November 30, 1999, 9:35 a.m., effective December 31, 1999]

Date of Adoption: November 18, 1999.

Purpose: The purpose of this proposal is to postpone the effective date of chapters 359-39, 359-09, 359-48, and 359-07 WAC until January 1, 2002.

Statutory Authority for Adoption: RCW 41.06.150.

Adopted under notice filed as WSR 99-16-104 on August 4, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: December 31, 1999.

November 22, 1999

Dennis Karras

Secretary

WSR 99-24-083

PERMANENT RULES

DEPARTMENT OF TRANSPORTATION

[Order 195—Filed November 30, 1999, 9:49 a.m.]

Date of Adoption: November 12, 1999.

Purpose: Defines new "permit fee" and "certification process" by incorporating into chapter 468-66 WAC the provisions of SB 5832 of the 56th legislature, 1999 regular session. Amends additional sections of chapter 468-66 WAC to clarify provisions of existing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 468-66-030, 468-66-050, 468-66-070, 468-66-110, and 468-66-140.

Statutory Authority for Adoption: Chapter 34.05 RCW and RCW 47.42.060.

Adopted under notice filed as WSR 99-20-065 on October 4, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 4, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 5, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 29, 1999

Gerald E. Smith

Deputy Secretary, Operations

AMENDATORY SECTION (Amending Order 170, filed 8/7/97, effective 9/7/97)

WAC 468-66-030 General provisions. Notwithstanding any other provision of the act or these regulations, no signs visible from the main-traveled way of the interstate system, primary system, or scenic system which have any of the following characteristics shall be erected or maintained:

(1) Signs advertising activities that are illegal under state or federal laws or regulations in effect at the location of such signs or at the location of such activities.

(2) Illegal, destroyed, abandoned, discontinued or obsolete signs.

(3) Signs that are not clean and in good repair.

(4) Signs that are not securely affixed to a substantial structure.

(5) Signs which attempt or appear to attempt to direct the movement of traffic or which interfere with, imitate or resemble any official traffic sign, signal or device.

(6) Signs which prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.

(7) Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights (except those signs giving public service information).

(8) Signs which use any lighting in any way unless it is so effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of the highway or is of such low intensity or brilliance as not to cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle.

(9) Signs which move or have any animated or moving parts (except revolving signs giving public service information).

(10) Signs which are erected or maintained upon trees, power poles or painted or drawn upon rocks or other natural features.

(11) Signs which exceed twenty feet in length, width or height, or one hundred fifty square feet in area, including border and trim but excluding supports, except:

(a) Larger signs as permitted within commercial and industrial areas adjacent to the primary system pursuant to RCW 47.42.062; and

(b) Type 3 signs not more than fifty feet from the advertised activity; and

(c) Single on-premise signs advertising shopping centers, malls, and business combinations as described in WAC 468-66-070(3); and

(d) Type 8 signs shall not exceed thirty-two square feet in area, unless they qualify as Type 3 (on-premise) signs.

(12) Electronic signs may be used only to advertise activities conducted or goods and services available on the property on which the signs are located or to present public service information.

(a) Advertising messages may contain words, phrases, sentences, symbols, trade-marks, and logos. A single message or a segment of a message must have a display time of at least two seconds including the time to move onto the sign board, with all segments of the total message to be displayed

within ten seconds. A message consisting of only one segment may remain on the sign board as long as desired.

(b) Electronic signs requiring more than four seconds to change from one single message display to another shall be turned off during the change interval.

(c) Displays traveling horizontally across the sign board must move between sixteen and thirty-two light columns per second. Displays can scroll onto the sign board but must hold for two seconds including scrolling.

(d) Sign displays shall not include any art animations or graphics that portray motion, except for movement of graphics onto or off of the sign board as previously described.

(e) No electronic sign lamp may be illuminated to a degree of brightness that is greater than necessary for adequate visibility. Signs found to be too bright shall be adjusted in accordance with the instructions of the department.

(f) As on-premise signs, electronic signs are subject to the provisions of RCW 47.42.045 and 47.42.062.

(13) Tri-vision signs may be used as Type 3, Type 4, or Type 5 signs, with the following provisions:

(a) Visible to Interstate highways, tri-vision signs may only be used as Type 3 signs.

(b) Rotation of one sign face to another sign face is no more frequent than every eight seconds and the actual rotation process shall be accomplished in four seconds or less.

(c) Tri-vision signs shall contain a default mechanism that will stop the sign in one position should a malfunction occur.

(d) Maximum size limitations shall independently apply to each sign face, including framework and border.

(e) Tri-vision signs are subject to all other applicable provisions of chapter 47.42 RCW and chapter 468-66 WAC.

AMENDATORY SECTION (Amending Order 144, filed 5/27/94, effective 6/27/94)

WAC 468-66-050 Classification of signs. Signs shall be classified as follows:

(1) Type 1—Directional or other official signs or notices.

(a) Signs and notices erected and maintained by public offices or public agencies within their territorial or zoning jurisdiction and pursuant to and in accordance with direction or authorization contained in federal, state, or local law for the purposes of carrying out an official duty or responsibility. Historical markers authorized by state law and erected by state or local government agencies or nonprofit historical societies may be considered official signs.

(b) Service club and religious notices, whose message shall contain only the name of a nonprofit service club or religious organization, its address and the time of its meeting or service.

(2) Type 2—For sale or lease sign. A sign not prohibited by state law which is consistent with the applicable provisions of these regulations and which only advertises the sale or lease (~~only~~) of the parcel of real property upon which the sign is located. The name of the owner of the property offered for sale or lease, or the owner's agent and phone number shall not be displayed more conspicuously than the words "for sale" or "for lease." No other message may be displayed on

the sign. Not more than one such sign (advertising the sale or lease of a parcel of property shall be (~~permitted in such manner as to be~~)) visible to traffic proceeding in any one direction on an interstate system, primary system or scenic system highway.

(3) Type 3—On-premise sign.

(a) A sign advertising an activity conducted on the property on which the sign is located. The sign, except as provided under (b) of this subsection, shall be limited to identifying the establishment or the principal or accessory products or services offered on the property. A sign consisting principally of a brand name, trade name, product, or service incidental to the principal products or services offered on the property, or bringing rental income to the property owner, is not considered an on-premise sign. Not more than one such sign, visible to traffic proceeding in any one direction on an interstate system, primary system, or scenic system highway may be permitted more than fifty feet from the advertised activity.

(b) Temporary political campaign signs are a Type 3 on-premise sign, on which the property owner expresses endorsement of a political candidate or ballot issue, with the following restrictions:

(i) Temporary political campaign signs are limited to a maximum size of thirty-two square feet in area.

(ii) Temporary political campaign signs must be removed within ten days after the election.

(iii) Except as provided in (b)(i) and (ii) of this subsection, temporary political campaign signs are subject to all other applicable provisions of chapter 47.42 RCW and chapter 468-66 WAC that pertain to Type 3 on-premise signs.

(c) Signs reading "future site of" or similar wording will be allowed as an on-premise sign without any activity being apparent on the site for one year from date of installation provided the following conditions have been met:

(i) The department of transportation has received a letter of notification of intent from the owner of the proposed advertised activity.

(ii) The sign shall not inform of activities conducted elsewhere.

(iii) The maximum size of a future site sign shall not be greater than one hundred fifty square feet.

The sign must be removed at the end of the one year time period if the advertised activity has not become operational.

(4) Type 4—Signs within twelve air miles of advertised activities. Signs not prohibited by state law which are consistent with the applicable provisions of these regulations and which advertise activities conducted within twelve air miles of such signs.

(5) Type 5—Signs in the specific interest of the traveling public. Signs authorized to be erected or maintained by state law which are consistent with these regulations and which are designed to give information in the specific interest of the traveling public.

(6) Type 6—Signs lawfully in existence on October 22, 1965, determined by the department of transportation, subject to the approval of the United States Secretary of Transportation, to be landmark signs, including signs on farm structures or natural surfaces, of historic or artistic significance the

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preservation of which would be consistent with the purposes of chapter 47.42 RCW.

(7) Type 7—Public service signs located on school bus stop shelters, which:

(a) Identify the donor, sponsor or contributor of said shelters;

(b) Contain safety slogans or messages which do not pertain to the donor and occupy not less than sixty percent of the area of the signs. In addition to this area limitation the donor identification portion of the sign may not appear more prominently than the safety slogan message;

(c) Contain no other message;

(d) Are located on school bus shelters which are authorized or approved by city, county, or state law, regulation or ordinance, off the state highway right of way. School bus shelters shall not exceed 10 feet in length, 10 feet in width or 8 feet in height and shall be constructed with the upper 4 feet of the sides perpendicular to the roadway being occupied by the sign. The remainder is to be constructed of a see through nature. No school bus shelter shall be located along fully controlled access highways as specifically referenced in WAC 468-58-030;

(e) Do not exceed 32 square feet in area. Not more than one sign on each shelter may face in any one direction. The sign shall not protrude above the roof line or beyond the sides of the shelter;

(f) Signs erected pursuant to a permit issued by the department of transportation as provided in RCW 47.42.120 and 47.42.130 and the regulations issued thereunder. A permit shall be required for each individual sign face.

(8) Type 8—Temporary agricultural directional signs, with the following restrictions:

(a) Signs shall be posted only during the period of time the seasonal agricultural product is being sold;

(b) Signs shall not be placed adjacent to the interstate highway system unless the sign qualifies as an on-premise (Type 3) sign;

(c) Signs shall not be placed within an incorporated city or town, but may be placed in unzoned areas and areas zoned for agricultural, commercial, and industrial activities;

(d) Premises on which the seasonal agricultural products are sold must be within fifteen miles of the state highway, and necessary supplemental signing on local roads must be provided before the installation of the signs on the state highway;

(e) Signs must be located so as not to restrict sight distances on approaches to intersections, or restrict the visibility of other authorized signs;

(f) The minimum spacing between sign structures shall be three hundred feet. For the purposes of this subsection, a back-to-back sign and a V-type sign shall be considered one sign structure (spacing is independent of off-premise (Type 4 and Type 5) signs).

AMENDATORY SECTION (Amending Order 55, filed 4/18/80)

WAC 468-66-070 On-premise signs (Type 3). (1) Not more than one Type 3 sign visible to traffic proceeding in any one direction on an interstate system, primary system outside an incorporated city or town or commercial or industrial area,

or scenic system highway may be permitted more than fifty feet from the advertised activity. The entire sign installation shall be located within the fifty foot distance.

(2) For the purpose of measuring from the "advertised activity" the distance shall be measured from the sign to the nearest portion of that building, storage, or other structure or processing area, which is the most regularly used and essential to the conduct of the activity.

(3) For signs advertising shopping centers, malls and business combinations, the distance from the "advertised activity" may be measured from the nearest portion of a combined parking area (~~((may be considered as part of that activity))~~) for purposes of allowing a single (~~((individual))~~) on-premise sign(~~(s)~~).

(a) In the event that a shopping center, mall or business combination does erect a single (~~((individual))~~) on-premise sign as permitted herein, such sign may identify each of the individual businesses conducted upon the premises, and may include a single display area such as a manually changeable copy panel, reader board or electronically changeable message center for advertising on-premise activities.

(b) Individual business signs in such a center, mall or combination area are not permissible more than fifty feet from the individual activity.

~~((3))~~ (4) A Type 3 sign permitted more than fifty feet from the advertised activity pursuant to subsection (1) of this section shall not be erected or maintained a greater distance from the advertised activity than one of the following options selected by the owner of the business being advertised:

(a) One hundred fifty feet measured along the edge of the protected highway from the edge of the main entrance to the activity advertised (when applicable);

(b) One hundred fifty feet from any outside wall of the main building of the advertised activity; or

(c) Fifty feet from any outside edge of a regularly used parking lot maintained by and contiguous to the advertised activity.

~~((4))~~ (5) One Type 3 sign in each direction, not exceeding fifty square feet in area bearing only the name and a directional message, indicating the location of a business, farm, ranch or orchard may be allowed on such premises that were in existence on June 25, 1976, provided that the following conditions exist:

(a) No other Type 3 signs legible from the main traveled lanes of the highway are maintained.

(b) The sign is located on property abutting the highway where ownership or unrestricted lease is contiguous to and includes the advertised activity and not on a strip or parcel of land deemed by the department of transportation to be acquired for the sole purpose of outdoor advertising.

AMENDATORY SECTION (Amending Order 96, filed 8/12/85)

WAC 468-66-110 Signs within commercial and industrial areas of primary system. Signs visible from the main-traveled way of the primary system within commercial and industrial areas whose size and spacing are consistent with the customary use of property for the effective display of outdoor advertising as set forth in this section may be erected

and maintained: Provided, That nothing in this section shall restrict Type 3 signs located along any portion of the primary system within an incorporated city or town or within any commercial or industrial area.

(1) Size of signs:

(a) The maximum area for any one sign shall be six hundred seventy-two square feet with a maximum height of twenty-five feet and maximum length of fifty feet inclusive of any border and trim but excluding the base or apron, supports and other structural members: Provided, That cut-outs and extensions may add up to twenty percent of additional sign area.

(b) For the purposes of this subsection, double-faced, back-to-back or V-type signs shall be considered as two signs.

(c) Signs which exceed three hundred twenty-five square feet in area may not be double-faced (abutting and facing the same direction).

(2) Spacing of signs:

(a) Signs may not be located in such a manner as to obscure, or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device, obstruct or physically interfere with the driver's view of approaching, merging, or intersecting traffic.

(b) On limited access highways established pursuant to chapter 47.52 RCW no two sign structures shall be spaced less than one thousand feet apart, and no sign may be located within three thousand feet of the center of an interchange, a safety rest area or information center, or within one thousand feet of an intersection at grade. Double-faced signs shall be prohibited. Not more than a total of five sign structures shall be permitted on both sides of the highway per mile.

(c) On noncontrolled access highways inside the boundaries of incorporated cities and towns not more than a total of four sign structures on both sides of the highway within a space of six hundred sixty feet shall be permitted with a minimum of one hundred feet between sign structures. In no event, however shall more than four sign structures be permitted between platted intersecting streets or highways. On noncontrolled access highways outside the boundaries of incorporated cities and towns minimum spacing between sign structures on each side of the highway shall be five hundred feet.

(d) For the purposes of this subsection, a back-to-back sign and a V-type sign shall be considered one sign structure.

(e) Official signs, ~~((and))~~ signs advertising activities conducted on the property on which they are located (Type 2 and Type 3 signs), public service signs on school bus stop shelters (Type 7 signs), and temporary agricultural directional signs (Type 8 signs) shall not be considered in determining compliance with the above spacing requirements. The minimum space between structures shall be measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway and shall apply to signs located on the same side of the highway.

AMENDATORY SECTION (Amending Order 130, filed 4/10/92, effective 5/11/92)

WAC 468-66-140 Permits. (1) No signs except Type 1, Type 2, or Type 3 signs shall be erected or maintained adjacent to interstate system, primary system, or scenic system highways without a permit issued by the department of transportation. Permits for erection and maintenance of signs adjacent to the interstate system, primary system, or scenic system will be issued by the department of transportation in accordance with this chapter.

(2) Applications for permits (except for Type 8 signs) will be accepted only at the Department of Transportation ~~((Headquarters Office))~~ Service Center, Olympia, Washington. Applications transmitted by mail shall be effective from date of receipt rather than of mailing.

(3) Application forms shall contain:

(a) The name and address of the owner of the sign;

(b) A statement and the signature of the owner or occupant of the land on which the sign is to be erected or maintained indicating that he has consented thereto;

(c) A statement of the precise location where the sign is to be erected or maintained;

(d) A statement of the proposed size and shape of the sign. An application for a Type 5 sign to be erected along the interstate system shall contain a description of the copy to be placed on the sign;

(e) Such other information as may be required by the department;

(f) For Type 8 signs, application forms accompanied by a fee of fifty dollars for each sign face must be submitted to the appropriate department of transportation ~~((district))~~ region office and submittals must include, in addition to (a) through (e) of this subsection, an exact description of the location of the temporary agricultural business activity, a description of the proposed sign copy, identification of the products sold, expected weeks/months of sales, and assigned tax number. After approval of the application by the transportation district office, the sign may be erected at the beginning of the sale season and must be removed at the end of the sale season. Approved applications shall be valid for five consecutive years from the date of application approval. A new application must be submitted and approved prior to erection of a sign at a location where the five-year validation has expired.

For any Type 8 sign not in compliance with this chapter, the department of transportation shall request the attorney general on its behalf to institute legal proceedings to cause such sign to be removed as an illegal sign without payment of compensation.

Subsections ~~((5))~~ (4) through ~~((10))~~ (8) of this section do not apply to Type 8 signs.

(4) Applications shall be accompanied by a fee of ~~((ten))~~ three hundred dollars for each sign structure.

(5) Permits shall be for the remainder of the calendar year in which they are issued, and ~~((shall be renewed annually upon payment of said fee for the new year without the filing of a new application.))~~ accompanying fees shall not be prorated for fractions of the year. Permits are renewed annually through the following certification process:

~~((6))~~ (a) Prior to ~~((December))~~ January 1 of each year the department of transportation shall ~~((notify in writing))~~ request, through the use of a standard form, permit renewal certification from the owner of every sign for which a permit has been issued under RCW 47.42.120 and this section ~~((, that the renewal fee for such sign due in the calendar year to commence on the following January 1 shall be due and payable))~~. In order to renew the permit, the sign owner shall certify by signature that all sign permits are active and the signs are currently maintained and in good condition. The completed permit renewal form shall be returned to the department not later than the following February 1. The ~~((notice))~~ permit renewal form shall further state that if ~~((such fee))~~ the required certification has not been ~~((paid))~~ received by February 1, legal proceedings will be initiated to cause removal of such sign as an illegally maintained sign.

~~((7))~~ (b) Following the ~~((notice))~~ request for certification specified in (a) of this subsection ~~((6 of this section))~~, if the due ~~((renewal fee))~~ certification is not received for any permitted sign by the date specified, the department of transportation shall request the attorney general on its behalf to initiate legal proceedings to cause such sign to be removed as an illegal sign without the payment of compensation therefor.

~~((8))~~ (6) Changes in size, shape, or position of a permitted sign shall be reported to the department of transportation at Olympia at least ten days before a change is to be made. In the case of Type 5 signs permitted along the interstate system, changes in copy shall be reported to the department at Olympia at least ten days before a change is to be made.

~~((9))~~ (7) Assignment of permits in good standing shall be effective only upon receipt of assignment by the department of transportation.

~~((10))~~ (8) Every permit issued by the department shall be assigned a separate identification number, and it shall be the duty of each permittee to fasten to each sign a weather-proof label, not larger than six square inches, which shall be furnished by the department and on which shall be plainly visible the said permit number. The permittee shall also place his name in a conspicuous position on the front or back of each sign.

~~((11))~~ (9) A permit issued under this chapter does not relieve the permittee from the duty to comply with all local rules, regulations, and ordinances pertaining to signs and sign structures.

WSR 99-24-084

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Adult Services Administration)

(Office of Rates Management)

[Filed November 30, 1999, 10:17 a.m.]

Date of Adoption: November 30, 1999.

Purpose: To implement the changes required by ESSHB 1484, chapter 353, Laws of 1999, Medicaid payment - nursing facilities and ESSB 5967, chapter 376, Laws of 1999, Nursing home bed ratio and funds.

Citation of Existing Rules Affected by this Order: Amending WAC 388-96-010, 388-96-202, 388-96-218, 388-96-384, 388-96-559, 388-96-565, 388-96-572, 388-96-585, 388-96-708, 388-96-709, 388-96-710, 388-96-718, 388-96-723, 388-96-724, 388-96-725, 388-96-726, 388-96-766, 388-96-767, 388-96-771, and 388-96-776.

Statutory Authority for Adoption: Chapter 74.46 RCW as amended by E2SHB 1484, section 11 and 12.

Other Authority: ESSB 5967, chapter 376, Laws of 1999 Sec. 3. amending 1999.c... (ESSB 5180) s 207.

Adopted under notice filed as WSR 99-19-024 on September 7, 1999.

Changes Other than Editing from Proposed to Adopted Version: Proposed amendment to WAC 388-96-585 (2)(c) has been withdrawn.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 4, Amended 20, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 4, Amended 20, Repealed 0.

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

November 30, 1999

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 00-02 issue of the Register.

WSR 99-24-092

PERMANENT RULES

SECRETARY OF STATE

(Productivity Board)

[Filed November 30, 1999, 12:39 p.m., effective January 1, 2000]

Date of Adoption: November 30, 1999.

Purpose: Amending chapter 383-07 WAC will ensure consistency with the amendments to chapter 41.60 RCW, chapter 50, Laws of 1999, and the effective implementation of the act. Adoption of these rules will amend chapter 383-07 WAC to clarify rules relating to the teamwork incentive program; update program policy changes; and develop a new payment award scale for team projects.

Citation of Existing Rules Affected by this Order: Amending chapter 383-07 WAC.

Statutory Authority for Adoption: Chapter 50, Laws of 1999, chapter 41.60 RCW.

Adopted under notice filed as WSR [99-20-079] on [October 4, 1999].

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 2, Amended 13, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 13, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, Amended 13, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: January 1, 2000.

November 30, 1999

Tracy Guerin

Deputy Secretary of State

AMENDATORY SECTION (Amending WSR 92-09-048, filed 4/10/92, effective 5/11/92)

WAC 383-07-020 Definitions. As used in this chapter, these definitions refer only to the teamwork incentive program unless the context requires otherwise:

(1) "Board" means productivity board.

(2) (~~"Executive director"~~) "Program manager" is the (~~administrator~~) executive manager of the (~~programs~~) productivity board and serves as staff to the productivity board.

(3) "Program" means teamwork incentive program developed by the productivity board under chapter 41.60 RCW, and is frequently abbreviated as TIP.

(4) (~~"Program manager" refers to the person hired by the executive director to administer the program known as TIP.~~

(5)) "The act" referred to in this chapter is chapter 41.60 RCW.

(~~(6)~~) (5) "Agency" includes every subdivision of state government eligible to participate under chapter 41.60 RCW, including all merit system agencies and institutions of higher education.

(~~(7)~~) (6) "Team" means a subdivision with a common mission within or between agencies. (~~A team may also be referred to as a "unit" or a "group."~~

(8) "~~Director~~" (7) "Agency head" means the appointed or elected chief executive of the agency.

(~~(9)~~) (8) "Supervisor" means the person responsible for unit operations in accordance with WAC 356-05-400 or 251-01-395. (Merit system rules and higher education personnel board rules defining supervisor.)

(~~(10)~~) "Steering committee" means a representative group of individuals responsible for planning and implementation of TIP within an agency.

(~~(11)~~) (9) "Liaison" means the individual who is the key contact from an agency to the productivity board. (~~The TIP liaison is a member of the steering committee in agencies using them.~~

(~~(12)~~) (10) "Award" means the percentage of savings allowed by chapter 41.60 RCW and WAC 383-07-125.

(~~(13)~~) (11) "Cost savings" (~~refers to cost efficiencies which occurred as a result of productivity improvements. Cost savings may be reflected in budget reductions and/or cost containment~~) means actual net savings and/or revenue generated to the state. Gains to state funds may be reflected in higher receipts or revenue recoveries as a result of improved methods used by the team.

(~~(14)~~) (12) "Outcome" refers to the accomplishments or results achieved by the (~~unit~~) team.

(~~(15)~~) (13) "Project (~~year~~) period" means the (~~twelve-month~~) team project period during which performance and fiscal measures are monitored.

AMENDATORY SECTION (Amending WSR 92-09-048, filed 4/10/92, effective 5/11/92)

WAC 383-07-030 Functions of the board. The responsibilities of the board shall include:

(1) Promotion and marketing of the program to agency (~~directors~~) heads and the legislature;

(2) Establishment of policies under which the program shall be promoted and administered, including guidelines cited in WAC 383-07-045, 383-07-050, and 383-07-060 concerning the responsibilities of agency management, TIP liaisons and agency employees;

(3) Adoption of rules and regulations necessary for the administration of this act;

(4) Final determination in approving team participation in the teamwork incentive program;

(5) Final approval of any amount awarded to an eligible team;

(6) Submission of reports required by chapter 41.60 RCW.

AMENDATORY SECTION (Amending WSR 92-09-048, filed 4/10/92, effective 5/11/92)

WAC 383-07-040 Duties of (~~the program manager~~) productivity board staff. (1) The program manager shall report to the (~~executive director~~) board and be responsible and accountable to the board for the administration of the program, and shall:

(~~(1)~~) (a) Attend meetings of the board and ensure a record of its actions regarding the program is maintained.

(~~(2)~~) (b) Propose policies, rules, and regulations appropriate for the administration of the program.

(~~(3)~~) (c) Establish and maintain records and procedures necessary for the administration and maintenance of the program.

(~~(4)~~) (2) Productivity board staff shall:

(a) Interact with agency managers regarding team participation and facilitate understanding and involvement in the program.

(~~(5)~~) (b) Review applications and reports submitted by teams to ensure compliance with chapter 41.60 RCW and to recommend necessary changes.

(~~(6)~~) (c) Interface with agency TIP liaisons and/or other agency personnel about the program.

AMENDATORY SECTION (Amending WSR 92-09-048, filed 4/10/92, effective 5/11/92)

WAC 383-07-045 Responsibilities of agency management. Under the following guidelines, agency management shall be responsible for facilitating agency involvement at all stages of the teamwork incentive program, including the following:

(1) Promotion and administration of the TIP program within the agency, offering assistance in the completion of team applications, including documentation of approval and denial of applications;

(2) Providing support throughout team participation in the TIP project through encouragement, records management and training assistance, and facilitating cooperation between shifts, other ~~((units))~~ teams, other divisions, etc.;

(3) Review of ~~((quarterly))~~ team application, mid-point and final TIP reports, verifying sustained or improved performance and quality measures, and fiscal impact;

(4) Review, approve, and verify savings identified in the team's report for a TIP award for a team that has already implemented their improvements. Teams that have already implemented their project improvements are eligible to receive a TIP award if the agency head nominates the team for a TIP award within one year of implementation of the team project. The agency head shall also support the percentage of the actual net savings and/or net revenue generated to the state that the team is entitled to receive. The TIP award cannot exceed the percentage and maximum award amount permitted in WAC 383-07-125.

(5) Cooperation and assistance in recognizing TIP teams for their efforts and achievements, including timely payment of awards.

~~((5))~~ (6) Ensurance that gains obtained during the TIP ~~((year))~~ project period are sustained.

The agency head shall appoint an individual as TIP liaison to coordinate agency TIP activities with the productivity board. ~~((A group of individuals, including the agency TIP liaison, may be designated as a steering committee within the agency to implement and maintain the program.))~~

AMENDATORY SECTION (Amending WSR 92-09-048, filed 4/10/92, effective 5/11/92)

WAC 383-07-050 Responsibilities of the TIP liaison. The TIP liaison, under these guidelines, serves as the primary link between the board and the agency, and is responsible and accountable to agency management. The TIP liaison shall:

(1) Coordinate the TIP program within the agency ~~((as a key member of the agency's TIP steering committee or))~~ and act as an individual liaison between the agency and the board.

(2) Oversee the completion and submission of all TIP applications, working within agency chain of command and with productivity board staff. Ensure that all applications meet the criteria established by RCW 41.60.100, WAC 383-07-070 and 383-07-080. Ensure an executive summary for board meeting packets is prepared and submitted with the TIP application.

(3) Monitor on-going TIP activities within the agency, reviewing all ~~((quarterly))~~ reports for completeness and accu-

racy and transmit reports to ~~((the program manager))~~ productivity board staff in a timely manner.

(4) Represent the agency on TIP-related issues at board meetings. Attend regularly scheduled board meetings when the agenda includes TIP projects or issues relevant to the agency.

(5) Promote and market the program within the agency through on-site presentations, written communications, facilitation of meetings and other effective means to acquaint employees and supervisors with the purpose and benefits of the program. Coordinate recognition of ~~((groups completing the year-long project))~~ teams receiving a TIP award.

(6) Ensure that award authorizations are processed, and that payments are made to individuals in a timely manner.

(7) Identify and encourage use of internal resources, such as training staff and management analysts, to assist ~~((units))~~ teams participating in TIP.

(8) Identify and encourage use of other resources inside and outside state government ~~((, such as the state energy office, the career executive program, and other knowledgeable experts)).~~

(9) Coordinate with agency management and the board for recognition of groups completing the ~~((year-long))~~ project period.

AMENDATORY SECTION (Amending WSR 92-09-048, filed 4/10/92, effective 5/11/92)

WAC 383-07-060 Employee responsibilities. Employees within a unit(s) form a team under these guidelines. As team members, individuals should:

(1) Understand the mission of the team and be aware of performance goals and fiscal targets identified as a baseline in the TIP application.

(2) Identify areas which the team should address as a means to improve performance outcomes.

(3) Share ideas with other team members and build upon ideas shared by others.

(4) Propose efficiencies and develop action plans designed to achieve and maintain ongoing productivity gains.

(5) Submit action plans to management as needed to implement proposals.

(6) Implement changes and evaluate their effectiveness.

AMENDATORY SECTION (Amending WSR 92-09-048, filed 4/10/92, effective 5/11/92)

WAC 383-07-070 Application procedures. ~~((Units))~~ Teams interested in being considered for participation in the teamwork incentive program shall complete a TIP application form.

(1) Application forms shall be available from the productivity board office or the TIP liaison within the agency.

(2) Applications which are approved by the agency shall be submitted by the TIP liaison to ~~((the program manager))~~ productivity board staff.

(3) Applications should be submitted prior to the beginning of the project ~~((year and must be received by the board staff by the 10th of the month preceding board action))~~ period to approve a team's participation in the teamwork incentive program.

(4) An agency head may nominate a team for their outstanding achievements for a TIP award after a team has implemented their project improvements. The agency shall submit the report to the productivity board nominating the team for an award and identifying the performance measures used to determine actual savings and/or revenue within one year of implementation of the team project. The productivity board shall make the final award determination.

(5) Applications presented to the board for action shall contain authorizing signatures and outcome and fiscal information.

~~((5) In accordance with RCW 41.60.110 (1)(b);)~~ (6) A team participating in the program for two or more consecutive times may choose to compare its costs or revenues during the current period of participation with its costs or revenues during for the immediately preceding period or an average of its costs or revenues for the preceding two or three comparable spans of time in the program. Teams completing a TIP project ((year)) period may reapply by the submission of an abbreviated application, including authorizing signatures, time frames and either a confirmation of the previous results and/or revised performance measures as the baseline to be used.

AMENDATORY SECTION (Amending WSR 92-09-048, filed 4/10/92, effective 5/11/92)

WAC 383-07-080 Application format—For applications submitted prior to the project period. For applications to be considered by the board, ~~((units))~~ teams interested in participating in the teamwork incentive program must meet these eligibility criteria:

(1) An identification of the baseline ~~((as specified in RCW 41.60.110(1);))~~ against which savings shall be evaluated at the end of the project ~~((year, including))~~ period. Teams shall demonstrate to the satisfaction of the board that it has operated during the period of participation at a lower cost or with an increase in revenue with no decrease in the level of services rendered.

(2) The application must also include the following:

- (a) A general description of the team and its mission;
- (b) Performance measures which quantify the workflow and outcome measures of the team;
- (c) Fiscal information pertinent to outcomes;
- (d) A list of participating personnel and their Social Security numbers to be used for payment purposes, with special notation of those working less than full time; ~~((and))~~
- (e) A statement of how the team expects to achieve gains~~((:))~~; and

~~((2))~~ (f) Signatures of agency management authorizing the team's participation in the TIP project, including:

~~((a))~~ (i) The head of the agency in which the team is located or his ((or))/her designee. The agency head may choose to waive the requirement of having other authorizing agency signatures referenced in (f)(ii) through (iv) of this subsection;

~~((b))~~ (ii) The supervisor/manager of the participating ((unit)) team;

~~((c))~~ (iii) The appropriate fiscal/budget officer of the agency; and

~~((d))~~ (iv) Other signatures specified by the agency, such as the personnel manager and division directors.

NEW SECTION

WAC 383-07-085 Application format—For applications submitted after the project period. For applications to be considered by the board for teams that have already implemented their project improvements, teams interested in receiving a TIP award must meet these eligibility criteria:

(1) The report shall be submitted to the productivity board within one year of full implementation of the team's project.

(2) The report must be submitted to the productivity board by the agency with the agency head's approval. The agency head's approval shall be required for the team to be eligible for a TIP award.

(3) An identification of the baseline, against which savings were evaluated at the end of the project period. Teams shall demonstrate to the satisfaction of the board that the team operated at a lower cost or with an increase in revenue with no decrease in the level of services rendered.

(4) The report must also include the following:

(a) A general description of the team and its mission and when the team project was implemented;

(b) Performance measures which quantify the workflow and outcome measures of the team;

(c) The actual net savings and/or revenue derived from the team project and calculations showing how the figures were derived;

(d) Fiscal information pertinent to outcomes;

(e) A list of participating personnel and their Social Security numbers to be used for payment purposes, with special notation of those working less than full time; and

(f) Signatures of agency management authorizing the team's participation in the TIP project, including:

(i) The head of the agency in which the team is located or his or her designee. The agency head may choose to waive the requirement of having other authorizing agency signatures referenced in (f)(ii) through (iv) of this subsection;

(ii) The supervisor/manager of the participating team;

(iii) The appropriate fiscal/budget officer of the agency; and

(iv) Other signatures specified by the agency, such as the personnel manager and division directors.

(5) The report includes final report information, and therefore, shall serve as the only report needed to receive a TIP award. The board shall make the final determination whether to approve the TIP award based on the information provided in the report.

AMENDATORY SECTION (Amending WSR 92-09-048, filed 4/10/92, effective 5/11/92)

WAC 383-07-090 Approval or denial of the application. Upon receipt of the official application, ~~((the program manager))~~ productivity board staff shall:

(1) Review the application for completeness and accuracy, coordinating with the agency TIP liaison on any points needing clarification.

(2) Schedule the application for board action at the next appropriate meeting.

(3) Prepare an executive summary for applications submitted prior to implementing the team project improvements about the team, its performance measures and its TIP goals to be sent to board members prior to scheduled action.

(4) Prepare an executive summary, if needed, for applications submitted after implementing the team project improvements about the team, its accomplishments, its performance measures including actual net savings and/or net revenue, and the award information to be sent to board members prior to scheduled action.

(5) Make a recommendation to board members concerning the application, based on whether ~~((or not))~~ the application is reasonable and practical ~~((and includes program indicators which lend themselves to a judgment of success or failure))~~.

~~((5) The board may approve or deny an application based upon whether or not the proposal is deemed reasonable, practical and includes program indicators which lend themselves to a judgment of success or failure)).~~

(6) Communicate with the TIP liaison and interested others about dates for the anticipated board action on the application, the ~~((quarterly))~~ mid-point report~~((s))~~ and the anticipated final review and approval of any team award.

The board may approve or deny an application based upon whether the proposal is deemed reasonable, practical and includes program indicators which lend themselves to a judgment of success or failure.

The board shall make the final determination whether to approve TIP awards for teams that have already implemented their project improvements based on the information provided in the report(s).

AMENDATORY SECTION (Amending WSR 92-09-048, filed 4/10/92, effective 5/11/92)

WAC 383-07-100 Reports to the productivity board.

Each team accepted to participate in the program prior to implementation of their project shall submit ~~((regular progress))~~ a mid-point report~~((s))~~ to the board through the agency's TIP liaison.

(1) ~~((Quarterly))~~ The mid-point report~~((s))~~ shall be submitted to the board in accordance with a schedule arranged by the program manager and shall contain, as a minimum, the following information:

(a) An update on team accomplishments relative to TIP performance measures;

(b) An update on personnel changes; and

(c) An indication of quality of outcomes.

(2) Final reports shall be submitted to the board within three months following the TIP completion date and shall include, as a minimum, the following information:

(a) ~~((Annual))~~ Project period accomplishments relative to TIP performance measures as compared to TIP baseline measures, expressed in both quantitative and qualitative terms, including the total net savings, the team award and the amount of a full award share;

(b) A list of personnel eligible to receive full award shares;

(c) A list of personnel eligible to receive partial award shares, based on the fraction of the ~~((year))~~ project period each has worked for the ~~((unit))~~ team;

(d) A statement of quality of services written by agency management; and

(e) Specific information requested by the program manager on behalf of the board.

(3) In ~~((their))~~ its final report, the team shall submit documentation which quantifies performance measures, fiscal measures, and outcome measures for the TIP project ~~((year))~~ period. Acceptable documentation may include, but is not limited to:

(a) Fiscal documents, such as budgets and accounting reports;

(b) Agency management reports quantifying outcomes;

(c) Reports from other state agencies~~((, such as the state energy office))~~ or federal agencies;

(d) Reports made to other agencies or governmental units;

(e) Personnel reports quantifying overtime hours; and

(f) Other reports relevant to TIP performance outcomes and operational costs.

(4) The program manager may extend due dates for reports.

AMENDATORY SECTION (Amending WSR 92-09-048, filed 4/10/92, effective 5/11/92)

WAC 383-07-115 Evaluation of savings. Teams must demonstrate cost efficient operations during the TIP ~~((year))~~ project period through lower costs, improved productivity, and/or higher level of receipts with no decrease in level of service. Legitimate cost efficiencies are actual cost savings or gains to the state and may be achieved in one or more of the following ways:

(1) Net cost reductions, when spending levels decrease;

~~((2))~~ ~~((Cost containment or cost avoidance, when spending levels are not reduced but additional funding does not have to be requested to handle increased workloads;~~

~~((3))~~ Revenue recoveries, when more moneys owed to the state are collected as a result of enhanced operations leading to higher yield of receipts; or

~~((4))~~ ~~((3))~~ Other means considered by the board to represent true costs savings or enhanced generation of revenue.

AMENDATORY SECTION (Amending WSR 92-09-048, filed 4/10/92, effective 5/11/92)

WAC 383-07-120 Distribution of awards. Awards shall be distributed to employees and supervisors of the ~~((unit))~~ team identified as team members in the final report as follows:

(1) If the board determines in its judgment that a team qualifies for an award, the board shall authorize payment of the award to the team a percentage of net savings as ~~((specified in RCW 41.60.120))~~ negotiated between the team and agency management. The percentage of actual net savings and/or revenue generated shall not exceed twenty-five percent of the total net savings and/or revenue to be shared among team members.

(2) The team award shall be divided and distributed in equal shares to members of the team, except those who have worked within the team for less than ~~((twelve months of))~~ the TIP~~((-year))~~ project period or less than full time during the ~~((twelve months of the))~~ project period shall receive a pro rata share based upon the fraction of the TIP~~((-year))~~ project period worked.

(3) No individual share of the team award shall exceed ten thousand dollars per person, which is the maximum ~~((suggestion))~~ award allowed in RCW 41.60.041(2) and WAC 383-07-125(2).

(4) Funds for paying awards shall be drawn from the agency in which the team is located. Awards for generating increased revenue to a state fund or account may be paid from the benefitted fund or account. ~~((In the case of general fund revenue, the award shall be drawn from the general fund in accordance with productivity board policy.))~~ Awards may be paid to teams for process changes which generate new or additional money for the general fund or any other funds of the state. The director of the office of financial management shall distribute moneys appropriated for this purpose with the concurrence of the productivity board. Transfers shall be made from other funds of the state to the general fund in amounts equal to award payments made by the general fund, for innovations generating new or additional money for those funds. Awards may only be given for savings derived and/or revenue generated for the state.

(5) Teams not demonstrating cost efficiencies may receive special recognition of merit in the form and manner determined by the board.

NEW SECTION

WAC 383-07-125 Payment award scale. The following payment award scale shall be developed by the productivity board. TIP awards shall be based on the following:

(1) Team awards are based on a percentage of the savings and/or revenue determined by the team and agency management during the application process. The total team award shall not exceed twenty-five percent of the actual net savings and/or net revenue generated to the state for the TIP project period. The team award shall be divided among the team members.

(2) No award may be granted in excess of ten thousand dollars.

(3) No cash awards shall be given for team projects that do not produce actual cost savings or generate revenue to the state.

AMENDATORY SECTION (Amending WSR 92-09-048, filed 4/10/92, effective 5/11/92)

WAC 383-07-130 Award authorization and payment procedures. Following approval of a teamwork incentive award by the productivity board, the ~~((executive director))~~ program manager shall submit a notice to the agency authorizing payment of awards in accordance with RCW 41.60.120 and WAC 383-07-125.

- (1) The award authorization notice shall include:
 - (a) The total amount of savings and/or revenue;

(b) The ~~((unit))~~ team award based upon the percentage specified by ~~((RCW 41.60.120))~~ WAC 383-07-125; and

(c) A list of employees and the amount of each individual's award share.

(2) The award authorization notice shall be sent to the agency's TIP liaison for processing payments of awards and fees. A copy of the authorization shall be forwarded to the team supervisor.

(3) The award authorization notice shall be sent as soon as possible following board action.

(4) The agency shall arrange for payment of awards in a timely manner.

WSR 99-24-093
PERMANENT RULES
SECRETARY OF STATE
 (Productivity Board)

[Filed November 30, 1999, 12:53 p.m., effective January 1, 2000]

Date of Adoption: November 30, 1999.

Purpose: Amending chapter 383-06 WAC will ensure consistency with the amendments to chapter 41.60 RCW, chapter 50, Laws of 1999, and the effective implementation of the act. Adoption of these rules will amend chapter 383-06 WAC to clarify rule relating to the state-wide employee suggestion program and create new rule for the administration of an agency unique suggestion program; update program policy changes; and develop a new payment award scale for suggestions.

Citation of Existing Rules Affected by this Order: Amending chapter 383-06 WAC.

Statutory Authority for Adoption: Chapter 50, Laws of 1999, chapter 41.60 RCW.

Adopted under notice filed as WSR [99-20-078] on [October 4, 1999].

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 7, Amended 12, Repealed 3.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 7, Amended 12, Repealed 3.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 7, Amended 12, Repealed 3.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: January 1, 2000.

November 30, 1999
 Tracy Guerin
 Deputy Secretary of State

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AMENDATORY SECTION (Amending Order 85-1, filed 1/30/86)

WAC 383-06-010 Purpose. The purpose of this chapter is to provide guidelines for the state-wide employee suggestion program developed and administered by the productivity board and the agency unique suggestion program administered by the board's designee under the authority of chapter 41.60 RCW.

AMENDATORY SECTION (Amending Order 85-1, filed 1/30/86)

WAC 383-06-020 Definitions. As used in these rules, these definitions refer only to the employee suggestion program(s) unless the context requires otherwise:

- (1) "Board" means the productivity board.
- (2) "Program" means the employee suggestion "brainstorm" program(s) developed by the board under RCW 41.60.020.
- (3) "State-wide employee suggestion program" means an employee suggestion program administered by the productivity board.
- (4) "Agency unique suggestion program" means an employee suggestion program designed and administered by an agency head with delegated authority.
- (5) "Delegated authority" means authority delegated to an agency head by the board to design and implement an agency unique program for the agency.

(6) "Board designee" means an agency head with delegated authority from the board.

(7) "The act" referred to in these rules is chapter 41.60 RCW.

~~((4))~~ (8) "Employee" ~~((is any person subject to chapter 41.06 or 28B.16 RCW))~~ means:

(a) For purposes of participation in the program, any present employees in state agencies and institutions of higher education except for:

- (i) Elected officials;
- (ii) Agency heads and their confidential secretaries and administrative assistants; and
- (iii) Productivity board members and staff;

(b) For purposes of eligibility to receive monetary awards through the program excludes any employee made ineligible by WAC 383-06-080.

~~((5))~~ (9) "Suggestion" is a unique, useful or workable, constructive proposal offering a specific change or form of improvement which contributes to state efficiency, service, safety, economy or employee well-being.

~~((6))~~ (10) "Agency" includes every subdivision of government which is eligible to participate under chapter 41.60 RCW, including institutions of higher education and merit system agencies.

~~((7))~~ (11) "Multi-agency suggestion" meets the criteria for a suggestion, as defined in WAC 383-06-100, and requires evaluation by two or more agencies.

~~((8))~~ (12) "Award" means monetary or ~~((noneash))~~ nonmonetary recognition.

~~((9))~~ (13) Agency ~~((directors))~~ "head" includes the chief executive, whether appointed or elected, of each state agency or institution of higher education.

~~((10) "Administrator"))~~ (14) "Program manager" is the executive manager of the ~~((employee suggestion))~~ productivity board and serves as staff to the productivity board.

AMENDATORY SECTION (Amending Order 85-1, filed 1/30/86)

WAC 383-06-030 Functions of the board—State-wide employee suggestion program. The responsibilities of the board shall include:

- (1) ~~((Promoting))~~ Providing information about the program to agency ~~((directors))~~ heads and the legislature.
- (2) Establishing policies under which the program shall be promoted and administered, including criteria for suggestion acceptability for evaluation and the granting of awards.
- (3) Adopting rules and regulations necessary for the administration of the act.
- (4) Making the final determination ~~((as to))~~ whether ~~((or not))~~ an award should be made and the nature and extent of any award or recognition given.
- (5) Hearing of appeals pursuant to WAC 383-06-140.
- (6) ~~((The board shall meet))~~ Meeting upon the call of the chairman or a majority of the board at least four times per year. Four voting members shall constitute a quorum. Ex officio members may not vote.

NEW SECTION

WAC 383-06-031 Functions of the board—Agency unique suggestion program. The responsibilities of the board shall include:

- (1) Reviewing agency proposals that request delegated authority to administer an agency unique suggestion program. The board shall make the determination whether to accept or reject an agency proposal to administer an agency unique program based on current board criteria.
- (2) Establishing rules, regulations, and reviewing policies under which the agency unique suggestion program shall be administered, including criteria for suggestion acceptability for evaluation and the granting of awards.
- (3) Handling hearings of appeals pursuant to WAC 383-06-141, when requested by the agency or suggester(s).
- (4) Reviewing agency reports submitted to the board. The board shall make the final determination whether to recertify agency unique programs contingent upon the findings in the report, and on additional information available to the board.

AMENDATORY SECTION (Amending Order 85-1, filed 1/30/86)

WAC 383-06-040 Duties of ~~((the program administrator))~~ productivity board staff. (1) The program ~~((administrator))~~ manager shall be responsible and accountable to the board for the administration of the program, and shall:

- ~~((1))~~ (a) Attend all meetings of the board and ensure an official record of its actions.
- ~~((2))~~ (b) Propose policies, rules, and regulations appropriate for the administration of the program.
- ~~((3))~~ (2) Productivity board staff shall:

(a) Report to agencies about implemented suggestions, indicating those requiring a post audit.

~~((4))~~ (b) Establish and maintain records showing the use and effectiveness of the system, including the participation rate and results of involved agencies.

~~((5) Interact with agency coordinators)~~ (c) Support agencies regarding program promotion and participation through such things as training, technical assistance, etc.

~~((6))~~ (d) Perform other duties as required by the board.

AMENDATORY SECTION (Amending Order 85-1, filed 1/30/86)

WAC 383-06-045 ((Role)) Responsibilities of agency ((management))—State-wide employee suggestion program.

(1) Each agency ~~((director))~~ head or his/her designee shall~~((:~~

~~((1))~~ appoint ~~((a coordinator))~~ an individual(s) to act as liaison between the agency and the productivity board.

(2) Encourage all levels of management to ~~((promote and participate in))~~ support the program.

(3) Promote the program and distribute forms throughout the agency.

(4) Assign an individual(s) to evaluate a suggestion recommending adoption, partial or modified adoption, or rejection of the suggestion. Facilitate evaluation of all suggestions referred by the productivity board office within forty-five days unless special circumstances exist that prohibit completion within the specified time frame. In this instance, the agency is required to notify the suggester(s) and the productivity board of the status of the suggestion and provide the suggester(s) and the productivity board with a new timeline.

(5) Maintain documentation of all agency evaluations and implementation plans.

(6) Notify the suggester(s) of the agency recommendation. Submit copies of the evaluation via hard copy, fax or on-line to the suggester and board.

(7) Make the final decision to implement a suggestion.

~~((4))~~ (8) Ensure that new employees receive orientation about the program.

NEW SECTION

WAC 383-06-046 Responsibilities of agency—Agency unique suggestion program. (1) Each agency head or his/her designee shall appoint an individual(s) to coordinate the agency unique suggestion program and act as liaison between the agency and the board.

(2) Encourage all levels of management to support the program.

(3) Promote the program and distribute forms throughout the agency.

(4) Assign an individual(s) to evaluate a suggestion recommending adoption, partial adoption, or rejection of the suggestion. Facilitate evaluation of all suggestions within forty-five days unless special circumstances exist that prohibit completion within the specified time frame. In this instance, the agency is required to notify the suggester(s) of the status of the suggestion and provide the suggester(s) with a new timeline.

(5) Maintain documentation of all agency evaluations and implementation plans.

(6) Develop a documented program with published criteria and communicate the information throughout the agency.

(7) Allow for suggestions submitted by nonagency employees to be evaluated within the agency.

(8) Review internal suggestions and determine whether the suggestion is applicable for another agency. Forward internal suggestions that apply to another agency to the productivity board for dissemination.

(9) Make the final determination on whether an award should be made, except for appeals submitted to the board. Recommend and approve an award based on the payment award scale outlined in WAC 383-06-125 developed by the productivity board.

(10) Facilitate payment and recognition to the suggester for adopted suggestions.

(11) Notify the suggester(s) of the agency recommendation. Submit copies of the evaluation to the suggester.

(12) Notify the suggester(s) in writing of their appeal rights and the length of time they have to submit an appeal as specified in WAC 383-06-141. Inform suggesters of their right to appeal to the board if they believe the result of the internal appeal is unsatisfactory.

(13) When a suggester appeals an agency recommendation, the agency shall send the productivity board a copy of the appeal. If the suggester requests to appeal to the board after the agency evaluates the appeal, the agency shall send a complete copy of the suggestion file to the board.

(14) Provide reports to the board showing agency statistics and any informative information that would benefit the board and agencies. Reports should be submitted to the board annually, or at the board's discretion.

AMENDATORY SECTION (Amending Order 85-1, filed 1/30/86)

WAC 383-06-070 Procedures for processing multi-agency suggestions—State-wide employee suggestion program.

Multiple-agency suggestions require evaluation by two or more agencies. ~~((The program administrator))~~ Productivity board staff will ~~((nominate to the board any))~~ determine if the suggestion ~~((which))~~ meets the criteria enumerated in WAC 383-06-020~~((7))~~ (11), following processing according to procedures developed in accordance to WAC 383-06-100. ~~((The administrator))~~ Productivity board staff will coordinate ~~((investigation of the suggestion through))~~ the multi-agency evaluation processing. ~~((Such coordination may entail:~~

~~((1) Obtaining all pertinent information concerning the merits of the suggestion from representative agencies; and~~

~~((2) Making a formal report to the productivity board about the suggestion.))~~

NEW SECTION

WAC 383-06-071 Procedures for processing multi-agency suggestions—Agency unique suggestion program.

Multiple-agency suggestions require evaluation by two or more agencies. The agency will determine if the suggestion meets the criteria enumerated in WAC 383-06-

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020(11), following processing according to procedures developed in accordance to WAC 383-06-100. An agency may advertise suggestions that are beneficial for other agencies through web sites, newsletters and other methods used for advertising by their agency. Agencies shall disseminate all suggestions to the productivity board that need review by another agency(ies). Agencies shall also disseminate suggestions to the productivity board that result in substantial savings or that could be beneficial for other agencies.

AMENDATORY SECTION (Amending Order 85-1, filed 1/30/86)

WAC 383-06-080 Eligibility for participation and monetary awards. (1) ~~((Employees of merit system and higher education system agencies under chapters 41.06 and 28B.16 RCW may submit suggestions.))~~ Any employee, as defined in WAC 383-06-020(8), may participate in the program.

(2) Employees are ineligible to receive monetary awards through the program for the following categories, except through internal recognition in accordance with RCW 41.60.150. It is up to the agency head to make the determination whether the following categories of suggestions will receive internal recognition:

(a) Suggestions that fall within the suggester's job responsibility. The following circumstances are considered to fall within this category:

(i) Employees whose normal duties involve research and planning ~~((may participate but may not receive cash awards unless the subject matter is unrelated to their routine work assignment.~~

~~Employees with the authority to make the change suggested may not receive an award.~~

(2) ~~Productivity board members and staff may not participate.~~

(3) ~~If a suggestion is adopted for implementation, an employee is eligible to receive an award in accordance with WAC 383-06-110), unless unrelated to their routine work assignment;~~

(ii) The employee has the authority to implement the change;

(iii) The suggestion falls within the suggester's normal assigned job responsibilities;

(iv) The employee has been given the change as a work assignment or the suggested change has been tasked to a team that includes the suggester.

(b) Suggestions submitted after the idea is implemented. Implementation means the time the idea becomes fully operational.

(c) Suggestions wherein the suggester either directly or indirectly has a proprietary interest in the suggestion.

AMENDATORY SECTION (Amending Order 85-1, filed 1/30/86)

WAC 383-06-090 Suggestion format—State-wide employee suggestion program. (1) Suggestions shall be submitted via hard copy, fax or on-line:

(a) In a legible manner on the ~~((special))~~ application forms to be provided by the agency ~~((coordinators))~~ or the productivity board office.

~~((2))~~ (b) To the ~~((program administrator))~~ productivity board at the address/mailing information indicated on the form: P.O. Box ~~((1789))~~ 40244, Mailstop: ~~((FE-11))~~ 40244, Olympia, WA 98504-0244.

~~((3))~~ (2) Submitted suggestions shall contain:

(a) A specific ~~((statement of what is suggested))~~ and concise narrative describing the solution and how it can be accomplished;

(b) A brief ~~((statement))~~ and concise narrative describing the present methods, practices or problem;

(c) A cost-benefit-analysis of the anticipated savings that will result from implementing the suggestion, and the method used to determine the calculated savings. If savings are not anticipated then a statement of the ~~((savings,))~~ improved services(;) or benefits which will accrue from adoption of the suggestion must be included.

(3) Suggesters shall research the suggested proposal to determine whether the proposal is practical.

(4) Suggestions must also include the suggester's signature or e-mail address, title of position, department and division, and mailing address ~~((and))~~. Social Security numbers are optional at the time of submittal, but are needed upon adoption for payment purposes.

NEW SECTION

WAC 383-06-091 Suggestion format—Agency unique suggestion program. An agency with delegated authority to administer an agency unique suggestion program may develop their own forms and submittal process, and shall share copies of their forms with productivity board staff to ensure the intent is consistent with the state-wide employee suggestion program.

AMENDATORY SECTION (Amending Order 85-1, filed 1/30/86)

WAC 383-06-100 Suggestion acceptability. Suggestions considered acceptable are those which improve the efficiency and/or the effectiveness of state government.

(1) This may include, but is not limited to:

(a) Savings in time or money;

(b) Generation of revenue;

(c) Elimination of waste or duplication;

~~((e))~~ (d) Improved service or product;

~~((d))~~ (e) Energy ~~((conversation {conservation}))~~ conservation;

~~((e))~~ (f) Improved working conditions.

(2) Suggestions shall be considered in the order of the date by which they are officially received by the ~~((program administrator))~~ productivity board or the agency.

(3) Suggestions may be unacceptable when a remedy exists through other established administrative procedures, such as:

(a) ~~((The need for routine maintenance of buildings or grounds;~~

~~((b)))~~ Personalized complaint affecting suggester only;

~~((e)) Recommendation for a study, review, survey, design, audit, research, development, investigation, etc., without stating what the expected outcome should be or what solution might result from it;~~

~~((d)) (b) Proposing items in state stock be issued and used for their intended purpose;~~

~~((e)) (c) Changing salary, position ((or)), classification, employee benefits, state holidays, leave benefits, retirement compensation, or any other compensation to an employee;~~

~~((f)) (d) Enforcement of laws, policies, procedures, regulations, rules, etc.;~~

~~(e) Common sense ideas;~~

~~(f) Outside purview of state government.~~

AMENDATORY SECTION (Amending Order 85-1, filed 1/30/86)

WAC 383-06-120 Payment of cash awards—State-wide employee suggestion program. (1) ~~((No))~~ Cash awards shall be ((for less than twenty five dollars or for more than the maximum amount permitted by RCW 41.60.041)) based on the payment award scale developed and maintained by the productivity board and outlined in WAC 383-06-125.

(2) Awards for suggestions which will result in ~~((demonstrable))~~ actual cost savings ((of money)) shall be ((determined by)) recommended by the evaluating agency and the board shall make the final award determination in light of the agency recommendation and the payment award scale after consideration of the savings to be effected.

(3) Suggestions which will result in cost-avoidance, intangible improvements((;)) such as benefits in safety, health, welfare, morale, etc., ((may be granted cash awards in amounts to be determined by the board. The board shall set guidelines, insofar as possible, to make such awards commensurate with the benefits anticipated from the suggestion)) or when savings cannot be calculated shall receive internal recognition from the agency permitted through RCW 41.60.150. The award shall not exceed the amount permitted in RCW 41.60.150. The nature and extent of the award shall be determined by the agency in light of the payment award scale outlined in WAC 383-06-125.

(4) The board may direct incremental payment of any award.

(5) The acceptance of cash awards shall constitute an agreement that the use by the state of Washington of the suggestion for which the award is made shall not form the basis for a further claim of any nature upon the state by the employee or the employee's heirs or assignees. Upon adoption the suggested idea becomes the property of the state of Washington.

(6) When a suggestion is submitted by more than one employee, any resulting award will be shared by the cosuggesters listed on the suggestion form.

(7) Cash awards may not be used for the purpose of computing a retirement allowance under any public retirement system of the state.

NEW SECTION

WAC 383-06-121 Payment of cash awards—Agency unique suggestion program. (1) Cash awards shall be based

on the payment award scale developed and maintained by the productivity board and outlined in WAC 383-06-125.

(2) Awards for suggestions which will result in actual cost savings shall be determined by the agency after consideration of the savings to be effected in accordance with the payment award scale outlined in WAC 383-06-125.

(3) Suggestions which will result in cost-avoidance, intangible improvements such as benefits in safety, health, welfare, morale, etc., or when savings cannot be calculated shall receive internal recognition from the agency permitted through RCW 41.60.150. The award shall not exceed the amount permitted in RCW 41.60.150. The nature and extent of the award shall be determined by the agency in light of the payment award scale outlined in WAC 383-06-125.

(4) The acceptance of cash awards shall constitute an agreement that the use by the state of Washington of the suggestion for which the award is made shall not form the basis for a further claim of any nature upon the state by the employee or the employee's heirs or assignees. Upon adoption the suggested idea becomes the property of the state of Washington.

(5) When a suggestion is submitted by more than one employee, any resulting award will be shared by the cosuggesters listed on the suggestion form.

(6) Cash awards may not be used for the purpose of computing a retirement allowance under any public retirement system of the state.

NEW SECTION

WAC 383-06-125 Payment award scale. The following payment award scale shall be developed by the productivity board and shall be used by the state-wide employee suggestion and agency unique programs when determining awards.

(1) Cash awards for suggestions generating actual cost savings and/or revenue to the state shall be ten percent of the actual net savings and/or revenue generated. Savings and/or revenue shall be calculated for one full year and should be for the first year of implementation.

(2) Cash awards for suggestion teams shall be up to twenty-five percent of the actual net savings and/or revenue generated to be shared by the team in a manner approved by the agency head. In order for suggestion teams to receive a cash award they must have the approval of the agency head or designee. A suggestion team is a group of individuals involved in the suggestion and the implementation process.

(3) No award may be granted in excess of ten thousand dollars.

(4) All suggestions that result in cost-avoidance, for which benefits to the state are intangible or for which savings cannot be calculated, shall receive recognition. Internal recognition shall be given in accordance with RCW 41.60.150. Internal recognition may be monetary and/or nonmonetary recognition and may not exceed the amount permitted by RCW 41.60.150. The agency may consider additional recognition, such as a certificate of appreciation, a letter thanking the suggester for the idea, recognizing the suggester(s) for the suggestion at an agency event, meeting, etc.

(5) Awards shall be consistent and given in a timely manner.

AMENDATORY SECTION (Amending Order 85-1, filed 1/30/86)

WAC 383-06-130 Recognition of merit. The board may issue ~~((noncash))~~ **nonmonetary** recognition of merit in such form and manner as it determines.

AMENDATORY SECTION (Amending Order 85-1, filed 1/30/86)

WAC 383-06-140 Appeal/perfection of right to appeal—State-wide employee suggestion program. (1) A suggester, or the suggester's representative, may, by written appeal, request that either a denial of award or the amount of an award be reconsidered. To be valid, the appeal must be ~~((postmarked))~~ **received by the board** within thirty calendar days of ~~((notification of))~~ board action. **For an appeal to be accepted, new evidence or new information must be supplied.** Such appeal must state with specificity the grounds for the appeal and a statement of the relief sought.

(2) ~~((At the direction of the))~~ **Productivity board((;)) staff shall make the determination whether an appeal request is accepted or rejected based on the new information or new evidence that is submitted by the suggester.** An agency shall reconsider **accepted** appealed suggestions based upon new information or new evidence provided in the written appeal and report its findings to the productivity board. The board shall reconsider the suggestion in light of new **information and/or** evidence and evaluations.

(3) If a rejected suggestion is ~~((placed in effect))~~ **implemented** within two years of board action, the employee may file an appeal based on the suggestion's implementation. Such appeal must be filed within ~~((sixty days of the date that the suggestion was placed into effect))~~ **two years of board action.**

(4) The board reserves the right to rule on cases which involve extenuating circumstances.

NEW SECTION

WAC 383-06-141 Appeal/perfection of right to appeal—Agency unique suggestion program. (1) A suggester, or the suggester's representative, may, by written appeal, request that either a denial of award or the amount of an award be reconsidered. To be valid, the appeal must be received by the agency within thirty calendar days of the agency's formal action of the suggestion. For an appeal to be accepted, new evidence or new information must be supplied. Such appeal must state with specificity the grounds for the appeal and a statement of the relief sought.

(2) If a rejected suggestion is implemented within two years of the agency's formal action of the suggestion, the employee may file an appeal based on the suggestion's implementation. Such appeal must be filed within two years of agency action.

(3) The agency shall direct all appeals to the agency head with a copy to the productivity board.

(4) The agency shall make the determination whether an appeal request is accepted or rejected based on the new information or new evidence that is submitted by the suggester. An agency shall reconsider accepted appealed suggestions based upon the new information and/or evidence provided in the written appeal and report its findings to the suggester.

(5) If the suggester believes the agency appeal process is unsatisfactory the suggester may appeal to the board. An agency head may also request the appeal be turned over to the board if he/she believes an outside party should become involved with the appeal process. The agency shall inform all suggesters of their rights to appeal to the board if they are not satisfied with the agency appeal evaluation. When a suggester or the agency head appeals to the board, complete copies of the suggestion file must be submitted to the board.

(6) The board reserves the right to rule on cases which involve extenuating circumstances.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 383-06-050 Responsibilities of agency coordinators.
- WAC 383-06-060 Responsibilities of agency evaluators.
- WAC 383-06-110 Eligibility for cash awards.

**WSR 99-24-094
PERMANENT RULES
DEPARTMENT OF HEALTH**
[Filed November 30, 1999, 1:53 p.m.]

Date of Adoption: November 29, 1999.
Purpose: Increase licensing fees for residential care facilities.

Citation of Existing Rules Affected by this Order: Amending WAC 246-323-990, 246-325-990, and 246-326-990.

Statutory Authority for Adoption: RCW 71.12.470, 43.70.110, 43.70.250, 43.208.020.

Adopted under notice filed as WSR 99-21-065 on October 19, 1999.

Changes Other than Editing from Proposed to Adopted Version: The licensing fee is reduced from the proposed amount of \$91.00 per bed to \$80.50 per bed.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 3, Repealed 0.

PERMANENT

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 30, 1999

M. C. Selecky
Secretary

AMENDATORY SECTION (Amending WSR 95-12-097, filed 6/7/95, effective 7/8/95)

WAC 246-323-990 Fees. Residential treatment facilities for psychiatrically impaired children and youth (RTF-CY) licensed under chapter 71.12 RCW shall:

- (1) Submit an annual fee of (~~thirty-seven~~) eighty dollars and (~~thirty-five~~) fifty cents for each bed space within the licensed bed capacity of the RTF-CY;
- (2) Include all bed spaces and rooms complying with physical plant and movable equipment requirements of this chapter; and
- (3) Set up twenty-four-hour assigned patient beds only within the licensed bed capacity approved by the department.

AMENDATORY SECTION (Amending WSR 95-12-097, filed 6/7/95, effective 7/8/95)

WAC 246-325-990 Fees. Adult residential rehabilitation centers (ARRC) licensed under chapter 71.12 RCW shall:

- (1) Submit an annual fee of (~~thirty-seven~~) eighty dollars and (~~thirty-five~~) fifty cents for each bed space within the licensed bed capacity of the ARRC;
- (2) Include all bed spaces in rooms complying with physical plant and movable equipment requirements in this chapter for client sleeping rooms; and
- (3) Set up twenty-four-hour assigned client beds only within the licensed bed capacity approved by the department.

AMENDATORY SECTION (Amending WSR 95-12-097, filed 6/7/95, effective 7/8/95)

WAC 246-326-990 Fees. Alcoholism treatment facilities licensed under chapter 71.12 RCW shall:

- (1) Submit an annual fee of (~~thirty-seven~~) eighty dollars and (~~thirty-five~~) fifty cents for each bed space within the licensed bed capacity of the alcoholism treatment facility to the department;
- (2) Include all bed spaces in rooms complying with physical plant and movable equipment requirements for twenty-four-hour assigned patient rooms; and
- (3) Set up twenty-four-hour assigned patient beds only within the licensed bed capacity approved by the department.

WSR 99-24-095

**PERMANENT RULES
DEPARTMENT OF HEALTH**

[Filed November 30, 1999, 1:56 p.m.]

Date of Adoption: November 30, 1999.

Purpose: Establish licensing and on-site survey fees for temporary worker housing.

Citation of Existing Rules Affected by this Order: Amending WAC 246-358-990.

Statutory Authority for Adoption: RCW 43.70.340.

Adopted under notice filed as WSR 99-21-075 on October 20, 1999.

Changes Other than Editing from Proposed to Adopted Version:

Subsection	Changes	Rationale
(5)	Changed WAC 246-361-990 to WAC 246-358-990.	Incorrect reference to cherry harvest rules.
(5)(a)	Inserted: "the cost of" in front of "each required water sample."	Clarify intent. Cost is for water sample only, not staff time. Response to suggestion received on proposed rule.
(5)(b)	Changed WAC 246-361-990 to WAC 246-358-990.	Incorrect reference to cherry harvest rules
(6)	Changed "will" to "may."	Response to testimony from hearing.
Table 990	Changed "0-4" to "1-4" in first fee category.	Do not license "0."
Table 990	Inserted "or less" after "9 occupants" in first fee category.	Clarify intent.
Table 990	Added "*" with the following note for first fee category: "*Operators with 4 or less units or nine or less occupants are not required to be licensed except when licensure is required by WAC 246-358-025."	Clarify intent. Those with less than 4 units or less than nine occupants do not have to be licensed unless specifically required. Response to question from community.
Table 990	Deleted "for every 50 occupants" and added "occupants" after "over 150" in last fee category.	Clarify intent. Response to suggestion received on proposed rule.
"Note" after Table 990	Added: "Any additional visits (follow up and/or complaint investigation) will be considered an additional service and will be billed separately at the rates established in Table 990."	Clarify intent. Response to suggestion received on proposed rule.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

PERMANENT

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.
November 30, 1999

M. C. Selecky
Secretary

AMENDATORY SECTION (Amending Order 324, filed 1/12/93, effective 2/12/93)

WAC 246-358-990 ((Operating license)) Fees. (1) ((An operator shall pay the following annual fee as established by RCW 43.70.340(2):

- (a) Fifty dollars for housing with six or less units; or
- (b) Seventy five dollars for housing with more than six units;

(2) An operator shall submit the fee to the department with the annual application for an operating license.

(3) An operator may request a refund if housing has not been occupied and inspected.

(4) An operator regulated by a contracted health officer is exempt from subsections (2) and (3) of this section.) **License fees.** An operator must submit to the department a license fee of twenty-five dollars and an on-site survey fee as specified in Table 990.

Note: A separate on-site survey fee will be charged for each housing site owned or managed by an operator which is more than thirty minutes or twenty-five miles apart.

(2) **Self-survey program fee.** An operator who meets the self-survey program requirements of WAC 246-358-027 must pay:

- (a) An annual licensing fee, according to Table 990; and
- (b) An on-site survey fee every third year.

(3) **Follow-up surveys.** An operator will be charged an additional on-site survey fee for any follow-up surveys, when the department determines additional on-site surveys are necessary to confirm compliance with this chapter.

(4) **Complaint investigation fees.** An operator will be charged for each on-site survey conducted by the department when a complaint investigation results in the complaint being found valid. This fee will be charged according to Table 990 for on-site survey.

(5) **Water test fees.** An operator who cannot provide written proof that the water system serving the camp is in compliance with WAC 246-358-055 at the time of survey will be:

- (a) Directly billed for the cost of each required water sample collected by department staff;
- (b) Cited for noncompliance with WAC 246-358-055; and
- (c) If substantiated, cited for operating an unlicensed camp.

(6) **Late fees.** An operator who does not submit the fee and application as required by WAC 246-358-025, Licensing, may be charged a late fee of one-half the cost of the

license fee. If the license fee and the application are not received by the time of the preoccupancy survey, an additional late fee of one-half the cost of the license fee may be charged. If the fee and application are not received within ten days of the preoccupancy survey the TWH may be considered unlicensed and subject to fines according to WAC 246-358-900.

(7) **Refunds.** The license and on-site survey fee may be refunded when the operator submits:

- (a) A written request to the department; and
- (b) Provides documentation that the housing was not occupied during the license period.

Table 990

Number of Units or Occupants Whichever is Greater	On-Site Survey Fee (Includes: Initial, Annual Licensing, Follow-Up, and Complaint Investigation Surveys)	License Fee	Total Fee Survey +License
1 to 4 units or 9 occupants or less*	\$45.00	\$25.00	\$70.00
5 to 10 units or 10 to 50 occupants	\$70.00	\$25.00	\$95.00
11 to 20 units or 51 to 100 occupants	\$120.00	\$25.00	\$145.00
21 to 50 units or 101 to 150 occupants	\$150.00	\$25.00	\$175.00
over 50 units or over 150 occupants	\$175.00	\$25.00	\$200.00

Note: The on-site survey fee includes two surveys per year (one preoccupancy and one occupancy). Any additional visits (follow-up and/or complaint investigation) will be considered an additional service and will be billed separately at the rates established in Table 990.

*Operators with four or less units or nine or less occupants are not required to be licensed except when licensure is required by WAC 246-358-025.

PERMANENT

WSR 99-24-096
PERMANENT RULES
DEPARTMENT OF HEALTH

[Filed November 30, 1999, 1:58 p.m.]

Date of Adoption: November 29, 1999.

Purpose: The proposed changes adjust the licensing fees for acute care hospitals.

Citation of Existing Rules Affected by this Order: Amending WAC 246-320-990.

Statutory Authority for Adoption: RCW 70.41.100, 43.20B.110, 43.70.250.

Adopted under notice filed as WSR 99-21-064 on October 19, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 30, 1999

M. C. Selecky
 Secretary

AMENDATORY SECTION (Amending WSR 99-04-052, filed 1/28/99, effective 3/10/99)

WAC 246-320-990 Fees. Hospitals licensed under chapter 70.41 RCW shall:

(1) Submit an annual license fee of ~~((sixty-one))~~ sixty-three dollars and fifty cents for each bed space within the licensed bed capacity of the hospital to the department;

(2) Include all bed spaces in rooms complying with physical plant and movable equipment requirements of this chapter for twenty-four-hour assigned patient rooms;

(3) Include neonatal intensive care bassinet spaces;

(4) Include bed spaces assigned for less than twenty-four-hour patient use as part of the licensed bed capacity when:

(a) Physical plant requirements of this chapter are met without movable equipment; and

(b) The hospital currently possesses the required movable equipment and certifies this fact to the department;

(5) Exclude all normal infant bassinets;

(6) Limit licensed bed spaces as required under chapter 70.38 RCW;

(7) Submit an application for bed additions to the department for review and approval under chapter 70.38 RCW subsequent to department establishment of the hospital licensed bed capacity; and

(8) Set up twenty-four-hour assigned patient beds only within the licensed bed capacity approved by the department.

WSR 99-24-097
PERMANENT RULES
DEPARTMENT OF HEALTH

(Surgical Technologist Program)

[Filed November 30, 1999, 2:09 p.m.]

Date of Adoption: November 29, 1999.

Purpose: Adopt fees and renewal cycle for surgical technologist program.

Citation of Existing Rules Affected by this Order: Amending WAC 246-939-990 Surgical technologist—Fees and renewal cycle.

Statutory Authority for Adoption: Chapter 18.215 RCW.

Adopted under notice filed as WSR 99-21-070 on October 19, 1999.

Changes Other than Editing from Proposed to Adopted Version: Changed the word "practitioner" to "registrant."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 0.

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

November 30, 1999

M. C. Selecky
 Secretary

NEW SECTION

WAC 246-939-990 Surgical technologists—Fees and renewal cycle. (1) Registration must be renewed every year on registrant's birthday as provided in chapter 246-12 WAC, Part 2.

(2) The following nonrefundable fees will be charged for registration:

Title of Fee	Fee
Application for registration	\$50.00
Renewal of registration	125.00
Registration late fee	62.50
Duplicate registration	10.00
Expired registration reissuance	62.50

PERMANENT

Title of Fee	Fee
Registration issuance	25.00

Title of Fee	Fee
<u>Administrator-in-training</u>	<u>100.00</u>
Application - (Reciprocity) <u>Endorsement</u>	295.00
Temporary permit	190.00
Renewal	295.00
Inactive license renewal	110.00
Late renewal penalty	145.00
Expired license reissuance	147.00
Late renewal penalty - inactive	55.00
Expired inactive license reissuance	55.00
Duplicate license	15.00
Certification of license	15.00
(Administrator-in-training)	(100.00)

WSR 99-24-098
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Filed November 30, 1999, 2:11 p.m.]

Date of Adoption: November 30, 1999.

Purpose: Eliminate part of application fee that was paid for examination and the reexamination fee. This is because candidates will pay the testing vendor directly to take the national examination. Endorsement, rather than reciprocity, is the correct word.

Citation of Existing Rules Affected by this Order: Amending WAC 246-843-990 Nursing home administrator fees and renewal cycle.

Statutory Authority for Adoption: RCW 43.70.250 and [43.70.]280.

Other Authority: Chapter 18.52 RCW.

Adopted under notice filed as WSR 99-21-067 on October 19, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 30, 1999

Mary C. Selecky
Secretary

AMENDATORY SECTION (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

WAC 246-843-990 Nursing home administrator fees and renewal cycle. (1) Licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) The following nonrefundable fees will be charged:

Title of Fee	Fee
Application (examination and) - Original license()	\$325.00) \$200.00
(Reexamination (partial))	125.00)

WSR 99-24-099
PERMANENT RULES
GAMBLING COMMISSION

[Order 377—Filed November 30, 1999, 2:58 p.m.]

Date of Adoption: November 30, 1999.

Purpose: License fees have remained at the same level since November 1997. These rules increase the license fees consistent with the budget proposal that the agency put forward for this biennium and in accordance with the limitations set forth in Initiative 601. It also moves license fees listed in other rules into the license fees rules section so that all fees are addressed in one area. Fees regarding enhanced card rooms are also established in these rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 230-04-206 and 230-04-198; and amending WAC 230-04-202, 230-04-203, 230-04-204, and 230-04-133.

Statutory Authority for Adoption: RCW 9.46.070.

Adopted under notice filed as WSR 99-21-077 on October 20, 1999, with a publication date of November 23, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 4, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 4, Repealed 2; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 30, 1999

Susan Arland
Rules Coordinator

PERMANENT

AMENDATORY SECTION (Amending Order 366, filed 10/9/98, effective 11/9/98)

WAC 230-04-202 Fees—Bona fide charitable/non-profit organizations. Bona fide charitable and nonprofit organizations shall submit the following fees to the commission when applying for gambling licenses, permits, miscellaneous changes, inspection services, or when assessed the cost of special investigation procedures by the commission:

LICENSE TYPE	DEFINITION	FEF
1. AMUSEMENT GAMES (Fee based on annual gross gambling receipts)		
* Class A	Premises only	\$ ((52)) 53
Class B	Up to \$ 10,000	\$ ((52)) 53
Class C	Up to \$ 25,000	\$ ((276)) 285
Class D	Up to \$ 50,000	\$ ((443)) 457
Class E	Over \$ 50,000	\$ ((772)) 797
* Allows a charitable or nonprofit organization to enter into a contract with Class "B" or above commercial amusement game licensee to locate and operate amusement games on their premises.		

2. BINGO GROUP		(Fee based on annual gross gambling receipts)		VARIANCE *	
Class A	Up to \$ 15,000	\$ 1,000	\$	((52)) 53	
Class B	Up to \$ 50,000	\$ 1,000	\$	((161)) 166	
Class C	Up to \$ 100,000	\$ 2,000	\$	((329)) 339	
Class D	Up to \$ 250,000	\$ 4,000	\$	((886)) 915	
Class E	Up to \$ 500,000	\$ 8,000	\$	((1,492)) 1,541	
Class F	Up to \$ 1,000,000	\$ 15,000	\$	((2,996)) 3,095	
Class G	Up to \$ 1,500,000	\$ 23,000	\$	((4,324)) 4,467	
Class H	Up to \$ 2,000,000	\$ 30,000	\$	((5,776)) 5,967	
Class I	Up to \$ 2,500,000	\$ 38,000	\$	((7,216)) 7,455	
Class J	Up to \$ 3,000,000	\$ 45,000	\$	((8,658)) 8,945	
Class K	Up to \$ 3,500,000	\$ 53,000	\$	((9,712)) 10,034	
Class L	Up to \$ 4,000,000	\$ 60,000	\$	((11,102)) 11,470	
Class M and above	Over \$ 4,000,000	Not applicable	\$	((12,492)) 12,906	

* A licensee will be allowed a one-time variance for each license class without having to upgrade or pay the penalties set forth in WAC 230-04-260. Provided, That a licensee utilizing the variance shall be required to upgrade to the higher license class upon renewal.

3. CARD GAMES		
Class A	General (Fee to play charged)	\$ ((553)) 571
Class B	Limited card games - hearts, rummy, mahjongg, pitch, pinochle, and cribbage (Fee to play charged)	\$ ((161)) 166
Class C	Tournament only - no more than ten consecutive days per tournament	\$ ((52)) 53
Class D	General (No fee to play charged)	\$ ((52)) 53

4. FUND-RAISING EVENT		
Class A	One event - not more than 24 consecutive hours	\$ ((329)) 339
Class B	One event - not more than 72 consecutive hours	\$ ((553)) 571
Class C	Additional participant in joint event (not lead organization)	\$ ((161)) 166
Class D	Fund-Raising Event Equipment Distributor - rents or leases, equipment for fund-raising event or recreational gaming activity for no more than ten times per year*	\$ ((219)) 226
Class E	Fund-Raising Event Equipment Distributor - rents or leases equipment for fund-raising event or recreational gaming activity more than ten times per year.	\$ ((553)) 571

* Charitable and nonprofit organizations licensed to conduct fund-raising events may rent their equipment up to four occasions during the term of the license without getting licensed as a distributor.

5. PUNCH BOARDS/PULL-TABS		(Fee based on annual gross gambling receipts)		VARIANCE*	
Class A	Up to \$ 50,000	\$ 5,000	\$	((527)) 544	
Class B	Up to \$ 100,000	\$ 5,000	\$	((940)) 971	
Class C	Up to \$ 200,000	\$ 10,000	\$	((1,774)) 1,832	
Class D	Up to \$ 300,000	\$ 10,000	\$	((2,578)) 2,663	
Class E	Up to \$ 400,000	\$ 10,000	\$	((3,330)) 3,440	
Class F	Up to \$ 500,000	\$ 10,000	\$	((4,020)) 4,153	
Class G	Up to \$ 600,000	\$ 10,000	\$	((4,658)) 4,812	
Class H	Up to \$ 700,000	\$ 10,000	\$	((5,242)) 5,416	

PERMANENT

5. PUNCH BOARDS/PULL-TABS

	(Fee based on annual gross gambling receipts)		VARIANCE*
Class I	Up to \$ 800,000	\$ 10,000	\$ ((5,776)) 5,967
Class J	Up to \$ 1,000,000	\$ 20,000	\$ ((6,548)) 6,765
Class K	Up to \$ 1,250,000	\$ 25,000	\$ ((7,268)) 7,509
Class L	Up to \$ 1,500,000	\$ 25,000	\$ ((7,938)) 8,201
Class M	Up to \$ 1,750,000	\$ 25,000	\$ ((8,490)) 8,771
Class N	Up to \$ 2,000,000	\$ 25,000	\$ ((8,992)) 9,290
Class O	Over \$ 2,000,000	Non-applicable	\$ ((9,880)) 10,208

* A licensee will be allowed a one-time variance for each license class without having to upgrade or pay the penalties set forth in WAC 230-04-260: Provided, That a licensee utilizing the variance shall be required to upgrade to the higher license class upon renewal.

6. RAFFLES

	(Fee based on annual gross gambling receipts)		
Class A	Up to \$ 5,000	\$	((52)) 53
Class B	Up to \$ 10,000	\$	((164)) 166
Class C	Up to \$ 25,000	\$	((329)) 339
Class D	Up to \$ 50,000	\$	((553)) 571
Class E	Up to \$ 75,000	\$	((886)) 915
Class F	Over \$ 75,000	\$	((1,326)) 1,370

7. COMBINATION LICENSE

CLASS A	Allows gross gambling receipts of up to \$25,000 from bingo, \$7,500 from raffles, and \$7,500 from amusement games, not to exceed \$30,000 combined gross gambling receipts from all such activities. Allows general card games where no fee to play is charged.	\$	((100)) 103
CLASS B	Allows gross gambling receipts of up to \$60,000 from bingo, \$15,000 from raffles, and \$15,000 from amusement games, not to exceed \$75,000 combined gross gambling receipts from all such activities. Allows general card games where no fee to play is charged.	\$	((260)) 268

7. COMBINATION LICENSE

CLASS C	Allows gross gambling receipts of up to \$125,000 from bingo, \$30,000 from raffles, and \$30,000 from amusement games, not to exceed \$150,000 combined gross gambling receipts from all such activities. Allows general card games where no fee to play is charged.	\$	((600)) 619
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8. SEPARATE PREMISES

BINGO	Per occasion (see WAC 230-04-300)	\$	26
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9. PERMITS

AGRICULTURAL FAIR-BINGO	(See WAC 230-04-191)	\$	26
RECREATIONAL GAMING ACTIVITY (RGA)	(See WAC 230-25-330 and 230-02-505)	\$	((52)) 53

10. CHANGES

NAME	(See WAC 230-04-310)	\$	26
LOCATION	(See WAC 230-04-320)	\$	26
FEE	(Date or time) (See WAC 230-04-325)	\$	26
LICENSE CLASS	(See WAC 230-04-260)	\$	26
DUPLICATE LICENSE	(See WAC 230-04-290)	\$	26

11. SPECIAL FEES

INVESTIGATION	(See WAC 230-04-240)	As required
REPLACEMENT	(See WAC 230-08-017)	\$ 26
IDENTIFICATION STAMPS		
EXCEEDING LICENSE CLASS REVIEW, INSPECTION AND/OR EVALUATION OF EQUIPMENT, PARAPHERNALIA, SERVICES, OR SCHEMES	(See WAC 230-12-315)	As required

12. SIX-MONTH PAYMENT PLAN	(See WAC 230-04-190)	\$	26
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PERMANENT

AMENDATORY SECTION (Amending Order 366, filed 10/9/98, effective 11/9/98)

WAC 230-04-203 Fees—Commercial stimulant and other business organizations. All persons seeking to operate gambling activities at business locations shall submit the following fees to the commission when applying for gambling licenses, permits, miscellaneous changes, inspection services, or when assessed the cost of special investigation procedures by the commission:

LICENSE TYPE	DEFINITION	SEE
1. CARD GAMES		
Class B	Up to five tables of limited card games - hearts, rummy, pitch, pinochle, ((mahjonn)) and/or cribbage (Fee to play charged)	\$ ((461)) 166
Class C	Tournament only, no more than ten consecutive days per tournament.	\$ ((461))
C-5	Up to five tables	\$ 166
C-10	Up to ten tables	\$ 300
C-15	Up to fifteen tables	\$ 500
Class D	General - Up to five tables (No fee to play charged)	\$ ((52)) 53
Class E	*General (Fee to play charged)	
E-1	One table only	\$ ((386)) 398
E-2	Up to two tables	\$ ((663)) 685
E-3	Up to three tables	\$ ((1,106)) 1,142
E-4	Up to four tables	\$ ((2,214)) 2,287
E-5	Up to five tables	\$ ((3,330)) 3,440
<u>Additional tables up to a maximum of fifteen may be authorized for an additional per table fee of \$1,000.</u>		
<u>*In addition to the above initial license fee, the commission will assess all applicants/licensees the actual costs that exceed the license fee for conducting the initial investigation and inspection, any follow-up reviews or investigations involved in the approval of activities and schemes.</u>		
Class F	Enhanced cardroom activities endorsement - Includes alternative fee collections (per hand; pot rake), use of player-supported jackpot schemes and increased betting limits.	
	Annual license fee	\$1,500

2. CARD GAMES - HOUSE-BANKED		
<u>All tables within a card room operating any house-banked card game shall be licensed under this license class.</u>		
	*Annual license fee	\$6,000
	Per table fee (up to fifteen tables)	\$1,500
<u>*The commission will assess all applicants the actual costs for conducting the initial license investigation and premises inspection. Any post licensing follow-up reviews, inspections, internal control evaluations, or subsequent phases of operation shall also be charged actual costs. Licensees will be evaluated and charged for these additional authorizations/phases on an individual case by case basis.</u>		

LICENSE TYPE	DEFINITION	FEE
(2-) COMMERCIAL		
3. AMUSEMENT GAMES		
	(Fee based on annual gross gambling receipts)	
* Class A	Premises only	** \$ ((276/\$126)) 285/\$ 130
Class B	Up to \$ 50,000	\$ ((386)) 398
Class C	Up to \$ 100,000	\$ ((992)) 1,024
Class D	Up to \$ 250,000	\$ ((2,214)) 2,287
Class E	Up to \$ 500,000	\$ ((3,884)) 4,012
Class F	Up to \$1,000,000	\$ ((6,662)) 6,883
Class G	Over \$1,000,000	\$ ((8,334)) 8,610
* Allows a business that is qualified under WAC 230-04-138 (1)(f), (g), (h), (i), or (j) to enter into a contract with a class "B" or above commercial amusement game licensee to locate and operate amusement games upon their premises.		
** Provides for a fee reduction of \$150 when: Renewing an annual license; applying for an additional license(s) at the same premises; and/or applying for multiple licenses at the same premises.		
(3-) PUNCH BOARDS/		
4. PULL-TABS (Fee based on annual gross gambling receipts)		
		VARIANCE*
Class A	Up to \$ 50,000	\$5,000 \$ ((527)) 544
Class B	Up to \$ 100,000	\$5,000 \$ ((940)) 971
Class C	Up to \$ 200,000	\$10,000 \$ ((1,774)) 1,832
Class D	Up to \$ 300,000	\$10,000 \$ ((2,578)) 2,663
Class E	Up to \$ 400,000	\$10,000 \$ ((3,330)) 3,440
Class F	Up to \$ 500,000	\$10,000 \$ ((4,020)) 4,153
Class G	Up to \$ 600,000	\$10,000 \$ ((4,658)) 4,812
Class H	Up to \$ 700,000	\$10,000 \$ ((5,242)) 5,416
Class I	Up to \$ 800,000	\$10,000 \$ ((5,776)) 5,967
Class J	Up to \$ 1,000,000	\$20,000 \$ ((6,548)) 6,765
Class K	Up to \$ 1,250,000	\$25,000 \$ ((7,268)) 7,509
Class L	Up to \$ 1,500,000	\$25,000 \$ ((7,938)) 8,201
Class M	Up to \$ 1,750,000	\$25,000 \$ ((8,490)) 8,771
Class N	Up to \$ 2,000,000	\$25,000 \$ ((8,992)) 9,290
Class O	Over \$ 2,000,000	Nonapplicable \$ ((9,880)) 10,208

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LICENSE TYPE	DEFINITION	FEE
* A licensee will be allowed a one-time variance for each license class without having to upgrade or pay the penalties set forth in WAC 230-04-260: Provided, That a licensee utilizing the variance shall be required to upgrade to the higher license class upon renewal.		
5. PUNCH BOARD AND PULL-TAB SERVICE BUSINESS		
	(See WAC 230-04-133) *Initial application fee	\$ 206
	Additional associate	\$ 129
	Renewal	\$ 51
	*Includes up to two associates.	

6. ((4-))DISTRIBUTOR (Fee based on annual gross sales of gambling related supplies and equipment)		
(a)	Class A Nonpunch board/pull-tab only	\$ ((553)) 571
	Class B Up to \$ 250,000	\$ ((1,106)) 1,142
	Class C Up to \$ 500,000	\$ ((1,660)) 1,715
	Class D Up to \$1,000,000	\$ ((2,214)) 2,287
	Class E Up to \$2,500,000	\$ ((2,882)) 2,977
	Class F Over \$2,500,000	\$ ((3,550)) 3,667

In addition to the annual fee, the commission will assess all applicants the actual costs incurred in conducting the investigation and inspection necessary for initial certification.

(b) FUND-RAISING EVENT EQUIPMENT DISTRIBUTOR		
Class A	Rents or leases equipment for fund-raising event or recreational gaming activity up to 10 times per year.	\$ ((219)) 226
Class B	Rents or leases equipment for fund-raising event or recreational gaming activity more than 10 times per year.	\$ ((553)) 571

7. GAMBLING SERVICE SUPPLIER		
	(See WAC 230-04-119)	\$ 594
In addition to the annual fee, the commission will assess all applicants the actual costs incurred in conducting the investigation and inspection necessary for initial certification.		
An annual fee of \$129 shall be charged for each new contract initiated by the gambling service supplier.		

8. LINKED BINGO PRIZE PROVIDER		
	(See WAC 230-04-126)	\$ 3,815

9. ((5-))MANUFACTURER (Fee based on annual gross sales of gambling related supplies and equipment)		
Class A	((Machines)) Full-tab dispensing devices only	\$ ((553)) 571
Class B	Up to \$ 250,000	\$ ((1,106)) 1,142
Class C	Up to \$ 500,000	\$ ((1,660)) 1,715
Class D	Up to \$1,000,000	\$ ((2,214)) 2,287

LICENSE TYPE	DEFINITION	FEE
Class E	Up to \$2,500,000	\$ ((2,882)) 2,977
Class F	Over \$2,500,000	\$ ((3,550)) 3,667

In addition to the annual fee, the commission will assess all applicants the actual costs incurred in conducting the investigation and inspection necessary for initial certification, quality control inspection for additional activities or product lines, compliance suitability evaluations, and renewal of licenses when travel cost is incurred to complete the investigation.

10. ((6-))PERMITS		
AGRICULTURAL FAIR/SPECIAL PROPERTY BINGO		
Class A	One location and event only (See WAC 230-04-191)	\$ 26
Class B	Annual permit for specified different events and locations (See WAC 230-04-193)	\$ ((164)) 166
RECREATIONAL GAMING ACTIVITY (RGA)		
	(See WAC 230-02-505 and 230-25-330)	\$ ((52)) 53

11. ((7-))CHANGES		
NAME	(See WAC 230-04-310)	\$ 26
LOCATION	(See WAC 230-04-320)	\$ 26
BUSINESS	(Same owners)	\$ ((52)) 53
CLASSIFICATION	(See WAC 230-04-340)	
LICENSE CLASS	(See WAC 230-04-260) New class fee, less previous fee paid, plus	\$ 26
DUPLICATE LICENSE	(See WAC 230-04-290)	\$ 26
OWNERSHIP OF STOCK	(See WAC 230-04-340)	\$ ((52)) 53
LICENSE TRANSFERS	(See WAC 230-04-125, 230-04-340, and 230-04-350)	\$ ((52)) 53

12. ((8-))SPECIAL FEES		
INVESTIGATION	(See WAC 230-04-240)	As required
IDENTIFICATION AND INSPECTION SERVICES STAMPS	(See WAC 230-08-017)	As required
QUALITY CONTROL INSPECTION FEES	(See WAC 230-30-030)	As required

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LICENSE TYPE	DEFINITION	FEE
REPLACEMENT OF IDENTIFICATION STAMPS	(See WAC 230-30-017)	\$ 26
EXCEEDING LICENSE CLASS	(See WAC 230-04-260)	As required
REVIEW, INSPECTION AND/OR EVALUATION OF EQUIPMENT, PARAPHERNALIA, SERVICES, OR SCHEMES	(See WAC 230-12-315)	As required
SPECIAL SALES PERMITS	(See WAC 230-04-115)	As required

(9-) SIX-MONTH 13. PAYMENT PLAN	(See WAC 230-04-190)	\$ 26
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AMENDATORY SECTION (Amending Order 366, filed 10/9/98, effective 11/9/98)

WAC 230-04-204 Fees—Individuals. Individuals shall submit the following fees to the commission when applying for gambling licenses, permits, miscellaneous changes, or when assessed the cost of special investigation procedures by the commission:

LICENSE TYPE	DEFINITION	FEE
1. CHARITABLE OR NON-PROFIT GAMBLING MANAGER	Original	\$((16+)) 166
	Renewal	\$((78)) 80
	Change of Employer	\$((78)) 80

2. <u>LINKED BINGO PRIZE PROVIDER REPRESENTATIVE</u>	Original	\$226
	Renewal	\$139

(2-) COMMERCIAL GAMBLING MANAGER 3.	Original	\$((16+)) 166
	Renewal	\$((78)) 80
	Change of Employer	\$((78)) 80

(3-) DISTRIBUTOR'S OR GAMBLING SERVICES SUPPLIER REPRESENTATIVE 4.	Original	\$((249)) 226
	Renewal	\$((135)) 139

(4-) MANUFACTURER'S REPRESENTATIVE 5.	Original	\$((249)) 226
	Renewal	\$((135)) 139

(5-) PUBLIC CARD ROOM 6. EMPLOYEE	CLASS A - (NONKEY EMPLOYEES) Performs duties as defined in WAC 230-02-415 in a class E card room.	Original	\$((16+)) 166
		Renewal	\$((78)) 80

(*) SUPPORTS CARD ROOMS HAVING SPECIAL APPROVED ACTIVITIES AS SPECIFIED IN WAC 230-04-203(1))	Transfer/Additional Employee/Conversion/ Emergency Waiver Request	Original, in-state	\$((247)) 224
		Original, out-of-state	\$((274)) 279
		Renewal	\$((135)) 139

(*) SUPPORTS CARD ROOMS HAVING SPECIAL APPROVED ACTIVITIES AS SPECIFIED IN WAC 230-04-203(1))	Transfer/Additional Employee/Conversion/ Emergency Waiver Request	\$55
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(6-) OTHER FEES 7.		
CHANGE OF NAME	(See WAC 230-04-310)	\$26
DUPLICATE LICENSE ((REPLACEMENT))	(See WAC 230-04-290)	\$26
OUT-OF-STATE RECORDS INQUIRY	(See WAC 230-04-240)	As required

AMENDATORY SECTION (Amending Order 362, filed 9/23/98, effective 1/1/99)

WAC 230-04-133 Punch board and pull-tab service business—Registration required—Procedures—Restrictions. It is in the public's interest to closely control gambling devices and records relating to the operation of a gambling activity. The commission must identify all individuals and businesses that have control over gambling devices, including punch boards and pull-tabs, and all records relating to the operation of gambling activities. Businesses that provide punch board and pull-tab record services, as defined by WAC 230-02-208, shall register with the commission and receive a permit prior to providing services to a licensee. The following procedures and restrictions apply to punch board and pull-tab service businesses:

(1) Each business seeking to register as a punch board and pull-tab service business shall submit a permit application on a form provided by the commission. Such application shall be complete in every respect, accompanied by proper fees, and signed by the applicant. The application shall include at least the following:

- (a) A complete description of the services provided; and
- (b) Personal and criminal history forms for all individuals involved in providing services.

((2) Permit fees as follows:

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~~(a) Initial application for a business (includes up to two associates)=\$200;~~

~~Note: When the business includes three or more individuals that are directly involved in providing record services, all additional individuals must register as associates to the business. Personnel that perform duties that are not directly involved in preparing records, such as security, pick-up and delivery, or general office duties, are not required to register.~~

~~(b) Initial application For each additional associate=\$125; and~~

~~(c) Annual renewal Business and associates=\$50.~~

~~(3)) (2) The permit shall be valid for a period not to exceed one year from the date approved.~~

~~((4)) (3) Any changes in information provided with the application must be submitted to the commission within thirty days of change.~~

~~((5)) (4) The permit becomes void and the business must apply for a gambling service supplier license to continue providing services if any of the conditions listed below occur:~~

~~(a) The nature of the business being provided changes to include services defined in WAC 230-02-205(1); or~~

~~(b) The combined total gross billings from providing services exceeds twenty thousand dollars during the permit period.~~

~~((6)) (5) The permit may be revoked by the director at any time for the following reasons:~~

~~(a) Reasons set forth in WAC 230-04-400 or RCW 9.46.075; or~~

~~(b) The permit holder has acted with gross negligence or intentionally misstated or manipulated a licensee's records or punch board/pull-tab games; or~~

~~(c) Failure to produce an operator's record or copies thereof, or punch board or pull-tab games when requested by a commission agent.~~

~~((7)) (6) Immediately upon request, a punch board and pull-tab service business shall provide the commission or any of its representatives a complete list of customers and the location where records of each are maintained.~~

~~((8)) (7) If a punch board and pull-tab service business or associate of such business has any interest in a licensed manufacturer or distributor, they shall inform the commission, any operator to which they provide services, and the manufacturer or distributor of the relationship. The director may restrict the manufacturer or distributor from selling punch boards or pull-tabs to such operator.~~

~~((9)) (8) Punch board and pull-tab service business permit holders shall follow the records requirements of WAC 230-08-026 (1)(a), (c), (d), (2), and (3). In addition, such businesses shall be familiar with minimum recordkeeping requirements and availability of records for services they provide, including but not limited to WAC 230-08-010, 230-12-010 and 230-30-072.~~

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 230-04-206 Fees—Linked bingo prize providers and linked bingo prize provider representatives.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 230-04-198 Reduction of license fees.

WSR 99-24-100

PERMANENT RULES

UTILITIES AND TRANSPORTATION COMMISSION

[Docket No. UW-980082, General Order No. R-467—Filed November 30, 1999, 3:50 p.m.]

In the matter of amending, adopting and repealing sections in chapter 480-110 WAC and adopting WAC 480-09-337, relating to investor-owned water companies.

STATUTORY OR OTHER AUTHORITY: The Washington Utilities and Transportation Commission takes this action under Notice No. WSR 99-12-112, filed with the code reviser of June 2, 1998. The commission brings this proceeding pursuant to RCW 80.01.040.

STATEMENT OF COMPLIANCE: This proceeding complies with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 34.21C [43.21C] RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

DATE OF ADOPTION: The commission adopted this rule on August 11, 1999.

CONCISE STATEMENT OF PURPOSE AND EFFECT OF THE RULE: The rule revisions implement the requirements of Executive Order 97-02, requiring agencies to review rules for clarity, intent and statutory authority, need, effectiveness and efficiency, coordination, cost and fairness. The new rules also incorporate and formalize policies, add requirements for customer notice for rate increase filings, and eliminate rules that are obsolete.

This rule making repeals the existing chapter, revises and reorganizes the existing provisions for clarity, and complies with other requirements of the executive order by making changes from prior provisions. In the following discussion, descriptions use the number of the new section. Amendments discussed are not changes in the language of that section, but are revisions of prior provisions in sections numbered differently.

WAC 480-110-245 updates the glossary of terms by removing words or terms that are not needed or no longer

used and adding words or terms to provide clarification of their use in the revised chapter.

New section WAC 480-110-255 increases the threshold for regulatory jurisdiction over water companies to reflect the effects of inflation pursuant to specific statutory authority in RCW 80.04.010. It also codifies commission interpretive statement UW-930006 regarding the calculation of revenue for jurisdictional purposes.

New section WAC 480-110-275 increases the revenue thresholds that are used to classify water companies. The change follows the classifications used by National Association of Regulatory Utility Commissioners (NARUC).

WAC 480-110-285 clarifies language regarding transfers of property, affiliated interest arrangements, and securities issuances by regulated water companies, and conforms the language to recent changes in law.

New section WAC 480-110-295 addresses adopted and initial tariffs. The proposed rule clarifies commission requirements when adopting the tariff of an acquired company and when filing an initial tariff of a newly regulated company.

WAC 480-110-305 Access to premises, modifies the prior

WAC 480-110-091 only to clarify the language.

WAC 480-110-315 Availability of information, modifies prior requirements to allow regulated companies to maintain an "electronic office" rather than a physical office. The section is also revised for clarity.

WAC 480-110-325 Applications for service, is a revision of the prior rule to create greater clarity. It also adds to the information that water companies must provide to applicants for service when they apply and when the company denies an application for service.

WAC 480-110-335 Establishment of credit and deposits, this section is revised for clarity and also eliminates an alternative to deposit that was available under the prior rule.

WAC 480-110-345 carries forward the topic of prior WAC 480-110-056 Refusal of service. It is revised for clarity and to allow a company to refuse to serve a location that it is outside the company's service area.

WAC 480-110-355 the rule governing discontinuance of service, removes telephone calls as options for advising a customer of pending disconnection and adds a process by which a customer may ask to postpone disconnection if a medical emergency exists.

WAC 480-110-365 Service responsibilities, is amended to coordinate water company responsibilities to the commission with statutes and regulations governing the Department of Health.

WAC 480-110-375 Form of bills, is amended to require companies to provide additional information to consumers on water bills to insure consumer awareness and understanding of their water charges. The rule also mandates proration for metered service.

WAC 480-110-385 provides revisions to clarify water company responsibility for complaints and disputes.

WAC 480-110-395 Water quality refunds, follows RCW 80.04.110(5) and defines when the commission may order refunds when a company delivers substandard water.

WAC 480-110-405 Meter accuracy and water pressure, combines four prior sections WAC 480-110-111 Accuracy of meters; 480-110-141 Refund for inaccurate metering, 480-110-146 Dispute as to accuracy of meters and WAC 480-110-251 Complaint meter test; into one section and revises provisions for clarity. An amendment also adds water pressure testing requirements.

WAC 480-110-415 Meters, clarifies the prior WAC 480-110-121, defining water company rights and responsibilities and customer rights and responsibilities relative to water meters.

WAC 480-110-425 Customer notice requirements, codifies requirements for notifying customers of proposed rate increases, new charges, changes in terms or conditions of service, and changes in ownership or company control.

WAC 480-110-435 Extension contracts, imposes applicable contract provisions of WAC 480-80-335 on extension contracts in addition to revising the section for clarity.

WAC 480-110-445 Service connections, clarifies what a service connection is, when a company may impose a service connection charge and when it may not.

WAC 480-110-455 Water company funding mechanisms, clearly identifies nontraditional methods of financing, specifies when they may be used, and directs the related regulatory methodologies.

WAC 480-110-465 Political information and political education activities, clarifies that expenses of funding political information and education are not allowable for ratemaking purposes.

WAC 480-110-475 Reports of accidents, revises the prior WAC 480-110-171 for clarity.

WAC 480-110-485 Retention and preservation of records and reports, updates and clarifies the former WAC 480-110-176.

WAC 480-110-495 Maps, removes the requirement that a company must include a map of its current service area in its filed tariff. The company now must maintain a current map of each of its water systems, and provide it to the commission within five days of a commission request.

New WAC 480-09-337 lists information that a company must file when it seeks a general rate increase.

REFERENCE TO AFFECTED RULES: The commission repeals and adopts the following sections of the Washington Administrative Code:

Prior Section (repealed)	Subject	Now codified in (new section)	And in
480-110-011	Application of rules	480-110-205	---
480-110-016	Savings clause	480-110-225	---
480-110-018	Definition of control	480-110-235	---
480-110-021	Glossary	480-110-245	---
480-110-023	Average customer revenue jurisdictional threshold	480-110-255 Jurisdiction	---
480-110-026	Tariffs	480-110-265 Tariffs	480-110-495 Maps
480-110-028	Fire flow requirements	Repealed	---

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Prior Section (repealed)	Subject	Now codified in (new section)	And in
480-110-031	Accounting	480-110-275 Accounting and reporting requirements, and regulatory fees	---
480-110-032	Accounting -Political information and political education activities	480-110-465	---
480-110-036	Finance -Securities, affiliated interests, transfer of property	480-110-285 Securities, affiliated interests, transfer of property	---
480-110-041	Availability of information	480-110-315	---
480-110-046	Application for service	480-110-325	---
480-110-051	Deposits	480-110-335 Establishment of credit and deposits	---
480-110-056	Refusal of service	480-110-345	---
480-110-061	Contract for service	Repealed	---
480-110-066	Distribution extensions -service installations -service connections	480-110-435 Extension contracts	480-110-445 Service connections and customer service lines
480-110-071	Discontinuance of service	480-110-355	---
480-110-076	Service responsibilities	480-110-365	---
480-110-081	Service connections	480-110-445 Service connections and customer service lines	---
480-110-086	Meter Location	480-110-445 Service connections and customer service lines	---
480-110-091	Access to premises	480-110-305	---
480-110-096	Complaints and disputes	480-110-385 Water company responsibility for complaints and disputes	---
480-110-101	Form of bills	480-110-375	---
480-110-111	Refund for inaccurate metering	480-110-405 Meter accuracy and water pressure complaints	---
480-110-116	Responsibility for delinquent accounts	480-110-345 Refusal of service	---
480-110-121	Meter charges and installation	480-110-415 Meters	---

Prior Section (repealed)	Subject	Now codified in (new section)	And in
480-110-126	Meter readings	480-110-415 Meters	---
480-110-131	Identification of meters	Repealed	---
480-110-136	Initial accuracy of meters	Repealed	---
480-110-141	Accuracy of meters	480-110-405 Meter accuracy and water pressure complaints	---
480-110-146	Dispute as to accuracy of meters	480-110-405 Meter accuracy and water pressure complaints	---
480-110-151	Complaint meter test	480-110-405 Meter accuracy and water pressure complaints	---
480-110-156	Statement of test procedures	Repealed	---
480-110-161	Frequency of periodic tests	Repealed	---
480-110-166	Meter history records	Repealed	---
480-110-171	Reports of accidents	480-110-475	---
480-110-176	Filing of records and reports and the preservation of records	480-110-485	---

New Section (adopted)	Subject
480-110-215	Exemption from rules
480-110-295	Adopted and initial tariffs
480-110-395	Water quality refunds
480-110-425	Water company customer notice
480-110-455	Water company funding mechanisms
480-09-337	Filing requirements - General rate increases water companies

PREPROPOSAL STATEMENT OF INQUIRY AND ACTIONS THEREUNDER: The commission filed a prepropositional statement of inquiry (CR-101) on February 13, 1998, at WSR 98-05-056.

ADDITIONAL NOTICE AND ACTIVITY PURSUANT TO PREPROPOSAL STATEMENT: The statement advised interested persons that the commission was considering entering a rule making to review all provisions required for water regulation, especially (but not limited to) the provisions of chapter 480-110 WAC. The commission also informed persons of the inquiry into this matter by providing notice of the subject and the CR-101 to all persons on the commission's list of persons requesting such information pursuant to RCW 34.05.320(3) and by providing notice to all commission regulated water utilities, public utility attorneys,

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state granges, legislators, and consumers who had previously shown interest in water matters.

The commission held stakeholder meetings on April 16 and June 30, 1998. It convened stakeholder meetings on September 15 and October 6, 1998, and on April 21, 1999, to address discussion drafts of proposed rules. The commission also convened meetings to address the definition of service area, water quality refunds, and service connections.

NOTICE OF PROPOSED RULE MAKING: The commission filed a notice of proposed rule making (CR-102) on December 11, 1998, at WSR 98-24-123. The commission scheduled this matter for oral comment and adoption on Wednesday, January 27, 1999.

At the time and place set in the notice, the commission convened the rule adoption hearing and continued it on the record until March 10, 1999. During the March 10, 1999, hearing session, the commission determined not to adopt the proposed rules but to sponsor further discussion and to prepare a small business economic impact statement before proceeding further.

The commission filed a supplemental notice of proposed rule making (CR-102) on June 2, 1999, at WSR 99-12-112. The commission scheduled the rule making for hearing on Wednesday, July 28, 1999. The notice provided interested persons the opportunity to submit written comments to the commission by July 14, 1999.

MEETINGS OR WORKSHOPS; COMMENTS: The commission received oral and written comments after the issuances of the original and supplemental CR-102 from the following:

- Five individual consumers
- Washington Department of Health
- American Water Resources
- Harbor Water Co.
- H&R Waterworks, Inc.
- Meadows Water System
- Oak Park Water Company
- Rainier View Water Company
- South Sound Water Co.
- Sunshine Acres Water System
- Washington Water Supply
- Investor Owned Water Utilities Association of Washington
- Sunshine Acres Property Owners Association
- George Andre Fields, Esq., for Conrad Hunt and Kum Ho et al.
- Richard A. Finnigan, Esq., for Rainier View Water Company

Based on comments received, the commission in several instances adopted clarifying language that did not change the intention or ultimate effect of the proposed rules. The commission received comments from some consumers regarding proposed WAC 480-110-255 (1)(c)(vii), which addresses commission jurisdiction over mobile-home parks, apartments, and office complexes that use master meters and rebill their tenants for water use. These commenters were all opposed to the proposed rule and requested the commission assert jurisdiction over any landlord rebilling for water usage. In response to these comments, the commission will issue a new CR-102, under the current CR-101 in this rule making,

addressing the issue of the rebilling of master meters to tenants.

The staff prepared two charts summarizing all comments submitted to the original and supplemental CR-102, and staff's response to those comments. Many of the comments received after the original CR-102 but before the supplemental CR-102 were more general in nature and allowed the staff and commenters the opportunity to resolve many of the issues discussed. The commission adopts the staff summaries as its own and deems them to be elements of its concise explanatory statement.

RULE-MAKING HEARING: The rule proposal was considered for adoption, pursuant to the notice, at a rule-making hearing scheduled during the commission's regularly scheduled open public meeting on July 28, 1999, before Chairwoman Marilyn Showalter, Commissioner Richard Hemstad, and Commissioner William R. Gillis. The commission heard oral comments from Danny Kermod and Gene Eckhardt representing commission staff; Richard A. Finnigan representing Rainer Water Company; and Drew Noble representing Oak Park Water Co.

Industry commenters indicated general support for the proposed rules, however Mr. Finnigan and Mr. Noble stated concerns regarding draft WAC 480-110-445 Service connections and customer service lines. In addition, Mr. Finnigan restated concerns that were provided in his written comments. The commission continued the hearing on the record until August 11, 1999, to allow industry and staff time to discuss the language of the service connections rule.

The commission reconvened the continued rule-making hearing on August 11, 1999. Commissioner Richard Hemstad, and Commissioner William R. Gillis heard oral comments from Danny Kermod and Gene Eckhardt representing commission staff. Mr. John R. Poppe representing Washington Water Supply, Inc. offered comments regarding his concerns about the rule-making process but in general supported the proposed rules. Mr. Noble again addressed the commission only to clarify the need for WAC 480-110-445. No other persons testified.

SUGGESTIONS FOR CHANGE THAT HAVE NOT BEEN INCORPORATED INTO THE ADOPTED RULES:

The commission believes the adopted rules represent a good balance between consumer protection and regulatory requirements and appreciates all participants' efforts toward consensus. However, in some areas the commission considered participants suggestions, but rejected them. Those were the following:

- **WAC 480-110-295 Adopted and Initial Tariffs - Statutory Authority Issues**

Rainier View Water Co. commented that the rule's application of tariff requirements to the acquisition of nonregulated systems is inconsistent with statute. The commission disagrees. The commission has held that it is within the commission's power to direct an acquiring company to file a tariff that reflects rates charged by the acquired company prior to acquisition. See the Fifth Supplemental Order dated Novem-

ber 24, 1998, in Docket UW-980076, WUTC vs. American Water Resources, Inc., at pages 39-41.

- **WAC 480-110-295 Adopted and Initial Tariffs - Other Issues**

Mr. Finnigan discussed the wording in WAC 480-110-295 (3)(a) that states that an initial tariff must be filed in a standard format that the commission will provide upon request. He acknowledges that there may be a standard tariff format, but is concerned that companies should not be told that they must use only the sample tariff. The commission has no intention of prescribing tariff language. The rule mandates only format, companies may use any language they deem appropriate subject to commission review at the time of filing.

Mr. Finnigan discussed the requirement of WAC 480-110-295 (3)(d), which requires companies filing new or revised tariffs to supply supporting financial data justifying the proposed rates. Mr. Finnigan contended that the burden imposed by this rule on very small water companies is unduly onerous, and he suggested that WAC 480-110-295 (3)(d) be deleted. The commission rejects the suggestion. The rule merely requires the company to support proposed rates that they wish to charge their customers. Basic financial information is essential to determining the propriety of proposed rates and it is uniquely and exclusively in the possession of the company. Requiring its production is not "unduly onerous."

Mr. Finnigan also asserts that this section is contrary to the statutory scheme of the state of Washington by requiring cost support to be filed with any initial tariff. The commission rejects this position. The statute does not define initial tariff nor does the statute prohibit the requirement for financial data to be filed with any initial tariff. The filing of financial data is necessary to insure rates being charged are fair, just, and reasonable.

- **WAC 480-110-365 Service Responsibilities - New Facilities Costs**

Mr. Finnigan voiced concern that WAC 480-110-365(1) would allow customers to force the company to bear an unreasonable share of the costs of upgrades that are required to serve new customers. The commission believes that the provisions of WAC 480-110-365 (1)(b) protect the company since any sharing of costs must be provided in tariff or approved contract.

- **WAC 480-110-365 Service Responsibilities - Interruptions of Service**

The Washington State Department of Health (DOH) had three comments regarding WAC 480-110-365(8). First, DOH asked that the rules clarify the meanings of the term "all reasonable efforts" and "minimum of delay." The commission feels that no further clarification is needed, and that the terms are to be understood as they are in common usage. The DOH also recommended that the rule "specifically indicate what steps a company might take in advance to avoid inter-

ruptions." The commission feels that it would be beyond the purpose of this rule to cite steps to avoid interruptions. Finally, DOH recommended that the rule include provisions for standby power. The question of standby power relates to the company's requirement to provide "adequate service" and in general should be addressed at the company level and not by rule.

- **WAC 480-110-365 Service Responsibilities - Litigation Disclaimer**

Mr. Finnigan suggested that WAC 480-110-365 be amended to include the following paragraph:

(10) Limitation - The standards and obligations for water companies established in this rule are not intended to establish a standard of care or duty for purposes of tort or other litigation.

The courts establish a duty of care based on evidence and arguments presented to them. The determination of judicial standards is beyond the commission's jurisdiction. It would be no more proper to disavow setting a judicial standard than it would to purport to establish such a standard. Any rule attempting to set a judicial standard would likely be held non-controlling. In addition, the commission believes that the suggested wording would weaken the rule as a whole. The commission therefore rejects the suggestion.

- **WAC 480-110-405 Meter accuracy and water pressure complaints.**

American Water Resources voiced the concern that WAC 480-110-690's requirement that meter tests be performed within ten days of the complaint may at certain times be "impossible." The company suggests that the commission include a variance provision to allow for "permissible variances from [the] 10 day requirement." The commission believes the requirement is reasonable and also notes that WAC 480-110-215(2) provides for waivers. Therefore, a provision for variance of this rule is not needed.

- **WAC 480-110-415 Meters - Installation of Consumer Requested Meters**

WAC 480-110-415 (2)(c) allows water customers who pay a flat rate to obtain the installation of a meter, if the company has tariffed metered rates. Mr. Finnigan commented that there may be instances in which a customer's request for a meter would be prohibitively expensive. He suggested that the wording in the rule be modified so that the company must only honor a customer's request "Where it is reasonable to install such a meter."

The rule WAC 480-110-215 already provides that the company may be excused from the obligation to install a meter when it demonstrates that the installation is not consistent with the public interest — that is, if the financing and resources needed to comply with the request would be detrimental to the normal operations of the company. The suggested language would have the effect of shifting the burden of demonstrating reasonableness to the customer. Economic hardship is a possible means to demonstrate eligibility for an

exemption. The company, however, possesses nearly all of the information essential to demonstrating that a particular installation is inconsistent with the rule's purpose. Shifting the burden of demonstration to others is not consistent with the public interest. The commission therefore declines to adopt the suggested language.

- **WAC 480-110-425 Customer Notice Requirements - Potential Customers**

Some commenters felt that the requirement to inform all customers, as defined in WAC 480-110-245, of proposed tariff changes is burdensome and would cause "a nightmare of record keeping." Under the current rules, companies must only notify current customers of proposed rate changes. The commission believes that notification of all customers is essential to consumer protection. All customers includes both current customers and consumers who have been given a letter from the water company agreeing to provide service. The rule requires no record keeping of the water company beyond keeping a list of consumers to whom it has committed to provide service. Such consumers have nearly the same interest as current customers in proposed tariffs. The benefits of notice thus outweigh the small associated costs.

- **WAC 480-110-435 Extension Contracts**

The Department of Health (DOH) suggested adding the requirement that extension contracts be consistent with the company's water system plan (WSP). The commission's focus in this rule is the economic aspect of a proposed extension. To expand it to include a company's WSP would expand the rule outside of its intended scope. The DOH already has the power to deny approval of any extension not in compliance with the company's WSP through the DOH normal review process. The rule is not intended to affect DOH regulation at all.

COMMISSION ACTION: After considering all of the information regarding this proposal, the commission adopts and repeals the attached provisions in chapter 480-110 WAC governing investor owned water companies, and adopts WAC 480-09-337 governing procedure for seeking a general increase in water rates.

CHANGES FROM PROPOSAL: The commission adopted the proposal with the following changes (other than minor, nonsubstantive changes) from the text noticed at WSR 99-12-112.

- **WAC 480-110-245 Glossary.**

In the definition of "Standby charge," the commission added the further explanation, not changing the substance of the definition, that the term is equivalent to a "system-readiness fee" charged by unregulated companies and that such a charge is not authorized for regulated water companies.

- **WAC 480-110-255 Jurisdiction.** In response to comments received from consumers, the commission removed subsection (1)(c)(vii) from the rules to be adopted. The provision would have excluded mobile-home parks, apartments, and office complexes that pro-

vide master meters and rebill tenants for water use under certain conditions. The comments STET the commission that additional study is required to show that such a provision would operate in the public interest.

- **WAC 480-110-285 Securities, affiliated interests, transfer of property.** In subsection (3), language is added to make the section's meaning very clear.
- **WAC 480-110-325 Application for service.** In subsection (1), language is added to make it very clear that a company must receive a written application before it may provide initial service to a location.
- **WAC 480-110-365(9) Notice of service interruptions.** Adds a new subsection (e) requiring a company to notify the Washington Department of Health of service interruptions, to assure sufficient monitoring of health conditions.
- **WAC 480-110-425(4) Water company customer notice requirements.** Deletes the proposed requirement that a company notice disclose the percentage of a proposed increase, since percentage figures may, at times, be misleading depending on the base number used. For example, sometimes large dollar increases will show only a small percentage increase because the charge is already high. Modifies the language in the required company notification, for ease in customer understanding and to help assure that consumer responses are properly identified.
- **WAC 480-110-445 Service connections and customer service lines.** In subsection (1), revises the language of provisions relating to service connections for increased clarity and public understanding.
- **WAC 480-110-455 Water company funding mechanisms.** Revised language clarifies the uses to which surcharge funding may be put and adds the Department of Ecology as an agency whose directives may be met through surcharges.

The effect of the rules remains essentially unchanged from the language originally noticed in the CR-102 published on June 4, 1999, at WSR 99-12-112.

STATEMENT OF ACTION; STATEMENT OF EFFECTIVE DATE: In reviewing the entire record, the commission determines that WAC 480-110-011 through 480-110-176 are repealed and WAC 480-110-205 through 480-110-495 and WAC 480-09-337 are adopted to read as set forth in Appendix A, as rules of the Washington Utilities and Transportation Commission, to take effect pursuant to RCW 34.05.380(2) on the thirty-first day after filing with the code reviser.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 30, Amended 0, Repealed 37.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 8, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

ORDER

THE COMMISSION ORDERS:

1. WAC 480-110-205 through 480-110-495 and 480-09-337 are adopted to read as set forth in Appendix A, as rules of the Washington Utilities and Transportation Commission, to take effect on the thirty-first day after the date of filing with the code reviser pursuant to RCW 34.05.380(2).

2. This order and the rule set out below, after being recorded in the register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapters 80.01 and 34.05 RCW and chapter 1-21 WAC.

3. The commission adopts the commission staff memoranda, presented when the commission considered filing a preproposal statement of inquiry, when it considered filing the formal notice of proposed rule making, and when it considered adoption of this proposal, in conjunction with the text of this order, as its concise explanatory statement of the reasons for adoption and for rejection of proposed changes, as required by RCW 34.05.025.

DATED at Olympia, Washington, this 30th day of November, 1999.

WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

Marilyn Showalter, Chair
William R. Gillis, Commissioner

NEW SECTION

WAC 480-09-337 Filing requirements—General rate increases water companies. A rate increase filing for a water company must include at least the following information:

(1) Cover letter - each filing must include a cover letter. The letter must:

(a) Provide a description of the filing, and the requested action, in understandable terms;

(i) Technical terms are acceptable, but descriptions must use common terms so the public can easily understand the impact of the filing;

(ii) Acronyms, if used, must be defined before they are used in the text of the letter;

(b) State why the filing is being made, e.g.; increased costs for water testing;

(i) Compliance filings required by prior commission action must include the docket number of the commission action and the name of that proceeding;

(ii) Rate change filings must describe each service that is impacted and the dollar and percentage change for each ser-

vice as well as the net impact of all changes on the company's total regulated revenue;

(iii) Filings that only address changes to the text of the tariff must describe the general effect, and reasons for the changes;

(c) Requests for permission to change tariffs on less than statutory notice will be granted by the commission only when it deems the circumstances or conditions justify the lack of notice. The request must include a complete explanation of the reasons that support less than statutory notice treatment;

(d) Failure to include required information in the cover letter could result in the filing being rejected.

(2) The proposed tariff with explanatory markings.

(3) Supporting work papers for the test period. The supporting work papers must include:

(a) A calculation of the revenue impact of proposed rates by each class affected;

(b) Balance sheet and statement of revenues and expenses;

(c) Depreciation schedule;

(d) If adjustments are proposed, the company must file:

(i) Schedule showing adjustments to the statement of revenues and expenses, including any restating adjustments and/or proforma adjustments including effect of proposed rates;

(ii) Work papers explaining both restating and proforma adjustments;

(e) Usage statistics verifying test year revenues and proposed revenues;

(f) Public water system identification number assigned by Washington department of health for each system that the new rates will affect; and

(g) Schedule showing separation of revenues and expenses between regulated and nonregulated operations.

(4) A copy of the notice mailed to customers.

NEW SECTION

WAC 480-110-205 Application of rules. The rules in this chapter apply to any water company that distributes, sells, or supplies water, and that meets requirements for commission regulation or jurisdiction under RCW 80.04.010 and WAC 480-110-255. This includes investor-owned water companies that meet the jurisdictional threshold of serving one hundred or more customers or receive average revenue of four hundred twenty-nine dollars or more per customer per year.

NEW SECTION

WAC 480-110-215 Exemptions from rules. (1) The commission may grant an exemption of any rule in this chapter, if consistent with the public interest, the purposes underlying regulation, and applicable statutes.

(2) To request a rule exemption, a person must file with the commission a written request identifying the rule for which an exemption is sought and giving a full explanation of the reason the exemption is requested.

(3) The commission will assign the request a docket number, if needed, and schedule the request for consideration at one of its regularly scheduled open meetings or, if appro-

priate under chapter 34.05 RCW, in an adjudication. The commission will notify the person requesting the exemption, and other interested persons, of the date the commission will consider the request.

(4) The commission will enter an order granting or denying the request or setting it for hearing, pursuant to chapter 480-09 WAC.

NEW SECTION

WAC 480-110-225 Saving clause. The commission may impose additional or different requirements on any water company in response to a complaint or on its own motion. These rules do not relieve any water company from any of its duties and obligations under the laws of the state of Washington.

NEW SECTION

WAC 480-110-235 Definition of control. (1) For purposes of determining commission jurisdiction over a water company as defined in RCW 80.04.010, "control" means the water system operator or manager has discretion over the property or finances or operations of a water company which is normally exercised by an owner. Factors indicating control include, but are not limited to, whether the operator or manager:

(a) May authorize the purchase or sale of all or part of the water system or its water rights;

(b) May authorize capital additions or improvements to the system;

(c) May accept contributed plant;

(d) May authorize the expenditure or acquisition of funds which encumber any asset of the company;

(e) May authorize the expenditure of funds for nonwater company purposes;

(f) Receives compensation of a type or amount having no reasonable relationship to the work performed or to be performed.

(2) Control does not include management by a satellite agency as defined in chapter 70.116 RCW if the satellite agency is not an owner of the water company.

NEW SECTION

WAC 480-110-245 Glossary. "Applicant" means any person, partnership, firm, corporation, municipality, cooperative organization, governmental agency, etc., that has completed a water company's application for water service.

"Commission" means the Washington utilities and transportation commission.

"Contributions in aid of construction" means any money, services or property received by a water company to fund capital investments at no cost to the company with no obligation to repay.

"Customer" means:

• Anyone who has paid water company fees and/or has an accepted application for service; or

• Anyone whose service connection is installed and is currently paying a ready-to-serve charge; or

• Anyone who is actually receiving water service from the company with the knowledge of the company.

"Extension" means the water mains and equipment necessary to extend the company's transmission and distribution infrastructure. An extension may also be called a distribution extension, a main extension, or a line extension.

"Facilities charge" means a one-time fee that a new customer must pay, consistent with WAC 480-110-455, before the company will connect the customer's property to the water system.

"Initial tariff" means:

• The tariff filed by a water company when it first becomes subject to the jurisdiction of the commission; or

• The tariff filed by a water company that was formerly subject to commission jurisdiction, and has once again become jurisdictional. It does not mean a tariff filed to add a newly acquired system or company to the tariff of a currently jurisdictional company.

"Jurisdictional customer" means anyone who is actually receiving water service.

"Potential customer" means anyone to whom the water company has given a letter agreeing to provide service; and

• The letter is currently enforceable and has not expired by its own terms; and

• The property is not yet receiving any type of service.

"Primary contaminants" means substances that, when present in drinking water at levels exceeding designated maximum contaminant levels (MCL), may adversely affect the health of consumers. These MCLs are established as water quality "primary standards" and are based on chronic, non-acute, or acute human health effects.

"Rate increase filing" means any filing by the company that would:

• Increase gross annual revenues of the company from activities regulated by the commission; or

• Restructure tariffs so that one class of customer would provide more gross revenue than under the prior tariff structure. The term does not mean filings designed only to recover governmentally imposed taxes or periodic rate adjustments that have been authorized by commission order.

"Ready-to-serve charge" means the charge assessed by the water company when:

• The water company has the ability to provide water service;

• The water company has committed to provide water service; and

• There is an installed service connection at the customer's property.

"Reconnect charge" means the charge specified in the company's tariff for restoring water service that has been disconnected:

• At the customer's request; or

• For nonpayment; or

• For failure to comply with the company's rules.

"Service area" means the geographic area to which the company intends to provide water service using current plant.

"Service connection" means the pipes, valves, and fittings between the water company's distribution system and the customer's service line.

"Standby charge" means a charge imposed by some unregulated companies for having transmission and distribution infrastructure installed but without the current ability to provide water. It is also sometimes referred to as a system-readiness fee. The commission does not authorize this type of charge for regulated water companies.

"Surcharge" means a monthly charge or fee paid to the water company for plant or expenses. The surcharge is in addition to regular monthly service fees and typically has an expiration date or dollar limit and is subject to specific accounting requirements.

"Water company" or "company" means any corporation, company, association, joint stock association, partnership or person, their lessees, trustees or receivers appointed by any court whatever, owning, controlling, operating or managing any water plant within the state of Washington for the purpose of furnishing water service to the public for hire and subject to the jurisdiction of the commission. It does not include management by a satellite management agency as defined in chapter 70.116 RCW if the satellite agency is not an owner of the water company.

"Water system" means all plant, equipment, and other assets used to provide water service for a specific location.

NEW SECTION

WAC 480-110-255 Jurisdiction. (1) The commission only regulates investor-owned water companies that:

(a) Own, operate, control, or manage one or more water systems; except that control or management does not include management by a satellite management agency as defined in chapter 70.116 RCW if the satellite management agency is not an owner of the water company.

(b) Meet jurisdictional thresholds of one hundred or more customers, or receive average revenue of four hundred twenty-nine dollars per customer per year.

If a water company serves customers	and receives average annual revenue per customer	commission regulation
99 or less	less than \$429	No
99 or less	\$429 or more	Yes
100 or more	less than \$429	Yes
100 or more	\$429 or more	Yes

(2) The commission does not regulate the following providers of water service:

- (a) Cities, towns, or counties.
- (b) Public utility districts.
- (c) Water districts.
- (d) Local improvement districts.
- (e) Homeowner associations, cooperatives and mutual corporations, or similar entities that provide service only to their owners or members.

(f) Homeowner associations, cooperatives and mutual corporations, or similar entities that provide service to nonmembers unless they serve one hundred or more nonmembers, or charge nonmembers more than four hundred twenty-nine dollars average annual revenue per nonmember.

(3) To determine jurisdiction, the commission considers only those customers receiving water. The commission does not consider customers who do not receive water, such as customers who have paid:

- (a) Water-availability letter fees.
- (b) Standby charges.
- (c) System-readiness fees.
- (d) Ready-to-serve charges.

(4) To calculate the average annual revenue per customer, the commission considers only the charges that water-receiving customers pay on a monthly basis, other than contributions in aid of construction. For example, this includes money paid for flat-rate service or the metered base-charge and all usage charges.

(a) The commission does not include charges paid by customers who do not receive water, such as:

- (i) Water availability letter fees.
- (ii) Standby charges.
- (iii) System-readiness fees.
- (iv) Ready-to-serve charges.

(b) The commission does not consider contributions in aid of construction in determining jurisdiction. These contributions can be money, services or property. Payments can be made in a lump sum or financed over time. Examples of contributions in aid of construction include payments for:

- (i) Connection to system.
- (ii) Meter installation.
- (iii) System buy-in.
- (iv) Facilities charges.
- (v) Assessments for capital plant and equipment.

(5) The following example shows how to calculate the average annual revenue per customer for two hypothetical customers. The data for each customer are provided at the end of the example:

(a) Select the most recent twelve consecutive months.

Example: February 1999 through January 2000.

(b) For each customer who received water service during the twelve-month period, add the amount the customer paid to the water company for items other than contribution in aid of construction items.

Example: Customer A paid \$340.
Customer B paid \$283.

(c) For each customer who received water service during the twelve-month period, add the number of months the customer received water service.

Example: Customer A received water service for twelve months.
Customer B received water service for nine months.

(d) Total the amount paid by customers during the twelve-month period.

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Example:

	<u>Paid to Water Company During the Twelve-Month Period</u>
Customer A	\$340
Customer B	+ \$283
	<hr/>
Total Paid During Twelve-Month Period	\$623

(f) Calculate the "Average Monthly Revenue Per Customer": Divide the "Total Paid During the Twelve-Month Period" by the "Total Months Received Water Service During the Twelve-Month Period."

Example:

Total Paid During the Twelve-Month Period	\$623
Total Months Received Water Service During the Twelve-Month Period	+ 21
	<hr/>

(e) Total the number of months each customer received water service.

Example:

	<u>Number of Months Received Water Service During the Twelve-Month Period</u>
Customer A	12
Customer B	+ 9
	<hr/>
Total Months Received Water Service During the Twelve-Month Period	21

Average Monthly Revenue Per Customer \$29.67

(g) Calculate the "Average Annual Revenue Per Customer": Multiply the "Average Monthly Revenue Per Customer" times 12 months.

(A)	Average Monthly Revenue Per Customer	\$29.67
	Months in a Year	x 12
		<hr/>
(B)	Average Annual Revenue Per Customer	\$356.04

**DATA USED IN THE EXAMPLE
TO CALCULATE
AVERAGE ANNUAL REVENUE PER CUSTOMER**

**Example—
Customer A**

	<u>Standby Charge</u>	<u>Ready-to-Serve Charge</u>	<u>Connection Charge</u>	<u>Facilities Charge</u>	<u>Meter Base Charge</u>	<u>Meter Usage Charge</u>
<u>Receive Water Service</u>	No	No	Yes	Yes	Yes	Yes
<u>Contribution in Aid of Construction</u>	No	No	Yes	Yes	No	No

<u>Year</u>	<u>Month</u>			<u>Total Paid</u>
1997	February		\$20	\$24
1997	March		\$20	\$25
1997	April		\$20	\$22
1997	May		\$25	\$30
1997	June		\$25	\$31
1997	July		\$25	\$37
1997	August		\$25	\$31
1997	September		\$25	\$29

1997	October					\$25	\$4	\$29
1997	November					\$25	\$3	\$28
1997	December					\$25	\$2	\$27
1998	January					\$25	\$2	\$27
						<hr/>	<hr/>	<hr/>
		\$0	\$0	\$0	\$0	\$285	\$55	\$340

Number of months service	12	
	Not Receiving Water	\$0
	Receiving Water - Contribution in Aid of Construction	\$0
	Receiving Water - Other than Contribution in Aid of Construction	<hr/>
		\$340
	Total customer paid during period	\$340

DATA USED IN THE EXAMPLE
TO CALCULATE
AVERAGE ANNUAL REVENUE PER CUSTOMER

Example—
Customer B

	<u>Standby Charge</u>	<u>Ready-to-Serve Charge</u>	<u>Connection Charge</u>	<u>Facilities Charge</u>	<u>Meter Base Charge</u>	<u>Meter Usage Charge</u>		
<u>Receive Water Service</u>	No	No	Yes	Yes	Yes	Yes		
<u>Contribution in Aid of Construction</u>	No	No	Yes	Yes	No	No		
							<u>Total Paid</u>	
<u>Year</u>	<u>Month</u>							
1997	February	\$7					\$7	
1997	March	\$7					\$7	
1997	April		\$12				\$12	
1997	May		\$300	\$4,500	\$25	\$5	\$4,830	
1997	June				\$25	\$4	\$29	
1997	July				\$25	\$3	\$28	
1997	August				\$25	\$12	\$37	
1997	September				\$25	\$10	\$35	
1997	October				\$25	\$15	\$40	
1997	November				\$25	\$5	\$30	
1997	December				\$25	\$2	\$27	
1998	January				\$25	\$2	\$27	
		<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	
		\$14	\$12	\$300	\$4,500	\$225	\$58	\$5,109

Number of months service	9	
	Not Receiving Water	\$26
	Receiving Water - Contributions in Aid of Construction	<hr/>
		\$4,800

Total customer paid during period

\$5,109

(h) To ensure that all customers are treated equitably, the commission will impute the same rates to any customers receiving free or reduced service that apply to other customers receiving comparable service on the same system.

NEW SECTION

WAC 480-110-265 Tariffs. Tariffs filed by a water company must conform to the rules of this section and chapter 480-80 WAC Utilities General—Tariffs, unless the commission has authorized deviation from the rules in writing.

NEW SECTION

WAC 480-110-275 Accounting, and reporting requirements, and regulatory fees. (1) Water companies must use the uniform system of accounts (USOA) published by the National Association of Regulatory Utility Commissioners (NARUC). The USOA sets out the accounting requirements for class A, B, and C water companies.

Water companies are classified by revenues.

Class	Annual Gross Operating Revenue
A	\$1,000,000 or more
B	\$200,000 to \$999,999
C	Less than \$200,000

(2) A water company may use the accounting requirements for a higher class if it chooses.

(3) The commission will distribute an annual report form that each water company must complete and file with the commission for the prior calendar year. The annual report must be filed, and the company's regulatory fee paid, no later than May 1 of each year.

(4) A written request for the extension of the time for filing the annual report can be made prior to May 1. The commission does not grant an extension of time for payment of regulatory fees.

NEW SECTION

WAC 480-110-285 Securities, affiliated interest, transfer of property. (1) Prior to a water company issuing stock, evidence of indebtedness, or any other securities, the company must comply with the requirements of chapter 80.08 RCW and chapter 480-146 WAC.

(2) Prior to a water company entering into a contract or arrangement with an affiliated interest, the company must file a copy, or summary if unwritten, of the contract or arrangement with the commission in accordance with chapter 80.16 RCW and chapter 480-146 WAC.

(3) Prior to transferring, selling, leasing, or assigning any of its property or facilities, or before acquiring property, facilities, stock, or bonds of another public utility, a water company must apply for and obtain commission approval in accordance with chapter 80.12 RCW and 480-143 WAC.

NEW SECTION

WAC 480-110-295 Adopted and initial tariffs. A water company must file revisions to its filed tariff within thirty days of its acquisition of new service area, whether by acquisition of another regulated water company or by acquiring one or more previously unregulated water systems.

(1) **Adopted tariffs - when a regulated company acquires another regulated company.** Any regulated water company acquiring a regulated water company must adopt the latter's tariff. An adoption form must be completed and filed with the commission by the acquiring water company within thirty days of the acquisition. The commission will supply an adoption form upon request.

(2) **Incorporate into existing tariff - when a regulated water company acquires a nonregulated company.**

(a) When a regulated water company acquires a nonregulated water company or water system, the acquiring water company must file a separate tariff page indicating the name of the newly acquired company or system with the rates and charges that were in existence before the acquisition.

(b) If the acquired nonregulated company or water system was previously subject to commission jurisdiction, the acquiring water company must file a separate tariff page indicating the name of the newly acquired company or system with the rates and charges in effect for the acquired company at the time the acquired company was removed from regulation.

(c) No other rates and charges may apply to the customers on the newly acquired system except those specifically shown on the new tariff page unless the company obtains the commission's approval to charge a different rate.

(3) **Initial tariffs - when a company becomes jurisdictional.**

(a) An initial tariff must be filed in a standard tariff format. The commission will provide illustrations of the standard format upon request.

(b) The tariff must be accompanied by a cover letter describing the filing as an initial tariff.

(c) Customers must be notified before the commission receives the filing.

(d) The filing must be accompanied by supporting financial data justifying the proposed rates. See WAC 480-09-337, Filing requirements—General rate increases water companies.

(4) **Initial tariffs - a company that was previously subject to commission jurisdiction.** If a company or water system was previously subject to commission jurisdiction and once again becomes jurisdictional, the company must file a tariff with the rates and charges in effect at the time the company was last removed from regulation.

NEW SECTION

WAC 480-110-305 Access to premises. Authorized personnel of a water company have the right to enter a customer's property during reasonable hours to perform meter

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reading, maintenance, testing, installation or removal of the company's property. Customers may ask to see the identification of the water company personnel before allowing entry to the customer's property.

NEW SECTION

WAC 480-110-315 Availability of information. (1) A water company must notify its customers of its regular business hours, telephone number, mailing address and a twenty-four hour emergency telephone, pager, voice messaging, fax machine or mobile phone number, at least once a year.

(2) A water company must advise its customers and the commission of any change in address or telephone number(s) at least ten days prior to the effective date.

(3) The water company must develop procedures for prompt response to reported failures or emergencies. A company representative must respond to the customer who reported the service failure or emergency within twenty-four hours of the report.

(4) When a nonemergency customer call is received, a water company must return the customer's call within two business days.

(5) A water company must acknowledge and respond to a customer's written inquiry within two weeks of receiving the letter.

(6) The water company must provide a copy of the commission's consumer brochure to each new applicant for service, and once a year notify its current customers of the availability of the brochure and how to obtain a copy.

(7) The water company must make the following information available for review by customers:

(a) A copy of the water rules, chapter 480-110 WAC.

(b) A copy of the company's current rates and regulations (tariff).

(c) A copy of the consumer brochure published by the commission.

NEW SECTION

WAC 480-110-325 Application for service. (1) When establishing initial service to a location the water company must obtain applications for service in writing, on company-supplied forms. The completed application form must:

(a) Include both the company's and the applicant's name, address and telephone number;

(b) Show the date the person applied for service;

(c) Comply with the water company's filed tariffs;

(d) Clearly state the type of service requested. (Examples: Residential or commercial, flat-rated or metered service, a letter to provide service, ready-to-serve, etc.);

(e) Include a property lot description, street number, or other sufficient description of location for service;

(f) Include a complete list and description of all applicable charges. (Examples: Account set-up, service connection, facilities charge, line extension, etc.);

(g) Include the date by which a customer can expect service;

(h) Include the application expiration date, if any;

(i) Include signatures of the potential customer and a company representative.

(2) After completing the application, the water company must:

(a) Provide the applicant with a copy of the completed form;

(b) Keep a copy of the completed application in the company's business office for no less than three years after the expiration date or the denial-of-service date;

(c) Inform the applicant within ten days of the company's intention to provide service or deny service. If service is denied, the company must tell the applicant the reason service is being denied and advise the applicant of the commission's toll-free number (1-800-562-6150) for appealing the decision.

NEW SECTION

WAC 480-110-335 Establishment of credit and deposits. (1) **Establishment of credit - residential.** A company must not collect a security deposit if an applicant for residential water service can establish satisfactory credit by any one of the following factors:

(a) Prior service with the water company within the prior twelve months and:

(i) At least twelve consecutive months with no more than one delinquency notice; and

(ii) The service was not disconnected for nonpayment.

(b) Prior residential water service with another water company, as demonstrated in (a) of this subsection, for which references may be quickly and easily checked. The water company may request that the reference be in writing from the previous water company;

(c) Full-time consecutive employment during the prior twelve months with no more than two employers, and the applicant is currently employed or has a regular source of income;

(d) Ownership of a legal interest in the premises being served;

(e) Furnishing a satisfactory guarantor responsible for payment of water service bills in the event of disconnection or default by the customer, in a specified amount, not to exceed the amount of the cash deposit required;

(f) Producing, in person at the water company's business office, two major credit cards, or other credit references, that the company can quickly and easily check that demonstrate a satisfactory payment history.

(2) **Establishment of credit - nonresidential.** An applicant for nonresidential water service may be required to demonstrate that it is a satisfactory credit risk by reasonable means appropriate under the circumstances.

(3) **Deposit requirements.** A deposit may be required when:

(a) The applicant has failed to establish a satisfactory credit history as outlined in subsections (1) or (2) of this section;

(b) During the prior twelve months, the applicant's service from another water company has been disconnected for failure to pay amounts owing when due;

(c) There is an unpaid, overdue balance owing for similar service from the water company to which application is being made or from any other water company;

(d) Two or more delinquency notices have been served upon the applicant by any water company during the prior twelve months;

(e) The application is for the initiation or continuation of service to a residence where a prior customer still lives and owes a past due bill to the water company.

(4) **Amount of deposit.** Required deposits for a customer or location must not exceed:

(a) Two-twelfths of the estimated annual billings for that customer or location for companies billing monthly;

(b) Three-twelfths of estimated annual billings for companies billing bimonthly;

(c) Four-twelfths of estimated annual billings for companies billing trimonthly.

(5) **Transfer of deposit.** When a customer moves to a new address within the water company's service territory, the deposit must be transferable, less any outstanding past-due balance owing from the old address.

(6) **Interest on deposits.** Interest on deposits collected from applicants or customers must:

(a) Accrue at the rate calculated as a simple average of the effective interest rate for new issues of one-year treasury bills, computed from December 1 of each year, continuing through November 30 of the following year. The commission will advise the water company each year of the specific rate by mail.

(b) Earn the calculated interest rate during January 1 through December 31 of the subsequent year.

(c) Be computed from the time of deposit to the time of refund or total application of the deposit and must be compounded annually.

(7) **Extended payment arrangement of deposits.** When an applicant or customer is required to pay a deposit but is unable to pay the entire deposit in advance of connection or continuation of service, the applicant or customer must be allowed to pay fifty percent of the deposit prior to service, with the remaining balance payable in equal amounts over the next two months.

(8) **Cash payments.** When payment is made in person and in cash, a receipt must be furnished to each applicant or customer for the amount paid.

(9) **Refund of deposits when required.** Deposits plus accrued interest must be refunded when there has been satisfactory payment or upon termination of service.

(a) Satisfactory payment - when a customer has paid for service for twelve consecutive months in a prompt and satisfactory manner as evidenced by the following:

(i) The water company has not initiated disconnection proceedings against the customer; and

(ii) No more than two notices of delinquency have been made to the customer by the water company.

(b) Termination of service - upon termination of service, the utility must return to the customer the amount then on deposit plus accrued interest, less any amounts due the utility by the customer.

(10) **Refund of deposits method.** Any deposit, plus accrued interest, must be refunded to the customer in accor-

dance with the preference indicated by the customer at the time of deposit, or as modified on a later date, using one of the following methods:

(a) In the form of a check issued and mailed to the customer no later than fifteen days following completion of twelve months of satisfactory payment as described above; or

(b) Applied to the customer's account for service beginning in the 13th month.

(11) **Additional deposit.** Nothing in this rule prevents the requirement of a larger deposit or a new deposit when conditions warrant. Should a larger or new deposit be required, the reasons must be specified in writing to the customer. Any requirement for a new or larger deposit must comply with the standards set forth in this rule.

NEW SECTION

WAC 480-110-345 Refusal of service. (1) A water company must not refuse or discontinue service to an applicant or customer when there are unpaid bills from a prior customer at the same premises unless the company believes, based on objective evidence, that the applicant is acting on behalf of the prior customer with the intent to avoid payment.

(2) A water company cannot permanently deny service to an applicant or customer because of a prior obligation to the company. A prior obligation is the dollar amount that has been billed to a customer but left unpaid at the time of disconnection of service for nonpayment.

(3) The water company may refuse to connect an applicant for service, or refuse to increase service to a customer, when one or more of the following conditions exist:

(a) The service will adversely affect service being provided to other customers;

(b) The applicant or customer has not complied with state, county, or municipal codes or regulations concerning the approved design or use of the facilities;

(c) In the company's judgment, the applicant's or customer's installation of piping or equipment is hazardous, or of such design that satisfactory service cannot be provided;

(d) The applicant or customer has not installed on its premises required protective devices necessary to protect the company's property or that of its other customers;

(e) The company is unable to secure all necessary rights of way, easements, approvals, and permits;

(f) Furnishing the water is contrary to the provisions of the company's approved water system plan; or

(g) The location to be served is located outside of the company's service area.

NEW SECTION

WAC 480-110-355 Discontinuance of service. (1) **Service may be disconnected either by customer direction or by company action:**

(a) **Customer-directed** - Customers wanting to discontinue service must notify the water company. The company must disconnect the service as requested by the customer. If the customer fails to request disconnection of service the customer will be responsible to continue paying for water service at the company's tariff rate until the company becomes aware that the customer vacated the property.

(b) **Company-directed: Notice requirements** - After properly notifying the customer, as explained in subsection (3) of this section, the water company may discontinue service to its customers for:

- (i) Unpaid bills, as provided for in WAC 480-110-375;
- (ii) Water use for purposes or properties other than those specified in the customer's application for service;
- (iii) Willful waste of water through improper or defective piping, equipment, or otherwise;
- (iv) Piping or equipment that does not meet the company's standards or fails to comply with other applicable codes and regulations;
- (v) Tampering with the company's property;
- (vi) Vacating the premises;
- (vii) Nonpayment of any proper charges, including deposit, as provided in the company's tariff;
- (viii) Refusing to allow access as required in WAC 480-110-305;
- (ix) Violating rules, service agreements, or effective tariffs, including violation of outdoor watering instructions given to customers in order to curtail water use during time of shortage;
- (x) Use of equipment that detrimentally affects the company's service to its other customers.

(c) **Service obtained by fraud: No notice required before termination** - A water company may terminate service without notice when it discovers that a customer has obtained service fraudulently. Examples of fraud include: When service is connected without the company's knowledge, when service is obtained by fraudulent means or representations, or when service is used to provide service to other persons who are required to obtain their own service.

(i) **First offense:** The company may disconnect service immediately and without prior notice when it discovers fraud, unless the customer immediately pays:

- (A) The tariff rate for service that the company estimates was taken fraudulently; plus
- (B) All company costs resulting from the fraudulent use and all applicable fees; plus
- (C) Any applicable required deposit.

(ii) **Second offense:** The company may disconnect service immediately and without prior notice when it discovers further fraud. The company may refuse to reconnect service to a customer who has been disconnected for further fraud.

(iii) **Commission review:** A customer may ask the commission to review any company determination of fraud through an informal or formal complaint. The company has the burden of proving that fraud occurred. However, this rule does not relieve any person who has committed fraud from civil or criminal responsibility.

(2) **Medical emergencies** - When a water company has cause to disconnect or has disconnected a residential service, it must postpone disconnection of service or must reinstate service for a grace period of five business days after receiving either verbal or written notification of the existence of a medical emergency. In cases of actual emergencies when service is reinstated, payment of a reconnection charge and/or deposit shall not be required prior to reinstatement of service.

(a) The company may require that the customer, within five business days, submit written certification from a quali-

fied medical professional stating that the disconnection of water service would significantly endanger the physical health of a resident of the household. "Qualified medical professional" means a licensed physician, nurse practitioner, or physician's assistant authorized to diagnose and treat the medical condition without supervision of a physician. Nothing in this section precludes a company from accepting other forms of certification, but the maximum the company can require is written certification. If the company requires written certification, it may require that the certification include some or all of the following information:

- (i) Residence location;
- (ii) An explanation of how the physical health of the person will be endangered by disconnection of local service;
- (iii) A statement of how long the condition is expected to last; and
- (iv) The title, signature and telephone number of the person certifying the condition.

(b) A medical emergency does not excuse a customer from paying delinquent and ongoing charges. The company may require that the customer do the following within the five business day grace period: Pay a minimum of twenty-five percent of the delinquent balance and enter into an agreement to pay the remaining delinquent balance within ninety days and to pay subsequent bills when due. Nothing in this section precludes the company from agreeing to an alternate payment plan, but the company may not require the customer to pay more than this subsection prescribes. The company must send a notice to the customer confirming the payment arrangements within two business days.

(c) If within the five-day grace period the customer fails to provide an acceptable payment arrangement, the company may disconnect service without further notice.

(d) If the customer fails to abide by the terms of the payment agreement the company may disconnect service without further notice.

(e) The medical certification is valid only for the length of time the health endangerment is certified to exist but no longer than six months unless renewed.

(3) **Required notice prior to disconnecting service** - Water companies must notify customers before disconnecting their service except in case of danger to life or property, fraudulent use, impairment of service, or violation of law. In all other cases, the company must not disconnect service until it has met the following requirements:

(a) The company must serve a written disconnection notice on the customer, either by mail, or, at the company's option, by personal delivery of the notice to the customer's address, attached to the primary door. Each disconnection notice must include:

(i) A delinquent date that is no less than eight business days after the date of personal delivery or mailing if mailed from inside the state of Washington or a delinquent date that is no less than eleven days if mailed from outside of the state of Washington; and

(ii) All pertinent information about the reason for the disconnection notice and how to correct the problem; and

(iii) The company's name, address, and telephone number by which a customer may contact the company to discuss the pending disconnection of service.

(b) In addition to (a) of this subsection, a second notice must be provided by one of the two options listed below:

(i) **Delivered notice** - The company must deliver a second notice to the customer and attach it to the customer's primary door. The notice must contain a deadline for compliance that is no less than twenty-four hours after the time of delivery that allows the customer until 5:00 p.m. of the following day to comply; or

(ii) **Mailed notice** - The company must mail a second notice, which must include a deadline for compliance that is no less than three business days after the date of mailing if mailed from within the state of Washington or six days if mailed outside the state of Washington.

(c) Disconnection notices must:

(i) Include detailed information pertinent to the situation; and

(ii) Include the company's name, address and telephone number by which the customer may contact the company to discuss the pending disconnection of service; and

(iii) Expire after ten business days from the first day that the company may disconnect service, unless other mutually agreed upon arrangements have been made and confirmed in writing by the company. If mutually accepted arrangements are not kept, the company may disconnect service without further notice.

(d) Except in case of danger to life or property, companies may not disconnect service on Saturdays, Sundays, legal holidays, or on any other day on which the company cannot reestablish service on the same or following day.

(e) A company employee dispatched to disconnect service must accept payment of a delinquent account at the service address if tendered in cash, but is not required to give change for cash tendered in excess of the amount due and owing. The company must credit any excess payment to the customer's account. When disconnection does not take place due to payment made by the customer, the company may assess a fee for the disconnection visit to the service address as provided in the company's tariff. The disconnection notice must describe the disconnection visit charge, the amount, and the circumstances under which the charge will be made.

(f) When service is provided through a master meter, or when the utility has reasonable grounds to believe service is to other than the customer of record, the company must undertake reasonable efforts to inform occupants of the service address of the impending disconnection. Upon request of one or more service users, where service is to other than the customer of record, a minimum period of five days must be allowed to permit the service users to arrange for continued service.

(g) When service is provided to a hospital, medical clinic with resident patients, or nursing home, notice of pending disconnection must be provided to the director of the Washington department of health, and to the customer. Upon request to the company from the Washington department of health director or designee, an additional five business days must be allowed before disconnecting service to allow the department to take whatever steps are necessary to protect the interests of resident patients who are responsibilities of the Washington department of health.

(h) Service may not be disconnected while the customer is pursuing any remedy or appeal provided by these rules or while engaged in discussions with the company's representatives or with the commission. However, any amounts not in dispute must be paid when due and any conditions posing a danger to health, safety, or property must be corrected.

(4) **Payments at a payment agency** - Payment of any past due amounts to a designated payment agency of the water company constitutes payment when the customer informs the company of the payment and the company has verified the payment with the payment agency.

(5) **Reconnecting water service after disconnection** - The water company must restore disconnected service when the customer has paid, or the company has agreed to bill, any reconnection charge and:

(a) The causes of disconnection are removed; or

(b) The customer pays all proper charges; or

(c) The customer pays any applicable deposit as provided for in the company tariff in accordance with WAC 480-110-335.

The commission may order reconnection pending resolution of any bona fide dispute between the company and the customer over the propriety of disconnection.

NEW SECTION

WAC 480-110-365 Service responsibilities. (1) **Customer responsibility** - Customers must notify the water company in writing prior to making a change in equipment or usage that will materially affect the service being provided by the company. The customer must:

(a) Provide the company adequate time to install necessary additional facilities or supply; and

(b) Pay an equitable share of the cost of necessary additional facilities, if any, as provided in the company's tariff or through a contract submitted to the commission for approval.

(2) **Water company responsibility** - Water companies must:

(a) Install and maintain all equipment at appropriate locations necessary to operate the system;

(b) Install additional equipment as required by the commission in connection with performing special investigations; and

(c) Notify all affected customers when changes to the service will require customers to adjust their equipment.

(i) If the customer has been advised of the needed change prior to taking service, the company has no obligation to pay for any costs in connection with making required changes to the customer's equipment.

(ii) If the change in service is required by law, the company has no obligation to pay for any costs in connection with making required changes to the customer's equipment.

(iii) Otherwise when equipment must be adjusted to permit use under the changed conditions, the cost of any necessary adjustments must be equitably shared by the company and customer.

(3) **Maintenance** - Each water company must maintain its plant and system in a condition that enables it to furnish adequate service and meet its obligation under chapter 246-290 or 246-291 WAC, as applicable.

(4) **Quality of water** - Each water company must meet Washington department of health requirements under chapter 246-290 or 246-291 WAC, as applicable.

(5) **Protection of water supply** - Each water company must protect its sources of supply, as required by Washington department of health under chapter 246-290 or 246-291 WAC, as applicable.

(6) **Operations and maintenance** - Each water company must comply with Washington department of health rules regarding operation and maintenance, as required under chapter 246-290 or 246-291 WAC as applicable, and by good engineering practices.

(7) **Test records** - Each water company must:

(a) Keep a complete record of each test made for quality and service conditions as required under these rules. The records must contain complete information concerning the test, including such items as the commission may require;

(b) Provide the records to the commission staff upon request.

(8) **Interruption of service and service outages:**

(a) Water companies must make all reasonable efforts to avoid outage of service but are not insurers in the event of emergency, acts of God, or similar event. When outages do occur, the company must make reasonable efforts to reestablish service with a minimum of delay.

(b) When making necessary repairs or changes to its facilities, a water company:

(i) May interrupt service for a period of time as reasonably necessary and in a manner that minimizes the inconvenience to the customers; and

(ii) Must attempt to do the work during working hours regularly maintained by the company.

(c) A water company may interrupt service without incurring any liability.

(9) **Notice of service interruptions** - Water companies must:

(a) Notify its customers of a scheduled interruption twenty-four hours in advance through newspapers, radio announcements, or other means;

(b) Notify police and fire departments affected by the interruption individually;

(c) Keep a record of all interruptions of service affecting a substantial number of customers, including in such records:

(i) The location;

(ii) The date and time;

(iii) The duration; and

(iv) The cause of each interruption, if known.

(d) Provide copies of records to the commission staff, upon request;

(e) Notify the Washington department of health.

(e) Include enough information that, together with tariff rates, the customer can calculate his or her bill (a copy of the tariff is available for review at company or from the commission upon request);

(f) Show the date the bill becomes delinquent if not paid. The minimum specified time must be fifteen days after the bill's mailing date, if mailed from within the state of Washington, or eighteen days if mailed from outside the state of Washington, after the bill's mailing date.

A customer may request to pay by a certain date that is not the normally designated payment date when showing good cause. Good cause may include, but is not limited to, adjustment of a billing cycle to parallel receipt of income. The preferred payment date must be prior to the next invoice date.

(g) Include the water company's business address and telephone number and/or emergency telephone number by which a customer may contact the company;

(h) If the customer is metered, include the current and previous meter readings, the current read date, and the number and kind of units consumed;

(i) Show taxes and any tax percentage rate that the taxes are computed from. Taxes must be totaled to show a total taxed amount. Upon request, the company must provide a detail of the computation of the tax amount. Taxes, as used here, represent municipal occupation, business and excise taxes that have been levied by a municipality against the company, and are being passed on to the customer as a part of the charge for water service; and

(j) Clearly identify when a bill has been estimated.

(2) Water companies may prorate bills for customers who have taken service for a fraction of the billing period. If the company does not have its method of prorating bills in its tariff, the company must prorate bills in the following manner:

(a) For flat rate service, the charge must be prorated on the basis of the proportionate part of the period during which service was rendered.

(b) For metered service the charge will be equal to:

(i) The applicable minimum charge as shown in the company's tariff must be prorated on the basis of the proportionate part of the period during which service was rendered; plus

(ii) Any water usage charge computed using rates and allowances shown in the company's tariff.

(3) The water company must include its method for estimating bills in its tariff. Estimating of bills is allowed for no more than two consecutive billing cycles.

(4) When a company has cause to back-bill a customer, the company must allow the customer payment arrangements, if requested, for the same number of months to pay equal to the cumulative total of months being back-billed. (Example: If the company is back-billing for a one-year period, the company must allow the customer twelve months of equal payments to pay the total amount of the back billing.) These payments will be in addition to current billings.

NEW SECTION

WAC 480-110-385 Water company responsibility for complaints and disputes. (1) If a water company receives a

NEW SECTION

WAC 480-110-375 Form of bills. (1) Customer bills must:

(a) Be issued at intervals not to exceed three months and identify if the water company is billing in arrears or advance;

(b) Show a reference to the applicable rate schedule;

(c) Identify and show each separate charge as a line item;

(d) Show the total amount of the bill;

complaint or dispute from a customer or an applicant for service it must:

- (a) Acknowledge the complaint;
- (b) Investigate promptly;
- (c) Report the results of the investigation to the complainant;
- (d) Take corrective action, if warranted, as soon as appropriate under the circumstances;
- (e) Inform the complainant that the decision may be appealed to a higher level representative at the company, if any;
- (f) Inform the complainant, if still dissatisfied after speaking with the higher level representative, of the commission's availability for review of the complaint; and
- (g) Provide the complainant with the commission's address and toll-free telephone number.

(2) Applicants, customers, or their representatives, may file with the commission:

- (a) An informal complaint against the company as set forth in WAC 480-09-150; and/or
- (b) A formal complaint against the company as set forth in WAC 480-09-500.

(3) When commission consumer affairs staff refers an informal complaint to the company, the company must:

(a) Investigate and report the results to the commission consumer affairs staff within two business days. The commission consumer affairs staff may grant an extension of time for responding to the complaint, if requested and warranted;

(b) Keep the commission consumer affairs staff informed of progress toward the solution and the final result.

(4) Each water company must keep a record of all complaints concerning service or rates for at least one year and, on request, make them readily available for commission review. The record must contain:

- (a) Complainant's name and address;
- (b) Date and nature of the complaint;
- (c) Action taken; and
- (d) Final result.

NEW SECTION

WAC 480-110-395 Water quality refunds. (1) Water companies may be required to refund water charges due to poor water quality only:

(a) Upon commission order resulting from a formal proceeding before the commission; and

(b) When there are violations of the Washington department of health water quality standards in WAC 246-290-310 (primary contaminants); and

(c) If the company does not take follow up steps outlined in WAC 246-290-320.

(2) The amount of the refund will be determined in a formal proceeding before the commission and is not recoverable through rates or charges.

NEW SECTION

WAC 480-110-405 Meter accuracy and water pressure complaints. (1) When the water company receives a meter accuracy or water pressure complaint, it must perform a test and share the results with the customer. The test must

be at no charge to the customer, except the water company may charge for any additional meter tests requested by the customer within a twelve-month period as provided in its tariff.

(2) The test must be performed within ten days of the complaint.

(3) The customer has the option to witness the test. Should the customer choose to witness the test, a mutually agreed time will be established. A continuously recording pressure gauge may be required for a period of up to one week based on customer complaints of low pressure.

(4) The meter or pressure test must be taken using industry standard methods and equipment.

(5) If a meter test reveals a meter error in excess of two percent water flow to the detriment of the customer, the company must repair or replace the meter at no cost to the customer. A refund for any over billing must be made to the customer.

(6) If the water company and customer cannot resolve a complaint, it may be appealed to the commission for resolution.

(7) The water company must keep a record of meter and pressure tests and have them available for inspection. The record must list the customer's name and address, type of complaint, resolution, and what test method was used.

(8) The water company must provide, at the commission's request, a description of the test procedures and equipment used to perform meter and pressure complaint tests.

NEW SECTION

WAC 480-110-415 Meters. (1) **Water company rights and responsibilities:**

(a) The water company must:

(i) Bear the cost of the meter and meter installation.

(ii) Install water meters that are in working order and accurately measure water flow.

(iii) Record meter serial numbers and identify location of installation.

(iv) Repair or replace a malfunctioning meter at its expense unless a customer causes the malfunction.

(b) The water company may:

(i) Install meters and charge the tariff meter rate after thirty days notice to affected customers.

(ii) Install any apparatus to detect fraud or waste without notifying the customer.

(2) **Water customer rights and responsibilities:**

(a) A customer may request that a standard residential meter as defined in the company's tariff be installed, provided that metered rates are in effect.

(b) When a customer requests a meter installation, the water company may charge the customer in advance for the meter cost and meter installation, if such charge is included in the company's tariff. The company must reimburse the customer, by bill credit, at least ten percent of the meter and installation charge each month until fully paid.

(c) The water company has thirty days from the date of request to install the meter.

(d) If the water company fails to install the meter within the time limit in (c) of this subsection, the customer must be

charged only the meter minimum charge until the meter is installed.

(e) If a customer tampers with a meter, the customer will be liable to the company for any repair or replacement costs.

(f) If the customer requests assistance in reading a meter, the water company must provide information on how to read the meter.

NEW SECTION

WAC 480-110-425 Water company customer notice requirements. (1) Draft customer notices must be submitted to the commission for review at least one week prior to the company's planned printing date for distribution.

(2) At a minimum, the water company must notify:

(a) Customers and potential customers who may be affected by the water company's proposal; and

(b) The public affairs section of the commission.

(3) Customers must receive notice thirty days prior to the requested effective date when a water company proposes to:

(a) Increase rates;

(b) Change terms and/or conditions of an existing service;

(c) Change the ownership or control of the operating company (see WAC 480-143-210 for content of notice);

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

(e) Eliminate or grandfather any service.

(4) Content of notice for rate change - The notice to customers must contain, at a minimum, the following:

IMPORTANT NOTICE

(a) Date

(b) (Insert water company name) has filed for approval from the Washington utilities and transportation commission to increase rates (insert total annual revenue). If approved, the rates will be effective on (insert effective date).

(c) (Clearly explain the reason for the proposal - be specific.)

Current Rates/Services	Proposed Rates
\$	\$

(d) If you have questions about the proposed filing and how it will affect you, please call (insert company name & office phone number). If you have questions about the rate making process, you may contact the Washington Utilities and Transportation Commission at the following address: WUTC, 1300 S. Evergreen Park Drive S.W., P.O. Box 47250, Olympia, WA 98504-7250; 1-800-562-6150 (toll-free) or by e-mail comments@wutc.wa.gov.

(e) If you would like to comment on this proposal, it is important for you to do so now. Comments must be submitted in writing or presented at the commission's open meeting to be included as part of the formal record. The commission is interested in receiving your views regarding this proposal whether in favor or not. All open meetings are held in Olympia, WA. If you would like to be added to the commission's mailing list to be notified of the open meeting date, please call 1-800-562-6150 and leave your name, complete mailing

address, the water company's name, and a description of the proposal you are interested in.

Sincerely,
(Company Name/Representative)

(5) Notice after commission action is permitted only when the commission approves an increase in federal, state, county or city-imposed taxes, fees or surcharges, and when credits are issued.

(a) At a minimum, notice after commission action must include the effective date, a clear description of changes to rates or services resulting from the commission's decision, and a company contact number where customers may seek additional information.

(b) Any notice after commission action may be accomplished by a bill message, bill insert, printed in a company newsletter, or mailed separately to customers.

(c) The commission may require other notification to the public as it determines necessary.

NEW SECTION

WAC 480-110-435 Extension contracts. (1) Each water company must file, as a part of its tariff, an extension rule that states the conditions required by the company before it will extend its transmission and distribution infrastructure to provide water service to an applicant.

(2) Companies entering into any extension contract must:

(a) File the contract with the commission not less than thirty days before the proposed effective date of the contract.

(b) Conform the proposed contract to the applicable provisions of WAC 480-80-335.

(3) Extension contracts must include the documentation necessary to show that the proposed charges are fair, just, reasonable, and sufficient.

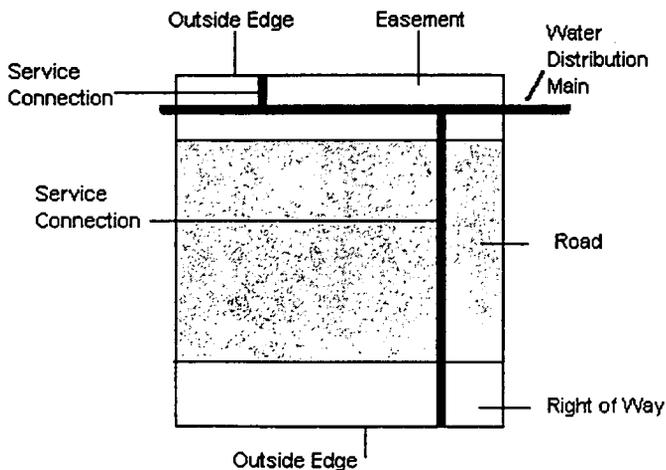
(4) An extension may also be referred to as a distribution extension, a main extension, or a line extension.

NEW SECTION

WAC 480-110-445 Service connections and customer service lines. A service connection is the pipes, valves, and fittings between the water company's distribution system and the customer's service line. The customer's service line is the water line from the customer's points of usage to the water company's service connection.

(1) **Service connection charge and service connection length.** The length of a service connection can vary depending on where the customer's service line is or will be located. A tariffed service connection charge may be assessed for the cost of a new service connection. However, if the service connection is longer than the distance from the water distribution main to the outside edge of the right of way or easement that runs along or parallel to the water distribution main and closest to the customer's property line, the cost of such an extension may be financed as line extension, at the option of the company. The related line extension contract is subject to approval by the commission under WAC 480-110-435.

PERMANENT



NEW SECTION

WAC 480-110-455 Water company funding mechanisms. (1) Some water companies have insufficient funds to respond to emergencies, replace or upgrade failing infrastructure, or add plant to accommodate growth. Frequently, water companies cannot obtain financing through traditional capital markets. The purpose of a surcharge or a facilities charge is to provide the water company with a source of capital, provided by customers, to fund capital needs. No company may collect a surcharge or facilities charge except by commission order or approval.

(2) Surcharges.

(a) Surcharges are designed to fund three types of financing needs:

(i) Future water utility plant. This surcharge allows the company to collect money from current customers to fund a reserve in order to pay for future capital projects that are part of a long-range plan. The project must be approved by the department of health as a part of a long-range plan, or required by the department of health to assure compliance with federal or state drinking water regulations, or to perform construction or maintenance required by the department of ecology to secure safety to life and property under RCW 43.21A.064(2).

(ii) Current water utility plant. This surcharge is tied to the servicing and repayment of the debt used for the financing of the water utility plant required by:

(A) Washington department of health order or letter to adequately serve current customers; or

(B) Department of ecology.

(iii) Special expenses. This surcharge is used to pay for operating expenses that are independent and unique from normal operating expenses or that may be subject to large variations. This type of operating expense may need periodic reevaluation without the need of a general rate case. Examples of the use of this type of surcharge are: New or highly variable safe drinking water act testing and treatment expenses, extraordinary maintenance expenses, or temporary taxes.

(b) A surcharge may fund up to one hundred percent of the total cost of a project or expense.

(c) Funds received by surcharge, including any interest earned on the funds while being held in reserve, are contributions in aid of construction.

(d) When seeking approval of a surcharge the company must file:

(i) A cover letter explaining the request;

(ii) A tariff page, stating the amount of the surcharge and who must pay;

(iii) Supporting justification for the charge; and

(iv) If applicable, requests for capital surcharges must refer to the appropriate sections of the company's submitted comprehensive water system plan, or include a copy of the Washington department of health order or letter requiring plant improvements to adequately serve current customers.

(3) Facilities charges.

(a) Facilities charges are designed to fund two types of capital needs:

(i) Future water utility plant. This type of facilities charge allows the company to collect money from new cus-

(2) Service connections may be installed when the system is built or at a later date, after the system is operational. A service connection charge may be based on the average installation cost for new service connections in subsection (3)(a) and (b) of this section. The service connection must be owned and maintained by the water company.

(3) A water company may assess a service connection charge, if named in its tariff, to recover the cost of the service connection:

(a) Installed by the water company during construction of the water system; or

(b) Installed after the distribution system had been buried and in service; or

(c) When the service connection has been previously removed for good cause and must be reinstalled to provide water service.

(4) A service connection charge must not be assessed if:

(a) The water company did not incur any cost to install the service connection (e.g., the service connection is a contribution in aid of construction);

(b) The water company is just installing a meter; or

(c) The water company is merely opening a valve to connect the company's distribution system to the customer's service line.

(5) The company may install the service connection to the property line, property corner, or to a location on the property mutually agreed upon. The company may install a meter or valve at any point along the service connection line or at a different mutually agreed location provided that in such event the property line will nevertheless be deemed the point of delivery.

(6) The customer's service line must be installed to provide easy access to the water company's distribution system. If there is doubt as to where the proper location should be, the customer must consult with the water company and agree on a location.

(7) The water company may request that the trench be left open and customer's service line exposed in order to inspect the connection for potential problems. The water company must complete the inspection within two business days after notification that the trench is open.

tomers to fund a reserve in order to pay a portion of future capital projects that are part of a long-range plan. The project must be in accordance with the company's submitted comprehensive water system plan or Washington department of health order or letter requiring plant improvements to adequately serve current customers, or utility plant that is required by department of ecology.

(ii) Current water utility plant. This type of facilities charge allows the company to collect money from new customers to be used to fund a reserve to partially finance current plant improvements required by Washington department of health order or letter to adequately serve current customers or required by department of ecology.

(b) A facilities charge may not fund one hundred percent of the total cost of qualifying projects. The water company must maintain an appropriate ratio of rate base to total plant.

(c) Funds received through a facilities charge, including any interest earned on the funds while being held in reserve, are contributions in aid of construction.

(d) A water company may impose a facilities charge by tariff or contract.

(e) When seeking approval of a facilities charge the company must file:

(i) A cover letter explaining the request;

(ii) A tariff page or signed contract, stating the amount of the charge and who must pay;

(iii) Supporting justification for the charge;

(iv) Requests for a facilities charge must refer to the appropriate sections of the company's submitted comprehensive water system plan, or include a copy of the Washington department of health order or letter requiring plant improvements to serve current or potential customers.

(4) Accounting and reporting requirements.

(a) Surcharge funds and facilities charge funds collected pursuant to this rule, and interest earned upon such funds must be held in a separate account by the company for the benefit of customers. Such funds do not become the property of company owners and may not (except as authorized in (b) of this subsection), be disbursed, alienated, attached, or otherwise encumbered by the company or its owners. In the event of a sale or transfer of the company, the trust obligations established in this rule regarding any unspent surcharge or facilities charge funds are transferred to the new owner of the company.

(b) Funds may be used from the account only to the extent and for the purposes approved by the commission.

(i) At the discretion of the commission, disbursements from the account may become subject to prior approval by the commission either by order by the commission or by letter from the executive secretary.

(ii) The company may be required to file requests for disbursements.

Requests must provide sufficient detail to allow the determination that the requested disbursement is in compliance with the commission's order.

(c) The water company must report for each tariffed surcharge or facilities charge the following information to the commission within sixty days of the end of the calendar quarter:

(i) Beginning balance;

(ii) Amounts received, detailed by source;

(iii) Amounts spent, detailed by project or expense;

(iv) Ending balance;

(v) Reconciliation of bank balance to general ledger.

NEW SECTION

WAC 480-110-465 Political information and political education activities. (1) The commission will not allow expenses for political information or political education activities for ratemaking purposes.

(2) Political information and political education activities include, but are not limited to:

(a) Encouraging support or opposition to ballot measures, legislation, candidates for an office, or current public office holders.

(b) Soliciting support for political action committees.

(c) Gathering data for political mailing lists.

(d) Soliciting political contributions or recruiting political volunteers.

NEW SECTION

WAC 480-110-475 Reports of accidents. Each water company must notify the commission within seventy-two hours after every accident resulting in death or serious injury to any person occurring in its plant or through contact with its facilities. At a minimum, the report must include the name of the injured person, time and place of the accident, and an explanation of the accident. The water company may notify the commission by phone, but must provide a written report within five business days.

NEW SECTION

WAC 480-110-485 Retention and preservation of records and reports. (1) The water company must retain all records and reports for three years unless otherwise specified in subsection (2) of this section.

(2) The *Regulations to Govern the Preservation of Records of Electric, Gas and Water Companies*, published by the National Association of Regulatory Utility Commissioners is prescribed as the requirement for the state of Washington. This document is available at the commission branch of the Washington state library. The commission secretary will provide a copy of the document on request, subject to any charge, or it may be ordered directly from the National Association of Regulatory Utility Commissioners.

NEW SECTION

WAC 480-110-495 Maps. Each water company shall maintain a current map of each of its water systems showing the current service area. The company must provide the current maps to the commission for review within five business days of a request. The maps must contain enough detail to answer questions related to rates and charges and obligations to serve.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 480-110-011 Application of rules.
- WAC 480-110-016 Saving clause.
- WAC 480-110-018 Definition of control.
- WAC 480-110-021 Glossary.
- WAC 480-110-023 Average customer revenue jurisdictional threshold.
- WAC 480-110-026 Tariffs.
- WAC 480-110-028 Fire flow requirements.
- WAC 480-110-031 Accounting.
- WAC 480-110-032 Accounting—Political information and political education activities.
- WAC 480-110-036 Finance—Securities, affiliated interests, transfer of property.
- WAC 480-110-041 Availability of information.
- WAC 480-110-046 Application for service.
- WAC 480-110-051 Deposits.
- WAC 480-110-056 Refusal of service.
- WAC 480-110-061 Contract for service.
- WAC 480-110-066 Distribution extensions—Service installations—Service connections.
- WAC 480-110-071 Discontinuance of service.
- WAC 480-110-076 Service responsibilities.
- WAC 480-110-081 Service connections.
- WAC 480-110-086 Meter location.
- WAC 480-110-091 Access to premises.
- WAC 480-110-096 Complaints and disputes.
- WAC 480-110-101 Form of bills.
- WAC 480-110-111 Refund for inaccurate metering.
- WAC 480-110-116 Responsibility for delinquent accounts.
- WAC 480-110-121 Meter charges and installation.
- WAC 480-110-126 Meter readings.
- WAC 480-110-131 Identification of meters.
- WAC 480-110-136 Initial accuracy of meters.
- WAC 480-110-141 Accuracy of meters.
- WAC 480-110-146 Dispute as to accuracy of meters.

- WAC 480-110-151 Complaint meter test.
- WAC 480-110-156 Statement of test procedures.
- WAC 480-110-161 Frequency of periodic tests.
- WAC 480-110-166 Meter history records.
- WAC 480-110-171 Reports of accidents.
- WAC 480-110-176 Filing of records and reports and the preservation of records.

**WSR 99-24-104
PERMANENT RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 99-206—Filed November 30, 1999, 4:53 p.m.]

Date of Adoption: November 23, 1999.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-36-023 and 220-40-027.

Statutory Authority for Adoption: RCW 75.08.080.

Adopted under notice filed as WSR 99-19-134 on September 21, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 29, 1999

J. P. Koenings

Director

by Larry Peck

AMENDATORY SECTION (Amending Order 98-122, filed 7/15/98, effective 8/15/98)

WAC 220-36-023 Grays Harbor salmon—Fall fishery. August 16 through December 31 of each year, it is unlawful to fish for salmon in Grays Harbor for commercial purposes, except that:

Fishing period

Gill net gear may be used to fish for salmon from ~~((6:00 p.m.—September 27))~~ 7:30 a.m. to 6:30 p.m. on October 12.

PERMANENT

October 13 and October 14, and from 8:00 a.m. to 6:00 p.m. October ((2, 1998)) 27, 1999, in SMCRA ((2C)) 2B.

is 6 1/2 inches ((September 22)) October 4 through October ((8, 1998)) 29, 1999.

Gear

Gill net gear shall be used as provided for in WAC 220-36-015, except that it shall not contain mesh larger than 6 1/2 inches.

AMENDATORY SECTION (Amending Order 98-122, filed 7/15/98, effective 8/15/98)

WAC 220-40-027 Salmon—Willapa Bay fall fishery. August 16 through December 31 of each year, it is unlawful to fish for salmon in Willapa Bay for commercial purposes or to possess salmon taken from those waters for commercial purposes, except that:

Fishing period

(1) Gill net gear may be used to fish for salmon from((
(a) 6:00 a.m. to 6:00 p.m. August 19 and 6:00 p.m. August 26 to 6:00 p.m. August 27, 1998, in SMCRA 2M, that portion of SMCRA 2G east of a line drawn true north-south through Willapa Channel Entrance Buoy 12, that portion of SMCRA 2H west of Willapa Channel Marker 35 and that portion of SMCRA 2J north of an east-west line through the north entrance marker to the Naheotta boat basin (red flasher no. 2);

(b) 6:00 p.m. September 21 to 6:00 p.m. September 25, 6:00 p.m. September 27 to 6:00 p.m. October 1 and 6:00 p.m.) 7:30 a.m. to 6:30 p.m. October 4 ((to 6:00 p.m. October 8, 1998, in SMCRA 2H;

(c) 6:00 p.m. September 21 to 6:00 p.m. September 22 6:00 p.m. September 24 to 6:00 p.m. September 25 6:00 p.m. September 28 to 6:00 p.m. September 29, and 6:00 p.m. October 5 to 6:00 p.m. October 6, 1998, in that part of SMCRA 2J north of an east-west line through the north entrance marker to the Naheotta basin (red flasher no. 2);

(d) 6:00 p.m. September 21 to 6:00 p.m. October 1, and 6:00 p.m. October 4 to 6:00 p.m. October 8, 1998), 6:00 p.m. October 5 to 6:00 p.m. October 8, 6:00 p.m. October 11 to 6:00 p.m. October 15, 6:00 p.m. October 18 to 6:00 p.m. October 22 and 6:00 p.m. October 25 to 6:00 p.m. October 29, 1999, in ((SMCRA 2M and)) SMCRA 2G east of a line drawn true north-south through Willapa Channel entrance buoy 12 and west of a line drawn true north-south through Willapa Channel Marker 24.

(2) The Tokeland Boat basin is closed to commercial fishing during the openings in SMCRA 2G described in this section. The Tokeland Boat basin means that portion of SMCRA 2G bounded on the south by the shoreline of the boat basin, on the west by the seawall and on the north and east by a line from the Tokeland Channel Marker "3" (flashing green, 4-second) to Tokeland Channel Marker "4" to the tip of the seawall.

Gear

(3) Gill net gear shall be used as provided in WAC 220-40-015 except that ((before 6:00 p.m. September 22, there is no maximum mesh size limit, and)) the maximum mesh size

WSR 99-24-106

PERMANENT RULES

LIQUOR CONTROL BOARD

[Filed December 1, 1999, 8:30 a.m.]

Date of Adoption: September 28, 1999.

Purpose: The following new rules will clarify the conditions under which types and service of liquor may be provided in sport/entertainment facilities: WAC 314-16-260 Sports/entertainment facility license—Purpose, 314-16-265 Definitions, 314-16-270 Sports/entertainment facility licenses—Operating plans, and 314-16-275 How will the operating plans be enforced?

Statutory Authority for Adoption: RCW 66.08.030 and 66.24.570.

Adopted under notice filed as WSR 99-16-118 on August 4, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 4, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 4, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 4, Amended 0, Repealed 0.

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

November 19, 1999

Eugene Prince

Chairman

NEW SECTION

WAC 314-16-260 Sports/entertainment facility license—Purpose. (1) **What is the purpose of the rules governing the use of alcohol in sports/entertainment facilities?**

(a) In RCW 66.24.570, the legislature established a spirits, beer, and wine license for arenas, coliseums, stadiums, or other facilities where sporting, entertainment, and special events are presented.

(b) These rules provide a framework for the enforcement of liquor laws and regulations, particularly those prohibiting the sale of alcohol to persons under twenty-one years of age or persons who are apparently intoxicated.

(c) This framework recognizes the unique conditions associated with events attended by large crowds consisting of diverse age groups.

(2) **Will the liquor control board recognize the differences between types of sports/entertainment facilities?** Yes. A sports/entertainment facility must submit an operating plan, which must be approved by the board prior to the issuance of a license. All plans are required to meet the minimum standards outlined in WAC 314-16-270. The board will take into consideration the unique features of each facility when approving an operating plan, including the seating accommodations, eating facilities, and circulation patterns.

NEW SECTION

WAC 314-16-265 Definitions. (1) **Premises** - Buildings, parking lots, and any open areas that are adjacent to and owned, leased, or managed by the licensee and under the licensee's control.

(2) **Event categories** - Types of events that the licensee expects to hold on the premises:

(a) **Professional sporting event** - A contest involving paid athletes and sanctioned by a professional sports organization that regulates the specific sport.

(i) A preapproved level of alcohol service will be applied to the professional sporting events of baseball, football, basketball, soccer, tennis, volleyball, horse racing, hockey, and track and field events (relay races, dashes, pole vaulting, etc.).

(ii) For all other professional sporting events, the board will determine the level of alcohol service on a case-by-case basis, as approved in the operating plan.

(b) **Amateur sporting event** - A contest or demonstration involving athletes who receive no monetary compensation that is sanctioned by a national or regional amateur athletic regulatory organization.

(c) **Entertainment event** - A concert, comedy act, or similar event intended for the entertainment of the audience.

(d) **Special event** - A convention, trade show, or other public/private event to large too be held in a separate banquet or meeting room within the facility.

(e) **Private event** - An event not open to the public such as a wedding, private party, or business meeting, where the facility or a portion of the facility where the event is held is not accessible to the general public during the time of the private event.

(3) **Hawking** - The practice of selling alcohol in seating areas by roving servers who carry the beverages with them, as outlined in WAC 314-16-270(4). Because of row seating arrangements, servers normally do not have direct access to customers. Therefore, service usually requires that drinks, money, and identification be passed down rows, involving other spectators.

(4) **Club seats** - A specifically designated and controlled seating area that is distinct from general seating with food and beverage service provided by servers directly to the customer.

NEW SECTION

WAC 314-16-270 Sports/entertainment facility licenses—Operating plans. (1) **What rules govern the submission of operating plans?**

(a) To receive a license, a sports/entertainment facility must submit an operating plan for board approval.

(b) Once approved, the plan remains in effect until the licensee requests a change or the board determines that a change is necessary due to demonstrated problems or conditions not previously considered or adequately addressed in the original plan.

(c) The plan must be submitted in a format designated by the board.

(d) The plan must contain all of the following elements:

(i) How the sports/entertainment facility will prevent the sale and service of alcohol to persons under twenty-one years of age and those who appear to be intoxicated.

(ii) The ratio of alcohol service staff and security staff to the size of the audiences at events where alcohol is being served.

(iii) Training provided to staff who serve, regulate, or supervise the service of alcohol.

(iv) The facility's policy on the number of alcoholic beverages that will be served to an individual patron during one transaction.

(v) A list of event categories (see WAC 314-16-265(2)) to be held in the facility at which alcohol service is planned, along with a request for the level of alcohol service at each event.

(e) Prior to the first of each month, the licensee must provide a schedule of events for the upcoming month to the facility's local liquor enforcement office. This schedule must show the date and time of each event during which alcohol service is planned. The licensee must notify the local enforcement office at least twenty-four hours in advance of any events where alcohol service is planned that were not included in the monthly schedule. Notice of private events is not required when the event is being held in conjunction with a professional or amateur sporting event, an entertainment event, or a special event as outlined in WAC 314-16-265(2).

(2) **May the liquor control board impose any other mandatory standards as a part of an operating plan?** Yes. To prevent persons who are under twenty-one years of age or who appear intoxicated from gaining access to alcohol, the board may impose the following standards as part of an operating plan:

(a) The board may require that an operating plan include additional mandatory requirements if it is judged by the board that the plan does not effectively prevent violations of liquor laws and regulations, particularly those that prevent persons under twenty-one years of age or who are apparently intoxicated from obtaining alcohol.

(b) To permit alcohol servers to establish the age of patrons and to prevent over-service, sports/entertainment facilities must meet minimum lighting requirements established by WAC 314-16-030(3) in any area where alcohol is served or consumed. For the purpose of establishing a permanent technical standard, an operating plan may include a lighting standard measured in foot candles, so long as the candle power of the lighting is, at all times, sufficient to permit alcohol servers to establish the validity of documents printed in eight point type.

(3) **Where will spirits, beer, and wine be allowed in a sports/entertainment facility?** The purpose of the follow-

ing matrix is to outline where and when alcohol service will normally be permitted. Due to the unique nature of each

facility, the board will determine the permitted alcohol service based on the facility's approved operating plan.

Type of event as defined in WAC 314-16-265(2)	Beer, wine, and spirits may be sold and served in approved restaurants, lounges, private suites, and club rooms	Beer, wine, and spirits may be sold and served in temporary lounges, beer gardens, or other approved service areas	Wine may be served and consumed in club seats during events	Beer and wine may be consumed throughout seating areas during events	Hawking - Beer may be served throughout seating areas, subject to the provisions of WAC 314-16-270(4)
Professional sporting events of baseball, football, basketball, soccer, tennis, volleyball, horse racing, hockey, and track and field events	x	x	x	x	x
All other professional sporting events (level of alcohol service will be determined on a case-by-case basis per the approved operating plan)	x	x	x	x	
Amateur sporting events	x	x			
Entertainment events	x	x			
Special events	x	x			

(a) For private events, beer, wine, and spirits may be served in the area where the event is held. This area may be a separate meeting or banquet room or the entire facility.

(b) In order to minimize youth access to alcohol, the board may prohibit or restrict the service of alcohol at events where the attendance is expected to be over thirty percent persons under twenty-one years of age. This restriction will not apply to the professional sporting events outlined in WAC 314-16-265 (2)(a).

(4) **Will hawking be allowed at sports/entertainment facilities?** Subject to the provisions of this rule, hawking may be permitted in general seating areas for the sale and consumption of beer, at the professional sporting events of baseball, football, basketball, soccer, tennis, volleyball, horse racing, hockey, and track and field events only, as defined by WAC 314-16-265(2).

(a) An operating plan must include procedures for hawkers to verify the age of purchasers and to prevent service to apparently intoxicated persons.

(b) During hawking, any patron may decline to handle alcoholic beverages, either on behalf of themselves and for any person under their supervision. When a patron objects to handling alcohol, hawkers must accommodate the objection. The facility operating plan will address how hawking will be

managed, including how hawkers will respond to patron objections to handling alcohol.

(c) Each facility's hawking authorization will be reviewed by the board one year after the facility commences hawking under these rules and then every two years. This review, which will take no more than ninety days, will recommend the continuation, modification, or repeal of the hawking authorization. The decision to continue hawking will be based on:

(i) The facility's demonstrated record of preventing service of liquor to persons under twenty-one years of age and to persons who appear intoxicated; and

(ii) Public input submitted to the board. The licensee must post written notices to its patrons at fixed points of alcohol sales on the premises and in programs at events where hawking occurs for at least sixty days prior to the review period, stating that the facility's hawking authorization is up for review by the board, and directing comment to the board. The wording and method of notice must be approved by the board.

PERMANENT

NEW SECTION

WAC 314-16-275 How will the operating plans be enforced? (1) The board will inspect sports/entertainment facilities and issue violation notices for:

(a) Infractions of all liquor laws and rules, particularly with regard to persons who appear intoxicated or who are under twenty-one years of age; and

(b) Any significant deviation from the approved operating plan.

(2) Violations of liquor laws or rules that occur as a result of not following the approved operating plan will be considered aggravating circumstances, which permit the board to impose added penalties.

WSR 99-24-117**PERMANENT RULES****DEPARTMENT OF ECOLOGY**

[Order 98-18—Filed December 1, 1999, 10:53 a.m.]

Date of Adoption: December 1, 1999.

Purpose: Protect public health and the state's waters by insuring a minimum level of competency of individuals responsible for operating domestic wastewater treatment plants. The rule establishes minimum standards for obtaining and maintaining a wastewater operator certificate.

Citation of Existing Rules Affected by this Order: Amending chapter 173-230 WAC, Certification of operators of wastewater treatment plants.

Statutory Authority for Adoption: Chapter 70.95B RCW, Domestic waste treatment plants—Operators.

Adopted under notice filed as WSR 99-12-038 on May 26, 1999 and WSR 99-13-101 on June 15, 1999.

Changes Other than Editing from Proposed to Adopted Version: Amended the definitions for extended aeration and tertiary treatment for clarification. Amended the conditions when a temporary certificate may be requested to when an individual vacates the position. Amended the considerations when rating a wastewater plant to include a plant that is less complex to operate.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 12, Repealed 2.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

December 1, 1999

Tom Fitzsimmons

Director

AMENDATORY SECTION (Amending Order 87-36, filed 10/23/87)

WAC 173-230-010 ((General)) What is the purpose of this regulation? ~~((One of the basic requirements of the Wastewater Treatment Plant Operator Certification Act of 1973 (chapter 139, Laws of 1973) (chapter 70.95B RCW) is to have every operator in responsible charge of a wastewater treatment plant certified at a level equal to or higher than the classification rating of the treatment plant being operated. Certification under this act is available to all individuals who can meet the minimum qualifications for a given classification. Operating personnel not required to be certified by chapter 70.95B RCW are encouraged to become certified on a voluntary basis.))~~ When wastewater treatment plants are properly operated, public health and the state's waters are protected. Operators must meet minimum standards to assure they are competent to operate and maintain wastewater treatment plants. This rule establishes the requirements for obtaining a wastewater certificate and for the level of certificate required for an operator in responsible charge of a treatment plant. An operator in responsible charge of a wastewater treatment plant must be certified at a level that is equal to or greater than the classification of the wastewater treatment plant.

AMENDATORY SECTION (Amending Order 87-36, filed 10/23/87)

WAC 173-230-020 Definitions. (1) ~~((“Board” means the water and wastewater operators certification board of examiners established by RCW 70.95B.070.~~

~~((2))~~ “Activated sludge process” means a biological wastewater treatment process in which a mixture of wastewater and activated sludge is agitated and aerated. The activated sludge is subsequently separated from the treated wastewater by sedimentation and wasted or returned to the process as needed.

(2) “Biofiltration” means the process of passing a liquid through a biological filter that contains fixed media on surfaces which develop zoogeal films that absorb and adsorb fine suspended, colloidal, and dissolved solids and release end products of biochemical action.

(3) “Certificate” means the certificate of competency issued by the director stating that an individual has met the requirements for a specific classification in the wastewater treatment plant operator's certification program.

~~((3))~~ (4) “Certificate holder” means the individual to whom a certificate is issued.

~~((4))~~ (5) “CEU” means continuing education unit ((which)) that is a nationally recognized unit of measurement similar to college credit. One CEU is awarded for every ten contact hours of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction.

~~((5))~~ (6) "College credits" means credits earned toward a college degree or in course work that is relevant to the operation of a wastewater treatment plant. College ~~((shall))~~ credit also means CEUs. Forty-five CEUs equals forty-five quarter credits equals thirty semester credits.

~~((6))~~ (7) "Department" means the Washington state department of ecology.

~~((7))~~ (8) "Director" means the director of the department of ecology or the director's designee.

~~((8))~~ (9) "Extended aeration" means a modification of the activated sludge process that uses long aeration periods and long mean cell residence times for aerobic digestion of the biological mass by endogenous respiration and promotes the growth of nitrifying organisms.

(10) "GED" means a General Education Development certificate issued by a recognized education institution. A GED is equivalent to a high school diploma.

~~((9))~~ (11) "Group" and "class" for the purpose of operator certification and wastewater treatment plant classification ~~((shall mean))~~ are the same.

~~((10))~~ (12) "Lagoon" means any large holding or detention pond, usually with earthen dikes that is used to contain wastewater while sedimentation and biological stabilization occurs.

(13) "OIT" means operator-in-training. This is the entry level certification classification offered by the department.

~~((11))~~ (14) "Operating experience" means the routine performance of duties, on-site in a wastewater treatment plant, that affect plant performance ~~((and))~~ or effluent quality.

~~((12))~~ (15) "Operator" means an individual who performs routine duties, on-site at a wastewater treatment plant ~~((which)), that~~ affect plant performance ~~((and))~~ or effluent quality.

~~((13))~~ (16) "Operator in charge of each shift" means the individual on-site at a wastewater treatment plant whose primary responsibility is to operate the wastewater treatment plant on a regularly run shift. The operator in charge of each shift ~~((shall be))~~ is subordinate to the operator in responsible charge.

~~((14))~~ (17) "Operator in responsible charge" means the individual who is routinely on-site and in direct charge of the overall operation of a wastewater treatment plant.

~~((15))~~ (18) "Owner" means in the case of:

• A town or city, the city or town acting through its chief executive officer or the lessee if operated ~~((pursuant to))~~ under a lease or contract; ~~((in the case of))~~

• A county, the chairman of the county legislative authority or the chairman's designee; ~~((in the case of))~~

• A sewer district, board of public utilities, association, municipality or other public body, the president or chairman of the body or the president's or chairman's designee; ~~((in the case of))~~

• A privately owned wastewater treatment plant, the legal owner.

~~((16))~~ (19) "Primary wastewater treatment" means unit processes consisting of one or more of the following: Screening, comminution and grinding, flotation, precipitation, sludge pumping, and disinfection. Treatment consists of

clarification followed by removal, treatment, and disposal of sludge.

(20) "Reciprocity" means the exchange of a valid out-of-state wastewater treatment plant operator's certificate achieved by passing a written examination for an equivalent level of certification without further examination.

~~((17))~~ (21) "Tertiary" means advanced physical/chemical or biological treatment of wastewater significantly beyond the conventional secondary stage to remove additional suspended and dissolved substances. These substances may include phosphorus and nitrogen, a high percentage of suspended solids, dissolved inorganic solids, toxic compounds, microorganisms, and complex organic compounds.

(22) "Wastewater certification program coordinator" means an employee of the department who is appointed by the director ~~((to serve on the board))~~ and who administers the wastewater treatment plant operator certification program.

~~((18))~~ (23) "Wastewater collection system" means any system of lines, pipes, manholes, pumps, liftstations, or other facilities used to collect and transport wastewater.

~~((19))~~ (24) "Wastewater treatment plant" means a facility used to treat any liquid or waterborne waste of domestic origin or a combination of domestic, commercial or industrial origin, and ~~((which))~~ that, by its design, requires the presence of an operator for its operation. It ~~((shall))~~ does not include any facility used exclusively by a single family residence, septic tanks with subsoil absorption, industrial wastewater treatment plants, or wastewater collection systems.

(25) "Wetlands treatment" means those wetlands intentionally constructed and managed for the primary purpose of wastewater treatment.

AMENDATORY SECTION (Amending Order 87-36, filed 10/23/87)

~~WAC 173-230-040 ((Certification required.)) To whom does this rule apply? ((1) After July 1, 1974, it shall be unlawful for any person, firm, corporation, municipal corporation or other governmental subdivision or agency to operate a wastewater treatment plant unless the operator designated by the owner in responsible charge of the plant holds a valid certificate of at least the same classification as that of the wastewater treatment plant being operated. When a wastewater treatment plant is operated on more than one daily shift, the individual in charge of each regularly run shift at the wastewater treatment plant being operated shall also be certified.~~

~~((2) After January 1, 1989, it shall be unlawful to operate a wastewater treatment plant on more than one daily shift as described in subsection (1) of this section unless the operator in charge of each shift, as designated by the owner, is certified at a level not less than one class lower than the class of plant being operated. The operator in charge of each shift shall be subordinate to the operator in responsible charge of the plant who is certified at a level equal to or higher than the classification of the plant being operated.~~

~~((3) When a position required to be filled by a certified wastewater treatment plant operator as described herein is vacated due to a scheduled vacation or a short term illness, these requirements may be waived temporarily at the direc-~~

tor's discretion-)) This rule applies to anyone who owns or operates a wastewater treatment plant.

The operator in charge of the wastewater treatment plant must be certified at least at a level equal to or higher than the classification of the plant. When the plant is operated on more than one daily shift, the operator in charge of each shift must be certified at a level not lower than one level below the classification of the plant.

All individuals operating wastewater treatment plants who are not required to be certified are encouraged to seek certification.

AMENDATORY SECTION (Amending Order 87-36, filed 10/23/87)

WAC 173-230-061 ((Applications and certification requirements,)) Levels of certificates and qualifications.

~~((1) Application for certification to the various classifications of wastewater treatment plant operator shall be filed with the wastewater certification program coordinator. The wastewater certification program coordinator shall make application forms available upon request.~~

~~(2) Upon receipt of a completed application, the wastewater certification program coordinator shall screen the application against the following criteria to determine eligibility for examination or reciprocal certification:~~

~~(3) Certification requirements: Applicants for certification by examination or reciprocity must meet the minimum education and operating experience requirements or equivalents set forth below:~~

Certification Classification	Education	Operating Experience
OIT	High school diploma	3 months
Group I	High school diploma	1 year
Group II	High school diploma	3 years
Group III	High school diploma plus two years college	4 years
Group IV	High school diploma plus four years college	4 years

~~(a) Applicants for Group I certification may not substitute equivalent work experience or college for any portion of the operating experience requirement.~~

~~(b) At least half of the operating experience requirement for Class II, III, or IV certification must be gained on site, in a wastewater treatment plant with a classification rating not less than one class lower than the class of certification desired.~~

~~(c) College claimed by an applicant for certification shall be credited toward the certification requirements only when documented on a transcript or a certificate of completion.~~

~~(4) Equivalent education~~

~~(a) A GED is equivalent to a high school diploma.~~

~~(b) One year of excess operating experience may be substituted for one year of high school or two years of grade school—no limit.~~

~~(c) Applicants for Group III and IV certification may substitute one year of excess operating experience for one year of college for up to half of the college requirement.~~

~~Note: Operating experience substituted for an education requirement may not also be applied to the operating experience requirement.~~

~~(5) Equivalent operating experience~~

~~(a) OIT applicants may substitute three CEUs or equivalent for the operating experience requirement provided the CEUs are earned upon completion of coursework in wastewater treatment plant operation.~~

~~(b) Applicants for Group II certification may substitute up to one and one-half years of college for one and one-half years of the operating experience requirement.~~

~~(c) Applicants for Group III and IV certification may substitute up to two years of excess college for two years of the operating experience requirement.~~

~~(d) Applicants may substitute work experience in the fields identified below for up to half of the operating experience requirement for Group II, III, and IV certification at a rate determined by the board:~~

- ~~• Experience as an environmental or operations consultant.~~
- ~~• Experience in an environmental or engineering branch of federal, state, county, or local government.~~
- ~~• Experience as a wastewater collection system operator.~~
- ~~• Experience as a water distribution system operator and/or manager.~~
- ~~• Experience as a wastewater pump station operator.~~
- ~~• Experience as a water treatment plant operator.~~

~~The board may also consider work experience in fields such as building and equipment maintenance, boiler operation, machinist, laboratory technician, engineering, welding, or other related fields on a case-by-case basis when presented with a written description of the duties performed on the job by the applicant for certification.~~

~~Note: College substituted for an operating experience requirement cannot also be applied to the education requirement.~~

~~(6) Exemptions~~

~~In the event an applicant for Group III or IV certification cannot meet the minimum college education requirements or equivalents set forth in subsections (3), (4), and (5) of this section, the board shall consider the applicants eligibility for certification using the following substitution formula:~~

~~After providing verification of a high school diploma or GED, Group III and IV applicants may substitute three years of excess operating experience in a wastewater treatment plant with a classification rating not less than one classification lower than the level of certification desired, for one year of college—no limit.~~

~~(7) If no examination is required, the wastewater certification program coordinator shall present the application to the board for consideration. The board shall make a recommendation to the director regarding the approval or denial of the request for certification.~~

~~(8) Group IV applications shall be submitted to the board for approval prior to scheduling for examination.~~

~~(9) If an examination is required, the wastewater certification program coordinator shall notify, schedule, and examine all applicants for certification.)) (1) There are five levels~~

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of certification offered by the department to individuals who meet minimum qualifications. Those minimum qualifications include required levels of education and experience.

(2)

Qualification Requirements for Operator Certification				
<u>Certification level</u>	<u>Education required</u>	<u>Experience required</u>	<u>Substitutions allowed for education</u>	<u>Substitutions allowed for experience</u>
<u>Operator-in-Training</u>	<u>High school diploma or GED</u>	<u>3 months</u>	<u>One year of excess operating experience may be used for one year of high school or two years of grade school.</u>	<u>May use 3 college credits or CEUs in course work related to wastewater treatment plant operation for experience.</u>
<u>Group I</u>	<u>High school diploma or GED</u>	<u>1 year</u>	<u>One year of excess operating experience may be used for one year of high school or two years of grade school.</u>	<u>None.</u>
<u>Group II</u>	<u>High school diploma or GED</u>	<u>3 years</u>	<u>One year of excess operating experience may be used for one year of high school or two years of grade school.</u>	<u>May use relevant work experience or credits or CEUs for one year and six months of the operating experience.</u>
<u>Group III</u>	<u>High school diploma or GED and 2 years of college (90 credits or CEUs)</u>	<u>4 years with at least 2 years operating experience at a Class II plant</u>	<u>May use excess operating experience for college at a rate of one year of excess operating experience for half of the college (one year). Three years of excess operating experience may be used for the second year of college.</u>	<u>May use relevant work experience and/or excess credits for 2 years of the operating experience.</u>
<u>Group IV</u>	<u>High school diploma or GED and 4 years of college (180 credits or CEUs)</u>	<u>4 years with at least 2 years at a Class III plant</u>	<u>May use excess operating experience for college at a rate of one year of excess operating experience for one year of college for up to half of the college (two years). Three years of excess operating experience may be substituted for one year of college. This rate may be used for the remaining two years of college.</u>	<u>May use excess operating experience for credits. May use related work experience and/or excess credits for 2 years of the operating experience.</u>

(3) Relevant work experience may be substituted for up to one-half of the operating experience required to qualify for the Group II, III and IV levels. This includes:

- (a) Environmental or operations consultant;
- (b) Environmental or an engineering branch of federal, state, county, or local government;
- (c) Wastewater collection system operator;
- (d) Water distribution system operator and/or manager;
- (e) Wastewater pump station operator; or
- (f) Water treatment plant operator.

Other related work experience may include building and equipment maintenance, boiler operation, machinist, laboratory technician, engineering, welding, or other related fields on a case-by-case basis with a written description of the duties performed on the job by the applicant.

(4) College credits substituted for an operating experience requirement cannot also be applied to the education requirement.

NEW SECTION

WAC 173-230-065 How do I apply? Any person seeking certification must submit a completed application and fees to the department. Application forms are available from the wastewater certification program coordinator.

Applicants must meet minimum education and experience requirements to be eligible for examination or reciprocity. Applicants accepted for examination will be scheduled and notified of the date, place, time, and cost of the examination.

If the application is denied, the applicant will be notified of the reason for the denial.

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AMENDATORY SECTION (Amending Order 87-36, filed 10/23/87)

WAC 173-230-070 Examination. (1) ~~The ((board shall prepare written examinations to be used in determining)) department will use written examinations to determine the competency of operators. If examinations are prepared by an organization other than the department, the applicant shall pay any costs associated with the use of the exam.~~

(2) ~~Examinations ((shall)) will be held at least three times annually at places and times set by the ((board)) department. ((These examinations shall be held on the first Monday of February, June, and October each year. In the event the exam date falls on a holiday, the examination shall be rescheduled by the wastewater certification program coordinator.))~~

(3) ~~((All examinations shall be graded by the wastewater certification program coordinator and)) The wastewater certification program coordinator or designee will score all exams. The applicant ((shall)) will be notified of the score ((attained and pass or fail)). Examinations ((shall)) will not be returned to the applicant.~~

(4) ~~((An applicant who fails to pass an examination may be reexamined at the next scheduled examination with no additional application or fee.)) Certificates will be issued to applicants who pass a written examination.~~

(5) ~~An applicant who fails to pass ((a second)) the examination ((as provided for in WAC 173-230-070(4)) must reapply for further examination ((as provided for in WAC 173-230-090(2))). No individual will be allowed to retake the same examination more than twice consecutively. ((After two consecutive examinations, one examination period must be skipped.~~

(6) ~~The board shall forward its recommendations for certification of those examined to the director.))~~

AMENDATORY SECTION (Amending Order 87-36, filed 10/23/87)

WAC 173-230-080 Certificate term and renewal((s)) conditions. An owner may request a temporary certificate for an individual when the designated certified operator unexpectedly vacates the position. This request must be made in writing to the wastewater certification coordinator and must include an application and fee. The department may issue a temporary certificate at its discretion. A temporary certificate may not exceed a one-year period, is nonrenewable, and cannot be transferred to another individual.

(1) ~~Except ((as provided for in WAC 173-230-050 (2)(c)), the term for any certificate or renewal thereof shall be from the first of January of the year of issuance until the thirty-first of)) for a temporary certificate, a certificate is valid from January 1 until December 31 of the same year or the year designated by the department.~~

(2) ~~Except ((as provided in WAC 173-230-050 (2)(c), all)) for a temporary certificate, a certificate((s shall be)) is renewable ((upon presentation of evidence that)) only when the certificate holder demonstrates and provides documentation to the department of continued professional growth in the field. The department ((shall)) will mail renewal notices~~

to all certificate holders eligible ((for renewal prior to the date)) to renew before the certificate expires.

(3) ~~((In order to demonstrate continued professional growth in the field.)) Each certificate holder must accomplish one of the following activities during a three-year period ending December 31, 1979, and each three-year period ((thereafter)) after that date.~~

(a) Accumulate a minimum of three CEUs or college credits in coursework relevant to the field;

(b) Advance by exam to a higher level of certification in Washington's wastewater treatment plant operator's certification program. Advancement from OIT to Group I certification ((shall)) will not fulfill this requirement;

(c) Achieve certification by examination in the waterworks certification program administered by the Washington department of ((social and)) health ((services)) in the water treatment plant operator, water distribution manager, or the cross connection control specialist classifications;

(d) ~~((Achieve certification by examination in a different classification of the waterworks certification program administered by DSHS as shown below:~~

- ~~Water Distribution Manager (WDM) to Water Treatment Plant Operator (WTPO)~~
- ~~WTPO to WDM~~
- ~~Water Distribution Specialist (WDS) to WDM or WTPO~~
- ~~Cross Connection Control Specialist (CCS) to WDM or WTPO or WDS;~~

~~((On or after January 1, 1989,)) Achieve certification by examination or advance by examination to a higher level in Washington's voluntary wastewater collection system operator's certification program administered by the Washington Wastewater Collection System Personnel Association. ((Advancement from the in-training certification classification to the Level 1 classification shall not fulfill this requirement.))~~

(4) It is the responsibility of each certificate holder to ((satisfy)) meet the ((continued)) professional growth requirement ((on or)) and document that growth to the department before December 31 of the last year of the three-year period described in subsection (3) of this section. The department ((shall)) will mail a written notice to each certificate holder who has not fulfilled the continued professional growth requirement. If this requirement is not satisfied, the certificate ((shall)) is not ((be)) renewable. Failure to renew a certificate for any reason ((shall)) will be handled as described in WAC 173-230-100.

(5) ~~((On and after January 1, 1989,)) The department may collect renewal fees for a period not to exceed three calendar years. The department ((shall)) will notify certificate holders who are eligible for renewal as described in subsection (2) of this section the amount of fees owed and the date ((by which)) the fees must be paid.~~

AMENDATORY SECTION (Amending Order 90-61, filed 6/17/91, effective 7/18/91)

WAC 173-230-090 Fees. (1) ~~((Except for applications for certificates under WAC 173-230-050 (2)(a,)) Applications for certification by examination or reciprocity or a temporary certificate will be accepted for processing only when accompanied by a fee of fifty dollars. ((Applications for cer-~~

fication by reciprocity will be accepted for processing only when accompanied by a fee of fifty dollars.)

(2) ~~((Except as provided under WAC 173-230-070(4),))~~ Applications for reexamination will be accepted for processing only when accompanied by an application fee ~~((of fifty dollars))~~. The department may waive a portion of the application fee for reexamination.

(3) ~~((In the event an application for certification is denied, the department may reimburse up to half the fee amount provided the department receives a written request for reimbursement within thirty days after the letter of denial is mailed.))~~ Application fees are nonrefundable.

(4) Applications for certificate renewals will be accepted for processing only when accompanied by a renewal fee of thirty dollars for each year of renewal.

(5) All receipts ~~((hereunder shall))~~ will be paid into the state general fund.

AMENDATORY SECTION (Amending Order 87-36, filed 10/23/87)

WAC 173-230-100 Suspension and revocation of a certificate. (1) When a certificate is not renewed, ~~((such certificate, upon notice by the director, shall be))~~ the director will notify the certificate holder that the certificate is suspended for sixty days. If ((renewal of)) the certificate is not ((completed)) renewed during the suspension period, the director ((shall)) will mail a written notice of revocation to the ((certificate holder's employer)) owner of the wastewater treatment plant employing the individual as last known by the department and to the certificate holder at the address last known by the department. ((This)) The notice of revocation ((shall)) mailed to the certificate holder will be sent by certified mail. If, during the revocation notice period, the certificate is not renewed, the certificate ((shall)) will be revoked ten days after ((such)) the notice is mailed.

(2) Certificates may also be revoked when ~~((the board so recommends to))~~ the director ~~((, upon finding))~~ finds:

(a) Fraud or deceit in obtaining the certificate.

(b) Gross negligence in the operation of a wastewater treatment plant.

(c) Violation of the requirements of this chapter or the statute it implements or of any lawful rule, regulation or order of the department.

(3) No revocation ~~((shall))~~ will be made under subsection (2) of this section unless the operator has been notified that revocation is proposed, ~~((has))~~ been advised of the ~~((grounds therefor))~~ reason and ~~((has))~~ been given an opportunity to appear before the ~~((board))~~ director and be heard on the matter.

(4) ~~((Whenever an individual's certificate is revoked, the individual shall not be certified again until he or she has applied for certification pursuant to WAC 173-230-061 paid the application fee, and passed the written examination for the classification of certification desired.))~~ A certificate will be suspended immediately when the director is notified by the department of social and health services that a person is not in compliance with a support order or a residential or visitation order. If the person has continued to meet all other requirements for reinstatement during the suspension, the

certificate will be reissued when the director is notified by the department of social and health services that the person is in compliance with the order.

If a certificate is revoked, the individual must meet all conditions of certification including application, fees, and passing a written examination to become certified.

(5) If revocation was made ~~((pursuant))~~ due to subsection (2) of this section, the operator ~~((shall))~~ will not be eligible to reapply for a certificate for one year from the date the revocation became final.

AMENDATORY SECTION (Amending Order 87-36, filed 10/23/87)

WAC 173-230-110 Reciprocity. The director may ~~((, with the approval of the board,))~~ waive examinations for applicants holding valid wastewater treatment plant operators certificates or licenses issued by other states ((having)) that have equivalent standards as determined by the ((board)) department or its designee.

(1) Applications for reciprocity will be considered for approval only when the department receives ~~((written))~~ confirmation from the certifying authority of the state or province in which the applicant is certified ~~((,))~~ that the certificate is currently valid and was earned by passing a written examination. A copy of the exam passed by the applicant must also be released for review by the ~~((board))~~ department or its designee.

(2) ~~((The board shall review and compare out of state examinations with Washington's exams to determine at which level the exam is most equivalent.~~

(3) ~~((Certificates ((shall)) will be issued to each reciprocity applicant who meets the minimum education and experience requirements ((set forth in WAC 173-230-061)) for the certification level requested and who passes a written examination comparable to Washington's exam as determined ((by the board)) and approved by the director.~~

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-120 Appeals. Decisions of the director under this chapter may be appealed within thirty days from the date of notice ~~((thereof))~~ to the pollution control hearings board ~~((pursuant to))~~ as required by chapter 43.21B RCW and chapter 371-08 WAC.

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-130 Violations. Violation of this chapter is a misdemeanor. Each day of operation in violation ~~((hereof))~~ constitutes a separate offense. Upon conviction, violators are subject to fines not exceeding one hundred dollars for each offense. Injunctions may be obtained for continuing violations.

AMENDATORY SECTION (Amending Order 87-36, filed 10/23/87)

WAC 173-230-140 Classification of wastewater treatment plants. ((Wastewater treatment plants are classified in four groups, according to the total point rating as derived from the items listed below. Assignment of points for wastewater treatment plants shall be made by the director.

- (1) **PLANT CLASS:**
 - (a) Class I- 1-25 total points.
 - (b) Class II- 26-50 total points.
 - (c) Class III- 51-70 total points.
 - (d) Class IV- 71 or more total points.
- RATING VALUE**
- (2) **DESIGN FLOW** 1 per 5 mgd, not to exceed 20 points
(Example: 5 mgd and less = 1 point; 5.1 to 10 mgd = 2 points, etc.)
- (3) **POPULATION EQUIVALENT (P.E.)** 1 per 5,000 P.E., not to exceed 20 points
$$PE = \frac{(\text{Flow, mgd})(\text{BOD, mg/L})(8.34 \text{ lbs/gal})}{0.2 \text{ lbs BOD/person/day}}$$
- (4) **PRETREATMENT UNITS**
 - (a) Manually cleaned screens 1
 - (b) Mechanically cleaned screens 2
 - (c) Grit removal 3
 - (d) Preaeration 1
 - (e) Comminutor, barminutors, grinders, etc. 1
 - (f) Plant pumping 3
- (5) **PRIMARY TREATMENT UNITS**
 - (a) Imhoff tanks, spirogesters, Clarigesters, etc. 3
 - (b) Primary clarifiers 5
 - (c) Primary clarifiers utilizing settling aid chemicals 9
- (6) **SECONDARY TREATMENT UNITS**
 - (a) Trickling filter (without recirculation) 5
 - (b) Trickling filter (with recirculation) 7
 - (c) Activated sludge
 - (i) Mechanical aeration 8
 - (ii) Diffused or dispersed air 10
 - (iii) Oxidation ditch 8
 - (iv) Pure oxygen 13
 - (d) Stabilization ponds 5
 - (e) Stabilization ponds with aeration 7
 - (f) Secondary clarifiers 5
- (7) **TERTIARY TREATMENT UNITS**
 - (a) Polishing pond 2
 - (b) Land disposal of effluent 5

- (e) Chemical treatment for phosphorus-removal 5
- (d) Activated carbon beds (with carbon regeneration) 10
- (e) Activated carbon beds (without carbon regeneration) 8
- (f) Sand or mixed-media filters 4
- (g) Other nutrient removal processes following secondary treatment 10
- (8) **DISINFECTION** 4
- (9) **SLUDGE TREATMENT**
 - (a) Sludge digesters (anaerobic) 4
 - (i) If heated, add 3
 - (ii) If mechanically or gas mixed, add 2
 - (b) Sludge digesters (aerobic) 6
 - (c) Drying beds or evaporation lagoons 2
 - (d) Thiekener clarifier 5
 - (e) Vacuum filter 7
 - (f) Centrifuge 7
 - (g) Incinerator 10
 - (h) Utilizing digester gas for other than heating purposes 3

When a wastewater treatment plant handles a complex waste or a unique treatment process that is not reflected in the classification system, the director upon recommendations of the board may establish a classification consistent with the intent of the above classification system.)) The director shall classify all wastewater treatment plants according to the following criteria.

Treatment Plant Classification Criteria		
Treatment type	Design flow MGD	Classification
<u>Primary</u>	≤ 1	I
	> 1 ≤ 10	II
	> 10 ≤ 20	III
	> 20	IV
<u>Lagoon (Non-aerated)</u>	All	I
<u>Lagoon (Aerated)</u>	≤ 1	I
	> 1	II
<u>Biofiltration</u>	≤ 1	II
	> 1 ≤ 10	III
	> 10	IV
<u>Extended aeration</u>	≤ 5	II

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Treatment Plant Classification Criteria

Treatment type	Design flow MGD	Classification
	≥ 5	III
Activated sludge	≤ 1	II
	$> 1 \leq 10$	III
	≥ 10	IV
Wetlands	≤ 1	I
	$> 1 \leq 5$	II
	≥ 5	III
Tertiary	≤ 5	III
	≥ 5	IV

Plants may be classified in a group different than indicated in this section if:

(1) They have characteristics that make operation less complex or more difficult than other similar plants of the same flow range; or

(2) The conditions of flow or the use of the receiving waters require an unusually high degree of plant operational control; or

(3) They use an approved method of wastewater treatment that is not included in this section.

Beginning January 2000, the department may issue a one-time provisional certificate to the certified operator in responsible charge of a plant or the certified operator in charge of a shift at the plant only if the plant's rating level increased solely due to the adoption of the treatment type and design flow rating system. The provisional certificate will not apply if the rating of a plant increases due to an upgrade, to a change to treatment processes, or to flow. The provisional certificate will be issued only for the operation of a specific plant and may not be transferred if that certified operator leaves employment with that plant.

The holder of a provisional certificate must continue to meet all certificate renewal requirements.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 173-230-030 Duties of the board.

WAC 173-230-050 Certification prerequisites.

WSR 99-24-125

PERMANENT RULES

STATE BOARD OF EDUCATION

[Filed December 1, 1999, 11:04 a.m.]

Date of Adoption: October 29, 1999.

Purpose: Chapter 180-24 WAC, School district organization, amend and repeal current rules governing changes in school district boundaries to implement passage of 1999 legislation.

Citation of Existing Rules Affected by this Order: Repealing chapter 180-24 WAC; and amending chapter 180-24 WAC.

Statutory Authority for Adoption: Chapter 315, Laws of 1999, partial veto; E2SHB 1477, chapter 28A.315 RCW.

Adopted under notice filed as WSR 99-19-151 on September 22, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 20, Amended 13, Repealed 22.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 20, Amended 13, Repealed 22.

Number of Sections Adopted Using Negotiated Rule Making: New 20, Amended 13, Repealed 22; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

December 1, 1999

Larry Davis

Executive Director

Part A
General

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-24-003 Authority. The general authority for this chapter is RCW 28A.305.130(~~(9)~~ which authorizes the state board of education to carry out powers and duties relating to the organization and reorganization of school districts under chapter 28A.315 RCW. This authority is supplemented by the following specific statutes:

(1) ~~RCW 28A.305.150 which requires the state board of education to prescribe regulations governing the classification and numbering system of school districts;~~

(2) ~~RCW 28A.315.120 which authorizes the state board of education to establish standards and considerations to be utilized by regional committees and the state board of education for approval of proposals for changes in the organization of school districts, including any equitable adjustment of the assets and liabilities of the districts involved in the reorganization;~~

(3) ~~RCW 28A.315.060 which empowers the state board of education to establish regulations for the conduct of elections for membership on regional committees)~~ (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), and 28A.315.205(3).

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-24-007 Purpose and policy of chapter. (1)

The purpose of this chapter is ~~((to set forth policies and procedures of the state board of education related to the implementation of its authority pursuant to chapter 28A.315 RCW, Organization and reorganization of school districts, and its related authority within RCW 28A.305.150 pertaining to the classification and numbering of school districts))~~ the same as set forth under RCW 28A.315.015(1).

(2) It is the policy of the state that decisions on changes in school district boundaries should be made by the affected districts whenever possible. When this is not possible the decision shall be made by the appropriate regional committee on school district organization consistent with the following policies:

(a) A balance of local petition requests and the needs of the state-wide community at-large in a manner that advances the best interest of public education (see RCW 28A.315.015 (2)(a) for full text);

(b) Contributing to logical service boundaries (see RCW 28A.315.015 (2)(b) for full text);

(c) Enhancing the educational opportunities of pupils (see RCW 28A.315.015 (2)(c) for full text); and

(d) Promoting a wiser use of public funds (see RCW 28A.315.015 (2)(d) for full text).

NEW SECTION

WAC 180-24-00701 Regional committee decision making criteria. (1) The regional committee shall give consideration to all of the following criteria when reviewing the proposed transfer of territory:

(a) Annual school performance reports (see RCW 28A.315.205 (4)(a) for full text);

(b) Safety and welfare of pupils (see RCW 28A.315.205 (4)(b) for full text);

(c) History and relationship of the property affected to the students and communities affected (see RCW 28A.315.205 (4)(c) for full text);

(d) Geographic accessibility (see RCW 28A.315.205 (4)(d) for full text);

(e) Disparities in per pupil valuation, economies of operation and transportation costs (see RCW 28A.315.205 (4)(e) for full text); and

(f) Other criteria or considerations as may be established in rule by the state board of education. (RCW 28A.315.015 (2)(e)).

(2) Under RCW 28A.315.195(2) the boundaries of the school districts affected by a proposed change in school district organization shall be contiguous to one another.

(3) Under RCW 28A.315.205 (4)(a), every element of the annual school performance report shall be considered and no one element shall be given undue weight in comparison to any other element.

(4) Under RCW 28A.315.205(4), "geographic accessibility" includes, but is not limited to, consideration of the following factors:

(a) Mountains, hills, valleys, wasteland, and related geographic and man-made features, which either enhance or impede travel.

(b) Rivers, lakes, canals, and other natural or man-made waterways and bodies of water, which either enhance or impede travel.

(c) The extent and nature of roads, highways, ferries, and traffic patterns.

(d) Climatic conditions.

(e) Time required to travel to and from school.

NEW SECTION

WAC 180-24-009 Constitutional and statutory framework. See RCW 28A.315.005.

Part B

Regional Committees on School District Organization

NEW SECTION

WAC 180-24-105 Election of regional committee members—Applicable provisions. In addition to the provisions of RCW 28A.315.105 through 28A.315.145, the provisions of WAC 180-24-105 through 180-24-190 shall apply to the election of regional committee members.

AMENDATORY SECTION (Amending Order 1-87, filed 2/4/87)

WAC 180-24-110 ~~((Organizational impact statement—Format. The organizational impact statement required by WAC 180-24-101 shall address for each of the considerations enumerated in WAC 180-24-016 and 180-24-017 the following questions:~~

~~(1) Is there sufficient evidence to determine with reasonable certainty, the positive and negative effects of the proposal organization as related to the stated consideration?~~

~~(2) If yes, what are those positive and/or negative effects?~~

~~(3) What significance do the positive and/or negative effects have on the determination of whether the proposed organization makes a satisfactory improvement in the school district system?)~~

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-24-115 ~~((Report of regional committee to state board of education. Upon conclusion of the regional committee's favorable consideration for a change in the organization and extent of school districts, the regional committee shall transmit to the state board of education a report which contains all information required by RCW 28A.315.110 and the following additional information:~~

~~(1) The factual basis as to why the regional committee concluded that the proposed change in organization made a satisfactory improvement in the school district system;~~

~~(2) The factual basis as to why the regional committee concluded that the proposed adjustment in the assets and liabilities of the school districts affected would be equitable;~~

- (3) A list of the public hearings held to consider the aforementioned proposals;
- (4) A copy of the organizational impact statement required by WAC 180-24-101.))

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-24-120 (~~Superintendent of public instruction review of regional committee proposals. Reports of regional committees, pursuant to WAC 180-24-115, shall be reviewed by the superintendent of public instruction for compliance with the provisions of this chapter. The superintendent of public instruction shall present to the state board of education the results of such review as well as recommended action to be taken by the state board of education in response to the regional committee's report. The superintendent of public instruction's recommendations shall be made prior to final action by the state board of education pursuant to RCW 28A.315.140.~~)

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-24-125 (~~State board of education standards for determining whether a regional committee report for organization is satisfactory. The considerations to be utilized by the state board of education in determining whether or not to approve the recommendation of a regional committee pursuant to RCW 28A.315.140 shall include but not be limited to the following:~~

- (1) Compliance by the regional committee with the applicable provisions of chapter 28A.315 RCW and the implementing regulations of the state board of education;
- (2) Sufficiency of the factual basis reported by the regional committee for its conclusion that the proposed change in the organization made a satisfactory improvement in the school system;
- (3) Validity of the conclusion by the regional committee that the factual basis supported a conclusion that the proposed change in organization made a satisfactory improvement in the school district system.))

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-24-130 (~~State board of education standards for determining whether a regional committee report for adjustment of assets and liabilities is equitable. The considerations to be utilized by the state board of education in determining whether a regional committee report for adjustment of assets pursuant to RCW 28A.315.140 and liabilities is equitable include but are not necessarily limited to the following:~~

- (1) Compliance by the regional committee with the applicable provisions of chapter 28A.315 RCW, particularly the equity considerations stated in RCW 28A.315.110(2), and the implementing regulations of the state board of education;

- (2) Sufficiency of the factual basis reported by the regional committee for its conclusion that the proposed plan for adjustment of assets and liabilities is equitable;
- (3) Validity of the conclusion by the regional committee that the factual basis supported a conclusion that the proposed plan for the adjustment of assets and liabilities is equitable.))

NEW SECTION

WAC 180-24-135 Election of regional committee members—Declaration and affidavit of candidacy form. The declaration and affidavit of candidacy which each candidate is required to substantially complete and to file as a condition to having his or her name placed on an official ballot shall be as follows:

I,, solemnly swear (or affirm): That I reside within the boundary of Educational Service District No., within the boundary of regional committee member district No., and am a registered voter of the same regional committee member district; That I am aware that, if elected, I cannot concurrently serve as the superintendent of public instruction, a member of the state board of education, an educational service district superintendent, a member of a board of directors of a school district, a member of an educational service district board, a member of a governing board of either a private school or a private school district which conducts any grades kindergarten through twelve, an officer appointed by any such governing board, an employee of a school district, an employee of an educational service district, an employee of the office of the superintendent of public instruction, an employee of a private school, or an employee of a private school district; and That I hereby declare myself a candidate for membership on Educational Service District No. Regional Committee on school district organization for a term of four years beginning the second Monday in January, 19. . . , subject to the election to be held pursuant to law and I request that my name be listed on the ballot therefor.

Further, I solemnly swear (or affirm) that I will support the Constitution and laws of the state of Washington.

(Signed)

Address:

SUBSCRIBED and sworn (or affirmed) to before me this day of, 19. . .

NOTARY PUBLIC in and for the state of Washington, residing at

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-24-140 (~~Disapproval action by state board of education. If the state board of education, pursuant to RCW 28A.315.140, judges that the regional committee's proposal for a change in the organization and extent of dis-~~

PERMANENT

tricts is unsatisfactory or that its proposal for adjustment of assets and liabilities is inequitable, the state board of education shall state the reasons for its action and return the proposal to the regional committee pursuant to RCW 28A.315.140. In the event the proposal is rejected a second time by the state board of education following its resubmission, the rejection shall be final unless otherwise qualified by the board.)

NEW SECTION

WAC 180-24-145 Election of regional committee members—Withdrawal of candidacy. (1) Any candidate may withdraw his or her declaration of candidacy by delivering a written, signed and notarized statement of withdrawal to the educational service district superintendent on or before 5:00 p.m. October twentieth. A candidate's failure to withdraw as prescribed above shall result in the inclusion of the candidate's name on the appropriate election ballot.

(2) A regional committee member district position shall be stricken from the ballot if no candidate files for the position within the timelines specified in WAC 180-24-130.

(3) Board-member district positions which become vacant after the call of election specified in WAC 180-24-125 shall be filled by appointment by the regional committee pursuant to RCW 28A.315.135 and the appointee shall serve until his or her successor has been elected at the next election called by the educational service district superintendent.

NEW SECTION

WAC 180-24-150 Election of regional committee members—Ballots—Contents. Ballots shall be prepared by the educational service district superintendent. The ballot for the position subject to election pursuant to this chapter shall contain the names of each candidate eligible for the position. There shall be a separate listing of the candidates for each regional committee member district open in the particular educational service district. The educational service district superintendent shall develop voting instructions which shall accompany the ballots.

NEW SECTION

WAC 180-24-155 Election of regional committee members—Ballots and envelopes—Mailing to voters. (1) On or before November first ballots shall be mailed to voters together with two envelopes to be used for voting. The outer and larger envelope (i.e., official ballot envelope) shall:

- (a) Be labeled "official ballot";
- (b) Be preaddressed with the educational service district superintendent as addressee;
- (c) Have provision for prepaid postage; and
- (d) Have provision for the identification of the voter, mailing address, his or her school district, and educational service district.

The inner and smaller envelope shall be unlabeled and unmarked.

(2) One ballot and two envelopes to be used for voting purposes and pertinent instructions for voting purposes shall be mailed to each member of a public school district board of

directors as certified by the educational service district superintendent pursuant to WAC 180-24-145.

NEW SECTION

WAC 180-24-160 Election of regional committee members—Voting—Marking and return of ballots. (1) The election shall be conducted in strict accordance with the requirements of RCW 28A.315.125.

(2) Marking of ballots. Each member of a public school district board of directors may vote for one of the candidates in each regional committee district named on his or her ballot by placing an "X," or other mark, in the space provided next to the name of a candidate.

(3) Return of ballots. Each member of a public school district board of directors shall complete voting by:

(a) Placing his or her marked official ballot in the smaller, unmarked envelope and sealing the same;

(b) Placing the smaller envelope containing the ballot in the larger preaddressed envelope marked "official ballot" and sealing the same;

(c) If not already designated, completing the following information on the face of the official ballot envelope: Name, mailing address, identification of school district, and educational service district;

(d) Placing the official ballot envelope in the United States mail to the superintendent of the educational service district.

NEW SECTION

WAC 180-24-165 Election of regional committee members—Election board—Appointment and composition. In each election the educational service district board shall appoint a three member election board and at least one alternate who shall serve in the absence of a regular member of the election board. Votes cast at elections conducted pursuant to this chapter shall be counted by the educational service district superintendent or his or her designee and the election board.

NEW SECTION

WAC 180-24-170 Election of regional committee members—Receipt of ballots and count of votes. (1) As official ballot envelopes are received by the educational service district superintendent, a preliminary determination shall be made as to the eligibility of the voter, and a record shall be made on a list of eligible voters that the voter has voted. Official ballot envelopes not submitted in compliance with this chapter and other envelopes containing ballots shall be set aside for a final review and acceptance or rejection by the election board.

(2) The election board shall convene for the purpose of counting votes after November twenty-first and not later than November twenty-fifth or the next business day if the twenty-fifth falls on a Saturday, Sunday, or legal holiday at a date, time and place designated by the educational service district superintendent. Official ballot envelopes that are accepted by the election board shall be opened, and the inner envelopes containing ballots shall be removed and placed aside, still

sealed. The inner envelopes shall then be opened and the votes counted by the election board.

(3) No record shall be made or maintained of the candidate for which any voter cast his or her vote.

(4) Each vote cast shall count as one full vote, and a candidate shall be elected by a majority of the total votes cast for all candidates for the particular position.

NEW SECTION

WAC 180-24-175 Election of regional committee members—Ineligible votes. The following ballots and votes shall be declared void and shall not be accepted:

- (1) Votes for write-in candidates;
- (2) Votes cast on other than an official ballot provided pursuant to this chapter;
- (3) Ballots which contain a vote for more than one candidate in a regional committee member district;
- (4) Ballots contained in other than an official ballot envelope provided pursuant to this chapter;
- (5) Ballots contained in an official ballot envelope upon which the voter's name is not designated;
- (6) Ballots received after 5:00 p.m. November sixteenth: Provided, That any ballot that is postmarked on or before midnight November sixteenth and received prior to the initial counting of votes by the election board shall be accepted: Provided further, That any ballot received pursuant to the United States mail on or before 5:00 p.m. on November twenty-first that is not postmarked or legibly postmarked shall also be accepted; and
- (7) Such other ballots or votes as the election board shall determine to be unidentifiable or unlawful.

NEW SECTION

WAC 180-24-180 Election of regional committee members—Recount of votes cast—Automatic or by request. (1) Automatic. A recount of votes cast shall be automatic if the difference between any two viable candidates for the same position is one vote or less than one percent of votes cast for the position, whichever is greater. For the purpose of this section, the term viable candidate shall mean any candidate whose election outcome could be changed if the difference noted above were added to his or her total votes.

(2) Upon request. A recount of votes cast shall be afforded any candidate as a matter of right: Provided, That the request shall be made in writing and received by the educational service district superintendent within seven calendar days after the date upon which the votes were counted by the election board.

NEW SECTION

WAC 180-24-185 Election of regional committee members—Certification of election. Within ten calendar days after the date upon which the votes were counted, the educational service district superintendent shall officially certify to the superintendent of public instruction the name or names of the candidate(s) elected to membership on the regional committee.

NEW SECTION

WAC 180-24-190 Election of regional committee members—Run off elections. (1) If no candidate receives a majority of the votes cast, then, not later than the first day of December, the educational service district superintendent shall call a second election to be conducted in the same manner as the first election and at which the candidates shall be the two candidates receiving the highest and next highest number of votes cast. No vote cast at such second election shall be received for counting if postmarked after the sixteenth day of December, or if not postmarked or the postmark is not legible, if received by mail after 5:00 p.m. of the twenty-first day of December. Votes cast at the second election shall be counted in accordance with WAC 180-24-165 through 180-24-180 prior to the second Monday of January next following. The candidate receiving a majority of the votes cast at any such second election shall be declared elected.

(2) In the event of a tie in such second election, the candidate elected shall be determined by a chance drawing of a nature established by the educational service district superintendent.

NEW SECTION

WAC 180-24-195 Notification to superintendent of public instruction of regional committee meetings. The secretary of each regional committee—i.e., the educational service district superintendent—shall notify the superintendent of public instruction of all meetings of the regional committee called pursuant to RCW 28A.315.100 and all proposals pursuant to RCW 28A.315.110.

NEW SECTION

WAC 180-24-197 Regional committee responsibility—Assistance of superintendent of public instruction. The superintendent of public instruction shall assist the regional committees by providing technical assistance, training, and other support the state superintendent deems necessary or as may be requested by the regional committee.

Part C Transfer of Territory

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-24-205 (~~Classification system of school districts.~~) **Transfer of territory—Procedures and timelines.** ~~((1) Authority. The authority for this section is RCW 28A.305.150 which authorizes the state board of education to establish the classification system for school districts.~~

~~((2) Purpose. The purpose of this section is to set forth the definitions for the classification of a school district as either a high school or a nonhigh school district.~~

~~((3) High school district. A high school district is one which conducts a ninth through twelfth grade program for district residents eligible to enroll therein which:~~

(a) Has been approved by the state board of education as may be required by RCW 28A.305.130(7); and

(b) Meets the basic education program requirements set forth in chapter 180-16 WAC.

(4) ~~Nonhigh school district. A nonhigh school district is one that is not classified as a high school district under subsection (3) of this section.~~

(5) ~~Applicability. The classifications of school districts established in subsections (3) and (4) of this section shall apply for the purposes of chapter 28A.545 RCW, RCW 84.52.0531, and the application of other laws under which a district's classification as either a high school or nonhigh school district is material.~~ The procedures and timelines governing proposed transfers of territory shall be governed by the provisions of RCW 28A.315.195 through 28A.315.215.

NEW SECTION

WAC 180-24-210 Adjustment of assets and liabilities—Considerations. In determining an equitable adjustment of assets and liabilities, the negotiating school districts, the regional committees, and the state board of education shall consider the factors under RCW 28A.315.245.

NEW SECTION

WAC 180-24-215 Superintendent of public instruction staff review of regional committee proposals—When. Pursuant to RCW 28A.315.205(5), when a decision of a regional committee to approve a proposed transfer of territory is appealed to the state board of education, staff of the office of superintendent of public instruction, prior to the appeal hearing, shall be responsible for:

(1) Collecting from the applicable educational service district superintendent the written record of the approved transfer proposal and providing a copy of the written record to the state board of education;

(2) Reviewing the written record and, at the superintendent's discretion, providing to the state board the staff's judgment as to whether the regional committee failed to follow the applicable statutory and regulatory procedures or acted in an arbitrary and capricious manner.

NEW SECTION

WAC 180-24-220 Action by state board of education—When. Pursuant to RCW 28A.315.205(5), the state board of education shall act on a proposed transfer of territory only when there is an appeal to the board of a decision of a regional committee to approve a proposed transfer of territory.

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-24-305 Election of regional committee members—Election officer. In accordance with RCW ((28A.315.060)) 28A.315.125, the educational service district superintendent shall serve as the election officer for the coordination and conduct of the election of members of the

respective regional committees of the educational service districts.

AMENDATORY SECTION (Amending WSR 94-13-018, filed 6/3/94, effective 7/4/94)

WAC 180-24-310 Election of regional committee members—Dissolution—Position numbers—Initial elections—Regular elections—Terms of office. (1) Elections for members of regional committees shall be conducted within the time periods noted in WAC ((180-24-312 through 180-24-380)) 180-24-120 through 180-24-190. ((The term of office of each regional committee member and position shall expire as of the second Monday of January 1995. Each regional committee member position shall therefore be open for election purposes in 1994.))

(2) Regional committee member position numbers shall be assigned by the educational service district superintendent for purposes of all elections held pursuant to RCW ((28A.315.060)) 28A.315.125. For ((the initial election conducted pursuant to RCW 28A.315.030 and)) the election of a new regional committee following a change in the number of educational service districts or board members, regional committee member positions one, three, five, seven, and nine shall be for a term of two years, positions two, four, six, and eight shall be for a term of four years. ((Following the initial election,))

(3) Regular elections of regional committee members shall be conducted in ((subsequent)) even-numbered years for four-year terms and until their successors are certified as elected: Provided, That whenever a change in the number of educational service districts or board members occurs, a new regional committee shall be elected for each affected educational service district at the next regular election.

(4) Those regional committee members serving within an educational service district affected by the change shall continue to constitute the regional committee for the educational service district within which they are registered to vote until the majority of a new regional committee has been elected and certified at the next regular election.

AMENDATORY SECTION (Amending WSR 94-13-018, filed 6/3/94, effective 7/4/94)

WAC 180-24-312 Election of regional committee members—Tentative certification of electors. (1) On September twenty-first of each even-numbered year, or if such date is a Saturday, Sunday, or holiday, the state working day immediately preceding such date, the educational service district superintendent shall certify a tentative list of electors consisting of all persons eligible to vote, per RCW ((28A.315.060)) 28A.315.125, if the election were held on that date.

(2) The list of eligible voters as authorized by RCW 28A.315.125(x) shall remain open for changes until 5:00 p.m. October twenty-sixth or, in the event such date is a Saturday, Sunday, or holiday, until 5:00 p.m. the working day immediately following such date. The educational service district superintendent as soon thereafter as is practical shall certify the list of electors.

AMENDATORY SECTION (Amending WSR 94-13-018, filed 6/3/94, effective 7/4/94)

WAC 180-24-320 Election of regional committee members—Candidates—Eligibility—Filing. (1) Eligibility. A person is eligible to be a candidate for membership on the regional committee if he or she is a registered voter and a resident of the committee member district for which the candidate files. Eligibility ~~(, due to other service,)~~ is restricted pursuant to RCW ~~((28A.315.050)) 28A.315.115.~~

(2) Forms for filing. A person who desires to be a candidate shall complete:

(a) The declaration of candidacy and affidavit form provided for in WAC ~~((180-24-325)) 180-24-135;~~ and

(b) The biographical data form provided for in WAC ~~((180-24-327)) 180-24-140:~~ Provided, That a declarant may elect not to submit biographical data.

(3) Filing period. The filing period for candidates for a position on a regional committee is from October first through October fifteenth of each even-numbered year. Any declaration of candidacy that is not received by the educational service district superintendent on or before 5:00 p.m. October fifteenth shall not be accepted and such a declarant shall not be a candidate: Provided, That any declaration that is postmarked on or before midnight October fifteenth and received by mail on or before 5:00 p.m. October twentieth shall be accepted: Provided further, That any declaration received pursuant to the United States mail on or before 5:00 p.m. October twentieth that is not postmarked or legibly postmarked shall also be accepted.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC Number	New WAC Number
180-24-305	180-24-110
180-24-310	180-24-115
180-24-312	180-24-120
180-24-315	180-24-125
180-24-320	180-24-130
180-24-327	180-24-140

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 180-24-008	Constitutional and statutory framework.
WAC 180-24-013	State policy—The preferred four-part test.
WAC 180-24-016	Factors pertaining to geographic accessibility.
WAC 180-24-017	Factors pertaining to operational efficiency.

WAC 180-24-021	Statutory framework for implementation of modification in school district organization.
WAC 180-24-080	Notification to superintendent of public instruction of regional committee meetings.
WAC 180-24-101	Organizational impact statement—Requirement.
WAC 180-24-102	Regional committee responsibility—Assistance of superintendent of public instruction.
WAC 180-24-112	Adjustment of assets and liabilities considerations.
WAC 180-24-200	Numbering system of school districts.
WAC 180-24-300	Election of regional committee members—Applicable provisions.
WAC 180-24-325	Election of regional committee members—Declaration and affidavit of candidacy form.
WAC 180-24-330	Election of regional committee members—Withdrawal of candidacy.
WAC 180-24-340	Election of regional committee members—Ballots—Contents.
WAC 180-24-345	Election of regional committee members—Ballots and envelopes—Mailing to voters.
WAC 180-24-350	Election of regional committee members—Voting—Marking and return of ballots.
WAC 180-24-355	Election of regional committee members—Election board—Appointment and composition.
WAC 180-24-360	Election of regional committee members—Receipt of ballots and count of votes.
WAC 180-24-365	Election of regional committee members—Ineligible votes.
WAC 180-24-370	Election of regional committee members—Recount of votes cast—Automatic—By request.
WAC 180-24-375	Election of regional committee members—Certification of election.
WAC 180-24-380	Election of regional committee members—Run off elections.

PERMANENT

WSR 99-24-126
PERMANENT RULES
STATE BOARD OF EDUCATION

[Filed December 1, 1999, 11:05 a.m.]

Date of Adoption: October 29, 1999.

Purpose: To do one or more of the following, as deemed appropriate: Make technical amendments, clarify existing provisions, or implement new rules resulting from EHB 1831.

Citation of Existing Rules Affected by this Order: Amending WAC 180-29-040, 180-29-075, 180-29-085, and 180-29-160.

Statutory Authority for Adoption: RCW 28A.525.020.

Adopted under notice filed as WSR 99-19-152 on September 22, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 2, Amended 3, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 22, 1999

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 99-18-107, filed 9/1/99, effective 10/2/99)

WAC 180-29-040 Educational specifications(~~—Review and comment~~). Prior to the commencement of the design of the proposed school facility, the school district shall cause to be prepared the educational specifications pursuant to chapter 180-26 WAC.

NEW SECTION

WAC 180-29-066 Constructability review contracts. Consultants performing constructability reviews on approved school facilities shall utilize an independent multidiscipline team and shall have a minimum of five years of experience providing constructability reviews of equivalent size projects. Contracts between the school district and the consultant shall stipulate the amount of the fee and the consultant's duties to be performed as in chapter 180-27 WAC.

NEW SECTION

WAC 180-29-067 Building commissioning contracts. Consultants performing building commissioning on

approved school facilities shall incorporate the attributes of the building commissioning association in their commissioning program. Contracts between the school district and the consultant shall stipulate the amount of the fee and the consultant's duties to be performed as in chapter 180-27 WAC.

AMENDATORY SECTION (Amending Order 12-83, filed 10/17/83)

WAC 180-29-075 Contracts—Filing. The school district shall submit to the superintendent of public instruction one copy of the following contracts for projects approved by the state board of education for state assistance:

- (1) Educational specifications (WAC 180-29-050)
- (2) Architect-engineer (WAC 180-29-055)
- (3) Energy conservation report (WAC 180-29-060)
- (4) Value engineering (WAC 180-29-065)
- (5) Constructability review (WAC 180-29-066)
- (6) Building commissioning (WAC 180-29-067)
- (7) Construction management (WAC 180-29-068).

AMENDATORY SECTION (Amending WSR 98-19-141, filed 9/23/98, effective 10/24/98)

WAC 180-29-085 Construction and other documents—Submittal. (1) For the purpose of determining that the provisions set forth in chapters 180-25 through 180-29 WAC have been complied with prior to the opening of bids of any project to be financed with state moneys, the school district shall have on file with the superintendent of public instruction the following:

- (a) One microfilm copy of the construction documents;
- (b) Cost estimate of construction on a form approved by the superintendent of public instruction, completed and signed by the architect-engineer;
- (c) Signed copy or photocopy of letters of approval by other governmental agencies in accordance with WAC 180-29-090;
- (d) Area analysis on a form approved by the superintendent of public instruction in accordance with chapter 180-27 WAC;
- (e) Complete listing of construction special inspections and/or testing to be performed by independent sources that are included in the project pursuant to WAC 180-27-100;
- (f) One copy of the value engineering and constructability review reports as accepted by the school district board of directors. The reports shall include the following:
 - (i) A brief description of the original design;
 - (ii) A brief description of the value engineering or constructability review methodology used;
 - (iii) The areas analyzed;
 - (iv) The design alternatives proposed;
 - (v) The cost changes proposed;
 - (vi) The alternates accepted; and
 - (vii) A brief statement explaining why each alternate not accepted was rejected;
- (g) Completed Building Condition Evaluation Forms (BCEF) as required by WAC 180-27-535 for every school facility in the district.

(2) If the above documents reflect an increase in square foot size from the application approved by the state board of

education as per WAC 180-29-030 which will result in an increase in state support, a new application must be submitted to the state board of education.

AMENDATORY SECTION (Amending WSR 92-24-027, filed 11/24/92, effective 12/25/92)

WAC 180-29-160 Acceptance of project by school district. Based upon board acceptance of a building commissioning report when required and an inspection of the project and the certificate(s) of completion signed by the architect/engineer, the school district board of directors shall accept the project as complete or reject the project as incomplete. Until the superintendent of public instruction receives a school district board resolution officially accepting the project as complete and a copy of the commissioning report with board acceptance, no release of retainage shall be made in accordance with WAC 180-29-165.

WSR 99-24-127
PERMANENT RULES
STATE BOARD OF EDUCATION

[Filed December 1, 1999, 11:14 a.m.]

Date of Adoption: October 29, 1999.

Purpose: To do one or more of the following, as deemed appropriate: Make technical amendments, clarify existing provisions, or implement new rules resulting from EHB 1831.

Citation of Existing Rules Affected by this Order: Amending WAC 180-27-020, 180-27-030, 180-27-056, 180-27-080, 180-27-600, 180-27-605, 180-27-610, and 180-27-615.

Statutory Authority for Adoption: RCW 28A.525.020.

Adopted under notice filed as WSR 99-19-154 on September 22, 1999.

Changes Other than Editing from Proposed to Adopted Version: WAC 180-27-615, provision added to allow State Board of Education to modify repayment plans.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 2, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 4, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 30, 1999

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 92-24-027, filed 11/24/92, effective 12/25/92)

WAC 180-27-020 Related factors and formula for determining amount of state assistance. (1) The amount of state assistance to a school district to provide school facilities shall be determined on the basis of component factors, as hereinafter set forth in this chapter, relating to:

- (a) The number of unhoused students;
- (b) Space allocations;
- (c) Reduction of the number of operating schools as per chapter 180-33 WAC;
- (d) Area cost allowance;
- (e) Allowances for furniture and equipment purchases;
- (f) The amount of insurance, federal, or other nontax source local moneys applied to a school facilities project;
- (g) Certain specified costs which must be financed directly by the school district; and
- (h) The amount of fees for professional services.

(2) State assistance for an approved project shall be derived by multiplying the percentage of state assistance determined pursuant to RCW 28A.525.166 by the following:

(a) The eligible construction cost which shall be calculated by multiplying the approved square foot area of the project as set forth in WAC 180-27-035 by the area cost allowance as set forth in WAC 180-27-060;

(b) The cost of preparing educational specifications as set forth in WAC 180-27-065;

(c) The cost of ~~((basic))~~ architectural and engineering services as set forth in WAC 180-27-070;

(d) The cost of preparing and reviewing the energy conservation report as set forth in WAC 180-27-075;

(e) The cost of a value engineering study ~~((during design)), a constructability review, and building commissioning~~ as set forth in WAC 180-27-080;

(f) The construction cost savings—sharing incentive as set forth in WAC 180-27-085;

(g) The cost of furniture and equipment as set forth in WAC 180-27-095; ~~((and))~~

(h) The cost of special inspections and testing as set forth in WAC 180-27-100; and

(i) The cost of construction management as set forth in WAC 180-27-102.

Any cost in excess of the maximum allowable shall be financed entirely by the school district.

AMENDATORY SECTION (Amending WSR 98-19-143, filed 9/23/98, effective 10/24/98)

WAC 180-27-030 Applicable state matching percentage for project. Pursuant to provisions of RCW ~~((28A.525.166))~~ 28A.525.168, the percentage of state assistance used for the allocation of state moneys shall be the highest amount prevailing at the time of:

(1) Passage of bonds and/or levies by the voters of the school district to meet the requirement for local funding;

(2) State board of education project approval; or

(3) Superintendent of public instruction approval to bid.

In the event that a district is otherwise eligible to receive approval to bid one or more projects but a lack of state matching funds precludes the issuance of such approval(s), the dis-

trict shall retain the higher percentage of state assistance as provided for in this section for such approval(s). This provision shall apply to all projects having received project approval by the state board of education after September 1, 1997.

AMENDATORY SECTION (Amending WSR 98-23-033, filed 11/10/98, effective 12/11/98)

WAC 180-27-056 Funding during the period of a priority approval process order by state board of education. During the period of a priority approval process imposed by order of the state board of education school construction projects shall receive final approval pursuant to WAC 180-29-107 as follows:

(1) On or after July 1 following the state board of education order for the implementation of a priority approval process the superintendent of public instruction shall rank all projects for which final approval has been requested pursuant to WAC 180-29-107 as per the ~~((applicable))~~ applicable priority list in WAC ~~((180-27-058 or))~~ 180-27-500. Only school construction projects with state board of education approval under WAC 180-25-045 and secured local capital funds by ~~((December))~~ ~~((January))~~ January 31 of the previous state fiscal year and eligible for final approval pursuant to WAC 180-29-107 by June 30 of the previous state fiscal year shall be placed on ~~((that))~~ ~~((the))~~ the priority list ~~((Provided, That for the state fiscal year beginning July 1, 1992, the December 31, 1991, cutoff date is extended to March 27, 1992))~~.

(2) Each fiscal year the superintendent of public instruction shall give final approval to school construction projects on the priority list pursuant to WAC 180-29-107 based on the level and conditions of legislative appropriations. For the purpose of this subsection the term "estimated revenue available for the state fiscal year" shall mean the estimated revenue from the common school construction fund for the current state fiscal year and the subsequent state fiscal year, the result of which is divided by two.

(3) In the event the state board of education does not rescind the order for the implementation of a priority approval process by the close of the state fiscal year, school construction projects remaining on the priority list without final approval and, therefore, without secured funding status pursuant to WAC 180-29-107 shall be combined with new school construction projects that have secured local capital funds by ~~((December))~~ ~~((January))~~ January 31 of the state fiscal year and that are eligible, pursuant to WAC 180-29-107, for final approval by the close of the state fiscal year, and a new priority list shall be established on or after July 1 of the next state fiscal year and such remaining and new school construction projects shall be eligible for final approval pursuant to the provisions of subsections (1) and (2) of this section.

AMENDATORY SECTION (Amending WSR 98-19-143, filed 9/23/98, effective 10/24/98)

WAC 180-27-080 Value engineering ~~((study))~~ studies, constructability reviews, and building commissioning—Requirements and definition. At the appropriate time in the design process for a school facility approved by the

state board of education, the district shall prepare a ~~((standard))~~ value engineering study, complete a constructability review, and perform building commissioning for all projects greater than fifty thousand square feet. ~~((Preparation of a))~~ Value engineering ~~((study is))~~ studies, constructability reviews, and building commissioning shall be optional for projects larger than fifteen thousand square feet but less than fifty thousand square feet ~~((or less))~~. Any project which includes fifteen thousand square feet or less shall be exempt from this requirement. For the purpose of this section, a ~~((standard))~~ value engineering study is defined as a cost control technique which is based on the use of a systematic, creative analysis of the functions of the facility with the objective of identifying unnecessary high costs or functions and/or identifying cost savings that may result in high maintenance and operation costs. The study shall consist of a forty-hour workshop involving a minimum of a five-person team pursuant to WAC 180-29-065. ~~((The amount of state assistance for which))~~ A constructability review is defined as a cost control technique which is based on the review of project documents by mechanical, electrical, structural, construction, and design professionals prior to a request for bids. The purpose of a constructability review is to identify potential claim or problem areas and deficiencies that may occur as a result of errors, ambiguities, omissions, discrepancies, and conflicts in design documents. The study shall consist of a forty-hour workshop involving a minimum of a five-person team pursuant to WAC 180-29-066. Building commissioning is defined as the process of verifying that the installation and performance of selected building systems meet or exceed the specified design criteria and therefore satisfy the design intent. Building commissioning shall include a physical inspection, functional performance testing, listing of noted deficiencies, and a final commissioning report. Building commissioning shall be performed by a professional agent or authority not contractually or otherwise financially associated with the project design team or contractor. A district ~~((is))~~ shall be eligible for state assistance for a value engineering study, a constructability review, and building commissioning for each qualifying project. The maximum amount of assistance for each component of the study package shall be the state matching percentage multiplied by the greater of the following:

- (1) ~~((One-quarter))~~ Two-fifths of one percent of the area cost allowance multiplied by the square foot area at time of bid; or
- (2) Twenty thousand dollars.

NEW SECTION

WAC 180-27-102 Construction management. Prior to commencing with project design the district shall employ or contract personnel to perform professional construction management. Construction management shall be required for all projects greater than fifty thousand square feet and is optional for projects fifty thousand square feet or less. For the purpose of this section construction management is defined as the process of professional management applied to a construction program for the purpose of controlling time, cost, and quality. The construction manager shall have appropriate and demonstrable experience in the management of construction

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projects including procurement, contract administration, scheduling, budgets, quality assurance, information management, and health and safety. A construction manager certified by the Construction Management Association of America is desirable, but not mandatory. The amount of state assistance for which a district shall be eligible for construction management shall be the state matching percentage multiplied by two and one-half percent of the area cost allowance multiplied by the square foot area at the time of bid.

AMENDATORY SECTION (Amending WSR 95-20-088, filed 10/4/95, effective 11/4/95)

WAC 180-27-600 Emergency repair grant applications—Definitions—"Emergency repair" (~~and~~), "imminent health and safety hazards", and "local funding." As used in WAC 180-27-605 through 180-27-615:

(1) The term "emergency repair" means a repair to a school building necessitated by (~~unforeseeable defects in the building due to error(s) in the design and/or construction of the building~~) causes specified in any current biennial appropriation.

(2) (~~"Error in the design or construction of a building" means the failure of the architect(s), engineers(s) or contractor(s) to design and construct a building in accordance with generally accepted and applied standards at the time the building was constructed.~~

(3)) The term "imminent health and safety hazard" means a threat of immediate physical injury to the occupants of a building.

(3) The term "local funding" means insurance settlements, litigation proceeds in excess of costs, any unreserved general fund balance in excess of \$200/FTE student for first class districts or \$500/FTE student for second class districts as reported in the most recently available annual fiscal report (F196), any unobligated, unreserved capital fund balance, any capital funds reserved for uninsured risk, and any unused voter-approved bond capacity. Districts shall not be required to pass bond or levy issues or incur nonvoted debt in order to qualify for these funds.

AMENDATORY SECTION (Amending WSR 95-20-088, filed 10/4/95, effective 11/4/95)

WAC 180-27-605 Emergency repair grant applications—Contents of applications. The state board of education may allocate (~~an amount not to exceed five million dollars per fiscal year 1995-96 and 1996-97~~) any funds specifically appropriated for this purpose by the legislature to school districts for emergency repair projects for school buildings which present imminent health and safety hazards for building occupants in accordance with the following process and eligibility criteria:

(1) A school district board of directors shall approve and present to the superintendent of public instruction a written application for emergency repair funding on a form provided by the superintendent of public instruction.

(2) The application and accompanying documentation shall include, but not be limited to:

(a) Certification of the unrestricted balance, if any, of the district's general fund and capital projects fund and that all avenues of local funding have been exhausted;

(b) A determination and description of available alternative housing options for occupants of the building;

(c) A detailed description of the nature of the emergency repair;

(d) A detailed description of the nature and extent of the imminent health and safety hazards that exist, and the extent they would be alleviated by the emergency repair;

(e) Evidence that the district is aggressively pursuing civil remedies against the responsible party(~~(ies)~~) or parties as appropriate;

(f) Certification by a health official, fire official, building official, labor and industries official or other independent and competent authority that an imminent health and safety hazard to building occupants of a specified nature and extent exists unless the emergency repairs are made; and

(g) The estimated cost of the emergency repairs based upon an estimate made by two or more independent, qualified cost estimators.

(h) A plan for repayment of the grant.

AMENDATORY SECTION (Amending WSR 95-20-088, filed 10/4/95, effective 11/4/95)

WAC 180-27-610 Emergency repair grant applications—(~~Review committee~~) State board of education approval/disapproval. (~~A review committee appointed by~~) The superintendent of public instruction shall (~~periodically evaluate and rank applications for emergency repair funding submitted pursuant to WAC 180-27-605, and~~) recommend to the state board of education whether or not an application shall be funded and, if so, the amount to be funded. The state board of education shall make the final decisions respecting emergency repair applications and grants.

AMENDATORY SECTION (Amending WSR 95-20-088, filed 10/4/95, effective 11/4/95)

WAC 180-27-615 Emergency repair grant applications—Repayment conditions. Grants of emergency repair moneys shall be conditioned upon the written commitment and plan of the school district board of directors to repay the grant by waiving the school district's current or future eligibility for state building assistance under chapters 180-25 through 180-33 WAC, or with insurance payments, or with any judgment(s) that have been awarded, or with other means and sources of repayment. (~~The state board of education may waive or qualify the requirements of this section in whole or part based upon credible evidence of long-range extenuating financial circumstances.~~) Any such written commitment and plan for repayment may subsequently be modified by mutual agreement between the school district board of directors and the state board of education.

WSR 99-24-130
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Division of Assistance Programs)

[Filed December 1, 1999, 11:21 a.m., effective January 1, 2000]

Date of Adoption: December 1, 1999.

Purpose: To establish that eligibility for other funding sources must be determined before benefits are authorized from the consolidated emergency assistance program and all other funding sources for housing assistance must be used in lieu of CEAP benefits.

Citation of Existing Rules Affected by this Order: Amending WAC 388-436-0030 Eligibility for CEAP depends on other possible cash benefits.

Statutory Authority for Adoption: RCW 74.04.660.

Adopted under notice filed as WSR 99-20-102 on October 5, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: January 1, 2000.

December 1, 1999

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-436-0030 Eligibility ((conditions)) for CEAP((—)) depends on other possible ((resources)) cash benefits. (1) ((As a condition of eligibility for CEAP, applicants must take all necessary steps to establish eligibility for the following programs)) Before the department approves CEAP benefits, we must determine that all household members are ineligible for benefits from any of the following programs:

- (a) Temporary assistance for needy families (TANF);
(b) State family assistance (SFA);
(c) Refugee cash assistance (RCA);
(d) Diversion cash assistance (DCA).

(2) To receive CEAP, the applicant must take any required action to receive benefits from the following programs:

- (a) TANF, SFA, and RCA;

- (b) Supplemental security income (SSI);
((e)) (c) Medical assistance for those applicants requesting ((emergency)) help for a medical ((care)) need;
((f)) (d) Food assistance for those applicants ((declaring an emergency)) requesting help for a food need; ((and (g)) (e) Housing assistance from any available source for those applicants requesting help for a housing need;

(f) Unemployment compensation, ((if)) veteran's benefits, industrial insurance benefits, Social Security benefits, pension benefits, or any other source of financial benefits the applicant is potentially eligible to receive.

((2) CEAP applicants under a grant penalty for failure to comply with program requirements of TANF/SFA, WorkFirst under chapter 388-310 WAC, refugee cash assistance, general assistance or SSI are treated as follows:

(a) All members are ineligible and the CEAP application is denied if compliance could have prevented the need for emergency assistance.

(b) Only the member responsible for the grant penalty is ineligible for CEAP if the compliance could not have prevented the need for emergency assistance))

(3) The department may not authorize CEAP benefits to any household containing a member who is under a grant penalty for failure to comply with program requirements of TANF/SFA, RCA, or WorkFirst under chapter 388-310 WAC.

WSR 99-24-131
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed December 1, 1999, 11:23 a.m., effective January 1, 2000]

Date of Adoption: December 1, 1999.

Purpose: Ensure WAC 388-410-0001 What is a cash/medical assistance overpayment, conforms to RCW 74.08.080 (2)(e) which limits client's overpayment liability when cash assistance is recovered pending a fair hearing.

Citation of Existing Rules Affected by this Order: Amending WAC 388-410-0001.

Statutory Authority for Adoption: RCW 74.04.510.

Other Authority: 7 C.F.R. 273.9 (d)(6).

Adopted under notice filed as WSR 99-19-023 on September 7, 1999.

Changes Other than Editing from Proposed to Adopted Version: New subsection (4) reads: "If you receive child payments directly from the noncustodial parent, you must turn these over to the Division of Child Support (DCS). These payments are not cash assistance overpayments."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 1, Repealed 0.

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WSR 99-24-136

PERMANENT RULES

EMPLOYMENT SECURITY DEPARTMENT

[Filed December 1, 1999, 11:43 a.m.]

Date of Adoption: November 8, 1999.

Purpose: The additional benefit period for workers in the forest products industry and finfishers, authorized by RCW 50.22.090, expired on July 1, 1999, and was not reauthorized by the legislature. The rules being repealed deal with eligibility for the additional benefits program and are no longer applicable.

Citation of Existing Rules Affected by this Order: Repealing WAC 192-32-040, 192-32-045, 192-32-055, 192-32-065, 192-32-075, and 192-32-105.

Statutory Authority for Adoption: RCW 50.12.010, 50.12.040, 50.22.090.

Adopted under preproposal statement of inquiry filed as WSR 99-19-046 on September 13, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 6.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 15, 1999

Carver Gayton

Commissioner

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 192-32-040	Employment in the forest products industry.
WAC 192-32-045	Unlikely to return to employment.
WAC 192-32-055	Training program deadlines.
WAC 192-32-065	Training program application requirements.
WAC 192-32-075	Occupation in demand outside labor market.
WAC 192-32-105	Interstate claims.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: January 1, 2000.

December 1, 1999

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-410-0001 What is a cash/medical assistance overpayment~~((~~is~~))~~ (1) An overpayment ~~((means))~~ is any cash or medical assistance paid ((to an)) that is more than the assistance unit ((where:

~~((a) Eligibility for the payment did not exist; or~~

~~((b) Assistance paid was in excess of need)) was eligible to receive.~~

(2) There are two ~~((different))~~ types of cash/medical overpayments ((for cash and medical assistance)):

~~((a) Intentional overpayments((; and~~

~~((b) Unintentional overpayments.~~

~~((3) The client is presumed to have committed an intentional overpayment when the client willfully or knowingly:~~

~~((a)) , presumed to exist when the client willfully or knowingly:~~

~~((i) Fails to report within twenty days a change in circumstances that affects ((the client's)) eligibility ((or need)); or~~

~~((b)) ((ii) Misstates or fails to reveal a ((material fact that affects)) fact affecting eligibility ((or need)) as specified in WAC 388-446-0001.~~

~~((4) All overpayments that are not due to the willful or knowing failure of the client to provide information necessary to determine eligibility are considered unintentional overpayments.~~

~~((5) Child support payments received directly from the absent parent are not treated as a grant overpayment if kept by the caretaker relative. Such payments are considered a debt to the division of child support))~~

~~((b) Unintentional overpayments, which includes all other client-caused and all department-caused overpayments.~~

~~((3) If you request a fair hearing and the fair hearing decision is in favor of the department, then:~~

~~((a) Some or all of the continued assistance you get before the fair hearing decision must be paid back to the department (see WAC 388-418-0030); and~~

~~((b) The amount of assistance you must pay back will be limited to sixty days of assistance, starting with the day after the department receives your hearing request.~~

~~((4) If you receive child support payments directly from the noncustodial parent, you must turn these payments over to the division of child support (DCS). These payments are not cash assistance overpayments.~~

WSR 99-24-137
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed December 1, 1999, 11:46 a.m.]

Date of Adoption: December 1, 1999.

Purpose: The purpose is to implement federal regulatory changes enacted March 12, 1999, resulting from the 1997 amendments to the Individuals with Disabilities Education Act to make housekeeping changes and to clarify state procedures.

Citation of Existing Rules Affected by this Order: Amending WAC 392-172-010, 392-172-020, 392-172-030, 392-172-035, 392-172-040, 392-172-045, 392-172-055, 392-172-065, 392-172-070, 392-172-075, 392-172-100, 392-172-102, 392-172-104, 392-172-106, 392-172-108, 392-172-114, 392-172-116, 392-172-118, 392-172-120, 392-172-122, 392-172-124, 392-172-126, 392-172-128, 392-172-132, 392-172-134, 392-172-136, 392-172-138, 392-172-140, 392-172-142, 392-172-144, 392-172-146, 392-172-148, 392-172-150, 392-172-156, 392-172-158, 392-172-160, 392-172-162, 392-172-164, 392-172-166, 392-172-170, 392-172-172, 392-172-174, 392-172-176, 392-172-180, 392-172-182, 392-172-186, 392-172-188, 392-172-190, 392-172-200, 392-172-202, 392-172-220, 392-172-222, 392-172-226, 392-172-230, 392-172-232, 392-172-240, 392-172-242, 392-172-246, 392-172-300, 392-172-302, 392-172-304, 392-172-306, 392-172-308, 392-172-310, 392-172-312, 392-172-314, 392-172-316, 392-172-324, 392-172-328, 392-172-330, 392-172-332, 392-172-334, 392-172-338, 392-172-350, 392-172-352, 392-172-354, 392-172-356, 392-172-360, 392-172-362, 392-172-364, 392-172-370, 392-172-388, 392-172-390, 392-172-392, 392-172-394, 392-172-396, 392-172-400, 392-172-402, 392-172-404, 392-172-408, 392-172-410, 392-172-414, 392-172-416, 392-172-418, 392-172-420, 392-172-422, 392-172-424, 392-172-426, 392-172-500, 392-172-502, 392-172-504, 392-172-506, 392-172-510, 392-172-512, 392-172-514, 392-172-516, 392-172-520, 392-172-526, 392-172-550, 392-172-552, 392-172-574, 392-172-580, 392-172-584, 392-172-588 and 392-172-590; and repealing WAC 392-172-060, 392-172-062, 392-172-110, 392-172-112, 392-172-152, 392-172-154, 392-172-168, 392-172-178, 392-172-184, 392-172-206, 392-172-214, 392-172-216, 392-172-228, 392-172-234, 392-172-236, 392-172-320, 392-172-322, 392-172-340, 392-172-346, 392-172-358, 392-172-372, 392-172-374, 392-172-376, 392-172-378, 392-172-380, 392-172-382, 392-172-398, 392-172-554, 392-172-556, 392-172-558, 392-172-560, 392-172-562, 392-172-564, 392-172-566, 392-172-568, 392-172-570, 392-172-592, and 392-172-594.

Statutory Authority for Adoption: RCW 28A.155.090(7), 28A.300.070.

Other Authority: 20 U.S.C. 1400 et seq.

Adopted under notice filed as WSR 99-17-101 on August 17, 1999.

Changes Other than Editing from Proposed to Adopted Version: General: Replaced "regular" with "general" when describing the general education environment throughout the appropriate WAC sections. Added "any necessary" before related services to clarify that related services are required, when necessary throughout the appropriate WAC sections.

WAC 392-172-010, added federal authority citation.

WAC 392-172-030, removed "and modifications" from subsection (4)(a).

WAC 392-172-035, moved WAC 392-172-055(2) to this section as new subsection (3). Clarified at subsection(5) that foster parent may act as a surrogate parent.

WAC 392-172-040, added that evaluation includes procedures to determine the nature and extent of a student's need for specially designed instruction and any necessary related services at subsection (1)(c). Added definitions of "day" and "native language."

WAC 392-172-045, removed "and modifications" from subsection (2). Added language at subsection (3) that a service recognized as special education may be a related service if it allows a student to access special education, and is not provided as specially designed instruction. Amended subsection (4)(a)(iii) to read that the needs of and resources to the student are clear to the parents and persons providing services on the IEP. Alphabetized the definitions of special education beginning at subsection (4)(b). Removed the word "prevention" from the definitions of speech and language services and occupational therapy. Added federal language definition to occupational therapy.

WAC 392-172-055, added that related services include preventative services at subsection (1). Added federal language regarding counseling services at subsection (2)(e).

WAC 392-172-102, required that referral be in writing unless the individual is unable to write.

WAC 392-172-104, changed section title to "Referral procedures." Referral may be made to school personnel. Added "obtain consent" to subsection (2). Removed subsection (3). Added reference to WAC 392-172-156 in new subsection (3), to eliminate timeline confusion.

WAC 392-172-105, deleted subsections (4) and (5). They are already located at WAC 392-172-15705.

WAC 392-172-107, renumbered this section as WAC 392-172-10900. Added new subsection (4) allowing the review of data to occur without a meeting, but parents must be invited if a meeting is held.

WAC 392-172-108, defined evaluation groups at subsection (2). Moved former WAC 392-172-112 to subsection (13) of this section. Added references to evaluation report and eligibility determination at subsection (14).

WAC 392-172-109, renumbered this section as WAC 392-172-10905. Reordered first three sections, so the first section follows the next two sections. Moved documentation of disability to subsection (5). Added language that the report must be sufficiently comprehensive to develop an IEP. Added specific learning disability requirements in subsection (4).

WAC 392-172-111, deleted "or legal guardian" from subsection (3).

WAC 392-172-114, amended subsection (1)(c) to clarify that children qualifying under this category need to be reevaluated prior to age 3. Removed duplicative language regarding procedural safeguards from subsection (4). Amended subsection (5) to clarify that school district option for this category is ages 3 to 9. Added new subsection (7) clarifying that districts may qualify a student within any category at any age.

WAC 392-172-118, deleted specific evaluation requirements. Added cross-reference to existing evaluation procedures at WAC 392-172-106 through 392-172-111.

WAC 392-172-120, replaced "communication disorder" with "speech or language impairment" in first sentence. Deleted specific evaluation requirements. Added cross-reference to existing evaluation procedures at WAC 392-172-106 through 392-172-111.

WAC 392-172-122, deleted specific evaluation requirements. Added cross-reference to existing evaluation procedures at WAC 392-172-106 through 392-172-111.

WAC 392-172-124, deleted specific evaluation requirements. Added cross-reference to existing evaluation procedures at WAC 392-172-106 through 392-172-111.

WAC 392-172-126, added cross-reference to the evaluation procedures in subsection (3).

WAC 392-172-128, added cross-reference to the evaluation procedure in first paragraph.

WAC 392-172-132, deleted subsection (2)(d). Added new subsection (3) regarding evaluation report requirements.

WAC 392-172-134, 392-172-136, 392-172-138, 392-172-140, 392-172-142, 392-172-144, 392-172-146, and 392-172-148, deleted specific evaluation requirements. Added cross-reference to existing evaluation procedures at WAC 392-172-106 through 392-172-111.

WAC 392-172-150, added in subsection (1) that right to an independent evaluation occurs if the parent's disagree with a public agency's evaluation. Moved 15-day requirement to subsection (5)(a) to clarify timeline. Added "public or private expense" to subsection (8).

WAC 392-172-153, added "preschool providers" to subsection (2).

WAC 392-172-156, added language clarifying that the timing for the IEP meeting begins after the parent and the school determine eligibility, to first paragraph.

WAC 392-172-15700, added "preschool provider" to subsection (6). Added language in subsection (2) and (5) regarding parent's involvement in any meetings.

WAC 392-172-15705, added "afforded the opportunity" to subsection (1).

WAC 392-172-160, added cross-reference to extended school year at subsection (1)(m).

WAC 392-172-161, renumbered as WAC 392-172-159.

WAC 392-172-166, added "student participation" to the heading.

WAC 392-172-170, removed duplicative language contained in WAC 392-172-302 and 392-172-304.

WAC 392-172-172, added reference to preschool students.

WAC 392-172-174, added reference to WAC 392-172-045 at subsection (2)(a).

WAC 392-172-180, changed the word "setting" to "placement" in the heading and subsection (1). Added reference to preschool student in subsection (1). Added provision for parental agreement in subsection (3).

WAC 392-172-184 and 392-172-185, deleted WAC 392-172-184. Added content as new subsection (1) in WAC 392-172-185.

WAC 392-172-186, added that if an agency calls a meeting, parents must be invited in subsection (3). Added cross-reference to notice in subsection (5).

WAC 392-172-200, added "excess cost funding" to heading. Added endorsements to subsection (1). Moved definition of substantial profession training to subsection (2). Added reference to WAC 392-172-045 in subsection (2). Removed language not pertaining to educational staff associate rules from subsection (3). Added provision of related services to subsection (3). Added reference to state law regarding core competencies to subsection (6).

WAC 392-172-202, reduced out of endorsement requirements to existing requirements.

WAC 392-172-222, reworded subsection (1) for clarity, and changed "special education services" to special education.

WAC 392-172-232, clarified definition of resident students. Added cross-reference to state law.

WAC 392-172-23300, moved subsection (3) to WAC 392-172-23305.

WAC 392-172-300, corrected federal reference.

WAC 392-172-302, modified language in subsection (1) to parallel federal language.

WAC 392-172-306, subsection (1)(a) clarified that the district must have language informing parents how to obtain procedural safeguards anytime they do not accompany notice.

WAC 392-172-308, moved subsection (6) and (7) to subsection (4). Added "public" to subsection (4). Amended language in subsection (5) to parallel federal law.

WAC 392-172-310, removed federal reference and replaced with reference to this chapter. Amended language regarding disputes to parallel federal law.

WAC 392-172-312, reinserted primary, before parents.

WAC 392-172-316, added participants as persons subject to confidentiality.

WAC 392-172-332, clarified that all complaints contain same contents.

WAC 392-172-334, clarified that procedures apply to all complaints. Added cross-reference to complaints against the state.

WAC 392-172-338, clarified investigation procedures. Added provision for timeline extension for corrective action in subsection (7). Removed duplicative language regarding technical assistance, which could be part of corrective action in subsection (8).

WAC 392-172-350, amended subsection (1)(a) regarding disputes to parallel federal law. Added language in subsection (2)(a) and (b) to be consistent with WAC 392-172-351. Clarified subsection (3)(b) to be consistent with independent educational evaluations.

WAC 392-172-362, corrected references in subsection (3)(e) and (f).

WAC 392-172-38400 and 392-172-38415, clarified that OSPI arranges hearings and OAH conducts the hearings.

WAC 392-172-392, removed "and which does cause" from subsection (3)(f). Removed "oral" from subsection (7) and "obviously" from subsection (8).

WAC 392-172-394, amended subsection (2)(d) and subsection (3)(d) to "shall remain is visual or auditory range."

WAC 392-172-396, added current to subsection (7).

WAC 392-172-398, deleted this section. It is duplicative.

WAC 392-172-400, amended educational records definition to parallel FERPA.

WAC 392-172-402, added cross-reference to consent and native language definitions.

WAC 392-172-404, clarified this section to reflect federal requirements of the state regarding notice, availability of publications, protection of personally identifiable information and notice for major childfind activities.

WAC 392-172-408, amended last sentence of subsection (1) to parallel federal language.

WAC 392-172-410, added language, consistent with FERPA regarding legitimate educational interest.

WAC 392-172-420, clarified that the school district must have procedures for educational records hearings.

WAC 392-172-422, added FERPA requirements for written consent at subsection (2). Clarified references to FERPA.

WAC 392-172-424, added references to state and federal laws and regulations implementing FERPA.

WAC 392-172-426, added state reference to records retention.

WAC 392-172-428, removed language in subsection (4) not contained in the federal language.

WAC 392-172-504, clarified monitoring schedule in subsection (1). Corrected audit reference in subsection (6).

WAC 392-172-506, amended language to parallel the state allocation of federal funds, consistent with state and federal law in subsection (1).

WAC 392-172-510, clarified state reporting procedure in subsection (6) by changing "may" to "will" and deleting subsection (6)(c) at [as] this is not part of the federal child count.

WAC 392-172-512, clarified that the state auditor's office conducts audits.

WAC 392-172-520, amended heading to clarify this section applies to students placed by school districts or other public agencies.

WAC 392-172-559, substituted federal cross-reference outlining state requirements.

WAC 392-172-576, clarified that this is the state policy.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 104, Repealed 26; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 13, Repealed 12.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

October 29, 1999

Dr. Terry Bergeson
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-010 Authority. The state authority for this chapter is RCW 28A.155.090(7) (~~which~~). This authority enables the superintendent of public instruction to promulgate rules and regulations to implement chapter 28A.155 RCW. (~~Such~~) This authority is supplemented by RCW 28A.300.070 which authorizes the superintendent of public instruction to receive federal funds in accordance with the provisions of federal law. Federal authority for this chapter is 20 USC 1400 et seq., the Individuals with Disabilities Education Act.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-020 Purposes. (1) The purposes of this chapter are to:

~~((1))~~ (a) Implement chapter 28A.155 RCW consistent with the Individuals with Disabilities Education Act, 20 United States Code section (~~1401~~) 1400 et seq.;

~~((2) Assure)~~ (b) Ensure that all special education students as defined in this chapter have available a free (~~and~~) appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for employment and independent living;

~~((3) Assure)~~ (c) Ensure that the rights of special education students and their parents are protected;

~~((4))~~ (d) Assist school districts and other public agencies to provide (~~for~~) special education and related services; and

~~((5) Establish compliance standards for)~~ (e) Assess and ensure effectiveness of the public agencies responsible for providing special education pursuant to chapter 28A.155 RCW(:), including state residential school programs which are established and operated pursuant to RCW 28A.190.020 et seq., RCW 13.04.145 and chapter 72.40 RCW.

~~(Special education regulations must be implemented by)~~ (2) School districts and other public agencies (~~with an awareness~~) must be aware that there are additional federal and state civil rights regulations (29 US Code 764, RCW 49.60.030, 43 USC 12101 et seq.) that apply to students who have a disability regardless of the student's eligibility for special education and related services. If a student has a physical, sensory, or mental impairment which substantially limits one or more major life activities, the district or other public agency has an obligation to provide that student appropriate educational services. Such services must be designed to meet the needs of the student with a disability to the same extent the needs of students without disabilities are met. A school district and other public agency's obligation to provide appropriate educational services to meet the needs of a student who

has a disability exists separate and apart from the obligation to provide a free ~~((and))~~ appropriate public education to a student who qualifies for special education and any necessary related services under these regulations.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-030 Students' rights to special education programs. (1) Each school district or other public agency shall provide every special education student between the age of three and twenty-one years, a free ~~((and))~~ appropriate ~~((educational))~~ public education program, including special education for students who have been suspended or expelled from school. A free appropriate public education is also available to any eligible student even though the student is advancing from grade to grade. The right to special education for eligible students commences on their third birthday with an individualized education program (IEP) in effect by that date. If an eligible student's third birthday occurs during the summer, the student's individualized education program team shall determine the date when services under the individualized education program will begin.

(2) School districts or other public agencies may provide special education and related services to students with a disability who meet the eligibility criteria under WAC 392-172-114(1) in the birth through two years age group. If a school district or other public agency provides an education to any student who is not disabled in the birth through two years age group, the district or other public agency shall make any required special education and related services available pursuant to this chapter to all its special education students of the same age.

(3) Any student referred for special education and related services shall qualify pursuant to eligibility criteria set forth in this chapter.

(4) A special education student shall remain eligible for special education and any necessary related services until one of the following occurs:

(a) ~~((The multidisciplinary team))~~ A group of qualified professionals and the parent of the student, based on a reevaluation determines the student is no longer in need of special education; (In this case, while a disability may continue, and individual accommodations in the general education classroom may be necessary for educational benefit, such services would not represent special education services as defined in this chapter.) or

(b) The special education student has met high school graduation requirements established by the school district or other public agency pursuant to rules of the state board of education, and the student has graduated from high school with a regular high school diploma. Graduation from high school with a regular diploma constitutes a change in placement, requiring written prior notice in accordance with WAC 392-172-302; or

(c) The special education student has reached age twenty-one. The student whose twenty-first birthday occurs on or before August 31 would no longer be eligible for special education. The student whose twenty-first birthday occurs after August 31, shall continue to be eligible for special

education and any necessary related services for the remainder of the school year.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-035 Definitions of "free appropriate~~((s))~~ public education," "adult student," "special education student," "parent," and "public agency." As used in this chapter:

(1) "Free appropriate~~((s))~~ public education" or FAPE means special education and related services which:

(a) Are provided at public expense, under local school district or other public agency supervision and direction, and without charge to parents;

(b) Meet the standards of the state educational agency and the state board of education, including the requirements of this chapter;

(c) Include preschool, elementary school, or secondary school education in the state; and

(d) Are provided in conformance with individualized education program (IEP) requirements of this chapter.

(2) "Special education student" ~~((and "student" (depending upon the context in which the terms are used)))~~ means:

(a) Any student, enrolled in school or not, (i) who has been identified as having a disability, (ii) whose disability adversely affects the student's educational performance, (iii) and whose unique needs cannot be addressed exclusively through education in general education classes with or without individual accommodations and is ((therefore)) determined to be ((in need of)) eligible for special education services; or

(b) ~~((For the purpose of due process protections, a person under the age of twenty-one enrolled in school or not, who has been referred and for whom the school district or other public agency has made a decision to evaluate; or~~

~~((e)))~~ A ~~((person))~~ student under the age of twenty-one who resides in a residential school serving students with a disability in accordance with RCW 28A.190.020 et seq., RCW 13.04.145 and chapter 72.40 RCW; who also qualifies pursuant to (a) of this subsection.

(3) If it is determined through an appropriate evaluation that a student has one of the disabilities identified in WAC 392-172-114 through 392-172-148, but only needs a related service and not specially designed instruction, the student is not a special education student under this chapter.

(4) "Adult student" means a special education student who is ~~((over the age of))~~ eighteen years of age or older and who has not been judged incapacitated by a court of law. A student shall assume and be entitled to exercise all rights, duties and responsibilities otherwise granted to ~~((or imposed upon))~~ parents by this chapter upon attaining the age of eighteen consistent with WAC 392-172-309. The adult student shall retain and be entitled to exercise the same until he or she has been judged incapable of exercising these rights by a court of law.

~~((4))~~ (5) "Parent" means a natural or adoptive parent, a guardian, an adult person acting as a parent, or a surrogate parent who has been appointed in accordance with ~~((this chapter))~~ WAC 392-172-308. The term includes a person

acting in the place of a parent, such as a grandparent or step-parent with whom a special education student lives, as well as persons who are legally responsible for ~~((a))~~ the student's welfare. The term does not include the state if the special education student is a ward of the state. It does include a foster parent if appointed as a surrogate parent.

~~((5))~~ (6) As used in this chapter, "public agency" means:

- (a) Each public school district in the state;
- (b) Each educational service district that provides special education or related services to one or more students with a disability;
- (c) Each state operated program; and
- (d) Each public ~~((or private))~~ organization or entity ~~((or person which provides)), including other political subdivisions of the state providing special education and/or related services to one or more special education students ((with a disability on behalf of a public school district or other public agency)) regardless of whether ((or not)) the organization or entity receives ((federal)) funds ((made available for purposes of)) under the Individuals with Disabilities Education Act.~~

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-040 Definitions of "evaluation," ~~((current evaluation,))~~ "reevaluation," ~~((and))~~ "consent," "day" and "native language." As used in this chapter:

- (1) "Evaluation" means procedures used to determine:
 - (a) Whether a student is disabled; ~~((and))~~
 - (b) ~~((The nature and extent of the special education and related services that the student requires, if any. The term includes procedures used selectively with an individual student and does not include basic tests administered to or procedures used with all students in a school, grade, or class.~~
- (2) "Current evaluation data" for determination of eligibility means:
 - (a) ~~Evaluation data obtained during a period of ninety calendar days prior to determining eligibility for students ages birth to six; or~~
 - (b) ~~Evaluation data obtained during a period of one hundred eighty calendar days prior to determining eligibility for students ages six through twenty-one.~~
- ~~((3))~~ Whether the disability adversely affects educational performance; and
- (c) The nature and extent of the student's need for specially designed instruction and any necessary related services.
- (2) "Reevaluation" means procedures used to determine the special education student's continuing eligibility and need for special education and related services consistent with WAC 392-172-182 through 392-172-190. Reevaluation ~~((may))~~ shall also be used to determine the appropriateness of the services being provided to the special education student.
- ~~((4))~~ (3) "Consent" means that the parent or adult student:
 - (a) Has been fully informed of all information relevant to the activity for which consent is sought in his or her native

language or other mode of communication ~~((, including being informed of existing evaluation data to be used));~~

(b) Understands and agrees in writing to the activity for which consent is sought, and the consent describes the activity and lists any records which will be released and to whom; and

(c) Understands that the granting of consent is voluntary and may be revoked at any time.

If a parent revokes consent, that revocation is not retro-active (it does not negate an action that has occurred after the consent was given and before the consent was revoked).

(4) "Day" means calendar day unless otherwise indicated as business day or school day. Business day means Monday through Friday, except for federal and state holidays, unless those holidays are specifically included in the designation of a business day in this chapter. School day means any day, including a partial day, that students are in attendance at school for instructional purposes.

(5) "Native language" means:

(a) For an individual of limited English proficiency, the language normally used by that individual, or in the case of a student, the language normally used by the parents of the student. In all direct contact with a student, including evaluation, native language means the language normally used by the child in the home or learning environment.

(b) For an individual with deafness or blindness, or for an individual with no written language, the mode of communication is that normally used by the individual (such as sign language, braille, or oral communication).

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-045 Definition of "special education" ~~((s))~~ and other terms. (1) As used in this chapter "special education" means ~~((instruction that is specially designed to meet the unique needs of a special education student and provided at no cost to the parent or student. Specially designed instruction includes instruction conducted in the classroom, in the home, in hospitals, institutions, and in other settings as well as physical education, and vocational education. Special education also includes specially designed instruction when it is carried out as part of speech))~~ specially designed instruction provided to an eligible student as defined in WAC 392-172-035 (2) and (3). Specially designed instruction as defined in subsection (4)(a) of this section shall be provided at no cost to the parents, in conformance with the student's IEP, and designed to meet the unique needs of the student. Specially designed instruction includes instruction conducted in the classrooms, in the home, in hospitals and institutions, and in other settings; and instruction in physical education.

(2) The term does not include individual accommodations within general education that alone would be sufficient and effective to meet the learning needs of the student; nor does it include the educational services necessary to meet the needs of those students identified under WAC 392-172-020(2).

(3) Travel training, vocational training, speech and language services, physical and occupational therapy, orienta-

tion and mobility instruction, behavioral intervention instruction, transition services, and audiological services are considered special education under this chapter if they are provided as specially designed instruction as defined in subsection (4) of this section. They are considered related services under WAC 392-172-055 if they are required to assist a special education student to benefit from special education, and not provided as specially designed instruction.

((The following terms are incorporated within the definition of special education:

(1) "Specially designed instruction" means organized and planned instructional activities which are designed by certificated special education and related services personnel. However, specially designed instruction may also be implemented by other than special education and related services personnel pursuant to an individualized education program.

The term does not include individual accommodations in the general education classroom which alone would be sufficient and effective to meet the individual needs of the student.

(2) "At no cost" means that all specially designed instruction is provided without charge. However, the term does not preclude incidental fees which are normally charged to nonspecial education students or their parents as a part of the general education program.

(3) "Physical education" means the development of:

(a) Physical and motor fitness;

(b) Fundamental motor skills and patterns; and

(c) Skills in aquatics, dance, and individual and group games and sports (including intramural and lifetime sports).

The term includes special physical education, adapted physical education, movement education, and motor development.

(4) "Vocational education" means organized educational programs offering a sequence of courses that are directly related to the preparation of individuals in paid or unpaid employment in current or emerging occupations requiring other than a baccalaureate or advanced degree. Such programs shall include competency-based applied learning that contributes to an individual's academic knowledge, higher-order reasoning, and problem-solving skills, work attitudes, general employability skills, and the occupation-specific skills necessary for economic independence as a productive and contributing member of society. The term also includes applied technology education.

(5) "Audiology" means the provision of habilitative activities related to a hearing impairment.

(6) "Occupational therapy" is instruction designed to improve, develop or restore functions impaired or lost through illness, injury, or deprivation or to prevent further loss.

(7) "Orientation and mobility instruction" means the provision of training/instruction in orientation and mobility for students who are visually impaired.

(8) "Physical therapy" means developing or restoring motor function and maintaining appropriate performance commensurate with the student's unique needs.

(9) "Speech and language services" mean the provision of instruction for the habilitation or prevention of communication disorders.

(10) "General education classroom" means instruction provided in a classroom that is generally designed to meet the needs of typically developing students who do not need special education.)) (4) The terms used in this section are defined as follows:

(a) "Specially designed instruction" means organized and planned instructional activities which adapt, as appropriate, to the needs of eligible students under this chapter, the content, methodology or delivery of instruction:

(i) To address the unique needs that result from the student's disability;

(ii) To ensure access of the student to the general curriculum so that the student can meet the educational standards of the school district or other public agency that apply to all students; and

(iii) Be provided by appropriately qualified special education certificated staff, or designed and supervised by this staff and carried out by general education certificated personnel or trained classified staff pursuant to a properly formulated IEP consistent with WAC 392-172-160 (1)(c), so that the needs of the student and services provided to the student will be clear to the parents and other IEP service providers. Student progress must be monitored and evaluated by special education certificated staff.

(b) "At no cost" means that all specially designed instruction is provided without charge, but does not preclude incidental fees that are normally charged to nondisabled students or their parents as part of the general education program.

(c) "Audiology" means the provision of habilitative instruction related to a hearing impairment.

(d) "Behavioral intervention instruction" means providing instruction which addresses student behavior that impedes involvement and/or progress in the general curriculum.

(e) "Occupational therapy" is instruction designed to improve, develop or restore functions impaired or lost through illness, injury, or deprivation, or improve ability to perform tasks for independent function if functions are impaired or lost.

(f) "Orientation and mobility instruction" means the provision of training/instruction in orientation and mobility for students who are visually impaired, including travel training.

(g) "Physical education" means:

(i) The development of physical and motor fitness; fundamental motor skills and patterns; and skills in aquatics, dance, and individual and group games and sport (including intramural and lifetime sports); and

(ii) Special physical education, adapted physical education, movement education, and motor development.

(h) "Physical therapy" means developing or restoring motor function and maintaining appropriate performance commensurate with the student's unique needs.

(i) "Speech and language services" means the provision of instruction for the habilitation of communication disorders.

(j) "Transition services" means a coordinated set of activities for a special education student that:

(i) Is designed within an outcome-oriented process that promotes movement from school to post-school activities,

including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;

(ii) Is based on the individual student's needs, taking into account the student's preferences and interests; and

(iii) Includes:

(A) Specially designed instruction;

(B) Related services;

(C) Community experiences;

(D) The development of employment and other post-school adult living objectives; and

(E) If appropriate, acquisition of daily living skills and functional vocational evaluation.

(k) "Travel training" means providing instruction, as appropriate, to students with significant cognitive disabilities, and other eligible students with disabilities who require this instruction, to enable them to:

(i) Develop an awareness of the environment in which they live; and

(ii) Learn the skills necessary to move effectively and safely from place to place within that environment (e.g., in the school, in the home, at work, and in the community).

(l) "Vocational education" means organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career requiring other than a baccalaureate or advanced degree.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-055 ((Definition of "Related services.)) **(1)** As used in this chapter, the term "related services" means transportation and such developmental, corrective, preventative and other supportive services as are required to assist a special education student to benefit from special education. ((These services include communication disorders services and audiology, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, early identification and evaluation of disabilities in students, counseling services, including rehabilitation counseling, medical services for diagnostic or evaluation purposes, and orientation and mobility services. The term also includes school health services, social work services in schools, parent counseling and training, and classified staff services.))

Related services include classified staff services, counseling services, early identification and evaluation of disabilities in students, medical services, parent counseling and training, psychological services, recreation, rehabilitation counseling services, school health services, social work services in schools, and transportation.

The list of related services is not exhaustive and may include other developmental, corrective, preventative or supportive services, if they are required to assist a special education student to benefit from special education.

(2) The terms used in the definition of "related services" are defined as follows:

((1)) "Audiology" includes:

~~(a) Identification of students with hearing loss;~~

~~(b) Determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing;~~

~~(c) Creation and administration of programs for the prevention of hearing loss;~~

~~(d) Counseling and guidance of students, parents, and teachers regarding hearing loss; and~~

~~(e) Determination of the student's need for group and individual amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.~~

~~(2)) (a) "Classified staff services" includes:~~

~~((a)) (i) Services provided by classified staff which provide for the student's safety, personal care, and instructional assistance; and~~

~~((b)) (ii) Services provided to certificated staff by classified staff which provide assistance for special education students to achieve placement in the least restrictive environment.~~

~~((3)) (b) "Counseling services" means services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel. "Counseling services" also includes counseling and guidance of parents, children and teachers by audiologists regarding hearing loss and by speech pathologists regarding speech and language impairment.~~

~~((4)) (c) "Early identification and evaluation of disabilities in students" means the implementation of a formal plan for identifying a disability as early as possible in a student's life.~~

~~((5)) (d) "Medical services" means diagnostic and evaluation services provided by a licensed physician to determine a student's medically related disabling condition which may result in the student's need for special education and related services.~~

~~((6)) "Occupational therapy" includes:~~

~~(a) The identification and evaluation of the student's physical and self-care status;~~

~~(b) Determination of the student's need for occupational therapy; and~~

~~(c) Related counseling and guidance of parents, students, and staff regarding the provision of occupational therapy.~~

~~(7) "Orientation and mobility services" includes:~~

~~(a) Identification and evaluation of the student's mobility status;~~

~~(b) Determination of the student's need for orientation and mobility services; and~~

~~(c) Related counseling and guidance of parents, students and staff regarding orientation and mobility services.~~

~~(8)) (e) "Parent counseling and training" means assisting parents in understanding the special needs of their child ((and)), providing parents with information about child development, and helping parents to acquire the necessary skills that will allow them to support the implementation of their student's IEP.~~

~~((9)) "Physical therapy" includes:~~

~~(a) Identification and evaluation of the student's physical status;~~

~~(b) Determination of the student's need for physical therapy; and~~

~~(e) Related counseling and guidance of parents, students and staff regarding physical therapy services.~~

~~(10)) (f) "Psychological services" includes:~~

~~((a)) (i) Administering psychological and educational tests, and other evaluation procedures;~~

~~((b)) (ii) Interpreting evaluation results;~~

~~((c)) (iii) Obtaining, integrating, and interpreting information about the student's behavior and conditions relating to learning;~~

~~((d)) (iv) Consulting with other staff members in planning school programs to meet the special needs of students as indicated by psychological tests, interviews, and behavioral evaluations; ~~(and~~~~

~~(e)) (v) Planning and managing a program of psychological services, including psychological counseling for students and parents; ~~and~~~~

(vi) Assisting in developing positive behavioral intervention strategies.

~~((11)) (g) "Recreation" includes:~~

~~((a)) (i) Assessment of leisure function;~~

~~((b)) (ii) Therapeutic recreation services;~~

~~((c)) (iii) Recreation programs in school and community agencies; and~~

~~((d)) (iv) Leisure education.~~

~~((12)) (h) "Rehabilitation counseling services" means services provided by qualified personnel in individual or group sessions that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community of a special education student. The term also includes vocational rehabilitation services provided to special education students by vocational rehabilitation programs funded under the Rehabilitation Act of 1973, as amended.~~

~~((13)) (i) "School health services" means nursing or other health services provided to a special education student by a qualified school nurse ((or other qualified person)), registered nurse, licensed practical nurse or other persons qualified or appropriately trained to provide the services in the student's educational setting.~~

~~((14)) (j) "Social work services in schools" include:~~

~~((a)) (i) Preparing a social or developmental history on a special education student;~~

~~((b)) (ii) Group and individual counseling with the student and family;~~

~~((c)) (iii) Working ~~((with))~~ in partnership with parents and others on those problems in a student's living situation (home, school, and/or community) that affect the student's adjustment in school; ~~(and~~~~

~~(d)) (iv) Mobilizing school and community resources to enable the student to benefit from his or her educational program; ~~and~~~~

(v) Assisting in developing positive behavioral intervention strategies.

~~((15) "Speech and language services" include:~~

~~(a) Identification of students with specific speech and language disorders;~~

~~(b) Diagnosis and appraisal of speech and language disorders;~~

~~(e) Referral for medical or other professional attention necessary for the habilitation of speech and language disorders; and~~

~~(d) Counseling and guidance of parents, students, and staff regarding speech and language disorders:~~

~~(16)) (k) "Transportation" includes:~~

~~((a)) (i) Travel to and from school and between schools;~~

~~((b)) (ii) Travel in and around school buildings; and~~

~~((c)) (iii) Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a special education student. ~~((The list of related services is not exhaustive and may include other developmental, corrective, or supportive services, if they are required to assist a special education student to benefit from special education.))~~~~

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-065 Definition—Supplementary aids and services. As used in this chapter, the term "supplementary aids and services" means ~~((any of the following:~~

~~(1) Specially designed instruction provided in conjunction with the general education classroom by personnel qualified pursuant to WAC 392-172-200.~~

~~(2) Any other service, including assistive technology or other assistive device, provided in conjunction with the general education classroom which permits the delivery of specially designed instruction. Such instructional services must be designed, monitored, supervised and evaluated by special education personnel certificated pursuant to WAC 392-172-200 in cooperation with the general education classroom teacher)) aids, services, and other supports that are provided in general education classes or other education-related settings to enable special education students to be educated with nondisabled students to the maximum extent appropriate in accordance with the least restrictive environment requirements in WAC 392-172-172.~~

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-070 Definition—Assistive technology device ~~((and service))~~. The term "assistive technology device" means any item, piece of equipment, or product system—whether acquired commercially off the shelf, modified, or customized—that is used to increase, maintain, or improve the functional capabilities of special education students.

~~((The term "assistive technology service" means any service that directly assists a special education student in the selection, acquisition, or use of an assistive technology device. The term includes:~~

~~(1) The evaluation of the needs of a special education student, including a functional evaluation of the student in the student's customary environment;~~

~~(2) Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by special education students;~~

~~(3) Selecting, designing, fitting, customizing, adapting, applying, retaining, repairing, or replacing of assistive technology devices;~~

~~(4) Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;~~

~~(5) Training or technical assistance for a special education student, or if appropriate, the student's family; and~~

~~(6) Training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers, or other individuals who provide services to, employ or are otherwise substantially involved in the major life functions of students with disabilities.)~~

NEW SECTION

WAC 392-172-073 Definition—Assistive technology service. The term "assistive technology service" means any service that directly assists a special education student in the selection, acquisition, or use of an assistive technology device. The term includes:

(1) The evaluation of the needs of a special education student, including a functional evaluation of the student in the student's customary environment;

(2) Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by special education students;

(3) Selecting, designing, fitting, customizing, adapting, applying, retaining, repairing, or replacing assistive technology devices;

(4) Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;

(5) Training or technical assistance for a special education student, or if appropriate, the student's family; and

(6) Training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers, or other individuals who provide services to, employ or are otherwise substantially involved in the major life functions of special education students.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-075 Availability of assistive technology. Each public agency shall ensure that assistive technology devices or assistive technology services, or both, ~~(are made available to a special education student if required as a part of the student's individualized education program))~~ are made available to a special education student if required as part of the student's:

(1) Special education;

(2) Related services; or

(3) Supplementary aids and services.

On a case-by-case basis, the use of school-purchased assistive technology devices in a student's home or in other settings is required if the student's IEP team determines that the student needs access to those devices in order to receive FAPE.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-100 Child find. (1) The local district or other public agency shall conduct child find activities that apply to students ages birth through twenty-one for the purpose of locating, evaluating and identifying students with a suspected disability, regardless of the severity of their disability, who are residing within the boundaries of the district or other public agency and who are not currently receiving special education and related services.

~~((Child find activities shall include written notification to all parents of children in the district or other public agency regarding access to and the use of the school district and other public agency's child find system. Written notification and posting will be consistent with WAC 392-172-306 (2)(b).))~~

~~Child find activities shall apply to students ages birth through twenty-one and may include, but are not limited to: Posting notice in school buildings of the availability of special education programs, preschool developmental screening, local media informational campaigns, liaison with public health and other medical and social agencies, public or private, a questionnaire for first-time enrolling students, screening of district-wide group standardized test results, inservice education to teaching staff, and cooperation as requested with state child find programs.)~~ These activities shall extend to students attending private schools, including religious schools. The activities undertaken to carry out child find in private schools shall be:

(a) Comparable to activities undertaken in public schools; and

(b) Developed in consultation with appropriate representatives of private school students on how to carry out the activities described in this section.

(2) Child find activities must be calculated to reach:

(a) Highly mobile students with disabilities, such as homeless and migrant students; and

(b) Students who are suspected of being a student with a disability and in need of special education, even though they are advancing from grade to grade.

(3) The local school district, or other public agency shall have policies and procedures in effect that describe the methods it uses to conduct child find activities in accordance with subsections (1) and (2) of this section. Methods used may include but are not limited to: Written notification to all parents of students in the district's or other public agency's jurisdiction regarding access to and the use of its child find system; posting notices in school buildings and other public areas describing the availability of special education programs; offering preschool developmental screening; conducting local media informational campaigns; coordinating distribution of information with other child find programs within public and nonpublic agencies; screening district-wide test results; inservice education to staff; and other methods developed by the school district to identify, locate and evaluate students. Such methods may also include a systematic, intervention based, process within general education for determining the need for a special education referral.

(4) The collection and use of data to meet the requirements of this section are subject to the confidentiality requirements in WAC 392-172-400 through 392-172-426.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-102 (~~Preevaluation procedures~~) **Referrals.** A referral of a student suspected of having a disability may be (~~originated or transmitted through~~) initiated by any source, (~~either~~) in writing (or verbally (~~or~~ A referral may be initiated by any source)), if the individual is unable to write including but not limited to parents, medical personnel, school district or other public agency personnel, community agencies, civil authorities, through district screening procedures, and by other (~~identified~~) interested persons.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-104 (**Evaluation**) **Referral procedures—Time line.** (~~A school district or other public agency must complete a written referral when a student suspected of having a disabling condition is brought to the attention of any certificated staff member or administrator.~~)

(1) ~~If the referral under WAC 392-172-102 is made to a school district or other public agency certified staff or administrator (other than the special education designee) such staff must notify the school district and other public agency's special education designee at the time of the referral. Within twenty-five school days, the district or other public agency superintendent or designee shall:~~

(a) ~~Record the circumstance by date, origin, and reason(s) for the referral;~~

(b) ~~Provide the student's parent(s) or the adult student written notice that the student has been referred because of a suspected disabling condition and that the district or other public agency will determine whether or not there is good reason to believe that the student is a candidate for evaluation;~~

(c) ~~Review the referral;~~

(d) ~~Collect and examine existing school, medical and other records in the possession of the school district or other public agency; and~~

(e) ~~Based on the existing record, make a determination whether or not the student is a candidate for evaluation. This decision shall be recorded in writing and shall set forth the date and the name of the person making the decision. The superintendent or designee shall direct a notice to the student's parent(s) or the adult student that complies with the requirements of WAC 392-172-306.)~~ (1) When a student suspected of having a disability is brought to the attention of school personnel under WAC 392-172-102, the school district or other public agency must document the referral and:

(a) Provide the student's parent(s) or the adult student written notice that the student has been referred because of a suspected disabling condition and that the district or other public agency, with parental input, will determine whether or not there is good reason to believe that the student is a candidate for evaluation;

(b) Review the referral;

(c) Collect and examine existing school, medical and other records in the possession of the parent, school district or other public agency; and

(d) Within twenty-five school days after receipt of the referral, make a determination whether or not the student is a candidate for evaluation. This decision shall be recorded in writing and shall set forth the date and the names of the persons making the decision. The superintendent or designee shall direct a notice to the student's parent(s) or the adult student that complies with the requirements of WAC 392-172-302.

(2) When the student is a candidate for evaluation, the school district or other public agency shall obtain consent, fully evaluate the student and arrive at a decision pursuant to WAC (~~392-172-154~~) 392-172-111 within:

(a) Thirty-five school days after the date written consent for an evaluation has been provided by the parent(s) or the adult student; or

(b) Thirty-five school days after the date the refusal of the parent(s) or the adult student to grant consent has been overridden pursuant to a hearing (or appeal) in accordance with WAC 392-172-350 et seq.; or

(c) Such other time period as may be agreed to by the parent(s) or the adult student and documented by school authorities, including specifying the reasons for extending the time line.

(3) If determined eligible under this chapter, a meeting will be held consistent with WAC 392-172-156, to develop an IEP, and special education and any necessary related services will be made available to the student in accordance with this chapter.

NEW SECTION

WAC 392-172-105 Parent participation in meetings and notice. (1) Parents shall be afforded an opportunity to participate in meetings with respect to the identification, evaluation, educational placement and provision of a free appropriate public education to the student.

(2) Each public agency shall notify parents consistent with WAC 392-172-15700 (1)(a) and (2) to ensure that parents have the opportunity to participate in meetings described in this section.

(3) A meeting does not include informal or unscheduled conversations involving public agency personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision if those issues are not addressed in the student's IEP. A meeting also does not include preparatory activities that public agency personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-106 General areas of evaluation. (1) The evaluation of a student shall be in all areas related to the suspected disability, including, (~~but not limited to~~) if appropriate, health, vision, hearing, social (~~skills~~) and emotional status, general intelligence, academic performance, (communication skills) communicative status, and motor abilities (~~career, vocational, and the need for transition services~~).

(2) The evaluation shall be sufficiently comprehensive to identify all of the student's special education and any necessary related services needs, whether or not commonly linked to the disability category in which the student has been classified.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-108 ((General)) Evaluation ((safeguards—Personnel, materials and)) procedures. ((1) Every student who is evaluated or reevaluated)) The evaluation or reevaluation of a special education student or any student being considered for special education services shall be ((evaluated according to)) performed using the procedures established in this chapter. ((The superintendent of public instruction shall ensure that)) Each school district or other public agency ((establishes)) shall establish and implement((s protection in)) evaluation procedures which meet the requirements of this chapter.

(1) Before the initial provision of special education and any necessary related services ((to a special education student)), a full and individual initial evaluation of the student's educational needs must be conducted ((in accordance with this chapter)).

(2) ((The evaluation of a student (except one completed for a communication disordered student) shall be made by a multidisciplinary team. The multidisciplinary team is a group of professionals selected by the district or other public agency and knowledgeable about the student and the area(s) of suspected disability(ies)).

(3) If the referral is generated by a general education classroom teacher, the district or other public agency shall invite the referring teacher to serve on the multidisciplinary team.

(4) For a student suspected of having a learning disability, the multidisciplinary team must include:

(a) The student's general education classroom teacher; or

(b) If the child does not have a general education classroom teacher, a general education classroom teacher qualified to teach a child of his or her age; or

(c) For a child of less than school age, an individual qualified by the state to teach a child of his or her age; and

(d) At least one individual qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech language pathologist, or remedial reading teacher.

(5)) (a) The evaluation of a student with a suspected disability will be conducted by a group of qualified professionals selected by the district or other public agency and knowledgeable about the student and the suspected areas of disabilities.

(b) For a student suspected of having a learning disability, the determination of whether the student is eligible under this chapter shall be made by child's parent(s) and a group of qualified professionals which must include:

(i) The student's general education classroom teacher; or

(ii) If the child does not have a general education classroom teacher, a general education classroom teacher qualified to teach a child of his or her age; or

(iii) For a child of less than school age, an individual qualified to teach a child of his or her age; and

(iv) At least one individual qualified to conduct individual diagnostic examinations of children, such as school psychologist, speech language pathologist, or remedial reading teacher.

(3) Each professional member of the ((team)) evaluation group shall be licensed, registered, credentialed, or certificated according to his or her professional standards in accordance with state statutes and rules. ((If parents request the opportunity to attend a multidisciplinary team meeting, they shall be granted this opportunity. Scheduling of the multidisciplinary team meeting shall be at the discretion of the school district or other public agency. Upon request, the district or other public agency shall notify the parent(s) of the time and place of multidisciplinary team meetings. These provisions apply to all multidisciplinary team meetings conducted by the district or other public agency, including those resulting from initial evaluations and reevaluations.

(6)) (4) A variety of assessment tools and strategies shall be used to gather relevant functional and developmental information about the student, including information provided by the parents, and information related to enabling the student to be involved in and progress in the general curriculum (or for a preschool child, to participate in appropriate activities), that may assist in determining:

(a) Whether the student is a special education student consistent with WAC 392-172-035(2); and

(b) The content of the student's individualized education program.

(5) No single procedure ((or test)) shall be the sole criterion for determining a student's eligibility or disabling condition and/or for determining the appropriate educational program for a student.

((7)) (6) Tests and other evaluation materials, ((procedures, and instruments)) used for the purpose of identification ((and programming)), special education needs, related services needs, and placement shall be selected and administered so as not to be racially or culturally discriminatory.

((8-AH)) (7) Materials and procedures used to assess a student with limited English proficiency shall be selected and administered to ensure that they measure the extent to which the student has a disability and needs special education, rather than measuring the student's English language skills.

(8) Any standardized tests and other evaluation materials that are given to a student shall have been validated for the specific purpose for which they are used and shall accurately reflect whatever factors the tests ((purport)) are designed to measure. If properly validated tests are unavailable, ((the professional judgment of)) each member of the ((multidisciplinary team)) group shall use professional judgment to determine eligibility for special education based on other evidence of the existence of a disability and need for special education. This professional judgment shall be documented in ((a written narrative)) the evaluation report. If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions (e.g., the qualifications of the person administering the test, or the method of test administration) must be included in the evaluation report.

(9) All tests and other evaluation materials shall be administered by ~~((qualified))~~ trained and knowledgeable personnel in conformance with the instructions of the test producer.

(10) ~~Tests and other evaluation materials ((procedures or instruments))~~ shall be provided and administered in a student's ~~((primary))~~ native language or other mode of communication, unless it is clearly not feasible to do so. Tests shall be selected and administered so as to ensure that, when a test is administered to a student with impaired ~~((and/or unique))~~ sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factors the test ~~((purports))~~ is designed to measure, rather than reflecting the student's impaired ~~((and/or unique))~~ sensory, manual, ~~((communication))~~ or speaking skills (except where those skills are the factors the test ~~((purports))~~ is intended to measure). Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.

(11) ~~((In conducting evaluation activities, appropriate evaluation team members shall:~~

~~(a) Collect and review all available existing school, medical, and other records pertinent to the suspected disabling condition(s) of the student, including previous screening and evaluation results, health reports, relevant cumulative records and recommendations of related service providers; and~~

~~(b) Conduct evaluation activities required by this chapter; and~~

~~(c) Collect such other data as needed to verify the results of standardized testing, including but not limited to parent and/or teacher interviews and current classroom performance data.~~

~~(12) Each person actually performing an evaluation shall complete and sign an evaluation report. Information used to support the evaluation, but which is not incorporated into the file (e.g., review of health record), shall be referenced as to date of record, location, and source person. Each report shall specify:~~

~~(a) The procedures and instruments used;~~

~~(b) The results obtained;~~

~~(c) The apparent significance of findings as related to the student's instructional program, including a description of the specific factors which are interfering with the student's educational performance and the special education and related services needed to assist the student in benefiting from his or her educational placement; and~~

~~(d) The need to schedule services over a period of time that exceeds the regular one hundred eighty day school calendar.)~~ Each school district or other public agency shall use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

(12) Each school district or other public agency shall use assessment tools and strategies that provide relevant information that directly assist persons in determining the educational needs of the student.

(13)(a) Medical evaluations at the expense of a school district or other public agency shall be obtained if:

(i) The group described in WAC 392-172-108(2) suspects a student of having a health problem which may affect his or her eligibility and need for special education and any necessary related services; and

(ii) In accordance with criteria established by the school district or other public agency.

(b) Medical evaluation services necessary to make a determination of the educational needs of residential school students, shall be the responsibility of the department of social and health services pursuant to RCW 28A.190.040. The state schools for the deaf and blind are responsible for the provision of these services under chapter 72.40 RCW.

~~((13) A written summary analysis of the))~~ (14) An evaluation report((s)) and documentation of determination of eligibility shall be developed consistent with the requirements of WAC ((392-172-152)) 392-172-10905 through 392-172-111.

NEW SECTION

WAC 392-172-10900 Determination of needed evaluation data. (1) As part of an evaluation, a group that includes the individuals described in WAC 392-172-153, and other qualified professionals, as appropriate, shall:

Review existing evaluation data on the student, including:

(a) Evaluations and information provided by the parents of the student;

(b) Current classroom-based assessment and observations; and

(c) Observations by teachers and related services providers.

(2) Based on the above review and input from the student's parents, identify what additional data, if any, are needed to determine:

(a) Whether the student has a particular category of disability as described in this chapter;

(b) The present levels of performance and educational needs of the student; and

(c) Whether the student needs special education and related services.

(3) The public agency shall administer tests and any other evaluation materials, pursuant to WAC 392-172-108 as may be needed to produce the data required to make the determinations listed in subsection (2) of this section.

(4) The group described in subsection (1) of this section may conduct its review without a meeting. If the school district or other public agency conducts a meeting for the purposes under this section, parents must have an opportunity to participate in the meeting consistent with WAC 392-172-105.

(5) If no additional data are needed to make the determination listed in subsection (2) of this section, the public agency shall notify the student's parents of this fact and the reasons for this decision, consistent with WAC 392-172-302.

NEW SECTION

WAC 392-172-10905 Evaluation report and documentation of determination of eligibility. (1) In interpreting evaluation data for the purpose of determining if a student

is a special education student under this chapter, and the educational needs of the student, each public agency shall:

(a) Draw upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; and

(b) Ensure that information obtained from all of these sources is documented and carefully considered.

(2) A student may not be determined to be a special education student if the determinant factor for that decision is:

(a) Lack of instruction in reading or math; or

(b) Limited English proficiency; and

(c) The student does not otherwise meet the eligibility criteria in this chapter.

(3) An evaluation report shall be sufficient in scope to develop an IEP consistent with WAC 392-172-160 through 392-172-164 and, at a minimum, must include:

(a) A statement of whether the student has a disability that meets the eligibility criteria in this chapter;

(b) How the student's disability affects the student's involvement and progress in the general curriculum or for preschool children, in appropriate activities;

(c) The recommended special education and related services needed by the student including specially designed instruction;

(d) Other information, as determined through the evaluation process and parental input, needed to develop an IEP;

(e) A statement that the student was evaluated in accordance with the evaluation procedures in WAC 392-172-108; and

(f) The date and signature of each professional member of the group certifying that the evaluation report represents his or her conclusion. If the evaluation report does not reflect his or her conclusion, the professional member of the group must include a separate statement representing his or her conclusions.

(4) For a student suspected of having a learning disability, the evaluation report must be signed by all members of the evaluation group in WAC 392-172-108 (2)(b) and must also include a statement of:

(a) All of the information required in subsection (1) of this section and the information required in WAC 392-172-132;

(b) The specific learning disability(ies);

(c) The basis for making the determination;

(d) The relevant behavior noted during the observation of the student;

(e) The relationship of that behavior to the student's academic functioning;

(f) The medically relevant findings, if any;

(g) A statement about whether there is a severe discrepancy between achievement and ability that is not correctable without special education and related services; and

(h) The determination of the group concerning the effects of environmental, cultural, or economic disadvantage.

(5) Each professional member of the group who contributed to the evaluation report shall document the results of their individual assessments. This documentation must include:

(a) The procedures and instruments used in any assessment and the results obtained;

(b) Any conclusions from observations of the student; and

(c) A statement of the apparent significance of the findings as related to the student's suspected disability(ies) and instructional program.

NEW SECTION

WAC 392-172-111 Determination of eligibility and parental notification. (1) Upon completing the administration of tests and other evaluation materials:

(a) Consistent with WAC 392-172-105 and 392-172-15705, a group of qualified professionals and the parent of the student shall determine whether the student is a special education student in need of special education and any necessary related services, as defined in this chapter; and

(b) The public agency must provide a copy of the evaluation report and the documentation of determination of eligibility to the parent.

(2) If a determination is made that a student has a disability and needs special education and related services, an IEP must be developed for the student in accordance with this chapter.

(3) If the decision is that the student is not eligible for special education, the parent(s) of the student shall be informed in writing of the evaluation findings in compliance with the notice requirements of WAC 392-172-302, within ten school days following the completion of the evaluation.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-114 Definition and eligibility criteria for developmentally delayed. Definition and eligibility criteria for developmentally delayed are as follows:

(1) As used in this chapter, the term "developmentally delayed, birth to ~~((thirty-six months))~~ three years" shall mean those children under ~~((thirty-six months))~~ three years of age who:

(a) Demonstrate a 1.5 standard deviation or twenty-five percent delay in ~~((the developmental area of cognition (WAC 392-172-116(1)), communication (WAC 392-172-116(2)), fine motor (WAC 392-172-116(3)), gross motor (WAC 392-172-116(4)), or motor which for the purpose of this section shall be a combined delay of fine motor (WAC 392-172-116(3)) and gross motor (WAC 392-172-116(4))))~~ cognitive development, communication development, physical development, social or emotional development, or adaptive development as defined in WAC 392-172-116; or

(b) Qualify for one of the other eligibility categories specified in this chapter ~~((unless otherwise excluded))~~; and

(c) Are in need of special education and any necessary related services. ((Such)) Children who qualify for special education services under this category must be reevaluated prior to age three in order to continue to be eligible for special education and related services ((must be reevaluated prior to age three)).

(2) As used in this chapter, the term "developmentally delayed, three to six years" shall mean those children

between ~~((thirty six months and the age of eligibility for entry to the first grade))~~ three and six years of age who demonstrate a delay on a standardized norm referenced test, with a test-retest or split-half reliability of .80 that is at least:

(a) Two standard deviations below the mean in one or more of the ~~((six))~~ five developmental areas defined in WAC 392-172-116; or

(b) One and one-half standard deviations below the mean in two or more of the ~~((six))~~ five developmental areas defined in WAC 392-172-116; or

(c) Qualify for one of the other eligibility categories specified in this chapter ~~((unless otherwise excluded))~~; and

(d) Are in need of special education and any necessary related services. ~~((Children who qualify for special education as developmentally delayed must be reevaluated prior to the age of eligibility for entry to first grade and a determination made that the student either:~~

(i) Qualifies under the provisions of one of the other disabling conditions in this chapter; or

(ii) Is no longer in need of special education and related services. The procedural safeguard requirements in this chapter are also applicable to this provision.

~~(3) The term "developmentally delayed" does not include children under the age of eligibility for entry to the first grade who qualify solely for speech and language services under WAC 392-172-120.))~~

(e) Children aged six to nine years who previously qualified as "developmentally delayed, three to six years," may at the option of the school district or other public agency, continue to be eligible under the criteria for "developmentally delayed, three to six years" until they are reevaluated, but not later than three years after the eligibility decision for "developmentally delayed, three to six years" was initially made.

(3) As used in this chapter, the term "developmentally delayed, six to nine years" shall mean those children between six and nine years of age who either continue to qualify under subsection (2) of this section, or demonstrate a delay on a standardized norm referenced test, with a test-retest or split-half reliability of .80 that is at least:

(a) Two standard deviations below the mean in one or more of the five developmental areas defined in WAC 392-172-116; or

(b) Qualify for one of the other eligibility categories specified in this chapter; and

(c) Are in need of special education and any necessary related services.

(4) Children who qualify for special education as "developmentally delayed, six to nine years" must be reevaluated prior to the age of nine consistent with WAC 392-172-182 et seq. and a determination made that the child either:

(a) Qualifies under the provisions of one of the other disabling conditions in this chapter; or

(b) Is no longer in need of special education and related services.

(5) A school district or other public agency is not required to adopt and use the category "developmentally delayed" for children, three to nine, within its jurisdiction.

(6) If a school district or other public agency uses the category "developmentally delayed," the district or public

agency must conform to both the definition and age range of three to nine, established under this section.

(7) School districts or other public agencies who use the category "developmentally delayed," may also use any other eligibility category at any time.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-116 Areas of developmental delay—Definitions. The ~~((six))~~ five developmental areas for the purpose of applying eligibility criteria to developmentally delayed children are:

(1) Cognitive development: Comprehending, remembering, and making sense out of one's experience. Cognitive ability is the ability to think and is often thought of in terms of intelligence;

(2) Communication development: The ability to effectively use or understand age-appropriate language, including vocabulary, grammar, and speech sounds;

(3) ~~((Fine motor: Motor skills requiring precise, coordinated use of the small muscles;~~

~~(4) Gross motor: Motor skills used for body control such as standing, walking, balance and climbing;~~

(5) Physical development: Fine and/or gross motor skills requiring precise, coordinated, use of small muscles and/or motor skills used for body control such as standing, walking, balance, and climbing;

~~(4) Social~~(f) or emotional development: The ability to develop and maintain functional interpersonal relationships and to exhibit age appropriate social and emotional behaviors; and

~~((6))~~ (5) Adaptive ~~((skills))~~ development: The ability to develop and exhibit age appropriate self-help skills, including independent feeding, toileting, personal hygiene and dressing skills.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-118 Definition and eligibility ~~((criteria))~~ for ~~((seriously))~~ emotionally/behaviorally disabled.

(1) Students who are ~~((seriously))~~ emotionally/behaviorally disabled are those who exhibit over a long period of time and to a marked degree, one or more of the following characteristics, which adversely affects their educational performance and requires specially designed instruction:

(a) An inability to learn which cannot be explained by intellectual, sensory, or health factors;

(b) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;

(c) Inappropriate types of behavior or feelings under normal circumstances;

(d) A general pervasive mood of unhappiness or depression; or

(e) A tendency to develop physical symptoms or fears associated with personal or school problems.

(2) The term includes students who are schizophrenic.

(3) The term does not include students who are socially maladjusted, unless it is determined that they are also ~~((seriously))~~ emotionally/behaviorally disabled.

(4) All students considered for special education and any necessary related services ((as seriously behaviorally disabled shall be evaluated according to the following:

(a) A current evaluation which concludes that the student has a serious behavioral disability and which considers and describes the student's social and emotional behaviors and provides implications for educational planning, if any.

(b) An evaluation which describes behaviors which distinguish between common disciplinary problem behaviors and serious behavioral disabilities. Common disciplinary problem behaviors (e.g., truancy, smoking, breaking school conduct rules) may exist in conjunction with serious behavioral disabilities, but cannot be used as the sole criteria for recommending special education and related services. The evaluation shall also include:

(i) A social or developmental history compiled directly from the parent(s) and/or records, when parents are not available.

(ii) Current academic achievement evaluation as measured by standardized tests appropriate to age level and administered individually.

(c) If the academic evaluation is completed and there is documentation showing that the student's disability is evident in the school environment, the following evaluation reports may be substituted for the school district and other public agency's evaluation:

(d) A current evaluation by a psychiatrist or a nonpublic school mental health professional who holds a graduate degree in a recognized mental health specialty that considers and describes the student's social and emotional behaviors, which concludes that the student has a serious behavioral disability, and provides implications for educational planning, if any. The multidisciplinary team shall consider these implications in planning and implementing the student's educational program)) in this category shall be evaluated in all areas of suspected disability and in accordance with the procedures in WAC 392-172-106 through 392-172-111.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-120 Definition and eligibility ((criteria**)) for communication disordered.** A student shall be considered to have a communication disorder if there is ((present)) a documented ((communication disorder)) speech or language impairment such as stuttering, voice disorder, language impairment, ((and/or)) impaired articulation which adversely affects a student's educational performance((-The evaluation procedures and eligibility standards outlined in this section apply to those students whose only disabling condition is a communication disorder.

All students being considered for special education and related services as communication disordered shall be evaluated and determined eligible for special education and related services according to the following:

(1) A current hearing screening report;

(2) A current description of the level of educational development as provided by the classroom teacher, or where available, by standardized tests in those areas affected by the speech and/or communication problem(s) including discus-

sion of the existing or potential impact of the problem(s) on educational performance; and

(3) A current evaluation of the level of speech and/or language development, as measured by standardized tests or professionally recognized procedures, scales, or checklists appropriate to the student's age level and mode of communication, individually administered, and which considers the student's sex, dialect norms, social-cultural environment, and behaviors. For children under the age of eligibility for entry to the first grade, the evaluation shall include developmental acquisition of speech and language. Such measures shall result in one or more of the following findings that the student:

(a) Achieves a rating of moderate or severe on a standardized articulation test that yields a severity rating and/or misarticulates in comparison to developmental norms five or more unrelated phonemes each in two or more positions (initial, medial, or final) for children under the age of eligibility for entry to the first grade, three or more unrelated phonemes for students age six through age seven, or one or more for students over age seven, with consideration given to the student's speech intelligibility, physical ability, and/or therapy history.

(b) Has a delay in receptive and/or expressive language such that functioning is one year or more below chronological age for students up through age eight or functioning is two-thirds of chronological age or below for students over age eight.

(c) Has interruptions or dysfluencies in more than one speaking situation such as repetitions, prolongations, blockage in flow of speech, struggle, or avoidance behaviors which interfere with communication or are inconsistent with age or development.

(d) Has a deviation in voice quality, pitch, or loudness characterized by abusive vocal habits, or interference with communication, or is inconsistent with age or development, or demonstrates chronic hoarseness of duration of three weeks or more.

Whenever appropriate, referral for medical and/or psychological and/or other evaluations shall be made and the results considered in the evaluation of the student's suspected disabling condition)) and requires specially designed instruction.

All students being considered for eligibility for special education and any necessary related services under this category shall be evaluated in all areas of suspected disability and in accordance with the procedures in WAC 392-172-106 through 392-172-111.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-122 Definition and eligibility ((criteria**)) for orthopedically impaired.** Students who are orthopedically impaired are those who lack normal function of muscles, joints or bones due to congenital anomaly, disease or permanent injury, and such conditions adversely affect((s)) their educational performance and require specially designed instruction.

~~((All students being considered for special education and related services as orthopedically impaired shall be evaluated and determined eligible for special education and related services according to the following:~~

~~(1) A current medical evaluation by a qualified medical practitioner which describes and confirms the student's health circumstances and which provides any medical implications for educational planning;~~

~~(2) Current academic achievement evaluation as measured by standardized tests appropriate to age level and administered individually; and~~

~~(3) A current physical therapy and/or occupational therapy evaluation which considers and describes implications for therapy as a part of educational planning.)~~ All students being considered for eligibility for special education and any necessary related services under this category shall be evaluated in all areas of suspected disability and in accordance with the procedures in WAC 392-172-106 through 392-172-111.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-124 Definition and eligibility ((~~criteria~~)) for health impaired. Students with health impairments are those who have limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment due to chronic or acute health problems(~~((—)), such as ((students with serious congenital heart defect, other congenital syndrome(s), other disorders of the cardiorespiratory systems, disorders of the central nervous system including epilepsy or neurological impairment, or other profound health circumstances or degenerative condition(s) which))~~ a heart condition, rheumatic fever, nephritis, asthma, attention deficit disorder or attention deficit hyperactivity disorder, sickle cell anemia, hemophilia, lead poisoning, leukemia, or diabetes, that adversely affect((s or with a high degree of professional certainty will affect)) their educational performance and require specially designed instruction.

~~((All students being considered for special education and related services as health impaired shall be evaluated and determined eligible for special education and related services according to the following:~~

~~(1) A current evaluation by a qualified practitioner which describes and confirms the student's health circumstances and which provides any implications for educational planning; and~~

~~(2) Current academic achievement evaluation as measured by standardized tests appropriate to age level and administered individually.)~~ All students being considered for eligibility for special education and any necessary related services under this category shall be evaluated in all areas of suspected disability and in accordance with the procedures in WAC 392-172-106 through 392-172-111.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-126 Definition and eligibility for specific learning disability((~~—Definition~~)). (1) Specific learn-

ing disability is a disorder in one or more of the basic psychological processes involved in understanding or using spoken or written language ~~((which prevents the student from achieving commensurate with his or her age and ability levels in one or more of the areas listed in this subsection, when provided with learning experiences appropriate to the student's age and ability levels. Such disorder may include problems in visual and auditory perception and integration and may manifest itself in an impaired ability to listen, think, speak or communicate clearly, read with comprehension, write legibly and with meaning, spell, and to accurately perform mathematical calculations, including those involving reading. The presence of a specific learning disability is indicated by intellectual functioning above that specified in this chapter for eligibility as mentally retarded and by a severe discrepancy between the student's intellectual ability and academic achievement in one or more of the following areas:~~

- ~~(1) Oral expression;~~
- ~~(2) Listening comprehension;~~
- ~~(3) Written expression;~~
- ~~(4) Basic reading skill;~~
- ~~(5) Reading comprehension;~~
- ~~(6) Mathematics calculations; and~~
- ~~(7) Mathematics reasoning.~~

~~Such a performance deficit cannot be explained by visual, or hearing, or motor disabilities, mental retardation, behavioral disability, or environmental, cultural, or economic disadvantage.~~

~~A specific learning disability includes conditions described as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia, when the student meets the eligibility criteria set forth in WAC 392-172-128, including documentation of severe discrepancy as required by WAC 392-172-132))~~ that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

(2) Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

(3) All students being considered for eligibility for special education and any necessary related services under this category shall be evaluated in all areas of suspected disability in accordance with the procedures in WAC 392-172-106 through 392-172-111 in addition to the procedures set forth in WAC 392-172-128 through 392-172-132.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-128 Specific learning disability—Evaluation procedures. ~~((Evaluation procedures and eligibility standards: All students (except those under the age of entry for first grade) considered for initial placement in special education as specific learning disabled shall be evaluated and determined eligible for special education and related services according to the following:~~

~~(1) A current evaluation of sufficient scope to rule out eligibility for any other disabling condition and to rule out environmental, cultural, or economic factors as an explanation for the specific academic problem;~~

~~(2) A current vision and hearing screening report shall be obtained and shall be of sufficient scope to rule out vision or hearing acuity as an explanation for the specific academic problem;~~

~~(3) A written record of observation of the student's learning behaviors in the general education program and the relationships of these behaviors to the specific academic problem shall be completed by a member of the evaluation team other than the student's general education teacher. In the case of a student of less than school age or out of school, a team member shall observe the student in an environment appropriate for a student of that age;~~

~~(4)) The group described in WAC 392-172-108 (2)(b) may determine that a student has a specific learning disability if:~~

~~(1) The student does not achieve commensurate with his or her age and ability levels in one or more of the areas listed in subsection (2) of this section, if provided with learning experiences appropriate for the student's age and ability levels; (2) The group finds that a student has a severe discrepancy between achievement and intellectual ability in one or more of the following areas:~~

- ~~(a) Oral expression.~~
- ~~(b) Listening comprehension.~~
- ~~(c) Written expression.~~
- ~~(d) Basic reading skill.~~
- ~~(e) Reading comprehension.~~
- ~~(f) Mathematics calculations.~~
- ~~(g) Mathematics reasoning.~~

~~(3) The group may not identify a student as having a specific learning disability if the severe discrepancy between ability and achievement is primarily the result of:~~

- ~~(a) A visual, hearing, or motor impairment;~~
- ~~(b) Mental retardation;~~
- ~~(c) Emotional/behavioral disability; or~~
- ~~(d) Environmental, cultural or economic disadvantage;~~
- ~~(4) At least one group member other than the student's general education teacher shall observe the student's academic performance in the general classroom setting;~~

~~(5) In the case of a student of less than school age or out of school, a group member shall observe the student in an environment appropriate for a student of that age;~~

~~(6) Written documentation that the student has an academic achievement problem in the general education program shall be available. Examples of data used for documentation may include:~~

- ~~(a) Student performance on daily classroom work and/or criterion-referenced tests;~~
- ~~(b) Summary of past student performance;~~
- ~~(c) Group test results;~~
- ~~(d) Teacher observation and judgments; and~~
- ~~(e) Performance on ((student learning objectives)) state established standards;~~

~~((5)) (7) Documentation of the existence of a severe discrepancy between the student's intellectual ability and academic achievement in one or more of the seven areas speci-~~

~~ified in ((WAC 392-172-126)) this section shall be recorded. Such documentation shall conform to the requirements of WAC 392-172-132; and~~

~~((6)) (8) Tests used to assess the student's intellectual ability and academic achievement shall be:~~

- ~~(a) ((Current;~~
- ~~(b)) Reliable as demonstrated by a reliability coefficient of .85 or above;~~

~~((e)) (b) Normed on representative national samples; and~~

~~((d)) (c) Selected and individually administered in accordance with the general requirements of WAC 392-172-106 through 392-172-108((; and~~

~~(e) Individually administered and interpreted by a qualified person (defined in WAC 392-172-108) in accordance with the standardized procedures described in the test manuals)).~~

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-132 Method for documenting severe discrepancy. (1) ~~((For students in grades one and above;))~~ A severe discrepancy shall be determined and documented from tables developed pursuant to WAC 392-172-130.

(2) For the purposes of applying the severe discrepancy tables, the following scores shall be used:

- (a) A total or full scale intellectual ability score;
- (b) An academic achievement test score which can be converted into a standard score with a mean of one hundred and a standard deviation of fifteen; and

(c) A severe discrepancy between the student's intellectual ability and academic achievement in one or more of the seven areas provided for in WAC ~~((392-172-126))~~ 392-172-128 shall be determined by applying the regressed standard score discrepancy method to the obtained intellectual ability and achievement test scores using the tables referenced above. Where the evaluation results do not appear to accurately represent the student's intellectual ability and where the discrepancy between the student's intellectual ability and academic achievement does not initially appear to be severe upon application of the discrepancy tables((;)) in WAC 392-172-130, the ~~((multidisciplinary team))~~ evaluation group, described in WAC 392-172-108 (2)(b), shall apply professional judgment in order to determine the presence of a severe discrepancy. In this event, the ~~((multidisciplinary team))~~ group shall document in a written narrative an explanation as to why the student has a severe discrepancy. The ~~((multidisciplinary team))~~ written narrative must provide supportive evidence, including the procedures used to determine that a severe discrepancy exists between the student's intellectual ability and academic achievement. If the prohibition against the use of specific tests or test results as provided in WAC 392-172-108~~((8) shall))~~ precludes the use of any of the tests referenced above, the ~~((multidisciplinary team))~~ evaluation group shall document ~~((in a written narrative))~~ the basis upon which the members decided that there exists a severe discrepancy ~~((between intellectual ability and achievement)).~~

(3) Each member of the evaluation group shall certify in writing whether the evaluation report in WAC 302-172-10905 (3) and (4) reflects his or her conclusion. If it does not, the group member must submit a separate statement presenting his or her conclusion.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-134 Definition and eligibility ((~~criteria~~)) for mental retardation. Students with mental retardation are those who demonstrate significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period, ~~((which))~~ that adversely affects their educational performance and requires specially designed instruction.

~~((1) All students being considered for special education and related services as mentally retarded shall be evaluated and determined eligible for special education and related services according to the following:~~

~~(a) A current evaluation of intellectual functioning obtained from a standardized individual test designed to measure intellectual functioning, individually administered by a qualified psychologist and interpreted and attested to as to validity by a qualified psychologist; and~~

~~(b) A current evaluation which considers and describes adaptive behavior as measured by standardized instrument(s), or professionally recognized scales where there are no known standardized measures, which discusses any implications for educational planning; and~~

~~(c) Current academic achievement evaluation as measured by standardized tests appropriate to age level and administered individually; and~~

~~(d) A developmental history compiled directly from the parent(s), or records, when parents are not available.~~

~~(2) Eligibility standards:~~

~~(a) Significantly subaverage general intellectual functioning, defined as a full scale intelligence quotient two or more standard deviations below the mean on the respective measure; and~~

~~(b) Concurrent deficits in adaptive behavior.)~~ All students being considered for eligibility for special education and any necessary related services under this category shall be evaluated in all areas of suspected disability and in accordance with the procedures in WAC 392-172-106 through 392-172-111.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-136 Definition and eligibility ((~~criteria~~)) for multiple disabilities. ~~((A student with multiple disabilities shall be considered eligible for special education services when there are present and documented two or more disabling conditions, each of which is so severe as to warrant a special program were that disabling condition to appear in isolation, and the combination of which causes such severe educational problems that the student requires intensive programming and cannot be accommodated in special education programs solely for one of the impairments. Students who are~~

~~deaf/blind are not included in this disability category.))~~ Multiple disabilities means concomitant impairments which adversely affect education performance and require specially designed instruction (such as mental retardation-blindness, mental retardation-orthopedic impairment, etc.), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

All students being considered for eligibility for special education and any necessary related services under this category shall be evaluated in all areas of suspected disability and in accordance with the procedures in WAC 392-172-106 through 392-172-111.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-138 Definition and eligibility ((~~criteria~~)) for deafness. Students who are deaf are those students who have a documented hearing impairment which is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification, ~~((which))~~ that adversely affects educational performance and requires specially designed instruction.

~~((All students being considered for special education and related services as deaf shall be evaluated and determined eligible for special education and related services according to the following:~~

~~(1) A current evaluation by a qualified audiologist which describes and confirms that the hearing impairment is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification and which prevents the auditory channel from being the primary mode of learning speech and language and adversely affects educational performance;~~

~~(2) Current academic achievement evaluation as measured by standardized tests appropriate to age level and administered individually; and~~

~~(3) A current evaluation of language development as measured by standardized tests or professionally recognized scales appropriate to age level and administered individually.~~

Each school district or other public agency shall ensure that the hearing aids worn by students who are deaf are functioning properly.) All students being considered for eligibility for special education and any necessary related services under this category shall be evaluated in all areas of suspected disability and in accordance with the procedures in WAC 392-172-106 through 392-172-111.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-140 Definition and eligibility criteria for hearing impairment. Students with hearing impairments ~~((are those students who))~~ have ~~((a hearing impairment))~~ impaired hearing, whether permanent or fluctuating, ~~((which))~~ that adversely affects the student's educational performance and requires specially designed instruction but is not included under the definition of deafness.

~~((All students being considered for special education and related services as students with hearing impairment shall be evaluated and determined eligible for special education and related services according to the following:~~

~~(1) A current evaluation by a qualified audiologist which describes and confirms that the student:~~

~~(a) Has an organic hearing loss in excess of 20 dB better ear average in the speech range (500, 1,000, 2,000 Hz), unaided; or~~

~~(b) Has a history of fluctuating hearing loss which has interrupted the normal acquisition of speech and language and continues to be a part of educational planning.~~

~~(2) A current academic achievement evaluation as measured by standardized tests appropriate to age level and administered individually.~~

~~(3) A current evaluation of language development as measured by standardized tests or professionally recognized scales appropriate to age level and administered individually.~~

~~Each school district or other public agency shall ensure that the hearing aids worn by students with hearing impairment are functioning properly.)) All students being considered for eligibility for special education and any necessary related services under this category shall be evaluated in all areas of suspected disability and in accordance with the procedures in WAC 392-172-106 through 392-172-111.~~

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-142 Definition and eligibility ((criteria**)) for visually impaired/blindness.** Students with a visual impairment~~((/))~~ including blindness ((are those students who)) have ~~((a visual))~~ an impairment ((which)) that, even with correction, adversely affects the student's educational performance and requires specially designed instruction. The term includes both partial sight and blindness.

~~((All students being considered for special education and related services with visual impairment/blindness shall be evaluated and determined eligible for special education and related services according to the following:~~

~~(1) A current evaluation by a qualified vision specialist or physician which describes and confirms that the student:~~

~~(a) Has visual acuity of 20/70 or less in the better eye with correction; or~~

~~(b) Has a field of vision which at its widest diameter subtends an angle of no greater than twenty degrees in the better eye with correction.~~

~~(2) Current academic achievement evaluation as measured by standardized tests appropriate to age level and administered individually.)) All students being considered for eligibility for special education and any necessary related services under this category shall be evaluated in all areas of suspected disability and in accordance with the procedures in WAC 392-172-106 through 392-172-111.~~

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-144 Definition and eligibility ((criteria**)) for deaf/blindness.** Students ~~((who are))~~ with deaf/((blind)) blindness are those whose hearing and vision

impairments, in combination, cause such severe communication and other developmental and educational ~~((problems))~~ needs that they cannot be accommodated in special education programs solely for students ((who are deaf or blind)) with deafness or blindness. The impairments adversely affect the student's educational performance and require specially designed instruction.

~~((All students being considered for special education and related services as deaf/blind shall be evaluated and determined eligible for special education and related services according to the following:~~

~~(1) A current evaluation by a qualified audiologist and vision specialist or physician which describes and confirms that the vision and hearing impairments, in combination, cause such severe communication and other developmental and educational problems that the students cannot be accommodated in special education programs solely for students who are deaf or blind;~~

~~(2) Current academic achievement evaluation as measured by standardized tests appropriate to age level and administered individually; and~~

~~(3) A current evaluation of language development as measured by standardized tests or professionally recognized scales appropriate to age level and administered individually.)) All students being considered for eligibility for special education and any necessary related services under this category shall be evaluated in all areas of suspected disability and in accordance with the procedures in WAC 392-172-106 through 392-172-111.~~

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-146 Definition and eligibility ((criteria**)) for autism.** "Autism" means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three, that adversely affects a student's educational performance and requires specially designed instruction. If a student manifests characteristics of autism after age three, that student still could be diagnosed as having autism if the criteria in this section are satisfied.

~~((Students in this category have a range of intellectual abilities.))~~

Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines and unusual responses to sensory experiences.

The term does not apply if a student's educational performance is adversely affected primarily because the student has ~~((a serious))~~ an emotional/behavioral disability, as defined in this chapter. The category of autism includes students with pervasive developmental disorders ~~((if they meet eligibility criteria)).~~

~~((All students being considered for special education and related services under the category of autism shall be evaluated and determined eligible for special education and related services according to the following:~~

~~(1) A developmental history which includes verbal and nonverbal communication, social interaction, play, motor and sensory development;~~

~~(2) An adaptive behavior evaluation which includes:~~

~~(a) A standardized measure of adaptive behavior;~~

~~(b) An evaluation of the student's social skills, including interactions with peers, based on a classroom observation; and~~

~~(c) An evaluation of the student's self-help and community skills based on classroom and/or home observations and/or standardized evaluation methods;~~

~~(3) A communication evaluation which includes evaluations of:~~

~~(a) Receptive, expressive, and social communication skills;~~

~~(b) The possible contributions of the student's communication impairment to challenging behavior, and their implications for educational planning; and~~

~~(c) The potential need for augmentative communication methods;~~

~~(4) An evaluation of preacademic or academic strengths and weaknesses, preferred learning modalities, and present levels of functioning;~~

~~(5) A hearing and vision screening; and~~

~~(6) An evaluation of fine and gross motor skills.)) All students being considered for eligibility for special education and any necessary related services under this category shall be evaluated in all areas of suspected disability and in accordance with the procedures in WAC 392-172-106 through 392-172-111.~~

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-148 Definition and eligibility ((~~criteria~~)) for traumatic brain injury. "Traumatic brain injury" means an acquired injury to the brain caused by an external physical force resulting in total or partial functional disability ((~~and~~/) or psychosocial impairment, or both, that((~~:~~

~~(1)) adversely affects educational performance ((which results in the need for special education and related services)) and requires specially designed instruction. The term applies to open or closed head injuries resulting in impairments in one or more of the following areas such as: Cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory perceptual and motor abilities; psychosocial behavior; physical functions; information processing; and speech. The term does not apply to brain injuries that are congenital or degenerative or brain injuries induced by birth trauma.~~

~~((2) All students being considered for special education and related services under the category of traumatic brain injury shall be evaluated and determined eligible for special education and related services according to the following:~~

~~(a) A current medical evaluation by a qualified medical practitioner, which describes an acquired injury to the brain or a history of significant head trauma and which provides any medical implications for educational planning;~~

~~(b) Current academic achievement evaluation as measured by standardized tests appropriate to age level and administered individually;~~

~~(c) Current evaluation of cognitive functioning, which may include intelligence, memory, attention, reasoning, abstract thought, judgment, problem-solving, and/or information processing;~~

~~(d) Current evaluation of language and communication skills;~~

~~(e) Current evaluation of fine and gross motor skills.))~~

All students being considered for eligibility for special education and any necessary related services under this category shall be evaluated in all areas of suspected disability and in accordance with the procedures in WAC 392-172-106 through 392-172-111.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-150 Independent educational evaluation. ((~~(1) The parent(s) of a student or the adult student referred for special education and related services or any special education student who is to be evaluated or reevaluated has the right to obtain an independent educational evaluation, subject to subsections (2), (3) and (4) of this section:~~

~~(2) When requested by the parent, each school district or other public agency shall provide information about where an independent educational evaluation may be obtained.~~

~~(3) For the purposes of this section:~~

~~(a) "Independent educational evaluation" means an evaluation conducted by a qualified examiner who is not employed by the school district or other public agency responsible for the education of the student in question; and~~

~~(b) "Public expense" means that the school district or other public agency either pays for the full cost of the evaluation or assures that the evaluation is otherwise provided at no cost to the parent (or to the adult student).~~

~~(4) A parent or the adult student has the right to an independent educational evaluation at public expense when the parent or the adult student disagrees with the evaluation results obtained by the school district or other public agency, as follows:~~

~~(a) The parent(s) or the adult student should provide a written or verbal notice to the school district or other public agency superintendent or special education director which:~~

~~(i) Indicates that the parent or the adult student disagrees with the school district and other public agency's evaluation; and~~

~~(ii) Requests an independent educational evaluation at public expense;~~

~~(b) The school district or other public agency shall have the opportunity to initiate and conduct a hearing pursuant to WAC 392-172-350 et seq. to show that its evaluation is appropriate. If the school district or other public agency elects to initiate a hearing the school district or other public agency shall provide the parent(s) or the adult student written notice of the decision to initiate a hearing no later than the fifteenth calendar day after the date of receipt of the parent's (or adult student's) notice of disagreement;~~

(c) If the final decision pursuant to WAC 392-172-350 et seq. is that the school district and other public agency's evaluation is appropriate, the parent or adult student still has the right to an independent educational evaluation, but not at public expense;

(d) If the district or other public agency elects not to hold a hearing or does not receive a favorable decision in the due process hearing, the independent evaluation shall be provided at public expense in accordance with the same criteria which the district or other public agency uses when it initiates an evaluation including, but not limited to, the location of the evaluation and the qualifications of the examiner; and

(e) The school district or other public agency will not deny payment for an independent educational evaluation solely because the parent did not provide prior notification of his or her intent to seek an independent educational evaluation at public expense.

(5) If the parent or adult student obtains an independent educational evaluation at private expense, the results of the evaluation:

(a) Shall be considered by the school district or other public agency and documented in any decision made with respect to the provision of special education and related services to the student; and

(b) May be presented as evidence at such hearings regarding that student as may be conducted pursuant to WAC 392-172-350 et seq.

(6) If a hearing officer requests an independent educational evaluation as part of a hearing, the cost of the evaluation shall be at public expense.)) (1) Parents of a special education student or a student referred for special education have the right under this chapter to obtain an independent educational evaluation of the student if the parent disagrees with the school district's or other public agency's evaluation subject to subsections (4) through (11) of this section.

(2) Each school district or other public agency shall provide to parents, upon request for an independent educational evaluation, information about where an independent educational evaluation may be obtained, and the agency criteria applicable for independent educational evaluations as set forth in subsections (10) and (11) of this section.

(3) For the purposes of this section:

(a) Independent educational evaluation means an evaluation conducted by a qualified examiner who is not employed by the school district or other public agency responsible for the education of the student in question; and

(b) Public expense means that the school district or other public agency either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent, consistent with this chapter.

(4) A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the school district or other public agency.

(5) If a parent requests an independent educational evaluation at public expense, the school district or other public agency must either:

(a) Initiate a hearing within fifteen days under this chapter to show that its evaluation is appropriate; or

(b) Ensure that an independent educational evaluation is provided at public expense, unless the agency demonstrates in a hearing under this chapter that the evaluation obtained by the parent did not meet agency criteria.

(6) If the school district or other public agency initiates a hearing and the final decision is that the agency's evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense.

(7) If a parent requests an independent educational evaluation, the school district or other public agency may ask for the parent's reason why he or she objects to the public evaluation. However, the explanation by the parent may not be required and the school district or other public agency must either provide the independent educational evaluation at public expense or initiate a due process hearing to defend the public evaluation.

(8) If the parent obtains an independent educational evaluation at public or private expense, the results of the evaluation:

(a) Must be considered by the school district or other public agency, if it meets agency criteria, in any decision made with respect to the provision of FAPE to the student; and

(b) May be presented as evidence at a hearing under this chapter regarding that student.

(9) If a hearing officer requests an independent educational evaluation as part of a hearing, the cost of the evaluation must be at public expense.

(10) If an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the school district or other public agency uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation.

(11) Except for the criteria described in subsection (10) of this section, a school district or other public agency may not impose conditions or timelines related to obtaining an independent educational evaluation at public expense.

NEW SECTION

WAC 392-172-153 IEP team members. The school district or other public agency shall ensure that the IEP team for each special education student includes:

(1) The parent(s) of the student;

(2) At least one general education teacher (or preschool education provider) of the student if the student is, or may be participating, in the general education environment;

(3) At least one special education teacher of the student, or if appropriate, at least one special education provider of the student;

(4) A representative of the school district or public agency who:

(a) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of special education students;

(b) Is knowledgeable about the general curriculum; and

(c) Is knowledgeable about the availability of resources of the school district or other public agency.

(5) An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in subsections (2) through (6) of this section.

(6) At the discretion of the parent or the school district or other public agency, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate;

(7) If appropriate, the student; and

(8) Transition services participants as described in WAC 392-172-166.

The determination of the knowledge or special expertise of any individual described in this section shall be made by the party (parents or public agency) who invited the individual to be a member of the IEP team.

A public agency may designate another public agency member of the IEP team to also serve as the agency representative, if the criteria in this section are satisfied.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-156 IEP meetings. ~~((1))~~ A meeting shall be held within thirty calendar days after the date ~~((upon which a))~~ the eligible student's evaluation is completed ~~((and the student determined to be eligible))~~ and group of qualified professionals and the parent determine the student is eligible pursuant to WAC 392-172-111 for the purpose of developing the student's individualized education program. Meetings consistent with this section shall be conducted by the school district or other public agency periodically but at least ~~((once a year))~~ annually for the purpose of reviewing and revising as necessary each student's individualized education program ~~((Meetings may be held more frequently. The school district or other public agency shall initiate and conduct the meeting and shall include the following participants:~~

~~(a) A representative of the school district or other public agency other than the student's teacher who is qualified to provide or supervise the provision of special education services, and authorized to commit district or other public agency resources;~~

~~(b) The student's general classroom teacher or special education teacher or therapist. Either the representative of the school district or other public agency or the teacher or therapist must be knowledgeable in the area of the student's disability;~~

~~(c) One or both of the parents (in the case of a nonadult student), subject to subsections (2) through (5) of this section;~~

~~(d) The student if he or she is an adult student, (and in the case of nonadult students, the student, if appropriate);~~

~~(e) The student, if transition services are being considered;~~

~~(f) A member of the student's multidisciplinary team or a person who is knowledgeable about the evaluation procedures used with the student and is familiar with the results of the evaluation;~~

~~(g) A person knowledgeable about the service options; and~~

~~(h) Other individuals at the discretion of the district or other public agency or the parent or the adult student, includ-~~

~~ing representatives from the general education program in which the multidisciplinary team has recommended the delivery of services.~~

~~(2) Each school district or other public agency shall take steps to assure (in the case of nonadult students) that one or both parents of the special education student are present at each meeting or are afforded the opportunity to participate, including:~~

~~(a) Notifying the parent(s) of the meeting early enough to assure his or her participation; and~~

~~(b) Scheduling the meeting at a mutually agreed upon place and time.~~

~~(3) The notice to the parent(s) shall include the purpose, time, location of the meeting and who will be in attendance. If the purpose of the meeting is the consideration of transition services, the parent(s) will be notified that the student is invited.~~

~~(4) If a parent cannot attend, the district or other public agency shall use other methods to assure participation, including individual or conference telephone calls.~~

~~(5) If a parent does not attend (in the case of a nonadult student), a meeting may be conducted. In such a case the school district or other public agency shall make a record of its attempts to arrange a mutually agreed upon time and place. The record shall contain such information as:~~

~~(a) Detailed records of telephone calls made or attempted and the results of those calls;~~

~~(b) Copies of correspondence sent to the parents and any responses received; and~~

~~(c) Detailed records of visits made to the parent's home or place of employment and the results of those visits.~~

~~(6) The school district or other public agency shall take whatever action is necessary to assure that the parent or adult student understands the proceedings at a meeting, including arranging for an interpreter for parents (or adult students) who are deaf or whose native language is other than English.~~

~~(7) The district or other public agency shall document the parent(s) and other individualized education program participants' presence at the individualized education program meeting.~~

~~(8) General education teachers, in whose classes the student is enrolled, shall be invited to, and given the opportunity to participate in, the individualized education program meeting), to determine whether the annual goals for the student are being achieved. The individualized education program shall be revised, as appropriate, to address: any lack of expected progress toward the annual goals and in the general curriculum if appropriate; the results of any reevaluation conducted; information about the student provided to, or by, the parents; the student's anticipated needs; or other matters.~~

NEW SECTION

WAC 392-172-15700 Parent and general education teacher participation in meetings. (1) Each school district or other public agency shall take steps to ensure (in the case of nonadult students) that one or both parents of the special education student are present at each meeting or are afforded the opportunity to participate, by:

(a) Notifying the parent(s) of the meeting early enough to ensure that they will have an opportunity to attend; and

(b) Scheduling the meeting at a mutually agreed upon place and time.

(2) The notice to the parent(s) shall include the purpose, time, location of the meeting and who will be in attendance. If the purpose of the meeting is to develop, review or revise an IEP, the notice shall also inform the parents of the provisions relating to the participation of other individuals on the IEP team who have knowledge or special expertise about the student. If the purpose of the meeting is the consideration of transition needs or services, the provisions in WAC 392-172-164 apply.

(3) If neither parent can attend, the district or other public agency shall use other methods to ensure participation, including individual or conference telephone calls, or video conferencing.

(4) If neither parent can attend (in the case of a nonadult student), a meeting may be conducted without a parent if the district or other public agency is unable to convince the parents that they should attend. In such a case the school district or other public agency must have a record of its attempts to arrange a mutually agreed upon time and place. The record shall contain such information as:

(a) Detailed records of telephone calls made or attempted and the results of those calls;

(b) Copies of correspondence sent to the parents and any responses received; and

(c) Detailed records of visits made to the parent's home or place of employment and the results of those visits.

(5) The school district or other public agency shall take whatever action is necessary to ensure that the parent or adult student understands the proceedings at an IEP meeting, or any other meeting, including arranging for an interpreter for parents (or adult students) who are deaf or whose native language is other than English.

(6) The general education teacher of a special education student (or preschool education provider), as a member of the individualized education program team, must, to the extent appropriate, participate in the development, review, and revision of the student's individualized education program, including assisting in:

(a) The determination of appropriate positive behavioral interventions and strategies for the student; and

(b) The determination of supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student consistent with WAC 392-172-160 (1)(c).

NEW SECTION

WAC 392-172-15705 Parent involvement in placement decisions. (1) Each public agency shall ensure that the parents of each special education student are afforded the opportunity to be members of any team that makes decisions on the educational placement of their student.

(2) In implementing the requirements of this section, the public agency shall use procedures consistent with the procedures described in WAC 392-172-15700.

(3) If neither parent can participate in a meeting in which a decision is to be made relating to the educational placement of their student, the public agency shall use other methods to ensure their participation, including individual or conference telephone calls, or video conferencing.

(4) A placement decision may be made by a team without the involvement of the parents, if the public agency is unable to obtain the parents' participation in the decision. In this case, the public agency must have a record of its attempt to ensure their involvement, including information that is consistent with the requirements of WAC 392-172-15700.

(5) The public agency shall make reasonable efforts to ensure that the parents understand, and are able to participate in, any team discussions relating to the educational placement of their student, consistent with WAC 392-172-15700.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-158 Individualized education program—Implementation. (1) At the beginning of each school year, each public agency shall have in effect an individualized education program for every special education student (~~(who is receiving special education from that agency)~~ within its jurisdiction). An individualized education program must:

~~((1))~~ (a) Be in effect before special education and related services are provided to ~~((a))~~ an eligible student; and

~~((2))~~ (b) Be implemented as soon as possible following the meetings under this chapter.

~~(It is expected that the individualized education program of a special education student will be implemented immediately following the meetings under this chapter. An exception to this would be when the meetings occur during the summer or a vacation period, or where there are circumstances that require a short delay (e.g., working out transportation arrangements). However, there can be no undue delay in providing special education and related services to the student.)~~ (2) The student's IEP shall be accessible to each general education teacher, special education teacher, related service provider, and any other service provider who is responsible for its implementation; and

(3) Each teacher and provider described above shall be informed of:

(a) His or her specific responsibilities related to implementing the student's IEP; and

(b) The specific accommodations, modifications, and supports that must be provided for the student in accordance with the IEP.

NEW SECTION

WAC 392-172-159 Development, review, and revision of individualized education program-consideration of special factors. (1) In developing, reviewing and revising each student's individualized education program, the team shall consider:

(a) The strengths of the student and the concerns of the parents for enhancing the education of their student; and

(b) The results of the initial or most recent evaluation of the student; and

(c) As appropriate, the results of the student's performance on any general state or district-wide assessment programs.

(2) The individualized education program team also shall:

(a) In the case of a student whose behavior impedes his or her learning or that of others, consider, if appropriate, strategies, including positive behavioral interventions, strategies, and supports to address that behavior;

(b) In the case of a student with limited English proficiency, consider the language needs of the student as these needs relate to the student's individualized education program;

(c) In the case of a student who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the student;

(d) Consider the communication needs of the student, and in the case of a student who is deaf or hard of hearing, consider the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode; and

(e) Consider whether the student requires assistive technology devices and services.

(3) If, in considering the special factors described above, the IEP team determines that a student needs a particular device or service (including an intervention, accommodation, or other program modification) in order for the student to receive a free appropriate public education, the IEP team must include a statement to that effect in the student's individualized education program.

(4) Nothing in this section requires the team to include information under one component of a student's individualized education program that is already contained under another component of the student's individualized education program.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-160 Individualized education program. (1) Each student's individualized education program (~~shall be developed on the basis of the evaluation and parent input, where it is provided, and shall include:~~

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

~~(b) 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;~~

~~(c) A statement of the specific special education and related services to be provided to the student based upon the individual needs of the student, as determined through the~~

~~evaluation process, and the extent to which the student will be able to participate in the general educational program, including physical education. If modifications to the general education program are necessary to ensure the child's participation in that program those modifications must be described. If the student is unable to participate in the general physical education program, a description of the specially designed physical education to be provided to the student shall be included;~~

~~(d) The individualized education program developed for a special education student shall also include a statement of the needed transition services as defined in WAC 392-172-060 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 in elementary school or sooner). The program should include, when appropriate, a statement of the inter-agency 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 individualized education program team, as soon as possible, to identify alternative strategies to meet transition objectives, and, if necessary, to revise the individualized education program, as long as the student is eligible for services;~~

~~(e) If the individualized education program team determines that services are not needed in one or more of the areas specified in WAC 392-172-060 (2)(a) through (f), the individualized education program must include a statement to that effect and the basis upon which the determination was made;~~

~~(f) The projected dates for the initiation of all special education and related services and the anticipated duration of each service 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. In the event the individualized educational program is the first in the district or other public agency for such student and the multidisciplinary team has not made a determination as to the need for an extended school year for such student, 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 school year;~~

~~(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; and~~

~~(h) Aversive therapy)) shall include:~~

~~(a) A statement of the student's present levels of educational performance, including:~~

~~(i) How the student's disability affects the student's involvement and progress in the general curriculum (i.e., the same curriculum as for nondisabled students); or~~

~~(ii) For preschool students, as appropriate, how the disability affects the student's participation in appropriate activities.~~

~~(b) A statement of measurable annual goals, including benchmarks or short-term objectives, related to:~~

(i) Meeting the student's needs that result from the student's disability to enable the student to be involved in and progress in the general curriculum (i.e., the same curriculum as for nondisabled students), or for preschool students, as appropriate, to participate in appropriate activities; and

(ii) Meeting each of the student's other educational needs that result from the student's disability.

(c) A statement of the special education and any necessary related services and supplementary aids and services to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided for the student consistent with WAC 392-172-045 (4)(a):

(i) To advance appropriately toward attaining the annual goals;

(ii) To be involved and progress in the general curriculum in accordance with this section and to participate in extracurricular and other nonacademic activities; and

(iii) To be educated and participate with other special education students and nondisabled students in the activities described in this section.

(d) An explanation of the extent, if any, to which the student will not participate with nondisabled students in the general class and in activities described in this section.

(e) A statement of any individual modifications in the administration of state or district-wide assessments of student achievement that are needed in order for the student to participate in the assessment. If the individualized education program team determines that the student will not participate in a particular state or district-wide assessment of student achievement (or part of an assessment), a statement of:

(i) Why that assessment is not appropriate for the student; and

(ii) How the student will be assessed.

(f) The projected date for the beginning of the services and modification described in this section and the anticipated frequency, location, and duration of those services and modifications.

(g) A statement of:

(i) How the student's progress toward the annual goals described in this section will be measured; and

(ii) How the student's parents will be regularly informed (through such means as periodic report cards), at least as often as parents are informed of their nondisabled student's progress of:

(A) The annual goals; and

(B) The extent to which that progress is sufficient to enable the student to achieve the goals by the end of the year.

(h) For each special education student beginning at age fourteen (or younger, if determined appropriate by the IEP team), and updated annually, a statement of the transition service needs of the student under the applicable components of the student's IEP that focuses on the student's courses of study (such as participation in advanced placement courses or a vocational education program).

(i) For each student beginning at age sixteen (or younger, if determined appropriate by the IEP team), a statement of needed transition services for the student, including, if appropriate, a statement of the interagency responsibilities or any needed linkages.

(j) If a participating agency, other than the public agency, fails to provide the transition services described in the IEP, the public agency shall reconvene the IEP team to identify alternative strategies to meet the transition objectives for the student set out in the IEP.

(k) Beginning at least one year before a student reaches age eighteen, consistent with WAC 392-172-309, the student's individualized education program must include a statement that the student has been informed of his or her rights under Part B of the Individuals with Disabilities Education Act, if any, that will transfer to the student on reaching the age of majority.

(l) Aversive interventions, if applicable, consistent with WAC 392-172-388 through 392-172-398. The individualized education program shall describe the positive interventions attempted by the district or other public agency prior to the use of aversive ((therapy)) interventions.

(m) Extended school year services, pursuant to WAC 392-172-163.

(2) Nothing in this chapter relieves any participating agency, including a state vocational rehabilitation agency, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to special education students who meet the eligibility criteria of that agency.

(3) The school district or other public agency shall provide the parent or the adult student a copy of the individualized education program at no cost.

(4) Each public agency must:

(a) Provide special education and related services to a special education student in accordance with an individualized education program; and

(b) Make a good faith effort to assist the student to achieve the goals and objectives or benchmarks listed in the IEP. ((However,))

(i) Part B of the Individuals with Disabilities Education Act does not require that any agency, teacher, or other person be held accountable if a student does not achieve the growth projected in the annual goals and benchmarks or objectives.

(ii) Nothing in this section limits a parent's right to ask for revisions of the student's IEP or to invoke due process procedures if the parent feels that the efforts required in this subsection are not being made.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-162 Physical education required. (1) Physical education services, specially designed if necessary, must be made available to every special education student receiving FAPE.

(2) Each special education student ((is)) must be afforded the opportunity to participate in the general physical education program available to students who are not disabled unless:

(a) The student is enrolled full time in a separate facility; or

(b) The student needs specially designed physical education, as prescribed in the student's individualized education program.

~~((2))~~ (3) If specially designed physical education is prescribed in a student's individualized education program, the school district or other public agency shall ensure that the public agency responsible for the education of that student provides the service directly, or makes arrangements for it to be provided through other public or private programs.

~~((3))~~ (4) The school district or other public agency shall ensure that any special education student who is enrolled in a separate facility will be provided with appropriate physical education services.

NEW SECTION

WAC 392-172-163 Extended school year services. (1) Each public agency shall ensure that extended school year services are available as necessary to provide FAPE, consistent with this section.

(2) Extended school year services must be provided only if a student's IEP team determines, on an individual basis, in accordance with this chapter that the services are necessary for the provision of FAPE to the student.

(3) In implementing the requirements of this section, a public agency may not:

(a) Limit extended school year services to particular categories of disability; or
(b) Unilaterally limit the type, amount, or duration of those services.

(4) As used in this section, the term extended school year services means special education and any necessary related services that:

(a) Are provided to a student with a disability:
(i) Beyond the normal school year of the public agency;
(ii) In accordance with the student's IEP; and
(iii) At no cost to the parents of the student; and
(b) Meet the standards of the state for provision of special education and related services.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-164 Parent notice of individualized education program meeting—Transition needs or services. If a purpose of the individualized education program meeting is the consideration of transition services needs or services for a student, the notice required under WAC ~~((392-172-156))~~ 392-172-15700 of the individualized education program meeting must also:

(1) ~~((Indicate this purpose;~~
(2) ~~Indicate that the district or other public agency will invite the student; and~~
(3) ~~Identify any other agency that will be invited to send a representative.))~~ For a special education student beginning at age fourteen, or younger, if appropriate:

(a) Indicate that a purpose of the meeting will be the development of a statement of the transition services needs of the student; and

(b) Indicate that the agency will invite the student.
(2) For a special education student beginning at age sixteen, or younger, if appropriate:

(a) Indicate that a purpose of the meeting is the consideration of needed transition services for the student;

(b) Indicate that the agency will invite the student; and
(c) Identify any other agency that will be invited to send a representative.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-166 Transition services (~~((partici-~~ pants)), student participation. ~~((If a purpose of the individualized education program meeting is the consideration of transition services for a student, the district or other public agency shall also invite:~~

~~The student; and~~

~~A representative of any other agency that is likely to be responsible for providing or paying for transition services.~~

~~If the student does not attend, the district or other public agency shall take other steps to ensure that the student's preferences, and aptitudes and interests are considered; and~~

~~If an agency invited to send a representative to an individualized education program meeting does not do so, the district or other public agency shall take other steps to obtain the participation of the other agency in the planning of any transition services.))~~ (1) The school district or other public agency shall invite a special education student of any age to attend his or her IEP meeting if a purpose of the meeting will be the consideration of:

(a) The student's transition services needs;

(b) The needed transition services for the student; or

(c) Both.

(2) If the student does not attend the IEP meeting, the school district or other public agency shall take other steps to ensure that the student's preferences and interests are considered.

(3) In implementing the requirements of this section, the school district or other public agency also shall invite a representative of any other agency that is likely to be responsible for providing or paying for transition services.

(4) If an agency invited to send a representative to a meeting does not do so, the school district or other public agency shall take other steps to obtain participation of the other agency in the planning of any transition services.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-170 Initial service delivery—Parental consent for initial placement—Notice required. (1) ~~((The))~~ Written consent of the parent(s) or adult student shall be requested and obtained, consistent with WAC 392-172-304 before initial special education and related services are provided.

(2) Each school district or other public agency shall provide prior written notice of the initial provision of special education services ~~((to be provided))~~ to the student, ~~((or of the school district or other public agency and other public agency's inability or refusal to make special education and related services available, at the initial meeting or within ten calendar days after the initial meeting provided for in WAC 392-172-156. The notice shall comply with the notice requirements of WAC 392-172-306. Students admitted to state residential schools shall be enrolled in an educational~~

~~program within ten school days of admission)) consistent with WAC 392-172-302.~~

(3) The student's proposed special education and related services shall ~~((commence))~~ begin when ~~((either))~~:

(a) Written consent has been given by the parent(s) or the adult student (using mediation if appropriate); or

(b) The refusal of a student's parent(s) or adult student to grant consent has been overridden by the school district or other public agency pursuant to a hearing (or appeal) conducted in accordance with WAC 392-172-350 et seq.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-172 Least restrictive environment. ~~((The state shall ensure that))~~ Each public agency ~~((establishes))~~ shall establish and implement~~((s))~~ procedures which meet the least restrictive environment requirements of this chapter~~((, and that the various alternative service delivery options included under this chapter are available to the extent necessary to implement the individualized education program for each student eligible for and in need of special education))~~. The provision of services to each special education student, including preschool students and students in public or private institutions or other care facilities, shall be ~~((in his or her least restrictive environment as follows:~~

(1) Educational setting—Each special education student shall be provided services:

(a) In the general educational environment with students who are not disabled to the maximum extent appropriate to his or her needs. Special classes, separate schooling or other removal from the general education environment cannot occur unless it is demonstrated by the school district or other public agency that the nature or severity of the student's disability is such that his or her education in general classes with the use of supplementary aids and services cannot be achieved satisfactorily; and

(b) In the school which he or she would attend if not receiving special education and related services, unless his or her individualized education program requires some other arrangement. If some other arrangement is required, the student shall be provided services in the appropriate educational program that is as close to the student's home as possible.

~~((2)))~~ provided:

(1) To the maximum extent appropriate in the general education environment with students who are nondisabled; and

(2) Special classes, separate schooling or other removal of students with disabilities from the general educational environment occurs only if the nature or severity of the disability is such that education in general classes with the use of supplementary aids and services cannot be achieved satisfactorily.

(3) Nonacademic settings—Each special education student shall be provided nonacademic and extracurricular services and activities conducted by the school district or other public agency with students who are not disabled to the maximum extent appropriate to the needs of the student. Nonacademic and extracurricular services and activities may also include counseling services, athletics, transportation, health

services, recreational activities, special interest groups or clubs sponsored by the district or other public agency, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the district or other public agency and assistance in making outside employment available. Each school district or public agency shall take steps to ensure that its special education students have available to them the variety of educational programs and services available to nonspecial education students in the area served by the school district or public agency, including art, music, industrial arts, consumer and homemaking education, and vocational education.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-174 Continuum of alternative service delivery options. ~~((A continuum of alternative service delivery options shall be made available as necessary to meet the needs of special education students including special education and related services in: General classes, special classes, special schools, home, hospitals, institutions, and instruction in other settings; and shall provide for supplementary services in conjunction with the general education classroom.~~

~~Specially designed instruction shall be provided as follows:~~

(1) ~~Provided directly by certificated special education personnel or by general certificated teachers and/or classified instructional staff who are under the direct supervision of the general certificated teacher. For the purposes of this section, direct supervision includes observation of classified instructional staff at least weekly, during the time they are providing direct services to the student. Direct supervision of classified instructional staff providing related services, including services at off-site locations, shall occur at least monthly.~~

(2) ~~Provided directly by certificated special education personnel or by classified instructional staff who are under the direct supervision of the certificated special education personnel including classified instructional staff who are performing individual or small group (six students or less) instructional and/or training activities pursuant to specific directives provided by the certificated special education personnel.~~

~~If the specially designed instruction is not delivered directly by certified special education personnel, it must be designed, monitored, and evaluated by certificated special education personnel pursuant to a written plan which shall include at least a monthly evaluation of student progress toward specific written individualized education program objectives:))~~ (1) Each school district or other public agency shall ensure that a continuum of alternative placements is available to meet the needs of special education students for special education and related services.

(2) The continuum required in this section must:

(a) Include the alternative placements listed in the definition of special education in WAC 392-172-045, such as instruction in general classes, special classes, special schools, home instruction, and instruction in hospitals and institutions; and

(b) Make provision for supplementary services such as resource room or itinerant instruction to be provided in conjunction with general classroom placement.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-176 Transition to preschool program. ~~((Each local school district or other public agency shall develop policies and procedures for the transition of children participating in the early intervention program under Part H of the Individuals with Disabilities Education Act who are eligible for participation in preschool programs under Part B of the Individuals with Disabilities Education Act.~~

~~If the child will participate in the school district and other public agency's preschool program under Part B of Individuals with Disabilities Education Act at age three, an individual education program consistent with this chapter must be developed and implemented by the child's third birthday. The district or other public agency must provide the family with information on the eligibility and evaluation requirements under Part B of the Individuals with Disabilities Education Act, including the parent's and school district and other public agency's rights regarding procedural safeguards.~~

~~Each school district and other public agency's policies and procedures must include procedures for:~~

~~(1) Notifying the agency in which the child is being served, and the family of the need for transitional planning;~~

~~(2) Describing how the families will be included in the transitional plans;~~

~~(3) Convening, with the approval of the family, a transition conference with the agency, family, and district or other public agency, at least ninety days before the child is eligible for the preschool program under Part B of Individuals with Disabilities Education Act for the purpose of reviewing a child's program options for the remainder of the school year, and establishing a transition plan.)~~ Each school district or other public agency shall have policies and procedures for transition to preschool programs to ensure that:

(1) Students participating in early intervention programs assisted under Part C of the IDEA, and who will participate in preschool programs assisted under Part B of the IDEA, experience a smooth and effective transition to those preschool programs in a manner consistent with the Part C requirements.

(2) Each school district will participate in transition planning conferences arranged by the designated lead agency for Part C in the state. A transition planning conference will be convened for each student who may be eligible for preschool services at least ninety days (or at the discretion of all parties up to six months) prior to the student's third birthday.

(3) By the third birthday of a student described in subsection (1) of this section, an IEP has been developed and is being implemented for the student consistent with WAC 392-172-030(1).

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-180 Procedures for establishing educational ((settings)) placement. (1) The educational ((set-

~~ting-))placement((for)) of each special education student, including a preschool student, shall be determined at least annually at a meeting conducted pursuant to WAC 392-172-156.~~

(2) The selection of the appropriate placement for each special education student shall be based upon:

(a) The student's individualized education program;

(b) The least restrictive environment requirements of WAC 392-172-172;

(c) The placement option(s) that provides a reasonably high probability of assisting the student to attain his or her annual goals; and

(d) A consideration of any potential harmful effect on the student or on the quality of services which he or she needs.

(3) ~~((In interpreting data gathered through the evaluation process in this chapter and in making placement decisions, each public agency shall:~~

~~(a) Draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, parental input, physical condition, social and cultural background, and adaptive behavior;~~

~~(b) Ensure that information obtained from all of these sources is documented and carefully considered; and~~

~~(c) Ensure that the placement decision is made in conformity with the least restrictive environment rules in this chapter.)~~ Unless the IEP of a special education student requires some other arrangement, the student shall be educated in the school that he or she would attend if nondisabled. The placement shall be as close as possible to the student's home, unless the parents otherwise agree.

(4) The decision on the educational placement shall be made by a group of persons, including the parents, and other persons knowledgeable about the student, the evaluation data, and the placement options.

(5) A special education student is not removed from education in age-appropriate general classrooms solely because of needed modifications in the general curriculum.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-182 Reevaluation—Requirement. ~~((Each special education student shall be reevaluated by the multidisciplinary team in accordance with the evaluation procedures specified in WAC 392-172-100 through 392-172-152, as follows:~~

~~(1) At a minimum, once every three years or more frequently if conditions warrant.~~

~~(2) Upon request of the student's parent or adult student, teacher, or individualized education program team.)~~ Each school district or other public agency shall ensure:

(1) That the IEP of each special education student is reviewed in accordance with this chapter; and

(2) That a reevaluation of each student is conducted in accordance with this chapter if conditions warrant a reevaluation, or if the student's parent or teacher requests a reevaluation, but at least once every three years.

NEW SECTION

WAC 392-172-185 Reevaluation—Notice and consent requirements. (1) A reasonable time prior to conducting a reevaluation, the district or other public agency shall provide prior written notice to parents or adult students consistent with WAC 392-172-302.

(2) Informed parental consent for reevaluation shall be obtained consistent with the provisions in WAC 392-172-304.

(3) Parental consent is not required before reviewing existing data as part of a reevaluation, or administering a test or other evaluation that is administered to all students unless, before administration of that test or evaluation, consent is required of parents of all students.

(4) Informed parental consent need not be obtained for reevaluation if the school district or other public agency can demonstrate that it has taken reasonable measures to obtain that consent, and the student's parent has failed to respond.

(5) To meet the reasonable measures requirement in this section, the public agency must use procedures consistent with those in WAC 392-172-15700 (3) and (4).

(6) A reevaluation shall be conducted consistent with the timelines in WAC 392-172-104(2) and 392-172-182(2).

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-186 Reevaluation—((Purposes)) Procedures. ~~((The purposes of reevaluation are to determine the following:~~

~~(1) If the student is appropriately identified as disabled and in need of special education and related services; and~~

~~(2) If the program designed for the student is appropriate to meet the student's unique needs.))~~ (1) As part of any reevaluation, a group that includes the individuals described in WAC 392-172-153, and other qualified professionals, as appropriate, shall review existing evaluation data on the student, including:

(a) Evaluations and information provided by the parents of the student;

(b) Current classroom-based assessment and observations; and

(c) Observations by teachers and related services providers.

(2) Based on the above review and input from the student's parents, identify what additional data, if any, are needed to determine:

(a) Whether the student continues to be a special education student and continues to need special education and any necessary related services;

(b) The present levels of performance and educational needs of the student; and

(c) If any additions or modifications to the special education and any necessary related services are needed to enable the student to meet the measurable annual goals set out in the student's individualized education program and to participate, as appropriate, in the general curriculum.

(3) The group described in subsection (1) of this section may conduct its review without a meeting. If the school district or other public agency conducts a meeting for the purposes under this section, parents must have an opportunity to participate in the meeting consistent with WAC 392-172-105.

(4) A public agency must evaluate a special education student in accordance with this chapter before determining that the student is no longer a special education student.

(5) The evaluation described in subsection (4) of this section is not required before the termination of a student's eligibility under this chapter due to graduation with a regular high school diploma, or exceeding the age eligibility for FAPE under state law. Prior written notice is required, consistent with WAC 392-172-302.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-188 Reevaluation ((general procedures))—Purposes. The ((multidisciplinary team)) group described in WAC 392-172-186 shall determine if additional evaluation procedures are necessary to confirm the decisions to be made in WAC 392-172-186((-

In making the determination, members of the multidisciplinary team shall be governed by the generally recognized professional practice standards of their respective disciplines. The multidisciplinary team shall document in a written narrative the basis for the determination including any relevant data or evaluation procedures utilized)), consistent with WAC 392-172-106 through 392-172-111.

If no additional data are needed to determine whether the student continues to be a special education student, the school district or other public agency shall notify the student's parents, consistent with WAC 392-172-302:

(1) Of that determination and the reasons for it; and

(2) Of the right of the parents to request an assessment to determine, for purposes of services under this chapter, the continuing eligibility of the student.

The school district or other public agency is not required to conduct the assessment unless requested to do so by the parents.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-190 Reevaluation—Notice of results. Within ten calendar days of the completion of the reevaluation, the district or other public agency superintendent or designee shall notify the parent or adult student, pursuant to WAC ((392-172-306)) 392-172-302, of one or more of the following decisions:

(1) ((That)) Whether the student ((is)) continues to be eligible and in need of special education;

(2) ((That the individualized education program designed for the student is appropriate to the student's unique needs)) The present levels of performance and educational needs of the student; and

(3) Whether any additions or modifications to the special education and any necessary related services are needed to enable the student to meet the measurable annual goals set out in the IEP of the student and to participate, as appropriate, in the general curriculum.

When a determination is made that the individualized education program is ~~((inappropriate))~~ no longer appropriate, an individualized education program team meeting shall be convened in accordance with WAC ~~((392-172-156 through 392-172-168. When special education and related services are to be discontinued, notice shall be given the parent(s) pursuant to WAC 392-172-302))~~ 392-172-153 through 392-172-166.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-200 Staff qualifications for special education funding. All employees of a school district or other public agency funded in whole or part with state or federal special education excess cost funds shall be qualified as follows ~~((except as provided for in subsection (4) of this section))~~:

(1) All employees shall hold such credentials, certificates, endorsements or permits as are now or hereafter required by the state board of education for the particular position of employment and shall meet such supplemental standards as may be established by the school district or other public agency of employment. Supplemental standards established by a district or other public agency may exceed, but not be less than, those established by this section.

Pursuant to WAC 180-82-110, after August 31, 2000, a teacher who has completed twenty-four quarter hours (sixteen semester credit hours) of the required special education course work shall be eligible for a pre-endorsement waiver which will allow that person to be employed as a special education teacher. The remaining credits and all endorsement requirements shall be completed within three years of service as a special education teacher. Application for the special education or early childhood special education preendorsement waiver shall be made to the special education section at the office of superintendent of public instruction.

(2) In addition to the requirement of subsection (1) of this section, all special education teachers providing, designing, supervising, monitoring or evaluating the provision of special education shall possess "substantial professional training." ~~((and support))~~ "Substantial professional training" as used in this section shall be evidenced by issuance of an appropriate special education endorsement on an individual teaching certificate issued by the superintendent of public instruction.

~~(3) Other certificated instructional personnel providing specially designed instruction or related services as defined in this chapter, shall meet standards established under the educational staff associate rules of the state board of education, as now or hereafter amended. ((A teacher of special education must hold a valid general teaching certificate for the appropriate level(s). The school district or other public agency is responsible for determining whether or not the teacher has adequate preparation to provide special education services. "Substantial professional training" as used in this section shall mean and be evidenced by either an appropriate special education endorsement or recommended placement upon the teaching certificate of an employee issued by the superintendent of public instruction. If the teacher does not~~

~~have a certificate endorsed in special education, the teacher of special education must hold a valid general teaching certificate for the appropriate level(s), and the school district or other public agency is responsible for determining whether or not the teacher has adequate preparation in special education to teach such classes. Course work focused on the essential areas of study and credits required for endorsement by the state board of education in the area of special education are required.~~

~~(3))~~ (4) Employees with only an early childhood special education endorsement shall be assigned to programs that serve students birth through age eight. Preference for early childhood special education assignment must always be given first to employees having early childhood special education endorsement.

(5) Certified and/or classified staff assigned to provide instruction in Braille, the use of Braille, or the production of Braille must demonstrate competency with grade two standard literary Braille code by successful completion of a test approved by the state board of education pursuant to WAC 180-82-130.

(6) Classified staff shall present evidence of ((either formal and/or adequate in-service training or successful experience in working with special education students. The office of superintendent of public instruction, through the special education comprehensive system of personnel development, shall identify the minimum competencies classified staff must possess and develop in-service training strategies to meet staff needs)) skills and knowledge necessary to meet the needs of students with disabilities, and shall be supervised consistent with WAC 392-172-045 (4)(a)(iii). Districts shall have procedures that ensure that classified staff receive training to meet state recommended core competencies pursuant to RCW 28A.415.310.

~~((4))~~ (7) General education classroom personnel providing specially designed instruction defined in 392-172-045 (4)(a)(iii) pursuant to a properly formulated individual education program may be paid from state or federal special education excess cost funds if the district has in place a cost allocation plan which meets the requirements established by the superintendent of public instruction.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-202 Emergency—Temporary out-of-endorsement assignment. In order to temporarily assign ~~((a nonspecial education endorsed))~~ classroom teacher without a special education endorsement to a special education position, the district or other public agency must ~~((comply with))~~ keep written documentation on the following:

(1) The district or other public agency must make one or more of the following factual determinations:

(a) The district or other public agency was unable to recruit a teacher with the proper endorsement who was qualified for the position((-);

(b) The need for a teacher with such an endorsement could not have been reasonably anticipated and the recruitment of such a classroom teacher at the time of assignment was not reasonably practicable((-); and/or

(c) The reassignment of another teacher within the district or other public agency with the appropriate endorsement to such assignment would be unreasonably disruptive to the current assignments of other classroom teachers or would have an adverse effect on the educational program of the students assigned such other classroom teachers.

(2) ~~((The teacher assigned to the special education position must meet the following requirements:~~

~~(a) The teacher so assigned must have at least two full school years of classroom teaching experience and must not have been placed on probation pursuant to RCW 28A.405.100 during the last two school years.~~

~~(b) The teacher so assigned must have completed six semester hours or nine quarter hours of course work which are applicable to an endorsement in the out-of-endorsement grade level or subject area.~~

~~(3) The district or other public agency shall comply with the following condition:~~

~~Prior to the assignment, or as soon as reasonably practicable thereafter, but in no event beyond twenty school days after the commencement of the assignment, a designated representative of the district or other public agency and the classroom teacher so assigned shall mutually develop a written plan which provides necessary assistance to the teacher so assigned and which provides for a reasonable amount of planning and study time associated specifically with the assignment.~~

~~(4) The district or other public agency shall submit to the office of superintendent of public instruction as part of its annual report required by WAC 180-16-195, a list which indicates all such assignments. Such list shall include:~~

~~(a) The name and certification number of each teacher so assigned, the grade levels or subject areas and the number of such periods taught by such teacher, and the dates upon which such assignment(s) commenced and concluded.~~

~~(b) The reason for each such assignment.~~

~~(c) The reason why the particular teacher was selected for the out-of-endorsement grade level or subject area.~~

~~(d) A dated copy of each plan of assistance required pursuant to subsection (3) of this section. Such copy shall not contain any personal information the disclosure of which would violate the named teacher's right to privacy pursuant to RCW 42.17.310 (1)(b).~~

~~(5) The district or other public agency adopts a resolution for each proposed out-of-endorsement assignment which states that the district or other public agency has made good faith efforts to comply with the provision(s) for which it is requesting a waiver. Such resolution must recite the actions that the school district or other public agency has taken to comply. Upon adoption and transmission of such resolution to the superintendent of public instruction, the district or other public agency shall be authorized to assign each such classroom teacher affected to the proposed out-of-endorsement assignment.~~

~~(6)) Upon determination by a school district that one or more of these criteria can be documented, and the district determines that a teacher has the competencies to be an effective special education teacher but does not have endorsement in special education, the district can so assign the teacher to special education. The teacher so assigned must have com-~~

pleted six semester hours or nine quarter hours of course work which are applicable to an endorsement in special education. The following requirements apply:

(a) A designated representative of the district and any such teacher shall mutually develop a written plan which provides for necessary assistance to the teacher, and which provides for a reasonable amount of planning and study time associated specifically with the out-of-endorsement assignment;

(b) Such teachers shall not be subject to nonrenewal or probation based on evaluations of their teaching effectiveness in the out-of-endorsement assignments;

(c) Such teaching assignments shall be approved by a formal vote of the local school board for each teacher so assigned; and

(d) The assignment of such teachers for the previous school year shall be reported annually to the state board of education by the employing school district as required by WAC 180-16-195. Included in the report shall be the number of teachers in out-of-endorsement assignments and the specific assistance being given to the teacher.

(3) An emergency out-of-endorsement assignment by the district or other public agency is only valid for one school year.

~~((Service Delivery Settings))~~ **Home/Hospital Instruction**

School District Placements for Provision of FAPE

NEW SECTION

WAC 392-172-219 Applicability. The provisions of WAC 392-172-220 through 392-172-226 apply only to special education students who are, or have been placed in, or referred to a nonpublic or public school agency by a school district as a means of providing special education and related services.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-220 Contractual services. ~~((+))~~ School districts ~~(, severally or jointly,)~~ shall be authorized to:

~~((a))~~ **(1)** Enter into interdistrict agreements with another school district(s) ~~((pursuant to RCW 28A.335.160, 28A.225.250, 28A.225.260, and chapter 392-135 WAC; and~~ **(b))** or other public agencies; or

(2) Contract with nonpublic and public ~~((school))~~ agencies for special education and related services for special education students if the school district establishes that it cannot provide an appropriate education for the special education student within the district ~~((or another school district.~~

(2) In the case of a cooperative delivery of services by a school district to a special education student at a center for the furtherance of research and training in disabling conditions as established pursuant to RCW 28B.20.410 through 28B.20.414, as now or hereafter amended, or other such centers as may be established at other public institutions of higher education, as defined in RCW 28B.10.016, the school

districts and other public agencies shall establish that the parent(s) or adult student has:

(a) Given written approval for delivery of services to the student at such center despite the existence of an appropriate education for the student within the district or another school district; and

(b) Has agreed that such delivery of services would equal or substantially equal the services available in the school district).

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-222 Approval of nonpublic (~~and public school~~) agencies. (1) A school district or other public agency shall (~~neither provide a student with services in a nonpublic or public school agency nor award a contract to a nonpublic or public school agency until the nonpublic or public school agency has been approved by the state board of education. Approval of such agencies shall be made in accordance with the following procedures:~~

~~((1))~~ not award a contract to a nonpublic agency to provide special education to a special education student until the state board of education approves the nonpublic agency.

(2) The school district or other public agency shall (~~establish that all requirements imposed by this chapter for contracting with a nonpublic or public school agency can be met and shall forward the nonpublic or public school agency's application to the superintendent of public instruction or designee;~~

~~((2))~~ notify the office of superintendent of public instruction, in writing, of their intent to enroll a student and/or contract with a nonpublic agency.

(3) The office of superintendent of public instruction shall provide the agency named with the procedures/application for nonpublic agency approval, which shall consist of description of agency and services provided, assurances, personnel record, and fire and health inspection forms.

(4) Upon review of the completed application and an on-site visitation the superintendent of public instruction or designee shall recommend approval or disapproval of the agency to the state board of education(~~and~~).

~~((3))~~ (5) The superintendent of public instruction or designee shall (~~notify the requesting school district or other public agency and nonpublic or public school agency of approval or disapproval~~) make information regarding currently approved nonpublic agencies available to all school districts.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-224 School district or other public agency responsibility when contracting for the delivery of services in a public agency or approved nonpublic (~~or public school~~) agency. Any school district or other public agency contracting with (~~an~~) a public or approved nonpublic (~~or public school~~) agency for special education and(~~or~~) related services (~~on behalf of a special education student~~) shall:

(1) Initiate and conduct a meeting with appropriate personnel and the student's parent(s) to develop the student's individualized education program. The district or other public agency shall (~~assure~~) ensure that a representative of the approved nonpublic or public (~~school~~) agency attends the meeting or in some other way assure participation (~~(by the nonpublic school agency)~~). Meetings to review or revise the student's individualized education program after the student has been placed shall be initiated and conducted by the approved nonpublic or public (~~school~~) agency at the discretion of the school district or other public agency. The district or other public agency shall assure that both the parent(s) or the adult student and the public agency or approved nonpublic (~~school~~) agency are represented in any decision concerning the student's individualized education program and agree to proposed changes in the program before those changes are implemented. The responsibility for compliance with this section lies with the school district or other public agency.

(2) Develop a written contract which shall include, but not (~~necessarily~~) be limited to, the following elements:

(a) Names of the parties involved;

(b) The name(s) of the special education student(s) (~~(with disabilities)~~) for whom the contract is drawn;

(c) Location and setting of the services to be provided;

(d) Description of services provided, program administration and supervision;

(e) Designation of (~~coordinator of the services to be provided by the school district or other public agency and the contractor;~~

~~(f) Assurance of compliance with staff certification requirements;~~

~~(g) Periodic student report requirements;~~

~~(h) Annual program monitoring procedures and requirements;~~

~~(i) Starting date and duration of contract;~~

~~(j) Program day and description of student's program;~~

~~(k)) responsible parties;~~

~~(f) Charges and reimbursement—Billing and payment procedures;~~

~~((h)) (g) Total contract cost;~~

~~((m) Contract review;~~

~~(n) Disposition of materials and equipment upon termination;~~

~~(o)) (h) School district and other public agency's responsibility for compliance with due process, individualized education program, and yearly review and determination of placement requirements; and~~

~~((p) Contractor's policies and procedures covering:~~

~~(i) Nondiscrimination;~~

~~(ii) Care of student(s) in emergencies;~~

~~(iii) Fire drills;~~

~~(iv) Personnel policies;~~

~~(v) Staff duties; and~~

~~(vi) Board of directors' duties and functions;~~

~~(q)) (i) Other contractual elements that may be necessary to assure compliance with state and federal rules(~~and~~~~

~~(r) Signatures of authorized school and contractor officials).~~

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-226 Residential educational services—Methods of payment. (1) If the delivery of services in a public or private residential educational program is necessary to provide special education and any necessary related services to a special education student, the program, including nonmedical care and room and board, must be at no cost to the parents of the student. ~~((Nothing in this chapter relieves an insurer or similar third party (public or private) from an otherwise valid obligation to provide or to pay for services provided to a special education student. Nothing in this chapter relieves any participating agency of the responsibility to provide or pay for any service that the agency would otherwise provide to any special education student who meets the eligibility criteria of that agency.))~~ Nothing in this chapter limits the responsibility of agencies other than educational agencies for providing or paying some or all of the costs of a free appropriate public education to special education students in the state.

(2) Nothing in this chapter relieves an insurer or similar third party from an otherwise valid obligation to provide or to pay for services provided to special education students.

(3) Consistent with the IEP provisions in this chapter, the office of the superintendent of public instruction shall ensure that there is no delay in implementing a student's IEP, including any case in which the payment source for providing or paying for special education and related services to the student is being determined.

~~((Private Schools Provisions))~~

~~((Private School Students—Placed by Parents or Others))~~
Parental Placements for Provision of FAPE

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-230 Placement of students by parents. If a special education student has a free appropriate public education available and the parents choose to place the student in a private school or facility, the public agency is not required by this chapter to pay for the student's education, including special education and related services, at the private school or facility. However, the public agency shall ~~((make services available to the student as provided in))~~ include that student in the population whose needs are addressed consistent with WAC 392-172-232 through 392-172-248.

Disagreements between a parent and a public agency regarding the availability of a program appropriate for the student, and the question of financial responsibility, are subject to the due process procedures of this chapter. Disagreements may also be resolved through the mediation process described in this chapter.

NEW SECTION

WAC 392-172-231 Reimbursement for private school placement. (1) If the parents of a special education

student, who previously received special education and any necessary related services under the authority of a school district or other public agency, enroll the student in a private pre-school, elementary or secondary school without the consent of or referral by a school district or other public agency, a court or a hearing officer may require a school district or other public agency to reimburse the parents for the cost of that enrollment if the court or hearing officer finds that a school district or other public agency had not made a free appropriate public education available to the student in a timely manner prior to that enrollment and that the private placement is appropriate. A parental placement may be found to be appropriate by a hearing officer or a court even if it does not meet the state standards that apply to education provided by a school district or other public agency.

(2) The cost of reimbursement may be reduced or denied if:

(a) At the most recent individualized education program meeting that the parents attended prior to removal of the student from the public school, the parents did not inform the team that they were rejecting the placement proposed by a school district or other public agency to provide a free appropriate public education to their student, including stating their concerns and their intent to enroll their student in a private school at public expense; or

(b) At least ten business days (including any holidays that occur on a business day) prior to the removal of the student from the public school, the parents did not give written notice to a school district or other public agency of the information described in (a) of this subsection; or

(c) If, prior to the parents' removal of the student from the public school, a school district or other public agency informed the parents, through the notice requirements described in this chapter, of its intent to evaluate the student (including a statement of the purpose of the evaluation that was appropriate and reasonable), but the parents did not make the student available for the evaluation; or

(d) Upon a judicial finding of unreasonableness with respect to actions taken by the parents.

(3) Notwithstanding the notice requirement in subsection (2)(a) and (b) of this section, the cost of reimbursement may not be reduced or denied for failure to provide the notice if:

(a) The parent is illiterate and/or cannot write in English;

(b) Compliance with the notice requirements of this section would likely result in physical or serious emotional harm to the student;

(c) The school district or other public agency prevented the parent from providing the notice; or

(d) The parent had not received notice of the requirement to notify a school district or other public agency of the information required in subsection (2)(a) and (b) of this section.

Students Enrolled in Private Schools by Parent

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-232 Definition—"Private school special education student(s) ~~((with disabilities))~~." For the purpose of WAC ~~((392-172-234))~~ 392-172-23300 through 392-

172-248 "private school special education student(s) ((with disabilities))" means special education students who are not full or part time enrolled in the public school or other public agency for the purpose of receiving special education and related services, who are enrolled in private schools or agencies, and whose private school enrollment is not the result of a contractual arrangement between a public school district or other public agency and the private school or agency. "Resident special education students" means those students who reside within school district or other public agency boundaries, consistent with chapter 28A.225 RCW.

NEW SECTION

WAC 392-172-23300 Child count. (1) Each school district or other public agency shall:

- (a) Consult with representatives of private school students in deciding how to conduct the annual count of the number of private school special education students; and
- (b) Ensure that the count is conducted on December 1 of each year.

(2) The child count must be used to determine the amount that the school district or other public agency must spend on providing special education and related services to private school special education students, described in WAC 392-172-232, in the next subsequent fiscal year.

(3) State and local educational agencies are not prohibited from providing services to private school special education students in excess of those required by this section consistent with state law or local policy.

NEW SECTION

WAC 392-172-23305 Expenditures. Each school district or public agency shall spend a proportionate amount of federal funds on providing special education and related services to private school special education students as follows:

(1) For students aged three through twenty-one, an amount that is the same proportion of the school district's or other public agency's total subgrant under Part B of the Individuals with Disabilities Education Act as the number of private school special education students aged three through twenty-one residing in its jurisdiction is to the total number of special education students in its jurisdiction aged three through twenty-one; and

(2) For students aged three through five, an amount that is the same proportion of the school district's or other public agency's total subgrant under the school district's or other agency's preschool grant under section 619 of the Individuals with Disabilities Education Act as the number of private school special education students aged three through five residing in its jurisdiction is to the total number of special education students in its jurisdiction aged three through five.

(3) Expenditures for child find activities described in WAC 392-172-100 may not be considered in determining whether the school district or other public agency has met the requirements of this section.

NEW SECTION

WAC 392-172-23600 Determination (of needs, numbers of students and types) of services. (1) No private school special education student, as defined in WAC 392-172-232, has an individual right to receive some or all of the special education and related services that the student would receive if enrolled in a public school. Decisions about the services that will be provided to private school special education students under WAC 392-172-232 through 392-172-248 must be made in accordance with this section.

(2) Each school district or other public agency shall consult, in a timely and meaningful way, with appropriate representatives of private school special education students in light of the funding under WAC 392-172-23305, the number of private school special education students, the needs of private school special education students, and their location to decide:

- (a) Which students will receive services;
- (b) What services will be provided;
- (c) How and where the services will be provided; and
- (d) How the services provided will be evaluated.

(3) Each school district or other public agency shall give appropriate representatives of private school special education students a genuine opportunity to express their views regarding each matter that is subject to the consultation requirements in this section.

(4) The consultation required by this section shall occur before the school district or other public agency makes any decision that affects the opportunities of private school special education students to participate in services under WAC 392-172-232 through 392-172-248.

(5) The school district or other public agency shall make the final decision with respect to the services to be provided to eligible private school students.

(6) If a special education student is enrolled in a religious or other private school and will receive special education or related services from a school district or other public agency, the district or agency shall:

(a) Initiate and conduct meetings to develop, review, and revise a services plan for the student, in accordance with WAC 392-172-23605; and

(b) Ensure that a representative of the religious or other private school attends each meeting. If the representative cannot attend, the school district or other public agency shall use other methods to ensure participation by the private school, including individual or conference telephone calls.

NEW SECTION

WAC 392-172-23605 Services provided. (1) The services provided to private school special education students, as defined in WAC 392-172-232, must be provided by personnel meeting the same standards as personnel providing services in the public schools.

(2) Private school special education students may receive a different amount of services than special education students in public schools.

(3) No private school special education student is entitled to any service or to any amount of a service the student would receive if enrolled in a public school.

(4) Each private school special education student who has been designated to receive services under WAC 392-172-23600 must have a services plan that describes the specific special education and related services that the school district or other public agency will provide to the student in light of the services that the district or agency has determined, through the process described in WAC 392-172-23300 and 392-172-23600, it will make available to private school special education students.

(5) The services plan must, to the extent appropriate:

(a) Meet the requirements of WAC 392-172-160 with respect to the services provided;

(b) Be developed, reviewed, and revised consistent with WAC 392-172-156, 392-172-158, and 392-172-161.

NEW SECTION

WAC 392-172-23610 Location of services and transportation. (1) Services provided to private school special education students, as defined in WAC 392-172-232, may be provided on-site at a student's private school, consistent with WAC 392-172-238.

(2) If necessary for the student to benefit from or participate in the services provided under this section, a private school special education student must be provided transportation:

(a) From the student's school or the student's home to a site other than the private school; and

(b) From the service site to the private school, or to the student's home.

(3) School districts or other public agencies are not required to provide transportation from the student's home to the private school.

(4) The cost of the transportation described in subsection (2) of this section may be included in calculating whether the school district or other public agency has met the requirement of WAC 392-172-23305.

NEW SECTION

WAC 392-172-239 Complaints. (1) The procedures under WAC 392-172-350 et seq., do not apply to complaints that a school district or other public agency has failed to meet the requirements of WAC 392-172-232 through 392-172-248, including the provision of services indicated on the student's individualized education program.

(2) The procedures under WAC 392-172-350 et seq. do apply to complaints that a school district or other public agency has failed to meet the requirements under child find, including evaluation and reevaluation procedures under this chapter.

(3) Complaints that the state, or a school district or other public agency, has failed to meet the requirements of WAC 392-172-232 through 392-172-248 may be filed under the procedures in WAC 392-172-324 et seq.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-240 Personnel in private schools and agencies. (1) School district or other public agency personnel

may be made available to nonsectarian private schools and agencies only to the extent necessary to provide services required by the special education student if those services are not normally provided by the private school.

(2) Each school district or other public agency providing services to students enrolled in nonsectarian private schools or agencies shall maintain continuing administrative control and direction over those services.

(3) Services to private school special education students shall not include the payment of salaries of teachers or other employees of private schools or agencies, except for services performed outside regular hours of the school day and under public supervision and control.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-242 Equipment, property and supplies—Construction. (1) Equipment and supplies used with special education students in a private school or agency may be placed on nonsectarian private school or agency premises for the period of time necessary for the program, but title to and administrative control over all equipment property and supplies must be retained and exercised by the school district or other public agency.

(2) Records shall be kept of equipment and supplies and an accounting made of the equipment and supplies which shall assure that the equipment is used solely for the purposes of the program. Equipment and supplies placed in private schools must be able to be removed from the private school without remodeling the private school facility.

(3) The equipment and supplies shall be removed from the private school or agency if necessary to avoid its being used for other purposes or if it is no longer needed for the purposes of the program or project.

(4) Funds shall not be used for repairs, minor remodeling, or to construct facilities for private schools or agencies.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-246 Funds and property not to benefit private schools. Public funds provided and property derived from those funds shall not benefit any private school or agency.

A school district shall use funds provided under Part B of the IDEA to meet the special education and related services needs of special education students enrolled in private schools, but not for:

(1) The needs of a private school; or

(2) The general needs of the students enrolled in the private school.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-300 General responsibility of public agencies. ~~((The state shall ensure that))~~ Each school district ~~((or))~~ and public agency ~~((establishes and))~~ shall establish, implement((s)) and maintain procedural safeguards that meet

the requirements of (~~34 CFR 300.500-300.515~~) 34 CFR 300.500 through 34 CFR 300.529.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-302 When prior written notice must be given. A school district or other public agency shall give prior written notice in accordance with WAC 392-172-306 ((shall be given by a school district or other public agency)) to the parent(s) of a student (or to the adult student) a reasonable time before the school district or other public agency:

(1) Proposes or refuses to initiate or change(~~(=~~
(~~a~~)) the identification, evaluation, (~~or delivery of educational services to the student;~~

(~~b~~) The individualized education program, including annual goals and short term instructional objectives or the provision of special education and related services to the student pursuant to this chapter; or

(2) Refuses to initiate or change:

(~~a~~) The identification, evaluation, or delivery of special education and related services to the student; or

(~~b~~) The individualized education program or the provision of special education and related services to the student pursuant to this chapter)) educational placement of the student or provision of FAPE to the student.

(2) If the notice required under this section relates to an action proposed by a district or other public agency that also requires parental consent under WAC 392-172-185 and 392-172-304, notice may be given at the same time parental consent is being requested.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-304 Parent consent. (1) Informed parental consent must be obtained in writing (using mediation if appropriate), or denial of consent must be overridden by a due process hearing(=) before:

((~~1~~)) (a) Conducting an initial evaluation, or reevaluation consistent with WAC 392-172-185; and

((~~2~~)) (b) Providing initial special education and any necessary related services to a special education student.

(~~A school district or other public agency shall not require written parental consent as a condition for receiving any other benefit, service, or activity to the parent or to the student.)) (2) Consent for initial evaluation may not be construed as consent for initial placement described in this section.~~

(3) Parental consent is not required before:

(a) Reviewing existing data as part of an evaluation or reevaluation; or

(b) Administering a test or other evaluation that is administered to all students unless, before administration of that test or evaluation, consent is required of parents of all students.

(4) A public agency may not use a parent's refusal to consent to one service or activity under this section to deny the parent or child any other service, benefit, or activity of the public agency, except as required by this chapter.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-306 Contents of prior written notice.

(1) The notice required by WAC 392-172-302 shall include:

(a) (~~A full explanation of all of the procedural safeguards available to the parent or the adult student that are set forth in 34 CFR 300.500, 300.502 through 300.515, and 300.562 through 300.569, including the availability of mediation as a dispute resolution process;)) A statement that the parents of a special education student have protection under the procedural safeguards of this chapter. If a copy of the procedural safeguards are not included with the prior written notice, the district or other public agency shall include a statement that describes the means by which a copy of a description of the procedural safeguards can be obtained;~~

(b) A description of the action proposed or refused by the school district or other public agency, an explanation of why the district or other public agency proposes or refuses to take the action, and a description of any other options the district or other public agency considered and the reasons why those options were rejected;

(c) A description of each evaluation procedure, test, record, or report the district or other public agency used as a basis for the proposal or refusal; (~~and~~))

(d) A description of any other factors which are relevant to the school district and other public agency's proposal or refusal;

(e) A description of any evaluation procedures the school district or other public agency proposes to conduct; and

(f) Sources for parents to contact to obtain assistance in understanding the procedural safeguards provisions of this chapter.

(2) The notice shall be:

(a) Written in language understandable to the general public; and

(b) Provided in the native language of the parent or adult student or other mode of communication used by the parent or adult student, unless it is clearly not feasible to do so.

(3) If the native language or other mode of communication of the parent or adult student is not a written language, the district or other public agency shall take steps to assure that:

(a) The notice is translated orally or by other means to the parent or adult student in his or her native language or other mode of communication;

(b) The parent or adult student understands the content of the notice; and

(c) There is written evidence that the requirements in (a) and (b) of this subsection have been met.

NEW SECTION

WAC 392-172-307 Procedural safeguards. (1) A copy of the procedural safeguards available to the parents of a special education student shall be given to the parents, at a minimum:

(a) Upon initial referral for evaluation;

(b) Upon each notification of an individualized education program meeting;

(c) Upon reevaluation of the student;

- (d) Upon receipt of a request for due process; and
 - (e) Upon notification of a parent that a school district or other public agency intends to take disciplinary action that constitutes a change of placement.
- (2) The procedural safeguards notice must include a full explanation of all of the procedural safeguards available, listed in 34 CFR 300.504 (4)(b), including and relating to:
- (a) Independent educational evaluation;
 - (b) Prior written notice;
 - (c) Parental consent;
 - (d) Access to educational records;
 - (e) Opportunity to present complaints to initiate due process hearings;
 - (f) The student's placement during pendency of due process proceedings;
 - (g) Procedures for students who are subject to placement in an interim alternative educational setting;
 - (h) Requirements for unilateral placement by parents of students in private schools at public expense;
 - (i) Mediation;
 - (j) Due process hearings, including requirements for disclosure of evaluation results and recommendations;
 - (k) Civil actions;
 - (l) Attorneys' fees; and
 - (m) State complaint procedures, including a description of how to file a complaint and the timelines under those procedures.
- (3) The notice shall meet the requirements of WAC 392-172-306 (2) and (3).

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-308 Surrogate parents. (1) Each school district or other public agency providing a special education program to a nonadult special education student shall assure that the rights of the nonadult student are protected when:

- (a) No parent ((~~it~~)), as defined in WAC 392-172-035(5)(~~3~~), can be identified;
- (b) The school district or other public agency, after reasonable efforts, cannot discover the whereabouts of a parent; or
- (c) The student is a ward of the state. A student is a ward of the state if (i) parental rights have been terminated and no guardian has been appointed or (ii) the student is found dependent under chapter 13.34 RCW. If the child is found dependent and is placed with the parent or with relatives, those persons may be considered a parent under the definition of WAC 392-172-035(5).

(2) (~~Duty of school district or other public agency.~~) The duty of a school district or other public agency under this section includes the assignment of a person to act as a surrogate for the parents. This duty includes the establishment of a method:

- (a) For determining whether a nonadult student needs a surrogate parent; and
 - (b) For assigning a surrogate parent to the student.
- (3) (~~Criteria for selection of surrogates.~~) Each school district or other public agency shall (~~assure~~) ensure that a person selected as a surrogate:

- (a) Has no interest that conflicts with the interests of the student he or she represents; and
 - (b) Has knowledge and skills that assure adequate representation of the student.
- (4) (~~Nonemployee requirement—Compensation.~~)
- (a) A person assigned as a surrogate may not be an employee of the office of superintendent of public instruction, a school district (~~and~~) or other public agency which is involved in the education or care of the student; and
 - (b) A person who otherwise qualifies as a surrogate parent pursuant to this section is not an "employee" of the school district (~~and~~) or other public agency solely because he or she is paid by the school district and/or agency to serve as a surrogate parent.
- (c) A public agency may select as a surrogate, a person who is an employee of a nonpublic agency that only provides noneducational care for the student and who meets the standards in subsection (3) of this section.
- (d) A foster parent may be appointed as a surrogate parent if he or she meets the qualifications of subsection (3) of this section and is willing to make educational decisions on behalf of the student.
- (5) Responsibilities. A surrogate parent may represent the student in all matters relating to(~~:(~~
- (~~a~~)) the identification, evaluation, (~~and the delivery of educational services~~) educational placement of the student and the provision of FAPE to the student(~~;~~ and
 - (~~b~~) The provision of free special education and related services to the student)).

NEW SECTION

WAC 392-172-309 Transfer of parental rights at age of majority. (1) Consistent with RCW 26.28.010 and 26.28.015, when a special education student reaches the age of eighteen, unless declared incapacitated as to person under chapter 11.88 RCW, the following shall occur:

- (a) A school district or other public agency shall provide any notice required under the chapter to both the student and the parents; and
 - (b) All other rights accorded to parents under Part B of the Individuals with Disabilities Education Act transfer to the student.
- (2) All rights accorded to parents under Part B of the Individuals with Disabilities Education Act transfer to students at the age of majority who are incarcerated in an adult or juvenile, state, or local correctional institution.
- (3) Whenever a school district or other public agency transfers rights under this section, they shall notify the individual and the parents of the transfer of rights.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-310 Mediation—Purpose. The purpose of mediation is to offer both the parent and the school district or other public agency an optional alternative to a formal due process hearing. Mediation requires the consent and agreement of both parties. Mediation cannot be used to deny or delay access by a parent to a due process hearing under this chapter, or to deny any other rights afforded under this chap-

ter. Mediation is used to resolve disagreements concerning the identification, evaluation, ~~((delivery of))~~ educational ~~((services))~~ placement of the special education student or provision of ~~((a free appropriate public education))~~ FAPE to ~~((a))~~ the special education student. Mediation may be terminated by either party at any time during the process. Mediation shall be available whenever a hearing is requested under this chapter.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-312 Mediation—Definition. Mediation is a dispute resolution process in which an impartial mediator assists both parties in reaching a mutually acceptable agreement on the educational needs of a special education student. The primary participants in the mediation process are the parent(s), school district or other public agency representative(s), and mediator. The process is voluntary, confidential, and informal. It is a collaborative process, conducted in a nonadversarial manner. Mediation services ~~((may be))~~ are provided by the office of superintendent of public instruction at no cost to either party, including the costs of meetings described in WAC 392-172-317. The office of superintendent of public instruction will ~~((attempt to))~~ provide mediation services for individuals whose primary language is not English unless it is clearly not feasible to do so. Each session in the mediation process shall be scheduled in a timely manner and shall be held in a location that is convenient to the parties to the dispute.

NEW SECTION

WAC 392-172-313 Mediators—Qualified and impartial. (1) Mediation is conducted by qualified and impartial mediators who are trained in effective mediation techniques.

(2) The office of superintendent of public instruction shall maintain a list of individuals who are qualified mediators and knowledgeable in laws and regulations relating to the provision of special education and related services.

(3) An individual who serves as a mediator:

(a) May not be an employee of:

(i) Any school district or any state agency described under WAC 392-172-035(6); or

(ii) A state education agency that is providing direct services to a student who is the subject of the mediation process; and

(b) Shall not have a personal or professional conflict of interest.

(4) A person who otherwise qualifies as a mediator is not an employee of a school district or other public agency solely because he or she is paid by the agency to serve as a mediator.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-314 Request for mediation services.

(1) To access the state-wide mediation system ~~((of mediation established by the office of superintendent of public instruction))~~, a request for mediation services may be made in writ-

ing or verbally to administrative agents for the office of superintendent of public instruction ~~((located statewide))~~. Written confirmation of the request shall be provided to both parties by an intake coordinator and a mediator shall be assigned to the case.

(2) If a mediator is not selected on a random (e.g., a rotation) basis from the list described in WAC 392-172-313, both parties must be involved in selecting the mediator and agree with the selection of the individual who will mediate.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-316 Written mediation agreement—Mediation discussions. (1) Agreements reached through the mediation process shall be documented in writing and signed by both parties. Solutions to the issue(s) raised through the mediation process shall not be in conflict with state and federal laws or regulations. ~~((Both))~~ The parties shall be given a copy of the written mediation agreement. ~~((Negotiations, mediation positions, etc., disclosed in a mediation shall not be used as evidence in a due process hearing or other administrative review unless one party to the mediation violates the agreement.))~~ A copy of the mediation agreement shall also be filed by the mediator with the office of superintendent of public instruction ~~((in mediations provided by that agency)).~~

(2) Discussions that occur during the mediation process must be confidential and may not be used as evidence in any subsequent due process hearings or civil proceedings, and the parties to and participants in the mediation process may be required to sign a confidentiality pledge prior to the commencement of the process.

NEW SECTION

WAC 392-172-317 Meeting to encourage mediation.

(1) A school district or other public agency may establish procedures to require parents who elect not to use the mediation process to meet, at a time and location convenient to the parents, with a disinterested party:

(a) Who is under contract with a parent training and information center or community parent resource center in the state established under the Individuals with Disabilities Education Act or an appropriate alternative dispute resolution entity; and

(b) Who would explain the benefits of the mediation process, and encourage the parents to use the process.

(2) A school district or other public agency may not deny or delay a parent's right to a due process hearing under this chapter if the parent fails to participate in the meeting described in this section.

(3) A school district or other public agency shall submit its procedures for implementing this section to the office of superintendent of public instruction for review and approval, including projected costs for carrying out the process.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-324 Definition—Complaint. As used in this chapter, the term "complaint" means an allegation, by

the complainant, that the state, a local school district or other public agency, an educational service district (~~(or other public agency)~~), or other subgrantee receiving federal funds (or receiving state funds to carry out a federal requirement), including private schools and facilities where students are placed on a contractual basis, has violated a federal statute or regulation or a state regulation that applies to a federal program covered under this chapter.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-328 Informing citizens about complaint procedures. The superintendent of public instruction shall inform parents and other interested individuals about the citizen complaint procedures in this chapter. Specific actions to be taken by the superintendent of public instruction include:

(1) (~~(Disseminating copies of the state's procedures to parent, advocacy, and professional organizations;)~~) Widely disseminating copies of the state's procedures to parents and other interested individuals, including protection and advocacy agencies, parent training and information centers, independent living centers, and other appropriate entities;

(2) Conducting in-service training sessions on the complaint process through educational service districts; and

(3) Including information about the system in state-wide conferences.

NEW SECTION

WAC 392-172-329 Remedies for denial of appropriate services. In resolving a complaint in which it has found a failure to provide appropriate services, the office of the superintendent of public instruction pursuant to its general supervisory authority under Part B of the IDEA, must address:

(1) How to remediate the denial of those services, including, as appropriate, the awarding of monetary reimbursement or other corrective action appropriate to the needs of the student; and

(2) Appropriate future provision of services for all special education students.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-330 Right to register a complaint. Any individual(~~(entity)~~) or organization, including an organization or individual from another state, may register a signed written complaint. (~~(If a parent or adult student has also filed a request for a due process special education hearing pursuant to WAC 392-172-350, regarding the same issues, a citizen complaint by such person regarding noncompliance shall be held in abeyance until the hearing has been concluded.)~~)

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-332 Contents of complaint. (1) A written complaint filed under this chapter shall include:

~~((1))~~ (a) A statement that an educational entity, which includes the state, a local school district or other public agency, an educational service district, or other subgrantee has violated one or more requirements of federal statutes or regulations or state regulations that apply to (~~(a federal program)~~) Part B of the IDEA;

~~((2))~~ (b) The facts on which the statement is based;

~~((3))~~ (c) The name and address of the complainant; and

~~((4))~~ In the case of a complaint alleging a violation by an entity other than the state and filed directly with the superintendent of public instruction, the name and address of the allegedly offending entity; (d) The name and address of the educational entity.

(2) The complaint must be signed.

(3) The complaint must allege a violation that occurred not more than one year prior to the date that the complaint is received unless a longer period is reasonable because the violation is continuing, or the complainant is requesting compensatory services for a violation that occurred not more than three years prior to the date the complaint is received.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-334 Procedure for filing a complaint. The procedure for filing a complaint shall be as follows:

(1) (~~(A)~~) All complaints alleging a violation by a local school district or other public agency, an educational service district, the state or other subgrantee shall be filed directly with the superintendent of public instruction.

(2) The superintendent of public instruction, upon receipt of a signed, written complaint against a local school district or other public agency, an educational service district, or other subgrantee, shall refer the complaint to the (~~(allegedly offending)~~) educational entity for action pursuant to this chapter. A complaint against the state shall be investigated pursuant to WAC 392-172-344.

(3) Receipt of a complaint by the superintendent of public instruction activates a time (~~(time)~~) limit not to exceed sixty calendar days unless an extension of the time limit is approved by the superintendent of public instruction on the basis of exceptional circumstances relative to a particular complaint.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-338 Investigation of and response to complaints against a school district or other public agency, educational service district, or other subgrantee. Investigation of and response to a complaint shall be as follows:

(1) Upon receipt of a properly filed complaint (~~(with the superintendent of public instruction and referred by)~~), the superintendent of public instruction shall send a copy of the complaint to the (~~(allegedly offending)~~) educational entity, (~~(the employee(s) designated pursuant to WAC 392-172-336 shall investigate)~~) for their investigation of the alleged violations.

(2) (~~(Upon completion of the investigation by the allegedly offending)~~) The educational entity(~~(the designated~~

~~employee(s) shall provide the responsible official of the entity with a written report, including applicable documentation, of the results of the investigation. Said~~) shall investigate the complaint. The responsible official(s) of the educational entity shall respond in writing to the superintendent of public instruction, and include documentation of the investigation, no later than twenty calendar days after the date of receipt by the entity of such complaint.

(3) The response to the superintendent of public instruction shall clearly state either:

- (a) That the educational entity denies the allegations contained in the complaint and the basis for such denial; or
- (b) Proposes reasonable corrective action(s) deemed necessary to correct the violation.

(4) Upon request, the superintendent of public instruction shall provide the complainant a copy of the entity's response to the complaint.

(5) The superintendent of public instruction will provide the complainant the opportunity to submit additional information, either orally or in writing, about the allegations in the complaint.

~~((5))~~ (6) Within thirty calendar days, and upon review of all relevant information including, ~~((dependent upon necessity))~~ if necessary, information obtained through an independent on-site investigation by the superintendent of public instruction, the superintendent of public instruction will make an independent determination as to whether the public agency is violating a requirement of Part B of the Individuals with Disabilities Education Act or of this chapter.

~~((6))~~ (7) Consistent with the provisions of WAC 392-172-320 through 392-172-346, the superintendent of public instruction shall issue a written decision to the complainant that addresses each allegation in the complaint including findings of fact ((and)), conclusions and ((the reasons for the state's final decision, and clearly states either:

~~(a) That the complaint is without merit, the allegations are denied, and the basis for such denial; or~~

~~(b))~~ the reasonable corrective measures deemed necessary to correct any violation. ((Any such)) Corrective measures ~~((deemed))~~ necessary to resolve a complaint shall be instituted as soon as possible but in no event later than thirty calendar days following the date of the ~~((response to the complainant))~~ decision, unless otherwise agreed to, or for good cause.

~~((7) When appropriate, technical assistance, negotiations, and corrective action(s) are to be instituted no later than ten days following notice of written decision by the superintendent of public instruction.))~~

(8) If compliance by a local school district or other public agency, educational service district, or other subgrantee is not achieved pursuant to subsection ~~((6))~~ (7) of this section, the superintendent of public instruction shall initiate fund withholding, fund recovery, or any other sanction deemed appropriate.

NEW SECTION

WAC 392-172-348 Complaints and due process hearings. (1) If a written complaint is received that is also the subject of a due process hearing under this chapter or con-

tains multiple issues, of which one or more are part of that hearing, the office of the superintendent of public instruction must set aside any part of the complaint that is being addressed in the due process hearing, until the conclusion of the hearing. However, any issue in the complaint that is not a part of the due process action must be resolved using the time limit and procedures described in this section.

(2) If an issue is raised in a complaint filed under this section that has previously been decided in a due process hearing involving the same parties:

- (a) The hearing decision is binding; and
- (b) The office of the superintendent of public instruction must inform the complainant to that effect.

(3) A complaint alleging a public agency's failure to implement a due process decision must be resolved by the office of the superintendent of public instruction.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-350 Right to initiate—Purposes. (1) Hearings conducted in accordance with WAC 392-172-350 through 392-172-360 may be initiated in the following cases for the purposes stated:

(a) The parent(s) of a student (or an adult student) or a school district or other public agency may initiate a hearing to challenge or to show ~~((as the case may be))~~ the appropriateness of a proposal or refusal by the school district or other public agency to initiate or change:

- (i) The identification of the student;
- (ii) The evaluation of the student;
- (iii) The ~~((delivery of))~~ educational ~~((services to))~~ placement of the student; or
- (iv) The provision of ~~((special education and related services))~~ FAPE to the student pursuant to this chapter;

(b) ~~((The parent(s) of a student (or an adult student) or a school district or other public agency may initiate a hearing to challenge or to show (as the case may be) the appropriateness of the school district and other public agency's refusal of the parent(s) or adult student's request to initiate or change:~~

- ~~(i) The identification of the student;~~
- ~~(ii) The evaluation of the student;~~
- ~~(iii) The delivery of educational services to the student;~~

or

~~(iv) The provision of special education and related services to the student pursuant to this chapter;~~

~~(e))~~ A school district or other public agency may initiate a hearing to show that its evaluation of a student is appropriate if the student's parent(s) or adult student disagrees with the evaluation results and requests an independent educational evaluation, pursuant to WAC 392-172-150.

(2) A request by a student's parent(s) or adult student for a hearing pursuant to this section shall:

- (a) Be in writing ~~((and)),~~ specify the district or other public agency and the school the student attends, explain the concerns of the parent(s) or adult student in general or specific terms, and provide other information regarding the request for hearing described in WAC 392-172-351; and
- (b) Be mailed or provided directly to the Office of Superintendent of Public Instruction, Office of Legal Services, Old

Capitol Building, P.O. Box 47200, Olympia, Washington 98504 (~~and~~

~~(e) Explain the concerns of the parent(s) or adult student in general or specific terms)). A copy of the request for hearing should also be given to the district or other public agency, consistent with WAC 392-172-351.~~

(3) A request by a school district or other public agency for a hearing pursuant to this section shall:

(a) Be in writing;

(b) Be mailed or provided directly to Office of Superintendent of Public Instruction, Office of Legal Services, Old Capitol Building, P.O. Box 47200, Olympia, Washington 98504. A copy of such request, including ~~((required))~~ attachments shall be ~~((transmitted))~~ mailed to the student's parent(s) or adult student;

~~(c) ((Have attached to such request)) Include a copy of the notice to parent(s) or adult student as required by WAC 392-172-302. If the hearing request by the district or other public agency is in response to a request for an independent educational evaluation pursuant to WAC 392-172-150, the school district ((and)) or other public agency((s written request for a hearing also shall have attached a copy of the written notice to the district or other public agency required by WAC 392-172-150(2))) shall attach documentation of the parent's request.~~

(4) A notice of a hearing requested by a student's parent(s) or adult student or initiated by a school district or other public agency pursuant to this section shall be provided by the hearing officer and shall include, but not necessarily be limited to:

(a) The date, time, and place of the hearing;

(b) The issues to be addressed at the hearing to the extent the issues have been identified at the time of the notice;

(c) The rights, procedures, and other matters set forth in WAC 392-172-352 through 392-172-364; and

(d) The right of the parent(s) or adult student to seek an independent evaluation at public expense pursuant to WAC 392-172-150.

(5) The forty-five day time line for completing the hearing process shall begin on the day the superintendent receives the written request for a due process hearing.

(6) When a hearing is initiated under this section, the office of superintendent of public instruction shall inform the parents of the availability of mediation described in WAC 392-172-310 et seq.

NEW SECTION

WAC 392-172-351 Request for hearing, notice by parent. (1) The school district or other public agency must have procedures that require the parent of a special education student or the attorney representing the student to provide notice (which must remain confidential) to the school district or other public agency in a request for a hearing to the office of superintendent of public instruction. The notice for a request for hearing must include:

(a) The name of the student;

(b) The address of the residence of the student;

(c) The name of the school the student is attending;

(d) A description of the nature of the problem of the student relating to the proposed initiation or change, including facts relating to the problem; and

(e) A proposed resolution of the problem to the extent known and available to the parents at the time.

(2) The office of superintendent of public instruction shall develop a model hearing request form to assist parents in filing a request for a due process hearing that includes the information required above.

(3) A school district or other public agency may not deny or delay a parent's right to a due process hearing for failure to provide the notice required in this section. However, failure to provide the notice required in subsection (1) of this section may result in a reduction of attorneys' fees under WAC 392-172-362 (3)(e)(iv).

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-352 Hearing officers—Selection and expenses of—Parent assistance. (1) If a hearing is initiated pursuant to WAC 392-172-350:

(a) The hearing shall be conducted by and at the expense of the superintendent of public instruction.

(b) The superintendent of public instruction shall provide for a court reporter's stenographic record of all testimony and other oral hearing proceedings at the expense of the superintendent of public instruction: A court reporter's stenographic record need not be transcribed for any purpose except as provided or required in WAC 392-172-354 (1)((e)) (g) and (h).

(c) The superintendent of public instruction shall inform the parent(s) or adult student of any free or low-cost legal and other relevant services available in the area if:

(i) The parent or adult student requests the information; or

(ii) The school district or other public agency or the parent or adult student initiates a hearing.

(d) The hearing shall be conducted by a qualified person selected and appointed by the chief administrative law judge in the office of administrative hearings pursuant to chapter 10-08 WAC and shall be a person who:

(i) Is not an employee of a public agency which is involved in the education or care of the student; and

(ii) Does not have a personal or professional interest which would conflict with his or her objectivity in the hearing.

(2) A person who otherwise qualifies to conduct a hearing under this section is not an employee of the public agency solely because he or she is paid by the agency to serve as a hearing officer.

(3) The hearing shall be conducted in accordance with the provisions of WAC 392-101-005 unless modified by this chapter.

(4) Each public agency shall keep a list of the persons who serve as hearing officers. The list must include a statement of the qualifications of each of those persons.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-354 Hearing rights. (1) Any party to a hearing initiated pursuant to WAC 392-172-350 has the right to:

(a) Be accompanied and advised by persons with special knowledge or training with respect to the problems of special education students;

(b) Be advised and/or represented by an attorney;

(c) Present evidence, including the opinion(s) of qualified experts, confront, cross-examine, and compel the attendance of witnesses;

(d) Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five business days before the hearing, or two business days if the hearing is expedited pursuant to WAC 392-172-38415 (1)(b);

(e) At least five business days (or two business days if the hearing is expedited pursuant to WAC 392-172-38415 (1)(b)) prior to a hearing conducted pursuant to this section, each party shall disclose to all other parties all evaluations completed by that date and recommendations based on the offering party's evaluations that the party intends to use at the hearing;

(f) A hearing officer may bar any party that fails to comply with (e) of this subsection from introducing the relevant evaluation or recommendation at the hearing without the consent of the other party;

(g) Obtain a written, or at the option of the parents, electronic verbatim record of the hearing at no cost to any party to a hearing (~~(-In the event of an appeal to a court of law by the school district or other public agency, the district or other public agency shall bear the cost of transcribing the record for appeal purposes and shall make a copy available to the other party at a cost, if any, which is no greater than the school district and other public agency's cost of copying the original));~~ and

~~((f))~~ (h) Obtain written, or at the option of the parents, electronic findings of fact, decisions, conclusions of law and judgments. The state, after deleting any personally identifiable information, shall:

(i) Transmit those findings and decisions to the state advisory panel established under this chapter; and

(ii) Make those findings and decisions available to the public.

(2) Parents who are a party to a hearing have the right to have the student who is the subject of the hearing present.

(3) Parents (or adult students) who are a party to a hearing have the right to open the hearing to the public.

(4) The record of the hearing and the findings of fact and decisions described in this section shall be provided at no cost to parents.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-356 Time line for hearing officer's decision—Time and place of hearing. (1) Not later than forty-five days after the date of receipt of a request for a hearing pursuant to WAC 392-172-350:

(a) A final decision shall be (~~reached based upon a preponderance of the evidence~~) reached in the hearing; and

(b) A copy of the decision (~~consisting of the hearing officer's findings of fact, conclusions of law, and judgment shall be mailed or provided directly to each of the parties and to the superintendent of public instruction by the hearing officer, together with a certification of the date of mailing and the parties to whom it was mailed.~~

~~(2) The decision of the hearing officer shall be drafted in a manner which:~~

~~(a) Sets forth the findings of fact, conclusions of law and judgment separately, and numbers each finding of fact and conclusion; and~~

~~(b) Avoids the revelation of personally identifiable information that is unnecessary to reaching and understanding the decision reached)~~ shall be mailed to each of the parties.

~~((3))~~ (2) A hearing officer may grant specific extensions of time beyond the period set forth in subsection (1) of this section at the (~~written or otherwise documented~~) request of the parent(s) or school district or other public agency (~~as follows:~~

(a) Continuances only by written order of the administrative law judge, which specifies the expiration date; and

(b) Continuances in instances of good cause and to periods of time that do not unjustifiably infringe on the right of either party to a timely decision).

~~((4))~~ (3) Each hearing shall be conducted at a time and place which is reasonably convenient to the parent(s) and student involved.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-360 Final decision—Appeal to court of law. (1) A decision made in a hearing initiated pursuant to WAC 392-172-350 is final, unless modified or overturned by a court of law. Any party aggrieved by the findings and decision made in a hearing who does not have the right to appeal under this chapter has the right to bring a civil action under section 615 (e)(2) of the Individuals with Disabilities Education Act. A civil action may be filed in either state or federal court.

(2) In any action brought under this section, the court:

(a) Shall receive the records of the administrative proceedings.

(b) Shall hear additional evidence at the request of a party.

(c) Shall grant the relief that the court determines to be appropriate basing its decision on the preponderance of the evidence.

(3) The district courts of the United States have jurisdiction of actions brought under section 615 of the Individuals with Disabilities Education Act without regard to the amount in controversy.

(4) Nothing in this part restricts or limits the rights, procedures, and remedies available under the Constitution, the Americans with Disabilities Act of 1990, Title V of the Rehabilitation Act of 1973, or other Federal laws protecting the rights of special education students, except that before the filing of a civil action under these laws seeking relief that is also

available under section 615 of the Individuals with Disability Education Act, the procedures for a due process hearing in this chapter must be exhausted to the same extent as would be required had the action been brought under section 615 of the Individuals with Disabilities Education Act.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-362 Attorneys' fees. (1) Each public agency shall inform parents that in any action or proceeding under section 615 of the Individuals with Disabilities Education Act, courts in their discretion, may award parents reasonable attorneys' fees ~~((under the circumstances described in section 615 (e)(4)))~~ as part of the costs to the parents of a special education student who is the prevailing party.

(2) Funds under Part B of the Individuals with Disabilities Education Act may not be used to pay attorneys' fees or costs of a party related to an action or proceeding under section 615 of the IDEA and the procedural safeguards in this chapter. This does not preclude a public agency from using funds under Part B of the IDEA for conducting an action or proceeding under section 615 of the IDEA.

(3) A court awards reasonable attorneys' fees under section 615 (i)(3) of the IDEA consistent with the following:

(a) Fees awarded under section 615 (i)(3) of the IDEA must be based on rates prevailing in the community in which the action or proceeding arose for the kind and quality of services furnished. No bonus or multiplier may be used in calculating the fees awarded under this section.

(b) Attorneys' fees may not be awarded and related costs may not be reimbursed in any action or proceeding under section 615 of the IDEA for services performed subsequent to the time of a written offer of settlement to a parent if:

(i) The offer is made within the time prescribed by Rule 68 of the Federal Rules of Civil Procedure or, in the case of an administrative proceeding, at any time more than ten days before the proceeding begins;

(ii) The offer is not accepted within ten days; and

(iii) The court or administrative hearing officer finds that the relief finally obtained by the parents is not more favorable to the parents than the offer of settlement.

(c) Attorneys' fees may not be awarded relating to any meeting of the IEP team unless the meeting is convened as a result of an administrative proceeding or judicial action.

(d) Notwithstanding (b) of this subsection, an award of attorneys' fees and related costs may be made to a parent who is the prevailing party and who was substantially justified in rejecting the settlement offer.

(e) Except as provided in (f) of this subsection, the court reduces, accordingly, the amount of the attorneys' fees awarded under section 615 of the IDEA, if the court finds that:

(i) The parent, during the course of the action or proceeding, unreasonably protracted the final resolution of the controversy;

(ii) The amount of the attorneys' fees otherwise authorized to be awarded unreasonably exceeds the hourly rate prevailing in the community for similar services by attorneys of reasonably comparable skill, reputation, and experience;

(iii) The time spent and legal services furnished were excessive considering the nature of the action or proceeding; or

(iv) The attorney representing the parent did not provide to the school district the appropriate information in the due process complaint in accordance with WAC 392-172-351.

(f) The provisions of (e) of this subsection do not apply in any action or proceeding if the court finds that the state or local agency unreasonably protracted the final resolution of the action or proceeding or there was a violation of section 615 of the IDEA.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-364 Student's status during hearing and judicial review processes. (1) Except as provided in WAC 392-172-370 through 392-172-385, during the pendency of any administrative or judicial proceeding regarding a hearing request initiated pursuant to WAC 392-172-350 ((or a written request for mediation;)) unless the school district or other public agency and the parent(s) of the student or the adult student agree otherwise, the student involved in the hearing ((or mediation)) request shall remain in the educational program he or she was in at the time the hearing ((or mediation)) request was made.

(2) ((The student, with the consent of the parent(s) or the adult student, shall be enrolled in the general school program until the completion of all such proceedings; if the hearing or mediation request involves an application for initial admission to the school:

(3) During the pendency of a hearing regarding the disciplinary exclusion of a special education student who brings a firearm (as defined in Section 921 of Title 18 of the U.S.C.), to school, the student can receive services in an alternative educational program for up to forty five calendar days. This alternative educational program must be developed in an individualized education program meeting conducted pursuant to WAC 392-172-156.)) If the complaint involves an application for initial admission to public school, the student, with the consent of the parents, must be placed in the public school until the completion of all the proceedings.

(3) If the decision of a hearing officer in a due process hearing agrees with student's parents that a change of placement is appropriate, that placement must be treated as an agreement between the state, school district or other public agency and the parents for purposes of this section.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-370 Disciplinary exclusion—Purpose. The purpose of WAC 392-172-370 through ~~((392-172-382))~~ 392-172-385 is to ensure that special education students are not being improperly excluded from school for disciplinary reasons. Each school district or other public agency, educational service district and public agency serving special education students shall take steps to ensure that each employee, contractor, and other agent of the district or other public agency responsible for education or care of a special education student is knowledgeable of WAC 392-172-370 through

~~((392-172-382))~~ 392-172-385. No school district or other public agency and no educational service district shall authorize, permit, or condone the use of disciplinary procedures which violate chapter 180-40 WAC and WAC 392-172-370 through ~~((392-172-382))~~ 392-172-385 by any employee, contractor, or other agent of the district or other public agency responsible for the education or care of a special education student.

NEW SECTION

WAC 392-172-371 Disciplinary exclusion—Definitions. The following definitions apply to this section only:

(1) "Controlled substance" means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

(2) "Illegal drug" means a controlled substance, but does not include, a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.

(3) "Dangerous weapon" means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than two and one-half inches in length.

(4) "Substantial evidence" means beyond a preponderance of the evidence.

NEW SECTION

WAC 392-172-373 Change of placement for disciplinary removals. For purposes of removals of a special education student from the student's current educational placement under WAC 392-172-370 through 392-172-38410, a change of placement occurs if:

(1) The removal is for more than ten consecutive school days; or

(2) The student is subjected to a series of removals that constitute a pattern because they cumulate to more than ten school days in a school year, and because of factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

NEW SECTION

WAC 392-172-37500 Removals—Ten school days or less. To the extent removal would be applied to students without disabilities, school personnel may order the removal of a special education student from the student's current placement for not more than ten consecutive school days for any violation of school rules, and additional removals of not more than ten consecutive school days in that same school year for separate incidents of misconduct as long as those removals do not constitute a change of placement under WAC 392-172-373(2).

NEW SECTION

WAC 392-172-37505 Required services. (1) A public agency need not provide services during periods of removal under WAC 392-172-37500 to a special education student who has been removed from his or her current placement for ten school days or less in that school year, if services are not provided to a student without disabilities who has been similarly removed.

(2) In the case of a special education student who has been removed from his or her current placement for more than ten school days in that school year, the public agency, for the remainder of the removals, shall provide services to the extent necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the student's IEP.

(3) When there is no change of placement, school personnel, in consultation with the student's special education teacher, determine the extent to which services are necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the student's IEP.

NEW SECTION

WAC 392-172-37510 Change of placement—Removals for weapons or drugs. School personnel may order a change in placement of a special education student to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than forty-five days, if:

(1) The student possesses a weapon, or carries a weapon to school or to a school function under the jurisdiction of a state or local education agency; or

(2) The student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function under the jurisdiction of a state or local educational agency.

NEW SECTION

WAC 392-172-377 Functional behavioral assessment and intervention plan. Within ten business days after first removing a student for more than ten school days in a school year, including weapons violations, drugs violations, or behavior that is substantially likely to result in injury to the student or to others, the following actions shall be taken by the school district or other public agency:

(1) If the district or other public agency did not conduct a functional behavioral assessment and implement a behavioral intervention plan for the student before the behavior that resulted in the removal occurred, the district or other public agency shall convene an individualized education program meeting to develop an assessment plan.

(2) If the student already has a behavioral intervention plan, the individualized education program team shall meet to review the plan and its implementation and modify it, as necessary, to address the behavior.

(3) As soon as practicable after developing the plan described in subsection (1) of this section, and completing the

assessments required by the plan, the district or other public agency shall convene an IEP meeting to develop appropriate behavioral interventions to address that behavior and shall implement those interventions.

(4) If subsequently, a special education student who has a behavioral intervention plan and who has been removed from the student's current educational placement for more than ten school days in a school year is subjected to a removal that does not constitute a change of placement under WAC 392-172-373, the IEP team members shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

If one or more of the team members believe that modifications are needed, the team shall meet to modify the plan and its implementation, to the extent the team determines necessary.

NEW SECTION

WAC 392-172-379 Dangerous behavior—Authority of hearing officer. A hearing officer, described in WAC 392-172-352, may order a change in the placement of a special education student to an appropriate interim alternative educational setting for not more than forty-five days if the hearing officer, in an expedited due process hearing:

(1) Determines that the district or other public agency has demonstrated by substantial evidence that maintaining the current placement of the student is substantially likely to result in injury to the student or to others;

(2) Considers the appropriateness of the student's current placement;

(3) Considers whether the district or other public agency has made reasonable efforts to minimize the risk of harm in the student's current placement, including the use of supplementary aids and services; and

(4) Determines that the interim alternative educational setting that is proposed by school personnel who have consulted with the student's special education teacher meets the requirements of WAC 392-172-381 (1) and (2).

NEW SECTION

WAC 392-172-381 Determination of interim alternative educational setting. Any interim alternative educational setting in which a student is placed under WAC 392-172-37510 and 392-172-379 shall:

(1) Be selected so as to enable the student to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the student's current individualized education program, that will enable the student to meet the goals set out in that individualized education program; and

(2) Include services and modifications designed to address the behavior described in WAC 392-172-37510 or 392-172-379, that are designed to prevent the behavior from recurring.

The individualized education program team shall determine an interim alternative educational setting under WAC 392-172-37510.

NEW SECTION

WAC 392-172-38300 Manifestation determination review requirements. If an action is contemplated by a school district, other public agency personnel, or a hearing officer that involves removing a student for weapons violations, drugs violations, behavior that is substantially likely to result in injury to the student or to others, or other behavior that violates any rule or code of conduct that applies to all students which results in a change of placement under WAC 392-172-373, the following actions shall be taken by the school district or other public agency:

(1) Not later than the date on which the decision to remove the student is made, the parents must be notified of that decision and provided the procedural safeguards notice described under this chapter; and

(2) Immediately, if possible, but in no case later than ten school days after the date on which the decision to remove the student is made, a review must be conducted of the relationship between the student's disability and the behavior subject to the disciplinary action.

NEW SECTION

WAC 392-172-38305 Procedures for conducting a manifestation determination. The individualized education program team and other qualified personnel in a meeting shall conduct a manifestation determination review. In carrying out the review, the team may determine that the behavior of the student was not a manifestation of the student's disability only if the team:

(1) First considers, in terms of the behavior subject to disciplinary action, all relevant information including:

(a) Evaluation and diagnostic results, including the results of other relevant information supplied by the parents of the student;

(b) Observations of the student; and

(c) The student's individualized education program and placement.

(2) Then determines that:

(a) In relationship to the behavior subject to disciplinary action, the student's individualized education program and placement were appropriate and the special education services, supplementary aids and services, and behavior intervention strategies were provided consistent with the student's individualized education program and placement;

(b) The student's disability did not impair the ability of the student to understand the impact and consequences of the behavior subject to disciplinary action; and

(c) The student's disability did not impair the ability of the student to control the behavior subject to disciplinary action.

(3) If the team determines that any of the above standards in this section were not met, the behavior must be considered a manifestation of the student's disability.

(4) The manifestation determination review described in this section may be conducted at the same individualized education program meeting that is convened to address a functional behavioral assessment and behavioral intervention plan.

(5) If the review identifies deficiencies in the student's IEP or placement or in their implementation, the district or other public agency must take immediate steps to remedy those deficiencies.

NEW SECTION

WAC 392-172-38310 Determination that behavior was not manifestation of disability. (1) If the results of the manifestation determination review indicate that the behavior of the special education student was not a manifestation of the student's disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner in which they would be applied to students without disabilities, except that a free appropriate public education shall continue to be made available to those students consistent with this chapter.

(2) The student's IEP team determines the extent to which services are necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the student's IEP if the student is removed because of behavior that has been determined not to be a manifestation of the student's disability.

(3) If the school district or other public agency initiates disciplinary procedures applicable to all students, the district or other public agency shall ensure that the special education and disciplinary records of the special education student are transmitted for consideration by the person or persons making the final determination regarding the disciplinary action.

(4) If a parent requests a hearing to challenge the determination that the behavior of the student was not a manifestation of the student's disability, then the student shall remain in the student's current educational placement as described in WAC 392-172-364 or interim alternative educational setting consistent with WAC 392-172-38405, whichever applies.

NEW SECTION

WAC 392-172-38400 Parent appeal. (1) If the student's parent disagrees with a determination that the student's behavior was not a manifestation of the student's disability or with any decision regarding placement for disciplinary purposes, the parent may request a hearing.

(2) Pursuant to WAC 392-172-350 the office of superintendent of public instruction shall arrange for an expedited hearing in any case described in WAC 392-172-38415 if requested by the parent.

(3) In reviewing a decision with respect to the manifestation determination, the hearing officer shall determine whether the district or other public agency has demonstrated that the student's behavior was not a manifestation of the student's disability consistent with the requirements of WAC 392-172-38305.

(4) In reviewing a decision to place the student in an interim alternative educational setting, the hearing officer shall apply the standards, under WAC 392-172-379.

NEW SECTION

WAC 392-172-38405 Placement during appeals. (1) If a parent requests a hearing regarding a disciplinary action related to removals for weapons or drugs or dangerous behavior to challenge the interim alternative educational setting or the manifestation determination, the student must remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five day time period provided for, whichever occurs first, unless the parent and the school district or other public agency agree otherwise.

(2) If a student is placed in an interim alternative educational setting pursuant to this section and school personnel propose to change the student's placement after expiration of the interim alternative placement, during the pendency of any proceeding to challenge the proposed change in placement the student must remain in the current placement (the student's placement prior to the interim alternative educational setting), except as provided for below.

(3) If school or other agency personnel maintain that it is dangerous for the student to be in the current placement (placement prior to removal to the interim alternative educational setting) during the pendency of the due process proceedings, the district or other public agency may request an expedited due process hearing.

(4) In determining whether the student may be placed in the alternative educational setting or in another appropriate placement ordered by the hearing officer, the hearing officer shall apply the standards under WAC 392-172-379.

(5) A placement ordered pursuant to this section may not be longer than forty-five days.

(6) The procedure in this section may be repeated as necessary.

NEW SECTION

WAC 392-172-38410 Protections for students not yet eligible for special education and related services. (1) A student who has not been determined to be eligible for special education and any necessary related services under this chapter and who has engaged in behavior that violated any rule or code of conduct of the school district or other public agency, including any behavior described in this section, may assert any of the protections provided for in this section if the school district or other public agency had knowledge that the student was a special education student before the behavior that precipitated the disciplinary action occurred. A school district or other public agency must be deemed to have knowledge that a student is a special education student if:

(a) The parent of the student has expressed concern in writing (or orally if the parent does not know how to write or has a disability that prevents a written statement) to personnel of the appropriate educational or other public agency that the student is in need of special education and related services;

(b) The behavior or performance of the student demonstrates the need for these services in accordance with this chapter;

(c) The parent of the student has requested an evaluation of the student pursuant to this chapter; or

(d) The teacher of the student, or other personnel of the district or other public agency, has expressed concern about the behavior or performance of the student to the director of special education of the district or other public agency or to other personnel of the district or other public agency in accordance with their established child find or special education referral system.

(2) A district or other public agency would not be deemed to have knowledge under subsection (1) of this section, if as a result of receiving the information, the district or other public agency:

(a) Either:

(i) Conducted an evaluation consistent with this chapter and determined that the student was not a special education student; or

(ii) Determined that an evaluation was not necessary; and

(b) Provided notice to the student's parents of its determination consistent with this chapter.

(3) If the district or other public agency does not have knowledge that a student is a special education student prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as measures applied to students without disabilities who engaged in comparable behaviors consistent with this section.

(4) If a request is made for an evaluation of a student during the time period in which the student is subjected to disciplinary measures under this section, the evaluation must be conducted in an expedited manner.

(5) Until the evaluation is completed, the student remains in the educational placement determined by school or other public agency which can include suspension or expulsion without educational services.

(6) If the student is determined to be a special education student taking into consideration information from the evaluation conducted by the district or other public agency and information provided by the parents, the district or other public agency shall provide special education and any necessary related services in accordance with the provisions of this chapter, including the discipline procedures and free appropriate public education requirements.

NEW SECTION

WAC 392-172-38415 Expedited due process hearings. (1) Expedited due process hearings under this section shall:

(a) Result in a written decision being mailed to the parties within forty-five days of the office of superintendent of public instruction's receipt of the request for the hearing without exceptions or extensions. The timeline established in this subsection shall be the same for hearings requested by parents, school districts or other public agencies;

(b) Meet the requirements of WAC 392-172-354 except that the time periods identified for the disclosure of records and evaluations for purposes of expedited due process hearings are not less than two business days; and

(c) Be conducted by a due process hearing officer who satisfies the impartiality requirements of WAC 392-172-352.

(2) The decisions on expedited due process hearings are appealable under the state's normal due process appeal procedures.

NEW SECTION

WAC 392-172-385 Referral to and action by law enforcement and judicial authorities. (1) Nothing in Part B of the Individuals with Disabilities Education Act, or this chapter prohibits a school district or other public agency from reporting a crime committed by a special education student to appropriate authorities, or prevents state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a special education student.

(2) A school district or other public agency reporting a crime committed by a special education student shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom it reports the crime.

(3) A school district or other public agency reporting a crime under this section may transmit copies of the student's special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act.

AVERSIVE ((~~THERAPY~~)) INTERVENTIONS—SAFE-GUARDS

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-388 Aversive ((~~therapy~~)) interventions. The purpose of WAC 392-172-388 through 392-172-398 is to assure that special education students ((~~with a disabling condition~~)) are safeguarded against the use and misuse of various forms of aversive ((~~therapy~~)) interventions. Each school district or other public agency and educational service district shall take steps to assure that each employee, volunteer, contractor, and other agent of the district or other public agency responsible for the education, care, or custody of a special education student ((~~with a disabling condition~~)) is aware of WAC 392-172-388 through 392-172-398. No school district or other public agency and no educational service district shall authorize, permit, or condone the use of aversive ((~~therapy~~)) interventions which violates WAC 392-172-390 through 392-172-396 by any employee, volunteer, contractor or other agent of the district or other public agency responsible for the education, care, or custody of a special education student ((~~with a disabling condition~~)). Aversive ((~~therapy~~)) interventions, to the extent permitted, shall only be used as a last resort. Positive interventions shall be attempted by the district or other public agency and educational service district and described in the individualized education program consistent with WAC 392-172-161 prior to the use of aversive ((~~therapy~~)) interventions.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-390 Aversive ((therapy)) interventions—Definition. For the purpose of WAC 392-172-388 through 392-172-398, the term "aversive ((therapy)) interventions" means the systematic use of stimuli or other treatment which a student is known to find painful or unpleasant for the purpose of discouraging undesirable behavior on the part of the student. The term does not include the use of reasonable force, restraint, or other treatment to control unpredicted spontaneous behavior which poses one of the following dangers:

- (1) A clear and present danger of serious harm to the student or another person.
- (2) A clear and present danger of serious harm to property.
- (3) A clear and present danger of seriously disrupting the educational process.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-392 Aversive ((therapy)) interventions—Prohibited forms. There are certain forms of aversive ((therapy)) interventions that are manifestly inappropriate by reason of their offensive nature or their potential negative physical consequences, or both. The purpose of this section is to uniformly prohibit their use respecting special education students ((with a disabling condition,)) as follows:

- (1) Electric current. No student may be stimulated by contact with electric current.
- (2) Food services. No student who is willing to consume subsistence food or liquid when the food or liquid is customarily served may be denied or subjected to an unreasonable delay in the provision of the food or liquid.
- (3) Force and restraint in general. No force or restraint which is either unreasonable under the circumstances or deemed to be an unreasonable form of corporal punishment as a matter of state law may be used. See RCW 9A.16.100 which cites the following uses of force or restraint as uses which are presumed to be unreasonable and therefore unlawful:

- (a) Throwing, kicking, burning, or cutting a student.
- (b) Striking a student with a closed fist.
- (c) Shaking a student under age three.
- (d) Interfering with a student's breathing.
- (e) Threatening a student with a deadly weapon.
- (f) Doing any other act that is likely to cause ((and which does cause)) bodily harm to a student greater than transient pain or minor temporary marks.

((Note: This)) (4) The statutory listing of worst case uses of force or restraint described in subsection (3) of this section may not be read as implying that all unlisted uses (e.g., shaking a four year old) are permissible. Whether or not an unlisted use of force or restraint is permissible depends upon such considerations as the balance of these rules, and whether the use is reasonable under the circumstances.

((4)) (5) Hygiene care. No student may be denied or subjected to an unreasonable delay in the provision of common hygiene care.

((5)) (6) Isolation. No student may be excluded from his or her general instructional or service area and isolated within a room or any other form of enclosure, except under the conditions set forth in WAC 392-172-394.

((6)) (7) Medication. No student may be denied or subjected to an unreasonable delay in the provision of ((oral)) medication.

((7)) (8) Noise. No student may be forced to listen to noise or sound ((which)) that the student ((obviously)) finds painful.

((8)) (9) Noxious sprays. No student may be forced to smell or be sprayed in the face with a noxious or potentially harmful substance.

((9)) (10) Physical restraints. No student may be physically restrained or immobilized by binding or otherwise attaching the student's limbs together or by binding or otherwise attaching any part of the student's body to an object, except under the conditions set forth in WAC 392-172-394.

((10)) (11) Taste treatment. No student may be forced to taste or ingest a substance which is not commonly consumed or which is not commonly consumed in its existing form or concentration.

((11)) (12) Water treatment. No student's head may be partially or wholly submerged in water or any other liquid.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-394 Aversive ((therapy)) interventions—Other forms—Conditions. Use of various forms of aversive ((therapy)) interventions which are not prohibited by WAC 392-172-392 ((nevertheless)) warrant close scrutiny. Accordingly, the use of aversive ((therapy)) interventions involving bodily contact, isolation, or physical restraint not prohibited by WAC 392-172-392 is conditioned upon compliance with certain procedural and substantive safeguards, as follows:

(1) Bodily contact. The use of any form of aversive ((therapy)) interventions not prohibited by WAC 392-172-392 which involves contacting the body of a special education student ((with a disabling condition)) shall be provided for by the terms of the student's individualized education program established in accordance with the requirements of WAC 392-172-396.

(2) Isolation. The use of aversive ((therapy)) interventions which involves excluding a special education student ((with a disabling condition)) from his or her general instructional area and isolation of the student within a room or any other form of enclosure is subject to each of the following conditions:

(a) The isolation, including the duration of its use, shall be provided for by the terms of the student's individualized education program established in accordance with the requirements of WAC 392-172-396.

(b) The enclosure shall be ventilated, lighted, and temperature controlled from inside or outside for purposes of human occupancy.

(c) The enclosure shall permit continuous visual monitoring of the student from outside the enclosure.

(d) An adult responsible for supervising the student shall remain in ~~((close proximity))~~ visual or auditory range of the student.

(e) Either the student shall be capable of releasing himself or herself from the enclosure or the student shall continuously remain within view of an adult responsible for supervising the student.

(3) Physical restraint. The use of aversive ~~((therapy))~~ interventions which involves physically restraining or immobilizing a special education student ~~((with a disabling condition))~~ by binding or otherwise attaching the student's limbs together or by binding or otherwise attaching any part of the student's body to an object is subject to each of the following conditions:

(a) The restraint shall only be used when and to the extent it is reasonably necessary to protect the student, other persons, or property from serious harm.

(b) The restraint, including the duration of its use, shall be provided for by the terms of the student's individualized education program established in accordance with the requirements of WAC 392-172-396.

(c) The restraint shall not interfere with the student's breathing.

(d) An adult responsible for supervising the student shall remain in ~~((close proximity))~~ visual or auditory range of the student.

(e) Either the student shall be capable of releasing himself or herself from the restraint or the student shall continuously remain within view of an adult responsible for supervising the student.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-396 Aversive ~~((therapy))~~ interventions—Individualized education program requirements. ~~((The terms of a student's individualized education program respecting the))~~ If the need for use of ~~((an))~~ aversive ~~((therapy involving bodily contact, isolation, or physical restraint))~~ shall meet each of the following requirements) interventions are determined appropriate by the IEP team, the individualized education program shall:

(1) ~~((The individualized education program))~~ Be consistent with the recommendations of ~~((a multidisciplinary))~~ the IEP team which includes a school psychologist and/or other certificated employee who understands the appropriate use of the aversive ~~((therapy))~~ interventions and who concurs with the recommended use of the aversive ~~((therapy))~~ interventions, and a person who works directly with the student.

(2) ~~((The individualized education program shall))~~ Specify the aversive ~~((therapy))~~ interventions that may be used.

(3) ~~((The individualized education program shall))~~ State the reason the aversive ~~((therapy))~~ interventions is judged to be appropriate and the behavioral objective sought to be achieved by its use, and shall describe the positive interventions attempted and the reasons they failed, if known.

(4) ~~((The individualized education program shall))~~ Describe the circumstances under which the aversive ~~((therapy))~~ interventions may be used.

(5) ~~((The individualized education program shall))~~ Describe or specify the maximum duration of any isolation or restraint.

(6) ~~((The individualized education program shall))~~ Specify any special precautions that must be taken in connection with the use of the aversive ~~((therapy))~~ interventions technique.

(7) ~~((The individualized education program shall))~~ Specify the person or persons permitted to use the aversive ~~((therapy))~~ interventions and the current qualifications and required training of the personnel permitted to use the aversive ~~((therapy))~~ interventions.

(8) ~~((The individualized education program shall))~~ Establish a means of evaluating the effects of the use of the aversive ~~((therapy))~~ interventions and a schedule for periodically conducting the evaluation.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-400 Definition of "educational records" as used in records rules. (1) For the purpose of WAC 392-172-400 through 392-172-426 and consistent with the Family Educational Rights and Privacy Act ~~((of 1974 governing student records))~~, the term "educational records" shall mean those records that:

(a) Are directly related to a student; and

(b) Are maintained by a school district or other public agency or by a party acting for the school district or other public agency.

(2) The term "educational records" does not include:

(a) Records of instructional, supervisory, ~~((and))~~ administrative personnel, and educational personnel ancillary ~~((thereto which))~~ to those persons if those records:

(i) Are in the sole possession of the maker ~~((thereof))~~ of the record; and

(ii) Are not accessible or revealed to any other individual except a substitute. For the purpose of this definition, a "substitute" means an individual who performs on a temporary basis the duties of the individual who made the record and does not refer to an individual who permanently succeeds the maker of the record in his or her position;

(b) Records of a ~~((security))~~ law enforcement unit of a school district or other public agency which are:

(i) Maintained ~~((apart))~~ separately from the educational records described in subsection (1) of this section;

(ii) Maintained solely for ~~((district or other public agency security))~~ law enforcement purposes; and

(iii) Not disclosed to individuals other than ~~((security))~~ law enforcement officials of the same district or other public agency. This exception from the definition of educational records does not apply if educational records are disclosed to personnel of the school district and other public agency's ~~((security))~~ law enforcement unit;

(c) Records relating to an individual who is employed by a school district or other public agency ~~((which)), that:~~

(i) Are made and maintained in the normal course of business;

(ii) Relate exclusively to the individual in that individual's capacity as an employee; and

(iii) Are not available for use for any other purpose~~(s)~~. This exception from the definition of "educational records" does not apply to records relating to an individual in attendance at the school district or other public agency who is employed as a result of his or her status as a student;

(d) Records relating to an adult student which are:

(i) Created or maintained by a physician, psychiatrist, psychologist, or other recognized professional acting in their professional or paraprofessional capacity;

(ii) Created, maintained, or used only in connection with the ~~(provision of)~~ treatment ~~((to))~~ of the student; and

(iii) ~~((Not disclosed to anyone other than))~~ Disclosed only to individuals providing the treatment. However, the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities which are part of the program of instruction at the school district or other public agency;

(e) Records ~~((of a school district or other public agency which contain only information relating to a person after that person was no longer a student at the school district or other public agency. An example would be information collected by a school district or other public agency pertaining to the accomplishments of its alumni))~~ that only contain information about a student after he or she is no longer a student at that school district or other public agency.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-402 Definitions ~~((used in records rules))~~—**"Destruction,"** ~~((—"Native language" And "educational"))~~ **"participating agency" and "personally identifiable."** For the purpose of WAC 392-172-400 through 392-172-426 governing records of special education students:

(1) "Destruction" shall mean physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

(2) ~~((—"Native language," when used with reference to an individual of limited English proficiency, means the language normally used by that individual, or in the case of a student, the language normally used by the parents of a student or by the adult student.~~

(3) ~~((—"Educational"))~~ **"Participating agency"** means any agency or institution which collects, maintains, or uses personally identifiable information or from which information is obtained in implementing this chapter, and includes school districts and other public agencies.

(3) **"Personally identifiable"** means information that includes:

(a) The name of the student, the student's parent, or other family member;

(b) The address of the student;

(c) A personal identifier, such as the student's social security number or student number; or

(d) A list of personal characteristics or other information that would make it possible to identify the student with reasonable certainty.

(4) "Consent" and "Native language" are defined at WAC 392-172-040.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-404 Notice to parents. ~~((The state shall give notice that is adequate to fully inform parents about the requirements of this chapter regarding the identification, location, and evaluation of eligible special education students, including:~~

(1) ~~A description of the extent to which notice is given in the native languages of the various population groups in the state;~~

(2) ~~A description of the students on whom personally identifiable information is maintained, the types of information sought, the methods the state intends to use in gathering the information (including the sources from whom information is gathered), and the uses to be made of the information;~~

(3) ~~A summary of the policies and procedures that educational agencies must follow regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information; and~~

(4) ~~A description of all of the rights of parents and students regarding this information, including the rights under the Family Educational Rights and Privacy Act of 1974 and implementing regulations.~~

Before any major identification, location, or evaluation activity, the notice must be published or announced in newspapers or other media, or both with circulation adequate to notify parents throughout the state of the activity.) (1) Parents of special education students and adult students have rights regarding the protection of the confidentiality of any personally identifiable information collected, used, or maintained under WAC 392-172-400 through 392-172-426, the Family Educational Rights and Privacy Act of 1974, as amended, chapter 28A.155 RCW, and other Washington state law.

(2) State publications regarding special education are available in alternative languages and formats on request.

(3) Personally identifiable information about students for use by the state may be contained in citizen's complaints, safety net applications, due process hearings and mediation agreements. The state may also receive personally identifiable information as a result of grant evaluation performance. This information is removed before forwarding information to other agencies or individuals requesting the information, unless the parent or adult student consents to release the information or the information is allowed to be released without parent consent under the regulations implementing the Family Educational Rights and Privacy Act, 34 CFR Part 99.

(4) Before undertaking any major identification, location, or evaluation activity, the state, at a minimum, publishes notice in newspapers with circulation adequate to notify parents throughout the state of the activity and posts information on its web site.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-408 Access rights. (1) Each school district or other public agency shall permit parents of special education students (or adult students) to inspect and review, during school business hours, any educational records relating to their student or the adult student which are collected, maintained, or used by the district or other public agency under this chapter. The district or other public agency shall comply with a request promptly and before any meeting regarding an individualized education program or hearing relating to the identification, evaluation, ~~((or delivery of services))~~ educational placement of the student or provision of FAPE to the student ((and in no case)), including disciplinary proceedings. The school district or other public agency shall respond, in no case, more than forty-five calendar days after the request has been made.

(2) The right to inspect and review educational records under this section includes:

(a) The right to a response from the educational agency to reasonable requests for explanations and interpretations of the records;

(b) The right to request that the school district or other public agency provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and

(c) The right to have a representative of the parent or adult student inspect and review records.

(3) A school district or other public agency may presume that a parent has authority to inspect and review records relating to his or her student unless the district or other public agency has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation, and divorce.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-410 Record of access. Each ~~((educational))~~ school district or other public agency shall keep a record of parties obtaining access to educational records collected, maintained, or used under this chapter ~~((except access by parents, adult students, and authorized employees of the educational agency))~~ including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records. The agency is not required to keep a record of access by parents, adult students, and authorized employees of the school district or other public agency with a legitimate educational interest in the records.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-414 List of types and locations of information. Each ~~((educational))~~ school district or other public agency shall provide parents (and adult students) on request a list of the types and locations of educational records collected, maintained, or used by the agency.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-416 Fees. (1) A participating educational agency may charge a fee for copies of records which are made for parents (or adult students) under this chapter if the fee does not effectively prevent the parents (or adult students) from exercising their right to inspect and review those records.

(2) ~~((A))~~ A participating educational agency may not charge a fee to search for or to retrieve information under this chapter.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-418 Amendment of records at the request of a parent or adult student. (1) A parent of a special education student (or an adult student) who believes that information in educational records collected, maintained, or used under this chapter is inaccurate or misleading or violates the privacy or other rights of the student may request that the ((educational)) school district or other public agency which maintains the information ~~((to))~~ amend the information.

(2) The agency shall decide whether to amend the information in accordance with the request within a reasonable period of time after receipt of the request.

(3) If the agency refuses to amend the information in accordance with the request ~~((it))~~, the agency shall inform the parent or adult student of the refusal and advise the parent or adult student of the right to a hearing provided for in WAC 392-172-420.

(4) The ~~((educational))~~ school district or other public agency, on request, shall provide the parent or adult student an opportunity for a hearing to challenge information, in the educational records, to insure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student.

(5) If, as a result of the hearing, the ~~((educational))~~ school district or other public agency decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, ~~((it))~~ the agency shall amend the information accordingly and so inform the parent or adult student in writing.

(6) If, as a result of the hearing, the ~~((educational))~~ school district or other public agency decides that the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, ~~((it))~~ the agency shall inform the parent(s) or adult student of the right to place in the records it maintains on the student a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the agency.

(7) Any explanation placed in the records of the student in compliance with this section shall:

(a) Be maintained by the ~~((educational))~~ participating agency as part of the records of the student as long as the records or the contested portion is maintained by the educational agency; and

(b) Also be disclosed to any party to whom the records of the student (or the contested portion thereof) are disclosed.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-420 Hearing procedures regarding records. A hearing initiated pursuant to WAC 392-172-418 to challenge information in educational records shall be conducted according to procedures ~~((which))~~ developed by the school district or other public agency, that include at least the following elements:

(1) The hearing shall be held within a reasonable period of time after the ~~((educational))~~ agency has received the request;

(2) The parent or adult student shall be given notice of the date, place, and time reasonably in advance of the hearing;

(3) The hearing may be conducted by any party, including an official of the ~~((educational))~~ agency, who does not have a direct interest in the outcome of the hearing;

(4) The parent or adult student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised pursuant to WAC 392-172-418 and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney;

(5) The ~~((educational))~~ agency shall provide a written decision to the parent or adult student within a reasonable period of time after the conclusion of the hearing; and

(6) The decision of the ~~((educational))~~ agency shall:

(a) Be based solely upon the evidence presented at the hearing; and

(b) Include a summary of the evidence and the reasons for the decision.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-422 Consent. (1) Subject to subsection (3) of this section, written consent of a parent or adult student shall be obtained before personally identifiable information is:

(a) Disclosed to anyone other than officials of ~~((educational))~~ participating agencies collecting or using the information obtained under this chapter ~~((subject to subsection (2) of this section))~~; or

(b) Used for any purpose other than meeting a requirement imposed by this chapter.

(2) The written parental consent must be signed, dated and:

(a) Specify the records that may be disclosed;
 (b) State the purpose of the disclosure; and
 (c) Identify the party or class of parties to whom the disclosure may be made.

(3) No school district or other public agency shall release information from educational records to ~~((educational))~~ participating agencies or other agencies or institutions without the written consent of a parent or adult student ~~((except in those cases in which a release of information without consent is permitted by the rules that implement))~~, unless release of the educational records is allowed under one of the exceptions under the rules implementing the federal ~~((Privacy Rights of Parents and Students Part 99 of))~~ Educational Rights and Privacy Act, 34 Code of Federal Regulations

~~((CFR))~~ 34 Part 99, sections 99.1 et seq. ((See 34 CFR 99.31 (when prior consent not required), 34 CFR 99.35 (disclosure to state and federal officials) and 34 CFR 99.37 (directory information)).

~~((3))~~ (4) If a parent refuses to provide consent under this section, the school district or other public agency may offer mediation to the parent or use the due process hearing procedures in this chapter to override parental refusal.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-424 Safeguards. (1) Each ~~((educational))~~ participating agency shall protect the confidentiality of personally identifiable information at the collection, storage, disclosure, and destruction stages. The same privacy provisions provided to parents are extended to special education students with consideration given to the type and severity of the student's disability.

(2) One official at each ~~((educational))~~ participating agency shall be designated as the individual responsible for assuring the confidentiality of any personally identifiable information.

(3) All persons collecting or using personally identifiable information shall receive training or instruction regarding:

(a) The ~~((policies and))~~ procedures on protection of the confidentiality of personally identifiable information ~~((set forth in the state's annual program plan; and~~

~~((b))~~ 34 CFR 99.1 et seq. (the Family Educational Rights and Responsibilities Act rules)), contained in this chapter, state law, the regulations implementing the Family Educational Rights and Privacy Act (34 CFR Part 99), and the school district's or other public agency's procedures.

(4) Each ~~((educational))~~ participating agency shall maintain, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-426 Destruction of information. (1) Each school district or other public agency shall inform parent(s) (and adult students) when personally identifiable information collected, maintained, or used in compliance with this chapter is no longer needed to provide educational services to the student. State law regarding records retention is contained in chapter 40.24 RCW. State procedures for school district records retention is published by the secretary of state, division of archives and records management.

(2) The information shall thereafter be destroyed at the request of the parent(s) or adult student. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed and year completed may be maintained without time limitation.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-500 Advisory council. (1) The special education state advisory council is ~~((hereby))~~ established in order to help facilitate the provision of special education and related services to meet the unique needs of special education students.

(2) The membership of the council shall include at least one representative of each of the following groups or entities:

- (a) Individuals with disabilities;
- (b) Teachers ~~((of special education students));~~
- (c) Parents of special education students;
- (d) Local administrators of special education programs;
- (e) Support services personnel;
- (f) Superintendents;
- (g) Principals;
- (h) Nonpublic schools serving special education students;
- (i) School directors;
- (j) Institutions of higher education that prepare special education and related services personnel;

(k) State agencies involved in the financing or delivery of related services to special education students;

(l) Vocational, community, or business organization concerned with the provision of transition services to special education students;

(m) State juvenile and adult corrections agencies;

~~((k))~~ Department of social and health services;

(t) The medical profession; and

~~((m))~~ (n) Other individuals or groups as may hereafter be designated and approved by the superintendent of public instruction.

A majority of the members of the advisory council shall be individuals with disabilities or parents of special education students.

(3) The council's purposes are to:

(a) Advise the superintendent of public instruction and make recommendations on all matters related to special education and specifically advise the superintendent of unmet needs within the state in the education of special education students including personnel needs as addressed in the state's comprehensive system of personnel development, WAC 392-172-550 et seq.;

(b) Comment publicly on ~~((the state's annual program plan, state rules))~~ any rules or regulations proposed by the state regarding the education of special education students ~~((; and the procedures for distribution of funds));~~ ~~((and))~~

(c) Assist the state in developing and reporting such information and evaluations as may assist the federal government;

(d) Advise the state in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the Individuals with Disabilities Education Act;

(e) Advise the state in developing and implementing policies relating to the coordination of services for special education students; and

(f) Advise the state on the education of eligible special education students who have been convicted as adults and incarcerated in adult prisons.

~~((4))~~ ~~((The council shall conduct its affairs in accordance with bylaws approved by the superintendent of public instruction. To assure that information and recommendations are provided to the superintendent of public instruction, the state advisory council shall have the authority to recommend the design of its organization and to appoint subcommittees from its membership for carrying out council responsibilities. Ad hoc subcommittees with membership other than council members may be appointed. The superintendent of public instruction or designee must give prior approval for such appointments.~~

~~((5) Procedures—))~~ The council shall follow the procedures ~~((noted))~~ in this ~~((section))~~ subsection.

(a) The advisory council shall meet as often as necessary to conduct its business.

(b) By July 1 of each year, the advisory council shall submit an annual report of council activities and suggestions to the superintendent of public instruction. This report must be made available to the public in a manner consistent with other public reporting requirements of this chapter.

(c) Official minutes must be kept on all council meetings and shall be made available to the public on request to the office of superintendent of public instruction.

(d) All advisory council meetings and agenda items must be publicly announced ~~((prior to the meeting))~~ enough in advance of the meeting to afford interested parties a reasonable opportunity to attend, and meetings must be open to the public.

(e) Interpreters and other necessary services must be provided at council meetings for council members or participants.

(f) The advisory council shall serve without compensation but the superintendent of public instruction must reimburse the council for reasonable and necessary expenses for attending meetings and performing duties.

~~((INTERAGENCY AGREEMENTS))~~ METHODS OF ENSURING SERVICES

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-502 Interagency agreements. (1) The superintendent of public instruction shall ~~((develop and implement))~~ ensure that an interagency agreement ~~((s with all other state and local agencies that provide or pay for services required under this chapter for special education students))~~ or other mechanism for interagency coordination is in effect between each noneducational public agency described in this section and the superintendent of public instruction, in order to ensure that all services described in this section that are needed to ensure FAPE are provided, including the provision of these services during the pendency of any dispute. Consideration shall be given to preserving existing arrangements between school districts and other noneducational public agencies ~~((and other agencies))~~ which are consistent with this chapter. These agreements or mechanisms shall:

~~((1))~~ (a) Describe the role that each agency plays in providing or paying for required services;

~~((2))~~ (b) Define the financial responsibility of each agency for providing special education students with a free appropriate public education. The financial responsibility of each noneducational public agency including the state Medicaid agency and other public insurers of special education students, shall precede the financial responsibility of the school district (or the state agency responsible for development of the student's individualized education program);

~~((3))~~ (c) Establish procedures for resolving interagency disputes among agencies that are parties to the agreements; ~~(and~~

~~(4))~~ (d) Establish procedures under which school districts and other public agencies may initiate proceedings in order to secure reimbursement from agencies that are parties to the agreements or otherwise implement the provisions of the agreements; and

(e) Establish procedures for agencies to determine and identify the interagency coordination responsibilities of each agency to promote the coordination and timely and appropriate delivery of services.

(2) If any public agency other than a school district is otherwise obligated under federal or state law, or assigned responsibility under state policy to provide or pay for any services that are also considered special education or related services as defined in this chapter, such as, but not limited to, assistive technology devices and services, supplementary aids and services and transition services that are necessary for ensuring a free appropriate public education to special education students within the state, the public agency shall fulfill that obligation or responsibility, either directly or through contract or other arrangement.

(3) A noneducational public agency may not disqualify an eligible service for Medicaid reimbursement because that service is provided in a school context.

(4) If a public agency other than an educational agency fails to provide or pay for the special education and related services described in this section, the school district (or state agency responsible for developing the student's IEP) shall provide or pay for these services to the student in a timely manner. The school district or state agency may then claim reimbursement for the services from the noneducational public agency that failed to provide or pay for these services and that agency shall reimburse the school district or state agency in accordance with the terms of the interagency agreement or other mechanism described in this section, and the agreement described in subsection (1)(d) of this section.

NEW SECTION

WAC 392-172-50300 Special education students covered by public insurance. (1) A public agency may use the Medicaid or other public insurance benefits programs in which a student participates to provide or pay for services required under this chapter, as permitted under the public insurance program, except as provided in subsection (2) of this section.

(2) With regard to services required to provide FAPE to an eligible student under this chapter, the public agency:

(a) May not require parents to sign up for or enroll in public insurance programs in order for their student to receive FAPE under Part B of the IDEA;

(b) May not require parents to incur an out-of-pocket expense such as the payment of a deductible or co-pay amount incurred in filing a claim for services provided pursuant to this chapter, but pursuant to WAC 392-172-50305, may pay the cost that the parent otherwise would be required to pay; and

(c) May not use a student's benefits under a public insurance program if that use would:

(i) Decrease available lifetime coverage or any other insured benefit;

(ii) Result in the family paying for services that would otherwise be covered by the public insurance program and that are required for the student outside of the time the student is in school;

(iii) Increase premiums or lead to the discontinuation of insurance; or

(iv) Risk loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures.

NEW SECTION

WAC 392-172-50305 Special education students covered by private insurance. (1) With regard to services required to provide FAPE to an eligible student under this chapter, a public agency may access a parent's private insurance proceeds only if the parent provides informed consent consistent with this chapter.

(2) Each time the public agency proposes to access the parent's private insurance proceeds, it must:

(a) Obtain parent consent in accordance with this chapter; and

(b) Inform the parents that their refusal to permit the public agency to access their private insurance does not relieve the public agency of its responsibility to ensure that all required services are provided at no cost to the parents.

(3) If a public agency is unable to obtain parental consent to use the parent's private insurance, or public insurance when the parent would incur a cost for a specified service required under this chapter, to ensure FAPE the public agency may use its Part B funds to pay for the service.

(4) To avoid financial cost to parents who otherwise would consent to use private insurance, or public insurance if the parent would incur a cost, the public agency may use its Part B funds to pay the cost the parents otherwise would have to pay to use the parent's insurance (e.g., the deductible or co-pay amounts).

(5) Proceeds from public or private insurance will not be treated as program income for purposes of 34 CFR 80.25.

(6) If a public agency spends reimbursements from federal funds (e.g., Medicaid) for services under this chapter those funds will not be considered "state or local" funds for purposes of the maintenance of effort provisions in this chapter.

(7) Nothing in this section should be construed to alter the requirements imposed on a state Medicaid agency, or any other agency administering a public insurance program by

federal statute, regulations or policy under title XIX, or title XXI of the Social Security Act, or any other public insurance program.

PROGRAM MONITORING—FUNDING—FISCAL AUDITING

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-504 Monitoring. (1) The superintendent of public instruction or designee shall annually monitor selected local school districts or other public agency special education programs, so that all districts or other public agencies are monitored at least once every four years. The purpose(s) of monitoring ~~((shall be:~~

~~(a)) is to determine the school district and other public agency's compliance with this chapter ((and the)), chapter 28A.155 RCW, federal regulations implementing 20 USC Section ~~((1401))~~ 1400, et seq. (Part B of the Individuals with Disabilities Education Act) and other federal and state ~~((special))~~ education laws necessary to validate compliance with this chapter, including validation of information included in school district or other public agency ~~((applications))~~ requests for federal funds~~((; and~~~~

~~(b) To provide the school district or other public agency with technical assistance for improving the quality of its special education program)).~~

~~(2) ((The superintendent of public instruction or designee shall develop procedures (including specific time lines))~~ Procedures for monitoring school districts and other public agencies~~((These procedures shall))~~ include:

(a) Collection of data ~~((and reports));~~

(b) Conduct of on-site visits; and

~~(c) ((A review of state and federal special education fund utilization; and~~

~~(d)) Comparison of a sampling of evaluation reports and individualized education programs with the ~~((programs))~~ services actually provided.~~

(3) Following a monitoring visit, ~~((a written))~~ an interim monitoring report, including a proposed corrective action plan, shall be submitted to the school district or other public agency. The monitoring report shall include, but not be limited to:

(a) Findings of noncompliance, if any; and

(b) Required corrective actions for remediation of any such instance(s) of noncompliance.

(4) The school district or other public agency shall have thirty calendar days after the date of its receipt of the interim monitoring report to provide the office of superintendent of public instruction with:

(a) Acceptance of the report; or

(b) Supplemental arguments and/or facts which may serve as a basis for alteration of the monitoring report; and

~~((b) A written))~~ (c) Any revisions to the proposed action plan which sets forth the measures the district or other public agency shall take and time period(s) within which the district or other public agency shall act in order to remediate the instance(s) of noncompliance~~((; (e))~~.

~~(5) In the event that the district or other public agency submits supplemental arguments and/or facts which may serve as a basis for alteration of the monitoring report, the office of superintendent of public instruction shall ((within thirty calendar days)) provide the district or other public agency with a ((determination as to the alteration of the)) final monitoring report within thirty calendar days after receipt of the supplemental arguments and/or facts. ~~((The school district or other public agency shall, within thirty calendar days of receipt of the determination, provide the office of superintendent of public instruction a written action plan, if any, which results from that determination.~~~~

~~(5) The superintendent of public instruction or designee either shall approve the plan as submitted or shall request the school district or other public agency to make such modifications as are considered necessary. Once an approvable plan has been submitted, the district or other public agency shall be provided written notice of:~~

~~(a) Approval;~~

~~(b) The performance expected of the district or other public agency; and~~

~~(c) The schedule for periodic review or verification of the school district and other public agency's progress toward remediation of the instance(s) of noncompliance.)~~

(6) If the school district or other public agency ~~((fails to submit an approvable corrective action plan required in WAC 392-172-504(4) or))~~ fails to comply with a corrective action plan approved pursuant to ~~((WAC 392-172-504))~~ subsection (5) of this section, the superintendent of public instruction or designee shall institute procedures to ~~((insure))~~ ensure corrective action ~~((or prompt response to a monitoring report)).~~ Such procedures may include one or more of the following:

(a) Verification visits by office of superintendent of public instruction staff, or its designee, to:

(i) Determine whether the school district or other public agency is taking the required corrective action;

(ii) Expedite the school district and other public agency's response to ~~((a))~~ the final monitoring report; and

(iii) Provide any necessary technical assistance to the school district or other public agency in its efforts to comply.

~~(b) ((Withhold))~~ Withholding, in whole or part, a specified amount of state and/or federal special education funds, in compliance with the provisions of WAC 392-172-590 and 392-172-514.

~~(c) ((Initiate request for office of superintendent of public instruction audit pursuant to WAC 392-172-508 through 392-172-518 which may result in the recovery of unlawfully received or expended state and/or federal special education funds))~~ Initiating an audit of the school district or other public agency consistent with WAC 392-172-512.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-506 State use and allocation of Part B funds. (1) The superintendent of public instruction may not use ~~((five))~~ more than fifteen percent of the total state ~~((allotment in any fiscal year))~~ allocation under Part B of the Individuals with Disabilities Education Act~~((; or four hundred fifty thousand dollars, whichever is greater, for administra-~~

five costs related to carrying out sections 612 and 613 of the IDEA. However, this amount cannot be greater than twenty-five percent of the state's total allotment for the fiscal year under Part B of the Individuals with Disabilities Education Act)) and section 619 (including the coordination of activities under Part B of the IDEA with, and providing technical assistance to, other programs that provide services to special education students) in any preceding fiscal year, cumulatively adjusted by the secretary of the department of education for each succeeding fiscal year by the lesser of:

(a) The percentage increase, if any from the preceding fiscal year in the state's allocation under section 611 of the act; or

(b) The rate of inflation, as measured by the percentage increase, if any, from the preceding fiscal year in the consumer price index for all urban consumers, published by the bureau of labor statistics of the department of labor.

(2) Allowable costs for use of the ((five percent)) administrative funds under Part B and section 619 of the Individuals with Disabilities Education Act include:

(a) Administration of ((the)) state ((plan)) activities and for planning at the state level, including planning, or assisting in the planning, of programs or projects for the education of special education students;

(b) Approval, supervision, monitoring, and evaluation of the effectiveness of local programs and projects for the education of special education students;

(c) Technical assistance to districts with respect to the requirements of this chapter;

(d) Leadership services for the program supervision and management of special education activities for special education students; and

(e) Other state leadership activities and consultative services.

(3) The office of the superintendent of public instruction based on input from school districts may use the portion of its allocation it does not use for administration:

(a) For support services and direct services ((in accordance with the priority requirements of Part B)); and

(b) For the administrative costs of the state's monitoring activities and complaint investigations, to the extent that these costs exceed the administrative costs for monitoring and complaint investigations incurred during fiscal year 1985;

(c) The establishment and implementation of the mediation process required by this chapter, including providing for the costs of mediators and support personnel;

(d) To assist school districts in meeting personnel shortages;

(e) Activities at the state and local levels to meet the performance goals established by the state and to support the development and implementation of the state improvement plan under subpart 1 of Part D of the IDEA if the state receives funds under that subpart;

(f) To supplement other amounts used to develop and implement a state-wide coordinated services system designed to improve results for students and families, including special education students and their families, but not to exceed one percent of the amount received by the state under section 611 of the IDEA. This system must be coordinated with and, to

the extent appropriate, build on the system of coordinated services developed by the state under Part C of the IDEA; and

(g) For subgrants to school districts for capacity-building and improvement.

(4) Based upon the availability of federal funds for any given fiscal year, the office of superintendent of public instruction may establish priorities in awarding subgrants to school districts for capacity-building and improvement on a competitive or targeted basis.

These federal funds are to be used by school districts to assist them in providing direct services and in making systemic change to improve results for special education students through one or more of the following:

(a) Direct services, including alternative programming for students who have been expelled from school, and services for students in correctional facilities, and students enrolled in state-operated or state-supported schools;

(b) Addressing needs or carrying out improvement strategies identified in the state's improvement plan under subpart 1 of Part D of the IDEA;

(c) Adopting promising practices, materials, and technology, based on knowledge derived from education research and other sources;

(d) Establishing, expanding, or implementing inter-agency agreements and arrangements between school districts and other agencies or organizations concerning the provision of services to special education students and their families; and

(e) Increasing cooperative problem-solving between parents and school personnel and promoting the use of alternative dispute resolution.

((4)) (5) For the purposes of this section:

(a) "Direct services" means services provided to a special education student by the state directly, by contract, or through other arrangements; and

(b) "Support services" includes implementing the comprehensive system of personnel development, recruitment and training of hearing officers, mediators, and surrogate parents, and public information and parent training activities relating to free, appropriate public education for special education students.

(6) Of the funds the office of the superintendent of public instruction retains under this section, the office may use the funds directly, or distribute them to school districts, educational service districts, and other public agencies on a competitive, targeted, or formula basis.

NEW SECTION

WAC 392-172-507 State level nonsupplanting and maintenance of effort. (1) Except as provided under WAC 392-172-606, federal funds available for special education students under Part B of the Individuals with Disabilities Education Act, shall be used to supplement, and in no case supplant, federal, state and local funds (including funds that are not under the direct control of the state or local education agencies) expended for special education and related services provided to special education students.

(2) On either a total or per-capita basis, the state will not reduce the amount of state financial support for special edu-

cation and related services for special education students, or otherwise made available because of the excess costs of educating those students, below the amount of that support for the preceding fiscal year.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-510 Child count procedures. The superintendent of public instruction shall report to the United States Secretary of Education no later than February 1 of each year the number of special education students aged three through twenty-one residing in the state who are receiving special education and related services. The superintendent shall submit the report on forms provided by the United States Secretary of Education.

(1) Information required in the report includes:

(a) The number of special education students receiving special education and related services on December 1 of that school year;

(b) The number of special education students aged three through five who are receiving free, appropriate public education;

(c) The number of those special education students aged six through seventeen and eighteen through twenty-one within each disability category, as defined in the definition of "special education students"; and

(d) The number of those special education students aged three through twenty-one for each year of age (three, four, five, etc.).

(2) For the purpose of this part, a student's age is the student's actual age on the date of the child count: December 1.

(3) The state superintendent may not report a student (~~aged six through twenty-one~~) under more than one disability category.

(4) If a special education student (~~aged six through twenty-one~~) has more than one disability, the superintendent shall report that student in accordance with the following procedure:

(a) A student with deaf-blindness and not reported as having a developmental delay must be reported under the category "deaf-blindness."

(b) A student who has more than one disability (other than deaf-blindness or developmental delay) must be reported under the category "multiple disabilities."

(5) The office of the superintendent of public instruction shall include in its report a certification signed by an authorized official of the agency that the information provided is an accurate and unduplicated count of special education students receiving special education and related services on the dates in question.

(6) The office of the superintendent of public instruction (~~may~~) will include in its report special education students who are enrolled in a school or program that is operated or supported by a public agency, and that (~~either~~):

(a) Provides them with both special education and related services; or

(b) Provides them only with special education if they do not need related services to assist them in benefiting from that special education.

(7) The superintendent may not include special education students in its reports who:

(a) Are not enrolled in a school or program operated or supported by a public agency;

(b) Are not provided special education that meets state standards;

(c) Are not provided with a related service that they need to assist them in benefiting from special education;

(d) Are counted by the state's lead agency for Part ((H)) C services; or

(e) Are receiving special education funded solely by the federal government including students served by the U.S. Departments of the Interior or Education.

NEW SECTION

WAC 392-172-511 Disproportionality. (1) The state shall provide for the collection and examination of data to determine if significant disproportionality based on race is occurring in the state with respect to:

(a) The identification of students as special education students, including the identification of students as special education students in accordance with a particular impairment described in this chapter; and

(b) The placement in particular educational settings of these students.

(2) In the case of a determination of significant disproportionality with respect to the identification of a student as a special education student, or the placement in particular educational settings of these students, the superintendent of public instruction shall provide for the review and, if appropriate, revision of the policies, procedures, and practices used in the identification or placement to ensure that the policies, procedures, and practices comply with the requirements of Part B of the IDEA.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-512 Audits. (1) The (~~superintendent of public instruction or designee~~) state auditor's office shall conduct fiscal/program audits of school district or other public agency special education programs. The purposes of such audits shall be:

(a) To determine compliance or noncompliance with:

(i) A school district and other public agency's application(s) for state and federal excess cost funds;

(ii) The provisions of this chapter; and

(iii) Any supplemental federal conditions to funding as may now or hereafter exist.

(b) To establish a factual basis for:

(i) The recovery of unlawfully received or expended state or federal special education funds; or

(ii) The initiation of fund withholding proceedings.

(2) (~~Preliminary audit report~~ ~~Following an audit, a preliminary written audit report shall be submitted to the school district or other public agency for review and comment. The preliminary audit report shall include, but not be limited to:~~

~~(a) Findings of noncompliance which could include comparisons to findings of noncompliance as a result of monitoring, if any; and~~

~~(b) Recommendations for remediation of any such instance(s) of noncompliance.~~

~~(3) The school district or other public agency shall have fifteen days after the date of its receipt of the preliminary audit report to provide the superintendent of public instruction or designee a written reply setting forth any supplemental arguments and/or facts that may serve as a basis for alteration of the preliminary finding(s) of noncompliance.~~

~~(4) Final audit report—A final written audit report shall be provided to the school district or other public agency after review of the supplemental arguments and/or facts submitted by the district or other public agency. The final audit report shall include, but not necessarily be limited to:~~

~~(a) Findings of noncompliance, if any; and~~

~~(b) Recommendations for remediation of any such instance(s) of noncompliance.~~

~~(5) The school district or other public agency shall have fifteen days after the date of its receipt of the final audit report to provide the superintendent of public instruction or designee a written plan which sets forth the measures the district or other public agency shall take and time period(s) within which the district or other public agency shall act in order to remedy the instance(s) of noncompliance.~~

~~(6) The superintendent of public instruction or designee shall either approve the plan as submitted or request the school district or other public agency to make such modifications as are considered necessary. Once an approvable plan has been submitted the district or other public agency shall be provided written notice of:~~

~~(a) Approval;~~

~~(b) The performance expected of the district or other public agency; and~~

~~(c) The schedule for periodic review or audit of the school district and other public agency's progress toward remediation of the instance(s) of noncompliance.)) The superintendent of public instruction shall comply with chapter 392-115 WAC in the resolution of all audits.~~

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-514 Fund withholding. (1) In the event a school district or other public agency fails to submit an approvable ~~((remediation))~~ corrective action plan required by ~~((WAC 392-172-512))~~ chapter 392-115 WAC, audit resolution, or fails to submit an approvable corrective action plan pursuant to WAC 392-172-504, monitoring, or fails to comply with a ~~((remediation))~~ corrective action plan approved pursuant to chapter 392-115 WAC ((392-172-512)) or fails to comply with a corrective action plan pursuant to WAC 392-172-504, the superintendent or designee shall provide the school district or other public agency notice which complies with RCW 34.05.434 of:

(a) Intent to withhold a specified amount of state and/or federal special education funds; and

(b) The school district and other public agency's opportunity for a hearing before the superintendent of public

instruction or designee prior to commencement of the withholding.

(2) Funds may be withheld in whole or part in the event the district or other public agency fails to request a hearing or the hearing decision upholds the final audit or monitoring in whole or part. (RCW 28A.155.100.)

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-516 Recovery of funds. ~~((1) If a preliminary audit conducted pursuant to WAC 392-172-512 indicates that a district or other public agency has unlawfully received and/or expended either state or federal special education funds, the superintendent of public instruction or designee shall provide the school district or other public agency with an opportunity for an informal conference prior to the final audit report.~~

~~(2) If the final audit report sets forth one or more instances of unlawful receipt or expenditure of either state or federal special education funds, the superintendent of public instruction or designee shall take such action as he or she deems necessary to recover the funds including, but not limited to, a reduction in future allocations of any amount of any state funds and/or any amount of federal special education funds to the district or other public agency.~~

~~(3) No right to a hearing in connection with the recovery of funds unlawfully received and/or expended is granted by this chapter.)) The superintendent of public instruction shall comply with the provisions of chapter 392-115 WAC in the event an audit conducted pursuant to WAC 392-172-512 indicates that a district or other public agency has unlawfully received and/or expended state or federal special education funds.~~

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-520 Implementation by state of special education students placed or referred by school districts or other public agencies. In implementing the private school provisions of ~~((this chapter))~~ WAC 392-172-219 through 392-172-226, the state shall:

(1) Monitor compliance through procedures such as written reports, on-site visits, and parent questionnaires;

(2) Disseminate copies of applicable standards to each private school and facility to which a public agency has referred or placed a special education student; ~~((and))~~

(3) Provide an opportunity for those private schools and facilities to participate in the development and revision of state standards that apply to them; and

(4) Ensure that a special education student who is placed in or referred to a private school or facility by a school district or other public agency:

(a) Is provided special education and related services;

(i) In conformance with an IEP that meets the requirements of WAC 392-172-156 et seq.; and

(ii) At no cost to the parents;

(b) Is provided an education that meets the standards that apply to education provided by school districts and other

public agencies, including the requirements of this chapter; and

(c) Has all of the rights of a special education student who is served by a school district or other public agency.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-526 State responsibility. The state shall ensure that to the extent consistent with their number and location in the state, provision is made for the participation of private school special education students in the program assisted or carried out under this chapter by providing them with special education and related services, in accordance with WAC 392-172-232 through 392-172-248.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-550 Comprehensive system of personnel development. The superintendent of public instruction shall establish and implement procedures for developing and conducting a comprehensive system of personnel development ((which includes)) that:

(1) ((The continuing education of general and special education instructional services personnel;

(2) Detailed procedures to assure that all personnel necessary to carry out the purposes of the Individuals with Disabilities Education Act, P.L. 102-119, 34 CFR 300.1, as of October 1, 1992, are appropriately and adequately prepared;

(3) Provisions consistent with 34 CFR 300.153, 300.380 through 300.383, and 300.360;

(4) Effective procedures for acquiring and disseminating significant information derived from educational research, demonstration and similar projects; and

(5) The adoption, where appropriate, of promising educational practices and material developed through research, demonstration, and similar initiatives.)) Is consistent with the purposes of Part B of the Individuals with Disabilities Education Act and the Part C Program for Infants and Toddlers with Disabilities;

(2) Is designed to ensure an adequate supply of qualified special education, general education, and related services personnel;

(3) Meets the requirements of 34 CFR 300.381 and 300.382; and

(4) Is updated at least every five years.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-552 Definitions. The following definitions apply to this chapter:

(1) "Appropriate professional requirements in the state," means those entry level requirements that are based on the highest requirements in the state applicable to the profession or discipline in which a person is providing special education or related services and that establish ((the)) suitable qualifications for personnel providing special education and related services under ((chapters 392-172 and 392-173 WAC)) Part B of the IDEA to special education children and youth ((with

disabilities)) who are served by state, local, and private agencies;

(2) "Highest requirements in the state applicable to a specific profession or discipline," means the highest entry-level academic degree needed for any state-approved or recognized certification, licensing, or registration or other comparable requirements that apply to that profession or discipline;

(3) "Profession or discipline," means a specific occupational category that provides special education and related services to special education children and youth ((with disabilities)) under ((chapters 392-172 and 392-173 WAC)) Part B of the IDEA, has been established or designated by the state, and has a required scope of responsibility and degree of supervision~~(;)~~, and is not limited to traditional occupational categories;

(4) "Qualified" means that a person, in accordance with the provisions contained in 34 CFR ~~((300.153))~~ 300.136 of the Individuals with Disabilities Education Act and WAC 392-172-200, has met superintendent of public instruction approved or recognized certification, licensing, registration, or other comparable requirements for the profession or discipline in which the person is providing special education and related services; and

(5) "State-approved or state-recognized certification, licensing, registration, or other comparable requirements" means the requirements that the state legislature either has enacted or has authorized a state agency to promulgate through rules to establish the entry-level standards for employment in a specific profession or discipline in the state.

NEW SECTION

WAC 392-172-553 Adequate supply of qualified personnel. The office of superintendent of public instruction shall complete an analysis of state and local needs for professional development for personnel to serve special education students that includes, at a minimum:

(1) The number of personnel providing special education and related services; and

(2) Relevant information on current and anticipated personnel vacancies and shortages (including the number of individuals with temporary certification), and on the extent of certification or retraining necessary to eliminate these shortages, that is based, to the maximum extent possible, on existing assessments of personnel needs.

NEW SECTION

WAC 392-172-559 Improvement strategies. After conducting the analysis described in WAC 392-172-553, the office of superintendent of public instruction shall develop strategies to address the needs identified under WAC 392-172-553, and in accordance with federal requirements in 34 CFR 300.382.

NEW SECTION

WAC 392-172-561 School district implementation of comprehensive system of personnel development. Each school district or other public agency shall have on file with

the office of superintendent of public instruction information to demonstrate that:

(1) All personnel necessary to carry out Part B of the IDEA within the jurisdiction of the school district or other public agency are appropriately and adequately prepared consistent with WAC 392-172-550 et seq.; and

(2) To the extent the school district or other public agency determines appropriate, it shall contribute to and use the comprehensive system of personnel development of the state established under WAC 392-172-550 et seq.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-574 Professional standards review. ~~((Before October 1st of each year, the special education section, on behalf of))~~ The superintendent of public instruction, shall periodically review the professional requirements in the statutes necessary for the provision of special education and related services. This professional standards review must include the requirements of all statutes and the rules of all state agencies applicable to serving special education students, and shall include the standards of the superintendent of public instruction, the department of licensing, the division of vocational rehabilitation, the department of social and health services, and any other public agency responsible for the licensing or certification of personnel who provide special education or related services. In conducting this review, the superintendent of public instruction must:

(1) Determine the highest standards applicable to each profession or discipline based upon the most current information available to the superintendent of public instruction;

(2) Identify those professions or disciplines for which the highest requirements of the state apply;

(3) Identify those specific professions or disciplines for which the existing personnel standards for special education or related services, including standards for temporary or emergency certification are not based on the highest requirement in the state applicable to that specific profession or discipline; and

(4) For those professions or disciplines for which the highest requirements of the state do not apply, detail the steps the superintendent of public instruction is taking (and the procedures for notifying public agencies and personnel of those steps and the time lines it has established) for the retraining or hiring of personnel that meet the appropriate professional requirements in the state of Washington. In determining ~~((annually))~~ the status of personnel standards for each applicable profession or discipline in the state (as defined in WAC 392-172-572), the superintendent of public instruction's review and determination must be based on current information that accurately describes, for each profession or discipline in which personnel are providing special education or related services, whether the applicable standards are consistent with the highest requirements in the state for that profession or discipline.

The results of the review conducted in accordance with the provision of this section shall be ~~((described in a report prepared for and))~~ submitted to the ~~((comprehensive system of personnel development committee. Each annual report and~~

~~necessary)) state advisory council for special education. Supporting documentation must be maintained in the files of the superintendent of public instruction's special education section and must be available to the public. ((Each report shall be incorporated in the appropriate state plan for Part B of the Individuals with Disabilities Education Act submitted to the Department of Education.))~~

NEW SECTION

WAC 392-172-576 Personnel shortages—Requirement. Each school district or other public agency will make a good faith effort to recruit and hire appropriately and adequately trained personnel to provide special education and related services. Where there are shortages of personnel that meet these qualifications, the school district or other public agency will make a good faith effort to recruit and hire the most qualified individuals available.

PERFORMANCE GOALS AND INDICATORS

NEW SECTION

WAC 392-172-57700 Performance goals and indicators. (1) The office of superintendent of public instruction shall establish goals for the performance of special education students that promote the purposes of the Individuals with Disabilities Education Act and are consistent, to the maximum extent appropriate, with the state's four learning goals and essential academic learning requirements for all students.

(2) In addition, the office of superintendent of public instruction shall establish performance indicators that shall be used to assess progress toward achieving those goals that at a minimum address the performance of special education students on assessments, dropout rates, and graduation rates.

(3) The office of superintendent of public instruction shall report to the U.S. Secretary of Education and the public every two years on the progress of the state and of special education students in the state toward meeting the goals established under this section. Based on its assessment of that progress, the office of superintendent of public instruction shall revise its state improvement plan under subpart 1 of Part D of the IDEA as may be needed to improve its performance, if the state receives assistance under that subpart.

PARTICIPATION IN ASSESSMENTS AND REPORTING RESULTS

NEW SECTION

WAC 392-172-57800 Participation in assessments and reporting results. (1) The office of superintendent of public instruction shall file with the U.S. Secretary of Education information to demonstrate that special education students are included in general state and district-wide assessment programs, with appropriate accommodations and modifications in administration if necessary.

(2) As appropriate the office of superintendent of public instruction, school districts or other public agencies shall:

(a) Develop guidelines for the participation of special education students in alternate assessments for those students

who cannot participate even with accommodations or modifications in state and district-wide assessment programs;

(b) Develop alternate assessments; and

(c) Begin not later than July 1, 2000, to conduct the alternate assessments.

(3) In implementing this section, the office of superintendent of public instruction shall make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled students, the following information:

(a) The number of special education students participating in:

(i) General assessments; and

(ii) Alternate assessments.

(b) The performance results of special education students:

(i) Participating in general assessments; and

(ii) On alternate assessments (not later than July 1, 2000,) if doing so would be statistically sound and would not result in the disclosure of performance results identifiable to individual students.

(4) Reports to the public must include:

(a) Aggregated data that include the performance of special education students together with all other students; and

(b) Disaggregated data on the performance of special education students.

SUSPENSION AND EXPULSION RATES

NEW SECTION

WAC 392-172-57900 Reporting on suspension and expulsion rates. (1) Annually, school districts or other public agencies shall report to the state on the rates of long-term suspensions and expulsions of special education students and nondisabled students for the preceding school year. The state shall examine this data to determine if significant discrepancies are occurring:

(a) Among school districts or other public agencies; or

(b) Between nondisabled students and special education students within school districts or other public agencies.

(2) If discrepancies are occurring, the state shall review and if appropriate, require revisions in state, school district or other public agency policies, procedures, and practices to ensure compliance with Part B of the IDEA.

(3) Policies, procedures, and practices to be reviewed and, if appropriate, revised include:

(a) The development and implementation of individualized education programs;

(b) The use of behavioral interventions; and

(c) Procedural safeguards.

~~((ANNUAL SCHOOL DISTRICT APPLICATION REQUIREMENTS)) SCHOOL DISTRICT ELIGIBILITY~~

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-580 ~~((Annual applications—Contents.))~~ School district eligibility—Requirements. As a condition ~~((to the))~~ of receipt and expenditure of federal special education funds, a school district or other public agency shall annually submit ~~((an application))~~ a request for federal funds to the superintendent of public instruction ~~((or designee on or before an announced date))~~, and conduct its special education and related services program in compliance with the school district and other public agency's state approved plan. The ~~((applications))~~ request shall be made on forms developed and distributed by the superintendent ~~((or designee))~~. ~~((Application))~~ Request forms shall include, but not be limited to, the following assurance(s) and types of information:

(1) Assurance that:

(a) The school district or other public agency is in compliance with the provisions of this chapter and the rules implementing Part B of Individuals with Disabilities Education Act (34 CFR 300.1 et seq.) that may supplement this chapter, including procedural safeguards;

(b) The district or other public agency shall remain in compliance with this chapter and any such supplemental rules for the entire school year; and

(c) The funds applied for shall be expended in compliance with the ~~((application))~~ request, this chapter, and any such supplemental federal rules, including excess cost, non-supplanting, and comparable services;

(2) The information and assurances required by 34 CFR 300.220 through 34 CFR ~~((300.240))~~ 300.250 and any other pertinent federal rules ~~((including 34 CFR 76.650 through 76.662))~~;

(3) Identification of the local district or other public agency designee responsible for child identification activities and confidentiality of information;

(4) A description of the policies, procedures and/or activities to be implemented or continued to provide for:

(a) Identification, location and evaluation (child find) of special education students ~~((not currently receiving special education and related services))~~ including students in private schools;

(b) Confidentiality of personally identifiable information;

(c) Implementation of a system for personnel development;

(d) Involvement of parents of special education students, including the participation of non-English speaking parents;

(e) Participation of special education students with students without disabilities;

(f) Delivery of services to special education students in the least restrictive environment;

(g) Development of individualized education programs for each eligible special education student;

(h) Availability of career development and vocational education programs for special education students;

(i) A description of the numbers and types of special education students receiving special education and related services by placement option within the school district and other public agency's continuum of alternative placements;

(j) A goal ~~((of))~~ and detailed timetable for providing full educational opportunity to all special education students, aged birth through twenty-one;

~~(k) ((A description of the kind of and number of facilities, personnel, and services necessary to meet the school district and other public agency's full educational opportunity goal, including a detailed timetable for reaching that goal;~~

~~(h)) Transition of students from Part C to preschool programs;~~

(l) Private school students;

(m) Performance goals and indicators;

(n) Participation in assessments and reporting results;

(o) Suspension and expulsion; and

(p) A description of the use of funds received under Part B of the Individuals with Disabilities Education Act (34 CFR 300.1 et seq.)(; and

~~(m) A description of procedures, with parent/family involvement, for annually evaluating program effectiveness, including individualized education programs)).~~

(5) Any other pertinent information requested by the superintendent of public instruction which is necessary for the management of the special education program.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-582 Collaborative ~~((applications))~~ requests. The superintendent of public instruction may require districts to submit a collaborative ~~((application))~~ request for payments under Part B of the Individuals with Disabilities Education Act if it is determined that a single district or other public agency ~~((application))~~ would be disapproved because~~(;~~

~~(1) The school district and other public agency's entitlement is less than the seven thousand five hundred dollar minimum required; or~~

~~(2)) the district or other public agency is unable to establish and maintain programs of sufficient size and scope to effectively meet the educational needs of special education students. Districts that apply for Part B funds in a collaborative ~~((application))~~ request must meet the same minimum requirements as a single district or other public agency applicant. The ~~((application))~~ request must be signed by the superintendent of each participating school district or other public agency. The districts are jointly responsible for implementing programs receiving payments under Part B of the Individuals with Disabilities Education Act. The total amount of funds made available to the affected school districts or other public agencies shall be equal to the sum each would have received separately.~~

NEW SECTION

WAC 392-172-583 Exception for prior policies and procedures. If a school district or other public agency has on

file with the office of superintendent of public instruction policies and procedures that demonstrate that the school district or other public agency meets any requirement under WAC 392-172-580, including any policies and procedures filed under Part B of the IDEA as in effect before June 4, 1997, the office of superintendent of public instruction shall consider the school district or other public agency to have met the requirement for purposes of receiving Part B funds.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-584 Review and amendment process.

(1) ~~((The steps in the review process include:~~

~~(a) Submission by the district or other public agency of the application to educational service district special education director;~~

~~(b) The educational service district director of special education will review the application using the state checklist; and~~

~~(c) The educational service district director of special education will forward the application to office of the superintendent of public instruction for review by program supervisors using state checklist and for final approval by the superintendent's designee.))~~ Requests for Part B funding shall be submitted to the office of superintendent of public instruction for review by program supervisors using state checklist and for final approval by the superintendent's designee.

(2) Prior to making a final decision on ~~((an application))~~ a request for Part B funding, office of superintendent of public instruction staff shall consider any decision resulting from a hearing under WAC 392-172-350 that is adverse to the district or other public agency involved in the decision.

(3) If a district or other public agency makes a significant amendment to its ~~((application))~~ policies and procedures, the district or other public agency must follow the same steps it took for submitting its original ~~((application))~~ request. The review and approval process shall be the same as that used for an initial request for funds under Part B of the Individuals with Disabilities Education Act.

NEW SECTION

WAC 392-172-585 Amendments to policies and procedures. (1) Policies and procedures submitted by a school district or other public agency, in accordance with WAC 392-172-580, shall remain in effect until a school district or other public agency submits to the office of superintendent of public instruction modifications that a district or agency decides are necessary.

(2) The office of superintendent of public instruction may require a school district or other public agency to modify its policies and procedures, but only to the extent necessary to ensure a district's or agency's compliance with Part B of the IDEA, if:

(a) After June 4, 1997, the provisions of the IDEA or its implementing regulations are amended;

(b) There is a new interpretation of the IDEA by federal or state courts; or

(c) There is an official finding of noncompliance with federal or state law or regulations.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-588 Availability of ~~((application))~~ information and public participation. Each district or other public agency shall:

(1) Make ~~((the application))~~ policies and procedures, any evaluations, periodic program plans, and reports relating to the Part B program available for public inspection; and

(2) Provide reasonable opportunities for the participation by teachers, parents of special education students, families ~~((and))~~, other interested agencies, organizations, and individuals in the planning for and operation of the Individuals with Disabilities Education Act Part B program as an integral part of the overall school program; and

(3) At a minimum, a school district and other public agency's procedures must describe the steps taken to:

(a) Make ~~((the application))~~ policies and procedures and any required evaluations, plans, and reports available to the public; and

(b) Involve the required constituency groups, as noted above, in the planning and operation of the Part B program. Parental participation in the individualized education program process does not constitute involvement in the planning and operation of the program.

AMENDATORY SECTION (Amending Order 95-11, filed 10/11/95, effective 11/11/95)

WAC 392-172-590 Denial of ~~((applications))~~ requests—Opportunity for hearing. (1) In the event the superintendent of public instruction or designee proposes to deny, in whole or part, the ~~((annual application))~~ request of a district or other public agency for federal special education funds, the district or other public agency shall be provided notice pursuant to RCW 34.05.434 of:

(a) Intent to deny the ~~((application))~~ request of the district or other public agency; and

(b) The school district and other public agency's opportunity for a hearing before the superintendent of public instruction or designee prior to a denial of the ~~((application))~~ request.

(2) The superintendent of public instruction shall provide an opportunity for a hearing before the office of superintendent of public instruction disapproves the ~~((application))~~ request in accordance with the following procedures:

(a) The applicant shall request the hearing within thirty days of the action of the superintendent of public instruction.

(b) Within thirty days after it receives a request, the superintendent of public instruction shall hold a hearing on the record and shall review its action.

(c) No later than ten days after the hearing the office of superintendent of public instruction shall issue its written ruling, including findings of fact and reasons for the ruling. If supported by substantial evidence, findings of fact by the superintendent of public instruction are final.

(3) If the office of superintendent of public instruction determines that its action was contrary to state or federal statutes or regulations that govern the applicable program, the action shall be rescinded.

(4) If the superintendent of public instruction does not rescind its final action after a review, the applicant may appeal to the United States Secretary of Education. The applicant shall file a notice of the appeal with the United States Secretary of Education within twenty days after the applicant has been notified by the superintendent of public instruction of the results of the agency's review.

(5) The superintendent of public instruction shall make available at reasonable times and places to each applicant all records pertaining to any review or appeal an applicant is pursuing under this section, including records of other applicants.

(6) The school district and other public agency's ~~((application))~~ request may be denied, in whole or part, if the district or other public agency fails to request a hearing or the hearing decision upholds the proposed basis for denial.

(7) Any school district or other public agency in receipt of a notice described in this section shall, by means of a public notice, take the measures necessary to bring a pending action pursuant to this section to the attention of the public within its jurisdiction.

~~((MISCELLANEOUS PROGRAM REQUIREMENTS))~~

NEW SECTION

WAC 392-172-595 Records related to grant funds.

(1) The superintendent of public instruction and districts shall keep records that show:

(a) The amount of funds under the grant;

(b) How the funds were used;

(c) The total cost of the project;

(d) The share of that cost provided from other sources; and

(e) Other records to facilitate an effective audit.

(2) Records shall be maintained to show program compliance, including records related to the location, evaluation and placement of special education students and the development and implementation of individualized education programs. Program and fiscal information records shall be available to authorized representatives of the office of superintendent of public instruction for the purpose of compliance monitoring under WAC 392-172-504 or auditing under WAC 392-172-512.

(3) Records shall be retained for five years after completion of the activities for which grant funds were used.

SCHOOL DISTRICT USE OF FUNDS

NEW SECTION

WAC 392-172-600 School district or other public agency use of amounts. The school district or other public agency must have on file with the state information to demonstrate that amounts provided under Part B of the IDEA:

(1) Will be expended in accordance with the applicable provisions of this chapter;

(2) Will be used only to pay the excess costs of providing special education and related services to special education students, consistent with this chapter; and

(3) Will be used to supplement state, local and other federal funds and not to supplant those funds.

NEW SECTION

WAC 392-172-605 School district or other public agency use of federal funds for preschool children. In general, federal Part B funds are to be used for eligible special education students birth through twenty-one years of age. Federal preschool funds under section 619 may only be used for eligible special education children aged three through five years.

NEW SECTION

WAC 392-172-610 School district or other public agency maintenance of effort. (1) Except as provided under WAC 392-172-615 and 392-172-620, funds provided to school districts or other public agencies under Part B of the IDEA may not be used to reduce the level of expenditures for the education of special education students made by it from local funds below the level of those expenditures for the preceding fiscal year.

(2) Except as provided in subsection (3) of this section, the office of superintendent of public instruction determines that a school district complies with this section for purposes of establishing the school district's eligibility for an award for a fiscal year if the district budgets, for the education of special education students, at least the same total or per-capita amount from either of the following sources as the district spent for that purpose from the same source for the most recent prior year for which information is available:

- (a) Local funds only.
- (b) The combination of state and local funds.

(3) A district that relies on subsection (2)(a) of this section for any fiscal year must ensure that the amount of local funds it budgets for the education of special education students in that year is at least the same, either in total or per capita, as the amount it spent for that purpose in:

- (a) The most recent fiscal year for which information is available, if that year is, or is before, the first fiscal year beginning on or after July 1, 1997; or
- (b) If later, the most recent fiscal year for which information is available and the standard in subsection (2)(a) of this section was used to establish its compliance with this section.

(4) The office of superintendent of public instruction may not consider any expenditures made from funds provided by the federal government for which the office of superintendent of public instruction is required to account to the federal government or for which the district is required to account to the federal government directly or through the office of superintendent of public instruction in determining a district's compliance with the requirement of this section.

NEW SECTION

WAC 392-172-615 School district or other public agency exceptions to maintenance of effort. A school district or other public agency may reduce the level of expenditures made by it under Part B of the IDEA below the level of

those expenditures for the preceding fiscal year if the reduction is attributable to:

(1) The voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel, who are replaced by qualified, lower-salaried staff;

(2) A decrease in the enrollment of special education students;

(3) The termination of the obligation of the district or agency, consistent with this chapter, to provide a program of special education to a particular special education student that is an exceptionally costly program as determined by the state, because the student:

- (a) Has left the jurisdiction of the district or agency;
- (b) Has reached the age at which the obligation of the district or agency to provide a free appropriate public education to the student has terminated; or
- (c) No longer needs the program of special education.

(4) The termination of costly expenditures for long-term purchases such as the acquisition of equipment or the construction of school facilities.

(5) In order for a school district to invoke the exception in subsection (1) of this section, the district must ensure that those voluntary retirements or resignations and replacements are in full conformity with:

- (a) Existing school board policies in the agency;
- (b) The applicable collective bargaining agreement in effect at that time; and
- (c) Applicable state statutes.

NEW SECTION

WAC 392-172-620 School district or other public agency—Treatment of federal funds in certain fiscal years. (1) For any fiscal year in which the total of federal funds available for IDEA-B exceeds \$4.1 billion dollars, a school district or other public agency may treat as local funds up to twenty percent of the amount of funds it receives under Part B of the IDEA that exceeds the amount it received under Part B of the IDEA for the previous fiscal year. The requirements regarding supplanting and maintenance of effort do not apply with respect to the amount that may be treated as local funds under this section.

(2) If the state determines that a school district or other public agency is not meeting the requirements of this chapter, the state may prohibit the district or agency from treating funds received under Part B of the IDEA as local funds under this section for any fiscal year, but only if it is authorized to do so by the state constitution or a state statute.

NEW SECTION

WAC 392-172-625 School-wide programs under title I of the ESEA. (1) A school district or other agency may use funds received under Part B of the IDEA for any fiscal year to carry out a school-wide program under section 1114 of the Elementary and Secondary Education Act of 1965, except that the amount used in any school-wide program may not exceed:

(a) The amount received by the district or agency under Part B for that fiscal year; divided by the number of special education students in the jurisdiction; multiplied by

(b) The number of special education students participating in the school-wide program.

(2) The funds described in subsection (1) of this section may be used without regard to WAC 392-172-600(1).

(3) The funds described in subsection (1) of this section must be considered as federal Part B funds for purposes of calculating excess cost and supplanting.

(4) Except as provided in subsections (2) and (3) of this section, all other requirements of Part B must be met, including ensuring that special education students in school-wide program schools:

(a) Receive services in accordance with a properly developed IEP; and

(b) Are afforded all of the rights and services guaranteed to special education students under the IDEA.

NEW SECTION

WAC 392-172-630 School district or other public agency permissive use of funds. (1) Funds provided to a school district or other public agency under the IDEA-B may be used for the costs of special education and related services and supplementary aids and services provided in a general class or other education related setting to a special education student in accordance with the individualized education program of the student, even if one or more nondisabled students benefit from these services; and/or

(2) To develop and implement a fully integrated and coordinated services system in accordance with WAC 392-172-635.

NEW SECTION

WAC 392-172-635 School district or other public agency coordinated services system. (1) A school district or other public agency may use not more than five percent of the amount the district or agency receives under Part B of the IDEA for any fiscal year, in combination with other amounts (which must include amounts other than education funds), to develop and implement a coordinated services system designed to improve results for students and families, including special education students and their families.

(2) In implementing a coordinated services system under this section, a school district or other public agency may carry out activities that include:

(a) Improving the effectiveness and efficiency of service delivery, including developing strategies that promote accountability for results;

(b) Service coordination and case management that facilitate the linkage of individualized education programs under Part B of the IDEA and individualized family services plans under Part C of the IDEA with individualized service plans under multiple federal and state programs, such as Title I of the Rehabilitation Act of 1973 (vocational rehabilitation), Title XIX of the Social Security Act (Medicaid) and Title XVI of the Social Security Act (supplementary security income);

(c) Developing and implementing interagency financing strategies for the provision of education, health, mental health, and social services, including transition services and related services under the IDEA; and

(d) Interagency personnel development for individuals working on coordinated services.

(3) If a school district or other public agency is carrying out a coordinated services project under Title XI of the Elementary and Secondary Education Act of 1965 and a coordinated project under Part B of the IDEA in the same schools, the district or agency shall use the amounts under this section in accordance with the requirements of that title.

SCHOOL-BASED IMPROVEMENT PLAN

NEW SECTION

WAC 392-172-640 School-based improvement plan.

(1) The state may grant authority to a school district or other public agency to permit a public school (through a school-based standing panel) to design, implement, and evaluate a school-based improvement plan for a period not to exceed three years.

(2) A school district or other public agency may use Part B funds to permit a public school within its jurisdiction to implement a school-based improvement plan. The plan must be consistent with the purposes described in section 651(b) of the IDEA (state program improvement grants). These purposes include reforming and improving state systems for providing educational, early intervention, and transitional services. The systems involved include professional development, technical assistance, and the dissemination of knowledge about best practices to improve results for students with disabilities.

(3) The plan must be designed to improve results for all special education students and, as appropriate, for other students consistent with WAC 392-172-630.

(4) If the state grants the authority to a school district or other public agency to develop a plan, the district or agency must have the sole responsibility of oversight of all activities relating to the design, implementation, and evaluation of any school-based improvement plan that a public school is permitted to design under this section.

NEW SECTION

WAC 392-172-645 Plan requirements. (1) A school-based improvement plan described in WAC 392-172-640 is for those students who attend the school for which the plan is designed and implemented.

(2) The plan must:

(a) Be designed, evaluated, and as appropriate, implemented by a school-based standing panel established in accordance with WAC 392-172-650;

(b) Include goals and measurable indicators to assess the progress of the public school in meeting these goals; and

(c) Ensure that all special education students receive the services described in their individualized education programs.

NEW SECTION

WAC 392-172-650 School district responsibilities. A school district or other public agency that is granted authority under WAC 392-172-640 to develop a plan shall:

(1) Select each school under the jurisdiction of the district or agency that is eligible to design, implement, and evaluate the plan;

(2) Require each school selected in accordance with criteria established by the district or agency to establish a school-based standing panel to carry out the duties described in WAC 392-172-645;

(3) Establish:

(a) Criteria that must be used by the district or agency in the selection of an eligible school;

(b) Criteria that must be used by an eligible public school in the establishment of a school-based standing panel to carry out the duties described in WAC 392-172-645 that ensure that the membership of the panel reflects the diversity of the community in which the public school is located and includes, at a minimum:

(i) Parents of special education students who attend a public school, including parents of special education students from unserved and underserved populations, as appropriate;

(ii) Special education and general education teachers of public schools;

(iii) Special education and general education administrators, or the designee of those administrators, of those public schools; and

(iv) Related services providers who are responsible for providing services to the special education students who attend those public schools.

(c) Criteria that must be used by the district or agency with respect to the distribution of funds under Part B of the IDEA to carry out this section.

(4) Disseminate the criteria to local school district personnel and local parent organizations within the jurisdiction of the district or agency;

(5) Require a public school that desires to design, implement, and evaluate a school-based improvement plan to submit an application at the time, in the manner and accompanied by the information, that the district or agency shall reasonably require; and

(6) Establish procedures for approval by the district or agency of a school-based improvement plan designed under Part B of the IDEA.

NEW SECTION

WAC 392-172-655 Limitation. A school-based improvement plan may be submitted to a district or agency, for approval only if a consensus with respect to any matter relating to the design, implementation, or evaluation of the goals of the plan is reached by the school-based standing panel that designed the plan.

NEW SECTION

WAC 392-172-660 Additional requirements. (1) In carrying out the requirements of WAC 392-172-640 et seq., a school district or other public agency shall ensure that the

parents of special education students are involved in the design, evaluation, or if appropriate, implementation of school-based improvement plans in accordance with this section.

(2) A district or agency may approve a school-based improvement plan of a public school within its jurisdiction for a period of three years if:

(a) The approval is consistent with the policies, procedures, and practices established by the district or agency in accordance with WAC 392-172-640 et seq.; and

(b) A majority of the parents of students who are members of the school-based standing panel and a majority of other members of the school-based standing panel that designed the plan, agree in writing to the plan.

NEW SECTION

WAC 392-172-665 Extension of plan. If a public school within the jurisdiction of a school district or other public agency meets the applicable requirements and criteria described in this section, at the expiration of the three-year approval period, the district or agency may approve a school-based improvement plan of the school for an additional three-year period.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 392-172-060 Definition—Transition services.

WAC 392-172-062 Definition of terms related to transition services.

WAC 392-172-110 Communication disordered students—Evaluation.

WAC 392-172-112 Medical evaluation.

WAC 392-172-152 Summary analysis of evaluation data.

WAC 392-172-154 School district or other public agency decision on eligibility.

WAC 392-172-168 Required student participation—Transition.

WAC 392-172-178 Preschool services.

WAC 392-172-184 Reevaluation—Notice requirement.

WAC 392-172-206 Facilities.

WAC 392-172-214 Administration of medication.

WAC 392-172-216 Choice and running start programs.

WAC 392-172-228 Out-of-state agencies.

WAC 392-172-234 School district or other public agency responsibility for private school special education students.

WAC 392-172-236 Determination of needs, numbers of students and types of services.

PERMANENT

- WAC 392-172-320 Authority.
- WAC 392-172-322 Purpose.
- WAC 392-172-340 Complainant right to appeal.
- WAC 392-172-346 Appeal to the secretary of education in complaints against the superintendent of public instruction.
- WAC 392-172-358 Prospective application to amendments in *Washington Administrative Code* affecting hearings.
- WAC 392-172-372 Disciplinary exclusion—Procedures, continuing district or other public agency responsibility.
- WAC 392-172-374 Disciplinary exclusion—Determination of disability relatedness and/or appropriateness of program.
- WAC 392-172-376 Disciplinary exclusion—Definition significant change of placement.
- WAC 392-172-378 Disciplinary exclusion—Determination of what constitutes a pattern of exclusion.
- WAC 392-172-380 Emergency exclusion—Dangerous students.
- WAC 392-172-382 Disciplinary exclusion—Bringing a firearm to school.
- WAC 392-172-398 Aversive therapy—Parent complaint process.
- WAC 392-172-554 Scope of system.
- WAC 392-172-556 Establishment of a comprehensive system of personnel development advisory committee.
- WAC 392-172-558 Annual needs assessment.
- WAC 392-172-560 Data system on personnel and personnel development.
- WAC 392-172-562 Other sources of annual needs assessment data.
- WAC 392-172-564 Report of current and projected personnel needs.
- WAC 392-172-566 Administration of continuing education.
- WAC 392-172-568 Personnel development plan.
- WAC 392-172-570 Provision of technical assistance.
- WAC 392-172-592 Records related to grant funds.
- WAC 392-172-594 Program coordination.

**WSR 99-24-002
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 99-195—Filed November 18, 1999, 8:01 a.m.]

Date of Adoption: November 17, 1999.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900Z; and amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.040.

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

Reasons for this Finding: There will be unmarked hatchery steelhead returning to the Hoh River this winter. Only 44.4% of the 94,100 hatchery steelhead smolts planted into the Hoh River were adipose fin clipped. In order to target these unmarked hatchery fish in the sport fishery, an emergency regulation is necessary to allow sport fishers to keep steelhead that have their adipose fins intact, but have dorsal fins measuring 2 1/4-inches or less in height when fully extended. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

November 17, 1999

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 232-28-61900Z Exceptions to statewide rules - Hoh River and South Fork Hoh Notwithstanding the provisions of WAC 232-28-619, effective November 17, 1999, through March 15, 2000, in the Hoh River and South Fork Hoh River, daily limit two trout, minimum length fourteen inches. During this period fishers may retain trout having either a clipped adipose or ventral fin with a healed scar at the fin clip site, or trout having an unmutilated dorsal fin measur-

ing 2 1/4-inches or less in height when fully extended. After November 30, 1999, fishers may retain one trout per day with a dorsal fin greater than 2 1/4-inches in height in the mainstem Hoh downstream from the Highway 101 Bridge.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. March 15, 2000:

WAC 232-28-61900Z Exceptions to statewide rules-Hoh River and South Fork Hoh.

**WSR 99-24-003
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 99-200—Filed November 18, 1999, 8:04 a.m., effective November 20, 1999, 12:01 p.m.]

Date of Adoption: November 17, 1999.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-36000X and 220-56-36000Y; and amending WAC 220-56-360.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Test results show that adequate clams are available for harvest in Razor Clam Area 1 and that portion of Razor Clam Area 3 between the Grays Harbor North Jetty and the south boundary of the Quinault Indian Reservation and that Department of Health has issued a closure notice in Razor Clam Area 2 due to elevated levels of domoic acid. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

EMERGENCY

Effective Date of Rule: November 20, 1999, 12:01 p.m.
November 17, 1999
J. P. Koenings
Director

NEW SECTION

WAC 220-56-36000Y Razor clams—Areas and seasons. Notwithstanding the provisions of WAC 220-56-360, it is unlawful to dig for or possess razor clams taken for personal use from any beach in Razor Clam Areas 1, 2, 3, except as provided for in this section:

- (1) Effective 12:01 p.m. November 20 through 11:59 p.m. November 22, 1999, between 12:01 p.m. to 11:59 p.m. only, razor clam digging is allowed in that portion of Razor Clam Area 3 that is between the Grays Harbor North Jetty and the Copalis River.
- (2) Effective 12:01 p.m. November 26 through 11:59 p.m. November 27, 1999, between 12:01 p.m. to 11:59 p.m. only, razor clam digging is allowed in Razor Clam Area 1.
- (3) Effective 12:01 p.m. November 26, through 11:59 p.m. November 27, 1999, between 12:01 p.m. to 11:59 p.m. only, razor clam digging is allowed in that portion of Razor Clam Area 3 that is between the Copalis River and the southern boundary of the Quinault Indian Reservation.
- (4) Effective 12:01 p.m. December 20 through 11:59 p.m. December 21, 1999, between 12:01 p.m. to 11:59 p.m. only, razor clam digging is allowed in Razor Clam Area 1.
- (5) It is unlawful to dig for razor clams at any time in Long Beach, Twin Harbors Beach or Copalis Beach Clam sanctuaries defined in WAC 220-56-372.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 p.m. November 20, 1999:

WAC 220-56-36000X Razor clams—Areas and seasons. (99-196)

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. December 22, 1999:

WAC 220-56-36000Y Razor clams—Areas and seasons.

no managed health care system has contracted to accept new members, as well as disenroll current nonsubsidized members beginning January 2000 in areas where no managed health care system will be available after December 31, 1999. These amendments are necessary to enable basic health to limit or close nonsubsidized enrollment. New section WAC 182-25-031 is necessary to enable current subsidized enrollees who lose eligibility for a premium subsidy to continue their coverage and remain with their selected managed health care system through the end of the 2000 plan year if they pay the full cost of their coverage. The policy statement regarding open enrollment is moved from WAC 182-25-010(27) to WAC 182-25-040(8), to allow for clarification. These emergency rules are substantially similar to emergency rules filed August 27, 1999, under WSR 99-18-051, which will expire November 25, 1999, and are identical to new permanent rules filed November 18, 1999, to be effective December 19, 1999.

Citation of Existing Rules Affected by this Order: Amending WAC 182-25-010, 182-25-030, 182-25-040, and 182-25-090.

Statutory Authority for Adoption: RCW 70.47.050.

Other Authority: RCW 70.47.060, 70.47.100.

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

Reasons for this Finding: These amendments are necessary because of a significant decrease in the number of managed health care systems participating in basic health's non-subsidized program after December 31, 1999. Without these changes, basic health will be unable to provide coverage for current nonsubsidized enrollees or for subsidized enrollees who lose eligibility for a premium subsidy.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 4, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 4, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: November 25, 1999.

November 18, 1999

Cyndi L. Presnell
for Melodie Bankers
Rules Coordinator

WSR 99-24-004
EMERGENCY RULES
HEALTH CARE AUTHORITY
(Basic Health Plan)

[Order 99-07—Filed November 18, 1999, 11:51 a.m., effective November 25, 1999]

Date of Adoption: November 18, 1999.

Purpose: These amendments are necessary because of a significant and-unanticipated decrease in the number of managed health care systems participating in basic health's non-subsidized program for plan year 2000. Basic health will be forced to limit new nonsubsidized enrollment in areas where

EMERGENCY

AMENDATORY SECTION (Amending WSR 98-15-018, filed 7/6/98, effective 8/6/98)

WAC 182-25-010 Definitions. The following definitions apply throughout these rules.

(1) "Administrator" means the administrator of the Washington state health care authority (HCA) or designee.

(2) "Appeal procedure" means a formal written procedure for resolution of problems or concerns raised by enrollees which cannot be resolved in an informal manner to the enrollee's satisfaction.

(3) "Basic health plan" (or BHP) means the system of enrollment and payment on a prepaid capitated basis for basic health care services administered by the administrator through managed health care systems.

(4) "BHP plus" means the program of expanded benefits available to children through coordination between the department of social and health services (DSHS) and basic health plan. Eligibility for BHP Plus is determined by the department of social and health services, based on Medicaid eligibility criteria. To be eligible for the program children must be under age nineteen, with a family income at or below two hundred percent of federal poverty level, as defined by the United States Department of Health and Human Services. They must be Washington state residents, not eligible for Medicare, and may be required to meet additional DSHS eligibility requirements.

(5) "Co-payment" means a payment indicated in the schedule of benefits which is made by an enrollee to a health care provider or to the MHCS.

(6) "Covered services" means those services and benefits in the BHP schedule of benefits (as outlined in the member handbook issued to the enrollee, or to a subscriber on behalf of the enrollee), which an enrollee shall be entitled to receive from a managed health care system in exchange for payment of premium and applicable co-payments.

(7) "Disenrollment" means the termination of covered services in BHP for a subscriber and dependents, if any.

(8) "Effective date of enrollment" means the first date, as established by BHP, on which an enrollee is entitled to receive covered services from the enrollee's respective managed health care system.

(9) "Dependent" means:

(a) The subscriber's lawful spouse, not legally separated, who resides with the subscriber; or

(b) The unmarried child of the subscriber or the subscriber's dependent spouse, whether by birth, adoption, legal guardianship, or placement pending adoption, who is:

(i) Younger than age nineteen, and who has not been relinquished for adoption by the subscriber or the subscriber's dependent spouse; or

(ii) Younger than age twenty-three, and a registered student at an accredited secondary school, college, university, technical college, or school of nursing, attending full time, other than during holidays, summer and scheduled breaks; or

(c) A person of any age who is under legal guardianship of the subscriber or the subscriber's dependent spouse, and who is incapable of self-support due to disability.

(10) "Eligible full-time employee" means an employee who meets all eligibility requirements in WAC 182-25-030

and who is regularly scheduled to work thirty or more hours per week for an employer. The term includes a self-employed individual (including a sole proprietor or a partner of a partnership, and may include an independent contractor) if the individual:

(a) Is regularly scheduled to work thirty hours or more per week; and

(b) Derives at least seventy-five percent of his or her income from a trade or business that is licensed to do business in Washington.

Persons covered under a health benefit plan pursuant to the Consolidated Omnibus Budget Reconciliation Act of 1986 shall not be considered eligible employees for purposes of minimum participation requirements.

(11) "Eligible part-time employee" means an employee who meets all the criteria in subsection (10) of this section, but who is regularly scheduled to work fewer than thirty hours per week for an employer.

(12) "Employee" means one who is in the employment of an employer, as defined by RCW 50.04.080.

(13) "Employer" means an enterprise licensed to do business in Washington state, as defined by RCW 50.04.080, with employees in addition to the employer, whose wages or salaries are paid by the employer.

(14) "Enrollee" means a person who meets all eligibility requirements, who is enrolled in BHP, and for whom applicable premium payments have been made.

(15) "Family" means an individual or an individual and spouse, if not legally separated, and dependents. For purposes of eligibility determination and enrollment in the plan, an individual cannot be a member of more than one family.

(16) "Financial sponsor" means a person, organization or other entity, approved by the administrator, that is responsible for payment of all or a designated portion of the monthly premiums on behalf of a subscriber and any dependents.

(17) "Gross family income" means total cash receipts, as defined in (a) of this subsection, before taxes, from all sources, for subscriber and dependents whether or not they are enrolled in BHP, with the exceptions noted in (b) of this subsection.

(a) Income includes:

(i) Money wages, tips and salaries before any deductions;

(ii) Net receipts from nonfarm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership, after deductions for business expenses);

(iii) Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses);

(iv) Regular payments from Social Security, railroad retirement, unemployment compensation, strike benefits from union funds, workers' compensation, veterans' payments, public assistance, alimony, child support, military family allotments, private pensions, government employee pensions (including military retirement pay), and regular insurance or annuity payments;

(v) Work study or training stipends;

(vi) Dividends and interest accessible to the enrollee without a penalty;

(vii) Net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings.

(b) Income does not include the following types of money received:

(i) Capital gains;

(ii) Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car;

(iii) Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury (except workers' compensation);

(iv) Noncash benefits, such as the employer-paid or union-paid portion of health insurance or other employee fringe benefits, food or housing received in lieu of wages, the value of food and fuel produced and consumed on farms, the imputed value of rent from owner-occupied nonfarm or farm housing, and such noncash benefit programs as Medicare, Medicaid, food stamps, school lunches, and housing assistance;

(v) Income earned by dependent children;

(vi) Income of a family member who resides in another household when such income is not available to the subscriber or dependents seeking enrollment in BHP;

(vii) College or university scholarships, grants, fellowships and assistantships;

(viii) Payments from the department of social and health services adoption support program authorized under RCW 26.33.320 and 74.13.100 through 74.13.145;

(ix) Documented child care expenses for the care of a dependent child of a subscriber may be deducted (at a rate set by the administrator and consistent with Internal Revenue Service requirements) when calculating gross family income. To qualify for this deduction, the subscriber must be employed during the time the child care expenses were paid, and payment may not be paid to a parent or step parent of the child or to a dependent child of the subscriber or his/her spouse.

(18) "Home care agency" means a private or public agency or organization that administers or provides home care services directly or through a contract arrangement to ill, disabled, or infirm persons in places of temporary or permanent residence, and is licensed by the department of social and health services (DSHS) as a home care agency. In order to qualify, the agency must be under contract with one of the following DSHS programs: Chore, Medicaid Personal Care, Community Options Program Entry System (COPES) or Respite Care (up to level three).

(19) "Institution" means a federal, state, county, city or other government correctional or detention facility or government-funded facility where health care historically has been provided and funded through the budget of the operating agency, and includes, but is not limited to: Washington state department of corrections institutions; federal, county and municipal government jail and detention institutions; Washington state department of veterans affairs soldiers' and veterans' homes; department of social and health services state hospitals and facilities and juvenile rehabilitation institutions and group homes. An institution does not include: Educational institutions; government-funded acute health care or mental health facilities except as provided above; chemical dependency facilities; and nursing homes.

(20) "Institutionalized" means to be confined, voluntarily or involuntarily, by court order or health status, in an institution, as defined in subsection (19) of this section. This does not include persons on work release or who are residents of higher education institutions, acute health care facilities, alcohol and chemical dependency facilities, or nursing homes.

(21) "Insurance broker" or "agent" means a person who is currently licensed as a disability insurance broker or agent, according to the laws administered by the office of the insurance commissioner under chapter 48.17 RCW.

(22) "Managed health care system" (or "MHCS") means any health care organization (including health care providers, insurers, health care service contractors, health maintenance organizations, or any combination thereof) which has entered into a contract with the HCA to provide basic health care services.

(23) "Maternity benefits through medical assistance," also known as S-Medical, means the coordinated program between BHP and DSHS for eligible pregnant women. This program includes all Medicaid benefits, including maternity coverage. Eligible members must be at or below one hundred eighty-five percent of the federal poverty level. Eligibility for this program is determined by DSHS, based on Medicaid eligibility criteria.

(24) "Medicaid" means the Title XIX Medicaid program administered by the department of social and health services, and includes the medical care programs provided to the "categorically needy" and the "medically needy" as defined in chapter 388-503 WAC.

(25) "Medicare" means programs established by Title XVIII of Public Law 89-97, as amended, "Health Insurance for the Aged and Disabled."

(26) "Nonsubsidized enrollee" or "full premium enrollee" means an individual who enrolls in BHP, as the subscriber or dependent, and who pays or on whose behalf is paid the full costs for participation in BHP, without subsidy from the HCA.

(27) "Open enrollment" means a time period designated by the administrator during which enrollees may enroll additional dependents or apply to transfer their enrollment from one managed health care system to another. ~~((There shall be at least one annual open enrollment period of at least twenty consecutive days.))~~

(28) "Participating employee" means an employee of a participating employer or home care agency who has met all the eligibility requirements and has been enrolled for coverage under BHP.

(29) "Participating employer" means an employer who has been approved for enrollment in BHP as an employer group.

(30) "Preexisting condition" means any illness, injury or condition for which, in the three months immediately preceding an enrollee's effective date of enrollment in BHP:

(a) Treatment, consultation or a diagnostic test was recommended for or received by the enrollee; or

(b) The enrollee was prescribed or recommended medication; or

(c) Symptoms existed which would ordinarily cause a reasonably prudent individual to seek medical diagnosis, care or treatment.

(31) "Premium" means a periodic payment, based upon gross family income and determined under RCW 70.47.060(2), which an individual, their employer or a financial sponsor makes to BHP for subsidized or nonsubsidized enrollment in BHP.

(32) "Program" means subsidized BHP, nonsubsidized BHP, BHP Plus, or maternity benefits through medical assistance.

(33) "Provider" or "health care provider" means a health care professional or institution duly licensed and accredited to provide covered services in the state of Washington.

~~((33))~~ (34) "Rate" means the per capita amount, including administrative charges and any applicable premium and prepayment tax imposed under RCW 48.14.020, negotiated by the administrator with and paid to a managed health care system, to provide BHP health care benefits to enrollees.

~~((34))~~ (35) "Schedule of benefits" means the basic health care services adopted and from time to time amended by the administrator, which an enrollee shall be entitled to receive from a managed health care system in exchange for payment of premium and applicable co-payments, as described in the member handbook.

~~((35))~~ (36) "Service area" means the geographic area served by a managed health care system as defined in its contract with HCA.

~~((36))~~ (37) "Subscriber" is a person who applies to BHP on his/her own behalf and/or on behalf of his/her dependents, if any, who meets all applicable eligibility requirements, is enrolled in BHP, and for whom the monthly premium has been paid. Notices to a subscriber and, if applicable, a financial sponsor or employer shall be considered notice to the subscriber and his/her enrolled dependents.

~~((37))~~ (38) "Subsidized enrollee" or "reduced premium enrollee" means an individual who enrolls in BHP, either as the subscriber or an eligible dependent, whose current gross family income does not exceed twice the federal poverty level as adjusted for family size and determined annually by the federal Department of Health and Human Services, and who receives a premium subsidy from the HCA.

~~((38))~~ (39) "Subsidy" means the difference between the amount of periodic payment the HCA makes to a managed health care system on behalf of a subsidized enrollee, and the amount determined to be the subsidized enrollee's responsibility under RCW 70.47.060(2).

AMENDATORY SECTION (Amending Order 99-02, filed 7/26/99, effective 8/26/99)

WAC 182-25-030 Eligibility. (1) To be eligible for enrollment in BHP, an individual must be a Washington state resident who is not:

(a) Eligible for free Medicare coverage or eligible to buy Medicare coverage; or

(b) Institutionalized at the time of enrollment.

(2) Persons not meeting these criteria, as evidenced by information submitted on the application for enrollment or otherwise obtained by BHP, will not be enrolled. An enrollee

who is no longer a Washington resident, who becomes eligible for free or purchased Medicare, or who is later determined to have failed to meet BHP's eligibility criteria at the time of enrollment, will be disenrolled from the plan as provided in WAC 182-25-090. An enrollee who was not confined to an institution at the time of enrollment, who is subsequently confined to an institution, will not be disenrolled, provided he or she remains otherwise eligible and continues to make all premium payments when due.

(3) Eligibility for BHP Plus and maternity benefits through medical assistance is determined by DSHS, based on Medicaid eligibility criteria.

(4) ~~(To be eligible)~~ For subsidized enrollment in BHP, an individual must meet the eligibility criteria in subsection (1) of this section, have a gross family income that does not exceed two hundred percent of federal poverty level as adjusted for family size and determined annually by the U.S. Department of Health and Human Services, and must pay, or have paid on ~~(their)~~ his or her behalf, the monthly BHP premium.

(5) To be eligible for nonsubsidized enrollment in BHP, an individual may have any income level, must meet the eligibility criteria in subsection (1) of this section, and must pay, or have paid on their behalf, the full costs for participation in BHP, including the cost of administration, without subsidy from the HCA.

(6)(a) An individual otherwise eligible for enrollment in BHP may be denied enrollment if the administrator has determined that acceptance of additional enrollment would exceed limits established by the legislature, would jeopardize the orderly development of BHP, or would result in an overexpenditure of BHP funds. ~~(In the event that)~~ An individual otherwise eligible for enrollment in either the subsidized or nonsubsidized program may also be denied enrollment if no MHCS is accepting new enrollment in that program or from the geographic area where the applicant lives.

(b) If the administrator closes or limits subsidized enrollment ~~(and)~~, to the extent funding is available, BHP will continue to accept and process applications for enrollment from:

~~((a))~~ (i) Applicants who will pay the full premium, provided at least one MHCS is accepting new nonsubsidized enrollment from the geographic area where the applicant lives;

~~((b))~~ (ii) Children eligible for BHP Plus;

~~((c))~~ (iii) Children eligible for subsidized BHP, who were referred to DSHS for BHP Plus coverage, but were found ineligible for BHP Plus for reasons other than noncompliance;

~~((d))~~ (iv) Employees of a home care agency group enrolled or applying for coverage under WAC 182-25-060;

~~((e))~~ (v) Eligible individual home care providers;

~~((f))~~ (vi) Licensed foster care workers;

~~((g))~~ (vii) Limited enrollment of new employer groups; and

~~((h))~~ (viii) Subject to availability of funding, additional space for enrollment may be reserved for other applicants as determined by the administrator, in order to ensure continuous coverage and service for current individual and group accounts. (For example: Within established guidelines, pro-

cessing routine income changes that may affect subsidy eligibility for current enrollees; adding new family members to an existing account; transferring enrollees between group and individual accounts; restoring coverage for enrollees who are otherwise eligible for continued enrollment under WAC 182-25-090 after a limited suspension of coverage due to late payment or other health care coverage; adding newly hired employees to an existing employer group; or adding new or returning members of federally recognized native American tribes to that tribe's currently approved financial sponsor group.)

(c) If the administrator has closed or limited subsidized enrollment, applicants for subsidized BHP who are not in any of ~~((these))~~ the categories in (b) of this subsection may reserve space on a reservation list to be processed according to the date the reservation or application is received by BHP. ~~((In the event that))~~ When enrollment is reopened by the administrator, applicants whose names appear on the reservation list will be notified by BHP of the opportunity to enroll. BHP may require new application forms and documentation from applicants on the reservation list, or may contact applicants to verify continued interest in applying, prior to determining their eligibility.

NEW SECTION

WAC 182-25-031 Transition coverage. (1) During plan year 2000, because most MHCS are not accepting new enrollment in the nonsubsidized program, all MHCS serving subsidized enrollees will offer limited transition coverage for enrollees who lose eligibility for premium subsidy. For coverage after December 31, 1999, a subsidized enrollee who loses eligibility for premium subsidy may remain enrolled with no change in MHCS, benefits, or copayments through December 31, 2000, provided:

- (a) The enrollee's subsidy change was processed after September 10, 1999;
- (b) The enrollee is otherwise eligible for BHP;
- (c) The enrollee continues to reside within the MHCS service area; and
- (d) The enrollee pays the full cost of his or her coverage, plus a fee for HCA administrative costs.

(2) To retain coverage for plan year 2001, the enrollee will be required to select a MHCS contracting to serve non-subsidized enrollees and will be covered according to the schedule of benefits for nonsubsidized enrollees.

AMENDATORY SECTION (Amending Order 99-02, filed 7/26/99, effective 8/26/99)

WAC 182-25-040 Enrollment in the plan. (1) Any individual applying for enrollment in BHP must submit a signed, completed BHP application for enrollment. Applications for enrollment of children under the age of eighteen must be signed by the child's parent or legal guardian, who shall also be held responsible for payment of premiums due on behalf of the child. If an applicant is accepted for enrollment, the applicant's signature acknowledges the applicant's obligation to pay the monthly premium in accordance with the terms and conditions identified in the member handbook.

Applications for subsidized enrollment on behalf of children under the age of nineteen shall be referred to the department of social and health services for Medicaid eligibility determination, unless the family chooses not to access this option.

(2) Each applicant shall list all eligible dependents to be enrolled and supply other information and documentation as required by BHP and, where applicable, DSHS medical assistance.

(a) Documentation will be required, showing the amount and sources of the applicant's gross family income. Documentation will include a copy of the applicant's most recently filed federal income tax form, and/or other documentation that shows year-to-date income, or income for the most recent thirty days or complete calendar month as of the date of application. An average of documented income received over a period of several months may be required for purposes of eligibility determination.

(b) Documentation of Washington state residency shall also be required, displaying the applicant's name and address. Other documentation may be accepted if the applicant does not have a physical residence.

(c) BHP may request additional information from applicants for purposes of establishing or verifying eligibility, premium responsibility or managed health care system selection.

(d) Submission of incomplete or inaccurate information may delay or prevent an applicant's enrollment in BHP. Intentional submission of false information may result in disenrollment of the subscriber and all enrolled dependents.

(3) Each member may be enrolled in only one BHP account. Each family applying for enrollment must designate a managed health care system from which the applicant and all enrolled dependents will receive covered services. All applicants from the same family who are covered under the same account must receive covered services from the same managed health care system (with the exception of cases in which a subscriber who is paying for BHP coverage for his/her dependent who lives in a different service area). No applicant will be enrolled for whom designation of a managed health care system has not been made as part of the application for enrollment. The administrator will establish procedures for the selection of managed health care systems, which will include conditions under which an enrollee may change from one managed health care system to another. Such procedures will allow enrollees to change from one managed health care system to another during open enrollment, or otherwise upon showing of good cause for the transfer.

(4) When a managed health care system assists BHP applicants in the enrollment process, it must provide them with the toll-free number for BHP and information on all MHCS available within the applicant's county of residence and the estimated premiums for each available MHCS.

(5) If specific funding has been appropriated for that purpose, insurance brokers or agents who have met all statutory and regulatory requirements of the office of the insurance commissioner, are currently licensed through the office of the insurance commissioner, and who have completed BHP's training program, will be paid a commission for assisting eligible applicants to enroll in BHP.

(a) Individual policy commission: Subject to availability of funds, and as a pilot program, BHP will pay a one-time fee to any currently licensed insurance broker or agent who sells BHP to an eligible individual applicant if that applicant has not been a BHP member within the previous five years.

(b) Group policy commission: Subject to availability of funds, and as a pilot program, fees paid for the sale of BHP group coverage to an eligible employer will be based on the number of employees in the group for the first and second months of the group's enrollment.

(c) Insurance brokers or agents must provide the prospective applicant with the BHP toll-free information number and inform them of BHP benefits, limitations, exclusions, waiting periods, co-payments, all managed health care systems available to the applicant within his/her county of residence and the estimated premium for each of them.

(d) All statutes and regulations of the office of the insurance commissioner will apply to brokers or agents who sell BHP, except they will not be required to be appointed by the MHCS.

(e) BHP will not pay renewal commissions.

(6) Except as provided in WAC 182-25-030(6), applications for enrollment will be reviewed by BHP within thirty days of receipt and those applicants satisfying the eligibility criteria and who have provided all required information, documentation and premium payments will be notified of their effective date of enrollment.

(7) Eligible applicants will be enrolled in BHP in the order in which their completed applications, including all required documentation, have been received by BHP, provided that:

(a) At least one MHCS is accepting new enrollment in the program for which the applicant is applying and from the geographic area where the applicant lives; and

(b) The applicant also remits full payment of the first premium bill to BHP by the due date specified by BHP.

In the event a reservation list is implemented, eligible applicants will be enrolled in accordance with WAC 182-25-030(6).

(8) An open enrollment period of at least twenty consecutive days will be held annually. During this open enrollment period, enrollees may apply to enroll additional family members or to transfer their enrollment to a different MHCS, provided the MHCS selected is accepting new enrollment for the enrollee's program in the geographic area where the enrollee lives.

(9) Not all family members are required to apply for enrollment in BHP; however, any family member for whom application for enrollment is not made at the same time that other family members apply, may not subsequently enroll as a family member until the next open enrollment period, unless the subscriber has experienced a "qualifying change in family status." "Qualifying changes in family status" include:

(a) The loss of other health care coverage, for a family member who has previously waived coverage, provided BHP receives the family member's application within thirty days of the loss of other coverage, along with proof of the family member's continuous medical coverage from the date the subscriber enrolled in BHP;

(b) Marriage or assuming custody or dependency of a child or adult dependent (other than newborn or newly adopted children), provided BHP receives the new family member's application within thirty days of the change in family status; or

(c) Addition of an eligible newborn child or a child newly placed for adoption provided BHP receives the child's application for enrollment within sixty days of the date of birth or placement for adoption. These children may be enrolled effective from the date of birth or placement for adoption.

~~((9))~~ (10) On a schedule approved by the administrator, BHP will request verification of information from all or a subset of enrollees ("recertification"), requiring new documentation of income to determine if the enrollee has had a change in income that would result in a different subsidy level. For good cause, BHP may require recertification on a more widespread or more frequent basis. Enrollees who fail to comply with a recertification request will be converted to nonsubsidized enrollment for at least one month, until new income documentation has been submitted and processed. Each enrollee is responsible for notifying BHP within thirty days of any changes which could affect the enrollee's eligibility or premium responsibility. If, as a result of recertification, BHP determines that an enrollee has not reported income or income changes accurately, the enrollee will be subject to the provisions of WAC 182-25-085.

AMENDATORY SECTION (Amending Order 99-01, filed 5/26/99, effective 6/26/99)

WAC 182-25-090 Disenrollment from BHP. (1) An enrollee or employer group may disenroll effective the first day of any month by giving BHP at least ten days prior written notice of the intention to disenroll.

(2) BHP may disenroll any enrollee or group from BHP for good cause, which includes:

(a) Failure to meet the eligibility requirements set forth in WAC 182-25-030, 182-25-050, 182-25-060, and 182-25-070;

(b) Nonpayment of premium under the provisions of subsection (5) of this section;

(c) Nonpayment of civil penalties assessed under WAC 182-25-085;

(d) When the enrollee's MHCS will no longer be available to him or her and no other MHCS in the area where the enrollee lives is accepting new enrollment in the enrollee's program;

(e) Repeated failure to pay co-payments in full on a timely basis;

~~((e))~~ (f) Fraud, failure to provide requested verification of eligibility, or knowingly providing false information;

~~((f))~~ (g) Abuse or intentional misconduct;

~~((g))~~ (h) Danger or threat to the safety or property of the MHCS or the health care authority or their staff, providers, patients or visitors; and

~~((h))~~ (i) Refusal to accept or follow procedures or treatment determined by a MHCS to be essential to the health of the enrollee, when the MHCS has advised the enrollee and demonstrated to the satisfaction of BHP that no profession-

ally acceptable alternative form of treatment is available from the MHCS.

In addition to being disenrolled, any enrollee who knowingly provides false information to BHP or to a participating managed health care system may be held financially responsible for any covered services fraudulently obtained through BHP.

(3) At least ten days prior to the effective date of disenrollment under subsection (2) of this section, BHP will send enrollees written notice of disenrollment.

(a) The notice of disenrollment will:

- (i) State the reason for the disenrollment;
- (ii) State the effective date of the disenrollment;
- (iii) Describe the procedures for disenrollment; and
- (iv) Inform the enrollee of his or her right to appeal the disenrollment decision as set forth in WAC 182-25-100 and 182-25-105.

(b) The notice of disenrollment will be sent to both the employer or sponsor and to all members of an employer group, home care agency group or financial sponsor group that is disenrolled under these provisions. Enrollees affected by the disenrollment of a group account will be offered coverage under individual accounts. Coverage under individual accounts will not begin unless the premium for individual coverage is paid by the due date for the coverage month. A one-month break in coverage may occur for enrollees who choose to transfer to individual accounts.

(4) Enrollees covered under BHP Plus or receiving maternity benefits through medical assistance will not be disenrolled from those programs when other family members lose BHP coverage, as long as they are still eligible for those programs.

(5) Under the provisions of this subsection, BHP will suspend or disenroll enrollees and groups who do not pay their premiums when due, including amounts owed for subsidy overpayment. Partial payment or payment by check which cannot be processed or is returned due to nonsufficient funds will be regarded as nonpayment.

(a) At least ten days before coverage will lapse, BHP will send a delinquency notice to each subscriber whose premium payment has not been received by the due date. The delinquency notice will include a delinquency due date and a notice that BHP coverage will lapse unless payment is received by the delinquency due date.

(b) Except as provided in (c) of this subsection, coverage will be suspended for one month if an enrollee's premium payment is not received by the delinquency due date. BHP will send written notice of suspension to the subscriber, stating:

- (i) The effective date of the suspension;
- (ii) The due date by which payment must be received to restore coverage after the one-month suspension;
- (iii) The subscriber and any enrolled dependents will be disenrolled if payment is not received by the final due date; and
- (iv) The enrollee's right to appeal under WAC 182-25-105.

(c) Enrollees whose premium payment has not been received by the delinquency due date, and who have been suspended twice within the previous twelve months will be

disenrolled for nonpayment as of the effective date of the third suspension.

(d) Enrollees who are suspended and do not pay the premium for the next coverage month by the due date on the notice of suspension will be immediately disenrolled and issued a notice of disenrollment as provided in subsection (3)(a) of this section.

(6)(a) Enrollees who voluntarily disenroll or are disenrolled from BHP may not reenroll for a period of twelve months from the date their coverage ended. An exception to this provision will be made for:

(i) Enrollees who left BHP for other health insurance, who are able to provide proof of continuous coverage from the date of disenrollment, and who apply to reenroll in BHP within thirty days of losing the other coverage;

(ii) Enrollees who left BHP because they lost eligibility and who subsequently become eligible to reenroll; and

(iii) Persons enrolling in subsidized BHP, who had enrolled and subsequently disenrolled from nonsubsidized BHP under subsection (1) or (2)(b) of this section while waiting on a reservation list for subsidized coverage.

(iv) Enrollees who were disenrolled by BHP because no MHCS was contracted to serve the program in which they were enrolled in the geographic area where they live; these enrollees may reenroll if a MHCS begins accepting enrollment for their program in their area or if they become eligible and apply for another BHP program.

(b) An enrollee who is required to wait twelve months for reenrollment under (a) of this subsection and who has been waiting on a reservation list for subsidized BHP may not reenroll prior to the end of the required twelve-month wait. If the enrollee satisfies the required twelve-month wait for reenrollment while on the reservation list, enrollment will not be completed until funding is available to enroll him or her from the reservation list.

WSR 99-24-010

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 99-201—Filed November 19, 1999, 3:14 p.m.]

Date of Adoption: November 18, 1999.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57-50200B and 232-28-61900A; and amending WAC 220-57-502 and 232-28-619.

Statutory Authority for Adoption: RCW 75.08.080 and 77.12.040.

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

Reasons for this Finding: During periods of high tide, salmon move into the section of the creek between the Dupont Bridge and the yellow markers, but when the tide

goes out the fish are confined and vulnerable to illegal activity in the one pool of deeper water in the section. Enforcement staff indicates people are snagging salmon confined in this pool area when the tide goes out. Closing this portion of the creek, from the foot bridge below Dupont Street Bridge downstream to yellow markers, to all angling, salmon and game fish, will eliminate this disorderly fishing problem. It will still allow salmon angling opportunity downstream of the yellow markers, and game fish angling in other designated open waters. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

November 18, 1999

J. P. Koenings
Director
by Larry Peck

NEW SECTION

WAC 220-57-50200B Whatcom Creek. Notwithstanding the provisions of WAC 220-57-502, effective immediately through December 31, 1999, it is unlawful to fish for or possess salmon taken upstream of yellow markers located immediately downstream of the foot bridge below Dupont Street Bridge in Bellingham.

NEW SECTION

WAC 232-28-61900A Exceptions to statewide rules. Notwithstanding the provisions of WAC 232-28-619, effective immediately through December 31, 1999, it is unlawful to fish for or possess game fish in those waters of Whatcom Creek from the foot bridge below Dupont Street in Bellingham to the yellow markers located immediately downstream of the foot bridge below Dupont Street.

REPEALER

The following sections of the Washington Administrative Code are repealed effective 11:59 p.m. December 31, 1999:

WAC 220-57-50200B Whatcom Creek.

WAC 232-28-61900A

Exceptions to statewide rules.

WSR 99-24-012 EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE

[Order 99-203—Filed November 19, 1999, 4:59 p.m., effective December 22, 1999, 12:01 a.m.]

Date of Adoption: November 19, 1999.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-47-606.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: In order to prevent the all-citizen catch in Area 7B from going excessively over their allocation, it is necessary to reduce the fishery to three days per week. The season in Areas 10 and 11 has concluded. Fishing in Hood Canal remains closed because those hatcheries have not yet met their egg take needs. All other open periods and restrictions are consistent with fishing plans developed and agreed to during the PFMC/North of Falcon processes. An emergency exists in that there is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: December 22, 1999, 12:01 a.m.

November 19, 1999

J. P. Koenings
Director
by Larry Peck

NEW SECTION

WAC 220-47-607 Puget Sound all-citizen commercial salmon fishery. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 a.m. November 22,

1999 until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods, mesh, area, and species restrictions:

- Area 7B** Open to gill nets using 6 1/4 inch minimum mesh and to purse seines using the 5 inch strip as follows:
 - from 6:00 a.m. November 22 through 4:00 p.m. November 24,
 - from 6:00 a.m. November 29 through 4:00 p.m. December 1,
 - from 6:00 a.m. December 6 through 4:00 p.m. December 8.

Area 8 Open to purse seines using the 5 inch strip from 7:00 a.m. to 5:00 p.m. November 22. Open to gill nets using 6 1/4 inch minimum mesh from 7:00 a.m. to 8:00 p.m. November 23.

Areas 8A and 8D Open to purse seines using the 5 inch strip from 7:00 a.m. to 5:00 p.m. November 22, November 23, and November 24. Open to gill nets using 6 1/4 inch minimum mesh from 7:00 a.m. to 8:00 p.m. daily: November 22, November 23, and November 24.

It is unlawful to retain chinook salmon taken with purse seine gear.

Nightly gill net openings refer to the start date.

Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 are closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. November 22, 1999:

WAC 220-47-606 Puget Sound all-citizen commercial fishery (99-194)

**WSR 99-24-030
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 99-204—Filed November 23, 1999, 2:26 p.m., effective December 1, 1999, 12:01 a.m.]

Date of Adoption: November 22, 1999.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900B; and amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.040.

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

Reasons for this Finding: The 2000 Puyallup River wild winter steelhead forecast is 1451 fish, considerably below the desired escapement of 2000 fish. Last years' recreational harvest was 1.4% of the runsize, while treaty catch was 1.7%. Washington Department of Fish and Wildlife and the Puyallup basin treaty tribes want to afford a similar level of protection to the wild fish this year, so 1999-00 Puyallup steelhead fishery regulations will mirror last year's, including the wild release regulation in the sport fishery. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: December 1, 1999, 12:01 a.m.
November 22, 1999

Jeff P. Koenigs
Director
by Larry Peck

NEW SECTION

WAC 232-28-61900B Exceptions to statewide rules. Notwithstanding the provisions of WAC 232-28-619, effective 12:01 a.m. December 1, 1999 through January 31, 2000 release wild steelhead in the following waters:

- (1) Carbon River
- (2) Puyallup River

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. January 31, 2000:

WAC 232-28-61900B Exceptions to statewide rules.

**WSR 99-24-047
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 99-205—Filed November 24, 1999, 2:24 p.m., effective November 25, 1999, 12:01 a.m.]

Date of Adoption: November 24, 1999.
Purpose: Amend commercial fishing rules.

EMERGENCY

Citation of Existing Rules Affected by this Order: Amending WAC 220-52-073 and 220-69-240.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Harvestable amounts of sea urchins exist in the areas described. Two divers are allowed when a vessel is designated on two licenses, consistent with SB 5658 passed by the 1999 legislature. Prohibition of all diving within two days of scheduled sea urchin openings discourages the practice of fishing on closed days and hiding the unlawful catch underwater until the legal opening. Daily reports of sea urchin landings are required to schedule closures and avoid overharvest. A record of Sea Urchin District from which red sea urchins were taken and the location where received is required to avoid overharvest of a district and ensure accurate reporting for purposes of meeting conservation and allocation objectives. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: November 25, 1999, 12:01 a.m.

November 24, 1999

Jeff Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-52-07300N Sea urchins Notwithstanding the provisions of WAC 220-53-073, effective immediately until further notice it is unlawful to take or possess sea urchins taken for commercial purposes except as provided for in this section:

(1) Red sea urchins: Sea Urchin Districts 1 and 2 are open only on December 1, 2, 8, 9, 13, 14, 20 and 21, 1999. That portion of Sea Urchin District 3 from Tongue Point west to Low Point is open only on December 13, 1999. That portion of Sea Urchin District 3 east of Tongue Point is open only on December 13, 14, 20, and 21, 1999. Sea Urchin District 4 is open only on December 13, 14, 20, and 21, 1999. It

is unlawful to harvest red sea urchins larger or smaller than the following size (size in diameter exclusive of the spines):

(a) Districts 1 and 2 - 4.0 minimum to 5.5 maximum inches.

(b) Districts 3 and 4 - 3.25 minimum to 5.0 maximum inches.

(2) Green sea urchins: Sea Urchin Districts 1, 2, 3, 4 and Marine Fish/Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D are open only on Mondays, Tuesdays, and Wednesdays of each week. The minimum size for green sea urchins is 2.25 inches in diameter exclusive of the spines.

(3) Only one diver from each harvesting vessel is allowed in the water at any one time during the sea urchin harvest operation or when commercial quantities of sea urchins are aboard, except that two divers may be in the water if the vessel has been designated on two sea urchin dive fishery licenses.

(4) It is unlawful to dive for any purpose from a commercially-licensed fishing vessel, except vessels actively fishing geoducks under contract with the Washington Department of Natural Resources on Saturdays and Sundays of each week.

(5) Sea Urchin Districts:

(a) Sea Urchin District 1 (Northern San Juan Islands) is defined as Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, and those waters of Area 22A north of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island and west of a line projected true north from Limestone Point on San Juan Island.

(b) Sea Urchin District 2 (Southern San Juans and Port Townsend) is defined as those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22A south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island and east of a line projected true north from Limestone Point on San Juan Island, and Areas 21A, 21B, 22B, 23A, 23B, 25A, and 25B. The following areas within Sea Urchin District 2 are closed to the harvest of sea urchins at all times:

(i) Those waters of Haro Strait north of a line projected east-west one-half mile south of Eagle Point on San Juan Island and south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island.

(ii) Those waters of San Juan Channel and Upright Channel within the following lines: north of a line from Cattle Point on San Juan Island to Davis Point on Lopez Island, south of a line projected from Flat Point on Lopez Island true west to Shaw Island, west of a line from Neck Point on Shaw Island to Steep Point on Orcas Island, and south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island.

NEW SECTION

WAC 220-69-24000N Duties of commercial purchasers and receivers. Notwithstanding the provisions of WAC 220-69-240, effective immediately until further notice:

(1) It is unlawful for any wholesale dealer purchasing sea urchins from non-treaty sea urchin fishers to fail to report to the Department each day's purchase by 10:00 a.m. the following day. For red sea urchins, the report must specify the num-

ber of pounds taken by Sea Urchin District. For green sea urchins, the report must specify the number of pounds taken by Marine Fish-Shellfish Management and Catch Reporting Area. Either of the following two methods of reporting is acceptable:

(a) By facsimile (FAX) transmission to (360) 586-8408, or

(b) By telephone call to (360) 796-4601, extension 500.

(2) It is unlawful for the original receiver of red sea urchins to fail to enter on the fish receiving ticket the Sea Urchin District where the sea urchins were taken.

(3) It is unlawful for the original receiver of sea urchins to fail to enter on the fish receiving ticket the name of the port of landing where the sea urchins were landed onto the shore.

(4) All other fish receiving ticket reporting requirements of WAC 220-69-240 remain in effect.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 220-52-07300M Sea urchins (99-179)
- WAC 220-69-24000N Duties of commercial purchasers and receivers (99-179)

**WSR 99-24-048
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 99-207—Filed November 24, 1999, 2:27 p.m.]

Date of Adoption: November 24, 1999.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-52-040.

Statutory Authority for Adoption: RCW 75.08.080, 75.30.480.

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

Reasons for this Finding: This rule is necessary to establish an even flow harvest regime, pursuant to chapter 245, Laws of 1998. It will allow a fishery on harvestable crab stocks. It is being adopted pursuant to agreement with industry and with the coastal tribes. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

November 24, 1999

Evan Jacoby

for Jeff Koenings

Director

NEW SECTION

WAC 220-52-04000P Crab pot restriction—Coastal waters. Notwithstanding the provisions of WAC 220-52-040, effective December 1, 1999, until further notice it is unlawful for any person to fish more than 500 crab pots in those waters of the Pacific Ocean west of the Bonilla-Tatoosh line, south of the United States-Canada boundary, north of a line projected due west from the thread of the Columbia River at the mouth of the Columbia River, the waters of Grays Harbor, the waters of Willapa Bay, and the concurrent waters of the Columbia River, and, of the 500 pots, no more than 200 may be fished in Grays Harbor.

**WSR 99-24-089
EMERGENCY RULES
FOREST PRACTICES BOARD**

[Filed November 30, 1999, 10:41 a.m.]

Date of Adoption: November 16, 1999.

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

Citation of Existing Rules Affected by this Order: Amending WAC 222-12-090 Forest practices board manual and 222-16-030 Water typing system.

Statutory Authority for Adoption: RCW 76.09.040 and chapter 34.05 RCW.

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

Reasons for this Finding: The Forest Practices Board and the Department of Ecology find good cause for an emergency to modify the water typing rules. This document organizes and summarizes information presented to and discussed by the board in public meetings.

The reasons for findings are as follows:

EMERGENCY

New data has shown that the physical characteristics of streams, as defined in the current forest practices rules, are no longer accurate. Accurate water typing is critical to public resource protection. This emergency rule updates those physical characteristics based on current knowledge so that appropriate resource protection can be provided to fish habitat and water quality.

This emergency rule establishes presumptions for determining fish use in the absence of field verification and is necessary during permanent rule making updating the water type rules and associated riparian protection. Because water typing triggers riparian protection through the forest practices rules, watershed analysis, and some local land use decisions, the definitions used to determine water types must reflect current knowledge about fish use and habitat. Due to significant field verification of water types and research, more is known today about fish distribution and the physical characteristics of fish habitat than was known when the existing water type definitions were written (see WAC 222-16-030). In addition, the 303(d) water quality and actual and potential ESA listings cause increased pressure on the forest practices regulation system that will result in increased cost and complexities for all participants. If the water typing system is not upgraded immediately, it will contribute to potential listings and increase the associated burdens of such listings.

In August 1994, the Point-No-Point Treaty Council published a report, Stream Typing Errors in Washington Water Type Maps for Watersheds of Hood Canal and the Southwest Olympic Peninsula. Simultaneously, the Quinault Indian Nation and the Department of Fish and Wildlife were also reviewing water types in the southwest part of the Olympic Peninsula. Data from these studies indicated that 72% of the Type 4 Streams were actually Type 2 or 3 Streams. In addition, projects funded by the United States Fish and Wildlife Service with cooperation from some western Cascade landowners and Washington trout have also resulted in significant upgrades.

The intent of the Forest Practices Act is to meet water quality standards under the Clean Water Act. As indicated by the number of water bodies listed under section 303(d) of the Clean Water Act, water quality standards are not being met. The number of waterbodies included on the Department of Ecology's 303(d) water quality limited list has increased and now includes many forested streams. Numerous fish stocks are being considered for listing under the Endangered Species Act. The state has water quality antidegradation regulatory requirements. These requirements demand that the beneficial instream uses, such as salmonid habitat, be fully protected. Changes in water quality are not allowed that violate the standards set to fully protect these uses. Further, degradation of water quality, even where it does not cause a violation of the standards, is not allowed unless all known, available, and reasonable best management practices are being used to reduce the affect on water quality; and the activity has been found to be in the overriding public interest. Water quality standards cannot be met if inaccurate stream typing information is used in assessing the impacts of forest practices.

The public has a strong interest in protecting public resources, including water, and fish, especially those listed as endangered and threatened species. Immediate action is nec-

essary to ensure that impacts from forest practices near water are carefully evaluated while the board is in the process of adopting permanent rules. Without an emergency rule, public resources, including the habitat of threatened and endangered species, could be significantly impacted by forest practices because of incorrect water typing.

The FPB maintains rule-making files for this emergency rule that have detailed background information supporting these findings. Please contact Judith Holter, Department of Natural Resources at (360) 902-1412 if you would like to inspect these files.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

November 16, 1999

Amy Bell
Chair

AMENDATORY SECTION (Amending WSR 97-24-091, filed 12/3/97, effective 1/3/98)

WAC 222-12-090 Forest practices board manual. When approved by the board the manual serves as an advisory technical supplement to these forest practices regulations. The department, in cooperation with the departments of fish and wildlife, agriculture, ecology, and such other agencies, affected Indian tribes, or interested parties as may have appropriate expertise, is directed to prepare, and submit to the board for approval, revisions to the forest practices board manual. The manual shall include:

(1) **Method for determination of adequate shade requirements on streams** needed for use with WAC 222-30-040.

(2) **The standard methods** for measuring channel width, stream gradient and flow which are used in the water typing criteria WAC 222-16-030.

(3) **A chart** for establishing recommended permanent culvert sizes and associated data.

(4) **Guidelines** for clearing slash and debris from Type 4 and 5 Waters.

(5) **Guidelines** for landing location and construction.

(6) **Guidelines** for determining acceptable stocking levels.

(7) **Guidelines** for calculating average widths of riparian management zones.

(8) **Guidelines** for wetland delineation.

(9) **Guidelines** for wetland replacement or substitution.

(10) A list of nonnative wetland plant species.

(11) The standard methodology, which shall specify the quantitative methods, indices of resource conditions, and definitions, for conducting watershed analysis under chapter 222-22 WAC. The department, in consultation with Timber/Fish/Wildlife's Cooperative Monitoring, Evaluation and Research Committee (CMER), may make minor modifications to the version of the standard methodology approved by the board. Substantial amendments to the standard methodology requires approval by the board.

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

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

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

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

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

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

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

AMENDATORY SECTION (Amending WSR 97-24-091, filed 12/3/97, effective 1/3/98)

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

***(1) "Type 1 Water"** means all waters, within their ordinary high-water mark, as inventoried as "shorelines of

the state" under chapter 90.58 RCW and the rules promulgated pursuant to chapter 90.58 RCW, but not including those waters' associated wetlands as defined in chapter 90.58 RCW.

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

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

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

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

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

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

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

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

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

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

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

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

***(3) "Type 3 Water"** shall mean segments of natural waters which are not classified as Type 1 or 2 Water and have

a moderate to slight fish, wildlife, and human use. These are segments of natural waters and periodically inundated areas of their associated wetlands which:

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

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

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

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

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

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

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

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

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

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

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

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

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

~~((d))~~ (c) Are highly significant for protection of downstream water quality. Tributaries which contribute greater than 20 percent of the flow to a Type 1 or 2 Water are presumed to be significant for 1,500 feet from their confluence with the Type 1 or 2 Water or until their drainage area is less than 50 percent of their drainage area at the point of confluence, whichever is less.

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

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

* (6) For purposes of this section:

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

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

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

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

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

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

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

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

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

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

WSR 99-24-090
EMERGENCY RULES
FOREST PRACTICES BOARD

[Filed November 30, 1999, 10:42 a.m.]

Date of Adoption: November 16, 1999.

Purpose: To modify forest practices rules to provide greater protection for threatened and endangered salmonids that have listed by the federal government. This is a procedural rule that classifies forest practices in mapped areas as Class IV-Sp requiring additional environmental review.

Citation of Existing Rules Affected by this Order: Amending WAC 222-10-040 Class IV-Special threatened and endangered species SEPA policies, 222-16-010 General definitions, 222-16-050 Classes of forest practices, 222-16-080 Critical wildlife habitats (state) and critical habitat (federal) of threatened and endangered species, 222-24-050 Road maintenance and 222-30-040 Shade requirements to maintain stream temperature; and new sections WAC 222-16-088 Salmonid listed areas, 222-10-020 SEPA policies for certain forest practices within 200 feet of a Type 1 Water, and 222-10-043 Salmonids.

Statutory Authority for Adoption: RCW 76.09.040 and [76.09.]050, and chapter 34.05 RCW.

Other Authority: Chapter 43.21C RCW.

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

Reasons for this Finding: On November 1, 1999, the United States Fish and Wildlife Service listed the Washington coastal and Puget Sound bull trout as threatened. These findings support this listing as well as all previous listings.

On March 16, 1999, the NMFS listed seven additional Washington state salmonid stocks (i.e., ESUs or evolutionary significant units) as threatened or endangered under the Endangered Species Act. These stocks and their listing status are:

- Upper Columbia River Spring Chinook - endangered
- Puget Sound Fall Chinook - threatened
- Lower Columbia River Fall Chinook - threatened
- Hood Canal Summer Chum - threatened
- Lower Columbia River Chum - threatened
- Middle Columbia Steelhead - threatened
- Lake Ozette Sockeye - threatened

These findings continue to support the previously listed stocks covered under the emergency rule adopted by the Forest Practices Board on November 18, 1998, and readopted on February 10, 1999. These stocks, their status, and the dates listed are:

- Upper Columbia Steelhead - endangered - August 1997
- Snake River Steelhead - threatened - August 1997
- Lower Columbia Steelhead - threatened - March 1998
- Columbia River Bull Trout - threatened - June 1998

The Forest Practices Board finds good cause for an emergency rule to protect these salmonid stocks. This document organizes and summarizes information presented to and discussed by the board in public meetings. The reasons for this finding are as follows:

1. SALMONID NEEDS:

Salmonid Biology - General: The family *Salmonidae* includes salmon, trout and char. Salmonids have several life history phases which include spawning, incubation, rearing and migration. Salmonids are most commonly associated with cool riverine waters in the temperate and arctic regions of the Northern Hemisphere. Although some species and stocks have adapted to marine and lacustrine (lake) environments for parts of their life history, they all have a common dependence on running cool fresh water and gravel that is reasonably free of fine sediment for spawning and incubation. Once the eggs hatch, most juveniles still require rearing habitat which includes forage, clean cool water, and cover provided by rocks, banks and large woody debris, although the duration of freshwater rearing varies among species and stocks. Stream nutrient conditions are important for those species with extended riverine rearing. Finally, most stocks need to be able to migrate upstream and downstream as both juveniles and adults.

Factors Limiting Habitat of All Salmonids: In order to provide cool, clean water and habitat that includes pools, clean gravel and stable channels, the following habitat requirements are necessary in order to provide for healthy salmonids: Shade, stable stream banks, large woody debris, and fish passage.

Shade and Stream Temperature. Shade is needed to provide cool water temperatures. Shade is most critical for species and stocks that are present during the summer. Temperatures above 10 to 18°C, depending on the species and feeding conditions, may cause declining health, reduced growth or weight loss, displacement to less desirable habitat, and, under prolonged or extreme conditions, death.

Adult salmonids are biologically timed to spawn within a certain temperature range and time period. Warmer conditions may force adults to spawn after their preferred time period, and they are then often in poorer physical condition which results in reduced survival of the progeny. Stocks that spawn in the late summer or early fall are especially vulnerable, including Hood Canal Summer Chum, Puget Sound Fall Chinook, Upper Columbia River Spring Chinook, and bull trout.

Nonsummer water temperatures may be important for juveniles of some anadromous stocks. Timing of egg hatching, emergence, and fry emigration of pink and chum salmon are strongly affected by freshwater temperature. Juvenile migration to marine waters (coho, steelhead and chinook) is biologically timed by temperature, solar periodicity, and possibly other factors such as flow. There appears to be a window of time (one or three months) for fish to reach marine waters when marine conditions are best for growth and survival.

To restore and maintain natural cool water temperatures, trees along the riparian zones of fish-bearing streams and along contributing nonfish-bearing streams must be retained

to assure that the solar radiation does not warm the streams beyond their natural range. Solar heating is a cumulative effect, such that the loss of shade in up-stream channels may reduce habitat quality downstream. Because of this, it is important to extend shading upstream into perennial nonfish-bearing waters. On a watershed scale, excessive loss of shade will reduce that amount of habitat available for rearing during the summer. The current Class AA water quality standard (16°C) was intended to fully protect salmonids; however, this standard has since been shown to be inadequate for bull trout and possibly other species. Water temperature standards are currently under review by the Washington Department of Ecology, and recommended revisions are expected some time this year.

Although direct solar radiation is the most significant effect, other factors can contribute to higher water temperatures. Microclimate effects from upland clearcuts, ground water heating where shallow ground water become exposed by clearcuts, and channel widening from sediment aggradation are nonshade effects that may be significant in some channels.

Sediment. Sediment naturally enters stream channels from bank erosion and landslides. Certain forest practice activities can greatly accelerate the influx of sediment and can damage fish habitat. Sediment may come from infrequent massive influxes caused by induced landslides and severe bank erosion. Sediment from these sources often include both fine sediment and coarse sediment. Poor construction and maintenance of unpaved forest roads or soil disturbance from unsuspected yarding or heavy equipment near streams causes a steady influx of fine sediment into the channel.

Fine sediment can settle in spawning gravel, often filling the intergravel spaces. This reduces the survival of salmonid eggs by reducing oxygen levels, or it traps alevin (larval salmonids). This intergravel zone (termed the hyporheic zone) is also important habitat for most aquatic invertebrate species and plays an important role in the organic decomposition and nutrient recycling in the stream ecosystems, which are key to providing food for salmonids. The depth and width of the hyporheic zone can be significantly diminished by the influx of fine sediment, effectively blocking the penetration of oxygen and nutrients into the streambed.

Coarse sediment can be beneficial to fish habitat, providing spawning gravel and juvenile habitat. However, excessive quantities of sediment associated with landslides and rapid bank erosion can destroy habitat by filling pools and creating long stretches of gravel that are prone to scour (gravel mobilization) during floods. Scour destroys eggs and alevin.

Hydrology. Clearcut stands have the capacity to accumulate considerably more snow than forested stands with full canopies. As a result, the size and timing of surface run-off events can be changed as a result of forest management. This can occur primarily as a result of rain-on-snow events in harvested areas or through snowmelt run-off on the eastside. These run-off events are more likely to be triggered at higher elevations where snow has greater potential to accumulate. Forest roads can also exacerbate surface run-off by extending

the watershed drainage network up roadside ditches and sometimes tread surfaces, resulting in faster run-off from roads that are directly connected to streams.

Both of these run-off effects result in higher peak flows in stream channels, which in turn increases the frequency and extent of scour and, where streambanks are unstable, increases stream bank erosion. These effects can kill salmonid eggs and alevin, fill pools, and degrade other physical habitat features.

Large Woody Debris. Juvenile salmonids need pools and cover for refuge and desired feeding conditions. Stream morphology that contains adequate pools requires input of large woody debris (LWD) on a continuous basis. The LWD provides structure in the streams and creates the formation of pools and cover. It also moderates the movement of sediment and contributes to the stability of spawning gravel. Very large pieces of wood are required to function effectively because of the large flood events common to the Northwest. Conifer species are preferred for LWD because they are more resistant to decay, and they achieve greater sizes than deciduous species.

Adult fish also use LWD for resting areas and cover during migration. This need is particularly important in large anadromous stocks and bull trout that hold over summer in rivers prior to spawning; they need deep cool pools with cover for survival during low flow periods. Stocks especially vulnerable include spring chinook, summer steelhead, bull trout and, to a lesser extent, the late summer spawners such as Puget Sound Chinook and Hood Canal Summer Chum.

Trees from the adjacent riparian stand are an important source of LWD. In larger stream channels, wood from upstream sources are also important. Large, multiple rotation conifers are needed, especially in larger stream channels. Harvest of riparian forest stands will result in long term declines in LWD abundance.

Fish Passage. Adult salmonids need to move upstream to access spawning areas. Juvenile fish need to move upstream and downstream to find desirable feeding conditions or take refuge from undesirable environmental conditions. Forest road stream crossings often block fish passage.

Bank Stability. Trees and shrubs rooted in the banks of a stream channel are important in maintaining a deep channel and preventing the erosion of sediment from the stream banks. Exposed root masses are important refuge for juvenile fish. Removal of logs from the channel and stream bank can contribute to fine sediment erosion and loss of in-channel habitat features.

Specific Species Biological Attributes and How They Relate to Forest Practices Activities:

Chum Salmon. Migrating adult chum salmon enter rivers and streams to spawn from September to February; there is considerable variation among stocks. Most stocks, including the two listed on March 16, 1999, are not extensive freshwater migrants. They prefer spawning areas close to marine waters, and they rarely jump falls greater than four feet in height. Spawning may occur individually or enmass (i.e., large numbers on one spawning bed) in both rivers and streams. Juveniles emigrate to sea within weeks of emergence from gravel while they are still fry (i.e., at a very small

size). During their brief freshwater residence, juveniles use intergravel spaces, brushy in-water cover, shallow river margins, and backwater sloughs as refuge from predators and water currents.

Chum salmon need an abundance of clean, stable gravel. Stability may be provided by low channel gradients, LWD and other hydraulic obstructions, or some combination of both. Adult Hood Canal summer chum may enter fresh water at a time when solar heating is still significant and flow is low, so shading and deep pool habitat should be fully protected. Full shade protection is also recommended for Columbia River chum because there is uncertainty about critical timing of hatching and emigration for the survival of juveniles in early ocean life.

Fall Chinook Salmon. Chinook salmon enter rivers from August to November, spawning primarily in rivers and, less frequently, streams. Juvenile chinook emerge from the gravel in March and April. Freshwater residency varies considerably, both within stocks and between stocks. Juveniles may remain in freshwater for only two to three months, during which time they actively feed and grow. Some juveniles may stay in freshwater over the summer. A few of these emigrate during the summer and fall, but most wait until the following spring.

Other than the fact that they prefer larger channels, the spawning and juvenile rearing habitat requirements of chinook are typical of other salmonids. They need shade, clean stable spawning gravel, LWD for pools and cover, and shade for cool water temperatures.

Spring Chinook Salmon. The life history and habitat requirements of spring chinook are similar to fall chinook, with the exception that adult migration in freshwater starts prior to July 1, and spawning occurs in August and September. Thus, there are special habitat requirements associated with oversummer holding and spawning during the time when flow is very low and temperatures are at their peak. Many spring chinook stocks are associated with cold, often glacial, river systems.

Mid-Columbia Steelhead. This is a "summer" steelhead stock, meaning that adults enter fresh water as early as a year before spawning. Part of the adult population spend the summer in freshwater and need full shade protection, and they need deep pools for holding during the late summer low flow period. Steelhead are the strongest jumpers among anadromous salmonids, with leaps of up to 20' vertical feet under favorable pool and flow conditions. More often than any other anadromous species, they define the upper extent of anadromous utilization. Spawning occurs in March, April, and May, and the fry emerge from the gravel during the summer. While some steelhead push to the headwaters to spawn in small channels, others spawn in large rivers. Juvenile steelhead typically spend one to three summers in freshwater before emigrating to sea. Steelhead are more likely to use steeper gradients for both spawning and rearing than other anadromous species.

Lake Ozette Sockeye. Lake Ozette Sockeye spawn in tributaries to Lake Ozette. As with most sockeye stocks, the juveniles rear in lakes for one to two years before emigrating to the ocean. Thus, the habitat requirements of this stock require protection of lacustrine habitat in addition to the riv-

erine spawning and incubation habitat required by other species. Lake nutrient conditions and competitive and predatory interactions with other lake species often affect the survival and productivity of sockeye stocks.

Bull Trout. Bull trout (*Salvelinus confluentus*), a native char, is a cold water species that moved north and into higher elevations after the last glacial period. Bull trout exhibit both migratory and nonmigratory life history forms (Brown 1994). Resident populations generally spend their entire lives in small headwater streams, whereas migratory populations spawn and rear in headwater tributary streams for several years before migrating to either larger river systems (fluvial), lakes and reservoirs (adfluvial), or the ocean (anadromous) for adult rearing. Bull trout generally concentrate in reaches influenced by groundwater where temperature and flow conditions may be more stable (MBTSG 1998; Baxter et al., in press; Baxter and Hauer, in prep.).

Dolly Varden (*Salvelinus malma*) and bull trout (*Salvelinus confluentus*) were considered to be the same species until the late 1970s when Cavender (1978) provided evidence to suggest that there was a dichotomy. The American Fisheries Society accepted Cavender's work in 1980 and recognized the separation of the two species (Mongillo 1993). However, the two species are difficult to differentiate in the field; extensive and costly genetic work must be done in the laboratory. Furthermore, their life histories and habitat requirements are similar, if not identical (Mongillo 1993, Brown 1994). Therefore, from a management and recovery perspective, they are currently considered the same species. As pertains to an emergency rule, while coastal and Puget Sound populations can be either species or a combination of Dolly Varden and bull trout, all populations in Eastern Washington and the Columbia River drainage are assumed to be bull trout.

Bull trout habitat requirements differ from other salmonids in the following ways:

- Temperature requirements for bull trout are colder than for other salmonids (especially for spawning and juvenile rearing); in some cases, so cold as to exclude other salmonids which would otherwise compete for habitat and food. When living within the same habitat with other salmonids, colder temperatures can give bull trout the competitive advantage (MBTSG 1998).
- Bull trout will often stratify higher in the watershed than other salmonids (especially resident life forms and for spawning and rearing). (Adams 1994.)
- Because bull trout spawn higher in the headwaters, they can be more vulnerable to fish passage problems.
- Bull trout spend a longer period [of] time in the gravels before emergence (220+days) and thus are more vulnerable to sediment and scouring peak flows.

Additional Factors Limiting Bull Trout Habitat: The decline of bull trout throughout their range has been linked to habitat destruction and migration barriers, as well as other factors such as introduced exotic species (Dambacher and Jones 1997). Bull trout spawning, incubation, and juvenile rearing generally occur in second through fourth order streams which are most susceptible to effects resulting from

harvest. Effects may be more obvious on smaller streams than on larger ones. Timber harvest can influence stream temperature, LWD recruitment, local run-off patterns, erosion, sedimentation, channel aggradation, and channel stability (MBTSG 1998).

Shade and Stream Temperature Effects on Bull Trout.

Bull trout are glacial relics and require a narrow range of cold temperature conditions to rear and reproduce (Brown 1994, Adams and Bjornn 1997, Buchanan and Gregory 1997). Temperatures required to initiate spawning (late August through October) vary from 4-11°C, depending on the drainage (McPhail and Murray 1979, Wydoski and Whitney 1979, Fraley and Shepard 1989, Kraemer 1991, Buchanan and Gregory 1997). Egg incubation (late August through April) occurs at 1-6°C (McPhail and Murray 1979, Weaver and White 1985, Brown 1994, Buchanan and Gregory 1997). Optimal temperature ranges for juvenile rearing occur from 4-10°C (McPhail and Murray 1979, Buchanan and Gregory 1997). In the Flathead drainage in Montana, bull trout juveniles have been rarely observed in streams with summer temperatures exceeding 15°C (Fraley and Shepard 1989). Adults are known to tolerate somewhat higher temperatures (Kraemer 1991, Brown 1994); however, they are seldom found in streams with summer temperatures exceeding 18°C and are often found near cold perennial springs (Shepard et al. 1984b, Brown 1994). Higher densities of adult bull trout have been found to occur at temperatures less than 12°C (Adams 1994, Clancy 1996, Buchanan and Gregory 1997). Optimum temperatures for migration are 10-12°C (McPhail and Murray 1979, Buchanan and Gregory 1997).

Various factors contribute towards providing for cool water in streams (shade, groundwater contribution, elevation, etc.). Shade is the primary factor that is impacted by land management and which is needed to reduce solar radiation to the stream, to protect groundwater sources and seeps and springs, and to provide for microclimate. Shade contributing trees within the riparian zone must be retained in both fish-bearing and contributing nonfish-bearing streams to maintain cool water temperatures. Sediment deposition and resultant stream widening can also cause an increase in stream temperature, as well as alteration of natural streamflow regimes and reduced groundwater inflows (MBTSG 1998).

The current state water quality standard for stream temperature is targeted to maintain water temperatures below 16 and 18°C depending on the Department of Ecology stream class. However, because bull trout and Dolly Varden have temperature requirements which are below those for other salmonids, the current water quality standard is not adequate. The United States Environmental Protection Agency has established temperature criteria for bull trout (now used as a state water quality standard in Idaho). The temperature standard to meet bull trout requirements is set at 10°C expressed as a consecutive seven day average of the daily maximum temperatures for June, July, August and September. It is believed that if a summer temperature criterion of 10°C is met, natural seasonal variability in stream temperatures will result in attainment of appropriate thermal requirements during the remainder of the year in bull trout spawning and juve-

nile rearing areas (United States Environmental Protection Agency 1997).

Sediment and Roads Effects on Bull Trout. The long overwinter intragravel incubation and development for bull trout (average 220 days) leaves them vulnerable to increases in fine sediments and degradation of water quality (Fraley and Shepard 1989). A significant negative correlation between fry emergence of bull trout and the percentage of redd materials smaller than 6.35 mm was found by Weaver and Fraley (1991). Analyses conducted within the Columbia River Basin support the conclusion that increasing road densities are correlated with declining aquatic habitat conditions and aquatic integrity. Results show that bull trout are less likely to use moderate to highly roaded areas for spawning and rearing, and if found in these areas, they are less likely to be at strong population levels (Lee et al. 1997; MBTSG 1998; Baxter et al., in press).

Stream bank stability must be maintained to prevent increases in sediment inputs to the stream from forest practices. Construction and maintenance of roads must be conducted in ways which minimize road density and cut off delivery of sediments to streams. Roads should also be constructed and maintained to prevent changes to the hydrologic regime resulting in higher peak flows and increased sedimentation. Ground disturbance should be minimized and mitigated. Best management practices for sediment and roads should apply to nonfish-bearing streams as well as fish-bearing streams.

Large Woody Debris and Bull Trout. Large woody debris is important for the formation of deep pools and habitat complexity needed by bull trout. Adult bull trout prefer deep cold pools, often associated with the cover of large woody debris, for foraging and for holding during migration (Shepard et al. 1984b, Fraley and Shepherd 1989, Goetz 1989, Brown 1994). Juvenile rearing of bull trout is also often associated with pools with shelter providing large organic debris or clean cobble (McPhail and Murray 1979). A strong preference exists for plunge and scour pools over all other habitat types in southeast Washington (Brown 1994). Large woody debris is also necessary to maintain the step pool formation in steeper headwater streams inhabited by bull trout, and for sediment storage.

Fish Passage and Bull Trout. Due to loss of connectivity, many bull trout populations have become fragmented throughout their range, and remnant headwater populations are all that remain for some drainages. Fish passage barriers result in the loss of genetic exchange, loss in the ability to respond to changes in seasonal habitat requirements and conditions, loss in the ability to recolonize habitats after disturbance regimes, and often extinction of local populations (Rieman et al. 1993, MBTSG 1998). Barriers not only include man made barriers at road crossings, but also low flows caused from aggregation of excessive coarse sediment, and elevated temperatures.

2. ENDANGERED SPECIES ACT LISTINGS AND THE FOREST PRACTICES ACT: The Endangered Species Act (ESA) was enacted to conserve threatened and endangered species and the ecosystems upon which they depend. ESA salmonid listings are given above.

ESA listings lead to "take" being prohibited. "Take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect or attempt to engage in any such conduct. "Harm" can include significant habitat modification or degradation. In addition, the listing itself is indicative of the need to provide protection of the habitat required by these species to assure recovery of the species and protection from harm.

A governmental agency can be responsible for a take if it authorizes the activity that exacts a taking. In a March 1998 decision, the United States Court of Appeals for the First Circuit ordered a Massachusetts agency to prevent the taking of the Northern Right Whale, an endangered species. The court found whales could be harmed from entanglement in fishing gear from commercial fishing activities authorized by agency regulations. The court found the state licensed the commercial fishing in a manner likely to cause harm, even though its actions were only an indirect cause. Thus, the Forest Practices Board and the Department of Ecology could be vulnerable for take if permits continue to be approved without consideration of listed species protected from harm. Actions to enforce the ESA could be brought by the federal government or other third parties.

The ESA requires federal agencies to examine the impact of their actions on protected species. The Washington Forest Practices Board has been working with the United States Fish and Wildlife Service (USFWS) to have the existing state forest practice rules for the northern spotted owl recognized as part of a proposed federal rule providing protection of that species under the ESA. The USFWS has consulted with the National Marine Fisheries Service (NMFS) regarding how the anadromous (listed and proposed to be listed) fish may be impacted by the proposed federal rule. In a letter dated September 16, 1998, NMFS concluded that the existing state forest practice rules "do not leave adequate riparian buffers to provide the important ecosystem functions necessary to support the biological requirements of anadromous salmonids." NMFS indicated that "any further degradation of habitat conditions that reduces essential habitat functions may have a significant impact, which poses an unacceptable risk to the survival and recovery" of certain salmonid evolutionarily significant units (ESUs), including the Upper Columbia Steelhead addressed in the emergency rule.

Oregon had developed a plan to protect salmonids which was relied on by NMFS in its decision not to list certain species of salmonids as threatened. The Oregon plan was based largely on future actions and voluntary efforts. In June 1998, a federal court rejected this decision as inadequate to prevent endangerment to salmonids under the ESA. In Washington, the forest practice rules also rely on voluntary efforts. The watershed analysis process (chapter 222-22 WAC) is entirely voluntary. Voluntary efforts are not adequate to prevent endangerment to already listed salmonids. Emergency action is necessary because of the state's obligation to comply with the ESA. This emerging and unexpected development makes it clear that the existing rules are not adequate and the listed species are in jeopardy.

3. CONTINUING TO APPROVE FOREST PRACTICES PERMITS IN LISTED AREAS:

Forest Practices Applications in Listed Areas: The listed areas of the state contain nearly more than 19 million acres of nonfederal land, of which about 10.3 million acres are state and private forest land covered by the current forest practices rules. The number of ESU acres are:

Listed Areas (ESUs)	Total Nonfederal Acres	Nonfederal Forest Land Acres
Listed before November 1, 1999	17,582,400	8,450,700
Additional acres listed on November 1, 1999	2,105,300	1,871,300
Total	19,687,700	10,322,000

Most of the habitat that salmonids seek for spawning and rearing are in the forested areas of the state. This portion of the habitat continues to be critical to the survival and well-being of these species. See the map in WAC 222-16-088 which shows areas listed prior to and on November 1, 1999.

When the 1998 listings occurred, there were approximately 1,398 approved applications within 200 feet of fish-bearing streams in the steelhead and bull trout ESUs. The department estimates that there are 4,705 approved applications in the chum, chinook and sockeye areas. Since operations under these permits may have some impact on salmonid habitat, these applicants have been or are being sent letters notifying them of the listings. If they had questions, the letter said they should contact National Marine Fisheries Service or the United States Fish and Wildlife Service directly for clarification whether their operations may cause a concern for listed steelhead.

Since the 1998 listings, 1,305 applications/notifications have been approved within 200 feet of fish-bearing waters within the listed areas for bull trout and steelhead. These permits contain a note to applicants warning them that this state permit does not necessarily meet federal law under the ESA.

The department estimates that, additionally, as many as 6,500 applications in all the listed ESUs could be approved between now and when a permanent rule might be adopted and become effective (estimated to be June 2001). These applications would be within 200 feet of fish-bearing waters. Since permits are effective for a two-year period, applications approved prior to a new permanent rule taking effect in 2001 would be valid into mid 2002. Thus, nearly four years from now, some salmonid habitat would still be at risk absent an emergency rule.

The Forest Practices Act (chapter 76.09 RCW) requires protection of public resources. In order to protect these listed salmonids, the habitat associated with spawning, rearing and migration needs to be protected.

Why Current Forest Practices Rules are Inadequate for All Listed Salmonids: Current and newly-approved forest practice operations conducted under the existing rules could cause additional harm to ESA listed salmonids because con-

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tinued harvests in riparian areas would decrease shade, bank stability, and large woody debris, and continued road construction in these areas would also impact salmonid habitat. Specific impacts are categorized as follows:

Shade and Stream Temperature. Under the current forest practices rules, shade is required to meet current temperature criteria at 16 or 18°C. These standards may be modified soon by the Department of Ecology. At the present time, shade is not fully provided on some Type 3 Streams because landowners only have to seek shade as far as the maximum width riparian management zone (RMZ). The maximum width RMZs for Type 3 Streams are currently 50 feet on streams greater than five feet wide and 25 feet on streams that are less than five feet wide. There are some circumstances where significant shading occurs from beyond 50 feet.

An additional factor where current rules are inadequate for meeting temperature requirements involves removal of shade in nonfish-bearing waters which contribute to the temperature of fish-bearing waters downstream. This removal of shade elevates the water temperature which then cumulatively elevates temperatures downstream.

Stream Bank Stability and Soil Disturbance. Under the current rules, bank stability is protected except where bank erosion rates are high. It applies to all logs embedded in the bank and all trees and other vegetation rooted in the bank. Under some circumstances, especially at high elevations where shade requirements do not call for a wide buffer, soils disturbance from yarding and heavy equipment can result in fine sediment entering the stream and damaging spawning beds. A minimum of 30' is needed to protect stream bank stability and soil disturbance. Additional protection is needed in the case of rapid stream bank erosion, or soil and slope conditions conducive to surface erosion and soil transport.

Forest Roads. Roads are covered by the current rules; however, existing information would lead us to believe that standards need to be upgraded and that roads are out of compliance with existing rules as much as half the time as documented in the 1991 Compliance Report prepared by Timber, Fish and Wildlife's Field Implementation Committee. Preliminary findings from an on going internal audit by the Department of Natural Resources also show that construction of roads in certain areas of the state indicate that the minimum standards are not adequate to protect public resources. Furthermore, greater efforts should be made to reduce road densities or minimize further increases in road densities, depending on the basin. Where fine sediment is not a concern, road drainages still need to be disconnected from stream channels as much as possible to reduce hydrologic impacts from road networks.

Large Woody Debris. Under the current rules, LWD is only provided at a minimal level. The number of leave trees required to be retained in the RMZ is not based on the ability to improve both near and long term continuous LWD recruitment. Input of LWD to stream channels generally occurs within one tree height from the channel edge (FEMAT 1993, McDade et al. 1990). Removal of trees from within this area results in a reduction of LWD recruitment to the stream channel. Furthermore, current rules often allow harvest of the larger multiple rotation conifers within the RMZ, which are

needed to provide functioning LWD in streams larger than 10' wide.

Summary. The literature indicates that in order to protect bank stability and prevent surface erosion of fine sediment, a 30 foot no-cut buffer and no heavy equipment buffer is recommended. In addition, to achieve 95% recruitment of the key piece wood (i.e., wood that is large enough to start the forming of log jams indexed by stream size) approximately 100 foot buffer is required. Additional buffers may be needed to account for areas that have high susceptibility to windthrow, provide additional large woody debris (LWD) recruitment, unstable slopes protection, protection of seeps, springs and stream associated wetlands. Other functions include microclimate (air temperature and humidity, etc.). Given the above information, current forest practice rules are deficient, particularly in providing LWD, adequate shade, bank stability, and excessive contributions of sediment from roads and ground disturbance.

4. PROTECTING PUBLIC RESOURCES AND CLASS IV-SPECIAL CLASSIFICATION:

The public has a strong interest in protecting public resources, including water, fish, and wildlife, especially those listed as endangered and threatened species. Immediate action is necessary to ensure that impacts from forest practices in the salmonid listed areas are carefully evaluated while the board is in the process of adopting permanent rules. Without an emergency rule, habitat of these threatened and endangered species could be significantly impacted by forest practices.

The Forest Practices Act requires that forest practices which have the potential for a substantial impact on the environment be classified as Class IV so that they receive additional environmental review under the State Environmental Policy Act (chapter 43.21C RCW). SEPA recognizes the critical importance of restoring and maintaining environmental quality to the public welfare and the importance of full disclosure of adverse environmental impacts caused by agency actions. The Forest Practices Board is obligated under the law to identify those forest practices that have potential for substantial impact on the environment and classify them as Class IV-Special so that additional SEPA review is conducted. If there is the potential for damage to the habitat of a state or federal listed species, then there is potential for substantial impact on the environment. An emergency rule would not necessarily prohibit harvest; it would require additional review to evaluate environmental impacts. This process includes public notice and a public comment period.

As described above, certain forest practices in the salmonid listed areas have the potential for impact on listed salmonids. This impact is substantial because of the number of forest practices in the listed areas and because the current rules are inadequate. Absent permanent rules that adequately prevent these impacts, RCW 76.09.050 and SEPA require the emergency rule change in classification.

5. STATE WATER QUALITY REQUIREMENTS:

The intent of the Forest Practices Act is to meet water quality standards under the Water Pollution Control Act. As indicated by the 2,600 miles of Washington's streams and rivers listed under section 303(d) of the Clean Water Act, water quality standards are not being met. Temperature

increases attributed to forestry activities cause 303(d) listings. In 1996, streams with elevated temperatures comprised the largest group on the entire 303(d) list. Temperature limits in the water quality standards are intended to fully protect in-stream beneficial uses by preventing any decrease in salmonid health or reproductive success. These temperature standards are being updated in the near future. This goal is consistent with the state water quality antidegradation regulatory requirements. These requirements demand that the beneficial in-stream uses, such as salmonid habitat, be fully protected. Changes in water quality are not allowed that violate the standards set to fully protect these uses. Further, degradation of water quality, even where it does not cause a violation of the standards, is not allowed unless all known, available, and reasonable best management practices are being used to reduce the affect on water quality; and the activity has been found to be in the overriding public interest.

6. RULE-MAKING FILES:

The Forest Practices Board maintains rule-making files for this emergency rule that have detailed background information supporting these findings. Please contact Judith Holter, DNR at (360) 902-1412 if you would like to inspect these files.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 3, Amended 6, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

November 16, 1999

Amy Bell
Chair

NEW SECTION

WAC 222-10-020 *SEPA policies for certain forest practices within 200 feet of a Type 1 Water. The following policies shall apply to Class IV-Special forest practices, within the salmonid listed areas map in WAC 222-16-088, involving construction of roads, landings, rock quarries, gravel pits, borrow pits, and spoil disposal areas within 200 feet of Type 1 Waters.

*(1) In order to determine whether forest practices are likely to have a probable significant adverse impact, and therefore require an environmental impact statement, the applicant must submit to the department additional information prepared by a qualified expert on: Whether the proposed activity is within the channel migration zone of the Type 1

Water; whether the proposed activity has the potential for accelerating erosional and depositional processes of the Type 1 Water; whether the proposal will have an impact on salmonid spawning, rearing, or migration habitat; and whether the proposal will adversely impact a threatened or endangered species. (See WAC 222-10-043.) In addition, the report must identify specific mitigation measures designed to reduce the impacts to avoid any probable significant adverse impacts identified above.

*(2) The department will evaluate the proposal in consultation with the department of ecology, the department of fish and wildlife, local government, and affected Indian tribes. If the proposal is likely to cause significant adverse impacts to salmonid spawning, rearing, or migration habitat, accelerate erosional and depositional processes of the Type 1 Water, or cause significant adverse impacts to a threatened or endangered species, then it is likely to have a probable significant adverse impact on the environment. If the department determines, in consultation with the department of fish and wildlife and affected Indian tribes, that the impacts can be mitigated or that the threatened and endangered species is not likely to occur because of a significant long-term passage barrier such as a dam or waterfall in the case of migrating salmonids or determines that certain stream reaches have unsuitable habitat conditions to support bull trout, then the proposal is not likely to have a probable significant adverse impact on the environment.

*(3) If a local permit is required, then the local government is lead agency and the department shall forward the additional information, the environmental checklist, and the forest practices application to the local government for completing SEPA. (See WAC 222-20-040(4).)

AMENDATORY SECTION (Amending WSR 97-24-091, filed 12/3/97, effective 1/3/98)

WAC 222-10-040 *Class IV-Special threatened and endangered species SEPA policies. In addition to the SEPA policies established elsewhere in this chapter, the following policies shall apply to Class IV-Special forest practices involving threatened or endangered species.

*(1) The department shall consult with the department of fish and wildlife, other agencies with expertise, affected landowners, affected Indian tribes, and others with expertise when evaluating the impacts of forest practices. If the department does not follow the recommendations of the department of fish and wildlife, the department shall set forth in writing a concise explanation of the reasons for its action.

*(2) In order to determine whether forest practices are likely to have a probable significant adverse impact, and therefore require an environmental impact statement, the department shall evaluate whether the forest practices reasonably would be expected, directly or indirectly, to reduce appreciably the likelihood of the survival or recovery of a listed species in the wild by reducing the reproduction, numbers, or distribution of that species.

*(3) Specific mitigation measures or conditions shall be designed to reduce any probable significant adverse impacts identified in subsection (2) of this section.

* (4) The department shall consider the species-specific policies in WAC 222-10-041 ((and)) northern spotted owls, WAC 222-10-042 marbled murrelets, and WAC 222-10-043 salmonids when reviewing and evaluating SEPA documents and the impacts of forest practices.

NEW SECTION

WAC 222-10-043 *Salmonids. The following policies shall apply to Class IV-Special forest practices, within the salmonid listed areas map in WAC 222-16-088, if the forest practices may cause adverse impacts to salmonids.

* (1) In order to determine whether forest practices are likely to have a probable significant adverse impact, and therefore require an environmental impact statement, the applicant must submit to the department additional information prepared by a qualified expert that includes: An evaluation of the channel condition; information on how the proposal will provide for bank stability, sediment and mass wasting attenuation, adequate shade, near and long-term large woody debris recruitment, and protection from windthrow. In addition, the report must identify specific mitigation measures designed to reduce the impacts to avoid any probable significant adverse impacts identified above.

* (2) Roads, skid trails, or yarding corridors may not occupy or disturb more than 10 percent of the soil in the riparian management zone unless the landowner submits mitigation measures that provide equivalent replacement of habitat.

* (3) Harvesting, road construction, aerial applications of pesticides, or site preparation that is likely to cause significant adverse impacts to salmonid spawning, rearing, or migration habitat are likely to have a probable significant adverse impact on the environment except when the department determines, in consultation with the department of fish and wildlife, that the impacts can be mitigated.

* (4) The department shall consult with the department of fish and wildlife, the department of ecology, affected Indian tribes, and other interested parties to determine if the proposal will maintain a fully functioning riparian management zone. To meet this goal, the department will review whether the forest practices reasonably would be expected, directly or indirectly, to: Increase protection from sediment and mass wasting impacts; maintain bank stability; maintain shade; maintain near or long-term large woody debris that is key-piece size or larger and indexed to the size of the channel; and, protect riparian functions from windthrow in site-specific circumstances. If the above functions are not adequately provided, then the forest practice is likely to have a probable significant adverse impact on the environment. If the department determines, in consultation with the department of fish and wildlife and affected Indian tribes, that the impacts can be mitigated or that the threatened and endangered species is not likely to occur because of a significant long-term passage barrier such as a dam or waterfall in the case of migrating salmonids or determines that certain stream reaches have unsuitable habitat conditions to support bull trout, then the proposal is not likely to have a probable significant adverse impact on the environment.

AMENDATORY SECTION (Amending WSR 98-07-047, filed 3/13/98, effective 5/1/98)

WAC 222-16-010 General definitions.* Unless otherwise required by context, as used in these regulations:

"**Act**" means the Forest Practices Act, chapter 76.09 RCW.

"**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.

"**Appeals board**" means the forest practices appeals board established in the act.

"**Area of resource sensitivity**" means areas identified in accordance with WAC 222-22-050 (2)(d) or 222-22-060(2).

"**Board**" means the forest practices board established by the act.

"**Bog**" means wetlands which have the following characteristics: Hydric organic soils (peat and/or muck) typically 16 inches or more in depth (except over bedrock or hardpan); and vegetation such as sphagnum moss, labrador tea, bog laurel, bog rosemary, sundews, and sedges; bogs may have an overstory of spruce, western Hemlock, lodgepole pine, cedar, whitepine, crabapple, or aspen, and may be associated with open water. This includes nutrient-poor fens. See the *Forest Practices Board Manual*.

"**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.

"**Chemicals**" means substances applied to forest lands or timber including pesticides, fertilizers, and other forest chemicals.

"**Clearcut**" means a harvest method in which the entire stand of trees is removed in one timber harvesting operation. Except as provided in WAC 222-30-110, an area remains clearcut until:

It meets the minimum stocking requirements under WAC 222-34-010(2) or 222-34-020(2); and

The largest trees qualifying for the minimum stocking levels have survived on the area for five growing seasons or, if not, they have reached an average height of four feet.

"**Columbia River Gorge National Scenic Area or CRGNSA**" means the area established pursuant to the Columbia River Gorge National Scenic Area Act, 16 U.S.C. §544b(a).

"**CRGNSA special management area**" means the areas designated in the Columbia River Gorge National Scenic Area Act, 16 U.S.C. §544b(b) or revised pursuant to 16 U.S.C. §544b(c). For purposes of this rule, the special management area shall not include any parcels excluded by 16 U.S.C. §544f(o).

"**CRGNSA special management area guidelines**" means the guidelines and land use designations for forest practices developed pursuant to 16 U.S.C. §544f contained in the CRGNSA management plan developed pursuant to 15 U.S.C. §544d.

"**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.

"Completion of harvest" means the latest of:

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

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

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 paragraph is permitted only to the extent reforestation would prevent or unreasonably hinder such site preparation or rehabilitation of adjoining lands.

"Constructed wetlands" means those wetlands voluntarily developed by the landowner. Constructed wetlands do not include wetlands created, restored, or enhanced as part of a mitigation procedure or wetlands inadvertently created as a result of current or past practices including, but not limited to: Road construction, landing construction, railroad construction, or surface mining.

"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.

"Conversion option harvest plan" means a voluntary plan developed by the landowner and approved by the local government entity indicating the limits of harvest areas, road locations, and open space.

"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.

"Cooperative habitat enhancement agreement (CHEA)" see WAC 222-16-105.

"Critical habitat (federal)" means the habitat of any threatened or endangered species designated as critical habitat by the United States Secretary of the Interior under Sections 3 (5)(A) and 4 (a)(3) of the Federal Endangered Species Act.

"Critical nesting season" means for marbled murrelets - April 1 to August 31.

"Critical wildlife habitat (state)" means those habitats designated by the board in accordance with WAC 222-16-080.

"Cultural resources" means archaeological and historic sites and artifacts and traditional religious, ceremonial and social uses and activities of affected Indian tribes.

"Cumulative effects" means the changes to the environment caused by the interaction of natural ecosystem processes with the effects of two or more forest practices.

"Daily peak activity" means for marbled murrelets - one hour before official sunrise to two hours after official

sunrise and one hour before official sunset to one hour after official sunset.

"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.

"Demographic support" means providing sufficient suitable spotted owl habitat within the SOSEA to maintain the viability of northern spotted owl sites identified as necessary to meet the SOSEA goals.

"Department" means the department of natural resources.

"Dispersal habitat" see WAC 222-16-085(2).

"Dispersal support" means providing sufficient dispersal habitat for the interchange of northern spotted owls within or across the SOSEA, as necessary to meet SOSEA goals. Dispersal support is provided by a landscape consisting of stands of dispersal habitat interspersed with areas of higher quality habitat, such as suitable spotted owl habitat found within RMZs, WMZs or other required and voluntary leave areas.

"Eastern Washington" means the lands of the state lying east of an administrative line which approximates the change from the Western Washington timber types to the Eastern Washington timber types described as follows:

Beginning at the International Border and Okanogan National Forest boundary at the N1/4 corner Section 6, T. 40N, R. 24E., W.M., south and west along the Pasayten Wilderness boundary to the west line of Section 30, T. 37N, R. 19E.,

Thence south on range line between R. 18E. and R. 19E., to the Lake Chelan-Sawtooth Wilderness at Section 31, T. 35N, R. 19E.,

Thence south and east along the eastern wilderness boundary of Lake Chelan-Sawtooth Wilderness to the west line of Section 18, T. 31N, R. 19E. on the north shore of Lake Chelan,

Thence south on the range line between R. 18E. and R. 19E. to the SE corner of T. 28N, R. 18E.,

Thence west on the township line between T. 27N, and T. 28N to the NW corner of T. 27N, R. 17E.,

Thence south on range line between R. 16E. and R. 17E. to the Alpine Lakes Wilderness at Section 31, T. 26N, R. 17E.,

Thence south along the eastern wilderness boundary to the west line of Section 6, T. 22N, R. 17E.,

Thence south on range line between R. 16E. and R. 17E. to the SE corner of T. 22N, R. 16E.,

Thence west along township line between T. 21N, and T. 22N to the NW corner of T. 21N, R. 15E.,

Thence south along range line between R. 14E. and R. 15E. to SW corner of T. 20N, R. 15E.,

Thence east along township line between T. 19N, and T. 20N to the SW corner of T. 20N, R. 16E.,

Thence south along range line between R. 15E. and R. 16E. to the SW corner of T. 18N, R. 16E.,

Thence west along township line between T. 17N, and T. 18N to the SE corner of T. 18N, R. 14E.,

Thence south along range line between T. 14E. and R. 15E. to the SW corner of T. 14N, R. 15E.,

Thence south and west along Wenatchee National Forest Boundary to the NW corner of T. 12N, R. 14E.,

Thence south along range line between R. 13E. and R. 14E. to SE corner of T. 10N, R. 13E.,

Thence west along township line between T. 9N, and T. 10N to the NW corner of T. 9N, R. 12E.,

Thence south along range line between R. 11E. and R. 12E. to SE corner of T. 8N, R. 11E.,

Thence west along township line between T. 7N, and T. 8N to the Gifford Pinchot National Forest Boundary,

Thence south along Forest Boundary to SE corner of Section 33, T. 7N, R. 11E.,

Thence west along township line between T. 6N, and T. 7N to SE corner of T. 7N, R. 9E.,

Thence south along Skamania-Klickitat County line to Oregon-Washington state line.

"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.

"Erodible soils" means those soils exposed or displaced by a forest practice operation, that would be readily moved by water.

"Even-aged harvest methods" means the following harvest methods:

Clearcuts;

Seed tree harvests in which twenty or fewer trees per acre remain after harvest;

Shelterwood regeneration harvests in which twenty or fewer trees per acre remain after harvest;

Group or strip shelterwood harvests creating openings wider than two tree heights, based on dominant trees;

Shelterwood removal harvests which leave fewer than one hundred fifty trees per acre which are at least five years old or four feet in average height;

Partial cutting in which fewer than fifty trees per acre remain after harvest;

Overstory removal when more than five thousand board feet per acre is removed and fewer than fifty trees per acre at least ten feet in height remain after harvest; and

Other harvesting methods designed to manage for multiple age classes in which six or fewer trees per acre remain after harvest.

Except as provided above for shelterwood removal harvests and overstory removal, trees counted as remaining after harvest shall be at least ten inches in diameter at breast height and have at least the top one-third of the stem supporting green, live crowns. Except as provided in WAC 222-30-110, an area remains harvested by even-aged methods until it meets the minimum stocking requirements under WAC 222-30-010(2) or 222-34-020(2) and the largest trees qualifying for the minimum stocking levels have survived on the area for five growing seasons or, if not, they have reached an average height of four feet.

"Fen" means wetlands which have the following characteristics: Peat soils 16 inches or more in depth (except over bedrock); and vegetation such as certain sedges, hardstem

bulrush and cattails; fens may have an overstory of spruce and may be associated with open water.

"Fertilizers" means any substance or any combination or mixture of substances used principally as a source of plant food or soil amendment.

"Fill" means the placement of earth material or aggregate for road or landing construction or other similar activities. Fill does not include the growing or harvesting of timber including, but not limited to, slash burning, site preparation, reforestation, precommercial thinning, intermediate or final harvesting, salvage of trees, brush control, or fertilization.

"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.

"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.

"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.

"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:

Road and trail construction;

Harvesting, final and intermediate;

Precommercial thinning;

Reforestation;

Fertilization;

Prevention and suppression of diseases and insects;

Salvage of trees; and

Brush control.

"Forest practice" shall not include: Forest species seed orchard operations and intensive forest nursery operations; or 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.

"Forest trees" excludes trees cultivated by agricultural methods in growing cycles shorter than ten years: *Provided*, That Christmas trees are forest trees and: *Provided further*, That this exclusion applies only to trees planted on land that was not in forest use immediately before the trees were planted and before the land was prepared for planting the trees.

"Green recruitment trees" means those trees left after harvest for the purpose of becoming future wildlife reserve trees under WAC 222-30-020(11).

"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.

"Historic site" includes:

Sites, areas and structures or other evidence of human activities illustrative of the origins, evolution and development of the nation, state or locality; or

Places associated with a personality important in history; or

Places where significant historical events are known to have occurred even though no physical evidence of the event remains.

"Identified watershed processes" means the following components of natural ecological processes that may in some instances be altered by forest practices in a watershed:

Mass wasting;

Surface and road erosion;

Seasonal flows including hydrologic peak and low flows and annual yields (volume and timing);

Large organic debris;

Shading; and

Stream bank and bed stability.

"Insecticide" means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any insect, other arthropods or mollusk pests.

"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.

"Islands" means any island surrounded by salt water in Kitsap, Mason, Jefferson, Pierce, King, Snohomish, Skagit, Whatcom, Island, or San Juan counties.

"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.

"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.

"Local government entity" means the governments of counties and the governments of cities and towns as defined in chapter 35.01 RCW.

"Low impact harvest" means use of any logging equipment, methods, or systems that minimize compaction or dis-

turbance of soils and vegetation during the yarding process. The department shall determine such equipment, methods or systems in consultation with the department of ecology.

"Marbled murrelet detection area" means an area of land associated with a visual or audible detection of a marbled murrelet, made by a qualified surveyor which is documented and recorded in the department of fish and wildlife data base. The marbled murrelet detection area shall be comprised of the section of land in which the marbled murrelet detection was made and the eight sections of land immediately adjacent to that section.

"Marbled murrelet nesting platform" means any horizontal tree structure such as a limb, an area where a limb branches, a surface created by multiple leaders, a deformity, or a debris/moss platform or stick nest equal to or greater than 7 inches in diameter including associated moss if present, that is 50 feet or more above the ground in trees 32 inches dbh and greater (generally over 90 years of age) and is capable of supporting nesting by marbled murrelets.

"Median home range circle" means a circle, with a specified radius, centered on a spotted owl site center. The radius for the median home range circle in the Hoh-Clearwater/Coastal Link SOSEA is 2.7 miles; for all other SOSEAs the radius is 1.8 miles.

"Merchantable stand of timber" means a stand of trees that will yield logs and/or fiber:

Suitable in size and quality for the production of lumber, plywood, pulp or other forest products;

Of sufficient value at least to cover all the costs of harvest and transportation to available markets.

"Northern spotted owl site center" means the location of status 1, 2 or 3 northern spotted owls based on the following definitions:

- Status 1: Pair or reproductive - a male and female heard and/or observed in close proximity to each other on the same visit, a female detected on a nest, or one or both adults observed with young.
- Status 2: Two birds, pair status unknown - the presence or response of two birds of opposite sex where pair status cannot be determined and where at least one member meets the resident territorial single requirements.
- Status 3: Resident territorial single - the presence or response of a single owl within the same general area on three or more occasions within a breeding season with no response by an owl of the opposite sex after a complete survey; or three or more responses over several years (i.e., two responses in year one and one response in year two, for the same general area).

In determining the existence, location, and status of northern spotted owl site centers, the department shall consult with the department of fish and wildlife and use only those sites documented in substantial compliance with guidelines or protocols and quality control methods established by and available from the department of fish and wildlife.

"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.

"Occupied marbled murrelet site" means:

(1) A contiguous area of suitable marbled murrelet habitat where at least one of the following marbled murrelet behaviors or conditions occur:

(a) A nest is located; or

(b) Downy chicks or eggs or egg shells are found; or

(c) Marbled murrelets are detected flying below, through, into or out of the forest canopy; or

(d) Birds calling from a stationary location within the area; or

(e) Birds circling above a timber stand within one tree height of the top of the canopy; or

(2) A contiguous forested area, which does not meet the definition of suitable marbled murrelet habitat, in which any of the behaviors or conditions listed above has been documented by the department of fish and wildlife and which is distinguishable from the adjacent forest based on vegetative characteristics important to nesting marbled murrelets.

(3) For sites defined in (1) above, the outer perimeter of the occupied site shall be presumed to be the closer, measured from the point where the observed behaviors or conditions listed in (1) above occurred, of the following:

(a) 1.5 miles from the point where the observed behaviors or conditions listed in (1) above occurred; or

(b) The beginning of any gap greater than 300 feet wide lacking one or more of the vegetative characteristics listed under "suitable marbled murrelet habitat"; or

(c) The beginning of any narrow area of "suitable marbled murrelet habitat" less than 300 feet in width and more than 300 feet in length.

(4) For sites defined under (2) above, the outer perimeter of the occupied site shall be presumed to be the closer, measured from the point where the observed behaviors or conditions listed in (1) above occurred, of the following:

(a) 1.5 miles from the point where the observed behaviors or conditions listed in (1) above occurred; or

(b) The beginning of any gap greater than 300 feet wide lacking one or more of the distinguishing vegetative characteristics important to murrelets; or

(c) The beginning of any narrow area of suitable marbled murrelet habitat, comparable to the area where the observed behaviors or conditions listed in (1) above occurred, less than 300 feet in width and more than 300 feet in length.

(5) In determining the existence, location and status of occupied marbled murrelet sites, the department shall consult with the department of fish and wildlife and use only those sites documented in substantial compliance with guidelines or protocols and quality control methods established by and available from the department of fish and wildlife.

"Old forest habitat" see WAC 222-16-085 (1)(a).

"Operator" shall mean any person engaging in forest practices except an employee with wages as his/her sole compensation.

"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.

"Other forest chemicals" means fire retardants when used to control burning (other than water), nontoxic repellents, oil, dust-control agents (other than water), salt, and other chemicals used in forest management, except pesticides and fertilizers, that may present hazards to the environment.

"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.

"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.

"Pesticide" means any insecticide, herbicide, fungicide, or rodenticide but does not include nontoxic repellents or other forest chemicals.

"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.

"Power equipment" means all machinery operated with fuel burning or electrical motors, including heavy machinery, chain saws, portable generators, pumps, and powered backpack devices.

"Public resources" means water, fish, and wildlife and in addition shall mean capital improvements of the state or its political subdivisions.

"Qualified expert" means a person qualified for level 2 certification in the watershed analysis process, plus having at least 3 additional years of experience in the evaluation of relevant problems in forested lands.

"Qualified surveyor" means an individual who has successfully completed the marbled murrelet field training course offered by the department of fish and wildlife or its equivalent.

"Rehabilitation" means the act of renewing, or making usable and reforesting forest land which was poorly stocked or previously nonstocked with commercial species.

"Relief culvert" means a structure to relieve surface runoff from roadside ditches to prevent excessive buildup in water volume and velocity.

"Resource characteristics" means the following specific measurable characteristics of fish, water, and capital improvements of the state or its political subdivisions:

For fish and water:

Physical fish habitat, including temperature and turbidity;

Turbidity in hatchery water supplies; and

Turbidity and volume for areas of water supply.

For capital improvements of the state or its political subdivisions:

Physical or structural integrity.

If the methodology is developed and added to the manual to analyze the cumulative effects of forest practices on other characteristics of fish, water, and capital improvements of the state or its subdivisions, the board shall amend this list to include these characteristics.

"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.

"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.

"Salmonid listed areas" means the geographic areas as mapped in WAC 222-16-088. Detailed maps are available from the department at its regional offices.

"Salvage" means the removal of snags, down logs, windthrow, or dead and dying material.

"Scarification" means loosening the topsoil and/or disrupting the forest floor in preparation for regeneration.

"Shorelines of the state" shall have the same meaning as in RCW 90.58.030 (Shoreline Management Act).

"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.

"Site preparation" means those activities associated with the removal of slash in preparing a site for planting and shall include scarification and/or slash burning.

"Skid trail" means a route used by tracked or wheeled skidders to move logs to a landing or road.

"Slash" means pieces of woody material containing more than 3 cubic feet resulting from forest practice activities.

"SOSEA goals" means the goals specified for a spotted owl special emphasis area as identified on the SOSEA maps (see WAC 222-16-086). SOSEA goals provide for demographic and/or dispersal support as necessary to complement the northern spotted owl protection strategies on federal land within or adjacent to the SOSEA.

"Spoil" means excess material removed as overburden or generated during road or landing construction which is not used within limits of construction.

"Spotted owl dispersal habitat" see WAC 222-16-085(2).

"Spotted owl special emphasis areas (SOSEA)" means the geographic areas as mapped in WAC 222-16-086. Detailed maps of the SOSEAs indicating the boundaries and goals are available from the department at its regional offices.

"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.

"Sub-mature habitat" see WAC 222-16-085 (1)(b).

"Suitable marbled murrelet habitat" means a contiguous forested area containing trees capable of providing nesting opportunities:

(1) With all of the following indicators unless the department, in consultation with the department of fish and wildlife, has determined that the habitat is not likely to be occupied by marbled murrelets:

(a) Within 50 miles of marine waters;

(b) At least 40% of the dominant and codominant trees are Douglas-fir, western hemlock, western red cedar or sitka spruce;

(c) Two or more nesting platforms per acre;

(d) At least 7 acres in size, including the contiguous forested area within 300 feet of nesting platforms, with similar forest stand characteristics (age, species composition, forest structure) to the forested area in which the nesting platforms occur.

"Suitable spotted owl habitat" see WAC 222-16-085(1).

"Threatened or endangered species" means all species of wildlife listed as "threatened" or "endangered" by the United States Secretary of the Interior, and all species of wildlife designated as "threatened" or "endangered" by the Washington fish and wildlife commission.

"Timber" shall mean forest trees, standing or down, of a commercial species, including Christmas trees.

"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.

"Watershed administrative unit (WAU)" means an area shown on the map specified in WAC 222-22-020(1).

"Watershed analysis" means, for a given WAU, the assessment completed under WAC 222-22-050 or 222-22-060 together with the prescriptions selected under WAC 222-22-070 and shall include assessments completed under WAC 222-22-050 where there are no areas of resource sensitivity.

"Weed" is any plant which tends to overgrow or choke out more desirable vegetation.

"Western Washington" means the lands of the state lying west of the administrative line described in the definition of Eastern Washington.

"Wetland" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in

saturated soil conditions, such as swamps, bogs, fens, and similar areas. This includes wetlands created, restored, or enhanced as part of a mitigation procedure. This does not include constructed wetlands or the following surface waters of the state intentionally constructed from wetland sites: Irrigation and drainage ditches, grass lined swales, canals, agricultural detention facilities, farm ponds, and landscape amenities.

"Wetland functions" include the protection of water quality and quantity, providing fish and wildlife habitat, and the production of timber.

"Wetland management zone" means a specified area adjacent to Type A and B Wetlands where specific measures are taken to protect the wetland functions.

"Wildlife" means all species of the animal kingdom whose members exist in Washington in a wild state. The term "wildlife" includes, but is not limited to, any mammal, bird, reptile, amphibian, fish, or invertebrate, at any stage of development. The term "wildlife" does not include feral domestic mammals or the family Muridae of the order Rodentia (old world rats and mice).

"Wildlife reserve trees" means those defective, dead, damaged, or dying trees which provide or have the potential to provide habitat for those wildlife species dependent on standing trees. Wildlife reserve trees are categorized as follows:

Type 1 wildlife reserve trees are defective or deformed live trees that have observably sound tops, limbs, trunks, and roots. They may have part of the top broken out or have evidence of other severe defects that include: "Cat face," animal chewing, old logging wounds, weather injury, insect attack, or lightning strike. Unless approved by the landowner, only green trees with visible cavities, nests, or obvious severe defects capable of supporting cavity dependent species shall be considered as Type 1 wildlife reserve trees. These trees must be stable and pose the least hazard for workers.

Type 2 wildlife reserve trees are dead Type 1 trees with sound tops, limbs, trunks, and roots.

Type 3 wildlife reserve trees are live or dead trees with unstable tops or upper portions. Unless approved by the landowner, only green trees with visible cavities, nests, or obvious severe defects capable of supporting cavity dependent species shall be considered as Type 3 wildlife reserve trees. Although the roots and main portion of the trunk are sound, these reserve trees pose high hazard because of the defect in live or dead wood high up in the tree.

Type 4 wildlife reserve trees are live or dead trees with unstable trunks or roots, with or without bark. This includes "soft snags" as well as live trees with unstable roots caused by root rot or fire. These trees are unstable and pose a high hazard to workers.

"Windthrow" means a natural process by which trees are uprooted or sustain severe trunk damage by the wind.

"Young forest marginal habitat" see WAC 222-16-085 (1)(b).

AMENDATORY SECTION (Amending WSR 98-07-047, filed 3/13/98, effective 5/1/98)

WAC 222-16-050 Classes of forest practices. There are 4 classes of forest practices created by the act. 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 in a manner identified as having the potential for a substantial impact on the environment under WAC 222-16-070 or ground application of a pesticide within a Type A or B wetland.

(b) Specific forest practices listed in WAC 222-16-080 on lands designated as:

(i) Critical wildlife habitat (state) of threatened or endangered species; or

(ii) Critical habitat (federal) of threatened or endangered species except those excluded by the board under WAC 222-16-080(3).

(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.

* (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, in a watershed administrative unit that has not undergone a watershed analysis under chapter 222-22 WAC, when such slide prone areas occur on an uninterrupted slope above water typed pursuant to WAC 222-16-030, Type A or Type B Wetland, 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.

* (e) Timber harvest in a watershed administrative unit that has not undergone a watershed analysis under chapter 222-22 WAC, on slide prone areas, field verified by the department, where soils, geologic structure, and local hydrology indicate that canopy removal has the potential for increasing slope instability, when such areas occur on an uninterrupted slope above any water typed pursuant to WAC 222-16-030, Type A or Type B Wetland, 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.

(f) Timber harvest, in a watershed administrative unit that has not undergone a watershed analysis under chapter 222-22 WAC, construction of roads, landings, rock quarries, gravel pits, borrow pits, and spoil disposal areas on snow avalanche slopes within those areas designated by the depart-

ment, in consultation with department of transportation, as high avalanche hazard.

(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.

*(h) Forest practices subject to a watershed analysis conducted under chapter 222-22 WAC in an area of resource sensitivity identified in that analysis which deviates from the prescriptions (which may include an alternate plan) in the watershed analysis.

*(i) Filling or draining of more than 0.5 acre of a wetland.

*(j) Construction of roads, landings, rock quarries, gravel pits, borrow pits, and spoil disposal areas within 200 feet of a Type 1 Water within the areas on the salmonid listed map in WAC 222-16-088. Road construction means any new road construction, reconstruction, or road maintenance activity that is not a Class I forest practice.

(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 222-16-060 and 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 or Type A or B Wetlands.

*(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, the ordinary high-water mark of a Type 4 Water, a wetland management zone, a wetland, or the CRGNSA special management area.

*(d) Construction of less than 600 feet of road on a side-slope 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, the ordinary high-water mark of a Type 4 Water, a wetland management zone, a wetland, or the CRGNSA special management area.

*(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, if not within the CRGNSA special management area.

(j) Tree planting and seeding.

(k) Cutting and/or 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, if not within the CRGNSA special management area.

(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, a wetland management zone, a wetland, or the CRGNSA special management area.

*(o) Ground application of chemicals, if not within the CRGNSA special management area. (See WAC 222-38-020 and 222-38-030.)

*(p) Aerial application of chemicals (except insecticides), outside of the CRGNSA special management area 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.

(r) Any of the following if none of the operation or limits of construction takes place within the shoreline area of a Type 1 Water or the riparian management zone of a Type 2 or 3 Water, the ordinary high-water mark of a Type 4 Water or flowing Type 5 Water, or within the CRGNSA special management area and the operation does not involve off-road use of tractor or wheeled skidding systems on a sideslope of greater than 40 percent:

(i) Any forest practices within the boundaries of existing golf courses.

(ii) Any forest practices within the boundaries of existing cemeteries which are approved by the cemetery board.

(iii) Any forest practices involving a single landowner where contiguous ownership is less than two acres in size.

(s) Removal of beaver structures from culverts on active and inactive roads. A hydraulics project approval from the Washington department of fish and wildlife may be required.

(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 where no change in the nature and extent of the forest practices is required under rules effective at the time of renewal.

(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, within the ordinary high-water mark of a Type 4 Water, within a wetland management zone, within a wetland, or within the CRGNSA special management area:

(i) Construction of advance fire trails.

(ii) Opening a new pit of, or extending an existing pit by, less than 1 acre.

* (d) 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, within the ordinary high-water mark of a Type 4 Water, within a wetland management zone or within a wetland; and if none of the operations involve off-road use of tractor or wheeled skidding systems on a sideslope of greater than 40 percent:

Salvage of logging residue.

* (e) 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, within the ordinary high-water mark of a Type 4 Water, within a wetland management zone, within a wetland, or within the CRGNSA special management area, and if none of the operations involve off-road use of tractor or wheeled skidding systems on a sideslope of

greater than 40 percent, and if none of the operations are located on lands with a likelihood of future conversion (see WAC 222-16-060):

(i) West of the Cascade summit, partial cutting of 40 percent or less of the live timber volume.

(ii) East of the Cascade summit, partial cutting of 5,000 board feet per acre or less.

(iii) Salvage of dead, down, or dying timber if less than 40 percent of the total timber volume is removed in any 12-month period.

(iv) Any harvest on less than 40 acres.

(v) Construction of 600 or more feet of road, provided that the department shall be notified 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 or Type A or B Wetlands.

(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.

* (n) Any filling of wetlands, except where classified as Class IV forest practices.

* (o) Harvesting, site preparation or aerial application of pesticides within 200 feet of a Type 1, 2, or 3 Water, or road

construction within 200 feet of a Type 2 or 3 Water, within the areas on the salmonid listed map in WAC 222-16-088.

AMENDATORY SECTION (Amending WSR 97-24-091, filed 12/3/97, effective 1/3/98)

WAC 222-16-080 Critical wildlife habitats (state) and critical habitat (federal) of threatened and endangered species. (1) Critical wildlife habitats (state) of threatened or endangered species and specific forest practices designated as Class IV-Special are as follows:

(a) Bald eagle - harvesting, road construction, aerial application of pesticides, or site preparation within 0.5 mile of a known active nest site, documented by the department of fish and wildlife, between the dates of January 1 and August 15 or 0.25 mile at other times of the year; and within 0.25 mile of a communal roosting site. Communal roosting sites shall not include refuse or garbage dumping sites.

(b) Gray wolf - harvesting, road construction, or site preparation within 1 mile of a known active den site, documented by the department of fish and wildlife, between the dates of March 15 and July 30 or 0.25 mile from the den site at other times of the year.

(c) Grizzly bear - harvesting, road construction, aerial application of pesticides, or site preparation within 1 mile of a known active den site, documented by the department of fish and wildlife, between the dates of October 1 and May 30 or 0.25 mile at other times of the year.

(d) Mountain caribou - harvesting, road construction, aerial application of pesticides, or site preparation within 0.25 mile of a known active breeding area, documented by the department of fish and wildlife.

(e) Oregon silverspot butterfly - harvesting, road construction, aerial or ground application of pesticides, or site preparation within 0.25 mile of an individual occurrence, documented by the department of fish and wildlife.

(f) Peregrine falcon - harvesting, road construction, aerial application of pesticides, or site preparation within 0.5 mile of a known active nest site, documented by the department of fish and wildlife, between the dates of March 1 and July 30; or harvesting, road construction, or aerial application of pesticides within 0.25 mile of the nest site at other times of the year.

(g) Sandhill crane - harvesting, road construction, aerial application of pesticides, or site preparation within 0.25 mile of a known active nesting area, documented by the department of fish and wildlife.

(h) Northern spotted owl - the following shall apply through June 30, 1996: Harvesting, road construction, or aerial application of pesticides on the most suitable 500 acres of nesting, roosting, and foraging habitat surrounding the northern spotted owl site center. The most suitable habitat shall be determined by the department in cooperation with the department of fish and wildlife, tribes, and others with applicable expertise. Consideration shall be given to habitat quality, proximity to the activity center and contiguity in selecting the most suitable 500 acres of habitat.

Beginning July 1, 1996, the following shall apply for the northern spotted owl:

(i) **Within a SOSEA boundary** (see maps in WAC 222-16-086), except as indicated in (h)(ii) of this subsection, harvesting, road construction, or aerial application of pesticides on suitable spotted owl habitat within a median home range circle that is centered within the SOSEA or on adjacent federal lands.

(ii) **Within the Entiat SOSEA**, harvesting, road construction, or aerial application of pesticides within the areas indicated for demographic support (see WAC 222-16-086(2)) on suitable spotted owl habitat located within a median home range circle that is centered within the demographic support area.

(iii) **Outside of a SOSEA**, harvesting, road construction, or aerial application of pesticides, between March 1 and August 31 on the seventy acres of highest quality suitable spotted owl habitat surrounding a northern spotted owl site center located outside a SOSEA. The highest quality suitable habitat shall be determined by the department in cooperation with the department of fish and wildlife. Consideration shall be given to habitat quality, proximity to the activity center and contiguity.

(iv) **Small parcel northern spotted owl exemption.** Forest practices proposed on the lands owned or controlled by a landowner whose forest land ownership within the SOSEA is less than or equal to 500 acres and where the forest practice is not within 0.7 mile of a northern spotted owl site center shall not be considered to be on lands designated as critical wildlife habitat (state) for northern spotted owls.

(i) Western pond turtle - harvesting, road construction, aerial application of pesticides, or site preparation within 0.25 mile of a known individual occurrence, documented by the department of wildlife.

(j) Marbled murrelet.

(i) Harvesting, other than removal of down trees outside of the critical nesting season, or road construction within an occupied marbled murrelet site.

(ii) Harvesting, other than removal of down trees outside of the critical nesting season, or road construction within suitable marbled murrelet habitat within a marbled murrelet detection area.

(iii) Harvesting, other than removal of down trees outside of the critical nesting season, or road construction within suitable marbled murrelet habitat containing 7 platforms per acre outside a marbled murrelet detection area.

(iv) Harvesting, other than removal of down trees outside of the critical nesting season, or road construction outside a marbled murrelet detection area within a marbled murrelet special landscape and within suitable marbled murrelet habitat with 5 or more platforms per acre.

(v) Harvesting within a 300 foot managed buffer zone adjacent to an occupied marbled murrelet site that results in less than a residual stand stem density of 75 trees per acre greater than 6 inches in dbh; provided that 25 of which shall be greater than 12 inches dbh including 5 trees greater than 20 inches in dbh, where they exist. The primary consideration for the design of managed buffer zone widths and leave tree retention patterns shall be to mediate edge effects. The width of the buffer zone may be reduced in some areas to a mini-

imum of 200 feet and extended to a maximum of 400 feet as long as the average of 300 feet is maintained.

(vi) Except that the following shall not be critical wildlife habitat (state):

(A) Where a landowner owns less than 500 acres of forest land within 50 miles of saltwater and the land does not contain an occupied marbled murrelet site; or

(B) Where a protocol survey (see WAC 222-12-090(14)) has been conducted and no murrelets were detected. The landowner is then relieved from further survey requirements. However, if an occupied marbled murrelet site is established, this exemption is void.

*(k) Salmonids - harvesting, construction of roads, landings, rock quarries, gravel pits, borrow pits, and spoil disposal areas, aerial applications of pesticides, or site preparation, within the areas on the salmonid listed map in WAC 222-16-088, within 100 feet of a type 1, 2, or 3 water. Road construction means any new road construction, reconstruction, or road maintenance activity that is not a Class I forest practice.

(2) The following critical habitats (federal) designated by the United States Secretary of the Interior, or specific forest practices within those habitats, have been determined to not have the potential for a substantial impact on the environment:

Marbled murrelet critical habitat 50 C.F.R. §17.95(b), 61 Fed. Reg. 26256 as a result of provisions of the state's marbled murrelet rule.

(3) For the purpose of identifying forest practices which have the potential for a substantial impact on the environment with regard to threatened or endangered species newly listed by the Washington fish and wildlife commission and/or the United States Secretary of the Interior, the department shall after consultation with the department of fish and wildlife, prepare and submit to the board a proposed list of critical wildlife habitats (state) of threatened or endangered species. This list shall be submitted to the board within 15 days of the listing of the species. The department shall, at a minimum, consider potential impacts of forest practices on habitats essential to meeting the life requisites for each species listed as threatened or endangered. Those critical wildlife habitats (state) adopted by the board shall be added to the list in subsection (1) of this section. See WAC 222-16-050 (1)(b)(i).

(4) For the purpose of identifying any areas and/or forest practices within critical habitats (federal) designated by the United States Secretary of the Interior which do not have the potential for a substantial impact on the environment, the department shall, after consultation with the department of fish and wildlife, submit to the board a proposed list of any forest practices and/or areas proposed for exclusion from Class IV - special forest practices. The department shall submit the list to the board within 120 days of the date the United States Secretary of the Interior publishes a final rule designating critical habitat (federal) in the Federal Register. Those critical habitats excluded by the board from Class IV - Special shall be added to the list in subsection (2) of this section. See WAC 222-16-050 (1)(b)(ii).

(5)(a) Except for bald eagles under subsection (1)(a) of this section, the critical wildlife habitats (state) of threatened and endangered species and specific forest practices designat-

ated in subsection (1) of this section are intended to be interim. These interim designations shall expire for a given species on the earliest of:

(i) The effective date of a regulatory system for wildlife protection referred to in (b) of this subsection or of substantive rules on the species.

(ii) The delisting of a threatened or endangered species by the Washington fish and wildlife commission.

(b) The board shall examine current wildlife protection and department authority to protect wildlife and develop and recommend a regulatory system, including baseline rules for wildlife protection. To the extent possible, this system shall:

(i) Use the best science and management advice available;

(ii) Use a landscape approach to wildlife protection;

(iii) Be designed to avoid the potential for substantial impact to the environment;

(iv) Protect known populations of threatened and endangered species of wildlife from negative effects of forest practices consistent with RCW 76.09.010; and

(v) Consider and be consistent with recovery plans adopted by the department of fish and wildlife pursuant to RCW 77.12.020(6) or habitat conservation plans or 16 U.S.C. 1533(d) rule changes of the Endangered Species Act.

(6) Regardless of any other provision in this section, forest practices applications shall not be classified as Class IV-Special based on critical wildlife habitat (state) (WAC 222-16-080(1)) or critical habitat (federal) (WAC 222-16-050 (1)(b)(ii)) for a species if the forest practices are consistent with one of the following proposed for protection of the species:

(a) A habitat conservation plan and permit or an incidental take statement covering such species approved by the Secretary of the Interior or Commerce pursuant to 16 U.S.C. §1536 (b) or 1539 (a); an "unlisted species agreement" covering such species approved by the U.S. Fish and Wildlife Service or National Marine Fisheries Service; or a "no-take letter" or other cooperative or conservation agreement entered into with a federal or state fish and wildlife agency pursuant to its statutory authority for fish and wildlife protection that addresses the needs of the affected species and that is subject to review under the National Environmental Protection Act, 42 U.S.C. §4321 et seq., or the State Environmental Policy Act, chapter 43.21C RCW, as applicable;

(b) A rule adopted by the U.S. Fish and Wildlife Service for the conservation of a particular threatened species pursuant to 16 U.S.C. 1533(d);

(c) A special wildlife management plan (SWMP) developed by the landowner and approved by the department in consultation with the department of fish and wildlife;

(d) A bald eagle management plan approved under WAC 232-12-292;

(e) A landowner option plan (LOP) for northern spotted owls developed pursuant to WAC 222-16-100(1); or

(f) A cooperative habitat enhancement agreement (CHEA) developed pursuant to WAC 222-16-105.

In those situations where one of the options above has been used, forest practices applications may still be classified as Class IV-Special based upon the presence of one or more of the factors listed in WAC 222-16-050(1), other than criti-

cal wildlife habitat (state) or critical habitat (federal) for the species covered by the existing plan.

(7) The department, in consultation with the department of fish and wildlife, shall review each SOSEA to determine whether the goals for that SOSEA are being met through approved plans, permits, statements, letters, or agreements referred to in subsection (6) of this section. Based on the consultation, the department shall recommend to the board the suspension, deletion, modification or reestablishment of the applicable SOSEA from the rules. The department shall conduct a review for a particular SOSEA upon approval of a landowner option plan, a petition from a landowner in the SOSEA, or under its own initiative.

(8) The department, in consultation with the department of fish and wildlife, shall report annually to the board on the status of the northern spotted owl to determine whether circumstances exist that substantially interfere with meeting the goals of the SOSEAs.

EMERGENCY

AMENDATORY SECTION (Amending WSR 97-24-091, filed 12/3/97, effective 1/3/98)

WAC 222-24-050 Road maintenance. *(1) Road maintenance and abandonment plan.

(a) The department will identify priorities for road maintenance and abandonment plans by watershed administrative unit by region using information such as the Lower Columbia Steelhead Conservation Initiative. The department shall choose priority WAUs every spring and fall.

(b) Landowners with 500 acres or more of ownership within the areas on the salmonid listed map in WAC 222-16-088 and in a watershed administrative unit that has not undergone a watershed analysis under chapter 222-22 WAC, must submit within 90 days after notification in the spring or by June 30 after notification in the fall by the department, for department approval, a road maintenance and abandonment plan for those drainages or road systems, within the identified watershed administrative units, that are active or will be active within two years. This subsection does not apply to landowners with an approved habitat conservation plan that has specific provisions for road maintenance.

(c) Landowners with less than 500 acres within the areas on the salmonid listed map in WAC 222-16-088 and in a watershed administrative unit that has not undergone a watershed analysis under chapter 222-22 WAC must submit a road maintenance and abandonment plan covering their entire ownership within the priority WAUs as per (a) of this subsection to the department prior to or concurrently with a forest practice notification or application for proposed road or harvest activities. Once approved, the landowner should attach or reference the approved road maintenance and abandonment plan when submitting subsequent applications.

(d) Landowners not required to submit road maintenance and abandonment plans under (b) or (c) of this subsection, when notified by the department, shall submit a plan for department approval for road maintenance and abandonment for those drainages or road systems the department determines based on physical evidence to have a potential to damage public resources.

(~~(f)~~) (e) All road maintenance and abandonment plans ((is)) are subject to annual review. The plan must pay particular attention to those road segments that block fish passage or have the potential to deliver water or sediment to any typed water, and shall include:

- (i) Ownership maps showing the road or road system;
- (ii) Road status, whether active, inactive, orphan, abandoned or planned for abandonment;
- (iii) Maintenance schedule and priorities for the year; and
- (iv) Plan for further maintenance and reconstruction beyond the current year for repair of extensive damage.

((~~(b)~~)) (f) The plan shall be submitted to the department region office on or before June 30, 1988, and each June 30th thereafter unless the department agrees that no further plans are necessary.

((~~(e)~~)) (g) The department will review the plan annually with the landowner to determine whether it will be effective and is being implemented.

((~~(d)~~)) (h) Such plans shall also be reviewed with departments of ecology, fish and wildlife, ((and)) affected Indian tribes, and interested parties, any of whom may request the department to hold an informal conference with the landowner.

(NOTE: The road maintenance and abandonment training manual and other materials made available by the department can be used for guidance in developing road maintenance and abandonment plans.)

*(2) Active roads. An active road is a forest road being actively used for hauling of logs, pulpwood, chips, or other major forest products or rock and other road building materials. To the extent necessary to prevent damage to public resources, the following maintenance shall be conducted on such roads:

(a) Culverts and ditches shall be kept functional.

(b) Road surface shall be maintained as necessary to minimize erosion of the surface and the subgrade.

(c) During and on completion of operations, road surface shall be crowned, outsloped, or water barred and berms removed from the outside edge except those intentionally constructed for protection of fills.

*(3) Inactive roads. An inactive road is a forest road on which commercial hauling is discontinued for 1 or more logging seasons, and the forest landowner desires continuation of access for fire control, forest management activities, Christmas tree growing operations, occasional or incidental use for minor forest products harvesting or similar activities on such inactive roads:

(a) Before the first winter rainy season following termination of active use, nonfunctional ditches and culverts shall be cleared and the road surface shall be crowned, outsloped, water barred or otherwise left in a condition not conducive to accelerated erosion or interrupt water movement within wetlands; and

(b) Thereafter, except as provided in (c) of this subsection, the landowner shall clear or repair ditches or culverts which he/she knows or should know to be nonfunctional and causing or likely to cause material damage to a public resource.

(c) The landowner shall not be liable for penalties or monetary damages, under the act, for damage occurring from a condition brought about by public use, unless he/she fails to make repairs as directed by a notice to comply.

*(4) Additional culverts/maintenance. If the department determines based on physical evidence that the above maintenance has been or will be inadequate to protect public resources and that additional measures will provide adequate protection it shall require the landowner or operator to either elect to:

(a) Install additional or larger culverts or other drainage improvements as deemed necessary by the department; or

(b) Agree to an additional road maintenance program. Such improvements in drainage or maintenance may be required only after a field inspection and opportunity for an informal conference.

*(5) Abandoned roads. An abandoned road is a forest road which the forest landowner has abandoned in accordance with procedures of (a) through (e) of this subsection.

Roads are exempt from maintenance only after (e) of this subsection is completed:

(a) Roads are outsloped, water barred, or otherwise left in a condition suitable to control erosion and maintain water movement within wetlands; and

(b) Ditches are left in a suitable condition to reduce erosion; and

(c) The road is blocked so that four wheel highway vehicles can not pass the point of closure at the time of abandonment; and

(d) Bridges, culverts, and fills on all waters are removed, except where the department determines other measures would provide adequate protection to public resources.

(e) The department shall determine whether the road has been abandoned according to procedures of this subsection. If the department determines the road is properly abandoned, it shall within thirty days notify the landowner in writing that the road is officially abandoned.

*** (6) Brush control.** Chemical control of roadside brush shall not be done where chemicals will directly enter any Type 1, 2, or 3 or flowing Type 4 or 5 Water or Type A or B Wetlands. Refer to WAC 222-38-020 for additional information.

*** (7) Road surface treatment.**

(a) Apply oil to the road surface only when the temperature is above 55 degrees F and during the season when there is a minimal chance of rain for the next 48 hours. Use of waste oil is subject to RCW 70.951.060(5).

(b) Water the road surface prior to application of oil to assist in penetration.

(c) Construct a temporary berm along the road shoulder wherever needed to control runoff of the applied chemical.

(d) Take extreme care to avoid excess application of road chemicals. Shut off the flow at all bridges.

(e) When cleaning out chemical storage tanks or the application equipment tanks used for storage and application of road treatment materials, dispose of the rinse water fluids on the road surface or in a place safe from potential contamination of water.

(f) The use of dry road chemicals shall be in compliance with WAC 222-38-020.

AMENDATORY SECTION (Amending WSR 93-12-001, filed 5/19/93, effective 6/19/93)

WAC 222-30-040 Shade requirements to maintain stream temperature. *(1) Determination of adequate shade. The temperature prediction method in subsections (2) and (3) of this section shall be used to determine appropriate shade levels for flowing Type 1, 2, and 3 Waters to prevent excessive water temperatures which may have detrimental impact on aquatic resources.

*** (2) Temperature prediction method.**

(a) In addition to the riparian management zone requirements, leave trees shall be retained in riparian management zones on flowing Type 1, 2, and 3 Waters ~~((as provided by))~~,

(b) Leave trees shall also be retained as needed within the first 50 feet horizontal distance from the ordinary high water mark along the first 500 feet of flowing Type 4 or 5

Waters above Type 1, 2, and 3 Waters in the salmonid listed areas map in WAC 222-16-088. This provision, however, does not apply to landowners with an approved habitat conservation plan that has specific provisions for salmonids.

(c) The temperature prediction method is described in the board manual ~~((which))~~ and it includes the following considerations:

~~((a))~~ (i) Minimum shade retention requirements; and

~~((b))~~ (ii) Regional water temperature characteristics; and

~~((c))~~ (iii) Elevation; and

~~((d))~~ (iv) Temperature criteria defined for stream classes in chapter 173-201A WAC.

* (3) Leave tree requirements for shade. The method described in subsection (2) of this section shall be used to establish the minimum shade cover based on site specific characteristics. When site specific data indicate that preharvest conditions do not meet the minimums established by the method, no additional shade removal from riparian management zones will be allowed.

(4) **Waivers.** The department may waive or modify the shade requirements where:

(a) The applicant agrees to a staggered setting program producing equal or greater shade requirements to maintain stream temperature; or

(b) The applicant provides alternative means of stream temperature control satisfactory to the department; or

(c) The temperature method indicates that additional shade will not affect stream temperature.

WSR 99-24-103

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 99-208—Filed November 30, 1999, 4:49 p.m.]

Date of Adoption: November 30, 1999.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-04600U; and amending WAC 220-52-046.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: This rule provides for a special management area for the Quillayute commercial crab fishery, and is consistent with agreements reached to implement the shellfish provisions of *United States v. Washington*. The agreements were not finalized in time to allow promulgation of a permanent rule, and this emergency rule is necessary to provide for certainty in both the tribal and nontribal commercial crab fishery while the permanent rule process is underway.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

November 30, 1999

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-52-04600U Coastal crab seasons and areas—Special management area. Notwithstanding the provisions of WAC 220-52-046, effective immediately through 11:59 p.m. January 7, 2000, and 12:01 a.m. January 5, 2000, through 11:59 p.m. March 27, 2000, the following area is closed to commercial crab fishing, except for treaty Indian commercial crab fishing where the treaty Indian crab fisher is fishing during tribal openings that are in accordance with the provisions of court orders in United States v. Washington: Those waters within a line beginning on the Washington shore at 48°02.25'N, thence due west to 124°50.00'W, thence southerly to 48°00.00'N, 124°49.50'W, thence southerly to 47°40.50'N, 124°37.50'W, thence due east to shore, thence following the coastline to the point of origin.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. March 28, 2000:

WAC 220-52-04600U Coastal crab seasons and areas—Special management area.

EMERGENCY

**WSR 99-07-081
INDETERMINATE SENTENCE
REVIEW BOARD**

[Filed March 18, 1999, 2:30 p.m., effective March 15, 1999]

Pursuant to our agreement entitled, "Protocol for the Publication of Non-APA Rules of the Indeterminate Sentence Review Board," enclosed is a revision to WAC 381-50-180 for publication in the Washington State Register and Washington Administrative Code.

Protocol information is as follows:

Date of Adoption	Effective Date
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381-50-180	March 15, 1999	March 15, 1999
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I certify pursuant to RCW 34.05.030 that WAC 381-50-180 is exempt from the APA and is being submitted for publication pursuant to the protocol.

K. Bail
Chair

Reviser's note: The following section was inadvertently omitted from publication in Issue 99-07 that appeared as WSR 99-07-081 filed on March 18, 1999. The effective date of this section is March 15, 1999.

AMENDATORY SECTION (Amending WSR 92-22-008, filed 10/21/92, effective 10/19/92)

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~~) not less than six months subsequent to the hearing. Parties requesting partial or total duplication of any hearing must request such recordings pursuant to the Public Disclosure Act and reimburse the board for the costs involved in such a procedure.

**WSR 99-24-001
NOTICE OF PUBLIC MEETINGS
CENTRALIA COLLEGE**
[Memorandum—November 15, 1999]

The board of trustees for Washington Community College District Twelve, at their meeting on October 7, 1999, adopted the following regular meeting schedule for the 2000 calendar year.

BOARD OF TRUSTEES

**Meeting Schedule
2000**

DATE	TIME	LOCATION
Thursday, January 13, 2000	4:30 p.m.	College Boardroom
Thursday, February 10, 2000	4:30 p.m.	College Boardroom
Thursday, March 9, 2000	4:30 p.m.	College Boardroom
Thursday, April 13, 2000	4:30 p.m.	East County Center Morton, Washington
Thursday, May 11, 2000	4:30 p.m.	College Boardroom

DATE	TIME	LOCATION
Thursday, June 8, 2000	4:30 p.m.	College Boardroom
Thursday, July 13, 2000	4:30 p.m.	College Boardroom
Thursday, August 10, 2000	4:30 p.m.	College Boardroom
Thursday, September 21, 2000	4:30 p.m.	College Boardroom
Thursday, October 12, 2000	4:30 p.m.	College Boardroom
Thursday, November 16, 2000	4:30 p.m.	College Boardroom
Thursday, December 14, 2000	4:30 p.m.	College Boardroom

**WSR 99-24-006
NOTICE OF PUBLIC MEETINGS
OFFICE OF THE GOVERNOR**
(Clemency and Pardons Board)
[Memorandum—November 17, 1999]

The Washington State Clemency and Pardons Board hereby files with the code reviser the following change for the December meeting:

The December 3, 1999, meeting of the Clemency and Pardons Board has been rescheduled for December 9, 1999, in the John A. Cherberg Building, Hearing Room 4, Olympia, Washington, starting at 10:00 a.m.

**WSR 99-24-009
NOTICE OF PUBLIC MEETINGS
GAMBLING COMMISSION**
[Memorandum—November 19, 1999]

2000 COMMISSION MEETING SCHEDULE

January 13 and 14	Heathman Lodge 7801 N.E. Greenwood Drive Vancouver, WA 98662 (360) 254-3100
February 10 and 11	Howard Johnson/Everett Pacific Hotel 3105 Pine Street Everett, WA 98201 (425) 339-3333
March 9 and 10	The Inn at Semiahmoo 9565 Semiahmoo Parkway Blaine, WA 98230-9326 (360) 371-2000
April 13 and 14	Pasco Double Tree Hotel 252 North 20th Avenue Pasco, WA 99301 (509) 547-0701
May 11 and 12	LaConner Country Inn 107 South Second Street LaConner, WA 98257 (360) 466-3101
June 8 and 9	Cavanaugh's Inn at Park 303 West North River Drive Spokane, WA 99202 (509) 326-8000
July 13 and 14	WestCoast Bellevue Hotel 625 116th Avenue N.E. Bellevue, WA 98004 (425) 455-9444

MISC.

August 10 and 11	The Inn at Gig Harbor 3211 56th Street N.W. Gig Harbor, WA 98335 (253) 858-1111
September 14 and 15	WestCoast Wenatchee Center Hotel 201 North Wenatchee Avenue Wenatchee, WA 98801 (509) 662-1234
October 12 and 13	WestCoast Silverdale Hotel 3073 N.W. Bucklin Hill Road Silverdale, WA 98383 (360) 698-1000
November 16 and 17 (November 10th - State Holiday)	Shilo Inn 707 Ocean Shores Boulevard N.W. Ocean Shores, WA 98569 (360) 289-4600

CONTACT: Shirley Corbett at (360) 438-7654 ext. 302.

**Lower Columbia College Board of Trustees
2000 Meeting Schedule**

January 19, 2000	5:00 p.m.	Regular Meeting	Heritage Room
February 16, 2000	9:00 a.m.	Workshop	TBD
March 15, 2000	5:00 p.m.	Regular Meeting	Heritage Room
April 19, 2000	5:00 p.m.	Regular Meeting	Heritage Room
May 17, 2000	5:00 p.m.	Regular Meeting	Heritage Room
June 21, 2000	5:00 p.m.	Regular Meeting	Heritage Room
July 19, 2000	9:00 a.m.	Workshop	TBD
August, 2000	No meeting scheduled		
September 20, 2000	5:00 p.m.	Regular Meeting	Heritage Room
October 18, 2000	5:00 p.m.	Regular Meeting	Heritage Room
November 15, 2000	5:00 p.m.	Regular Meeting	Heritage Room
December 20, 2000	5:00 p.m.	Regular Meeting	Heritage Room

WSR 99-24-015

**NOTICE OF PUBLIC MEETINGS
SOUTH PUGET SOUND
COMMUNITY COLLEGE**

[Memorandum—November 17, 1999]

In compliance with RCW 42.30.075, following is South Puget Sound Community College District 24 board of trustees regular meeting schedule for 2000:

- Thursday, January 13, 2000
- Thursday, February 10, 2000
- Thursday, March 9, 2000
- Thursday, April 13, 2000
- Thursday, May 11, 2000
- Thursday, June 8, 2000
- Thursday, July 13, 2000 - Tentative
- Thursday, August 10, 2000 - Tentative
- Thursday, September 14, 2000
- Thursday, October 12, 2000
- Thursday, November 9, 2000
- Thursday, December 14, 2000

WSR 99-24-016

**NOTICE OF PUBLIC MEETINGS
LOWER COLUMBIA COLLEGE**

[Memorandum—November 18, 1999]

On November 17, 1999, the Lower Columbia College board of trustees adopted the following meeting schedule for the year 2000. All regularly scheduled meetings are held on the third Wednesday of each month, at 5:00 p.m. on the college campus.

WSR 99-24-017

**NOTICE OF PUBLIC MEETINGS
HIGHLINE COMMUNITY COLLEGE**

[Memorandum—November 18, 1999]

Following is the meeting schedule for 2000 for the board of trustees of Community College District 9. All meetings are held in Building 25 and begin with a study session followed by the regular meeting. These meeting dates were approved by the board at their November 4, 1999, meeting.

DATE	STUDY SESSION	MEETING
January 20, 2000	8:00 a.m.	10:00 a.m.
February 10, 2000	8:00 a.m.	10:00 a.m.
March 9, 2000	8:00 a.m.	10:00 a.m.
April 13, 2000	8:00 a.m.	10:00 a.m.
May 11, 2000	8:00 a.m.	10:00 a.m.
June 8, 2000	8:00 a.m.	10:00 a.m.
July 13, 2000	8:00 a.m.	10:00 a.m.
August 2000 - NO MEETING		
September 14, 2000	8:00 a.m.	10:00 a.m.
October 12, 2000	8:00 a.m.	10:00 a.m.
November 9, 2000	8:00 a.m.	10:00 a.m.
December 14, 2000	8:00 a.m.	10:00 a.m.

WSR 99-24-018

**NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE**

[Memorandum—November 19, 1999]

EDMONDS COMMUNITY COLLEGE
BOARD OF TRUSTEES
NOTICE OF SPECIAL MEETINGS
TO MEDIA/OTHER
REVISED

MISC.

- November 3, 1999* EdCC Legislative Contact Team Meeting, EdCC, Snohomish Hall, Room 304A, 20226 68th Avenue West, Lynnwood, WA, 7:00 a.m.
Purpose: Planning meeting for legislative agenda.
- November 5, 1999* Trustees Association of Community and Technical Colleges (TACTC), Board of Directors Meeting, Highline Community College, Des Moines, Washington, 8:00-5:00 p.m.
Purpose: Routine Business.
- November 9, 1999* Reception/Forum for Executive Vice-President Candidate, EdCC, Snohomish Hall, Room 304, 20226 68th Avenue West, Lynnwood, WA, 3:30-5:30 p.m.
Purpose: To meet executive vice-president candidate.
- November 10, 1999* Reception/Forum for Executive Vice-President Candidate, EdCC, Snohomish Hall, Room 304, 20226 68th Avenue West, Lynnwood, WA, 3:30-5:30 p.m.
Purpose: To meet executive vice-president candidate.
- November 15, 1999* Reception/Forum for Executive Vice-President Candidate, EdCC, Snohomish Hall, Room 304, 20226 68th Avenue West, Lynnwood, WA, 3:30-5:30 p.m.
Purpose: To meet executive vice-president candidate.
- November 16, 1999* Reception/Forum for Executive Vice-President Candidate, EdCC, Snohomish Hall, Room 304, 20226 68th Avenue West, Lynnwood, WA, 3:30-5:30 p.m.
Purpose: To meet executive vice-president candidate.
- November 17, 2000* Creative Options for Estate Planning, Edmonds Floral Conference Centre, 201 4th Avenue North, Edmonds, WA, 7:00-8:30 p.m.
Purpose: Presentation for the families of the EdCC Board of Trustees and College Foundation Board of Directors.
- November 18, 1999 Edmonds Community College Board of Trustees Regular Board Meeting: EdCC, Snohomish Hall, Room 304A, 20226 68th Avenue West, Lynnwood, WA, 4:00 p.m.
Purpose: To address routine college business issues.
- November 19, 1999* Reception/Forum for Executive Vice-President Candidate, EdCC, Snohomish Hall, Room 304, 20226 68th Avenue West, Lynnwood, WA, 3:30-5:30 p.m.
Purpose: To meet executive vice-president candidate.
- November 22, 1999* Senate Higher Education Committee Visit to EdCC Campus, Snohomish Hall, Room 304, 20226 68th Avenue West, Lynnwood, WA, 9:00 a.m.-12:30 p.m.
Purpose: To provide information to legislators regarding EdCC.

*This event is being scheduled as a special meeting, which is a study session where no action will be taken.

WSR 99-24-019
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
(Wheat Commission)

[Memorandum—November 17, 1999]

The Washington Wheat Commission hereby complies with regulations as stated in RCW 42.30.075 and provides pertinent scheduled meeting changes, per the board of directors, for publication in the State Register. This special meeting date is submitted at least twenty days prior to the meeting date.

Special Meeting
December 10, 1999
11:00 a.m.
Double Tree Hotel
322 North Spokane Falls Court
Spokane, WA

If you have any questions, please do not hesitate to contact our office at (509) 456-2481.

WSR 99-24-020
NOTICE OF PUBLIC MEETINGS
UTILITIES AND TRANSPORTATION
COMMISSION

[Memorandum—November 22, 1999]

The following is the schedule for the 2000 regular meetings of the Washington Utilities and Transportation Commission.

- January 12, 2000
- January 26, 2000
- February 9, 2000
- February 23, 2000
- March 10, 2000*
- March 22, 2000
- March 29, 2000
- April 12, 2000
- April 26, 2000
- May 10, 2000
- May 24, 2000
- May 31, 2000
- June 16, 2000*
- June 28, 2000
- July 12, 2000
- July 31, 2000*
- August 9, 2000
- August 23, 2000
- August 30, 2000
- September 13, 2000
- September 27, 2000

MISC.

- October 11, 2000
- October 25, 2000
- November 8, 2000
- November 29, 2000
- December 13, 2000
- December 27, 2000

*These meetings will commence at 1:30 p.m.

All commission meetings will commence at 9:30 a.m. on the day scheduled unless otherwise noted. The meetings will be held in the Commission's Main Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA.

Assistance with sign language interpreters or information in alternate formats will be provided when requested ten days prior to meeting date, by contacting the ADA coordinator at (360) 664-1133 or TDD (360) 586-8203.

WSR 99-24-023

**NOTICE OF PUBLIC MEETINGS
PUBLIC EMPLOYEES BENEFITS BOARD**

[Memorandum—November 23, 1999]

Public Employees Benefits Board
State Room, Cavanaugh's Hotel, Olympia
1:00 p.m., November 30, 1999

If you are a person with a disability and need a special accommodation, please contact Judy Lamm at (360) 923-2828.

Public Employees Benefits Board
Strategic Planning Session
State Room, Cavanaugh's Hotel, Olympia
3:00 - 4:30 p.m., November 30, 1999

Continuation of strategic planning session held on October 26, 1999.

Cavanaugh's Inn at Capitol Lake
2300 Evergreen Park Drive
Olympia, WA 98502
Phone (360) 943-4000
Fax (360) 357-6604

WSR 99-24-031

**INTERPRETIVE STATEMENT
DEPARTMENT OF REVENUE**

[Filed November 23, 1999, 3:01 p.m.]

ADOPTION OF INTERPRETIVE STATEMENTS

Excise Tax Advisory 2004.04/08.167—Fund-raising Activities of Public Schools, Associated Student Body Groups, and Parent Teacher Associations.

Excise Tax Advisory 2005.84.33—Timber Tax—Personal Use of Timber by Landowner.

This announcement of the adoption of these interpretive statements is being published in the Washington State Register pursuant to the requirements of RCW 34.05.230(4).

The Department of Revenue has adopted excise tax advisory (ETA) 2004 to provide tax-reporting information regarding fund-raising activities conducted by school districts, parent teacher associations (PTAs) and associated student body (ASB) groups. This document explains the application of the B&O and retail sales tax exemptions provided by RCW 82.04.3651 and 82.08.02573 for certain fund-raising activities.

ETA 2005 clarifies when a landowner harvests timber for commercial or industrial use, an activity subject to the timber excise tax, and when a landowner cuts timber for personal use, which is not subject to the timber excise tax.

Requests for copies of this Advisory may be directed to Roseanna Hodson, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 586-4281, fax (360) 664-0693

Claire Hesselholt
Policy Counsel

WSR 99-24-040

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE**

(Wheat Commission)

[Memorandum—November 19, 1999]

The Washington Wheat Commission hereby complies with regulations as stated in RCW 42.30.075 and provides pertinent scheduled meeting information of the board of directors for publication in the State Register for the period January through December 2000. The meetings will take place in the commission conference room located at 907 West Riverside Avenue, Spokane, WA. The meetings will begin at 10:00 a.m. on the first day and will reconvene at 8:30 a.m. on the second day.

Regular	January 19 and 20
Regular	March 22 and 23
Annual	May 17 and 18
Regular	September 20 and 21
Regular	November 15 and 16

We understand that should any changes to this meeting schedule become necessary, we will provide the information at least twenty days prior to the rescheduled meeting date for publication in the State Register. If further details are required, please do not hesitate to contact our office.

MISC.

WSR 99-24-065

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
NATURAL RESOURCES**
(Natural Heritage Advisory Council)
[Memorandum—October 18, 1999]

**NOTICE OF MEETING
FOR THE
NATURAL HERITAGE ADVISORY COUNCIL**

2000

The Natural Heritage Advisory Council will meet on January 19, 2000, 9:30 a.m. to 5:00 p.m. at the United Churches, Fireside Room, 110 11th Avenue S.E., Olympia, WA.

Regular council business will include consideration of natural area preserve proposals, site proposals for the registry program and NAP management activities.

For further information contact Department of Natural Resources, Washington Natural Heritage Program, Forest Resource Division, 1111 Washington Street S.E., P.O. Box 47016, Olympia, WA 98504-7016, (360) 902-1340.

WSR 99-24-066

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
NATURAL RESOURCES**
(Natural Heritage Advisory Council)
[Memorandum—October 18, 1999]

**NOTICE OF MEETING
FOR THE
NATURAL HERITAGE ADVISORY COUNCIL**

2000

The Natural Heritage Advisory Council will meet on March 15, 2000, 9:30 a.m. to 5:00 p.m. at the Natural Resources Building, Room 172, 1111 Washington Street, Olympia, WA.

Regular council business will include consideration of natural area preserve proposals, site proposals for the registry program and NAP management activities.

For further information contact Department of Natural Resources, Washington Natural Heritage Program, Forest Resource Division, 1111 Washington Street S.E., P.O. Box 47016, Olympia, WA 98504-7016, (360) 902-1340.

WSR 99-24-067

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
NATURAL RESOURCES**
(Natural Heritage Advisory Council)
[Memorandum—October 18, 1999]

**NOTICE OF MEETING
FOR THE
NATURAL HERITAGE ADVISORY COUNCIL**

2000

The Natural Heritage Advisory Council will meet on May 18, 2000, 9:30 a.m. to 5:00 p.m., location to be announced.

Regular council business will include consideration of natural area preserve proposals, site proposals for the registry program and NAP management activities.

For further information contact Department of Natural Resources, Washington Natural Heritage Program, Forest Resource Division, 1111 Washington Street S.E., P.O. Box 47016, Olympia, WA 98504-7016, (360) 902-1340.

WSR 99-24-068

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
NATURAL RESOURCES**
(Natural Heritage Advisory Council)
[Memorandum—October 18, 1999]

**NOTICE OF MEETING
FOR THE
NATURAL HERITAGE ADVISORY COUNCIL**

2000

The Natural Heritage Advisory Council will meet on October 18, 2000, 9:30 a.m. to 5:00 p.m. at the Natural Resources Building, Room 175B, 1111 Washington Street, Olympia, WA.

Regular council business will include consideration of natural area preserve proposals, site proposals for the registry program and NAP management activities.

For further information contact Department of Natural Resources, Washington Natural Heritage Program, Forest Resource Division, 1111 Washington Street S.E., P.O. Box 47016, Olympia, WA 98504-7016, (360) 902-1340.

MISC.

WSR 99-24-069
NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY

[Memorandum—November 29, 1999]

EASTERN WASHINGTON UNIVERSITY
BOARD OF TRUSTEES
December 3, 1999, 10:00 a.m.
Cheney Campus
Pence Union Building
Room 263-65

Eastern Washington University strives to satisfy all requests for special access needs for persons with disabilities. Requests for such accommodation are welcome and may be made by calling the President's Office, (509) 359-6598.

WSR 99-24-070
NOTICE OF PUBLIC MEETINGS
COMMUNITY COLLEGES
OF SPOKANE

[Memorandum—November 18, 1999]

Pursuant to RCW 42.30.075, the year 2000 regular meeting schedule for the board of trustees of Washington State Community College District 17 is as follows:

BOARD OF TRUSTEES
WASHINGTON COMMUNITY COLLEGE DISTRICT 17

Notice is hereby given, pursuant to RCW 42.30.075, that the regular meetings of the board of trustees of Washington State Community College District 17 (Community Colleges of Spokane) during calendar year 2000 shall be held at 8:30 a.m. on the following dates (*third Tuesdays*) and in the following locations:

Date	Location and Address
January 18, 2000 (3rd Tuesday)	Community Colleges of Spokane District Board Room 2000 North Greene Street Spokane, WA 99217-5499
February 15, 2000 (3rd Tuesday)	Spokane Falls Community College The Falls Conference Room Administration Building 3410 West Fort George Wright Drive Spokane, WA 99224-5288
March 21, 2000 (3rd Tuesday)	Spokane Community College Lair Littlefoot Room 1810 North Greene Street Spokane, WA 99217-5399
April 18, 2000 (3rd Tuesday)	Community Colleges of Spokane District Board Room 2000 North Greene Street Spokane, WA 99217-5499
May 16, 2000 (3rd Tuesday)	Institute for Extended Learning Fairchild Center, #6 West Castle Street Fairchild Air Force Base, WA 99011-9406

Date	Location and Address
June 20, 2000 (3rd Tuesday)	Community Colleges of Spokane District Board Room 2000 North Greene Street Spokane, WA 99217-5499
July 18, 2000 (3rd Tuesday)	Community Colleges of Spokane District Board Room 2000 North Greene Street Spokane, WA 99217-5499
August 15, 2000 (3rd Tuesday)	Community Colleges of Spokane District Board Room 2000 North Greene Street Spokane, WA 99217-5499
September 19, 2000 (3rd Tuesday)	Spokane Community College Lair Littlefoot Room 1810 North Greene Street Spokane, WA 99217-5399
October 17, 2000 (3rd Tuesday)	Institute for Extended Learning Colville Center 985 South Elm Colville, WA 99114-2698
November 21, 2000 (3rd Tuesday)	Spokane Falls Community College The Falls Conference Room Administration Building 3410 West Fort George Wright Drive Spokane, WA 99224-5288
December 19, 2000 (3rd Tuesday)	Community Colleges of Spokane District Board Room 2000 North Greene Street Spokane, WA 99217-5499

WSR 99-24-071
NOTICE OF PUBLIC MEETINGS
WALLA WALLA
COMMUNITY COLLEGE

[Memorandum—November 22, 1999]

The following schedule of regular meetings of the board of trustees of Walla Walla Community College for the year 2000 was adopted at their meeting on November 17, 1999. Time of the meetings will be 9:30 a.m. unless otherwise advised.

YEAR 2000 MEETING SCHEDULE
FOR
WALLA WALLA COMMUNITY COLLEGE
BOARD OF TRUSTEES

WWCC Board Room
 (Meeting times are at 9:30 a.m. unless otherwise advised)

- Wednesday, January 19, 2000
- Wednesday, February 16, 2000
- Wednesday, March 15, 2000
- Wednesday, April 19, 2000; **10:30 a.m. Clarkston**
- Wednesday, May 17, 2000
- Wednesday, June 28, 2000
- Wednesday, July 19, 2000 (optional)
- Wednesday, August 16, 2000 (optional)

MISC.

Wednesday, September 20, 2000
 Wednesday, October 18, 2000
 Wednesday, November 15, 2000
 Wednesday, December 13, 2000

May 23, 2000
 July 25, 2000
 September 26, 2000
 November 28, 2000

If you have any questions or need additional information, please contact 664-7310.

WSR 99-24-074
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
GENERAL ADMINISTRATION
 (State Capitol Committee)
 [Memorandum—November 24, 1999]

Please record the following State Capitol Committee meeting date, time and location in the Washington State Register:

Date: Thursday, January 6, 1999 [2000]
 Time: 10:00 a.m. to 11:30 a.m.
 Location: Legislative Building, Senate Rules Room

If you have any questions, you may contact (360) 664-9212.

WSR 99-24-078
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE
 [Memorandum—November 23, 1999]

Pursuant to RCW 42.30.075, the Bellingham Technical College board of trustees' regular meetings during the year 2000 will be held on the third Thursday of each month except July. Meetings will be held at 9 a.m. in the College Services Building, Bellingham Technical College, 3028 Lindbergh Avenue, Bellingham, WA 98225.

WSR 99-24-081
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
RETIREMENT SYSTEMS
 (Employee Retirement Benefits Board)
 [Memorandum—November 29, 1999]

The following information is provided in compliance with the requirement for the Employee Retirement Benefits Board (ERBB) to submit a schedule of regular meeting dates and locations for 2000.

The ERBB will conduct all of their regularly scheduled meetings on the fourth Tuesday of every other month. Meetings will be held in the boardroom at the Washington State Investment Board, 2424 Heritage Court Southwest, in Olympia. Meetings will begin at 9:00 a.m.

The meeting dates are:

January 25, 2000
 March 28, 2000

WSR 99-24-082
NOTICE OF PUBLIC MEETINGS
WORKFORCE TRAINING AND
EDUCATION COORDINATING BOARD
 [Memorandum—November 29, 1999]

When we filed the 2000 meeting dates for WTECB we were unsure of the locations. Following are the locations for the first three meetings in 2000.

Wednesday, January 5, 2000
 Association of Washington Business, Olympia

Friday, February 18, 2000
 Association of Washington Business, Olympia

Friday, March 17, 2000
 Association of Washington Business, Olympia

If you have any questions, please (360) 753-5677.

WSR 99-24-091
DEPARTMENT OF ECOLOGY
 [Filed November 30, 1999, 10:52 a.m.]

**Commercial Low-Level Radioactive
 Waste Site Use Permit Fees**

In accordance with chapter 173-326 WAC, Commercial low-level radioactive waste disposal—Site use permits, the Department of Ecology is providing notice of the site use permit fees for the period of March 1, 2000, through February 28, 2001. The annual base fee, 1x, has been set at \$400. Site use permit fees for each category are as follows:

<u>CATEGORY</u>	<u>FACTOR</u>	<u>FEE</u>
< 50 cubic feet	1x	\$400
≥ 50 < 500 cubic feet	2x	\$800
≥ 500 < 1,000 cubic feet	5x	\$2,000
≥ 1,000 < 2,500 cubic feet	10x	\$4,000
≥ 2,500 cubic feet	35x	\$14,000
Nuclear Utilities	100x	\$40,000

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WSR 99-24-101
INSURANCE COMMISSIONER'S OFFICE

[Filed November 30, 1999, 4:36 p.m.]

Technical Assistance Advisory

Attn: Health Care Carriers
 Subject: Women's Direct Access
 Date: November 30, 1999

The Office of the Insurance Commissioner (OIC) is issuing this Technical Assistance Advisory to assist carriers in complying with RCW 48.42.100, governing women's direct access to women's health care services, and WAC 284-43-250, implementing that statute.

1. Coverage for incidental services provided by women's health care practitioner.

A woman has direct access to appropriate covered women's health care services from her women's health care practitioner "without the necessity of prior referral from another type of health care practitioner." RCW 48.42.100 (5)(a). Women's health care services include but are not limited to "maternity care; reproductive health services; gynecological care; [and] general examination[s]...." RCW 48.42.100(3).

WAC 284-43-250(1) provides: "Women's health care services also include any appropriate health care service for other health problems, discovered and treated during the course of a visit to a women's health care practitioner for a women's health care service, which is within the practitioner's scope of practice."

Consequently, when a woman self-refers to her women's health care practitioner for women's health care services, the carrier cannot restrict coverage to female-specific diagnostic codes. The carrier is required to provide coverage for other covered medically necessary and appropriate health care services discovered and treated during the course of that visit within her practitioner's scope of practice.

As an example: A woman self-refers to her women's health care provider for women's health care services. During the examination, the provider determines that the patient is suffering from a urinary tract infection. The statute and regulations require that the carrier provide coverage for diagnosis and treatment of both the women's health care portion of the visit and her urinary tract infection.

Of course, carriers may apply policies against "upcoding" and "unbundling" of diagnostic and procedure codes.

2. Coverage for institutional or related charges as a result of treatment by a women's health care practitioner.

WAC 284-43-250 (3)(a) provides that: "All health carriers shall permit each female policyholder, subscriber, enrolled participant, or beneficiary... to directly access the types of women's health care practitioners identified in RCW 48.42.100(2), for appropriate covered women's health care services without prior referral from another health care practitioner." The provider network for each health plan must include "sufficient number of each type of practitioner" included in the definition of women's health practitioner to "ensure that enrollees can exercise their right of direct access." WAC 284-43-250(3). Women's health care services include but are not limited to "maternity care; reproductive

health services; [and] gynecological services...." RCW 48.43.100(3).

Women's health care services are not limited to office based services and may include medically necessary covered services appropriately rendered by a women's health care practitioner in other settings.

As an example: A patient's women's health care practitioner has privileges at, and is affiliated with, a clinic which refers patients to Hospital A. Her selected primary care provider has privileges at, and is affiliated with, a clinic that refers its patients to Hospital B. Both hospitals are part of the network available to the patient under her health plan. She self-refers to her women's health care practitioner. Direct access allows her to receive women's health care services from her women's health care practitioner at Hospital A without being admitted by her primary care provider or a referral for admission from her primary care provider.

Of course, all otherwise applicable health plan requirements for preauthorization or other prior approval (e.g., based on medical necessity) by the carrier prior to hospitalization or to specific procedures would continue to apply.

Should you have any questions or concerns about women's direct access to care, please contact: Deputy Commissioner for Legal Affairs Jeff Coopersmith, phone (360) 753-7302; Staff Counsel Mary Cotter, phone (360) 664-2093; or Chief Managed Care Investigator Chris Daugherty, phone (360) 664-2531.

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

WSR 99-24-111

NOTICE OF PUBLIC MEETINGS
UNIVERSITY OF WASHINGTON

[Memorandum—November 19, 1999]

In accordance with RCW 42.30.075, 28B.20.105, 28B.20.130, and WAC 478-04-030, the board of regents of the University of Washington established the following meeting schedule for 2000 at its regular meeting held November 17, 1999.

Day	Date	Location
Friday	January 21	
Friday	February 18	
Friday	March 17	
Friday	April 21*	
Friday	May 19	
Friday	June 9	UW Bothell
Friday	July 21	
Friday	August 18*	
Friday	September 15	
Friday	October 20	
Friday	November 17	In Spokane
Friday	December 8*	

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*The April, August, and December meetings will be cancelled, circumstances permitting.

The meetings will commence at 10:00 a.m. (except as otherwise noted) unless public notice is given to the contrary. The meetings will be held in the Walker-Ames Room of Kane Hall on the University of Washington main campus, Seattle, Washington, unless another location is established and public notice given in accordance with chapter 42.30 RCW.

To request disability accommodations, contact the Office of the ADA Coordinator, at least ten days in advance of the event, 543-6450 (voice), 543-6452 (TDD), 685-3885 (fax), access@u.washington.edu (e-mail).

WSR 99-24-112
NOTICE OF PUBLIC MEETINGS
RENTON TECHNICAL COLLEGE

[Memorandum—November 29, 1999]

Pursuant to RCW 42.30.075, please be advised that the Renton Technical College board of trustees' regular meetings during 2000 will be held as follows:

The second Tuesday of each month except for the months of July and August. Meetings will be held at 8:00 a.m. in the Board Room, Room 202, Building I, Renton Technical College, 3000 Northeast Fourth Street, Renton, WA 98056-4195.

- January 11, 2000
- February 8, 2000
- March 14, 2000
- April 11, 2000
- May 9, 2000
- June 13, 2000
- July/August - No meeting
- September 12, 2000
- October 10, 2000
- November 14, 2000
- December 12, 2000

If you need further information, please contact (425) 235-2426.

WSR 99-24-113
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES

(Board of Boiler Rules)

[Memorandum—November 30, 1999]

The Board of Boiler Rules will hold a special public meeting for the purpose of hearing a variance request from Toyo Communications for a hydrothermal autoclave to be installed in the state of Washington.

Date	Location
December 17, 1999	Tukwila Labor and Industries Office
9:00 a.m. Study Session	12806 Gateway Drive
10:00 a.m. Public Meeting	Tukwila, WA 98168

For additional information, call Dick Barkdoll at (360) 902-5270.

WSR 99-24-114
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES
 (Factory Assembled Structures Advisory Board)
 [Memorandum—December 1, 1999]

In accordance with chapter 42.30 RCW, Open Public Meetings Act, the time and place of regular meetings for the FAS Advisory Board for 2000 have been scheduled.

The meetings are scheduled to begin at 1:00 p.m. on the third Thursday of February, May, August, and November at the Labor and Industries Headquarters Building, Room S130, 7273 Linderson Way S.W., Tumwater, WA.

The dates are as follows:

- February 17, 2000
- May 18, 2000
- August 17, 2000
- November 16, 2000

If you need further information, please contact Candy Peppard, Administrative Secretary, at (360) 902-5245.

WSR 99-24-115
DIRECTIVE
OFFICE OF THE GOVERNOR
 [No. 99-02—Filed December 1, 1999, 10:09 a.m.]

GOVERNOR'S DIRECTIVE No. 99-02

TO: All Executive Agencies and Institutions of Higher Education
FROM: Gary Locke, Governor
DATE: November 23, 1999
SUBJECT: Contracting Out of New State Services

In an effort to continuously improve the way in which state services are delivered to the taxpayers, state government must work more diligently and creatively to identify alternative modes of service delivery. I believe that some of our state's new services can be delivered faster, more cheaply, and more efficiently by contracting with service providers outside of state government.

Effective immediately, I direct all state agencies and institutions of higher education to determine whether any new state service can be contracted through a private service provider, to the extent authorized by state statute and court decisions. Those services should be subject to a competitive bidding

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process that includes an opportunity for state employees to bid on the contract.

The contracting state agencies or institutions of higher education must conduct cost-benefit analyses to determine that contracts will result in cost savings or service efficiency improvements. State agencies and institutions of higher education shall also conduct periodic reviews of any state service provided by a private contractor, and determine the viability of continuing the contract.

It is my intention as Governor to continue to increase public savings and improve efficiency in the delivery of vital services to the public. We need to lead state government in a direction that partners with the private sector to ensure the best use of taxpayer dollars.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia, this 30th day of November, A.D., Nineteen Hundred and Ninety-Nine.

Gary Locke

Governor of Washington

BY THE GOVERNOR:

Donald F. Whiting

Assistant Secretary of State

WSR 99-24-134

PROCLAMATION

OFFICE OF THE GOVERNOR

[November 30, 1999]

WHEREAS, World Trade Organization-related civil disturbances are occurring in the City of Seattle on November 30, 1999, threatening citizens and property of Washington State;

WHEREAS, World Trade Organization-related civil disturbances are causing extensive damage to businesses, public facilities, and infrastructure in the City of Seattle and King County;

WHEREAS, the Mayor of the City of Seattle has requested the assistance of the National Guard;

WHEREAS, the Washington State Military Department has activated the state Emergency Operations Center, implemented response procedures, and is coordinating resources to support local officials in alleviating the immediate social and economic impacts to people, property, and infrastructure, and is assessing the magnitude of the event;

NOW, THEREFORE, I, Gary Locke, Governor of the state of Washington, as a result of the aforementioned situation and under

Chapters 38.08, 38.52 and 43.06 RCW, do hereby proclaim that a State of Emergency exists in the City of Seattle and King County and direct the supporting plans and procedures to the *Washington State Comprehensive Emergency Management Plan* be implemented. State agencies and departments are directed to utilize state resources and to do everything possible to assist the affected political subdivisions in an effort to respond to and recover from the event. I also hereby order into active state service the Washington National Guard, or such minimum part thereof as may be necessary in the opinion of the Adjutant General, to perform such duties as directed by competent authority. Additionally, the Washington State Military Department, Emergency Management Division is instructed to coordinate all event-related assistance to the affected areas.

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Table of WAC Sections Affected

KEY TO TABLE

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

Symbols:

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJECT = 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 of existing section
- REVIEW = Review of previously adopted rule
- SUSP = Suspending an existing section

Suffixes:

- C = Continuance of previous proposal
- E = Emergency action
- P = Proposed action
- S = Supplemental notice
- W = Withdrawal of proposed action
- XA = Expedited adoption
- XR = Expedited repeal
- No suffix means permanent action

WAC # Shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # Shows the issue of the Washington State Register where the document may be found; the last three digits identify the document within the issue.

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4- 25-400	PREP	99-23-051	4- 25-810	REP-P	99-13-077	10- 04-070	AMD	99-20-115
4- 25-510	AMD-P	99-13-060	4- 25-810	REP-C	99-19-044	10- 04-080	AMD-P	99-17-107
4- 25-510	AMD	99-18-111	4- 25-810	REP	99-23-049	10- 04-080	AMD	99-20-115
4- 25-521	PREP	99-23-052	4- 25-811	REP-P	99-13-077	10- 04-090	AMD-P	99-17-107
4- 25-522	PREP	99-23-053	4- 25-811	REP-C	99-19-044	10- 04-090	AMD	99-20-115
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4- 25-530	AMD	99-18-112	4- 25-812	REP-C	99-19-044	10- 08-001	AMD	99-20-115
4- 25-540	PREP	99-23-054	4- 25-812	REP	99-23-049	10- 08-035	AMD-P	99-17-107
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4- 25-740	REP-P	99-13-075	4- 25-831	NEW-P	99-13-072	10- 08-083	NEW-P	99-17-107
4- 25-740	REP	99-18-114	4- 25-831	NEW-C	99-19-043	10- 08-083	NEW	99-20-115
4- 25-745	NEW-P	99-13-063	4- 25-831	NEW	99-23-046	10- 08-085	NEW-P	99-17-107
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4- 25-746	NEW-P	99-13-064	4- 25-832	NEW-C	99-19-040	10- 08-090	AMD-P	99-17-107
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4- 25-760	REP	99-18-118	10- 04-010	AMD-P	99-17-107	10- 08-130	AMD	99-20-115
4- 25-780	PREP	99-05-027	10- 04-010	AMD	99-20-115	10- 08-135	NEW-P	99-17-107
4- 25-780	AMD-P	99-13-066	10- 04-020	AMD-P	99-17-107	10- 08-135	NEW	99-20-115
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4- 25-791	NEW	99-18-121	10- 04-050	AMD-P	99-17-107	10- 08-160	AMD	99-20-115
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Table of WAC Sections Affected

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16- 12-015	REP-XR	99-16-087	16- 12-170	REP-XR	99-16-087	16- 12-325	REP-XR	99-16-087
16- 12-015	REP	99-21-012	16- 12-170	REP	99-21-012	16- 12-325	REP	99-21-012
16- 12-020	REP-XR	99-16-087	16- 12-175	REP-XR	99-16-087	16- 12-330	REP-XR	99-16-087
16- 12-020	REP	99-21-012	16- 12-175	REP	99-21-012	16- 12-330	REP	99-21-012
16- 12-025	REP-XR	99-16-087	16- 12-180	REP-XR	99-16-087	16- 12-335	REP-XR	99-16-087
16- 12-025	REP	99-21-012	16- 12-180	REP	99-21-012	16- 12-335	REP	99-21-012
16- 12-030	REP-XR	99-16-087	16- 12-185	REP-XR	99-16-087	16- 12-340	REP-XR	99-16-087
16- 12-030	REP	99-21-012	16- 12-185	REP	99-21-012	16- 12-340	REP	99-21-012
16- 12-035	REP-XR	99-16-087	16- 12-190	REP-XR	99-16-087	16- 12-345	REP-XR	99-16-087
16- 12-035	REP	99-21-012	16- 12-190	REP	99-21-012	16- 12-345	REP	99-21-012
16- 12-040	REP-XR	99-16-087	16- 12-195	REP-XR	99-16-087	16- 12-350	REP-XR	99-16-087
16- 12-040	REP	99-21-012	16- 12-195	REP	99-21-012	16- 12-350	REP	99-21-012

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-12-820	REP-XR	99-16-087	16-12-975	REP-XR	99-16-087	16-20-080	REP-XR	99-12-122
16-12-820	REP	99-21-012	16-12-975	REP	99-21-012	16-20-080	REP	99-16-086
16-12-825	REP-XR	99-16-087	16-12-980	REP-XR	99-16-087	16-20-090	REP-XR	99-12-122
16-12-825	REP	99-21-012	16-12-980	REP	99-21-012	16-20-090	REP	99-16-086
16-12-830	REP-XR	99-16-087	16-12-983	REP-XR	99-16-087	16-20-100	REP-XR	99-12-122
16-12-830	REP	99-21-012	16-12-983	REP	99-21-012	16-20-100	REP	99-16-086
16-12-835	REP-XR	99-16-087	16-12-985	REP-XR	99-16-087	16-20-110	REP-XR	99-12-122
16-12-835	REP	99-21-012	16-12-985	REP	99-21-012	16-20-110	REP	99-16-086
16-12-840	REP-XR	99-16-087	16-12-988	REP-XR	99-16-087	16-20-120	REP-XR	99-12-122
16-12-840	REP	99-21-012	16-12-988	REP	99-21-012	16-20-120	REP	99-16-086
16-12-845	REP-XR	99-16-087	16-12-991	REP-XR	99-16-087	16-20-130	REP-XR	99-12-122
16-12-845	REP	99-21-012	16-12-991	REP	99-21-012	16-20-130	REP	99-16-086
16-12-850	REP-XR	99-16-087	16-12-994	REP-XR	99-16-087	16-20-140	REP-XR	99-12-122
16-12-850	REP	99-21-012	16-12-994	REP	99-21-012	16-20-140	REP	99-16-086
16-12-855	REP-XR	99-16-087	16-12-997	REP-XR	99-16-087	16-21-001	REP-XR	99-12-122
16-12-855	REP	99-21-012	16-12-997	REP	99-21-012	16-21-001	REP	99-16-086
16-12-860	REP-XR	99-16-087	16-19-010	NEW-P	99-07-116	16-21-010	REP-XR	99-12-122
16-12-860	REP	99-21-012	16-19-010	NEW	99-12-021	16-21-010	REP	99-16-086
16-12-865	REP-XR	99-16-087	16-19-015	NEW-P	99-07-116	16-21-020	REP-XR	99-12-122
16-12-865	REP	99-21-012	16-19-015	NEW	99-12-021	16-21-020	REP	99-16-086
16-12-870	REP-XR	99-16-087	16-19-020	NEW-P	99-07-116	16-21-025	REP-XR	99-12-122
16-12-870	REP	99-21-012	16-19-020	NEW	99-12-021	16-21-025	REP	99-16-086
16-12-875	REP-XR	99-16-087	16-19-030	NEW-P	99-07-116	16-21-030	REP-XR	99-12-122
16-12-875	REP	99-21-012	16-19-030	NEW	99-12-021	16-21-030	REP	99-16-086
16-12-880	REP-XR	99-16-087	16-19-100	NEW-P	99-07-116	16-21-035	REP-XR	99-12-122
16-12-880	REP	99-21-012	16-19-100	NEW	99-12-021	16-21-035	REP	99-16-086
16-12-885	REP-XR	99-16-087	16-19-110	NEW-P	99-07-116	16-21-040	REP-XR	99-12-122
16-12-885	REP	99-21-012	16-19-110	NEW	99-12-021	16-21-040	REP	99-16-086
16-12-890	REP-XR	99-16-087	16-19-120	NEW-P	99-07-116	16-21-045	REP-XR	99-12-122
16-12-890	REP	99-21-012	16-19-120	NEW	99-12-021	16-21-045	REP	99-16-086
16-12-895	REP-XR	99-16-087	16-19-130	NEW-P	99-07-116	16-21-050	REP-XR	99-12-122
16-12-895	REP	99-21-012	16-19-130	NEW	99-12-021	16-21-050	REP	99-16-086
16-12-900	REP-XR	99-16-087	16-19-140	NEW-P	99-07-116	16-21-055	REP-XR	99-12-122
16-12-900	REP	99-21-012	16-19-140	NEW	99-12-021	16-21-055	REP	99-16-086
16-12-905	REP-XR	99-16-087	16-19-200	NEW-P	99-07-116	16-21-060	REP-XR	99-12-122
16-12-905	REP	99-21-012	16-19-200	NEW	99-12-021	16-21-060	REP	99-16-086
16-12-910	REP-XR	99-16-087	16-19-210	NEW-P	99-07-116	16-21-065	REP-XR	99-12-122
16-12-910	REP	99-21-012	16-19-210	NEW	99-12-021	16-21-065	REP	99-16-086
16-12-915	REP-XR	99-16-087	16-19-300	NEW-P	99-07-116	16-21-070	REP-XR	99-12-122
16-12-915	REP	99-21-012	16-19-300	NEW	99-12-021	16-21-070	REP	99-16-086
16-12-920	REP-XR	99-16-087	16-19-310	NEW-P	99-07-116	16-21-075	REP-XR	99-12-122
16-12-920	REP	99-21-012	16-19-310	NEW	99-12-021	16-21-075	REP	99-16-086
16-12-925	REP-XR	99-16-087	16-19-320	NEW-P	99-07-116	16-21-080	REP-XR	99-12-122
16-12-925	REP	99-21-012	16-19-320	NEW	99-12-021	16-21-080	REP	99-16-086
16-12-930	REP-XR	99-16-087	16-19-330	NEW-P	99-07-116	16-21-085	REP-XR	99-12-122
16-12-930	REP	99-21-012	16-19-330	NEW	99-12-021	16-21-085	REP	99-16-086
16-12-935	REP-XR	99-16-087	16-20-001	REP-XR	99-12-122	16-21-090	REP-XR	99-12-122
16-12-935	REP	99-21-012	16-20-001	REP	99-16-086	16-21-090	REP	99-16-086
16-12-940	REP-XR	99-16-087	16-20-010	REP-XR	99-12-122	16-21-095	REP-XR	99-12-122
16-12-940	REP	99-21-012	16-20-010	REP	99-16-086	16-21-095	REP	99-16-086
16-12-945	REP-XR	99-16-087	16-20-020	REP-XR	99-12-122	16-21-100	REP-XR	99-12-122
16-12-945	REP	99-21-012	16-20-020	REP	99-16-086	16-21-100	REP	99-16-086
16-12-950	REP-XR	99-16-087	16-20-030	REP-XR	99-12-122	16-21-105	REP-XR	99-12-122
16-12-950	REP	99-21-012	16-20-030	REP	99-16-086	16-21-105	REP	99-16-086
16-12-955	REP-XR	99-16-087	16-20-040	REP-XR	99-12-122	16-21-110	REP-XR	99-12-122
16-12-955	REP	99-21-012	16-20-040	REP	99-16-086	16-21-110	REP	99-16-086
16-12-960	REP-XR	99-16-087	16-20-050	REP-XR	99-12-122	16-21-115	REP-XR	99-12-122
16-12-960	REP	99-21-012	16-20-050	REP	99-16-086	16-21-115	REP	99-16-086
16-12-965	REP-XR	99-16-087	16-20-060	REP-XR	99-12-122	16-21-120	REP-XR	99-12-122
16-12-965	REP	99-21-012	16-20-060	REP	99-16-086	16-21-120	REP	99-16-086
16-12-970	REP-XR	99-16-087	16-20-070	REP-XR	99-12-122	16-21-125	REP-XR	99-12-122
16-12-970	REP	99-21-012	16-20-070	REP	99-16-086	16-21-125	REP	99-16-086

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-21-130	REP-XR	99-12-122	16-23-035	REP-XR	99-12-122	16-54-040	AMD-P	99-03-084
16-21-130	REP	99-16-086	16-23-035	REP	99-16-086	16-54-040	AMD	99-09-023
16-21-135	REP-XR	99-12-122	16-23-040	REP-XR	99-12-122	16-54-071	AMD-P	99-03-084
16-21-135	REP	99-16-086	16-23-040	REP	99-16-086	16-54-071	AMD	99-09-023
16-21-140	REP-XR	99-12-122	16-23-045	REP-XR	99-12-122	16-54-082	AMD-P	99-03-084
16-21-140	REP	99-16-086	16-23-045	REP	99-16-086	16-54-082	AMD	99-09-023
16-21-145	REP-XR	99-12-122	16-23-050	REP-XR	99-12-122	16-54-101	AMD-P	99-03-084
16-21-145	REP	99-16-086	16-23-050	REP	99-16-086	16-54-101	AMD	99-09-023
16-21-150	REP-XR	99-12-122	16-23-060	REP-XR	99-12-122	16-54-120	AMD-P	99-03-084
16-21-150	REP	99-16-086	16-23-060	REP	99-16-086	16-54-120	AMD	99-09-023
16-21-155	REP-XR	99-12-122	16-23-070	REP-XR	99-12-122	16-54-135	AMD-P	99-03-084
16-21-155	REP	99-16-086	16-23-070	REP	99-16-086	16-54-135	AMD	99-09-023
16-21-160	REP-XR	99-12-122	16-23-075	REP-XR	99-12-122	16-54-150	REP-P	99-03-084
16-21-160	REP	99-16-086	16-23-075	REP	99-16-086	16-54-150	REP	99-09-023
16-21-165	REP-XR	99-12-122	16-23-085	REP-XR	99-12-122	16-59	AMD-P	99-03-085
16-21-165	REP	99-16-086	16-23-085	REP	99-16-086	16-59-001	AMD-P	99-03-085
16-21-200	REP-XR	99-12-122	16-23-090	REP-XR	99-12-122	16-59-001	REP	99-09-024
16-21-200	REP	99-16-086	16-23-090	REP	99-16-086	16-59-005	NEW	99-09-024
16-21-205	REP-XR	99-12-122	16-23-095	REP-XR	99-12-122	16-59-010	AMD-P	99-03-085
16-21-205	REP	99-16-086	16-23-095	REP	99-16-086	16-59-010	AMD	99-09-024
16-21-210	REP-XR	99-12-122	16-23-100	REP-XR	99-12-122	16-59-020	AMD-P	99-03-085
16-21-210	REP	99-16-086	16-23-100	REP	99-16-086	16-59-020	AMD	99-09-024
16-21-215	REP-XR	99-12-122	16-23-105	REP-XR	99-12-122	16-59-030	AMD-P	99-03-085
16-21-215	REP	99-16-086	16-23-105	REP	99-16-086	16-59-030	AMD	99-09-024
16-21-220	REP-XR	99-12-122	16-23-110	REP-XR	99-12-122	16-59-060	AMD-P	99-03-085
16-21-220	REP	99-16-086	16-23-110	REP	99-16-086	16-59-060	AMD	99-09-024
16-22-001	REP-XR	99-12-122	16-23-115	REP-XR	99-12-122	16-59-070	REP-P	99-03-085
16-22-001	REP	99-16-086	16-23-115	REP	99-16-086	16-59-070	REP	99-09-024
16-22-010	REP-XR	99-12-122	16-23-120	REP-XR	99-12-122	16-70	PREP	99-24-107
16-22-010	REP	99-16-086	16-23-120	REP	99-16-086	16-74	PREP	99-24-108
16-22-011	REP-XR	99-12-122	16-23-125	REP-XR	99-12-122	16-80	PREP	99-24-109
16-22-011	REP	99-16-086	16-23-125	REP	99-16-086	16-86	AMD-P	99-03-087
16-22-015	REP-XR	99-12-122	16-23-150	REP-XR	99-12-122	16-86-005	AMD-P	99-03-087
16-22-015	REP	99-16-086	16-23-150	REP	99-16-086	16-86-005	AMD	99-09-025
16-22-020	REP-XR	99-12-122	16-23-160	REP-XR	99-12-122	16-86-015	AMD-P	99-03-087
16-22-020	REP	99-16-086	16-23-160	REP	99-16-086	16-86-015	AMD	99-09-025
16-22-030	REP-XR	99-12-122	16-23-165	REP-XR	99-12-122	16-86-017	AMD-P	99-03-087
16-22-030	REP	99-16-086	16-23-165	REP	99-16-086	16-86-017	AMD	99-09-025
16-22-040	REP-XR	99-12-122	16-23-170	REP-XR	99-12-122	16-86-020	AMD-P	99-03-087
16-22-040	REP	99-16-086	16-23-170	REP	99-16-086	16-86-020	AMD	99-09-025
16-22-050	REP-XR	99-12-122	16-23-175	REP-XR	99-12-122	16-86-030	AMD-P	99-03-087
16-22-050	REP	99-16-086	16-23-175	REP	99-16-086	16-86-030	AMD	99-09-025
16-22-060	REP-XR	99-12-122	16-23-180	REP-XR	99-12-122	16-86-040	AMD-P	99-03-087
16-22-060	REP	99-16-086	16-23-180	REP	99-16-086	16-86-040	AMD	99-09-025
16-22-070	REP-XR	99-12-122	16-24	PREP	99-13-180	16-86-055	AMD-P	99-03-087
16-22-070	REP	99-16-086	16-30	AMD-XA	99-07-115	16-86-055	AMD	99-09-025
16-22-080	REP-XR	99-12-122	16-30	AMD	99-14-032	16-86-060	AMD-P	99-03-087
16-22-080	REP	99-16-086	16-30-001	REP-XA	99-07-115	16-86-060	AMD	99-09-025
16-22-090	REP-XR	99-12-122	16-30-001	REP	99-14-032	16-86-070	AMD-P	99-03-087
16-22-090	REP	99-16-086	16-30-010	AMD-XA	99-07-115	16-86-070	AMD	99-09-025
16-23-010	REP-XR	99-12-122	16-30-010	AMD	99-14-032	16-86-080	AMD-P	99-03-087
16-23-010	REP	99-16-086	16-30-100	REP-XA	99-07-115	16-86-080	AMD	99-09-025
16-23-012	REP-XR	99-12-122	16-30-100	REP	99-14-032	16-86-090	AMD-P	99-03-087
16-23-012	REP	99-16-086	16-54-010	AMD-P	99-03-084	16-86-090	AMD	99-09-025
16-23-014	REP-XR	99-12-122	16-54-010	AMD	99-09-023	16-86-092	AMD-P	99-03-087
16-23-014	REP	99-16-086	16-54-016	AMD-P	99-03-084	16-86-092	AMD	99-09-025
16-23-020	REP-XR	99-12-122	16-54-016	REP	99-09-023	16-86-093	REP-P	99-03-087
16-23-020	REP	99-16-086	16-54-018	NEW	99-09-023	16-86-093	REP	99-09-025
16-23-025	REP-XR	99-12-122	16-54-020	AMD-P	99-03-084	16-86-095	AMD-P	99-03-087
16-23-025	REP	99-16-086	16-54-020	AMD	99-09-023	16-86-095	AMD	99-09-025
16-23-030	REP-XR	99-12-122	16-54-030	AMD-P	99-03-084	16-86-100	REP-P	99-03-087
16-23-030	REP	99-16-086	16-54-030	AMD	99-09-023	16-86-100	REP	99-09-025

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-88-010	REP-XR	99-07-114	16-124-090	REP-XR	99-13-175	16-142-040	REP-P	99-09-095
16-88-010	REP	99-14-031	16-124-090	REP	99-18-031	16-142-040	REP	99-13-048
16-88-020	REP-XR	99-07-114	16-124-100	REP-XR	99-13-175	16-142-050	REP-P	99-09-095
16-88-020	REP	99-14-031	16-124-100	REP	99-18-031	16-142-050	REP	99-13-048
16-88-030	REP-XR	99-07-114	16-124-110	REP-XR	99-13-175	16-142-060	REP-P	99-09-095
16-88-030	REP	99-14-031	16-124-110	REP	99-18-031	16-142-060	REP	99-13-048
16-88-040	REP-XR	99-07-114	16-124-120	REP-XR	99-13-175	16-142-100	NEW-P	99-09-095
16-88-040	REP	99-14-031	16-124-120	REP	99-18-031	16-142-100	NEW	99-13-048
16-89-005	NEW-P	99-03-086	16-124-130	REP-XR	99-13-175	16-142-110	NEW-P	99-09-095
16-89-005	NEW	99-09-026	16-124-130	REP	99-18-031	16-142-110	NEW	99-13-048
16-89-010	NEW-P	99-03-086	16-124-140	REP-XR	99-13-175	16-142-120	NEW-P	99-09-095
16-89-010	NEW	99-09-026	16-124-140	REP	99-18-031	16-142-120	NEW	99-13-048
16-89-015	NEW-P	99-03-086	16-124-150	REP-XR	99-13-175	16-142-130	NEW-P	99-09-095
16-89-015	NEW	99-09-026	16-124-150	REP	99-18-031	16-142-130	NEW	99-13-048
16-89-020	NEW-P	99-03-086	16-124-160	REP-XR	99-13-175	16-142-140	NEW-P	99-09-095
16-89-020	NEW	99-09-026	16-124-160	REP	99-18-031	16-142-140	NEW	99-13-048
16-89-030	NEW-P	99-03-086	16-124-170	REP-XR	99-13-175	16-142-150	NEW-P	99-09-095
16-89-030	NEW	99-09-026	16-124-170	REP	99-18-031	16-142-150	NEW	99-13-048
16-89-040	NEW-P	99-03-086	16-124-180	REP-XR	99-13-175	16-142-160	NEW-P	99-09-095
16-89-040	NEW	99-09-026	16-124-180	REP	99-18-031	16-142-160	NEW	99-13-048
16-89-050	NEW-P	99-03-086	16-124-190	REP-XR	99-13-175	16-142-170	NEW-P	99-09-095
16-89-050	NEW	99-09-026	16-124-190	REP	99-18-031	16-142-170	NEW	99-13-048
16-89-060	NEW-P	99-03-086	16-125	PREP	99-04-066	16-144	PREP	99-12-123
16-89-060	NEW	99-09-026	16-125	AMD-P	99-14-072	16-144-090	REP-XR	99-19-166
16-89-070	NEW-P	99-03-086	16-125-010	AMD-P	99-14-072	16-144-090	REP	99-24-039
16-89-070	NEW	99-09-026	16-125-010	AMD	99-18-032	16-144-100	REP-XR	99-19-166
16-89-080	NEW-P	99-03-086	16-125-020	AMD-P	99-14-072	16-144-100	REP	99-24-039
16-89-080	NEW	99-09-026	16-125-020	AMD	99-18-032	16-144-110	REP-XR	99-19-166
16-89-090	NEW-P	99-03-086	16-125-030	AMD-P	99-14-072	16-144-110	REP	99-24-039
16-89-090	NEW	99-09-026	16-125-030	AMD	99-18-032	16-144-120	REP-XR	99-19-166
16-89-100	NEW-P	99-03-086	16-125-035	NEW-P	99-14-072	16-144-120	REP	99-24-039
16-89-100	NEW	99-09-026	16-125-035	NEW	99-18-032	16-144-130	REP-XR	99-19-166
16-89-110	NEW-P	99-03-086	16-125-040	REP-P	99-14-072	16-144-130	REP	99-24-039
16-89-110	NEW	99-09-026	16-125-040	REP	99-18-032	16-144-140	REP-XR	99-19-166
16-89-120	NEW-P	99-03-086	16-125-050	REP-P	99-14-072	16-144-140	REP	99-24-039
16-89-120	NEW	99-09-026	16-125-050	REP	99-18-032	16-145	PREP	99-13-179
16-101-690	REP-XR	99-13-176	16-125-060	REP-P	99-14-072	16-146	PREP	99-13-182
16-101-690	REP	99-18-030	16-125-060	REP	99-18-032	16-147	PREP	99-12-124
16-103	PREP	99-16-088	16-125-070	REP-P	99-14-072	16-150-001	REP-XR	99-16-087
16-108	PREP	99-03-045	16-125-070	REP	99-18-032	16-150-001	REP	99-21-012
16-108-010	AMD-P	99-07-118	16-125-080	REP-P	99-14-072	16-150-010	REP-XR	99-16-087
16-108-010	AMD	99-12-076	16-125-080	REP	99-18-032	16-150-010	REP	99-21-012
16-122-001	REP-XR	99-16-087	16-125-090	REP-P	99-14-072	16-152-001	REP-XR	99-16-087
16-122-001	REP	99-21-012	16-125-090	REP	99-18-032	16-152-001	REP	99-21-012
16-124-001	REP-XR	99-13-175	16-125-100	REP-P	99-14-072	16-152-010	REP-XR	99-16-087
16-124-001	REP	99-18-031	16-125-100	REP	99-18-032	16-152-010	REP	99-21-012
16-124-010	REP-XR	99-13-175	16-125-120	AMD-P	99-14-072	16-154-030	AMD-P	99-24-133
16-124-010	REP	99-18-031	16-125-120	AMD	99-18-032	16-154-050	AMD-P	99-24-133
16-124-020	REP-XR	99-13-175	16-125-200	AMD-P	99-14-072	16-154-053	NEW-P	99-24-133
16-124-020	REP	99-18-031	16-125-200	AMD	99-18-032	16-154-060	AMD-P	99-24-133
16-124-030	REP-XR	99-13-175	16-125-210	AMD-P	99-14-072	16-154-070	AMD-P	99-24-133
16-124-030	REP	99-18-031	16-125-210	AMD	99-18-032	16-154-080	AMD-P	99-24-133
16-124-040	REP-XR	99-13-175	16-129-050	PREP	99-13-177	16-154-090	AMD-P	99-24-133
16-124-040	REP	99-18-031	16-142	PREP	99-04-067	16-154-100	AMD-P	99-24-133
16-124-050	REP-XR	99-13-175	16-142-001	REP-P	99-09-095	16-154-110	AMD-P	99-24-133
16-124-050	REP	99-18-031	16-142-001	REP	99-13-048	16-154-120	AMD-P	99-24-133
16-124-060	REP-XR	99-13-175	16-142-010	REP-P	99-09-095	16-154-180	NEW-P	99-24-133
16-124-060	REP	99-18-031	16-142-010	REP	99-13-048	16-160-010	AMD-P	99-13-195
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16-124-080	REP-XR	99-13-175	16-142-030	REP-P	99-09-095	16-160-020	AMD	99-16-054
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16-160-030	AMD	99-16-054	16-200-815	AMD	99-17-043	16-228-116	REP	99-22-002
16-160-035	NEW-P	99-13-195	16-200-830	AMD-P	99-13-164	16-228-117	REP-XA	99-15-033
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16-160-040	AMD-P	99-13-195	16-202-1000	NEW-XA	99-15-033	16-228-120	REP-XA	99-15-033
16-160-040	AMD	99-16-054	16-202-1000	NEW	99-22-002	16-228-120	REP	99-22-002
16-160-050	AMD-P	99-13-195	16-202-2000	NEW-XA	99-15-033	16-228-1200	NEW-XA	99-15-033
16-160-050	AMD	99-16-054	16-202-2000	NEW	99-22-002	16-228-1200	NEW	99-22-002
16-160-060	AMD-P	99-13-195	16-212	PREP	99-07-132	16-228-1220	NEW-XA	99-15-033
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16-160-070	AMD-P	99-13-195	16-212	AMD	99-15-082	16-228-1230	NEW-XA	99-15-033
16-160-070	AMD	99-16-054	16-212-010	AMD-P	99-11-095	16-228-1230	NEW	99-22-002
16-160-090	AMD-P	99-13-195	16-212-010	AMD	99-15-082	16-228-1240	NEW-XA	99-15-033
16-160-090	AMD	99-16-054	16-212-030	AMD-P	99-11-095	16-228-1240	NEW	99-22-002
16-160-100	AMD-P	99-13-195	16-212-030	AMD	99-15-082	16-228-125	REP-XA	99-15-033
16-160-100	AMD	99-16-054	16-212-060	AMD-P	99-11-095	16-228-125	REP	99-22-002
16-160-110	NEW-P	99-13-195	16-212-060	AMD	99-15-082	16-228-1250	NEW-XA	99-15-033
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16-165-100	NEW-P	99-08-088	16-212-070	AMD	99-15-082	16-228-1260	NEW-XA	99-15-033
16-165-100	NEW	99-13-001	16-212-080	AMD-P	99-11-095	16-228-1260	NEW	99-22-002
16-165-110	NEW-P	99-08-088	16-212-080	AMD	99-15-082	16-228-1270	NEW-XA	99-15-033
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16-165-120	NEW-P	99-08-088	16-212-082	AMD	99-15-082	16-228-130	REP-XA	99-15-033
16-165-120	NEW	99-13-001	16-218	PREP	99-17-106	16-228-130	REP	99-22-002
16-165-130	NEW-P	99-08-088	16-218-001	REP-P	99-20-135	16-228-1300	NEW-XA	99-15-033
16-165-130	NEW	99-13-001	16-218-001	REP	99-23-073	16-228-1300	NEW	99-22-002
16-165-140	NEW-P	99-08-088	16-218-010	AMD-P	99-20-135	16-228-1320	NEW-XA	99-15-033
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16-165-150	NEW-P	99-08-088	16-218-010	AMD	99-23-073	16-228-1330	NEW-XA	99-15-033
16-165-150	NEW	99-13-001	16-218-02001	AMD-P	99-20-135	16-228-1330	NEW	99-22-002
16-165-160	NEW-P	99-08-088	16-218-02001	AMD	99-23-073	16-228-1370	NEW-XA	99-15-033
16-165-160	NEW	99-13-001	16-219-010	PREP	99-07-088	16-228-1370	NEW	99-22-002
16-165-160	NEW	99-13-001	16-219-016	PREP	99-07-086	16-228-1380	NEW-XA	99-15-033
16-167-010	AMD-P	99-07-117	16-219-100	PREP	99-07-111	16-228-1380	NEW	99-22-002
16-167-010	AMD	99-12-020	16-219-105	PREP	99-07-111	16-228-1380	NEW	99-22-002
16-167-020	AMD-P	99-07-117	16-228	AMD-XA	99-15-033	16-228-1385	NEW-XA	99-15-033
16-167-020	AMD	99-12-020	16-228	AMD	99-22-002	16-228-1385	NEW	99-22-002
16-167-030	AMD-P	99-07-117	16-228-010	REP-XA	99-15-033	16-228-140	REP-XA	99-15-033
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16-167-040	AMD-P	99-07-117	16-228-020	REP-XA	99-15-033	16-228-1400	NEW-XA	99-15-033
16-167-040	AMD	99-12-020	16-228-020	REP	99-22-002	16-228-1400	NEW	99-22-002
16-167-050	AMD-P	99-07-117	16-228-1010	NEW-XA	99-15-033	16-228-1410	NEW-XA	99-15-033
16-167-050	AMD	99-12-020	16-228-1010	NEW	99-22-002	16-228-1410	NEW	99-22-002
16-168	PREP	99-13-181	16-228-1020	NEW-XA	99-15-033	16-228-1420	NEW-XA	99-15-033
16-200	PREP	99-12-101	16-228-1020	NEW	99-22-002	16-228-1420	NEW	99-22-002
16-200-695	AMD-P	99-04-093	16-228-1030	NEW-XA	99-15-033	16-228-143	REP-XA	99-15-033
16-200-695	AMD	99-08-037	16-228-1030	NEW	99-22-002	16-228-143	REP	99-22-002
16-200-705	AMD-P	99-04-093	16-228-1040	NEW-XA	99-15-033	16-228-1430	NEW-XA	99-15-033
16-200-705	AMD	99-08-037	16-228-1040	NEW	99-22-002	16-228-1430	NEW	99-22-002
16-200-7061	AMD-P	99-04-093	16-228-1100	NEW-XA	99-15-033	16-228-1440	NEW-XA	99-15-033
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16-200-750	AMD-P	99-13-164	16-228-1120	NEW-XA	99-15-033	16-228-1450	NEW-XA	99-15-033
16-200-750	AMD	99-17-043	16-228-1120	NEW	99-22-002	16-228-1450	NEW	99-22-002
16-200-755	AMD-P	99-13-164	16-228-1130	NEW-XA	99-15-033	16-228-14501	REP-XA	99-15-033
16-200-755	AMD	99-17-043	16-228-1130	NEW	99-22-002	16-228-14501	REP	99-22-002
16-200-760	AMD-P	99-13-164	16-228-1140	NEW-XA	99-15-033	16-228-1455	NEW-XA	99-15-033
16-200-760	AMD	99-17-043	16-228-1140	NEW	99-22-002	16-228-1455	NEW	99-22-002
16-200-790	AMD-P	99-13-164	16-228-115	REP-XA	99-15-033	16-228-1460	NEW-XA	99-15-033
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16-228-1520	NEW	99-22-002	16-228-220	REP	99-22-002	16-231	PREP	99-21-047
16-228-1530	NEW-XA	99-15-033	16-228-223	REP-XA	99-15-033	16-231-200	PREP	99-13-162
16-228-1530	NEW	99-22-002	16-228-223	REP	99-22-002	16-231-205	PREP	99-13-162
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16-228-1540	NEW	99-22-002	16-228-225	REP	99-22-002	16-231-215	PREP	99-13-162
16-228-155	REP-XA	99-15-033	16-228-227	REP-XA	99-15-033	16-231-220	PREP	99-13-162
16-228-155	REP	99-22-002	16-228-227	REP	99-22-002	16-231-225	PREP	99-13-162
16-228-1550	NEW-XA	99-15-033	16-228-230	REP-XA	99-15-033	16-231-230	PREP	99-13-162
16-228-1550	NEW	99-22-002	16-228-230	REP	99-22-002	16-231-235	PREP	99-13-162
16-228-1555	NEW-XA	99-15-033	16-228-232	REP-XA	99-15-033	16-231-300	PREP	99-13-162
16-228-1555	NEW	99-22-002	16-228-232	REP	99-22-002	16-231-305	PREP	99-13-162
16-228-157	REP-XA	99-15-033	16-228-233	REP-XA	99-15-033	16-231-310	PREP	99-13-162
16-228-157	REP	99-22-002	16-228-233	REP	99-22-002	16-231-315	PREP	99-13-162
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16-228-1570	NEW	99-22-002	16-228-320	REP	99-07-113	16-231-325	PREP	99-13-162
16-228-1580	NEW-XA	99-15-033	16-228-330	REP-XR	99-04-006	16-231-330	PREP	99-13-162
16-228-1580	NEW	99-22-002	16-228-330	REP	99-07-113	16-231-335	PREP	99-13-162
16-228-1585	NEW-XA	99-15-033	16-228-340	REP-XR	99-04-007	16-231-340	PREP	99-13-162
16-228-1585	NEW	99-22-002	16-228-340	REP	99-07-112	16-231-400	PREP	99-13-162
16-228-1590	NEW-XA	99-15-033	16-228-400	REP-XA	99-15-033	16-231-405	PREP	99-13-162
16-228-1590	NEW	99-22-002	16-228-400	REP	99-22-002	16-231-410	PREP	99-13-162
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16-228-160	REP	99-22-002	16-228-410	REP	99-22-002	16-231-415	PREP	99-13-162
16-228-161	REP-XA	99-15-033	16-228-420	REP-XA	99-15-033	16-231-420	PREP	99-13-162
16-228-161	REP	99-22-002	16-228-420	REP	99-22-002	16-231-425	PREP	99-13-162
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16-228-164	REP	99-22-002	16-228-600	REP	99-22-002	16-231-515	PREP	99-13-162
16-228-166	REP-XA	99-15-033	16-228-650	REP-XA	99-15-033	16-231-520	PREP	99-13-162
16-228-166	REP	99-22-002	16-228-650	REP	99-22-002	16-231-525	PREP	99-13-162
16-228-168	REP-XA	99-15-033	16-228-655	REP-XA	99-15-033	16-231-530	PREP	99-13-162
16-228-168	REP	99-22-002	16-228-655	REP	99-22-002	16-231-600	PREP	99-13-162
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16-228-170	REP	99-22-002	16-228-660	REP	99-22-002	16-231-610	PREP	99-13-162
16-228-172	REP-XA	99-15-033	16-228-905	REP-XA	99-15-033	16-231-613	PREP	99-13-162
16-228-172	REP	99-22-002	16-228-905	REP	99-22-002	16-231-615	PREP	99-13-162
16-228-180	REP-XA	99-15-033	16-228-910	REP-XA	99-15-033	16-231-620	PREP	99-13-162
16-228-180	REP	99-22-002	16-228-910	REP	99-22-002	16-231-700	PREP	99-13-162
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16-228-195	REP	99-22-002	16-228-925	REP	99-22-002	16-231-805	PREP	99-13-162
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16-228-2030	NEW	99-22-002	16-230-160	PREP	99-13-163	16-231-835	PREP	99-13-162
16-228-2040	NEW-XA	99-15-033	16-230-170	PREP	99-13-163	16-231-840	PREP	99-13-162
16-228-2040	NEW	99-22-002	16-230-180	PREP	99-13-163	16-231-900	PREP	99-13-162
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16-228-210	REP	99-22-002	16-230-400	PREP	99-13-162	16-231-910	PREP	99-13-162
16-228-213	REP-XA	99-15-033	16-230-410	PREP	99-13-162	16-231-912	PREP	99-13-162
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16-232-005	PREP	99-13-162	16-401-030	REP-XR	99-18-098	16-451-070	REP	99-17-001
16-232-010	PREP	99-13-162	16-401-030	REP	99-21-050	16-458	AMD-XA	99-08-113
16-232-015	PREP	99-13-162	16-401-031	NEW-P	99-07-126	16-458	AMD	99-17-002
16-232-020	PREP	99-13-162	16-401-031	NEW	99-12-034	16-458-004	REP-XA	99-08-113
16-232-025	PREP	99-13-162	16-401-040	AMD-P	99-07-126	16-458-004	REP	99-17-002
16-232-027	PREP	99-13-162	16-401-040	AMD	99-12-034	16-458-075	AMD-XA	99-08-113
16-232-030	PREP	99-13-162	16-401-040	REP-XR	99-18-098	16-458-075	AMD	99-17-002
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16-232-105	PREP	99-13-162	16-401-050	AMD-P	99-07-126	16-458-085	AMD	99-17-002
16-232-110	PREP	99-13-162	16-401-050	AMD	99-12-034	16-460-005	REP-XR	99-08-112
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16-232-120	PREP	99-13-162	16-403-141	AMD-P	99-11-096	16-460-008	REP-XR	99-08-112
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16-232-210	PREP	99-13-162	16-406-020	PREP	99-04-094	16-460-040	REP	99-17-001
16-232-215	PREP	99-13-162	16-406-020	AMD-P	99-08-108	16-460-080	REP-XR	99-08-112
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16-232-310	PREP	99-13-162	16-406-030	AMD-P	99-08-108	16-461-010	AMD-P	99-11-096
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36-13-060	NEW-P	99-20-140	67-75-010	AMD	99-05-005	132A-116-001	NEW	99-15-072
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36-14-100	NEW-P	99-13-127	98-70-010	PREP	99-10-017	132A-116-015	REP-XR	99-16-028
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50-16-050	REP-XR	99-04-073	132A-104-010	REP-XR	99-16-028	132A-120-011	NEW-P	99-10-100
50-16-050	REP	99-08-123	132A-104-010	REP	99-19-150	132A-120-011	NEW	99-15-072
50-16-055	REP-XR	99-04-073	132A-104-011	NEW-P	99-10-100	132A-120-015	REP-XR	99-16-028
50-16-055	REP	99-08-123	132A-104-011	NEW	99-15-072	132A-120-015	REP	99-19-150
50-16-060	REP-XR	99-04-073	132A-104-015	REP-XR	99-16-028	132A-120-016	NEW-P	99-10-100
50-16-060	REP	99-08-123	132A-104-015	REP	99-19-150	132A-120-016	NEW	99-15-072
50-16-065	REP-XR	99-04-073	132A-104-016	NEW-P	99-10-100	132A-120-020	REP-XR	99-16-028
50-16-065	REP	99-08-123	132A-104-016	NEW	99-15-072	132A-120-020	REP	99-19-150
50-16-070	REP-XR	99-04-073	132A-104-020	REP-XR	99-16-028	132A-120-021	NEW-P	99-10-100
50-16-070	REP	99-08-123	132A-104-020	REP	99-19-150	132A-120-021	NEW	99-15-072

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132A-120-025	REP-XR	99-16-028	132A-128-045	REP-XR	99-16-028	132A-140-030	NEW-P	99-10-100
132A-120-025	REP	99-19-150	132A-128-045	REP	99-19-150	132A-140-030	NEW	99-15-072
132A-120-026	NEW-P	99-10-100	132A-128-050	REP-XR	99-16-028	132A-150-010	NEW-P	99-10-100
132A-120-026	NEW	99-15-072	132A-128-050	REP	99-19-150	132A-150-010	NEW	99-15-072
132A-120-030	REP-XR	99-16-028	132A-128-060	REP-XR	99-16-028	132A-150-020	NEW-P	99-10-100
132A-120-030	REP	99-19-150	132A-128-060	REP	99-19-150	132A-150-020	NEW	99-15-072
132A-120-031	NEW-P	99-10-100	132A-128-070	REP-XR	99-16-028	132A-156-005	REP-XR	99-16-028
132A-120-031	NEW	99-15-072	132A-128-070	REP	99-19-150	132A-156-005	REP	99-19-150
132A-120-035	REP-XR	99-16-028	132A-128-080	REP-XR	99-16-028	132A-156-006	NEW-P	99-10-100
132A-120-035	REP	99-19-150	132A-128-080	REP	99-19-150	132A-156-006	NEW	99-15-072
132A-120-036	NEW-P	99-10-100	132A-128-090	REP-XR	99-16-028	132A-156-010	REP-XR	99-16-028
132A-120-036	NEW	99-15-072	132A-128-090	REP	99-19-150	132A-156-010	REP	99-19-150
132A-120-040	REP-XR	99-16-028	132A-128-100	REP-XR	99-16-028	132A-156-011	NEW-P	99-10-100
132A-120-040	REP	99-19-150	132A-128-100	REP	99-19-150	132A-156-011	NEW	99-15-072
132A-120-041	NEW-P	99-10-100	132A-130-010	NEW-P	99-10-100	132A-156-015	REP-XR	99-16-028
132A-120-041	NEW	99-15-072	132A-130-010	NEW	99-15-072	132A-156-015	REP	99-19-150
132A-120-045	REP-XR	99-16-028	132A-130-020	NEW-P	99-10-100	132A-156-016	NEW-P	99-10-100
132A-120-045	REP	99-19-150	132A-130-020	NEW	99-15-072	132A-156-016	NEW	99-15-072
132A-120-046	NEW-P	99-10-100	132A-130-030	NEW-P	99-10-100	132A-156-020	REP-XR	99-16-028
132A-120-046	NEW	99-15-072	132A-130-030	NEW	99-15-072	132A-156-020	REP	99-19-150
132A-120-050	REP-XR	99-16-028	132A-131-010	NEW-P	99-10-100	132A-156-025	REP-XR	99-16-028
132A-120-050	REP	99-19-150	132A-131-010	NEW	99-15-072	132A-156-025	REP	99-19-150
132A-120-051	NEW-P	99-10-100	132A-131-020	NEW-P	99-10-100	132A-156-030	REP-XR	99-16-028
132A-120-051	NEW	99-15-072	132A-131-020	NEW	99-15-072	132A-156-030	REP	99-19-150
132A-120-055	REP-XR	99-16-028	132A-133-020	NEW-P	99-10-100	132A-160-005	REP-XR	99-16-028
132A-120-055	REP	99-19-150	132A-133-020	NEW	99-15-072	132A-160-005	REP	99-19-150
132A-120-056	NEW-P	99-10-100	132A-136-005	REP-XR	99-16-028	132A-160-006	NEW-P	99-10-100
132A-120-056	NEW	99-15-072	132A-136-005	REP	99-19-150	132A-160-006	NEW	99-16-029
132A-120-060	REP-XR	99-16-028	132A-136-010	REP-XR	99-16-028	132A-160-015	REP-XR	99-16-028
132A-120-060	REP	99-19-150	132A-136-010	REP	99-19-150	132A-160-015	REP	99-19-150
132A-120-061	NEW-P	99-10-100	132A-136-015	REP-XR	99-16-028	132A-160-020	REP-XR	99-16-028
132A-120-061	NEW	99-15-072	132A-136-015	REP	99-19-150	132A-160-020	REP	99-19-150
132A-122-010	REP-XR	99-16-028	132A-136-020	REP-XR	99-16-028	132A-165-005	REP-XR	99-16-028
132A-122-010	REP	99-19-150	132A-136-020	REP	99-19-150	132A-165-005	REP	99-19-150
132A-122-011	NEW-P	99-10-100	132A-136-025	REP-XR	99-16-028	132A-165-015	REP-XR	99-16-028
132A-122-011	NEW	99-15-072	132A-136-025	REP	99-19-150	132A-165-015	REP	99-19-150
132A-122-020	REP-XR	99-16-028	132A-136-030	REP-XR	99-16-028	132A-165-025	REP-XR	99-16-028
132A-122-020	REP	99-19-150	132A-136-030	REP	99-19-150	132A-165-025	REP	99-19-150
132A-122-021	NEW-P	99-10-100	132A-140	AMD-P	99-10-100	132A-165-035	REP-XR	99-16-028
132A-122-021	NEW	99-15-072	132A-140	AMD	99-15-072	132A-165-035	REP	99-19-150
132A-122-030	REP-XR	99-16-028	132A-140-001	NEW-P	99-10-100	132A-165-045	REP-XR	99-16-028
132A-122-030	REP	99-19-150	132A-140-001	NEW	99-15-072	132A-165-045	REP	99-19-150
132A-122-040	REP-XR	99-16-028	132A-140-005	REP-XR	99-16-028	132A-165-055	REP-XR	99-16-028
132A-122-040	REP	99-19-150	132A-140-005	REP	99-19-150	132A-165-055	REP	99-19-150
132A-122-050	REP-XR	99-16-028	132A-140-006	NEW-P	99-10-100	132A-165-065	REP-XR	99-16-028
132A-122-050	REP	99-19-150	132A-140-006	NEW	99-15-072	132A-165-065	REP	99-19-150
132A-128-005	REP-XR	99-16-028	132A-140-010	REP-XR	99-16-028	132A-165-075	REP-XR	99-16-028
132A-128-005	REP	99-19-150	132A-140-010	REP	99-19-150	132A-165-075	REP	99-19-150
132A-128-010	REP-XR	99-16-028	132A-140-011	NEW-P	99-10-100	132A-165-085	REP-XR	99-16-028
132A-128-010	REP	99-19-150	132A-140-011	NEW	99-15-072	132A-165-085	REP	99-19-150
132A-128-015	REP-XR	99-16-028	132A-140-015	REP-XR	99-16-028	132A-168-005	REP-XR	99-16-028
132A-128-015	REP	99-19-150	132A-140-015	REP	99-19-150	132A-168-005	REP	99-19-150
132A-128-020	REP-XR	99-16-028	132A-140-016	NEW-P	99-10-100	132A-168-006	NEW-P	99-10-100
132A-128-020	REP	99-19-150	132A-140-016	NEW	99-15-072	132A-168-006	NEW	99-15-072
132A-128-025	REP-XR	99-16-028	132A-140-020	REP-XR	99-16-028	132A-168-010	REP-XR	99-16-028
132A-128-025	REP	99-19-150	132A-140-020	REP	99-19-150	132A-168-010	REP	99-19-150
132A-128-030	REP-XR	99-16-028	132A-140-021	NEW-P	99-10-100	132A-168-011	NEW-P	99-10-100
132A-128-030	REP	99-19-150	132A-140-021	NEW	99-15-072	132A-168-011	NEW	99-15-072
132A-128-035	REP-XR	99-16-028	132A-140-025	REP-XR	99-16-028	132A-168-015	REP-XR	99-16-028
132A-128-035	REP	99-19-150	132A-140-025	REP	99-19-150	132A-168-015	REP	99-19-150
132A-128-040	REP-XR	99-16-028	132A-140-026	NEW-P	99-10-100	132A-168-016	NEW-P	99-10-100
132A-128-040	REP	99-19-150	132A-140-026	NEW	99-15-072	132A-168-016	NEW	99-15-072

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132A-168-021	NEW-P	99-10-100	132A-280-015	REP-XR	99-16-028	132G-276	PREP	99-23-041
132A-168-021	NEW	99-15-072	132A-280-015	REP	99-19-150	132H-160-182	AMD-XA	99-23-030
132A-168-026	NEW-P	99-10-100	132A-280-016	NEW-P	99-10-100	132H-168-010	REP-P	99-05-018
132A-168-026	NEW	99-15-072	132A-280-016	NEW	99-15-072	132H-168-010	REP	99-10-045
132A-176-005	REP-XR	99-16-028	132A-280-020	REP-XR	99-16-028	132H-168-020	REP-P	99-05-018
132A-176-005	REP	99-19-150	132A-280-020	REP	99-19-150	132H-168-020	REP	99-10-045
132A-176-006	NEW-P	99-10-100	132A-280-021	NEW-P	99-10-100	132H-168-030	REP-P	99-05-018
132A-176-006	NEW	99-15-072	132A-280-021	NEW	99-15-072	132H-168-030	REP	99-10-045
132A-180-005	REP-XR	99-16-028	132A-280-026	NEW-P	99-10-100	132H-168-040	REP-P	99-05-018
132A-180-005	REP	99-19-150	132A-280-026	NEW	99-15-072	132H-168-040	REP	99-10-045
132A-180-010	REP-XR	99-16-028	132A-280-030	REP-XR	99-16-028	132H-168-050	REP-P	99-05-018
132A-180-010	REP	99-19-150	132A-280-030	REP	99-19-150	132H-168-050	REP	99-10-045
132A-180-015	REP-XR	99-16-028	132A-280-031	NEW-P	99-10-100	132H-168-060	REP-P	99-05-018
132A-180-015	REP	99-19-150	132A-280-031	NEW	99-15-072	132H-168-060	REP	99-10-045
132A-180-020	REP-XR	99-16-028	132A-280-035	NEW-P	99-10-100	132H-168-070	REP-P	99-05-018
132A-180-020	REP	99-19-150	132A-280-035	NEW	99-15-072	132H-168-070	REP	99-10-045
132A-180-025	REP-XR	99-16-028	132A-280-040	NEW-P	99-10-100	132H-168-080	REP-P	99-05-018
132A-180-025	REP	99-19-150	132A-280-040	NEW	99-15-072	132H-168-080	REP	99-10-045
132A-180-030	REP-XR	99-16-028	132A-280-045	NEW-P	99-10-100	132H-168-090	REP-P	99-05-018
132A-180-030	REP	99-19-150	132A-280-045	NEW	99-15-072	132H-168-090	REP	99-10-045
132A-180-035	REP-XR	99-16-028	132A-280-050	NEW-P	99-10-100	132H-168-990	REP-P	99-05-018
132A-180-035	REP	99-19-150	132A-280-050	NEW	99-15-072	132H-168-990	REP	99-10-045
132A-180-040	REP-XR	99-16-028	132A-280-055	NEW-P	99-10-100	132H-168-9901	REP-P	99-05-018
132A-180-040	REP	99-19-150	132A-280-055	NEW	99-15-072	132H-168-9901	REP	99-10-045
132A-276-005	REP-XR	99-16-028	132A-280-060	NEW-P	99-10-100	132H-168-9902	REP-P	99-05-018
132A-276-005	REP	99-19-150	132A-280-060	NEW	99-15-072	132H-168-9902	REP	99-10-045
132A-276-010	REP-XR	99-16-028	132A-280-065	NEW-P	99-10-100	132H-168-9903	REP-P	99-05-018
132A-276-010	REP	99-19-150	132A-280-065	NEW	99-15-072	132H-168-9903	REP	99-10-045
132A-276-015	REP-XR	99-16-028	132A-280-070	NEW-P	99-10-100	132H-169-010	NEW-P	99-05-018
132A-276-015	REP	99-19-150	132A-280-070	NEW	99-15-072	132H-169-010	NEW	99-10-045
132A-276-020	REP-XR	99-16-028	132A-280-075	NEW-P	99-10-100	132H-169-020	NEW-P	99-05-018
132A-276-020	REP	99-19-150	132A-280-075	NEW	99-15-072	132H-169-020	NEW	99-10-045
132A-276-025	REP-XR	99-16-028	132A-280-080	NEW-P	99-10-100	132H-169-030	NEW-P	99-05-018
132A-276-025	REP	99-19-150	132A-280-080	NEW	99-15-072	132H-169-030	NEW	99-10-045
132A-276-030	REP-XR	99-16-028	132A-280-085	NEW-P	99-10-100	132H-169-040	NEW-P	99-05-018
132A-276-030	REP	99-19-150	132A-280-085	NEW	99-15-072	132H-169-040	NEW	99-10-045
132A-276-031	NEW-P	99-10-100	132A-300-005	REP-XR	99-16-028	132H-169-050	NEW-P	99-05-018
132A-276-031	NEW	99-15-072	132A-300-005	REP	99-19-150	132H-169-050	NEW	99-10-045
132A-276-035	REP-XR	99-16-028	132A-300-010	REP-XR	99-16-028	132H-169-060	NEW-P	99-05-018
132A-276-035	REP	99-19-150	132A-300-010	REP	99-19-150	132H-169-060	NEW	99-10-045
132A-276-040	REP-XR	99-16-028	132A-310-005	REP-XR	99-16-028	132H-169-070	NEW-P	99-05-018
132A-276-040	REP	99-19-150	132A-310-005	REP	99-19-150	132H-169-070	NEW	99-10-045
132A-276-045	AMD-P	99-10-100	132A-310-010	REP-XR	99-16-028	132H-169-080	NEW-P	99-05-018
132A-276-045	AMD	99-15-072	132A-310-010	REP	99-19-150	132H-169-080	NEW	99-10-045
132A-276-050	REP-XR	99-16-028	132A-320-010	NEW-P	99-10-100	132H-169-090	NEW-P	99-05-018
132A-276-050	REP	99-19-150	132A-320-010	NEW	99-15-072	132H-169-090	NEW	99-10-045
132A-276-055	REP-XR	99-16-028	132A-320-020	NEW-P	99-10-100	132H-169-100	NEW-P	99-05-018
132A-276-055	REP	99-19-150	132A-320-020	NEW	99-15-072	132H-169-100	NEW	99-10-045
132A-276-060	REP-XR	99-16-028	132A-320-030	NEW-P	99-10-100	132H-169-110	NEW-P	99-05-018
132A-276-060	REP	99-19-150	132A-320-030	NEW	99-15-072	132H-169-110	NEW	99-10-045
132A-276-065	REP-XR	99-16-028	132A-350-015	NEW-P	99-10-100	132H-169-120	NEW-P	99-05-018
132A-276-065	REP	99-19-150	132A-350-015	NEW	99-15-072	132H-169-120	NEW	99-10-045
132A-276-070	REP-XR	99-16-028	132A-350-020	NEW-P	99-10-100	132H-169-130	NEW-P	99-05-018
132A-276-070	REP	99-19-150	132A-350-020	NEW	99-15-072	132H-169-130	NEW	99-10-045
132A-280-005	REP-XR	99-16-028	132A-350-030	NEW-P	99-10-100	132K- 16	PREP	99-04-028
132A-280-005	REP	99-19-150	132A-350-030	NEW	99-15-072	132K- 16-010	REP-P	99-07-109
132A-280-006	NEW-P	99-10-100	132A-350-040	NEW-P	99-10-100	132K- 16-010	REP	99-10-046
132A-280-006	NEW	99-15-072	132A-350-040	NEW	99-15-072	132K- 16-020	REP-P	99-07-109
132A-280-010	REP-XR	99-16-028	132A-350-045	NEW-P	99-10-100	132K- 16-020	REP	99-10-046
132A-280-010	REP	99-19-150	132A-350-045	NEW	99-15-072	132K- 16-030	REP-P	99-07-109
132A-280-011	NEW-P	99-10-100	132A-350-050	NEW-P	99-10-100	132K- 16-030	REP	99-10-046
132A-280-011	NEW	99-15-072	132A-350-050	NEW	99-15-072	132K- 16-040	REP-P	99-07-109

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132K-16-040	REP	99-10-046	132K-16-380	REP	99-10-046	132K-125-210	NEW	99-10-046
132K-16-050	REP-P	99-07-109	132K-16-390	REP-P	99-07-109	132K-125-220	NEW-P	99-07-109
132K-16-050	REP	99-10-046	132K-16-390	REP	99-10-046	132K-125-220	NEW	99-10-046
132K-16-060	REP-P	99-07-109	132K-16-400	REP-P	99-07-109	132K-125-230	NEW-P	99-07-109
132K-16-060	REP	99-10-046	132K-16-400	REP	99-10-046	132K-125-230	NEW	99-10-046
132K-16-070	REP-P	99-07-109	132K-16-410	REP-P	99-07-109	132K-125-240	NEW-P	99-07-109
132K-16-070	REP	99-10-046	132K-16-410	REP	99-10-046	132K-125-240	NEW	99-10-046
132K-16-110	REP-P	99-07-109	132K-16-420	REP-P	99-07-109	132K-125-250	NEW-P	99-07-109
132K-16-110	REP	99-10-046	132K-16-420	REP	99-10-046	132K-125-250	NEW	99-10-046
132K-16-120	REP-P	99-07-109	132K-16-430	REP-P	99-07-109	132K-125-260	NEW-P	99-07-109
132K-16-120	REP	99-10-046	132K-16-430	REP	99-10-046	132K-125-260	NEW	99-10-046
132K-16-130	REP-P	99-07-109	132K-16-440	REP-P	99-07-109	132K-125-270	NEW-P	99-07-109
132K-16-130	REP	99-10-046	132K-16-440	REP	99-10-046	132K-125-270	NEW	99-10-046
132K-16-140	REP-P	99-07-109	132K-16-450	REP-P	99-07-109	132K-125-280	NEW-P	99-07-109
132K-16-140	REP	99-10-046	132K-16-450	REP	99-10-046	132K-125-280	NEW	99-10-046
132K-16-150	REP-P	99-07-109	132K-16-460	REP-P	99-07-109	132K-125-290	NEW-P	99-07-109
132K-16-150	REP	99-10-046	132K-16-460	REP	99-10-046	132K-125-290	NEW	99-10-046
132K-16-160	REP-P	99-07-109	132K-16-470	REP-P	99-07-109	132K-125-300	NEW-P	99-07-109
132K-16-160	REP	99-10-046	132K-16-470	REP	99-10-046	132K-125-300	NEW	99-10-046
132K-16-170	REP-P	99-07-109	132K-16-480	REP-P	99-07-109	132K-125-310	NEW-P	99-07-109
132K-16-170	REP	99-10-046	132K-16-480	REP	99-10-046	132K-125-310	NEW	99-10-046
132K-16-180	REP-P	99-07-109	132K-125-010	NEW-P	99-07-109	132K-125-320	NEW-P	99-07-109
132K-16-180	REP	99-10-046	132K-125-010	NEW	99-10-046	132K-125-320	NEW	99-10-046
132K-16-190	REP-P	99-07-109	132K-125-020	NEW-P	99-07-109	132K-125-330	NEW-P	99-07-109
132K-16-190	REP	99-10-046	132K-125-020	NEW	99-10-046	132K-125-330	NEW	99-10-046
132K-16-200	REP-P	99-07-109	132K-125-030	NEW-P	99-07-109	132K-125-340	NEW-P	99-07-109
132K-16-200	REP	99-10-046	132K-125-030	NEW	99-10-046	132K-125-340	NEW	99-10-046
132K-16-210	REP-P	99-07-109	132K-125-040	NEW-P	99-07-109	132K-125-350	NEW-P	99-07-109
132K-16-210	REP	99-10-046	132K-125-040	NEW	99-10-046	132K-125-350	NEW	99-10-046
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132K-16-220	REP	99-10-046	132K-125-050	NEW	99-10-046	132K-125-360	NEW	99-10-046
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132K-16-230	REP	99-10-046	132K-125-060	NEW	99-10-046	132K-125-370	NEW	99-10-046
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132K-16-240	REP	99-10-046	132K-125-070	NEW	99-10-046	132K-125-380	NEW	99-10-046
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132K-16-250	REP	99-10-046	132K-125-080	NEW	99-10-046	132K-125-390	NEW	99-10-046
132K-16-260	REP-P	99-07-109	132K-125-090	NEW-P	99-07-109	132K-125-400	NEW-P	99-07-109
132K-16-260	REP	99-10-046	132K-125-090	NEW	99-10-046	132K-125-400	NEW	99-10-046
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132K-16-270	REP	99-10-046	132K-125-100	NEW	99-10-046	132K-125-410	NEW	99-10-046
132K-16-280	REP-P	99-07-109	132K-125-110	NEW-P	99-07-109	132K-125-420	NEW-P	99-07-109
132K-16-280	REP	99-10-046	132K-125-110	NEW	99-10-046	132K-125-420	NEW	99-10-046
132K-16-290	REP-P	99-07-109	132K-125-120	NEW-P	99-07-109	132K-125-430	NEW-P	99-07-109
132K-16-290	REP	99-10-046	132K-125-120	NEW	99-10-046	132K-125-430	NEW	99-10-046
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132K-16-300	REP	99-10-046	132K-125-130	NEW	99-10-046	132N-160-010	NEW-P	99-10-044
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132K-16-310	REP	99-10-046	132K-125-140	NEW	99-10-046	132N-160-020	NEW-P	99-10-044
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132K-16-330	REP	99-10-046	132K-125-160	NEW	99-10-046	132N-160-040	NEW-P	99-10-044
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132K-16-340	REP	99-10-046	132K-125-170	NEW	99-10-046	132N-160-050	NEW-P	99-10-044
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132K-16-360	REP	99-10-046	132K-125-190	NEW	99-10-046	132N-160-070	NEW-P	99-10-044
132K-16-370	REP-P	99-07-109	132K-125-200	NEW-P	99-07-109	132N-160-070	NEW	99-15-017
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132P- 33-080	AMD-P	99-08-019	132X- 10-070	PREP	99-19-102	132X- 50-200	PREP	99-19-102
132P- 33-080	AMD	99-13-140	132X- 10-080	PREP	99-19-102	132X- 50-210	PREP	99-19-102
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132P-276-040	AMD-P	99-22-101	132X- 50-050	AMD-P	99-23-035	132X- 60-080	AMD-P	99-23-035
132P-276-050	AMD-P	99-22-101	132X- 50-060	PREP	99-19-102	132X- 60-090	PREP	99-19-102
132P-276-060	AMD-P	99-22-101	132X- 50-060	AMD-P	99-23-035	132X- 60-090	AMD-P	99-23-035
132P-276-070	AMD-P	99-22-101	132X- 50-070	PREP	99-19-102	132X- 60-100	PREP	99-19-102
132P-276-080	AMD-P	99-22-101	132X- 50-080	PREP	99-19-102	132X- 60-100	AMD-P	99-23-035
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162- 22-100	AMD	99-15-025	162- 40-075	NEW-P	99-17-102	173- 26-230	NEW-W	99-19-074
162- 26	PREP	99-12-100	162- 40-081	REP-P	99-17-102	173- 26-240	NEW-P	99-08-124
162- 26	PREP	99-13-121	162- 40-091	REP-P	99-17-102	173- 26-240	NEW-W	99-19-074
162- 26-010	AMD-P	99-04-108	162- 40-101	REP-P	99-17-102	173- 26-250	NEW-P	99-08-124
162- 26-010	AMD	99-15-025	162- 40-111	REP-P	99-17-102	173- 26-250	NEW-W	99-19-074
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162- 26-020	REP	99-15-025	162- 40-131	REP-P	99-17-102	173- 26-260	NEW-W	99-19-074
162- 26-030	REP-P	99-04-108	162- 40-141	REP-P	99-17-102	173-153-010	NEW-P	99-12-109
162- 26-030	REP	99-15-025	162- 40-151	REP-P	99-17-102	173-153-010	NEW	99-23-101
162- 26-035	REP-P	99-04-108	162- 40-161	REP-P	99-17-102	173-153-020	NEW-P	99-12-109
162- 26-035	REP	99-15-025	162- 40-171	AMD-P	99-17-102	173-153-020	NEW	99-23-101
162- 26-040	AMD-P	99-04-108	162- 40-181	AMD-P	99-17-102	173-153-030	NEW-P	99-12-109
162- 26-040	AMD	99-15-025	162- 40-191	AMD-P	99-17-102	173-153-030	NEW	99-23-101
162- 26-050	REP-P	99-04-108	162- 40-201	AMD-P	99-17-102	173-153-040	NEW-P	99-12-109
162- 26-050	REP	99-15-025	162- 40-211	AMD-P	99-17-102	173-153-040	NEW	99-23-101
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162- 26-060	AMD	99-15-025	162- 40-231	AMD-P	99-17-102	173-153-050	NEW	99-23-101
162- 26-070	AMD-P	99-04-108	162- 40-241	REP-P	99-17-102	173-153-060	NEW-P	99-12-109
162- 26-070	AMD	99-15-025	162- 40-251	AMD-P	99-17-102	173-153-060	NEW	99-23-101
162- 26-080	AMD-P	99-04-108	173- 16	PREP	99-23-103	173-153-070	NEW-P	99-12-109
162- 26-080	AMD	99-15-025	173- 16-010	REP-P	99-08-124	173-153-070	NEW	99-23-101
162- 26-090	REP-P	99-04-108	173- 16-010	REP-W	99-19-074	173-153-080	NEW-P	99-12-109
162- 26-090	REP	99-15-025	173- 16-020	REP-P	99-08-124	173-153-080	NEW	99-23-101
162- 26-100	AMD-P	99-04-108	173- 16-020	REP-W	99-19-074	173-153-090	NEW-P	99-12-109
162- 26-100	AMD	99-15-025	173- 16-030	REP-P	99-08-124	173-153-090	NEW	99-23-101
162- 26-110	AMD-P	99-04-108	173- 16-030	REP-W	99-19-074	173-153-100	NEW-P	99-12-109
162- 26-110	AMD	99-15-025	173- 16-040	REP-P	99-08-124	173-153-110	NEW-P	99-12-109
162- 26-120	AMD-P	99-04-108	173- 16-040	REP-W	99-19-074	173-153-110	NEW	99-23-101
162- 26-120	AMD	99-15-025	173- 16-050	REP-P	99-08-124	173-153-120	NEW-P	99-12-109
162- 26-135	NEW-P	99-04-108	173- 16-050	REP-W	99-19-074	173-153-120	NEW	99-23-101
162- 26-135	NEW	99-15-025	173- 16-060	REP-P	99-08-124	173-153-130	NEW-P	99-12-109
162- 26-140	AMD-P	99-04-108	173- 16-060	REP-W	99-19-074	173-153-130	NEW	99-23-101
162- 26-140	AMD	99-15-025	173- 16-064	REP-P	99-08-124	173-153-140	NEW-P	99-12-109
162- 28	PREP	99-12-098	173- 16-064	REP-W	99-19-074	173-153-140	NEW	99-23-101
162- 28-030	AMD-P	99-17-102	173- 16-070	REP-P	99-08-124	173-153-150	NEW-P	99-12-109
162- 28-040	AMD-P	99-17-102	173- 16-070	REP-W	99-19-074	173-153-150	NEW	99-23-101
162- 30	PREP	99-12-099	173- 16-200	REP-P	99-08-124	173-153-160	NEW-P	99-12-109
162- 30-010	AMD-P	99-04-108	173- 16-200	REP-W	99-19-074	173-153-160	NEW	99-23-101
162- 30-010	AMD	99-15-025	173- 26	AMD-C	99-12-094	173-153-170	NEW-P	99-12-109
162- 30-020	AMD-P	99-04-108	173- 26-020	AMD-P	99-08-124	173-153-170	NEW	99-23-101
162- 30-020	AMD	99-15-025	173- 26-020	AMD-W	99-19-074	173-153-180	NEW-P	99-12-109
162- 38	PREP	99-12-100	173- 26-095	NEW-P	99-08-124	173-153-180	NEW	99-23-101
162- 38-040	AMD-P	99-04-108	173- 26-095	NEW-W	99-19-074	173-153-190	NEW-P	99-12-109
162- 38-040	AMD	99-15-025	173- 26-100	AMD-P	99-08-124	173-153-190	NEW	99-23-101
162- 38-100	AMD-P	99-04-108	173- 26-100	AMD-W	99-19-074	173-153-200	NEW-P	99-12-109
162- 38-100	AMD	99-15-025	173- 26-110	AMD-P	99-08-124	173-153-200	NEW	99-23-101
162- 38-105	NEW-P	99-04-108	173- 26-110	AMD-W	99-19-074	173-201 A	PREP	99-05-060
162- 38-105	NEW	99-15-025	173- 26-120	AMD-P	99-08-124	173-202-020	AMD-E	99-07-077
162- 38-110	AMD-P	99-04-108	173- 26-120	AMD-W	99-19-074	173-202-020	AMD-E	99-09-001
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162- 38-130	REP	99-15-025	173- 26-180	NEW-P	99-08-124	173-224	PREP	99-11-055
162- 40	PREP	99-12-098	173- 26-180	NEW-W	99-19-074	173-224-030	AMD-P	99-19-124
162- 40-010	AMD-P	99-17-102	173- 26-190	NEW-P	99-08-124	173-224-040	AMD-P	99-19-124
162- 40-021	AMD-P	99-17-102	173- 26-190	NEW-W	99-19-074	173-224-050	AMD-P	99-19-124
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162- 40-055	NEW-P	99-17-102	173- 26-210	NEW-W	99-19-074	173-230-020	AMD-P	99-12-038
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173-230-050	REP-P	99-12-038	173-340-360	AMD-P	99-22-077	173-400-115	AMD-P	99-12-096
173-230-050	REP	99-24-117	173-340-370	NEW-P	99-22-077	173-401	PREP	99-17-080
173-230-061	AMD-P	99-12-038	173-340-380	NEW-P	99-22-077	173-405	PREP	99-07-093
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173-230-080	AMD	99-24-117	173-340-450	AMD-P	99-22-077	173-415	PREP	99-17-080
173-230-090	AMD-P	99-12-038	173-340-510	AMD-P	99-22-077	173-422-130	AMD-P	99-19-123
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173-230-120	AMD	99-24-117	173-340-610	AMD-P	99-22-077	173-425	AMD-S	99-18-100
173-230-130	AMD-P	99-12-038	173-340-700	AMD-P	99-22-077	173-425	AMD-C	99-19-034
173-230-130	AMD	99-24-117	173-340-702	AMD-P	99-22-077	173-425-010	AMD-P	99-07-110
173-230-140	AMD-P	99-12-038	173-340-704	AMD-P	99-22-077	173-425-010	AMD-S	99-18-100
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173-303	PREP	99-23-102	173-340-708	AMD-P	99-22-077	173-425-030	AMD-P	99-07-110
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173-321-020	AMD-P	99-22-077	173-340-720	AMD-P	99-22-077	173-425-040	AMD-S	99-18-100
173-321-040	AMD-P	99-22-077	173-340-730	AMD-P	99-22-077	173-425-050	AMD-P	99-07-110
173-321-050	AMD-P	99-22-077	173-340-740	AMD-P	99-22-077	173-425-050	AMD-S	99-18-100
173-321-060	AMD-P	99-22-077	173-340-745	AMD-P	99-22-077	173-425-060	AMD-P	99-07-110
173-321-080	AMD-P	99-22-077	173-340-747	NEW-P	99-22-077	173-425-060	AMD-S	99-18-100
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173-322-060	AMD-P	99-22-077	173-340-750	AMD-P	99-22-077	173-425-090	REP-S	99-18-100
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173-322-090	AMD-P	99-22-077	173-340-800	AMD-P	99-22-077	173-425-100	REP-S	99-18-100
173-322-100	AMD-P	99-22-077	173-340-810	AMD-P	99-22-077	173-425-110	REP-P	99-07-110
173-322-110	AMD-P	99-22-077	173-340-820	AMD-P	99-22-077	173-425-110	REP-S	99-18-100
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173-548-002	NEW-W	99-23-071	180-16-238	REP-XR	99-03-001	180-24-120	AMD-P	99-19-151
173-548-005	NEW-P	99-09-092	180-16-238	REP	99-07-054	180-24-120	AMD	99-24-125
173-548-005	NEW-W	99-23-071	180-16-240	REP-P	99-04-080	180-24-120	RECOD	99-24-125
173-548-010	AMD-P	99-09-092	180-16-240	REP	99-10-091	180-24-125	RECOD-P	99-19-151
173-548-010	AMD-W	99-23-071	180-18-055	NEW-P	99-04-082	180-24-125	AMD-P	99-19-151
173-548-015	NEW-P	99-09-092	180-18-055	NEW-P	99-06-089	180-24-125	AMD	99-24-125
173-548-015	NEW-W	99-23-071	180-18-055	NEW	99-10-094	180-24-125	RECOD	99-24-125
173-548-020	AMD-P	99-09-092	180-18-055	NEW-W	99-17-085	180-24-130	AMD-P	99-19-151
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173-548-030	AMD-P	99-09-092	180-20-034	AMD	99-08-004	180-24-130	AMD	99-24-125
173-548-030	AMD-W	99-23-071	180-20-035	REP	99-08-004	180-24-130	RECOD	99-24-125
173-548-031	NEW-P	99-09-092	180-20-040	REP	99-08-004	180-24-135	NEW-P	99-19-151
173-548-031	NEW-W	99-23-071	180-20-055	REP	99-08-004	180-24-135	NEW	99-24-125
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173-548-032	NEW-W	99-23-071	180-20-070	REP	99-08-004	180-24-140	RECOD-P	99-19-151
173-548-033	NEW-P	99-09-092	180-20-075	REP	99-08-004	180-24-140	RECOD	99-24-125
173-548-033	NEW-W	99-23-071	180-20-080	REP	99-08-004	180-24-140	AMD	99-24-125
173-548-034	NEW-P	99-09-092	180-20-101	AMD	99-08-004	180-24-145	NEW-P	99-19-151
173-548-034	NEW-W	99-23-071	180-20-111	AMD	99-08-004	180-24-145	NEW	99-24-125
173-548-035	NEW-P	99-09-092	180-20-115	AMD	99-08-004	180-24-150	NEW-P	99-19-151
173-548-035	NEW-W	99-23-071	180-20-120	AMD	99-08-004	180-24-150	NEW	99-24-125
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173-548-036	NEW-W	99-23-071	180-22-150	PREP	99-04-083	180-24-155	NEW	99-24-125
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173-548-037	NEW-W	99-23-071	180-22-150	AMD-W	99-20-087	180-24-160	NEW	99-24-125
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173-548-040	AMD-W	99-23-071	180-24-003	AMD-P	99-19-151	180-24-165	NEW	99-24-125
173-548-050	AMD-P	99-09-092	180-24-003	AMD	99-24-125	180-24-170	NEW-P	99-19-151
173-548-050	AMD-W	99-23-071	180-24-007	AMD-P	99-19-151	180-24-170	NEW	99-24-125
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173-548-060	AMD-W	99-23-071	180-24-00701	NEW	99-24-125	180-24-175	NEW	99-24-125
173-548-070	AMD-P	99-09-092	180-24-008	REP-P	99-19-151	180-24-180	NEW-P	99-19-151
173-548-070	AMD-W	99-23-071	180-24-008	REP	99-24-125	180-24-180	NEW	99-24-125
173-548-075	NEW-P	99-09-092	180-24-009	NEW-P	99-19-151	180-24-185	NEW-P	99-19-151
173-548-075	NEW-W	99-23-071	180-24-009	NEW	99-24-125	180-24-185	NEW	99-24-125
173-548-076	NEW-P	99-09-092	180-24-013	REP-P	99-19-151	180-24-190	NEW-P	99-19-151
173-548-076	NEW-W	99-23-071	180-24-013	REP	99-24-125	180-24-190	NEW	99-24-125
174-116-040	AMD-P	99-20-081	180-24-016	REP-P	99-19-151	180-24-195	NEW-P	99-19-151
174-116-040	AMD	99-24-014	180-24-016	REP	99-24-125	180-24-195	NEW	99-24-125
174-280-015	AMD-P	99-08-030	180-24-017	REP-P	99-19-151	180-24-197	NEW-P	99-19-151
174-280-015	AMD	99-12-024	180-24-017	REP	99-24-125	180-24-197	NEW	99-24-125
174-280-030	AMD-P	99-08-030	180-24-021	REP-P	99-19-151	180-24-200	REP-P	99-19-151
174-280-030	AMD	99-12-024	180-24-021	REP	99-24-125	180-24-200	REP	99-24-125
180-08-015	NEW-P	99-04-079	180-24-080	REP-P	99-19-151	180-24-205	AMD-P	99-19-151
180-08-015	NEW	99-10-092	180-24-080	REP	99-24-125	180-24-205	AMD	99-24-125
180-16-195	AMD-P	99-04-080	180-24-101	REP-P	99-19-151	180-24-210	NEW-P	99-19-151
180-16-195	AMD	99-10-091	180-24-101	REP	99-24-125	180-24-210	NEW	99-24-125
180-16-215	PREP	99-04-088	180-24-102	REP-P	99-19-151	180-24-215	NEW-P	99-19-151
180-16-215	AMD-P	99-07-069	180-24-102	REP	99-24-125	180-24-215	NEW	99-24-125
180-16-215	AMD-W	99-20-087	180-24-105	NEW-P	99-19-151	180-24-220	NEW-P	99-19-151
180-16-220	AMD-P	99-04-080	180-24-105	NEW	99-24-125	180-24-220	NEW	99-24-125
180-16-220	AMD	99-10-091	180-24-110	AMD-P	99-19-151	180-24-300	REP-P	99-19-151
180-16-221	REP-XR	99-03-001	180-24-110	RECOD-P	99-19-151	180-24-300	REP	99-24-125
180-16-221	REP	99-07-054	180-24-110	RECOD	99-24-125	180-24-305	DECOD-P	99-19-151
180-16-222	REP-XR	99-03-001	180-24-110	AMD	99-24-125	180-24-305	AMD-P	99-19-151
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180-24-310	DECOD-P	99-19-151	180-27-605	AMD	99-24-127	180-55-085	AMD-P	99-07-068
180-24-310	AMD-P	99-19-151	180-27-610	AMD-P	99-14-090	180-55-085	AMD-W	99-20-087
180-24-310	AMD	99-24-125	180-27-610	AMD	99-24-127	180-56-245	PREP	99-04-092
180-24-310	DECOD	99-24-125	180-27-615	AMD-P	99-14-090	180-56-245	AMD-P	99-07-071
180-24-312	DECOD-P	99-19-151	180-27-615	AMD	99-24-127	180-56-245	AMD-W	99-20-087
180-24-312	AMD-P	99-19-151	180-29	PREP	99-06-078	180-77A	PREP	99-04-046
180-24-312	AMD	99-24-125	180-29	AMD-C	99-19-152	180-77A-028	AMD-P	99-07-049
180-24-312	DECOD	99-24-125	180-29-040	AMD-P	99-10-001	180-77A-028	AMD	99-12-014
180-24-315	DECOD-P	99-19-151	180-29-040	AMD-P	99-14-088	180-77A-029	AMD-P	99-07-049
180-24-315	DECOD	99-24-125	180-29-040	AMD	99-18-107	180-77A-029	AMD	99-12-014
180-24-315	AMD	99-24-125	180-29-040	AMD	99-24-126	180-77A-080	NEW-P	99-07-049
180-24-320	AMD-P	99-19-151	180-29-066	NEW-P	99-14-088	180-77A-080	NEW	99-12-014
180-24-320	DECOD-P	99-19-151	180-29-066	NEW	99-24-126	180-78-155	PREP	99-04-087
180-24-320	AMD	99-24-125	180-29-067	NEW-P	99-14-088	180-78-155	AMD-P	99-07-070
180-24-320	DECOD	99-24-125	180-29-067	NEW	99-24-126	180-78-155	AMD-W	99-20-087
180-24-325	REP-P	99-19-151	180-29-068	NEW-P	99-24-121	180-78-207	PREP	99-04-087
180-24-325	REP	99-24-125	180-29-075	AMD-P	99-14-088	180-78-207	AMD-P	99-07-070
180-24-327	DECOD-P	99-19-151	180-29-075	AMD	99-24-126	180-78-207	AMD-W	99-20-087
180-24-327	RECOD	99-24-125	180-29-085	AMD-P	99-14-088	180-78-210	PREP	99-04-087
180-24-330	REP-P	99-19-151	180-29-085	AMD	99-24-126	180-78-210	AMD-P	99-07-070
180-24-330	REP	99-24-125	180-29-095	PREP	99-04-086	180-78-210	AMD-W	99-20-087
180-24-340	REP-P	99-19-151	180-29-095	AMD-P	99-07-067	180-78A	PREP	99-16-062
180-24-340	REP	99-24-125	180-29-095	AMD-W	99-20-087	180-78A	PREP	99-16-063
180-24-345	REP-P	99-19-151	180-29-160	AMD-P	99-14-088	180-78A-005	AMD-P	99-19-085
180-24-345	REP	99-24-125	180-29-160	AMD	99-24-126	180-78A-005	AMD	99-23-023
180-24-350	REP-P	99-19-151	180-31	PREP	99-06-077	180-78A-010	AMD-P	99-24-123
180-24-350	REP	99-24-125	180-32	PREP	99-06-076	180-78A-074	REP-P	99-19-085
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180-24-360	REP-P	99-19-151	180-40-215	PREP	99-04-084	180-78A-110	AMD	99-23-023
180-24-360	REP	99-24-125	180-40-215	AMD-P	99-07-064	180-78A-125	AMD-P	99-19-085
180-24-365	REP-P	99-19-151	180-40-215	AMD-W	99-20-087	180-78A-125	AMD	99-23-023
180-24-365	REP	99-24-125	180-40-270	AMD-E	99-18-064	180-78A-220	AMD-P	99-19-085
180-24-370	REP-P	99-19-151	180-40-270	AMD-P	99-19-003	180-78A-220	AMD	99-23-023
180-24-370	REP	99-24-125	180-40-285	AMD-E	99-18-064	180-78A-264	AMD-P	99-19-085
180-24-375	REP-P	99-19-151	180-40-285	AMD-P	99-19-003	180-78A-264	AMD	99-23-023
180-24-375	REP	99-24-125	180-40-305	PREP	99-12-016	180-78A-270	AMD-P	99-19-085
180-24-380	REP-P	99-19-151	180-40-305	AMD-E	99-18-064	180-78A-270	AMD	99-23-023
180-24-380	REP	99-24-125	180-40-305	AMD-P	99-19-003	180-78A-310	AMD-P	99-19-085
180-25	PREP	99-06-074	180-40-315	AMD-E	99-18-064	180-78A-310	AMD	99-23-023
180-26	PREP	99-06-080	180-40-315	AMD-P	99-19-003	180-78A-505	AMD-P	99-24-123
180-26-040	AMD-P	99-14-089	180-41-035	PREP	99-04-090	180-78A-510	AMD-P	99-24-123
180-26-040	AMD-C	99-19-153	180-41-035	AMD-P	99-07-073	180-78A-515	AMD-P	99-24-123
180-26-040	AMD	99-24-046	180-41-035	AMD-W	99-20-087	180-78A-520	AMD-P	99-24-123
180-27	PREP	99-06-079	180-51	PREP	99-10-089	180-78A-525	AMD-P	99-24-123
180-27	AMD-C	99-19-154	180-51-050	AMD-P	99-04-081	180-78A-530	AMD-P	99-24-123
180-27-020	AMD-P	99-14-090	180-51-050	AMD	99-10-093	180-78A-535	AMD-P	99-24-123
180-27-020	AMD	99-24-127	180-51-063	NEW-P	99-24-118	180-78A-540	AMD-P	99-24-123
180-27-030	AMD-P	99-14-090	180-51-064	NEW-P	99-24-118	180-79A	PREP	99-16-059
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180-27-032	AMD-P	99-24-120	180-51-075	AMD-P	99-24-119	180-79A-006	AMD-P	99-24-122
180-27-056	AMD-P	99-14-090	180-51-107	NEW-P	99-04-082	180-79A-007	AMD-P	99-24-122
180-27-056	AMD	99-24-127	180-51-107	NEW-P	99-06-089	180-79A-030	AMD-P	99-19-085
180-27-080	AMD-P	99-14-090	180-51-107	NEW	99-10-094	180-79A-030	AMD	99-23-023
180-27-080	AMD	99-24-127	180-51-107	NEW-W	99-17-085	180-79A-105	AMD-P	99-19-085
180-27-082	NEW-W	99-03-026	180-51-110	PREP	99-04-091	180-79A-105	AMD	99-23-023
180-27-083	NEW-W	99-03-026	180-51-110	AMD-P	99-07-072	180-79A-123	AMD-E	99-19-083
180-27-102	NEW-P	99-14-090	180-51-110	AMD-S	99-14-011	180-79A-123	PREP	99-21-091
180-27-102	NEW	99-24-127	180-51-110	AMD-W	99-20-087	180-79A-130	AMD-P	99-24-122
180-27-600	AMD-P	99-14-090	180-52	PREP	99-10-090	180-79A-140	AMD-P	99-19-085
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180- 79A-150	AMD-P	99-19-085	180- 82-315	NEW-P	99-04-110	182- 25-030	AMD-E	99-24-004
180- 79A-150	AMD	99-23-023	180- 82-315	NEW	99-07-102	182- 25-030	AMD-E	99-24-005
180- 79A-155	AMD-P	99-19-085	180- 82-316	NEW	99-04-008	182- 25-031	NEW-E	99-18-051
180- 79A-155	AMD	99-23-023	180- 82-317	NEW-P	99-04-110	182- 25-031	NEW-P	99-19-027
180- 79A-206	AMD-P	99-24-122	180- 82-317	NEW	99-07-102	182- 25-031	NEW-E	99-24-004
180- 79A-211	AMD-P	99-19-085	180- 82-318	NEW	99-04-008	182- 25-031	NEW-E	99-24-005
180- 79A-211	AMD	99-23-023	180- 82-319	NEW-P	99-04-110	182- 25-040	PREP	99-05-077
180- 79A-213	AMD-P	99-19-085	180- 82-319	NEW	99-07-102	182- 25-040	AMD-P	99-12-032
180- 79A-213	AMD	99-23-023	180- 82-320	NEW	99-04-008	182- 25-040	PREP	99-15-098
180- 79A-223	PREP	99-06-038	180- 82-321	NEW-P	99-04-110	182- 25-040	AMD	99-16-022
180- 79A-223	AMD-P	99-10-003	180- 82-321	NEW	99-07-102	182- 25-040	AMD-E	99-18-051
180- 79A-223	AMD	99-14-012	180- 82-322	NEW	99-04-008	182- 25-040	AMD-P	99-19-027
180- 79A-226	AMD-P	99-19-085	180- 82-324	NEW	99-04-008	182- 25-040	AMD-E	99-24-004
180- 79A-226	AMD	99-23-023	180- 82-326	NEW	99-04-008	182- 25-040	AMD-E	99-24-005
180- 79A-231	AMD-P	99-19-085	180- 82-328	NEW	99-04-008	182- 25-085	PREP	99-05-077
180- 79A-231	AMD	99-23-023	180- 82-330	NEW	99-04-008	182- 25-085	NEW-P	99-08-106
180- 79A-241	PREP	99-16-061	180- 82-331	NEW	99-06-005	182- 25-085	NEW	99-12-033
180- 79A-241	REP-P	99-19-084	180- 82-332	NEW	99-04-008	182- 25-090	PREP	99-05-077
180- 79A-241	REP	99-23-024	180- 82-334	NEW	99-04-008	182- 25-090	AMD-P	99-08-106
180- 79A-250	AMD-P	99-24-122	180- 82-336	NEW	99-04-008	182- 25-090	AMD	99-12-033
180- 79A-253	AMD-P	99-19-085	180- 82-338	NEW-W	99-08-081	182- 25-090	PREP	99-15-098
180- 79A-253	AMD	99-23-023	180- 82-339	NEW	99-04-008	182- 25-090	AMD-E	99-18-051
180- 79A-257	AMD-P	99-24-122	180- 82-340	NEW-W	99-08-081	182- 25-090	AMD-P	99-19-027
180- 79A-260	PREP	99-16-060	180- 82-342	NEW	99-04-008	182- 25-090	AMD-E	99-24-004
180- 79A-260	AMD-P	99-24-124	180- 82-343	NEW	99-04-008	182- 25-090	AMD-E	99-24-005
180- 79A-299	AMD-P	99-19-085	180- 82-344	NEW	99-04-008	182- 25-100	AMD	99-07-078
180- 79A-299	AMD	99-23-023	180- 82-346	NEW	99-04-008	182- 25-105	AMD	99-07-078
180- 79A-300	AMD	99-06-006	180- 82-348	NEW	99-04-008	182- 25-110	AMD	99-07-078
180- 79A-380	PREP	99-04-085	180- 82-349	NEW-P	99-04-110	192- 04-060	AMD	99-15-069
180- 79A-380	AMD-P	99-07-066	180- 82-349	NEW	99-07-102	192- 04-170	AMD	99-08-073
180- 79A-380	AMD-W	99-20-087	180- 82-350	NEW	99-04-008	192- 04-190	AMD	99-08-073
180- 82	PREP	99-04-109	180- 82-352	NEW	99-04-008	192- 12-005	REP	99-08-073
180- 82	PREP	99-12-040	180- 82-354	NEW	99-04-008	192- 12-010	REP-XA	99-13-110
180- 82	PREP	99-16-062	180- 82-355	NEW	99-04-008	192- 12-010	REP	99-20-125
180- 82-002	NEW	99-04-008	180- 82-356	NEW	99-04-008	192- 12-015	REP-XA	99-13-113
180- 82-004	NEW	99-04-008	180- 82-360	NEW	99-04-008	192- 12-015	REP	99-20-126
180- 82-105	NEW	99-04-008	180- 82-362	NEW-W	99-08-081	192- 12-018	REP-XR	99-19-072
180- 82-110	NEW	99-04-008	180- 85-075	AMD-E	99-05-002	192- 12-018	REP	99-23-100
180- 82-115	NEW	99-04-008	180- 85-075	PREP	99-06-039	192- 12-025	PREP	99-19-066
180- 82-120	NEW	99-04-008	180- 85-075	AMD-P	99-10-002	192- 12-025	REP-P	99-23-097
180- 82-125	NEW	99-04-008	180- 85-075	AMD	99-14-010	192- 12-035	REP-XR	99-10-005
180- 82-130	NEW	99-04-008	182- 08-095	PREP	99-11-100	192- 12-035	REP	99-20-118
180- 82-200	NEW	99-04-008	182- 08-095	AMD-P	99-14-082	192- 12-043	PREP	99-19-073
180- 82-201	NEW	99-04-008	182- 08-095	AMD	99-19-029	192- 12-043	REP	99-23-099
180- 82-202	NEW	99-04-008	182- 12-111	PREP	99-11-099	192- 12-050	PREP	99-11-088
180- 82-202	AMD-P	99-19-085	182- 12-111	AMD-P	99-14-081	192- 12-050	REP-P	99-17-092
180- 82-202	AMD	99-23-023	182- 12-111	AMD	99-19-028	192- 12-060	REP-XA	99-13-112
180- 82-204	NEW	99-04-008	182- 12-119	PREP	99-11-099	192- 12-060	REP	99-20-128
180- 82-210	NEW	99-04-008	182- 12-119	AMD-P	99-14-081	192- 12-066	REP-XA	99-13-114
180- 82-210	AMD-P	99-19-085	182- 12-119	AMD	99-19-028	192- 12-066	REP	99-20-129
180- 82-210	AMD	99-23-023	182- 25-010	PREP	99-15-098	192- 12-070	REP-XA	99-13-115
180- 82-215	NEW	99-04-008	182- 25-010	AMD-E	99-18-051	192- 12-070	REP	99-20-130
180- 82-215	AMD-P	99-19-085	182- 25-010	AMD-P	99-19-027	192- 12-072	REP-P	99-05-068
180- 82-215	AMD	99-23-023	182- 25-010	AMD-E	99-24-004	192- 12-072	REP-W	99-18-065
180- 82-300	NEW	99-04-008	182- 25-010	AMD-E	99-24-005	192- 12-072	REP-S	99-19-132
180- 82-302	NEW-W	99-08-081	182- 25-020	PREP	99-15-099	192- 12-074	REP-XA	99-11-091
180- 82-304	NEW	99-04-008	182- 25-030	PREP	99-08-107	192- 12-074	REP	99-20-131
180- 82-306	NEW-W	99-08-081	182- 25-030	AMD-P	99-12-032	192- 12-076	REP-XA	99-11-090
180- 82-308	NEW	99-04-008	182- 25-030	PREP	99-15-098	192- 12-076	REP-XA	99-19-013
180- 82-310	NEW	99-04-008	182- 25-030	AMD	99-16-022	192- 12-076	REP-W	99-24-077
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192-12-090	REP-XA	99-11-094	192-100-500	NEW	99-20-125	192-310-040	NEW-XA	99-11-093
192-12-090	REP	99-20-132	192-100-510	NEW-XA	99-13-113	192-310-040	NEW	99-20-141
192-12-100	REP-XA	99-13-116	192-100-510	NEW	99-20-126	192-310-050	PREP	99-11-088
192-12-100	REP	99-20-133	192-110-005	NEW	99-08-073	192-310-050	NEW-P	99-17-092
192-12-110	REP-XR	99-10-007	192-110-010	NEW	99-15-069	192-310-055	PREP	99-11-089
192-12-110	REP	99-20-120	192-110-015	NEW	99-08-073	192-310-055	NEW-P	99-17-091
192-12-115	REP-XR	99-10-008	192-110-020	NEW	99-08-073	192-310-060	NEW-XA	99-13-114
192-12-115	REP	99-20-121	192-110-050	NEW	99-08-073	192-310-060	NEW	99-20-129
192-12-130	REP	99-15-069	192-120-001	NEW	99-08-073	192-310-070	NEW-XA	99-13-115
192-12-141	REP	99-08-073	192-120-010	NEW	99-08-073	192-310-070	NEW	99-20-130
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192-12-182	REP	99-08-073	192-120-030	NEW	99-08-073	192-310-100	NEW	99-20-133
192-12-330	AMD	99-08-073	192-120-035	NEW	99-08-073	192-320-050	NEW-P	99-05-068
192-12-350	REP-XR	99-13-107	192-120-040	NEW	99-08-073	192-320-050	NEW-W	99-18-065
192-12-350	REP	99-20-122	192-140-005	NEW	99-08-073	192-320-050	NEW-S	99-19-132
192-12-355	REP-XR	99-13-108	192-140-010	NEW	99-08-073	192-320-055	NEW-XA	99-11-091
192-12-355	REP	99-20-123	192-140-020	NEW	99-08-073	192-320-055	NEW	99-20-131
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192-12-360	REP	99-20-127	192-140-030	NEW	99-08-073	192-320-060	NEW-XA	99-19-013
192-12-380	REP-XR	99-13-109	192-150-090	NEW	99-08-073	192-320-060	NEW-W	99-24-077
192-12-380	REP	99-20-124	192-170-050	NEW-P	99-19-157	192-320-065	NEW-XA	99-19-070
192-12-400	REP-XA	99-19-070	192-170-060	NEW-P	99-19-157	192-320-070	NEW-XA	99-19-071
192-12-405	REP-XA	99-19-071	192-180-005	NEW-P	99-09-097	192-330-100	PREP	99-19-068
192-15-150	AMD	99-08-073	192-180-005	NEW	99-13-002	192-330-100	NEW-P	99-23-095
192-16-001	REP-XA	99-11-092	192-180-010	NEW-P	99-09-097	192-340-010	PREP	99-19-069
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220-47-430	NEW-W	99-12-086	220-52-04600Q	NEW-E	99-11-013	220-56-103	AMD	99-08-029
220-47-430	NEW-XA	99-13-008	220-52-04600Q	REP-E	99-11-021	220-56-103	AMD-P	99-22-105
220-47-430	NEW-P	99-19-168	220-52-04600R	REP-E	99-11-021	220-56-10300D	NEW-E	99-21-026
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220-47-601	NEW-E	99-19-009	220-52-04600U	NEW-E	99-24-103	220-56-10500B	REP-E	99-10-049
220-47-601	REP-E	99-19-061	220-52-04600U	REP-E	99-24-103	220-56-115	AMD-XA	99-11-098
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220-47-603	NEW-E	99-19-092	220-52-051	AMD-P	99-22-096	220-56-11500A	NEW-E	99-10-049
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220-52-04600	REP-E	99-09-035	220-55-120	AMD	99-03-029	220-56-19100J	NEW-E	99-16-056
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226-01-020	NEW-E	99-13-157	226-16-020	NEW-P	99-13-156	230-04-022	AMD-W	99-21-059
226-01-020	NEW	99-18-048	226-16-020	NEW-E	99-13-157	230-04-080	AMD-P	99-13-206
226-01-030	NEW-P	99-13-156	226-16-020	NEW	99-18-048	230-04-080	AMD	99-18-002
226-01-030	NEW-E	99-13-157	226-16-040	NEW-P	99-13-156	230-04-133	AMD-P	99-21-077
226-01-030	NEW	99-18-048	226-16-040	NEW-E	99-13-157	230-04-133	AMD	99-24-099
226-01-040	NEW-P	99-13-156	226-16-040	NEW	99-18-048	230-04-140	AMD-P	99-08-093
226-01-040	NEW-E	99-13-157	226-16-050	NEW-P	99-13-156	230-04-140	AMD-W	99-21-059
226-01-040	NEW	99-18-048	226-16-050	NEW-E	99-13-157	230-04-198	REP-P	99-21-077
226-01-050	NEW-P	99-13-156	226-16-050	NEW	99-18-048	230-04-198	REP	99-24-099
226-01-050	NEW-E	99-13-157	226-16-100	NEW-P	99-13-156	230-04-202	AMD-P	99-21-077
226-01-050	NEW	99-18-048	226-16-100	NEW-E	99-13-157	230-04-202	AMD	99-24-099
226-01-060	NEW-P	99-13-156	226-16-100	NEW	99-18-048	230-04-203	AMD-P	99-08-093
226-01-060	NEW-E	99-13-157	226-16-110	NEW-P	99-13-156	230-04-203	AMD-W	99-21-059
226-01-060	NEW	99-18-048	226-16-110	NEW-E	99-13-157	230-04-203	AMD-P	99-21-077
226-01-070	NEW-P	99-13-156	226-16-110	NEW	99-18-048	230-04-203	AMD	99-24-099
226-01-070	NEW-E	99-13-157	226-16-150	NEW-P	99-13-156	230-04-204	AMD-P	99-08-093
226-01-070	NEW	99-18-048	226-16-150	NEW-E	99-13-157	230-04-204	AMD-W	99-21-059
226-02-010	NEW-P	99-13-156	226-16-150	NEW	99-18-048	230-04-204	AMD-P	99-21-077
226-02-010	NEW-E	99-13-157	226-16-160	NEW-P	99-13-156	230-04-204	AMD	99-24-099
226-02-010	NEW	99-18-048	226-16-160	NEW-E	99-13-157	230-04-206	REP-P	99-21-077
226-02-020	NEW-P	99-13-156	226-16-160	NEW	99-18-048	230-04-206	REP	99-24-099
226-02-020	NEW-E	99-13-157	226-16-170	NEW-P	99-13-156	230-04-207	NEW-P	99-08-093
226-02-020	NEW	99-18-048	226-16-170	NEW-E	99-13-157	230-04-207	NEW-W	99-21-059
226-02-030	NEW-P	99-13-156	226-16-170	NEW	99-18-048	230-08-027	NEW-P	99-08-093
226-02-030	NEW-E	99-13-157	226-16-180	NEW-P	99-13-156	230-08-027	NEW-W	99-21-059
226-02-030	NEW	99-18-048	226-16-180	NEW-E	99-13-157	230-08-040	AMD-P	99-08-093
226-02-040	NEW-P	99-13-156	226-16-180	NEW	99-18-048	230-08-040	AMD-W	99-21-059
226-02-040	NEW-E	99-13-157	226-16-200	NEW-P	99-13-156	230-08-090	AMD-P	99-08-093
226-02-040	NEW	99-18-048	226-16-200	NEW-E	99-13-157	230-08-090	AMD-W	99-21-059
226-02-050	NEW-P	99-13-156	226-16-200	NEW	99-18-048	230-12-027	NEW-P	99-18-109
226-02-050	NEW-E	99-13-157	226-20-010	NEW-P	99-13-156	230-12-030	AMD-P	99-18-109
226-02-050	NEW	99-18-048	226-20-010	NEW-E	99-13-157	230-12-050	AMD-P	99-08-093
226-02-060	NEW-P	99-13-156	226-20-010	NEW	99-18-048	230-12-050	AMD-W	99-21-059
226-02-060	NEW-E	99-13-157	226-20-020	NEW-P	99-13-156	230-12-072	NEW-P	99-08-093
226-02-060	NEW	99-18-048	226-20-020	NEW-E	99-13-157	230-12-072	NEW-W	99-21-059
226-02-070	NEW-P	99-13-156	226-20-020	NEW	99-18-048	230-12-345	NEW-P	99-08-093
226-02-070	NEW-E	99-13-157	226-20-030	NEW-P	99-13-156	230-12-345	NEW	99-12-082
226-02-070	NEW	99-18-048	226-20-030	NEW-E	99-13-157	230-20-058	NEW	99-03-103
226-02-080	NEW-P	99-13-156	226-20-030	NEW	99-18-048	230-20-115	AMD-P	99-08-094
226-02-080	NEW-E	99-13-157	226-20-040	NEW-P	99-13-156	230-20-115	AMD	99-11-078
226-02-080	NEW	99-18-048	226-20-040	NEW-E	99-13-157	230-20-125	AMD-P	99-08-094
226-02-090	NEW-P	99-13-156	226-20-040	NEW	99-18-048	230-20-125	AMD	99-11-078
226-02-090	NEW-E	99-13-157	226-20-050	NEW-P	99-13-156	230-20-192	AMD-P	99-18-077
226-02-090	NEW	99-18-048	226-20-050	NEW-E	99-13-157	230-20-210	REP-P	99-18-109
226-02-100	NEW-P	99-13-156	226-20-050	NEW	99-18-048	230-20-230	AMD-P	99-08-094
226-02-100	NEW-E	99-13-157	226-20-060	NEW-P	99-13-156	230-20-230	AMD	99-11-078
226-02-100	NEW	99-18-048	226-20-060	NEW-E	99-13-157	230-20-242	AMD-P	99-08-094
226-02-110	NEW-P	99-13-156	226-20-060	NEW	99-18-048	230-20-242	AMD	99-11-078
226-02-110	NEW-E	99-13-157	230-02-109	NEW-P	99-08-093	230-40-010	AMD-P	99-08-093
226-02-110	NEW	99-18-048	230-02-109	NEW-W	99-21-059	230-40-010	AMD	99-13-103
226-12-010	NEW-P	99-13-156	230-02-110	AMD-P	99-08-093	230-40-015	AMD-P	99-08-093
226-12-010	NEW-E	99-13-157	230-02-110	AMD-W	99-21-059	230-40-015	AMD-W	99-21-059
226-12-010	NEW	99-18-048	230-02-145	NEW-P	99-08-094	230-40-030	AMD-P	99-08-093
226-12-040	NEW-P	99-13-156	230-02-145	NEW	99-11-078	230-40-030	AMD-W	99-21-059
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226-12-040	NEW	99-18-048	230-02-400	REP-P	99-08-093	230-40-050	AMD-W	99-21-059
226-12-080	NEW-P	99-13-156	230-02-400	REP-W	99-21-059	230-40-060	REP-P	99-08-093
226-12-080	NEW-E	99-13-157	230-02-425	AMD-P	99-08-093	230-40-060	REP-W	99-21-059
226-12-080	NEW	99-18-048	230-02-425	AMD-W	99-21-059	230-40-070	AMD-P	99-08-093
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230-40-125	AMD-P	99-09-096	230-40-855	NEW-P	99-08-093	232-12-257	AMD-P	99-13-194
230-40-125	REP-P	99-09-096	230-40-855	NEW-W	99-21-059	232-12-261	AMD-P	99-13-194
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230-40-125	AMD-W	99-21-059	230-40-860	NEW-W	99-21-059	232-12-264	AMD-P	99-13-194
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230-40-130	AMD-W	99-21-059	230-40-865	NEW-W	99-21-059	232-12-291	AMD-P	99-13-194
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230-40-150	REP-W	99-21-059	230-40-870	NEW-W	99-21-059	232-12-31500F	NEW-E	99-08-063
230-40-160	REP-P	99-08-093	230-40-875	NEW-P	99-08-093	232-12-619	AMD	99-03-029
230-40-160	REP-W	99-21-059	230-40-875	NEW-W	99-21-059	232-12-619	AMD	99-08-029
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230-40-200	AMD-W	99-21-059	230-40-880	NEW-W	99-21-059	232-12-619	AMD	99-15-081
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230-40-225	AMD-W	99-21-059	230-40-885	NEW-W	99-21-059	232-12-61900D	REP-E	99-13-058
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230-40-400	AMD-W	99-21-059	230-40-890	NEW-W	99-21-059	232-12-830	NEW	99-03-029
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230-40-550	NEW-W	99-21-059	230-40-900	REP-W	99-21-059	232-16-140	AMD	99-17-034
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230-40-552	NEW-W	99-21-059	230-46-035	NEW-P	99-18-077	232-16-680	REP	99-17-034
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230-40-554	NEW-W	99-21-059	230-50-010	AMD-P	99-08-093	232-16-690	AMD	99-18-017
230-40-556	NEW-P	99-08-093	230-50-010	AMD-W	99-21-059	232-16-70000A	REP-E	99-19-137
230-40-556	NEW-W	99-21-059	230-60-025	AMD-P	99-13-205	232-16-70000A	NEW-E	99-19-137
230-40-558	NEW-P	99-08-093	230-60-025	AMD	99-18-003	232-16-70000A	REP-E	99-20-043
230-40-558	NEW-W	99-21-059	232-12-001	AMD	99-03-029	232-16-70000B	NEW-E	99-20-043
230-40-560	NEW-P	99-08-093	232-12-001	AMD	99-08-029	232-16-70000B	REP-E	99-20-043
230-40-560	NEW-W	99-21-059	232-12-011	AMD-P	99-22-085	232-16-810	AMD-P	99-05-063
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230-40-562	NEW-W	99-21-059	232-12-017	AMD	99-08-024	232-21-101	REP	99-05-024
230-40-564	NEW-P	99-08-093	232-12-01701	AMD	99-08-024	232-28-02201	AMD-P	99-05-063
230-40-564	NEW-W	99-21-059	232-12-018	AMD	99-08-029	232-28-02201	AMD	99-10-102
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230-40-566	NEW-W	99-21-059	232-12-01800C	NEW-E	99-21-026	232-28-02202	AMD-P	99-22-085
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230-40-800	NEW-W	99-21-059	232-12-068	AMD	99-17-034	232-28-02205	AMD	99-10-102
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230-40-815	NEW-W	99-21-059	232-12-072	AMD	99-17-096	232-28-02240	AMD-P	99-05-063
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230-40-820	NEW-W	99-21-059	232-12-134	AMD	99-17-034	232-28-02240	AMD-P	99-22-085
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230-40-825	NEW-W	99-21-059	232-12-137	REP	99-17-034	232-28-20401	REP	99-17-034
230-40-830	NEW-P	99-08-093	232-12-141	AMD-P	99-13-194	232-28-24102	REP-P	99-22-085
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232- 28-264	AMD	99-17-034	232- 28-61900R	REP-E	99-19-063	236- 47-017	REP	99-06-001
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232- 28-61900B	REP-E	99-04-060	232- 32-070	REP	99-11-003	236- 48-051	REP	99-13-138
232- 28-61900B	REP-E	99-24-030	236- 12-065	PREP	99-08-086	236- 48-052	REP-XR	99-10-068
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232- 28-61900F	NEW-E	99-09-015	236- 12-500	AMD	99-19-022	236- 48-081	REP-XR	99-10-068
232- 28-61900F	REP-E	99-09-015	236- 20-020	AMD-XA	99-13-167	236- 48-081	REP	99-13-138
232- 28-61900G	NEW-E	99-10-049	236- 20-020	AMD	99-18-029	236- 48-082	REP-XR	99-10-068
232- 28-61900G	REP-E	99-10-049	236- 20-030	AMD-XA	99-13-167	236- 48-082	REP	99-13-138
232- 28-61900G	REP-E	99-12-044	236- 20-030	AMD	99-18-029	236- 48-083	AMD-XA	99-10-069
232- 28-61900H	NEW-E	99-11-044	236- 20-040	AMD-XA	99-13-167	236- 48-083	AMD	99-15-070
232- 28-61900H	REP-E	99-11-044	236- 20-040	AMD	99-18-029	236- 48-084	REP-XR	99-10-068
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232- 28-61900J	NEW-E	99-12-001	236- 47-002	REP	99-06-001	236- 48-085	AMD-XA	99-10-069
232- 28-61900K	REP-E	99-12-044	236- 47-003	REP	99-06-001	236- 48-085	AMD	99-15-070
232- 28-61900K	NEW-E	99-12-044	236- 47-004	REP	99-06-001	236- 48-093	REP-XR	99-10-068
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232- 28-61900L	REP-E	99-12-019	236- 47-007	REP	99-06-001	236- 48-094	AMD	99-15-070
232- 28-61900	REP-E	99-12-046	236- 47-008	REP	99-06-001	236- 48-096	AMD-XA	99-10-069
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236-48-101	REP	99-13-138	236-49-040	REP-XR	99-10-068	246-14-090	NEW-P	99-22-091
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236-48-111	AMD	99-15-070	236-49-055	AMD-XA	99-10-069	246-14-110	NEW-P	99-22-091
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236-48-123	AMD	99-15-070	236-70-040	AMD-XA	99-19-075	246-25-030	RECOD	99-04-049
236-48-124	AMD-XA	99-10-069	236-70-050	AMD-XA	99-19-075	246-25-035	RECOD	99-04-049
236-48-124	AMD	99-15-070	236-70-060	AMD-XA	99-19-075	246-25-040	RECOD	99-04-049
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236-48-132	AMD	99-15-070	236-100-013	AMD-XA	99-19-062	246-25-050	RECOD	99-04-049
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236-48-142	AMD-XA	99-10-069	236-200-010	RECOD-X	99-19-076	246-25-115	RECOD	99-04-049
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236-48-143	AMD	99-15-070	236-200-040	RECOD-X	99-19-076	246-25-130	RECOD	99-04-049
236-48-151	REP-XR	99-10-068	236-200-050	RECOD-X	99-19-076	246-25-131	RECOD	99-04-049
236-48-151	REP	99-13-138	236-200-060	RECOD-X	99-19-076	246-25-135	RECOD	99-04-049
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236-48-164	REP	99-13-138	245-02-100	DECOD	99-04-049	246-100-016	AMD	99-17-077
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236-48-165	AMD	99-15-070	245-02-115	DECOD	99-04-049	246-100-036	AMD	99-17-077
236-48-166	AMD-XA	99-10-069	245-02-120	DECOD	99-04-049	246-100-041	AMD-P	99-12-083
236-48-166	AMD	99-15-070	245-02-125	DECOD	99-04-049	246-100-041	AMD	99-17-077
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236-48-167	AMD	99-15-070	245-02-131	DECOD	99-04-049	246-100-042	AMD	99-11-037
236-48-190	AMD-XA	99-10-069	245-02-135	DECOD	99-04-049	246-100-043	NEW-P	99-12-083
236-48-190	AMD	99-15-070	245-02-140	DECOD	99-04-049	246-100-043	NEW	99-17-077
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236-48-250	AMD-XA	99-10-069	245-02-155	DECOD	99-04-049	246-100-076	AMD-P	99-12-083
236-48-250	AMD	99-15-070	245-02-160	DECOD	99-04-049	246-100-076	AMD	99-17-077
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236-48-252	AMD	99-15-070	245-02-180	DECOD	99-04-049	246-100-207	AMD	99-17-077
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246-217-001	REP	99-13-019	246-231-070	NEW-P	99-12-130	246-290-010	AMD	99-07-021
246-217-002	REP-P	99-08-097	246-231-070	NEW	99-15-105	246-290-020	AMD	99-07-021
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246-217-011	REP	99-13-019	246-231-110	NEW-P	99-12-130	246-290-100	AMD	99-07-021
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246-217-020	REP	99-13-019	246-231-130	NEW-P	99-12-130	246-290-120	AMD	99-07-021
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246-217-030	REP	99-13-019	246-231-200	NEW	99-15-105	246-290-140	AMD	99-07-021
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246-217-040	REP	99-13-019	246-232-040	AMD	99-15-105	246-290-222	NEW	99-07-021
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246-217-045	NEW	99-13-019	246-232-060	AMD	99-15-105	246-290-235	NEW	99-07-021
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246-217-050	REP	99-13-019	246-232-090	AMD-P	99-12-130	246-290-250	AMD	99-07-021
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246-290-660	AMD	99-07-021	246-318-420	REP	99-04-052	246-320-345	NEW	99-04-052
246-290-662	AMD	99-07-021	246-318-440	REP	99-04-052	246-320-365	NEW	99-04-052
246-290-664	AMD	99-07-021	246-318-450	REP	99-04-052	246-320-385	NEW	99-04-052
246-290-666	AMD	99-07-021	246-318-500	REP	99-04-052	246-320-405	NEW	99-04-052
246-290-668	AMD	99-07-021	246-318-510	REP	99-04-052	246-320-500	NEW	99-04-052
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246-310-990	PREP	99-05-011	246-318-690	REP	99-04-052	246-320-675	NEW	99-04-052
246-310-990	AMD-P	99-20-090	246-318-700	REP	99-04-052	246-320-685	NEW	99-04-052
246-310-990	AMD	99-23-089	246-318-710	REP	99-04-052	246-320-695	NEW	99-04-052
246-316-990	PREP-W	99-04-048	246-318-720	REP	99-04-052	246-320-705	NEW	99-04-052
246-318-010	REP	99-04-052	246-318-730	REP	99-04-052	246-320-715	NEW	99-04-052
246-318-013	REP	99-04-052	246-318-740	REP	99-04-052	246-320-725	NEW	99-04-052
246-318-015	REP	99-04-052	246-318-750	REP	99-04-052	246-320-735	NEW	99-04-052
246-318-017	REP	99-04-052	246-318-760	REP	99-04-052	246-320-745	NEW	99-04-052
246-318-020	REP	99-04-052	246-318-770	REP	99-04-052	246-320-755	NEW	99-04-052
246-318-025	REP	99-04-052	246-318-780	REP	99-04-052	246-320-765	NEW	99-04-052
246-318-030	REP	99-04-052	246-318-790	REP	99-04-052	246-320-775	NEW	99-04-052
246-318-033	REP	99-04-052	246-318-800	REP	99-04-052	246-320-785	NEW	99-04-052
246-318-035	REP	99-04-052	246-318-810	REP	99-04-052	246-320-795	NEW	99-04-052
246-318-040	REP	99-04-052	246-318-820	REP	99-04-052	246-320-805	NEW	99-04-052
246-318-042	REP	99-04-052	246-318-830	REP	99-04-052	246-320-815	NEW	99-04-052
246-318-150	REP	99-04-052	246-318-840	REP	99-04-052	246-320-990	NEW	99-04-052
246-318-155	REP	99-04-052	246-318-850	REP	99-04-052	246-320-990	AMD-P	99-21-064
246-318-160	REP	99-04-052	246-318-860	REP	99-04-052	246-320-990	AMD	99-24-096
246-318-170	REP	99-04-052	246-318-870	REP	99-04-052	246-320-9902	NEW	99-04-052
246-318-180	REP	99-04-052	246-318-990	REP	99-04-052	246-322-990	AMD-P	99-20-091
246-318-190	REP	99-04-052	246-318-9902	REP	99-04-052	246-322-990	AMD	99-24-060
246-318-200	REP	99-04-052	246-318-99910	REP	99-04-052	246-323-990	AMD-P	99-21-065
246-318-210	REP	99-04-052	246-320-001	NEW	99-04-052	246-323-990	AMD	99-24-094
246-318-220	REP	99-04-052	246-320-010	NEW	99-04-052	246-324-990	AMD-P	99-20-091
246-318-230	REP	99-04-052	246-320-025	NEW	99-04-052	246-324-990	AMD	99-24-060
246-318-240	REP	99-04-052	246-320-045	NEW	99-04-052	246-325-990	AMD-P	99-21-065
246-318-250	REP	99-04-052	246-320-065	NEW	99-04-052	246-325-990	AMD	99-24-094
246-318-260	REP	99-04-052	246-320-085	NEW	99-04-052	246-326-990	AMD-P	99-21-065
246-318-270	REP	99-04-052	246-320-105	NEW	99-04-052	246-326-990	AMD	99-24-094
246-318-280	REP	99-04-052	246-320-125	NEW	99-04-052	246-338-990	AMD-P	99-21-074
246-318-290	REP	99-04-052	246-320-145	NEW	99-04-052	246-338-990	AMD	99-24-061
246-318-300	REP	99-04-052	246-320-165	NEW	99-04-052	246-358	PREP	99-15-108
246-318-310	REP	99-04-052	246-320-185	NEW	99-04-052	246-358-001	AMD-P	99-23-109
246-318-320	REP	99-04-052	246-320-205	NEW	99-04-052	246-358-010	AMD-P	99-23-109
246-318-330	REP	99-04-052	246-320-225	NEW	99-04-052	246-358-020	REP-P	99-23-109
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246-358-027	NEW-P	99-23-109	246-359-130	NEW	99-03-065	246-361-095	NEW-P	99-23-109
246-358-029	NEW-P	99-23-109	246-359-140	NEW	99-03-065	246-361-100	NEW-P	99-23-109
246-358-030	REP-P	99-23-109	246-359-150	NEW	99-03-065	246-361-125	NEW-P	99-23-109
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246-358-045	AMD-P	99-23-109	246-359-170	NEW	99-03-065	246-361-145	NEW-P	99-23-109
246-358-055	AMD-P	99-23-109	246-359-180	NEW	99-03-065	246-361-155	NEW-P	99-23-109
246-358-065	AMD-P	99-23-109	246-359-200	NEW	99-03-065	246-361-165	NEW-P	99-23-109
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246-358-075	AMD-P	99-23-109	246-359-220	NEW	99-03-065	246-361-990	NEW-P	99-23-109
246-358-090	AMD-P	99-23-109	246-359-230	NEW	99-03-065	246-560-001	AMD	99-03-043
246-358-095	AMD-P	99-23-109	246-359-240	NEW	99-03-065	246-560-002	NEW	99-03-043
246-358-100	AMD-P	99-23-109	246-359-250	NEW	99-03-065	246-560-010	AMD	99-03-043
246-358-125	AMD-P	99-23-109	246-359-300	NEW	99-03-065	246-560-011	NEW	99-03-043
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246-358-175	AMD-P	99-23-109	246-359-400	NEW	99-03-065	246-560-060	AMD	99-03-043
246-358-600	NEW-P	99-08-098	246-359-405	NEW	99-03-065	246-560-065	NEW	99-03-043
246-358-600	NEW	99-12-006	246-359-410	NEW	99-03-065	246-560-070	REP	99-03-043
246-358-600	REP-P	99-23-109	246-359-420	NEW	99-03-065	246-560-075	NEW	99-03-043
246-358-610	NEW-P	99-08-098	246-359-430	NEW	99-03-065	246-560-077	NEW	99-03-043
246-358-610	NEW	99-12-006	246-359-440	NEW	99-03-065	246-560-085	NEW	99-03-043
246-358-610	REP-P	99-23-109	246-359-500	NEW	99-03-065	246-562	PREP	99-15-101
246-358-620	NEW-P	99-08-098	246-359-510	NEW	99-03-065	246-650-990	AMD-P	99-16-115
246-358-620	NEW	99-12-006	246-359-520	NEW	99-03-065	246-650-990	AMD	99-20-036
246-358-620	REP-P	99-23-109	246-359-530	NEW	99-03-065	246-650-991	NEW-P	99-16-115
246-358-630	NEW-P	99-08-098	246-359-540	NEW	99-03-065	246-650-991	NEW	99-20-036
246-358-630	NEW	99-12-006	246-359-550	NEW	99-03-065	246-760	PREP	99-11-030
246-358-630	REP-P	99-23-109	246-359-560	NEW	99-03-065	246-762	PREP	99-11-031
246-358-640	NEW-P	99-08-098	246-359-565	NEW	99-03-065	246-790	PREP	99-13-082
246-358-640	NEW	99-12-006	246-359-570	NEW	99-03-065	246-802-030	PREP-W	99-23-086
246-358-640	REP-P	99-23-109	246-359-575	NEW	99-03-065	246-802-040	PREP-W	99-23-086
246-358-650	NEW-P	99-08-098	246-359-580	NEW	99-03-065	246-802-050	PREP-W	99-23-086
246-358-650	NEW	99-12-006	246-359-590	NEW	99-03-065	246-802-060	PREP-W	99-23-086
246-358-650	REP-P	99-23-109	246-359-600	NEW	99-03-065	246-802-990	AMD-P	99-02-057
246-358-660	NEW-P	99-08-098	246-359-700	NEW	99-03-065	246-802-990	AMD	99-08-101
246-358-660	NEW	99-12-006	246-359-710	NEW	99-03-065	246-808-101	REP-XR	99-03-061
246-358-660	REP-P	99-23-109	246-359-720	NEW	99-03-065	246-808-301	REP-XR	99-03-061
246-358-670	NEW-P	99-08-098	246-359-730	NEW	99-03-065	246-808-320	REP-XR	99-03-061
246-358-670	NEW	99-12-006	246-359-740	NEW	99-03-065	246-808-330	REP-XR	99-03-061
246-358-670	REP-P	99-23-109	246-359-750	NEW	99-03-065	246-808-340	REP-XR	99-03-061
246-358-680	NEW-P	99-08-098	246-359-760	NEW	99-03-065	246-808-350	REP-XR	99-03-061
246-358-680	NEW	99-12-006	246-359-800	NEW	99-03-065	246-808-360	REP-XR	99-03-061
246-358-680	REP-P	99-23-109	246-359-990	NEW	99-03-065	246-808-370	REP-XR	99-03-061
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246-358-990	AMD	99-24-095	246-360-990	AMD-P	99-19-130	246-808-390	REP-XR	99-03-061
246-359-001	NEW	99-03-065	246-360-990	AMD	99-23-015	246-808-640	REP-XR	99-03-061
246-359-005	NEW	99-03-065	246-361-001	NEW-P	99-23-109	246-808-990	AMD-P	99-02-057
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246-359-020	NEW	99-03-065	246-361-020	NEW-P	99-23-109	246-810-600	NEW-P	99-22-092
246-359-030	NEW	99-03-065	246-361-025	NEW-P	99-23-109	246-810-610	NEW-P	99-22-092
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246-811-030	NEW	99-13-084	246-828-330	PREP	99-22-088	246-843-130	AMD-P	99-20-095
246-811-045	NEW-P	99-09-100	246-828-340	REP	99-07-019	246-843-150	AMD-P	99-20-095
246-811-045	NEW	99-13-084	246-828-350	PREP	99-22-089	246-843-170	REP-P	99-20-093
246-811-046	NEW-P	99-09-100	246-830-990	AMD-P	99-02-057	246-843-200	REP	99-03-068
246-811-046	NEW	99-13-084	246-830-990	AMD	99-08-101	246-843-205	AMD-P	99-20-058
246-811-047	NEW-P	99-09-100	246-834-050	NEW	99-03-064	246-843-220	REP	99-03-067
246-811-047	NEW	99-13-084	246-834-060	AMD	99-03-064	246-843-225	REP	99-03-067
246-811-048	NEW-P	99-09-100	246-834-070	AMD	99-03-064	246-843-230	AMD-P	99-20-093
246-811-048	NEW	99-13-084	246-834-080	AMD	99-03-064	246-843-231	NEW-P	99-20-093
246-811-049	NEW-P	99-09-100	246-834-990	PREP	99-06-090	246-843-990	AMD-P	99-21-067
246-811-049	NEW	99-13-084	246-838-040	REP	99-08-104	246-843-990	AMD	99-24-098
246-811-060	NEW-P	99-20-060	246-840	PREP	99-11-033	246-845-990	AMD-P	99-02-057
246-811-070	NEW-P	99-09-100	246-840	PREP-W	99-23-086	246-845-990	AMD	99-08-101
246-811-070	NEW	99-13-084	246-840-010	PREP	99-11-032	246-845-990	PREP-W	99-23-086
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246-811-990	NEW-P	99-09-100	246-840-050	AMD	99-13-086	246-850	PREP-W	99-23-086
246-811-990	NEW	99-13-084	246-840-070	AMD-P	99-08-099	246-850-060	NEW-P	99-03-083
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246-812-990	AMD-XA	99-18-081	246-840-090	AMD-P	99-08-099	246-851-270	REP	99-16-047
246-817-990	AMD-P	99-02-057	246-840-090	AMD	99-13-086	246-851-340	REP	99-16-047
246-817-990	AMD	99-08-101	246-840-125	PREP	99-03-066	246-851-360	REP	99-16-047
246-822-990	AMD-P	99-02-057	246-840-125	PREP-W	99-23-086	246-851-990	AMD-P	99-02-057
246-822-990	AMD	99-08-101	246-840-565	PREP	99-11-032	246-851-990	AMD	99-08-101
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246-824-020	PREP-W	99-23-086	246-840-740	NEW	99-04-051	246-853-990	AMD	99-24-063
246-824-025	PREP-W	99-23-086	246-840-760	PREP	99-11-032	246-865	PREP-W	99-23-086
246-824-075	PREP-W	99-23-086	246-840-840	PREP	99-14-002	246-869	PREP-W	99-23-086
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246-824-990	PREP-W	99-23-086	246-840-860	PREP	99-14-002	246-875	PREP-W	99-23-086
246-828-045	NEW	99-08-102	246-840-870	PREP	99-14-002	246-879	PREP-W	99-23-086
246-828-061	NEW-P	99-11-036	246-840-880	PREP	99-14-002	246-883-020	AMD-P	99-18-083
246-828-061	NEW	99-19-059	246-840-890	PREP	99-14-002	246-887-160	AMD-XA	99-16-116
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246-828-105	AMD	99-19-058	246-841-990	AMD	99-24-062	246-888-040	NEW-P	99-18-084
246-828-110	REP	99-07-020	246-843-001	REP-P	99-20-059	246-888-050	NEW-P	99-18-084
246-828-120	REP	99-07-020	246-843-010	AMD-P	99-20-092	246-888-060	NEW-P	99-18-084
246-828-130	REP	99-07-020	246-843-015	NEW-P	99-20-092	246-888-070	NEW-P	99-18-084
246-828-140	REP	99-07-020	246-843-030	REP-P	99-20-059	246-888-080	NEW-P	99-18-084
246-828-150	REP	99-07-020	246-843-040	AMD-P	99-20-059	246-888-090	NEW-P	99-18-084
246-828-160	REP	99-07-020	246-843-050	REP-P	99-20-059	246-888-100	NEW-P	99-18-084
246-828-170	REP	99-07-020	246-843-060	REP	99-03-069	246-888-110	NEW-P	99-18-084
246-828-180	REP	99-07-020	246-843-070	AMD-P	99-20-093	246-901-065	PREP-W	99-23-086
246-828-190	REP	99-07-020	246-843-071	NEW-P	99-20-093	246-915-990	AMD-P	99-02-057
246-828-200	REP	99-07-020	246-843-072	NEW-P	99-20-093	246-915-990	AMD	99-08-101
246-828-210	REP	99-07-020	246-843-073	NEW-P	99-20-093	246-918-115	NEW-P	99-07-121
246-828-220	PREP	99-22-089	246-843-074	NEW-P	99-20-093	246-918-115	NEW-W	99-20-089
246-828-230	REP	99-07-020	246-843-080	REP-P	99-20-093	246-918-116	NEW-P	99-07-121
246-828-240	REP	99-07-020	246-843-090	AMD-P	99-20-094	246-918-116	NEW-W	99-20-089
246-828-250	REP	99-07-020	246-843-093	NEW-P	99-20-094	246-918-171	NEW-P	99-18-085
246-828-260	REP	99-07-020	246-843-095	AMD-P	99-20-094	246-918-171	NEW	99-23-090
246-828-270	PREP	99-22-089	246-843-100	REP-P	99-20-093	246-918-990	AMD-P	99-06-093
246-828-280	REP-XR	99-16-046	246-843-110	REP-P	99-20-093	246-918-990	AMD	99-13-087
246-828-280	REP	99-20-063	246-843-115	REP-P	99-20-093	246-918-990	AMD-P	99-18-085
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246-919-430	AMD-P	99-18-085	246-935-040	PREP	99-15-103	250- 80-090	NEW-E	99-20-076
246-919-430	AMD	99-23-090	246-935-050	PREP	99-15-103	250- 80-100	NEW-E	99-20-076
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246-919-450	AMD	99-23-090	246-935-140	REP-XR	99-02-080	251- 01-014	NEW	99-05-042
246-919-460	AMD-P	99-18-085	246-935-140	REP	99-14-076	251- 01-015	AMD-P	99-02-054
246-919-460	AMD	99-23-090	246-939-990	NEW-P	99-21-070	251- 01-015	AMD	99-05-042
246-919-630	NEW-P	99-07-121	246-939-990	NEW	99-24-097	251- 01-040	AMD-P	99-02-054
246-919-630	NEW-W	99-20-089	248-554-001	PREP	99-17-058	251- 01-040	AMD	99-05-042
246-919-640	NEW-P	99-07-121	248-554-005	PREP	99-17-058	251- 01-190	AMD-P	99-02-054
246-919-640	NEW-W	99-20-089	248-554-010	PREP	99-17-058	251- 01-190	AMD	99-05-042
246-919-800	NEW-P	99-18-086	248-554-015	PREP	99-17-058	251- 01-330	REP-P	99-02-054
246-919-800	NEW	99-22-090	248-554-018	PREP	99-17-058	251- 01-330	REP	99-05-042
246-919-810	NEW-P	99-18-086	248-554-020	PREP	99-17-058	251- 01-345	AMD-P	99-16-101
246-919-810	NEW	99-22-090	248-554-030	PREP	99-17-058	251- 01-400	AMD-P	99-02-054
246-919-820	NEW-P	99-18-086	250- 04-010	REP-XR	99-19-148	251- 01-400	AMD	99-05-042
246-919-820	NEW	99-22-090	250- 04-010	REP	99-24-073	251- 01-420	REP-P	99-02-054
246-919-830	NEW-P	99-18-086	250- 04-010	REP	99-24-073	251- 01-420	REP	99-05-042
246-919-830	NEW	99-22-090	250- 04-020	REP-XR	99-19-148	251- 01-420	REP	99-05-042
246-919-990	AMD-P	99-18-085	250- 04-020	REP	99-24-073	251- 01-435	AMD-P	99-13-106
246-919-990	AMD	99-23-090	250- 04-030	REP-XR	99-19-148	251- 01-435	AMD	99-19-118
246-922	PREP-W	99-23-086	250- 04-030	REP	99-24-073	251- 01-440	AMD-P	99-02-054
246-922-010	AMD-P	99-08-100	250- 04-040	REP-XR	99-19-148	251- 01-440	AMD	99-05-042
246-922-010	AMD	99-14-074	250- 04-040	REP	99-24-073	251- 11-130	AMD-P	99-13-106
246-922-090	REP-P	99-08-100	250- 04-050	REP-XR	99-19-148	251- 11-130	AMD	99-19-118
246-922-090	REP	99-14-074	250- 04-050	REP	99-24-073	251- 17-090	AMD-P	99-02-054
246-922-100	AMD-P	99-08-100	250- 04-060	REP-XR	99-19-148	251- 17-090	AMD	99-05-042
246-922-100	AMD	99-14-074	250- 04-060	REP	99-24-073	251- 19-050	AMD-P	99-13-106
246-922-300	AMD-P	99-15-104	250- 04-070	REP-XR	99-19-148	251- 19-050	AMD	99-19-118
246-922-300	AMD	99-20-096	250- 04-070	REP	99-24-073	251- 19-060	AMD-P	99-13-106
246-922-310	AMD-P	99-15-104	250- 04-080	REP-XR	99-19-148	251- 19-060	AMD	99-19-118
246-922-310	AMD	99-20-096	250- 04-080	REP	99-24-073	251- 19-180	NEW-P	99-16-102
246-922-990	AMD-P	99-21-069	250- 08-010	REP-XR	99-19-148	251- 19-180	NEW	99-19-119
246-922-990	AMD	99-24-064	250- 08-010	REP	99-24-073	251- 20-020	AMD-P	99-16-101
246-924-180	AMD-P	99-09-101	250- 08-020	REP-XR	99-19-148	251- 20-030	AMD-P	99-16-101
246-924-180	AMD	99-14-075	250- 08-020	REP	99-24-073	251- 23-010	AMD-P	99-02-054
246-924-230	AMD-P	99-09-101	250- 08-030	REP-XR	99-19-148	251- 23-010	AMD	99-05-042
246-924-230	AMD	99-14-075	250- 08-030	REP	99-24-073	251- 23-030	AMD-P	99-02-054
246-924-240	AMD-P	99-09-101	250- 08-040	REP-XR	99-19-148	251- 23-030	AMD	99-05-042
246-924-240	AMD	99-14-075	250- 08-040	REP	99-24-073	251- 23-040	AMD-P	99-02-054
246-924-240	PREP-W	99-23-086	250- 20-001	AMD-P	99-10-074	251- 23-040	AMD	99-05-042
246-924-250	AMD-P	99-09-101	250- 20-001	AMD	99-16-015	251- 23-050	AMD-P	99-02-054
246-924-250	AMD	99-14-075	250- 20-011	AMD-P	99-10-074	251- 23-050	AMD	99-05-042
246-924-300	AMD-P	99-09-101	250- 20-011	AMD	99-16-015	251- 23-060	AMD-P	99-02-054
246-924-300	AMD	99-14-075	250- 20-021	AMD-P	99-10-074	251- 23-060	AMD	99-05-042
246-924-300	AMD	99-14-075	250- 20-021	AMD	99-16-015	251- 24-030	AMD-P	99-02-054
246-924-330	AMD-P	99-09-101	250- 20-031	AMD-P	99-10-074	251- 24-030	AMD	99-05-042
246-924-330	AMD	99-14-075	250- 20-031	AMD	99-16-015	251- 24-030	AMD-P	99-13-105
246-924-340	REP-P	99-09-101	250- 20-041	AMD-P	99-10-074	251- 24-030	AMD	99-19-115
246-924-340	REP	99-14-075	250- 20-041	AMD	99-16-015	251- 24-040	AMD-W	99-05-058
246-924-500	PREP-W	99-23-086	250- 61-060	AMD	99-06-022	260- 20-170	PREP	99-22-015
246-924-990	AMD-P	99-02-057	250- 61-090	AMD	99-06-021	260- 24-560	AMD	99-05-048
246-924-990	AMD	99-08-101	250- 79	PREP	99-10-070	260- 24-560	PREP	99-22-075
246-924-990	PREP-W	99-23-086	250- 79-030	NEW-E	99-14-034	260- 28-200	PREP	99-22-035
246-926-990	AMD-P	99-02-057	250- 79-030	NEW-P	99-15-084	260- 28-230	PREP	99-22-018
246-926-990	AMD	99-08-101	250- 79-030	NEW	99-19-147	260- 28-235	PREP	99-22-035
246-928-990	AMD-P	99-02-057	250- 80-010	NEW-E	99-20-076	260- 28-260	PREP	99-22-035
246-928-990	AMD	99-08-101	250- 80-020	NEW-E	99-20-076	260- 28-280	PREP	99-22-035
246-930-330	PREP	99-14-001	250- 80-030	NEW-E	99-20-076	260- 34	PREP	99-22-016
246-930-499	REP	99-07-018	250- 80-040	NEW-E	99-20-076	260- 36	PREP	99-22-017
246-930-990	AMD-P	99-02-057	250- 80-050	NEW-E	99-20-076	260- 40-100	PREP	99-22-019
246-930-990	AMD	99-08-101	250- 80-060	NEW-E	99-20-076	260- 44-070	PREP	99-22-062

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260-44-110	AMD	99-05-049	275-26-087	DECOD	99-19-104	275-27-400	DECOD	99-19-104
260-44-120	AMD-P	99-02-082	275-26-095	DECOD	99-19-104	275-27-500	DECOD	99-19-104
260-44-120	AMD	99-05-049	275-26-097	DECOD	99-19-104	275-27-800	DECOD	99-19-104
260-48-600	AMD-P	99-02-081	275-26-100	DECOD	99-19-104	275-27-810	DECOD	99-19-104
260-48-600	AMD	99-06-026	275-26-107	DECOD	99-19-104	275-27-820	DECOD	99-19-104
260-48-600	PREP	99-22-020	275-26-110	DECOD	99-19-104	275-30-010	AMD	99-03-077
260-48-620	AMD-P	99-02-081	275-26-115	DECOD	99-19-104	275-30-030	AMD	99-03-077
260-48-620	AMD	99-06-026	275-27	PREP	99-10-063	275-30-040	AMD	99-03-077
260-48-620	PREP	99-22-020	275-27-020	AMD	99-04-071	275-30-050	REP	99-03-077
260-48-700	NEW-P	99-02-081	275-27-020	DECOD-P	99-15-043	275-30-060	AMD	99-03-077
260-48-700	NEW	99-06-026	275-27-020	AMD-P	99-15-043	275-30-070	AMD	99-03-077
260-48-710	NEW-P	99-02-081	275-27-020	AMD	99-23-021	275-30-080	REP	99-03-077
260-48-710	NEW	99-06-026	275-27-020	DECOD	99-23-021	275-31-005	DECOD	99-19-104
260-48-720	NEW-P	99-02-081	275-27-023	DECOD	99-19-104	275-31-010	DECOD	99-19-104
260-48-720	NEW	99-06-026	275-27-026	DECOD	99-19-104	275-31-020	DECOD	99-19-104
260-48-910	NEW-P	99-02-081	275-27-030	DECOD	99-19-104	275-31-030	DECOD	99-19-104
260-48-910	NEW	99-06-026	275-27-040	DECOD	99-19-104	275-31-040	DECOD	99-19-104
260-52-010	PREP	99-22-021	275-27-050	DECOD	99-19-104	275-31-050	DECOD	99-19-104
260-52-030	PREP	99-22-021	275-27-060	DECOD	99-19-104	275-31-070	DECOD	99-19-104
260-52-040	PREP	99-22-021	275-27-180	NEW	99-04-071	275-31-080	DECOD	99-19-104
260-52-060	PREP	99-22-021	275-27-180	DECOD	99-19-104	275-31-090	DECOD	99-19-104
260-52-070	AMD	99-05-047	275-27-185	NEW	99-04-071	275-38-001	DECOD	99-19-104
260-52-070	PREP	99-22-021	275-27-185	DECOD	99-19-104	275-38-003	DECOD	99-19-104
260-52-080	PREP	99-22-021	275-27-190	NEW	99-04-071	275-38-005	DECOD	99-19-104
260-70-640	PREP	99-22-022	275-27-190	DECOD	99-19-104	275-38-015	DECOD	99-19-104
260-70-700	PREP	99-22-022	275-27-191	NEW	99-04-071	275-38-020	DECOD	99-19-104
260-70-730	PREP	99-22-022	275-27-191	DECOD	99-19-104	275-38-025	DECOD	99-19-104
260-72-020	PREP	99-22-023	275-27-192	NEW	99-04-071	275-38-030	DECOD	99-19-104
260-75	PREP	99-03-014	275-27-192	DECOD	99-19-104	275-38-035	DECOD	99-19-104
260-88	PREP	99-22-062	275-27-193	NEW	99-04-071	275-38-045	DECOD	99-19-104
260-88-010	PREP	99-22-024	275-27-193	DECOD	99-19-104	275-38-050	DECOD	99-19-104
262-01	PREP	99-20-067	275-27-194	NEW	99-04-071	275-38-055	DECOD	99-19-104
262-01-140	NEW-P	99-24-041	275-27-194	DECOD	99-19-104	275-38-060	DECOD	99-19-104
275-25-010	DECOD	99-19-104	275-27-195	NEW	99-04-071	275-38-065	DECOD	99-19-104
275-25-015	DECOD	99-19-104	275-27-195	DECOD	99-19-104	275-38-075	DECOD	99-19-104
275-25-020	DECOD	99-19-104	275-27-196	NEW	99-04-071	275-38-080	DECOD	99-19-104
275-25-030	DECOD	99-19-104	275-27-196	DECOD	99-19-104	275-38-090	DECOD	99-19-104
275-25-040	DECOD	99-19-104	275-27-197	NEW	99-04-071	275-38-510	DECOD	99-19-104
275-25-520	DECOD	99-19-104	275-27-197	DECOD	99-19-104	275-38-515	DECOD	99-19-104
275-25-527	DECOD	99-19-104	275-27-198	NEW	99-04-071	275-38-520	DECOD	99-19-104
275-25-530	DECOD	99-19-104	275-27-198	DECOD	99-19-104	275-38-525	DECOD	99-19-104
275-25-755	DECOD	99-19-104	275-27-199	NEW	99-04-071	275-38-530	DECOD	99-19-104
275-25-800	REP-XR	99-22-010	275-27-199	DECOD	99-19-104	275-38-535	DECOD	99-19-104
275-26-005	DECOD	99-19-104	275-27-200	NEW	99-04-071	275-38-540	DECOD	99-19-104
275-26-010	DECOD	99-19-104	275-27-200	DECOD	99-19-104	275-38-545	DECOD	99-19-104
275-26-019	DECOD	99-19-104	275-27-202	NEW	99-04-071	275-38-546	DECOD	99-19-104
275-26-020	DECOD	99-19-104	275-27-202	DECOD	99-19-104	275-38-550	DECOD	99-19-104
275-26-021	DECOD	99-19-104	275-27-204	NEW	99-04-071	275-38-555	DECOD	99-19-104
275-26-022	DECOD	99-19-104	275-27-204	DECOD	99-19-104	275-38-560	DECOD	99-19-104
275-26-025	DECOD	99-19-104	275-27-211	NEW	99-04-071	275-38-565	DECOD	99-19-104
275-26-050	DECOD	99-19-104	275-27-211	DECOD	99-19-104	275-38-570	DECOD	99-19-104
275-26-055	DECOD	99-19-104	275-27-212	NEW	99-04-071	275-38-585	DECOD	99-19-104
275-26-060	DECOD	99-19-104	275-27-212	DECOD	99-19-104	275-38-586	DECOD	99-19-104
275-26-065	DECOD	99-19-104	275-27-213	NEW	99-04-071	275-38-590	DECOD	99-19-104
275-26-070	DECOD	99-19-104	275-27-213	DECOD	99-19-104	275-38-595	DECOD	99-19-104
275-26-071	DECOD	99-19-104	275-27-219	DECOD	99-19-104	275-38-600	DECOD	99-19-104
275-26-072	DECOD	99-19-104	275-27-220	DECOD	99-19-104	275-38-605	DECOD	99-19-104
275-26-073	DECOD	99-19-104	275-27-222	DECOD	99-19-104	275-38-610	DECOD	99-19-104
275-26-074	DECOD	99-19-104	275-27-223	DECOD	99-19-104	275-38-615	DECOD	99-19-104
275-26-075	DECOD	99-19-104	275-27-230	DECOD	99-19-104	275-38-620	DECOD	99-19-104
275-26-076	DECOD	99-19-104	275-27-240	DECOD	99-19-104	275-38-625	DECOD	99-19-104

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275- 38-645	DECOD	99-19-104	275- 38-915	DECOD	99-19-104	284- 43-200	AMD-P	99-24-132
275- 38-650	DECOD	99-19-104	275- 38-920	DECOD	99-19-104	284- 43-205	NEW-P	99-11-102
275- 38-655	DECOD	99-19-104	275- 38-925	DECOD	99-19-104	284- 43-205	NEW-C	99-13-04
275- 38-660	DECOD	99-19-104	275- 38-930	DECOD	99-19-104	284- 43-205	NEW	99-16-036
275- 38-665	DECOD	99-19-104	275- 38-935	DECOD	99-19-104	284- 43-210	AMD-P	99-24-132
275- 38-667	DECOD	99-19-104	275- 38-940	DECOD	99-19-104	284- 43-220	AMD-P	99-24-132
275- 38-670	DECOD	99-19-104	275- 38-945	DECOD	99-19-104	284- 43-250	AMD-P	99-24-132
275- 38-675	DECOD	99-19-104	275- 38-950	DECOD	99-19-104	284- 43-320	AMD-P	99-12-106
275- 38-678	DECOD	99-19-104	275- 38-955	DECOD	99-19-104	284- 43-320	AMD	99-21-016
275- 38-680	DECOD	99-19-104	275- 38-960	DECOD	99-19-104	284- 43-321	NEW	99-21-016
275- 38-685	DECOD	99-19-104	275- 41-005	DECOD	99-19-104	284- 43-322	NEW	99-21-016
275- 38-690	DECOD	99-19-104	275- 41-010	DECOD	99-19-104	284- 43-324	NEW	99-21-016
275- 38-695	DECOD	99-19-104	275- 41-015	DECOD	99-19-104	284- 43-330	AMD-P	99-12-106
275- 38-700	DECOD	99-19-104	275- 41-020	DECOD	99-19-104	284- 43-330	AMD	99-21-016
275- 38-705	DECOD	99-19-104	275- 41-025	DECOD	99-19-104	284- 43-331	NEW	99-21-016
275- 38-706	DECOD	99-19-104	275- 59	PREP	99-14-065	284- 43-340	REP-P	99-12-106
275- 38-715	DECOD	99-19-104	275-155-005	DECOD	99-21-001	284- 43-350	NEW-P	99-12-106
275- 38-720	DECOD	99-19-104	275-155-010	DECOD	99-21-001	284- 43-360	NEW-P	99-12-106
275- 38-725	DECOD	99-19-104	275-155-020	DECOD	99-21-001	284- 43-370	NEW-P	99-12-106
275- 38-745	DECOD	99-19-104	275-155-030	DECOD	99-21-001	284- 43-399	NEW-P	99-12-106
275- 38-750	DECOD	99-19-104	275-155-040	DECOD	99-21-001	284- 43-610	NEW-P	99-19-173
275- 38-760	DECOD	99-19-104	275-155-050	DECOD	99-21-001	284- 43-610	NEW	99-24-075
275- 38-765	DECOD	99-19-104	275-155-060	DECOD	99-21-001	284- 43-620	NEW-P	99-19-173
275- 38-770	DECOD	99-19-104	275-155-070	DECOD	99-21-001	284- 43-620	NEW	99-24-075
275- 38-775	DECOD	99-19-104	275-155-080	DECOD	99-21-001	284- 43-710	AMD-P	99-24-132
275- 38-780	DECOD	99-19-104	275-155-090	DECOD	99-21-001	284- 43-720	AMD-P	99-24-132
275- 38-785	DECOD	99-19-104	275-155-100	DECOD	99-21-001	284- 43-810	NEW-P	99-03-006
275- 38-790	DECOD	99-19-104	275-155-110	DECOD	99-21-001	284- 43-810	NEW-P	99-03-007
275- 38-795	DECOD	99-19-104	275-155-120	DECOD	99-21-001	284- 43-810	NEW-W	99-16-073
275- 38-800	DECOD	99-19-104	275-155-130	DECOD	99-21-001	284- 43-810	NEW-P	99-16-106
275- 38-805	DECOD	99-19-104	275-155-140	DECOD	99-21-001	284- 43-810	NEW	99-19-032
275- 38-810	DECOD	99-19-104	275-156-005	DECOD	99-21-002	284- 44-043	AMD-P	99-19-173
275- 38-812	DECOD	99-19-104	275-156-010	DECOD	99-21-002	284- 44-043	AMD	99-24-075
275- 38-813	DECOD	99-19-104	275-156-015	DECOD	99-21-002	284- 46-507	AMD-P	99-19-173
275- 38-815	DECOD	99-19-104	275-156-020	DECOD	99-21-002	284- 46-507	AMD	99-24-075
275- 38-820	DECOD	99-19-104	275-156-025	DECOD	99-21-002	284- 50-377	AMD-P	99-19-173
275- 38-820	DECOD	99-19-104	275-156-025	DECOD	99-21-002	284- 50-377	AMD	99-24-075
275- 38-831	DECOD	99-19-104	275-156-030	DECOD	99-21-002	284- 50-377	AMD	99-24-075
275- 38-835	DECOD	99-19-104	275-156-035	DECOD	99-21-002	284- 53-005	NEW-P	99-11-103
275- 38-840	DECOD	99-19-104	275-156-040	DECOD	99-21-002	284- 53-005	NEW	99-16-005
275- 38-845	DECOD	99-19-104	284- 07-050	AMD-XA	99-11-101	284- 53-010	AMD-P	99-11-103
275- 38-846	DECOD	99-19-104	284- 07-050	AMD	99-16-035	284- 53-010	AMD	99-16-005
275- 38-850	DECOD	99-19-104	284- 23-300	PREP	99-13-199	284- 91-060	NEW-P	99-14-085
275- 38-860	DECOD	99-19-104	284- 23-310	PREP	99-13-199	284- 91-060	NEW	99-18-039
275- 38-863	DECOD	99-19-104	284- 23-320	PREP	99-13-199	284- 96-015	AMD-P	99-19-173
275- 38-865	DECOD	99-19-104	284- 23-330	PREP	99-13-199	284- 96-015	AMD	99-24-075
275- 38-868	DECOD	99-19-104	284- 23-340	PREP	99-13-199	286- 26-100	PREP	99-08-092
275- 38-869	DECOD	99-19-104	284- 23-350	PREP	99-13-199	286- 26-100	AMD-P	99-08-114
275- 38-870	DECOD	99-19-104	284- 23-360	PREP	99-13-199	286- 26-100	AMD	99-16-009
275- 38-875	DECOD	99-19-104	284- 23-370	PREP	99-13-199	286- 40-020	AMD-P	99-24-105
275- 38-880	DECOD	99-19-104	284- 24-120	NEW-P	99-19-174	292-100-005	NEW	99-06-073
275- 38-885	DECOD	99-19-104	284- 24-120	NEW	99-23-068	292-100-006	NEW	99-06-073
275- 38-886	DECOD	99-19-104	284- 43	AMD-C	99-03-037	292-100-007	NEW	99-06-073
275- 38-887	DECOD	99-19-104	284- 43	AMD-C	99-03-038	292-100-010	AMD	99-06-073
275- 38-888	DECOD	99-19-104	284- 43	PREP	99-13-198	292-100-020	AMD	99-06-073
275- 38-889	DECOD	99-19-104	284- 43-120	AMD-P	99-24-132	292-100-030	AMD	99-06-073
275- 38-890	DECOD	99-19-104	284- 43-125	NEW-P	99-24-132	292-100-040	AMD	99-06-073
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296- 15-02605	REP	99-23-107	296- 17-31012	AMD	99-18-068	296- 17-58505	REP	99-18-068
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296-24-23009	AMD-P	99-16-084	296-30-105	NEW-XA	99-16-112	296-32	PREP	99-02-083
296-24-23011	AMD-P	99-16-084	296-30-105	NEW-P	99-22-038	296-32	PREP	99-04-057
296-24-23013	AMD-P	99-16-084	296-30-120	AMD-XA	99-16-112	296-32	PREP	99-15-085
296-24-23015	AMD-P	99-16-084	296-30-120	AMD-P	99-22-038	296-32-260	AMD-XA	99-12-089
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296-24-23021	AMD-P	99-16-084	296-30-170	AMD-P	99-22-038	296-36	PREP	99-06-040
296-24-23023	AMD-P	99-16-084	296-30-180	AMD-XA	99-16-112	296-36-210	AMD-P	99-15-086
296-24-23025	AMD-P	99-16-084	296-30-180	AMD-P	99-22-038	296-37	PREP	99-02-083
296-24-23027	AMD-P	99-16-084	296-30-900	AMD	99-07-004	296-45	PREP	99-02-083
296-24-23029	AMD-P	99-16-084	296-31-010	PREP	99-10-101	296-45-015	AMD-XA	99-04-078
296-24-23031	AMD-P	99-16-084	296-31-010	AMD-P	99-15-100	296-45-015	AMD	99-09-080
296-24-23033	AMD-P	99-16-084	296-31-010	AMD	99-20-031	296-45-045	AMD-XA	99-04-078
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296-50-060	REP	99-16-085	296-54-505	AMD-P	99-08-072	296-54-535	RECOD	99-17-117
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296-50-160	REP	99-16-085	296-54-51170	NEW-P	99-08-072	296-54-547	AMD	99-17-117
296-50-170	REP-XR	99-12-090	296-54-51170	NEW	99-17-117	296-54-54710	NEW-P	99-08-072
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296- 62-07154	NEW	99-10-071	296- 62-07267	NEW	99-10-071	296- 62-07712	AMD-P	99-08-071
296- 62-07155	NEW	99-10-071	296- 62-07269	NEW	99-10-071	296- 62-07712	AMD	99-17-026
296- 62-07156	NEW	99-10-071	296- 62-07271	NEW	99-10-071	296- 62-07713	AMD-P	99-08-071
296- 62-07160	NEW	99-10-071	296- 62-07273	NEW	99-10-071	296- 62-07713	AMD	99-17-026
296- 62-07161	NEW	99-10-071	296- 62-07275	NEW	99-10-071	296- 62-07715	AMD	99-10-071
296- 62-07162	NEW	99-10-071	296- 62-07277	NEW	99-10-071	296- 62-07721	AMD-P	99-08-071
296- 62-07170	NEW	99-10-071	296- 62-07279	NEW	99-10-071	296- 62-07721	AMD	99-17-026
296- 62-07171	NEW	99-10-071	296- 62-07281	NEW	99-10-071	296- 62-07722	AMD-P	99-08-071
296- 62-07172	NEW	99-10-071	296- 62-07283	NEW	99-10-071	296- 62-07722	AMD	99-10-071
296- 62-07175	NEW	99-10-071	296- 62-07285	NEW	99-10-071	296- 62-07722	AMD	99-17-026
296- 62-07176	NEW	99-10-071	296- 62-07287	NEW	99-10-071	296- 62-07728	AMD-P	99-08-071
296- 62-07177	NEW	99-10-071	296- 62-07289	NEW	99-10-071	296- 62-07728	AMD	99-17-026
296- 62-07178	NEW	99-10-071	296- 62-07291	NEW	99-10-071	296- 62-07733	AMD	99-10-071
296- 62-07179	NEW	99-10-071	296- 62-07293	NEW	99-10-071	296- 62-07735	AMD-P	99-08-071
296- 62-07182	NEW	99-10-071	296- 62-07295	NEW	99-10-071	296- 62-07735	AMD	99-17-026
296- 62-07184	NEW	99-10-071	296- 62-07306	AMD	99-10-071	296- 62-07737	AMD-P	99-08-071
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296- 62-07194	NEW	99-10-071	296- 62-07342	AMD	99-10-071	296- 62-130	AMD	99-07-063
296- 62-07201	NEW	99-10-071	296- 62-07343	AMD	99-10-071	296- 62-141	NEW	99-22-046
296- 62-07202	NEW	99-10-071	296- 62-07347	AMD	99-10-071	296- 62-14100	NEW-P	99-13-144
296- 62-07203	NEW	99-10-071	296- 62-07347	AMD-XA	99-12-089	296- 62-14100	NEW	99-22-046
296- 62-07205	NEW	99-10-071	296- 62-07347	AMD	99-17-094	296- 62-14105	NEW-P	99-13-144
296- 62-07206	NEW	99-10-071	296- 62-07354	AMD-XA	99-12-089	296- 62-14105	NEW	99-22-046
296- 62-07208	NEW	99-10-071	296- 62-07354	AMD	99-17-094	296- 62-14110	NEW-P	99-13-144
296- 62-07209	NEW	99-10-071	296- 62-07367	AMD	99-10-071	296- 62-14110	NEW	99-22-046
296- 62-07210	NEW	99-10-071	296- 62-07369	AMD	99-10-071	296- 62-14115	NEW-P	99-13-144
296- 62-07212	NEW	99-10-071	296- 62-07379	REP	99-10-071	296- 62-14115	NEW	99-22-046
296- 62-07213	NEW	99-10-071	296- 62-07383	AMD	99-10-071	296- 62-14120	NEW-P	99-13-144
296- 62-07214	NEW	99-10-071	296- 62-07413	AMD	99-10-071	296- 62-14120	NEW	99-22-046
296- 62-07217	NEW	99-10-071	296- 62-07425	AMD	99-10-071	296- 62-14125	NEW-P	99-13-144
296- 62-07218	NEW	99-10-071	296- 62-07431	REP	99-10-071	296- 62-14125	NEW	99-22-046
296- 62-07219	NEW	99-10-071	296- 62-07433	AMD-XA	99-12-089	296- 62-14130	NEW-P	99-13-144
296- 62-07222	NEW	99-10-071	296- 62-07433	AMD	99-17-094	296- 62-14130	NEW	99-22-046
296- 62-07223	NEW	99-10-071	296- 62-07441	AMD	99-10-071	296- 62-14135	NEW-P	99-13-144
296- 62-07224	NEW	99-10-071	296- 62-07445	REP	99-10-071	296- 62-14135	NEW	99-22-046
296- 62-07225	NEW	99-10-071	296- 62-07460	AMD	99-10-071	296- 62-14140	NEW-P	99-13-144
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296- 62-07231	NEW	99-10-071	296- 62-07521	AMD	99-10-071	296- 62-14145	NEW-P	99-13-144
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296- 62-07236	NEW	99-10-071	296- 62-07542	AMD-XA	99-12-089	296- 62-14155	NEW-P	99-13-144
296- 62-07238	NEW	99-10-071	296- 62-07542	AMD	99-17-094	296- 62-14155	NEW	99-22-046
296- 62-07239	NEW	99-10-071	296- 62-07550	REP	99-10-071	296- 62-14170	NEW-P	99-13-144
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296-62-14172	NEW-P	99-13-144	296-62-30120	NEW	99-07-097	296-62-31020	NEW	99-07-097
296-62-14172	NEW	99-22-046	296-62-30125	NEW	99-07-097	296-62-3110	AMD	99-07-097
296-62-14173	NEW-P	99-13-144	296-62-30130	NEW	99-07-097	296-62-31105	NEW	99-07-097
296-62-14173	NEW	99-22-046	296-62-30135	NEW	99-07-097	296-62-31110	NEW	99-07-097
296-62-14174	NEW-P	99-13-144	296-62-30140	NEW	99-07-097	296-62-3112	REP	99-07-097
296-62-14174	NEW	99-22-046	296-62-30145	NEW	99-07-097	296-62-3120	AMD	99-07-097
296-62-14175	NEW-P	99-13-144	296-62-3020	AMD	99-07-097	296-62-3130	AMD	99-07-097
296-62-14175	NEW	99-22-046	296-62-30205	NEW	99-07-097	296-62-31305	NEW	99-07-097
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296-62-14176	NEW	99-22-046	296-62-30215	NEW	99-07-097	296-62-31315	NEW	99-07-097
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296-62-14500	REP	99-22-046	296-62-30230	NEW	99-07-097	296-62-31330	NEW	99-07-097
296-62-14501	REP-P	99-13-144	296-62-30235	NEW	99-07-097	296-62-31335	NEW	99-07-097
296-62-14501	REP	99-22-046	296-62-3030	AMD	99-07-097	296-62-3138	AMD	99-07-097
296-62-14503	REP-P	99-13-144	296-62-30305	NEW	99-07-097	296-62-3140	AMD	99-07-097
296-62-14503	REP	99-22-046	296-62-30310	NEW	99-07-097	296-62-31405	NEW	99-07-097
296-62-14505	REP-P	99-13-144	296-62-30315	NEW	99-07-097	296-62-31410	NEW	99-07-097
296-62-14505	REP	99-22-046	296-62-30340	AMD	99-07-097	296-62-31415	NEW	99-07-097
296-62-14507	REP-P	99-13-144	296-62-30405	NEW	99-07-097	296-62-31420	NEW	99-07-097
296-62-14507	REP	99-22-046	296-62-30410	NEW	99-07-097	296-62-31425	NEW	99-07-097
296-62-14509	REP-P	99-13-144	296-62-30415	NEW	99-07-097	296-62-31430	NEW	99-07-097
296-62-14509	REP	99-22-046	296-62-30420	NEW	99-07-097	296-62-31435	NEW	99-07-097
296-62-14511	REP-P	99-13-144	296-62-30425	NEW	99-07-097	296-62-31440	NEW	99-07-097
296-62-14511	REP	99-22-046	296-62-30430	NEW	99-07-097	296-62-31445	NEW	99-07-097
296-62-14513	REP-P	99-13-144	296-62-30435	NEW	99-07-097	296-62-31450	NEW	99-07-097
296-62-14513	REP	99-22-046	296-62-30440	NEW	99-07-097	296-62-31455	NEW	99-07-097
296-62-14515	REP-P	99-13-144	296-62-30445	NEW	99-07-097	296-62-31460	NEW	99-07-097
296-62-14515	REP	99-22-046	296-62-30450	NEW	99-07-097	296-62-31465	NEW	99-07-097
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296-62-14517	REP	99-22-046	296-62-30460	NEW	99-07-097	296-62-3152	AMD	99-07-097
296-62-14519	REP-P	99-13-144	296-62-30465	NEW	99-07-097	296-62-3160	AMD	99-07-097
296-62-14519	REP	99-22-046	296-62-3050	AMD	99-07-097	296-62-3180	AMD	99-07-097
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296-62-14521	REP-P	99-13-144	296-62-30515	NEW	99-07-097	296-62-410	NEW	99-07-097
296-62-14521	REP	99-22-046	296-62-30520	NEW	99-07-097	296-62-41001	NEW	99-07-097
296-62-14523	REP-P	99-13-144	296-62-30525	NEW	99-07-097	296-62-41003	NEW	99-07-097
296-62-14523	REP	99-22-046	296-62-30530	NEW	99-07-097	296-62-41010	NEW	99-07-097
296-62-14525	REP-P	99-13-144	296-62-30535	NEW	99-07-097	296-62-41011	NEW	99-07-097
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296-62-14527	REP	99-22-046	296-62-30610	NEW	99-07-097	296-62-41017	NEW	99-07-097
296-62-14529	REP-P	99-13-144	296-62-30615	NEW	99-07-097	296-62-41019	NEW	99-07-097
296-62-14529	REP	99-22-046	296-62-3070	AMD	99-07-097	296-62-41020	NEW	99-07-097
296-62-14533	AMD	99-10-071	296-62-30705	NEW	99-07-097	296-62-41021	NEW	99-07-097
296-62-20011	AMD	99-10-071	296-62-30710	NEW	99-07-097	296-62-41023	NEW	99-07-097
296-62-20017	AMD-XA	99-12-089	296-62-30715	NEW	99-07-097	296-62-41025	NEW	99-07-097
296-62-20017	AMD	99-17-094	296-62-3080	AMD	99-07-097	296-62-41025	AMD-XA	99-12-089
296-62-20019	AMD	99-10-071	296-62-3090	AMD	99-07-097	296-62-41025	AMD	99-17-094
296-62-20027	AMD	99-10-071	296-62-30905	NEW	99-07-097	296-62-41030	NEW	99-07-097
296-62-20027	AMD-XA	99-12-089	296-62-30910	NEW	99-07-097	296-62-41031	NEW	99-07-097
296-62-20027	AMD	99-17-094	296-62-30915	NEW	99-07-097	296-62-41033	NEW	99-07-097
296-62-20029	AMD-XA	99-12-089	296-62-30920	NEW	99-07-097	296-62-41035	NEW	99-07-097
296-62-20029	AMD	99-17-094	296-62-30925	NEW	99-07-097	296-62-41040	NEW	99-07-097
296-62-300	AMD	99-07-097	296-62-30930	NEW	99-07-097	296-62-41041	NEW	99-07-097
296-62-30001	NEW	99-07-097	296-62-30935	NEW	99-07-097	296-62-41042	NEW	99-07-097
296-62-30003	NEW	99-07-097	296-62-30940	NEW	99-07-097	296-62-41043	NEW	99-07-097
296-62-3010	AMD	99-07-097	296-62-3100	AMD	99-07-097	296-62-41044	NEW	99-07-097
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296-62-41047	NEW	99-07-097	296-79-130	AMD	99-16-083	296-79-29011	AMD	99-16-083
296-62-41060	NEW	99-07-097	296-79-140	AMD-P	99-06-071	296-79-29013	AMD-P	99-06-071
296-62-41061	NEW	99-07-097	296-79-140	AMD	99-16-083	296-79-29013	AMD	99-16-083
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296-62-41085	NEW	99-07-097	296-79-170	AMD	99-16-083	296-79-29019	REP	99-16-083
296-62-41086	NEW	99-07-097	296-79-180	AMD-P	99-06-071	296-79-29021	AMD-P	99-06-071
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296-65	PREP	99-02-083	296-79-190	AMD-P	99-06-071	296-79-29023	AMD-P	99-06-071
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296-67	PREP	99-02-083	296-79-250	AMD	99-16-083	296-79-29035	AMD	99-16-083
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296-78	PREP	99-06-040	296-79-255	REP	99-16-083	296-79-29037	AMD	99-16-083
296-78	PREP	99-12-037	296-79-260	AMD-P	99-06-071	296-79-300	AMD-P	99-06-071
296-78-540	AMD-P	99-15-086	296-79-260	AMD	99-16-083	296-79-300	AMD	99-16-083
296-78-545	AMD-P	99-15-086	296-79-270	AMD-P	99-06-071	296-79-310	AMD-P	99-06-071
296-78-550	AMD-P	99-15-086	296-79-270	AMD	99-16-083	296-79-310	AMD	99-16-083
296-78-555	REP-P	99-15-086	296-79-27001	REP-P	99-06-071	296-79-31001	AMD-P	99-06-071
296-78-665	AMD	99-10-071	296-79-27001	REP	99-16-083	296-79-31001	AMD	99-16-083
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296-79	PREP	99-02-083	296-79-27003	AMD	99-16-083	296-79-31003	AMD	99-16-083
296-79-010	AMD-P	99-06-071	296-79-27005	AMD-P	99-06-071	296-79-31005	REP-P	99-06-071
296-79-010	AMD	99-16-083	296-79-27005	AMD	99-16-083	296-79-31005	REP	99-16-083
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296-79-110	AMD-P	99-06-071	296-79-29007	AMD-P	99-06-071	296-86A-060	AMD-P	99-08-128
296-79-110	AMD	99-16-083	296-79-29007	AMD	99-16-083	296-86A-060	AMD	99-12-080
296-79-120	AMD-P	99-06-071	296-79-29009	AMD-P	99-06-071	296-86A-070	AMD-P	99-08-128
296-79-120	AMD	99-16-083	296-79-29009	AMD	99-16-083	296-86A-070	AMD	99-12-080

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-86A-073	AMD-P	99-08-128	296-104-105	AMD-P	99-17-028	296-150C-0320	AMD	99-13-010
296-86A-073	AMD	99-12-080	296-104-105	AMD	99-22-026	296-150C-0330	REP-XR	99-16-113
296-86A-074	AMD-P	99-08-128	296-104-107	PREP	99-05-021	296-150C-0410	AMD-XA	99-17-116
296-86A-074	AMD	99-12-080	296-104-107	REP-P	99-17-028	296-150C-0500	AMD-XA	99-17-116
296-86A-075	AMD-P	99-08-128	296-104-107	REP	99-22-026	296-150C-0805	NEW-P	99-08-129
296-86A-075	AMD	99-12-080	296-104-110	PREP	99-05-021	296-150C-0805	NEW	99-13-010
296-86A-080	AMD-P	99-08-128	296-104-110	AMD-P	99-17-028	296-150C-0810	AMD-P	99-08-129
296-86A-080	AMD	99-12-080	296-104-110	AMD	99-22-026	296-150C-0810	AMD	99-13-010
296-99	PREP	99-02-083	296-104-115	PREP	99-05-021	296-150C-0960	AMD-P	99-08-129
296-104-001	PREP	99-05-021	296-104-115	AMD-P	99-17-028	296-150C-0960	AMD	99-13-010
296-104-001	AMD-P	99-17-028	296-104-115	AMD	99-22-026	296-150C-1080	AMD-P	99-08-129
296-104-001	AMD	99-22-026	296-104-125	PREP	99-05-021	296-150C-1080	AMD	99-13-010
296-104-002	PREP	99-05-021	296-104-125	AMD-P	99-17-028	296-150C-1345	NEW-P	99-08-129
296-104-002	REP-P	99-17-028	296-104-125	AMD	99-22-026	296-150C-1345	NEW	99-13-010
296-104-002	REP	99-22-026	296-104-130	PREP	99-05-021	296-150C-1545	NEW-P	99-08-129
296-104-010	PREP	99-05-021	296-104-130	AMD-P	99-17-028	296-150C-1545	NEW	99-13-010
296-104-010	AMD-P	99-17-028	296-104-130	AMD	99-22-026	296-150C-1580	AMD-P	99-08-129
296-104-010	AMD	99-22-026	296-104-135	PREP	99-05-021	296-150C-1580	AMD-W	99-13-011
296-104-015	PREP	99-05-021	296-104-135	AMD-P	99-17-028	296-150C-1580	REP-XR	99-16-113
296-104-015	AMD-P	99-17-028	296-104-135	AMD	99-22-026	296-150C-1590	REP-XR	99-16-113
296-104-015	AMD	99-22-026	296-104-140	PREP	99-05-021	296-150C-1600	REP-XR	99-16-113
296-104-017	PREP	99-05-021	296-104-140	AMD-P	99-17-028	296-150C-1610	REP-XR	99-16-113
296-104-018	PREP	99-05-021	296-104-140	AMD	99-22-026	296-150C-1620	REP-XR	99-16-113
296-104-018	AMD-P	99-17-028	296-104-145	PREP	99-05-021	296-150C-1630	REP-XR	99-16-113
296-104-018	AMD	99-22-026	296-104-145	AMD-P	99-17-028	296-150C-1640	REP-XR	99-16-113
296-104-020	PREP	99-05-021	296-104-145	AMD	99-22-026	296-150C-1650	REP-XR	99-16-113
296-104-020	AMD-P	99-17-028	296-104-150	PREP	99-05-021	296-150C-1660	REP-XR	99-16-113
296-104-020	AMD	99-22-026	296-104-150	AMD-P	99-17-028	296-150C-1670	REP-XR	99-16-113
296-104-025	PREP	99-05-021	296-104-150	AMD	99-22-026	296-150C-1680	REP-XR	99-16-113
296-104-025	AMD-P	99-17-028	296-104-151	PREP	99-05-021	296-150C-1690	REP-XR	99-16-113
296-104-025	AMD	99-22-026	296-104-151	AMD-P	99-17-028	296-150C-1700	REP-XR	99-16-113
296-104-030	PREP	99-05-021	296-104-151	AMD	99-22-026	296-150C-1710	REP-XR	99-16-113
296-104-030	AMD-P	99-17-028	296-104-155	PREP	99-05-021	296-150C-1720	REP-XR	99-16-113
296-104-030	AMD	99-22-026	296-104-155	AMD-P	99-17-028	296-150C-1730	REP-XR	99-16-113
296-104-035	PREP	99-05-021	296-104-155	AMD	99-22-026	296-150C-1740	REP-XR	99-16-113
296-104-035	AMD-P	99-17-028	296-104-160	PREP	99-05-021	296-150C-1750	REP-XR	99-16-113
296-104-035	AMD	99-22-026	296-104-160	AMD-P	99-17-028	296-150C-1751	REP-XR	99-16-113
296-104-040	PREP	99-05-021	296-104-160	AMD	99-22-026	296-150C-1752	REP-XR	99-16-113
296-104-040	AMD-P	99-17-028	296-104-165	PREP	99-05-021	296-150C-1753	REP-XR	99-16-113
296-104-040	AMD	99-22-026	296-104-165	AMD-P	99-17-028	296-150C-1754	REP-XR	99-16-113
296-104-045	PREP	99-05-021	296-104-165	AMD	99-22-026	296-150C-1755	REP-XR	99-16-113
296-104-045	AMD-P	99-17-028	296-104-170	PREP	99-05-021	296-150C-1756	REP-XR	99-16-113
296-104-045	AMD	99-22-026	296-104-170	AMD-P	99-17-028	296-150C-1757	REP-XR	99-16-113
296-104-050	PREP	99-05-021	296-104-170	AMD	99-22-026	296-150C-1758	REP-XR	99-16-113
296-104-050	AMD-P	99-17-028	296-104-285	REP-P	99-04-036	296-150C-1759	REP-XR	99-16-113
296-104-050	AMD	99-22-026	296-104-285	REP	99-08-049	296-150C-1760	REP-XR	99-16-113
296-104-055	PREP	99-05-021	296-104-502	PREP	99-05-021	296-150C-1770	REP-XR	99-16-113
296-104-055	AMD-P	99-17-028	296-104-502	AMD-P	99-17-028	296-150C-1780	REP-XR	99-16-113
296-104-055	AMD	99-22-026	296-104-502	AMD	99-22-026	296-150C-1790	REP-XR	99-16-113
296-104-060	PREP	99-05-021	296-104-700	AMD-P	99-04-036	296-150C-1800	REP-XR	99-16-113
296-104-060	AMD-P	99-17-028	296-104-700	AMD	99-08-049	296-150C-1810	REP-XR	99-16-113
296-104-060	AMD	99-22-026	296-115	PREP	99-02-083	296-150C-1820	REP-XR	99-16-113
296-104-065	PREP	99-05-021	296-125-019	REP-XR	99-12-113	296-150C-1830	REP-XR	99-16-113
296-104-065	AMD-P	99-17-028	296-125-019	REP	99-15-071	296-150C-3000	AMD-P	99-08-128
296-104-065	AMD	99-22-026	296-125-0212	NEW-W	99-09-081	296-150C-3000	AMD	99-12-080
296-104-100	PREP	99-05-021	296-125-0630	NEW-W	99-09-081	296-150F	PREP	99-05-078
296-104-100	AMD-P	99-17-028	296-125-0725	NEW-W	99-09-081	296-150F-0050	NEW-P	99-08-129
296-104-100	AMD	99-22-026	296-150C	PREP	99-05-078	296-150F-0050	NEW	99-13-010
296-104-102	PREP	99-05-021	296-150C-0020	AMD-XA	99-17-116	296-150F-0140	NEW-P	99-08-129
296-104-102	AMD-P	99-17-028	296-150C-0140	NEW-P	99-08-129	296-150F-0140	NEW	99-13-010
296-104-102	AMD	99-22-026	296-150C-0140	NEW	99-13-010	296-150F-0320	AMD-P	99-08-129
296-104-105	PREP	99-05-021	296-150C-0320	AMD-P	99-08-129	296-150F-0320	AMD	99-13-010

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296-150F-0605	NEW-P	99-08-129	296-150T-0030	NEW	99-12-079	296-150T-0600	NEW	99-12-079
296-150F-0605	NEW	99-13-010	296-150T-0040	NEW-P	99-08-130	296-150T-0700	NEW-P	99-08-130
296-150F-0610	NEW-P	99-08-129	296-150T-0040	NEW	99-12-079	296-150T-0700	NEW	99-12-079
296-150F-0610	NEW	99-13-010	296-150T-0050	NEW-P	99-08-130	296-150T-0710	NEW-P	99-08-130
296-150F-0615	NEW-P	99-08-129	296-150T-0050	NEW	99-12-079	296-150T-0710	NEW	99-12-079
296-150F-0615	NEW	99-13-010	296-150T-0070	NEW-P	99-08-130	296-150T-0720	NEW-P	99-08-130
296-150F-0620	NEW-P	99-08-129	296-150T-0070	NEW	99-12-079	296-150T-0720	NEW	99-12-079
296-150F-0620	NEW	99-13-010	296-150T-0080	NEW-P	99-08-130	296-150T-3000	NEW-P	99-08-130
296-150F-0625	NEW-P	99-08-129	296-150T-0080	NEW	99-12-079	296-150T-3000	NEW	99-12-079
296-150F-0625	NEW	99-13-010	296-150T-0100	NEW-P	99-08-130	296-150V-0010	NEW-P	99-13-200
296-150F-3000	AMD-P	99-08-128	296-150T-0100	NEW	99-12-079	296-150V-0010	NEW	99-18-069
296-150F-3000	AMD	99-12-080	296-150T-0110	NEW-P	99-08-130	296-150V-0020	NEW-P	99-13-200
296-150M	PREP	99-05-078	296-150T-0110	NEW	99-12-079	296-150V-0020	NEW	99-18-069
296-150M-0020	AMD-P	99-08-129	296-150T-0120	NEW-P	99-08-130	296-150V-0030	NEW-P	99-13-200
296-150M-0020	AMD	99-13-010	296-150T-0120	NEW	99-12-079	296-150V-0030	NEW	99-18-069
296-150M-0120	NEW-P	99-08-129	296-150T-0130	NEW-P	99-08-130	296-150V-0040	NEW-P	99-13-200
296-150M-0120	NEW	99-13-010	296-150T-0130	NEW	99-12-079	296-150V-0040	NEW	99-18-069
296-150M-0140	NEW-P	99-08-129	296-150T-0140	NEW-P	99-08-130	296-150V-0050	NEW-P	99-13-200
296-150M-0140	NEW	99-13-010	296-150T-0140	NEW	99-12-079	296-150V-0050	NEW	99-18-069
296-150M-0306	AMD-P	99-08-129	296-150T-0200	NEW-P	99-08-130	296-150V-0060	NEW-P	99-13-200
296-150M-0306	AMD	99-13-010	296-150T-0200	NEW	99-12-079	296-150V-0060	NEW	99-18-069
296-150M-0309	NEW-P	99-08-129	296-150T-0210	NEW-P	99-08-130	296-150V-0070	NEW-P	99-13-200
296-150M-0309	NEW	99-13-010	296-150T-0210	NEW	99-12-079	296-150V-0070	NEW	99-18-069
296-150M-0400	REP-P	99-08-129	296-150T-0220	NEW-P	99-08-130	296-150V-0080	NEW-P	99-13-200
296-150M-0400	REP	99-13-010	296-150T-0220	NEW	99-12-079	296-150V-0080	NEW	99-18-069
296-150M-0600	AMD-P	99-08-129	296-150T-0230	NEW-P	99-08-130	296-150V-0100	NEW-P	99-13-200
296-150M-0600	AMD	99-13-010	296-150T-0230	NEW	99-12-079	296-150V-0100	NEW	99-18-069
296-150M-0610	AMD-P	99-08-129	296-150T-0250	NEW-P	99-08-130	296-150V-0110	NEW-P	99-13-200
296-150M-0610	AMD	99-13-010	296-150T-0250	NEW	99-12-079	296-150V-0110	NEW	99-18-069
296-150M-0614	NEW-P	99-08-129	296-150T-0300	NEW-P	99-08-130	296-150V-0120	NEW-P	99-13-200
296-150M-0614	NEW	99-13-010	296-150T-0300	NEW	99-12-079	296-150V-0120	NEW	99-18-069
296-150M-0615	NEW-P	99-08-129	296-150T-0320	NEW-P	99-08-130	296-150V-0140	NEW-P	99-13-200
296-150M-0615	NEW	99-13-010	296-150T-0320	NEW	99-12-079	296-150V-0140	NEW	99-18-069
296-150M-0640	AMD-P	99-08-129	296-150T-0340	NEW-P	99-08-130	296-150V-0200	NEW-P	99-13-200
296-150M-0640	AMD	99-13-010	296-150T-0340	NEW	99-12-079	296-150V-0200	NEW	99-18-069
296-150M-0655	NEW-P	99-08-129	296-150T-0350	NEW-P	99-08-130	296-150V-0210	NEW-P	99-13-200
296-150M-0655	NEW	99-13-010	296-150T-0350	NEW	99-12-079	296-150V-0210	NEW	99-18-069
296-150M-3000	AMD-P	99-08-128	296-150T-0380	NEW-P	99-08-130	296-150V-0220	NEW-P	99-13-200
296-150M-3000	AMD	99-12-080	296-150T-0380	NEW	99-12-079	296-150V-0220	NEW	99-18-069
296-150P	PREP	99-05-078	296-150T-0390	NEW-P	99-08-130	296-150V-0230	NEW-P	99-13-200
296-150P-0020	AMD-P	99-08-129	296-150T-0390	NEW	99-12-079	296-150V-0230	NEW	99-18-069
296-150P-0020	AMD	99-13-010	296-150T-0400	NEW-P	99-08-130	296-150V-0240	NEW-P	99-13-200
296-150P-0050	NEW-P	99-08-129	296-150T-0400	NEW	99-12-079	296-150V-0240	NEW	99-18-069
296-150P-0050	NEW	99-13-010	296-150T-0410	NEW-P	99-08-130	296-150V-0250	NEW-P	99-13-200
296-150P-0140	NEW-P	99-08-129	296-150T-0410	NEW	99-12-079	296-150V-0250	NEW	99-18-069
296-150P-0140	NEW	99-13-010	296-150T-0500	NEW-P	99-08-130	296-150V-0300	NEW-P	99-13-200
296-150P-3000	AMD-P	99-08-128	296-150T-0500	NEW	99-12-079	296-150V-0300	NEW	99-18-069
296-150P-3000	AMD	99-12-080	296-150T-0510	NEW-P	99-08-130	296-150V-0310	NEW-P	99-13-200
296-150R	PREP	99-05-078	296-150T-0510	NEW	99-12-079	296-150V-0310	NEW	99-18-069
296-150R-0020	AMD-P	99-08-129	296-150T-0520	NEW-P	99-08-130	296-150V-0320	NEW-P	99-13-200
296-150R-0020	AMD	99-13-010	296-150T-0520	NEW	99-12-079	296-150V-0320	NEW	99-18-069
296-150R-0050	NEW-P	99-08-129	296-150T-0530	NEW-P	99-08-130	296-150V-0340	NEW-P	99-13-200
296-150R-0050	NEW	99-13-010	296-150T-0530	NEW	99-12-079	296-150V-0340	NEW	99-18-069
296-150R-0140	NEW-P	99-08-129	296-150T-0540	NEW-P	99-08-130	296-150V-0350	NEW-P	99-13-200
296-150R-0140	NEW	99-13-010	296-150T-0540	NEW	99-12-079	296-150V-0350	NEW	99-18-069
296-150R-3000	AMD-P	99-08-128	296-150T-0550	NEW-P	99-08-130	296-150V-0380	NEW-P	99-13-200
296-150R-3000	AMD	99-12-080	296-150T-0550	NEW	99-12-079	296-150V-0380	NEW	99-18-069
296-150T-0010	NEW-P	99-08-130	296-150T-0580	NEW-P	99-08-130	296-150V-0390	NEW-P	99-13-200
296-150T-0010	NEW	99-12-079	296-150T-0580	NEW	99-12-079	296-150V-0390	NEW	99-18-069
296-150T-0020	NEW-P	99-08-130	296-150T-0590	NEW-P	99-08-130	296-150V-0400	NEW-P	99-13-200
296-150T-0020	NEW	99-12-079	296-150T-0590	NEW	99-12-079	296-150V-0400	NEW	99-18-069
296-150T-0030	NEW-P	99-08-130	296-150T-0600	NEW-P	99-08-130	296-150V-0410	NEW-P	99-13-200

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296-150V-0410	NEW	99-18-069	296-150V-1360	NEW	99-18-069	296-155-17656	REP	99-10-071
296-150V-0415	NEW-P	99-13-200	296-150V-1380	NEW-P	99-13-200	296-155-220	AMD	99-10-071
296-150V-0415	NEW	99-18-069	296-150V-1380	NEW	99-18-069	296-155-270	AMD-XA	99-12-089
296-150V-0500	NEW-P	99-13-200	296-150V-1390	NEW-P	99-13-200	296-155-270	AMD	99-17-094
296-150V-0500	NEW	99-18-069	296-150V-1390	NEW	99-18-069	296-155-367	AMD	99-10-071
296-150V-0510	NEW-P	99-13-200	296-150V-1400	NEW-P	99-13-200	296-155-615	AMD-P	99-16-084
296-150V-0510	NEW	99-18-069	296-150V-1400	NEW	99-18-069	296-155-655	AMD	99-10-071
296-150V-0520	NEW-P	99-13-200	296-150V-1410	NEW-P	99-13-200	296-155-655	AMD-XA	99-12-089
296-150V-0520	NEW	99-18-069	296-150V-1410	NEW	99-18-069	296-155-655	AMD	99-17-094
296-150V-0530	NEW-P	99-13-200	296-150V-1420	NEW-P	99-13-200	296-155-66403	AMD-XA	99-12-089
296-150V-0530	NEW	99-18-069	296-150V-1420	NEW	99-18-069	296-155-66403	AMD	99-17-094
296-150V-0540	NEW-P	99-13-200	296-150V-1430	NEW-P	99-13-200	296-155-730	AMD	99-10-071
296-150V-0540	NEW	99-18-069	296-150V-1430	NEW	99-18-069	296-200A-900	AMD-P	99-08-128
296-150V-0550	NEW-P	99-13-200	296-150V-1440	NEW-P	99-13-200	296-200A-900	AMD	99-12-080
296-150V-0550	NEW	99-18-069	296-150V-1440	NEW	99-18-069	296-301	PREP	99-04-057
296-150V-0560	NEW-P	99-13-200	296-150V-1450	NEW-P	99-13-200	296-301	PREP	99-06-040
296-150V-0560	NEW	99-18-069	296-150V-1450	NEW	99-18-069	296-301-020	AMD-XA	99-12-089
296-150V-0580	NEW-P	99-13-200	296-150V-1460	NEW-P	99-13-200	296-301-020	AMD	99-12-091
296-150V-0580	NEW	99-18-069	296-150V-1460	NEW	99-18-069	296-301-020	AMD	99-17-094
296-150V-0590	NEW-P	99-13-200	296-150V-1470	NEW-P	99-13-200	296-301-020	AMD	99-22-093
296-150V-0590	NEW	99-18-069	296-150V-1470	NEW	99-18-069	296-301-170	AMD-XA	99-12-089
296-150V-0700	NEW-P	99-13-200	296-150V-1530	NEW-P	99-13-200	296-301-170	AMD	99-17-094
296-150V-0700	NEW	99-18-069	296-150V-1530	NEW	99-18-069	296-301-195	AMD-XA	99-12-089
296-150V-0710	NEW-P	99-13-200	296-150V-1540	NEW-P	99-13-200	296-301-195	AMD	99-17-094
296-150V-0710	NEW	99-18-069	296-150V-1540	NEW	99-18-069	296-301-215	AMD-P	99-15-086
296-150V-0720	NEW-P	99-13-200	296-150V-1550	NEW-P	99-13-200	296-301-220	AMD-XA	99-12-089
296-150V-0720	NEW	99-18-069	296-150V-1550	NEW	99-18-069	296-301-220	AMD	99-17-094
296-150V-0800	NEW-P	99-13-200	296-150V-1560	NEW-P	99-13-200	296-302	PREP	99-02-083
296-150V-0800	NEW	99-18-069	296-150V-1560	NEW	99-18-069	296-303	PREP	99-02-083
296-150V-0930	NEW-P	99-13-200	296-150V-1570	NEW-P	99-13-200	296-304	PREP	99-02-083
296-150V-0930	NEW	99-18-069	296-150V-1570	NEW	99-18-069	296-304	PREP	99-12-037
296-150V-0950	NEW-P	99-13-200	296-150V-1580	NEW-P	99-13-200	296-304-03005	AMD	99-10-071
296-150V-0950	NEW	99-18-069	296-150V-1580	NEW	99-18-069	296-305	PREP	99-02-083
296-150V-1040	NEW-P	99-13-200	296-150V-1590	NEW-P	99-13-200	296-305-01003	AMD	99-05-080
296-150V-1040	NEW	99-18-069	296-150V-1590	NEW	99-18-069	296-305-01005	AMD	99-05-080
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296-150V-1070	NEW	99-18-069	296-150V-3000	NEW	99-18-069	296-305-02001	AMD	99-05-080
296-150V-1090	NEW-P	99-13-200	296-155	PREP	99-02-083	296-305-02003	AMD	99-05-080
296-150V-1090	NEW	99-18-069	296-155	PREP	99-04-057	296-305-02007	AMD	99-05-080
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296-150V-1110	NEW	99-18-069	296-155	PREP	99-12-037	296-305-04001	AMD	99-05-080
296-150V-1120	NEW-P	99-13-200	296-155-120	AMD-P	99-15-086	296-305-04501	AMD	99-05-080
296-150V-1120	NEW	99-18-069	296-155-125	AMD-P	99-15-086	296-305-04503	AMD	99-05-080
296-150V-1170	NEW-P	99-13-200	296-155-130	AMD-P	99-15-086	296-305-05001	AMD	99-05-080
296-150V-1170	NEW	99-18-069	296-155-135	REP-P	99-15-086	296-305-05007	AMD	99-05-080
296-150V-1180	NEW-P	99-13-200	296-155-17317	AMD	99-10-071	296-305-05009	AMD	99-05-080
296-150V-1180	NEW	99-18-069	296-155-17335	REP	99-10-071	296-305-06005	AMD	99-05-080
296-150V-1185	NEW-P	99-13-200	296-155-17337	AMD	99-10-071	296-305-06007	AMD	99-05-080
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296-150V-1190	NEW	99-18-069	296-155-17351	REP	99-10-071	296-307	PREP	99-15-107
296-150V-1220	NEW-P	99-13-200	296-155-17353	REP	99-10-071	296-307-160	REP-P	99-23-108
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296-150V-1350	NEW	99-18-069	296-155-17635	REP	99-10-071	296-307-16011	REP-P	99-23-108
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296-307-16021	REP-P	99-23-108	296-401A-530	AMD	99-05-052	308- 19-230	AMD-W	99-21-058
296-307-16023	REP-P	99-23-108	296-401A-700	AMD-P	99-08-128	308- 19-240	AMD-P	99-08-087
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296-307-16115	NEW-P	99-23-108	308- 10-010	AMD	99-17-031	308- 19-300	AMD-P	99-08-087
296-307-16120	NEW-P	99-23-108	308- 10-045	AMD-XA	99-05-004	308- 19-300	AMD-S	99-21-048
296-307-16125	NEW-P	99-23-108	308- 10-045	AMD	99-09-045	308- 19-300	AMD-W	99-21-058
296-307-16130	NEW-P	99-23-108	308- 12-320	AMD-P	99-05-050	308- 19-400	AMD-P	99-08-087
296-307-16135	NEW-P	99-23-108	308- 12-320	AMD	99-08-062	308- 19-400	AMD-S	99-21-048
296-307-16140	NEW-P	99-23-108	308- 12-326	AMD-P	99-05-050	308- 19-400	AMD-W	99-21-058
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296-307-16155	NEW-P	99-23-108	308- 13-045	AMD-P	99-18-103	308- 19-410	AMD-W	99-21-058
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296-307-16165	NEW-P	99-23-108	308- 13-150	PREP	99-14-083	308- 19-420	AMD-S	99-21-048
296-307-16170	NEW-P	99-23-108	308- 13-150	AMD-P	99-18-103	308- 19-420	AMD-W	99-21-058
296-307-16175	NEW-P	99-23-108	308- 13-150	AMD	99-23-025	308- 19-430	NEW-P	99-08-087
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296-307-16190	NEW-P	99-23-108	308- 13-160	AMD	99-23-025	308- 19-440	NEW-P	99-08-087
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296-307-16301	NEW-P	99-23-108	308- 19-010	AMD-S	99-21-048	308- 19-440	NEW-W	99-21-058
296-307-16303	NEW-P	99-23-108	308- 19-010	AMD-W	99-21-058	308- 21-010	REP-XR	99-10-026
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296-307-16310	NEW-P	99-23-108	308- 19-020	AMD-S	99-21-048	308- 21-100	REP-XR	99-10-026
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296-307-16320	NEW-P	99-23-108	308- 19-030	AMD-P	99-08-087	308- 21-200	REP-XR	99-10-026
296-307-16325	NEW-P	99-23-108	308- 19-030	AMD-S	99-21-048	308- 21-200	REP	99-14-035
296-307-16330	NEW-P	99-23-108	308- 19-030	AMD-W	99-21-058	308- 21-300	REP-XR	99-10-026
296-307-16335	NEW-P	99-23-108	308- 19-100	AMD-P	99-08-087	308- 21-300	REP	99-14-035
296-307-16340	NEW-P	99-23-108	308- 19-100	AMD-S	99-21-048	308- 21-400	REP-XR	99-10-026
296-307-16345	NEW-P	99-23-108	308- 19-100	AMD-W	99-21-058	308- 21-400	REP	99-14-035
296-307-16350	NEW-P	99-23-108	308- 19-105	NEW-P	99-08-087	308- 21-500	REP-XR	99-10-026
296-307-16355	NEW-P	99-23-108	308- 19-105	NEW-S	99-21-048	308- 21-500	REP	99-14-035
296-307-16360	NEW-P	99-23-108	308- 19-105	NEW-W	99-21-058	308- 21-600	REP-XR	99-10-026
296-307-16365	NEW-P	99-23-108	308- 19-107	NEW-S	99-21-048	308- 21-600	REP	99-14-035
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296-307-16375	NEW-P	99-23-108	308- 19-110	AMD-S	99-21-048	308- 32-015	REP	99-14-062
296-307-16380	NEW-P	99-23-108	308- 19-110	AMD-W	99-21-058	308- 32-020	REP-XR	99-09-056
296-307-16385	NEW-P	99-23-108	308- 19-140	AMD-P	99-08-087	308- 32-020	REP	99-14-062
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296-307-16395	NEW-P	99-23-108	308- 19-140	AMD-W	99-21-058	308- 32-030	REP	99-14-062
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296-307-52023	AMD-P	99-16-084	308- 19-160	AMD-W	99-21-058	308- 32-060	REP	99-14-062
296-307-52029	AMD-P	99-16-084	308- 19-200	AMD-P	99-08-087	308- 32-070	REP-XR	99-09-056
296-307-52030	NEW-P	99-16-084	308- 19-200	AMD-S	99-21-048	308- 32-070	REP	99-14-062
296-307-52031	AMD-P	99-16-084	308- 19-200	AMD-W	99-21-058	308- 32-080	REP-XR	99-09-056
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308-56A-065	AMD	99-08-064	308-56A-465	REP-P	99-23-092	308-78-045	PREP	99-08-127
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308-56A-280	REP	99-08-065	308-57-505	NEW-P	99-21-051	308-91-050	PREP	99-13-139
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308-93-100	PREP	99-18-009	308-94-170	REP	99-24-013	308-96A-064	PREP	99-10-058
308-93-100	REP-P	99-20-064	308-94-181	PREP	99-13-149	308-96A-064	AMD-P	99-18-020
308-93-135	PREP	99-10-057	308-94-181	REP-P	99-19-144	308-96A-064	AMD	99-22-058
308-93-135	REP-P	99-17-070	308-94-181	REP	99-24-013	308-96A-080	PREP	99-03-003
308-93-135	REP	99-21-097	308-94-191	PREP	99-13-149	308-96A-080	AMD-P	99-12-111
308-93-140	PREP	99-10-057	308-94-191	REP-P	99-19-144	308-96A-080	AMD	99-16-020
308-93-140	AMD-P	99-17-070	308-94-191	REP	99-24-013	308-96A-085	PREP	99-03-003
308-93-140	AMD	99-21-097	308-94-200	PREP	99-13-149	308-96A-085	AMD-P	99-12-111
308-93-145	PREP	99-10-057	308-94-200	REP-P	99-19-144	308-96A-085	AMD	99-16-020
308-93-145	AMD-P	99-17-070	308-94-200	REP	99-24-013	308-96A-090	PREP	99-03-003
308-93-145	AMD	99-21-097	308-94-210	PREP	99-13-149	308-96A-090	AMD-P	99-12-111
308-93-155	PREP	99-10-057	308-94-210	REP-P	99-19-144	308-96A-090	AMD	99-16-020
308-93-155	REP-P	99-17-070	308-94-210	REP	99-24-013	308-96A-095	AMD-P	99-12-111
308-93-155	REP	99-21-097	308-94-220	PREP	99-13-149	308-96A-095	AMD	99-16-020
308-93-160	AMD-P	99-15-097	308-94-220	REP-P	99-19-144	308-96A-097	PREP	99-03-003
308-93-160	AMD-W	99-17-108	308-94-220	REP	99-24-013	308-96A-097	REP-P	99-12-111
308-93-160	PREP	99-18-009	308-94-240	PREP	99-13-149	308-96A-097	REP	99-16-020
308-93-160	AMD-P	99-20-064	308-94-240	REP-P	99-19-144	308-96A-098	NEW-P	99-13-081
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308-93-270	AMD	99-03-002	308-94-250	PREP	99-13-149	308-96A-099	NEW	99-06-029
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308-93-320	PREP	99-10-057	308-94-250	REP	99-24-013	308-96A-101	NEW	99-06-029
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308-93-340	REP-P	99-15-097	308-94-261	REP	99-24-013	308-96A-110	AMD	99-06-029
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308-93-340	PREP	99-18-009	308-94-265	REP-P	99-19-144	308-96A-135	AMD	99-06-029
308-93-340	REP-P	99-20-064	308-94-265	REP	99-24-013	308-96A-136	AMD	99-06-029
308-93-370	AMD-P	99-18-125	308-94-270	PREP	99-13-149	308-96A-145	AMD	99-06-029
308-93-370	AMD	99-22-059	308-94-270	REP-P	99-19-144	308-96A-161	AMD-P	99-13-081
308-93-380	AMD-P	99-18-125	308-94-270	REP	99-24-013	308-96A-161	AMD	99-19-026
308-93-380	AMD	99-22-059	308-94A-005	NEW-P	99-19-144	308-96A-162	REP-P	99-13-081
308-93-390	AMD-P	99-18-125	308-94A-005	NEW	99-24-013	308-96A-162	REP	99-19-026
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308-93-490	AMD	99-22-059	308-94A-020	NEW	99-24-013	308-96A-306	AMD	99-21-034
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308-93-510	AMD	99-22-059	308-94A-030	NEW	99-24-013	308-96A-311	AMD	99-21-034
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308-96A-316	AMD-E	99-16-019	308-124F-010	REP	99-03-042	314-02-080	NEW-P	99-23-105
308-96A-316	AMD-P	99-17-109	308-124F-020	REP	99-03-042	314-02-085	NEW-P	99-23-105
308-96A-316	AMD	99-21-034	308-124F-030	REP	99-03-042	314-02-090	NEW-P	99-23-105
308-96A-345	PREP	99-18-128	308-124H-011	PREP	99-18-101	314-02-095	NEW-P	99-23-105
308-96A-345	AMD-P	99-23-010	308-124H-021	PREP	99-18-101	314-02-100	NEW-P	99-23-105
308-96A-350	PREP	99-18-128	308-124H-025	PREP	99-18-101	314-02-105	NEW-P	99-23-105
308-96A-350	AMD-P	99-23-010	308-124H-028	PREP	99-18-101	314-02-110	NEW-P	99-23-105
308-96A-355	PREP	99-18-128	308-124H-051	PREP	99-18-101	314-02-115	NEW-P	99-23-105
308-96A-355	AMD-P	99-23-010	308-124H-061	PREP	99-18-101	314-02-120	NEW-P	99-23-105
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308-96A-375	REP-P	99-23-010	308-124H-320	PREP	99-18-101	314-04-007	NEW	99-12-129
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308-96A-400	AMD	99-19-026	308-125-090	AMD-P	99-08-028	314-08-080	PREP	99-12-126
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308-96A-540	PREP	99-10-056	308-400-030	PREP	99-17-027	314-12-215	NEW	99-13-042
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308-97-011	NEW-XA	99-18-061	308-400-054	REP	99-06-003	314-12-225	NEW	99-13-042
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308-99-050	PREP	99-10-055	308-400-095	AMD-P	99-19-082	314-14-165	NEW	99-03-033
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315- 06-085	NEW	99-04-077	317-100-090	REP	99-07-076	356- 15-100	AMD	99-19-113
315- 06-120	AMD-P	99-13-148	326- 02-034	PREP	99-05-083	356- 15-100	AMD-P	99-24-079
315- 06-120	AMD	99-19-103	326- 30-041	PREP	99-05-082	356- 15-110	AMD-P	99-16-103
315- 11A-166	REP-XR	99-10-031	332- 24-221	AMD-P	99-08-117	356- 15-110	AMD	99-19-113
315- 11A-166	REP	99-16-007	332- 24-221	AMD	99-12-085	356- 15-110	AMD-P	99-24-079
315- 11A-167	REP-XR	99-10-031	332- 26-010	NEW-E	99-15-001	356- 22-010	AMD-P	99-02-053
315- 11A-167	REP	99-16-007	332- 26-085	NEW-E	99-21-035	356- 22-010	AMD	99-05-043
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356-22-090	AMD	99-05-043	365-18-100	NEW-S	99-18-105	383-06-030	AMD-P	99-20-078
356-22-180	AMD-P	99-02-053	365-18-110	NEW-S	99-04-072	383-06-030	AMD	99-24-093
356-22-180	AMD	99-05-043	365-18-110	NEW-W	99-17-084	383-06-031	NEW-E	99-18-034
356-22-180	AMD-P	99-13-104	365-18-110	NEW-S	99-18-105	383-06-031	NEW-P	99-20-078
356-22-180	AMD	99-19-114	365-18-120	NEW-S	99-04-072	383-06-031	NEW	99-24-093
356-26-010	AMD-P	99-02-053	365-18-120	NEW-W	99-17-084	383-06-040	AMD-E	99-16-012
356-26-010	AMD	99-05-043	365-18-120	NEW-S	99-18-105	383-06-040	AMD-E	99-18-034
356-26-060	AMD-P	99-02-053	365-120	PREP	99-20-104	383-06-040	AMD-P	99-20-078
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356-26-070	AMD	99-05-043	365-120-030	AMD-P	99-24-116	383-06-045	AMD-P	99-20-078
356-26-110	AMD	99-03-044	365-120-040	AMD-P	99-24-116	383-06-045	AMD	99-24-093
356-30-010	AMD-P	99-02-053	365-120-050	AMD-P	99-24-116	383-06-046	NEW-E	99-18-034
356-30-010	AMD	99-05-043	365-120-060	AMD-P	99-24-116	383-06-046	NEW-P	99-20-078
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356-56-118	NEW	99-22-106	365-120-070	NEW-E	99-22-028	383-06-050	REP-E	99-18-034
359-07	AMD-P	99-16-104	365-120-070	NEW-P	99-24-116	383-06-050	REP-P	99-20-078
359-07	AMD-C	99-19-117	365-120-080	NEW-P	99-24-116	383-06-050	REP	99-24-093
359-07	AMD	99-24-080	365-120-090	NEW-P	99-24-116	383-06-060	REP-E	99-18-034
359-09	AMD-P	99-16-104	365-130	PREP	99-08-059	383-06-060	REP-P	99-20-078
359-09	AMD-C	99-19-117	365-135	PREP	99-15-010	383-06-060	REP	99-24-093
359-09	AMD	99-24-080	365-135-020	AMD-P	99-20-077	383-06-070	AMD-E	99-16-012
359-39	AMD-P	99-16-104	365-140	PREP	99-06-025	383-06-070	AMD-E	99-18-034
359-39	AMD-C	99-19-117	365-140-010	AMD-P	99-10-114	383-06-070	AMD-P	99-20-078
359-39	AMD	99-24-080	365-140-010	AMD	99-15-062	383-06-070	AMD	99-24-093
359-48	AMD-P	99-16-104	365-140-030	AMD-P	99-10-114	383-06-071	NEW-E	99-18-034
359-48	AMD-C	99-19-117	365-140-030	AMD	99-15-062	383-06-071	NEW-P	99-20-078
359-48	AMD	99-24-080	365-140-040	AMD-P	99-10-114	383-06-071	NEW	99-24-093
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363-116-185	AMD	99-16-027	365-140-050	AMD	99-15-062	383-06-080	AMD	99-24-093
363-116-300	AMD-P	99-08-075	365-140-060	AMD-P	99-10-114	383-06-090	AMD-E	99-16-012
363-116-300	AMD	99-12-027	365-140-060	AMD	99-15-062	383-06-090	AMD-E	99-18-034
365-18-010	NEW-S	99-04-072	365-170	PREP	99-10-067	383-06-090	AMD-P	99-20-078
365-18-010	NEW-W	99-17-084	365-170-020	AMD-P	99-15-106	383-06-090	AMD	99-24-093
365-18-010	NEW-S	99-18-105	365-170-020	AMD	99-19-176	383-06-091	NEW-E	99-18-034
365-18-020	NEW-S	99-04-072	365-170-030	AMD-XA	99-15-029	383-06-091	NEW-P	99-20-078
365-18-020	NEW-W	99-17-084	365-170-030	AMD-P	99-15-106	383-06-091	NEW	99-24-093
365-18-020	NEW-S	99-18-105	365-170-030	AMD	99-19-176	383-06-100	AMD-E	99-16-012
365-18-030	NEW-S	99-04-072	365-170-050	AMD-P	99-15-106	383-06-100	AMD-E	99-18-034
365-18-030	NEW-W	99-17-084	365-170-050	AMD	99-19-176	383-06-100	AMD-P	99-20-078
365-18-030	NEW-S	99-18-105	365-170-070	AMD-P	99-15-106	383-06-100	AMD	99-24-093
365-18-040	NEW-S	99-04-072	365-170-070	AMD	99-19-176	383-06-110	REP-E	99-18-034
365-18-040	NEW-W	99-17-084	365-170-080	AMD-P	99-15-106	383-06-110	REP-P	99-20-078
365-18-040	NEW-S	99-18-105	365-170-080	AMD	99-19-176	383-06-110	REP	99-24-093
365-18-050	NEW-S	99-04-072	365-170-090	AMD-P	99-15-106	383-06-120	AMD-E	99-16-012
365-18-050	NEW-W	99-17-084	365-170-090	AMD	99-19-176	383-06-120	AMD-E	99-18-034
365-18-050	NEW-S	99-18-105	365-170-095	NEW-P	99-15-106	383-06-120	AMD-P	99-20-078
365-18-060	NEW-S	99-04-072	365-170-095	NEW	99-19-176	383-06-120	AMD	99-24-093
365-18-060	NEW-W	99-17-084	365-170-100	AMD-P	99-15-106	383-06-121	NEW-E	99-18-034
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365-18-080	NEW-S	99-04-072	383-06-010	AMD-E	99-18-034	383-06-125	NEW	99-24-093
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383- 06-141	NEW-P	99-20-078	388- 01-030	NEW-P	99-11-085	388- 03-138	NEW-P	99-23-081
383- 06-141	NEW	99-24-093	388- 01-030	NEW	99-15-065	388- 03-140	NEW-P	99-23-081
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383- 07-020	AMD-E	99-18-035	388- 01-050	NEW-P	99-11-085	388- 03-154	NEW-P	99-23-081
383- 07-020	AMD-P	99-20-079	388- 01-050	NEW	99-15-065	388- 03-156	NEW-P	99-23-081
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383- 07-030	AMD-P	99-20-079	388- 01-070	NEW	99-15-065	388- 03-176	NEW-P	99-23-081
383- 07-030	AMD	99-24-092	388- 01-080	NEW-P	99-11-085	388- 04-010	RECOD	99-15-021
383- 07-040	AMD-E	99-16-013	388- 01-080	NEW	99-15-065	388- 04-020	RECOD	99-15-021
383- 07-040	AMD-E	99-18-035	388- 01-090	NEW-P	99-11-085	388- 04-030	RECOD	99-15-021
383- 07-040	AMD-P	99-20-079	388- 01-090	NEW	99-15-065	388- 04-040	RECOD	99-15-021
383- 07-040	AMD	99-24-092	388- 01-100	NEW-P	99-11-085	388- 04-050	RECOD	99-15-021
383- 07-045	AMD-E	99-18-035	388- 01-100	NEW	99-15-065	388- 04-060	RECOD	99-15-021
383- 07-045	AMD-P	99-20-079	388- 01-110	NEW-P	99-11-085	388- 04-070	RECOD	99-15-021
383- 07-045	AMD	99-24-092	388- 01-110	NEW	99-15-065	388- 07-005	REP-XR	99-20-099
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383- 07-050	AMD-E	99-18-035	388- 01-120	NEW	99-15-065	388- 08	PREP	99-21-037
383- 07-050	AMD-P	99-20-079	388- 01-130	NEW-P	99-11-085	388- 08-410	AMD-XA	99-11-086
383- 07-050	AMD	99-24-092	388- 01-130	NEW	99-15-065	388- 08-410	AMD	99-16-023
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383- 07-060	AMD-P	99-20-079	388- 01-140	NEW	99-15-065	388- 08-413	AMD	99-16-023
383- 07-060	AMD	99-24-092	388- 01-150	NEW-P	99-11-085	388- 08-437	AMD-XA	99-11-086
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383- 07-070	AMD-E	99-18-035	388- 01-160	NEW-P	99-11-085	388- 08-440	AMD-XA	99-11-086
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383- 07-070	AMD	99-24-092	388- 01-170	NEW-P	99-11-085	388- 08-464	AMD-XA	99-11-086
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383- 07-080	AMD	99-24-092	388- 01-190	NEW-P	99-11-085	388- 08-515	AMD-XA	99-11-086
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383- 07-090	AMD-E	99-16-013	388- 01-210	NEW-W	99-24-076	388- 08-575	AMD-XA	99-11-086
383- 07-090	AMD-E	99-18-035	388- 01-220	NEW-P	99-11-085	388- 08-575	AMD	99-16-023
383- 07-090	AMD-P	99-20-079	388- 01-220	NEW-W	99-24-076	388- 10-010	DECOD	99-15-021
383- 07-090	AMD	99-24-092	388- 02	PREP	99-21-037	388- 10-020	DECOD	99-15-021
383- 07-100	AMD-E	99-16-013	388- 03-010	NEW-P	99-23-081	388- 10-030	DECOD	99-15-021
383- 07-100	AMD-E	99-18-035	388- 03-020	NEW-P	99-23-081	388- 10-040	DECOD	99-15-021
383- 07-100	AMD-P	99-20-079	388- 03-030	NEW-P	99-23-081	388- 10-050	DECOD	99-15-021
383- 07-100	AMD	99-24-092	388- 03-050	NEW-P	99-23-081	388- 10-060	DECOD	99-15-021
383- 07-115	AMD-E	99-18-035	388- 03-060	NEW-P	99-23-081	388- 10-070	DECOD	99-15-021
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383- 07-115	AMD	99-24-092	388- 03-112	NEW-P	99-23-081	388- 14-420	AMD-E	99-09-004
383- 07-120	AMD-E	99-16-013	388- 03-114	NEW-P	99-23-081	388- 14-420	AMD-P	99-17-010
383- 07-120	AMD-E	99-18-035	388- 03-115	NEW-P	99-23-081	388- 14-420	AMD-E	99-17-012
383- 07-120	AMD-P	99-20-079	388- 03-116	NEW-P	99-23-081	388- 14-420	AMD	99-20-012
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383- 07-130	AMD-E	99-18-035	388- 03-124	NEW-P	99-23-081	388- 14-423	NEW	99-20-012
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388- 15-120	PREP	99-19-089	388- 15-553	REP-P	99-23-080	388- 43-020	DECOD	99-20-022
388- 15-120	REP-P	99-23-077	388- 15-554	REP-P	99-23-080	388- 43-030	DECOD	99-20-022
388- 15-130	PREP	99-17-054	388- 15-555	REP-P	99-23-080	388- 43-040	DECOD	99-20-022
388- 15-132	PREP	99-17-054	388- 15-560	REP-P	99-23-080	388- 43-050	DECOD	99-20-022
388- 15-134	PREP	99-17-054	388- 15-562	REP-P	99-23-080	388- 43-060	DECOD	99-20-022
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388- 15-150	PREP	99-17-054	388- 15-564	REP-P	99-23-080	388- 43-080	DECOD	99-20-022
388- 15-160	PREP	99-17-054	388- 15-566	REP-P	99-23-080	388- 43-090	DECOD	99-20-022
388- 15-170	DECOD	99-15-076	388- 15-568	REP-P	99-23-080	388- 43-110	DECOD	99-20-022
388- 15-171	DECOD	99-15-076	388- 15-570	PREP	99-17-054	388- 43-130	DECOD	99-20-022
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388- 15-196	PREP	99-18-042	388- 15-651	NEW	99-12-072	388- 71-0405	NEW-P	99-23-080
388- 15-196	REP-P	99-23-078	388- 15-652	NEW	99-12-072	388- 71-0410	NEW-P	99-23-080
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388- 15-19650	PREP	99-18-042	388- 15-810	REP-P	99-23-080	388- 71-0615	NEW-P	99-23-080
388- 15-19650	REP-P	99-23-078	388- 15-830	REP-P	99-23-080	388- 71-0620	NEW-P	99-23-080
388- 15-19660	AMD	99-03-041	388- 15-880	REP-P	99-23-080	388- 71-0800	NEW-P	99-14-066
388- 15-19660	PREP	99-18-042	388- 15-890	REP-P	99-23-080	388- 71-0800	NEW	99-19-048
388- 15-19660	REP-P	99-23-078	388- 15-895	REP-P	99-23-080	388- 71-0805	NEW-P	99-14-066
388- 15-19670	AMD	99-03-041	388- 17	PREP	99-15-066	388- 71-0805	NEW	99-19-048
388- 15-19670	PREP	99-18-042	388- 17-010	REP-P	99-23-080	388- 71-0810	NEW-P	99-14-066
388- 15-19670	REP-P	99-23-078	388- 17-020	REP-P	99-23-080	388- 71-0810	NEW	99-19-048
388- 15-19680	AMD	99-03-041	388- 17-100	REP-P	99-23-080	388- 71-0815	NEW-P	99-14-066
388- 15-19680	PREP	99-18-042	388- 17-120	REP-P	99-23-080	388- 71-0815	NEW	99-19-048
388- 15-19680	REP-P	99-23-078	388- 17-160	REP-P	99-23-080	388- 71-0820	NEW-P	99-14-066
388- 15-198	PREP	99-18-042	388- 17-180	REP-P	99-23-080	388- 71-0820	NEW	99-19-048
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388- 15-206	REP-P	99-23-080	388- 24-2200	REP-XR	99-22-036	388- 71-0840	NEW-P	99-14-066
388- 15-207	REP-P	99-23-080	388- 24-2250	REP-XR	99-22-036	388- 71-0840	NEW	99-19-048
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388- 15-219	REP-P	99-23-080	388- 41	PREP	99-20-050	388- 71-1000	NEW-P	99-23-080
388- 15-220	PREP	99-17-054	388- 43-001	DECOD	99-20-022	388- 71-1005	NEW-P	99-23-080
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388- 71-1070	NEW-P	99-23-080	388- 86-073	PREP	99-03-075	388- 96-585	AMD	99-24-084
388- 71-1075	NEW-P	99-23-080	388- 86-073	REP-P	99-11-071	388- 96-708	AMD-P	99-19-024
388- 71-1080	NEW-P	99-23-080	388- 86-073	REP	99-16-068	388- 96-708	AMD	99-24-084
388- 71-1085	NEW-P	99-23-080	388- 86-090	PREP	99-11-084	388- 96-709	AMD-E	99-14-029
388- 71-1090	NEW-P	99-23-080	388- 86-090	REP-P	99-20-106	388- 96-709	AMD-P	99-19-024
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388- 71-110	NEW-P	99-23-077	388- 86-097	REP	99-13-049	388- 96-709	AMD	99-24-084
388- 71-1100	NEW-P	99-23-080	388- 86-098	REP-P	99-11-074	388- 96-710	AMD-E	99-14-029
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388- 71-1110	NEW-P	99-23-080	388- 86-100	AMD-W	99-08-080	388- 96-710	AMD-E	99-22-012
388- 71-115	NEW-P	99-23-077	388- 86-100	PREP	99-13-191	388- 96-710	AMD	99-24-084
388- 71-120	NEW-P	99-23-077	388- 86-112	REP-P	99-14-038	388- 96-714	NEW-E	99-14-029
388- 71-150	NEW-P	99-23-077	388- 86-112	REP	99-17-111	388- 96-714	NEW-P	99-19-024
388- 71-155	NEW-P	99-23-077	388- 86-200	PREP	99-06-043	388- 96-714	NEW-E	99-22-012
388- 71-500	NEW-P	99-23-078	388- 86-200	AMD-W	99-08-080	388- 96-714	NEW	99-24-084
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388- 71-510	NEW-P	99-23-078	388- 87-0005	PREP	99-05-044	388- 96-718	AMD	99-24-084
388- 71-515	NEW-P	99-23-078	388- 87-0007	PREP	99-05-044	388- 96-723	AMD-E	99-14-029
388- 71-520	NEW-P	99-23-078	388- 87-0008	PREP	99-05-044	388- 96-723	AMD-P	99-19-024
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388- 71-545	NEW-P	99-23-078	388- 87-0105	PREP	99-05-044	388- 96-724	AMD-E	99-22-012
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388- 74-030	PREP	99-17-056	388- 87-065	REP	99-16-069	388- 96-726	AMD-E	99-14-029
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388- 78A-050	AMD-XA	99-09-052	388- 87-090	REP-P	99-20-106	388- 96-730	NEW-P	99-19-024
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388- 78A-055	AMD	99-15-067	388- 87-250	REP-P	99-20-111	388- 96-731	NEW-E	99-14-029
388- 78A-150	AMD-XA	99-09-052	388- 90-010	REP-XR	99-21-093	388- 96-731	NEW-P	99-19-024
388- 78A-150	AMD	99-15-067	388- 96-010	AMD-E	99-14-029	388- 96-731	NEW-E	99-22-012
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388- 78A-240	AMD	99-15-067	388- 96-010	AMD-E	99-22-012	388- 96-748	NEW-E	99-14-029
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388- 78A-330	AMD	99-15-067	388- 96-218	AMD-E	99-22-012	388- 96-767	AMD-E	99-14-029
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388-97-005	AMD-P	99-24-045	388-97-12030	NEW-P	99-24-045	388-97-32540	NEW-P	99-24-045
388-97-010	REP-P	99-24-045	388-97-12040	NEW-P	99-24-045	388-97-32550	NEW-P	99-24-045
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388-97-017	NEW-P	99-24-045	388-97-12070	NEW-P	99-24-045	388-97-32580	NEW-P	99-24-045
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388-97-030	REP-P	99-24-045	388-97-145	REP-P	99-24-045	388-97-33040	NEW-P	99-24-045
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388-97-07025	NEW-P	99-24-045	388-97-230	REP-P	99-24-045	388-97-35050	NEW-P	99-24-045
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388-97-403	NEW-P	99-24-045	388-155-180	AMD-P	99-24-028	388-165-245	NEW	99-22-011
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388-97-410	AMD-P	99-24-045	388-155-210	REP-P	99-24-028	388-165-250	NEW	99-22-011
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388-97-43010	NEW-P	99-24-045	388-155-260	REP-P	99-24-028	388-290	PREP	99-17-024
388-97-43020	NEW-P	99-24-045	388-155-270	AMD-P	99-24-028	388-290-010	AMD-P	99-08-121
388-97-43030	NEW-P	99-24-045	388-155-280	AMD-P	99-24-028	388-290-010	AMD	99-14-023
388-97-43040	NEW-P	99-24-045	388-155-290	AMD-P	99-24-028	388-290-015	NEW-P	99-08-121
388-97-43050	NEW-P	99-24-045	388-155-295	AMD-P	99-24-028	388-290-015	NEW	99-14-023
388-97-435	REP-P	99-24-045	388-155-310	AMD-P	99-24-028	388-290-020	REP-P	99-08-121
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388-97-445	REP-P	99-24-045	388-155-340	AMD-P	99-24-028	388-290-025	REP-P	99-08-121
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388-97-455	AMD-P	99-24-045	388-155-360	AMD-P	99-24-028	388-290-030	REP-P	99-08-121
388-97-45510	NEW-P	99-24-045	388-155-390	AMD-P	99-24-028	388-290-030	REP	99-14-023
388-97-460	AMD-P	99-24-045	388-155-400	AMD-P	99-24-028	388-290-035	REP-P	99-08-121
388-97-46010	NEW-P	99-24-045	388-155-410	AMD-P	99-24-028	388-290-035	REP	99-14-023
388-97-465	AMD-P	99-24-045	388-155-430	AMD-P	99-24-028	388-290-050	REP-P	99-08-121
388-97-46510	NEW-P	99-24-045	388-155-440	AMD-P	99-24-028	388-290-050	REP	99-14-023
388-97-46520	NEW-P	99-24-045	388-155-450	AMD-P	99-24-028	388-290-055	REP-P	99-08-121
388-97-46530	NEW-P	99-24-045	388-155-460	AMD-P	99-24-028	388-290-055	REP	99-14-023
388-97-46540	NEW-P	99-24-045	388-155-470	AMD-P	99-24-028	388-290-060	REP-P	99-08-121
388-97-46550	NEW-P	99-24-045	388-155-490	AMD-P	99-24-028	388-290-060	REP	99-14-023
388-97-46560	NEW-P	99-24-045	388-155-500	AMD-P	99-24-028	388-290-070	REP-P	99-08-121
388-97-46570	NEW-P	99-24-045	388-155-600	AMD-P	99-24-028	388-290-070	REP	99-14-023
388-97-46580	NEW-P	99-24-045	388-165-108	NEW-P	99-18-071	388-290-075	NEW-P	99-08-121
388-97-46590	NEW-P	99-24-045	388-165-108	NEW	99-22-011	388-290-075	NEW	99-14-023
388-97-470	AMD-P	99-24-045	388-165-110	RECOD	99-15-076	388-290-080	REP-P	99-08-121
388-97-47010	NEW-P	99-24-045	388-165-120	RECOD	99-15-076	388-290-080	REP	99-14-023
388-97-47020	NEW-P	99-24-045	388-165-130	RECOD	99-19-087	388-290-090	REP-P	99-08-121
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388-97-480	AMD-P	99-24-045	388-165-179	NEW-P	99-18-071	388-290-1000	NEW-P	99-08-121
388-97-48010	NEW-P	99-24-045	388-165-179	NEW	99-22-011	388-290-105	REP-P	99-08-121
388-97-48020	NEW-P	99-24-045	388-165-180	NEW-P	99-18-071	388-290-105	REP	99-14-023
388-97-48030	NEW-P	99-24-045	388-165-180	NEW	99-22-011	388-290-1050	NEW-P	99-08-121
388-97-48040	NEW-P	99-24-045	388-165-185	NEW-P	99-18-071	388-290-1100	NEW-P	99-08-121
388-97-550	NEW-P	99-24-045	388-165-185	NEW	99-22-011	388-290-1150	NEW-P	99-08-121
388-97-555	NEW-P	99-24-045	388-165-190	NEW-P	99-18-071	388-290-1200	NEW-P	99-08-121
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388-97-565	NEW-P	99-24-045	388-165-195	NEW-P	99-18-071	388-290-125	NEW	99-14-023
388-97-570	NEW-P	99-24-045	388-165-195	NEW	99-22-011	388-290-1250	NEW-P	99-08-121
388-97-575	NEW-P	99-24-045	388-165-200	NEW-P	99-18-071	388-290-1300	NEW-P	99-08-121
388-97-580	NEW-P	99-24-045	388-165-200	NEW	99-22-011	388-290-1350	NEW-P	99-08-121
388-97-585	NEW-P	99-24-045	388-165-205	NEW-P	99-18-071	388-290-1375	NEW-P	99-08-121
388-97-590	NEW-P	99-24-045	388-165-205	NEW	99-22-011	388-290-1400	NEW-P	99-08-121
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388-290-600	NEW	99-14-023	388-310-1050	AMD-P	99-05-071	388-320-360	REP-P	99-03-076
388-290-650	NEW-P	99-08-121	388-310-1050	AMD	99-10-027	388-320-360	REP	99-06-044
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388-438-0110	AMD-P	99-20-110	388-450-0162	NEW	99-24-008	388-462-0005	REP-P	99-10-105
388-438-0110	AMD	99-23-082	388-450-0170	PREP	99-24-128	388-462-0005	REP	99-14-045
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388-440-0001	AMD-P	99-20-108	388-450-0180	REP-P	99-19-160	388-462-0010	AMD	99-14-045
388-440-0005	AMD-P	99-20-108	388-450-0180	REP	99-23-083	388-462-0011	NEW	99-14-045
388-442-0010	AMD-P	99-12-120	388-450-0185	AMD-P	99-12-116	388-462-0020	NEW-P	99-10-105
388-442-0010	AMD	99-16-024	388-450-0185	AMD	99-16-024	388-470-0005	PREP	99-03-040
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388-470-0020	PREP	99-03-040	388-501-0160	AMD-P	99-20-107	388-527-2700	NEW	99-11-076
388-470-0025	PREP	99-03-040	388-501-0165	PREP	99-08-041	388-527-2730	AMD-P	99-07-025
388-470-0025	AMD-P	99-12-117	388-501-0165	AMD-P	99-20-107	388-527-2730	AMD	99-11-076
388-470-0025	AMD	99-16-024	388-501-0175	PREP	99-05-044	388-527-2733	NEW-P	99-07-025
388-470-0035	AMD-P	99-12-117	388-501-0175	AMD-P	99-20-111	388-527-2733	NEW	99-11-076
388-470-0035	AMD	99-16-024	388-501-0200	NEW-P	99-20-111	388-527-2735	REP-P	99-07-025
388-470-0045	AMD-P	99-12-117	388-502	PREP	99-20-048	388-527-2735	REP	99-11-076
388-470-0045	AMD	99-16-024	388-502-0220	PREP	99-06-085	388-527-2737	NEW-P	99-07-025
388-470-0050	PREP	99-03-040	388-502-0220	AMD-P	99-11-052	388-527-2737	NEW	99-11-076
388-470-0055	AMD-P	99-12-117	388-502-0220	AMD	99-16-070	388-527-2740	AMD-P	99-07-025
388-470-0055	AMD	99-16-024	388-502-0250	PREP	99-05-044	388-527-2740	AMD	99-11-076
388-470-0070	PREP	99-03-040	388-502-0250	AMD-P	99-20-111	388-527-2742	AMD-P	99-07-025
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388-470-0075	AMD	99-16-024	388-503-0310	REP	99-19-091	388-527-2750	AMD-P	99-07-025
388-470-0080	REP-P	99-19-160	388-505-0210	AMD-P	99-13-126	388-527-2750	AMD	99-11-076
388-470-0080	REP	99-23-083	388-505-0210	AMD	99-17-023	388-527-2752	REP-P	99-07-025
388-472-0005	AMD-P	99-13-192	388-505-0540	PREP	99-05-044	388-527-2752	REP	99-11-076
388-472-0005	AMD	99-17-025	388-505-0595	PREP	99-05-044	388-527-2753	REP-P	99-07-025
388-476-0005	AMD-P	99-13-192	388-510-1005	REP-XR	99-15-042	388-527-2753	REP	99-11-076
388-476-0005	AMD	99-17-025	388-511-1130	PREP	99-05-044	388-527-2754	AMD-P	99-07-025
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388-478-0025	REP	99-16-024	388-513-1310	REP-P	99-16-067	388-527-2795	NEW	99-11-076
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388-478-0055	AMD	99-04-103	388-513-1315	AMD-P	99-16-067	388-530-1800	AMD-P	99-20-111
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388-478-0055	AMD-P	99-15-078	388-513-1320	AMD-P	99-16-067	388-530-2050	AMD-P	99-20-111
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388-478-0060	AMD	99-05-074	388-513-1330	AMD	99-06-045	388-535-1000	REP	99-07-023
388-478-0060	AMD-P	99-12-120	388-513-1330	AMD-P	99-16-067	388-535-1010	NEW	99-07-023
388-478-0060	AMD	99-16-024	388-513-1340	AMD-W	99-13-096	388-535-1050	AMD	99-07-023
388-478-0060	AMD-E	99-20-040	388-513-1340	AMD-P	99-19-090	388-535-1060	NEW	99-07-023
388-478-0060	AMD-P	99-20-101	388-513-1345	AMD-W	99-13-096	388-535-1080	NEW	99-07-023
388-478-0060	AMD	99-24-053	388-513-1345	AMD-P	99-19-090	388-535-1100	AMD	99-07-023
388-478-0070	AMD-P	99-08-118	388-513-1350	AMD	99-06-045	388-535-1150	AMD	99-07-023
388-478-0070	AMD-E	99-08-119	388-513-1350	AMD-P	99-16-067	388-535-1200	AMD	99-07-023
388-478-0070	AMD	99-11-054	388-513-1360	AMD	99-06-045	388-535-1220	NEW	99-07-023
388-478-0075	PREP	99-07-103	388-513-1360	AMD-P	99-16-067	388-535-1230	NEW	99-07-023
388-478-0075	AMD-E	99-08-001	388-513-1365	AMD	99-06-045	388-535-1240	NEW	99-07-023
388-478-0075	AMD-P	99-15-044	388-513-1365	AMD-P	99-16-067	388-535-1250	AMD	99-07-023
388-478-0075	AMD-E	99-15-045	388-513-1366	NEW-P	99-16-067	388-535-1260	NEW	99-07-023
388-478-0075	AMD	99-19-005	388-513-1380	AMD-P	99-06-100	388-535-1300	AMD	99-07-023
388-478-0080	AMD-P	99-08-118	388-513-1380	AMD-E	99-08-016	388-535-1350	AMD	99-07-023
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388-478-0080	AMD	99-11-054	388-513-1380	AMD-E	99-18-040	388-535-1450	AMD	99-07-023
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388-478-0085	AMD-E	99-08-001	388-513-1395	AMD	99-06-045	388-535-1550	AMD	99-07-023
388-478-0085	AMD-P	99-15-044	388-513-1395	AMD-P	99-16-067	388-537-0100	NEW-P	99-20-111
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388-478-0085	AMD	99-19-005	388-515-1505	AMD-W	99-13-096	388-538-050	AMD-P	99-20-109
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388-482-0005	AMD	99-16-024	388-515-1510	AMD-P	99-16-067	388-538-066	NEW-P	99-20-109
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388-484-0005	AMD	99-08-050	388-515-1530	AMD-P	99-16-067	388-538-080	AMD-P	99-20-109
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388-538-120	AMD-P	99-20-109	388-550-2521	NEW	99-17-111	388-550-5150	PREP	99-06-083
388-538-130	AMD-P	99-20-109	388-550-2531	NEW-P	99-14-038	388-550-5150	AMD-P	99-09-087
388-538-140	AMD-P	99-20-109	388-550-2531	NEW	99-17-111	388-550-5150	AMD	99-14-025
388-538-150	REP-P	99-20-109	388-550-2541	NEW-P	99-14-038	388-550-5200	PREP	99-06-083
388-539	PREP	99-21-095	388-550-2541	NEW	99-17-111	388-550-5200	AMD-P	99-09-087
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388-540-001	AMD-P	99-20-111	388-550-2561	NEW-P	99-14-038	388-550-5250	AMD-P	99-09-087
388-540-005	AMD-P	99-20-111	388-550-2561	NEW	99-17-111	388-550-5250	AMD	99-14-025
388-540-010	PREP	99-05-044	388-550-2800	AMD	99-06-046	388-550-5300	PREP	99-06-083
388-540-010	AMD-P	99-20-111	388-550-2800	PREP	99-06-084	388-550-5300	AMD-P	99-09-087
388-540-020	PREP	99-05-044	388-550-2800	AMD-P	99-09-091	388-550-5300	AMD	99-14-025
388-540-020	AMD-P	99-20-111	388-550-2800	AMD	99-14-027	388-550-5350	PREP	99-06-083
388-540-030	AMD-P	99-20-111	388-550-2900	AMD	99-06-046	388-550-5350	AMD-P	99-09-087
388-540-040	PREP	99-05-044	388-550-2900	PREP	99-06-084	388-550-5350	AMD	99-14-025
388-540-040	AMD-P	99-20-111	388-550-2900	AMD-P	99-09-091	388-550-5400	PREP	99-06-083
388-540-050	PREP	99-05-044	388-550-2900	AMD	99-14-027	388-550-5400	AMD-P	99-09-087
388-540-050	AMD-P	99-20-111	388-550-3000	AMD	99-06-046	388-550-5400	AMD	99-14-025
388-540-060	AMD-P	99-20-111	388-550-3100	AMD	99-06-046	388-550-5600	PREP	99-06-085
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388-543-1000	NEW-W	99-08-080	388-550-3381	NEW	99-17-111	388-550-5600	AMD	99-16-070
388-543-1100	NEW-W	99-08-080	388-550-3401	NEW-P	99-14-038	388-550-6000	AMD	99-06-046
388-543-1200	NEW-W	99-08-080	388-550-3401	NEW	99-17-111	388-550-6000	PREP	99-06-086
388-543-1300	NEW-W	99-08-080	388-550-3450	PREP	99-06-084	388-550-6000	AMD-P	99-09-089
388-543-1400	NEW-W	99-08-080	388-550-3450	AMD-P	99-09-091	388-550-6000	PREP	99-12-071
388-543-1500	NEW-W	99-08-080	388-550-3450	AMD	99-14-027	388-550-6000	AMD	99-14-028
388-543-1600	NEW-W	99-08-080	388-550-3500	AMD	99-06-046	388-551-1000	NEW-P	99-05-073
388-543-1700	NEW-W	99-08-080	388-550-3500	PREP	99-06-084	388-551-1000	NEW	99-09-007
388-543-1800	NEW-W	99-08-080	388-550-3500	AMD-P	99-09-091	388-551-1010	NEW-P	99-05-073
388-543-1900	NEW-W	99-08-080	388-550-3500	AMD	99-14-027	388-551-1010	NEW	99-09-007
388-543-2000	NEW-W	99-08-080	388-550-3700	AMD	99-06-046	388-551-1200	NEW-P	99-05-073
388-543-2100	NEW-W	99-08-080	388-550-3900	PREP	99-06-084	388-551-1200	NEW	99-09-007
388-543-2200	NEW-W	99-08-080	388-550-3900	AMD-P	99-09-091	388-551-1210	NEW-P	99-05-073
388-543-2300	NEW-W	99-08-080	388-550-3900	AMD	99-14-027	388-551-1210	NEW	99-09-007
388-543-2400	NEW-W	99-08-080	388-550-4100	PREP	99-06-084	388-551-1300	NEW-P	99-05-073
388-543-2500	NEW-W	99-08-080	388-550-4100	AMD-P	99-09-091	388-551-1300	NEW	99-09-007
388-543-2600	NEW-W	99-08-080	388-550-4100	AMD	99-14-027	388-551-1310	NEW-P	99-05-073
388-543-2700	NEW-W	99-08-080	388-550-4100	AMD	99-06-046	388-551-1310	NEW	99-09-007
388-543-2800	NEW-W	99-08-080	388-550-4500	AMD	99-06-046	388-551-1315	NEW-P	99-05-073
388-543-2900	NEW-W	99-08-080	388-550-4500	PREP	99-06-084	388-551-1315	NEW-P	99-09-007
388-543-3000	NEW-W	99-08-080	388-550-4500	AMD-P	99-09-091	388-551-1320	NEW	99-05-073
388-545-0500	PREP	99-11-084	388-550-4500	AMD-W	99-11-050	388-551-1320	NEW-P	99-09-007
388-545-300	NEW-P	99-11-071	388-550-4500	AMD-P	99-13-050	388-551-1320	NEW	99-05-073
388-545-300	NEW	99-16-068	388-550-4500	AMD-S	99-17-110	388-551-1330	NEW-P	99-05-073
388-545-500	NEW-P	99-20-106	388-550-4700	AMD	99-06-046	388-551-1330	NEW	99-09-007
388-545-700	NEW-P	99-11-074	388-550-4800	AMD	99-06-046	388-551-1340	NEW-P	99-05-073
388-545-700	NEW	99-16-071	388-550-4800	AMD-P	99-09-090	388-551-1340	NEW	99-09-007
388-546	PREP	99-13-191	388-550-4800	AMD	99-14-026	388-551-1350	NEW-P	99-05-073
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388-550-1050	PREP	99-06-087	388-550-4900	AMD	99-14-040	388-551-1360	NEW	99-09-007
388-550-1050	AMD-P	99-09-088	388-550-5000	PREP	99-06-083	388-551-1400	NEW-P	99-05-073
388-550-1050	AMD	99-14-039	388-550-5000	AMD-P	99-09-087	388-551-1400	NEW	99-09-007
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388-550-2501	NEW-P	99-14-038	388-550-5110	PREP	99-06-083	388-551-1510	NEW-P	99-05-073
388-550-2501	NEW	99-17-111	388-550-5110	NEW-P	99-09-087	388-551-1510	NEW	99-09-007
388-550-2511	NEW-P	99-14-038	388-550-5110	NEW-W	99-13-125	388-551-1520	NEW-P	99-05-073
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388-551-2000	NEW-P	99-11-053	388-557-0100	NEW-P	99-20-111	388-820-040	RECOD	99-19-104
388-551-2000	NEW	99-16-069	388-560	PREP	99-20-050	388-820-045	RECOD	99-19-104
388-551-2010	NEW-P	99-11-053	388-810-005	NEW-P	99-16-098	388-820-050	RECOD	99-19-104
388-551-2010	NEW	99-16-069	388-810-005	NEW	99-19-105	388-820-055	RECOD	99-19-104
388-551-2020	NEW-P	99-11-053	388-810-010	NEW-P	99-16-098	388-820-060	RECOD	99-19-104
388-551-2020	NEW	99-16-069	388-810-010	NEW	99-19-105	388-820-065	RECOD	99-19-104
388-551-2100	NEW-P	99-11-053	388-810-020	NEW-P	99-16-098	388-820-070	RECOD	99-19-104
388-551-2100	NEW	99-16-069	388-810-020	NEW	99-19-105	388-820-075	RECOD	99-19-104
388-551-2110	NEW-P	99-11-053	388-810-030	NEW-P	99-16-098	388-820-080	RECOD	99-19-104
388-551-2110	NEW	99-16-069	388-810-030	NEW	99-19-105	388-820-085	RECOD	99-19-104
388-551-2120	NEW-P	99-11-053	388-810-040	NEW-P	99-16-098	388-820-090	RECOD	99-19-104
388-551-2120	NEW	99-16-069	388-810-040	NEW	99-19-105	388-820-095	RECOD	99-19-104
388-551-2130	NEW-P	99-11-053	388-810-050	NEW-P	99-16-098	388-820-100	RECOD	99-19-104
388-551-2130	NEW	99-16-069	388-810-050	NEW	99-19-105	388-820-105	RECOD	99-19-104
388-551-2200	NEW-P	99-11-053	388-810-060	NEW-P	99-16-098	388-820-110	RECOD	99-19-104
388-551-2200	NEW	99-16-069	388-810-060	NEW	99-19-105	388-820-115	RECOD	99-19-104
388-551-2210	NEW-P	99-11-053	388-810-070	NEW-P	99-16-098	388-820-120	RECOD	99-19-104
388-551-2210	NEW	99-16-069	388-810-070	NEW	99-19-105	388-820-125	RECOD	99-19-104
388-551-2220	NEW-P	99-11-053	388-810-080	NEW-P	99-16-098	388-820-130	RECOD	99-19-104
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388-552-001	NEW	99-13-049	388-810-090	NEW	99-19-105	388-825-025	RECOD	99-19-104
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388-552-005	NEW	99-13-049	388-815-010	RECOD	99-20-023	388-825-035	RECOD	99-19-104
388-552-100	NEW-P	99-08-122	388-815-020	RECOD	99-20-023	388-825-040	RECOD	99-19-104
388-552-100	NEW	99-13-049	388-815-030	RECOD	99-20-023	388-825-045	RECOD	99-19-104
388-552-200	NEW-P	99-08-122	388-815-100	RECOD	99-20-023	388-825-050	RECOD	99-19-104
388-552-200	NEW	99-13-049	388-815-110	RECOD	99-20-023	388-825-055	RECOD	99-19-104
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388-552-210	NEW	99-13-049	388-815-130	RECOD	99-20-023	388-825-080	RECOD	99-19-104
388-552-220	NEW-P	99-08-122	388-815-140	RECOD	99-20-023	388-825-100	RECOD	99-19-104
388-552-220	NEW	99-13-049	388-815-160	RECOD	99-20-023	388-825-120	RECOD	99-19-104
388-552-230	NEW-P	99-08-122	388-815-200	RECOD	99-20-023	388-825-170	RECOD	99-19-104
388-552-230	NEW	99-13-049	388-815-205	RECOD	99-20-023	388-825-180	RECOD	99-19-104
388-552-240	NEW-P	99-08-122	388-815-210	RECOD	99-20-023	388-825-190	RECOD	99-19-104
388-552-240	NEW	99-13-049	388-815-215	RECOD	99-20-023	388-825-200	RECOD	99-19-104
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388-552-300	NEW	99-13-049	388-815-230	RECOD	99-20-023	388-825-210	RECOD	99-19-104
388-552-310	NEW-P	99-08-122	388-815-240	RECOD	99-20-023	388-825-220	RECOD	99-19-104
388-552-310	NEW	99-13-049	388-815-250	RECOD	99-20-023	388-825-222	RECOD	99-19-104
388-552-320	NEW-P	99-08-122	388-818-001	RECOD	99-20-022	388-825-224	RECOD	99-19-104
388-552-320	NEW	99-13-049	388-818-002	RECOD	99-20-022	388-825-226	RECOD	99-19-104
388-552-330	NEW-P	99-08-122	388-818-003	RECOD	99-20-022	388-825-228	RECOD	99-19-104
388-552-330	NEW	99-13-049	388-818-005	RECOD	99-20-022	388-825-230	RECOD	99-19-104
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388-552-360	NEW	99-13-049	388-818-060	RECOD	99-20-022	388-825-242	RECOD	99-19-104
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388-890-1090	NEW	99-18-053	388-890-1250	NEW	99-18-053	390-14-025	AMD-P	99-09-065
388-890-1095	NEW-P	99-12-030	388-890-1255	NEW-P	99-12-030	390-14-025	AMD	99-12-059
388-890-1095	NEW	99-18-053	388-890-1255	NEW	99-18-053	390-14-030	PREP	99-06-054
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388-890-1195	NEW-P	99-12-030	389-12-071	AMD	99-20-082	390-16-041	PREP	99-16-042
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392-140-951	NEW-P	99-15-048	392-172-102	AMD	99-24-137	392-172-156	AMD	99-24-137
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392-140-955	NEW-P	99-15-048	392-172-105	NEW-P	99-17-101	392-172-15705	NEW-P	99-17-101
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392-172-400	AMD	99-24-137	392-172-558	REP	99-24-137	392-172-635	NEW	99-24-137
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392-172-402	AMD	99-24-137	392-172-559	NEW	99-24-137	392-172-640	NEW	99-24-137
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392-172-408	AMD-P	99-17-101	392-172-561	NEW-P	99-17-101	392-172-650	NEW-P	99-17-101
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446- 16-100	AMD-P	99-03-080	456- 12-090	REP	99-13-098	458- 16A-010	AMD	99-04-016
446- 16-100	AMD	99-07-051	456- 12-095	NEW-P	99-08-091	458- 18-010	PREP	99-11-105
446- 16-110	AMD-P	99-03-080	456- 12-095	NEW	99-13-098	458- 18-010	AMD-P	99-18-045
446- 16-110	AMD	99-07-051	456- 12-100	REP-P	99-08-091	458- 18-010	AMD	99-21-044
446- 20-600	AMD-P	99-03-081	456- 12-100	REP	99-13-098	458- 18-220	AMD-XA	99-19-106
446- 20-600	AMD	99-07-050	456- 12-105	NEW-P	99-08-091	458- 18-220	AMD	99-24-033
446- 30-010	PREP	99-17-087	456- 12-105	NEW	99-13-098	458- 20-101	AMD-XA	99-20-051
446- 30-010	AMD-P	99-22-033	456- 12-110	REP-P	99-08-091	458- 20-117	AMD-XA	99-20-020
448- 13-030	AMD	99-06-048	456- 12-110	REP	99-13-098	458- 20-119	AMD-XA	99-06-027
448- 13-040	AMD	99-06-048	456- 12-115	NEW-P	99-08-091	458- 20-119	AMD	99-11-107
448- 13-050	AMD	99-06-048	456- 12-115	NEW	99-13-098	458- 20-131	AMD-P	99-05-017
448- 13-060	AMD-E	99-10-018	456- 12-120	REP-P	99-08-091	458- 20-131	AMD	99-08-090
448- 13-060	AMD-XA	99-10-019	456- 12-120	REP	99-13-098	458- 20-135	AMD-E	99-12-077
448- 13-060	AMD-S	99-17-063	456- 12-130	REP-P	99-08-091	458- 20-135	PREP	99-12-078
448- 13-060	AMD-E	99-17-064	456- 12-130	REP	99-13-098	458- 20-135	AMD-E	99-20-003
448- 13-060	AMD	99-22-009	456- 12-140	REP-P	99-08-091	458- 20-136	AMD-E	99-12-077
448- 13-065	AMD	99-06-048	456- 12-140	REP	99-13-098	458- 20-136	PREP	99-12-078
448- 13-070	AMD	99-06-048	458- 07-010	NEW-P	99-18-110	458- 20-136	AMD-E	99-20-003
448- 13-080	AMD	99-06-048	458- 07-015	NEW-P	99-18-110	458- 20-13601	NEW-E	99-12-077
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458-20-165	AMD	99-13-052	458-57-025	NEW-P	99-11-104	460-24A-110	AMD-P	99-21-072
458-20-166	PREP	99-20-146	458-57-025	NEW	99-15-095	460-24A-145	NEW	99-03-052
458-20-167	AMD	99-03-005	458-57-035	NEW-P	99-11-104	460-24A-150	AMD-P	99-21-072
458-20-192	PREP	99-09-082	458-57-035	NEW	99-15-095	460-24A-220	AMD	99-03-051
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458-20-195	AMD	99-13-053	458-57-045	NEW	99-15-095	460-44A-500	AMD-P	99-24-059
458-20-206	REP-XR	99-04-019	458-57-510	REP-P	99-11-104	460-44A-504	AMD-P	99-24-059
458-20-206	REP	99-08-005	458-57-510	REP	99-15-095	460-46A-010	REP-XR	99-24-058
458-20-207	AMD-XA	99-08-023	458-57-520	REP-P	99-11-104	460-46A-020	REP-XR	99-24-058
458-20-207	AMD	99-13-092	458-57-520	REP	99-15-095	460-46A-025	REP-XR	99-24-058
458-20-216	AMD-P	99-04-014	458-57-530	REP-P	99-11-104	460-46A-030	REP-XR	99-24-058
458-20-216	AMD	99-08-034	458-57-530	REP	99-15-095	460-46A-040	REP-XR	99-24-058
458-20-222	AMD-P	99-04-015	458-57-540	REP-P	99-11-104	460-46A-050	REP-XR	99-24-058
458-20-222	AMD	99-08-033	458-57-540	REP	99-15-095	460-46A-055	REP-XR	99-24-058
458-20-225	REP-XR	99-04-019	458-57-550	REP-P	99-11-104	460-46A-061	REP-XR	99-24-058
458-20-225	REP	99-08-005	458-57-550	REP	99-15-095	460-46A-065	REP-XR	99-24-058
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458-20-226	AMD	99-09-013	458-57-560	REP	99-15-095	460-46A-072	REP-XR	99-24-058
458-20-228	AMD-P	99-10-034	458-57-570	REP-P	99-11-104	460-46A-090	REP-XR	99-24-058
458-20-228	AMD-W	99-23-072	458-57-570	REP	99-15-095	460-46A-091	REP-XR	99-24-058
458-20-228	AMD-P	99-24-036	458-57-575	NEW	99-03-010	460-46A-092	REP-XR	99-24-058
458-20-231	AMD	99-02-055	458-57-575	REP-P	99-11-104	460-46A-095	REP-XR	99-24-058
458-20-238	AMD-XA	99-04-020	458-57-575	REP	99-15-095	460-46A-100	REP-XR	99-24-058
458-20-238	AMD-W	99-17-083	458-57-580	REP-P	99-11-104	460-46A-105	REP-XR	99-24-058
458-20-246	PREP	99-11-041	458-57-580	REP	99-15-095	460-46A-110	REP-XR	99-24-058
458-20-246	AMD-P	99-17-029	458-57-590	REP-P	99-11-104	460-46A-115	REP-XR	99-24-058
458-20-246	AMD	99-24-007	458-57-590	REP	99-15-095	460-46A-145	REP-XR	99-24-058
458-20-261	NEW-P	99-04-022	458-57-600	REP-P	99-11-104	460-46A-150	REP-XR	99-24-058
458-20-261	NEW	99-08-035	458-57-600	REP	99-15-095	460-46A-155	REP-XR	99-24-058
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458-20-263	AMD	99-11-106	458-57-610	REP	99-15-095	460-46A-165	REP-XR	99-24-058
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458-29A-100	NEW	99-20-053	458-57-620	REP	99-15-095	461-08-355	AMD	99-23-038
458-29A-200	NEW-P	99-17-088	458-57-630	REP-P	99-11-104	461-08-360	REP-P	99-19-121
458-29A-200	NEW	99-20-053	458-57-630	REP	99-15-095	461-08-360	REP	99-23-038
458-29A-400	NEW-P	99-17-088	458-57-640	REP-P	99-11-104	461-08-555	AMD-P	99-19-121
458-29A-400	NEW	99-20-053	458-57-640	REP	99-15-095	461-08-555	AMD	99-23-038
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458-29A-500	NEW	99-20-053	458-57-650	REP	99-15-095	468-06-040	AMD	99-07-013
458-29A-600	NEW-P	99-17-088	458-57-660	REP-P	99-11-104	468-12	PREP	99-04-042
458-29A-600	NEW	99-20-053	458-57-660	REP	99-15-095	468-34-010	AMD-W	99-08-082
458-30-262	AMD-XA	99-19-107	458-61-090	AMD-P	99-10-033	468-34-020	AMD-W	99-08-082
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458-30-590	AMD	99-24-035	458-65-020	REP	99-08-007	468-38-110	AMD-P	99-05-006
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458-40-660	AMD-P	99-10-039	458-65-040	REP-XR	99-04-018	468-38-110	PREP	99-22-003
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458-40-660	PREP	99-18-070	460-21B-060	AMD-XA	99-07-012	468-38-150	REP	99-07-098
458-40-660	AMD-P	99-22-064	460-21B-060	AMD	99-12-043	468-38-170	REP-XR	99-04-058
458-50-010	REP-XR	99-04-031	460-21B-060	AMD-W	99-14-077	468-38-170	REP	99-07-098
458-50-010	REP	99-08-006	460-21C	PREP	99-22-065	468-38-210	REP-XR	99-04-058
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458-50-050	REP	99-08-006	460-22B-090	AMD	99-12-043	468-38-290	AMD-E	99-10-004
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468-51-040	AMD	99-06-034	468-500-001	AMD	99-11-007	478-324-140	AMD-XA	99-19-096
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468-51-070	AMD	99-06-034	468-550-030	AMD-P	99-15-011	478-324-170	AMD-XA	99-19-096
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468-51-110	AMD	99-06-034	468-550-060	AMD	99-18-059	479-01-010	AMD-E	99-19-006
468-51-120	AMD	99-06-034	468-550-070	AMD-P	99-15-011	479-01-010	AMD-P	99-20-143
468-51-130	AMD	99-06-034	468-550-070	AMD	99-18-059	479-01-010	AMD	99-24-038
468-51-140	AMD	99-06-034	468-550-080	NEW-P	99-15-011	479-01-020	AMD-P	99-20-143
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468-54	PREP	99-10-029	474-10-040	NEW	99-03-004	479-02-010	AMD-E	99-19-006
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468-66	AMD-C	99-23-036	474-10-070	NEW	99-03-004	479-02-020	REP-E	99-19-006
468-66-030	AMD-E	99-18-096	474-10-080	NEW	99-03-004	479-02-020	REP-P	99-20-143
468-66-030	AMD-P	99-20-065	474-10-090	NEW	99-03-004	479-02-020	REP	99-24-038
468-66-030	AMD	99-24-083	474-10-100	NEW	99-03-004	479-02-030	REP-E	99-19-006
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468-66-070	AMD-P	99-20-065	478-140-010	AMD-P	99-08-056	479-02-050	AMD	99-24-038
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468-66-110	AMD-E	99-18-096	478-140-015	AMD-P	99-08-056	479-02-060	AMD-P	99-20-143
468-66-110	AMD-P	99-20-065	478-140-015	AMD	99-12-110	479-02-060	AMD	99-24-038
468-66-110	AMD	99-24-083	478-140-018	AMD-P	99-08-056	479-02-110	AMD-E	99-19-006
468-66-140	AMD-E	99-18-096	478-140-018	AMD	99-12-110	479-02-110	AMD-P	99-20-143
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468-66-140	AMD	99-24-083	478-140-019	NEW	99-12-110	479-05-010	NEW-E	99-19-006
468-70	PREP	99-19-145	478-140-021	AMD-P	99-08-056	479-05-010	NEW-P	99-20-143
468-70-010	AMD-P	99-23-011	478-140-021	AMD	99-12-110	479-05-010	NEW	99-24-038
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468-70-040	AMD-P	99-23-011	478-140-050	AMD-P	99-08-056	479-05-020	NEW	99-24-038
468-70-050	AMD-P	99-23-011	478-140-050	AMD	99-12-110	479-05-030	NEW-E	99-19-006
468-70-060	AMD-P	99-23-011	478-140-050	AMD	99-12-110	479-05-030	NEW-P	99-20-143
468-70-070	AMD-P	99-23-011	478-140-060	REP-P	99-08-056	479-05-030	NEW	99-24-038
468-70-070	AMD-P	99-23-011	478-140-060	REP	99-12-110	479-05-030	NEW	99-19-006
468-70-080	AMD-P	99-23-011	478-140-070	AMD-P	99-08-056	479-05-040	NEW-E	99-19-006
468-70-085	AMD-P	99-23-011	478-140-070	AMD	99-12-110	479-05-040	NEW-P	99-20-143
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468-300-010	AMD	99-08-066	478-140-080	NEW	99-12-110	479-05-040	NEW-E	99-19-006
468-300-020	AMD-P	99-05-035	478-210-010	REP	99-06-033	479-05-050	NEW-P	99-20-143
468-300-020	AMD	99-08-066	478-210-020	REP	99-06-033	479-05-050	NEW	99-24-038
468-300-040	AMD-P	99-05-035	478-324-020	AMD-XA	99-19-096	479-05-060	NEW-E	99-19-006
468-300-040	AMD	99-08-066	478-324-030	AMD-XA	99-19-096	479-05-060	NEW-P	99-20-143
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468-300-220	AMD	99-08-066	478-324-045	NEW-XA	99-19-096	479-05-070	NEW-E	99-19-006
468-300-700	AMD	99-07-059	478-324-050	REP-XA	99-19-096	479-05-070	NEW-P	99-20-143
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468-310-020	AMD	99-03-025	478-324-070	AMD-XA	99-19-096	479-05-080	NEW-E	99-19-006
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479-05-090	NEW-E	99-19-006	479-05-290	NEW	99-24-038	479-12-340	NEW	99-24-038
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479-05-100	NEW	99-24-038	479-12-008	AMD-P	99-20-143	479-12-360	NEW-P	99-20-143
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479-05-110	NEW	99-24-038	479-12-010	REP-P	99-20-143	479-12-370	NEW-P	99-20-143
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479-05-130	NEW-E	99-19-006	479-12-020	REP-E	99-19-006	479-12-400	NEW	99-24-038
479-05-130	NEW-P	99-20-143	479-12-020	REP-P	99-20-143	479-12-410	NEW-E	99-19-006
479-05-130	NEW	99-24-038	479-12-020	REP	99-24-038	479-12-410	NEW-P	99-20-143
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479-05-140	NEW	99-24-038	479-12-100	NEW	99-24-038	479-12-420	NEW-P	99-20-143
479-05-150	NEW-E	99-19-006	479-12-110	NEW-E	99-19-006	479-12-420	NEW	99-24-038
479-05-150	NEW-P	99-20-143	479-12-110	NEW-P	99-20-143	479-12-430	NEW-E	99-19-006
479-05-150	NEW	99-24-038	479-12-110	NEW	99-24-038	479-12-430	NEW-P	99-20-143
479-05-160	NEW-E	99-19-006	479-12-120	NEW-E	99-19-006	479-12-430	NEW	99-24-038
479-05-160	NEW-P	99-20-143	479-12-120	NEW-P	99-20-143	479-12-440	NEW-E	99-19-006
479-05-160	NEW	99-24-038	479-12-120	NEW	99-24-038	479-12-440	NEW-P	99-20-143
479-05-170	NEW-E	99-19-006	479-12-130	NEW-E	99-19-006	479-12-440	NEW	99-24-038
479-05-170	NEW-P	99-20-143	479-12-130	NEW-P	99-20-143	479-13-010	REP-E	99-19-006
479-05-170	NEW	99-24-038	479-12-130	NEW	99-24-038	479-13-010	REP-P	99-20-143
479-05-180	NEW-E	99-19-006	479-12-140	NEW-E	99-19-006	479-13-010	REP	99-24-038
479-05-180	NEW-P	99-20-143	479-12-140	NEW-P	99-20-143	479-13-011	REP-E	99-19-006
479-05-180	NEW	99-24-038	479-12-140	NEW	99-24-038	479-13-011	REP-P	99-20-143
479-05-190	NEW-E	99-19-006	479-12-150	NEW-E	99-19-006	479-13-011	REP	99-24-038
479-05-190	NEW-P	99-20-143	479-12-150	NEW-P	99-20-143	479-13-025	REP-E	99-19-006
479-05-190	NEW	99-24-038	479-12-150	NEW	99-24-038	479-13-025	REP-P	99-20-143
479-05-200	NEW-E	99-19-006	479-12-200	NEW-E	99-19-006	479-13-025	REP	99-24-038
479-05-200	NEW-P	99-20-143	479-12-200	NEW-P	99-20-143	479-13-035	REP-E	99-19-006
479-05-200	NEW	99-24-038	479-12-200	NEW	99-24-038	479-13-035	REP-P	99-20-143
479-05-210	NEW-E	99-19-006	479-12-210	NEW-E	99-19-006	479-13-035	REP	99-24-038
479-05-210	NEW-P	99-20-143	479-12-210	NEW-P	99-20-143	479-13-070	REP-E	99-19-006
479-05-210	NEW	99-24-038	479-12-210	NEW	99-24-038	479-13-070	REP-P	99-20-143
479-05-220	NEW-E	99-19-006	479-12-220	NEW-E	99-19-006	479-13-070	REP	99-24-038
479-05-220	NEW-P	99-20-143	479-12-220	NEW-P	99-20-143	479-14-005	NEW-E	99-19-006
479-05-220	NEW	99-24-038	479-12-220	NEW	99-24-038	479-14-005	NEW-P	99-20-143
479-05-230	NEW-E	99-19-006	479-12-230	NEW-E	99-19-006	479-14-005	NEW	99-24-038
479-05-230	NEW-P	99-20-143	479-12-230	NEW-P	99-20-143	479-14-008	NEW-E	99-19-006
479-05-230	NEW	99-24-038	479-12-230	NEW	99-24-038	479-14-008	NEW-P	99-20-143
479-05-240	NEW-E	99-19-006	479-12-240	NEW-E	99-19-006	479-14-008	NEW	99-24-038
479-05-240	NEW-P	99-20-143	479-12-240	NEW-P	99-20-143	479-14-010	NEW-E	99-19-006
479-05-240	NEW	99-24-038	479-12-240	NEW	99-24-038	479-14-010	NEW-P	99-20-143
479-05-250	NEW-E	99-19-006	479-12-250	NEW-E	99-19-006	479-14-010	NEW	99-24-038
479-05-250	NEW-P	99-20-143	479-12-250	NEW-P	99-20-143	479-14-100	NEW-E	99-19-006
479-05-250	NEW	99-24-038	479-12-250	NEW	99-24-038	479-14-100	NEW-P	99-20-143
479-05-260	NEW-E	99-19-006	479-12-260	NEW-E	99-19-006	479-14-100	NEW	99-24-038
479-05-260	NEW-P	99-20-143	479-12-260	NEW-P	99-20-143	479-14-110	NEW-E	99-19-006
479-05-260	NEW	99-24-038	479-12-260	NEW	99-24-038	479-14-110	NEW-P	99-20-143
479-05-270	NEW-E	99-19-006	479-12-300	NEW-E	99-19-006	479-14-110	NEW	99-24-038
479-05-270	NEW-P	99-20-143	479-12-300	NEW-P	99-20-143	479-14-120	NEW-E	99-19-006
479-05-270	NEW	99-24-038	479-12-300	NEW	99-24-038	479-14-120	NEW-P	99-20-143
479-05-280	NEW-E	99-19-006	479-12-310	NEW-E	99-19-006	479-14-120	NEW	99-24-038
479-05-280	NEW-P	99-20-143	479-12-310	NEW-P	99-20-143	479-14-130	NEW-E	99-19-006
479-05-280	NEW	99-24-038	479-12-310	NEW	99-24-038	479-14-130	NEW-P	99-20-143
479-05-290	NEW-E	99-19-006	479-12-340	NEW-E	99-19-006	479-14-130	NEW	99-24-038

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
479- 14-140	NEW-E	99-19-006	479- 16-040	AMD-P	99-03-089	479- 20-025	REP-P	99-20-143
479- 14-140	NEW-P	99-20-143	479- 16-040	AMD	99-08-021	479- 20-025	REP	99-24-038
479- 14-140	NEW	99-24-038	479- 16-040	REP-E	99-19-006	479- 20-027	REP-E	99-19-006
479- 14-150	NEW-E	99-19-006	479- 16-040	REP-P	99-20-143	479- 20-027	REP-P	99-20-143
479- 14-150	NEW-P	99-20-143	479- 16-040	REP	99-24-038	479- 20-027	REP	99-24-038
479- 14-150	NEW	99-24-038	479- 16-045	REP-E	99-19-006	479- 20-031	REP-E	99-19-006
479- 14-160	NEW-E	99-19-006	479- 16-045	REP-P	99-20-143	479- 20-031	REP-P	99-20-143
479- 14-160	NEW-P	99-20-143	479- 16-045	REP	99-24-038	479- 20-031	REP	99-24-038
479- 14-160	NEW	99-24-038	479- 16-050	REP-E	99-19-006	479- 20-037	AMD-P	99-03-089
479- 14-170	NEW-E	99-19-006	479- 16-050	REP-P	99-20-143	479- 20-037	AMD	99-08-021
479- 14-170	NEW-P	99-20-143	479- 16-050	REP	99-24-038	479- 20-037	REP-E	99-19-006
479- 14-170	NEW	99-24-038	479- 16-060	REP-E	99-19-006	479- 20-037	REP-P	99-20-143
479- 14-180	NEW-E	99-19-006	479- 16-060	REP-P	99-20-143	479- 20-037	REP	99-24-038
479- 14-180	NEW-P	99-20-143	479- 16-060	REP	99-24-038	479- 20-086	REP-E	99-19-006
479- 14-180	NEW	99-24-038	479- 16-080	REP-E	99-19-006	479- 20-086	REP-P	99-20-143
479- 14-190	NEW-E	99-19-006	479- 16-080	REP-P	99-20-143	479- 20-086	REP	99-24-038
479- 14-190	NEW-P	99-20-143	479- 16-080	REP	99-24-038	479- 20-089	REP-E	99-19-006
479- 14-190	NEW	99-24-038	479- 16-085	REP-E	99-19-006	479- 20-089	REP-P	99-20-143
479- 15-005	NEW-E	99-19-006	479- 16-085	REP-P	99-20-143	479- 20-089	REP	99-24-038
479- 15-005	NEW-P	99-20-143	479- 16-085	REP	99-24-038	479- 20-095	REP-E	99-19-006
479- 15-005	NEW	99-24-038	479- 16-085	REP	99-24-038	479- 20-095	REP-P	99-20-143
479- 15-008	NEW-E	99-19-006	479- 16-098	AMD-P	99-03-089	479- 20-095	REP-P	99-20-143
479- 15-008	NEW-P	99-20-143	479- 16-098	AMD	99-08-021	479- 20-095	REP	99-24-038
479- 15-008	NEW	99-24-038	479- 16-098	REP-E	99-19-006	479- 24-010	REP-P	99-20-143
479- 15-010	NEW-E	99-19-006	479- 16-098	REP-P	99-20-143	479- 24-010	REP	99-24-038
479- 15-010	NEW-P	99-20-143	479- 16-098	REP	99-24-038	479- 24-020	REP-P	99-20-143
479- 15-010	NEW	99-24-038	479- 17-100	NEW-E	99-19-006	479- 24-020	REP	99-24-038
479- 15-100	NEW-E	99-19-006	479- 17-100	NEW-P	99-20-143	479- 24-030	REP-P	99-20-143
479- 15-100	NEW-P	99-20-143	479- 17-100	NEW	99-24-038	479- 24-030	REP	99-24-038
479- 15-100	NEW	99-24-038	479- 17-200	NEW-E	99-19-006	479- 24-040	REP-P	99-20-143
479- 15-100	NEW	99-24-038	479- 17-200	NEW-P	99-20-143	479- 24-040	REP	99-24-038
479- 15-110	NEW-E	99-19-006	479- 17-200	NEW	99-24-038	479- 24-050	REP-P	99-20-143
479- 15-110	NEW-P	99-20-143	479- 17-200	NEW-E	99-19-006	479- 24-050	REP	99-24-038
479- 15-110	NEW	99-24-038	479- 17-300	NEW-P	99-20-143	479- 24-050	REP	99-24-038
479- 15-110	NEW-E	99-19-006	479- 17-300	NEW-P	99-20-143	479- 24-070	REP-P	99-20-143
479- 15-120	NEW-P	99-20-143	479- 17-300	NEW-E	99-19-006	479- 24-070	REP	99-24-038
479- 15-120	NEW	99-24-038	479- 17-300	NEW	99-24-038	479-112-001	REP-E	99-19-006
479- 15-130	NEW-E	99-19-006	479- 17-400	NEW-E	99-19-006	479-112-001	REP-P	99-20-143
479- 15-130	NEW-P	99-20-143	479- 17-400	NEW-P	99-20-143	479-112-001	REP	99-24-038
479- 15-130	NEW	99-24-038	479- 17-400	NEW	99-24-038	479-112-003	REP-E	99-19-006
479- 15-130	NEW-E	99-19-006	479- 20-007	AMD-P	99-03-089	479-112-003	REP-P	99-20-143
479- 15-130	NEW-P	99-20-143	479- 20-007	AMD	99-08-021	479-112-003	REP	99-24-038
479- 15-140	NEW	99-24-038	479- 20-007	REP-E	99-19-006	479-112-003	REP	99-24-038
479- 15-140	NEW-E	99-19-006	479- 20-007	REP-P	99-20-143	479-112-0055	REP-E	99-19-006
479- 15-140	NEW-P	99-20-143	479- 20-007	REP	99-24-038	479-112-0055	REP-P	99-20-143
479- 15-140	NEW	99-24-038	479- 20-007	REP	99-24-038	479-112-0055	REP-P	99-20-143
479- 16-010	REP-E	99-19-006	479- 20-010	REP-E	99-19-006	479-112-0055	REP	99-24-038
479- 16-010	REP-P	99-20-143	479- 20-010	REP-P	99-20-143	479-112-007	REP-E	99-19-006
479- 16-010	REP	99-24-038	479- 20-010	REP-P	99-20-143	479-112-007	REP-P	99-20-143
479- 16-010	REP	99-24-038	479- 20-010	REP	99-24-038	479-112-007	REP-P	99-20-143
479- 16-015	REP-E	99-19-006	479- 20-010	REP	99-24-038	479-112-007	REP	99-24-038
479- 16-015	REP-P	99-20-143	479- 20-011	REP-E	99-19-006	479-112-007	REP	99-24-038
479- 16-015	REP	99-24-038	479- 20-011	REP-P	99-20-143	479-112-008	REP-E	99-19-006
479- 16-015	REP	99-24-038	479- 20-011	REP	99-24-038	479-112-008	REP-P	99-20-143
479- 16-016	REP-E	99-19-006	479- 20-011	REP	99-24-038	479-112-008	REP	99-24-038
479- 16-016	REP-P	99-20-143	479- 20-013	REP-E	99-19-006	479-112-008	REP	99-24-038
479- 16-016	REP	99-24-038	479- 20-013	REP-E	99-19-006	479-112-009	REP-E	99-19-006
479- 16-020	AMD-P	99-03-089	479- 20-013	REP-P	99-20-143	479-112-009	REP-P	99-20-143
479- 16-020	AMD	99-08-021	479- 20-013	REP	99-24-038	479-112-009	REP	99-24-038
479- 16-020	REP-E	99-19-006	479- 20-016	REP-E	99-19-006	479-112-009	REP	99-24-038
479- 16-020	REP-P	99-20-143	479- 20-016	REP-P	99-20-143	479-112-010	REP-E	99-19-006
479- 16-020	REP	99-24-038	479- 20-016	REP	99-24-038	479-112-010	REP-P	99-20-143
479- 16-030	REP-E	99-19-006	479- 20-016	REP	99-24-038	479-112-010	REP	99-24-038
479- 16-030	REP-P	99-20-143	479- 20-020	AMD-P	99-03-089	479-112-010	REP	99-24-038
479- 16-030	REP	99-24-038	479- 20-020	AMD	99-08-021	479-112-010	REP	99-24-038
479- 16-035	REP-E	99-19-006	479- 20-020	AMD	99-08-021	479-112-017	REP-E	99-19-006
479- 16-035	REP-P	99-20-143	479- 20-020	REP-E	99-19-006	479-112-017	REP-P	99-20-143
479- 16-035	REP	99-24-038	479- 20-020	REP-P	99-20-143	479-112-017	REP	99-24-038
479- 16-035	REP	99-24-038	479- 20-020	REP	99-24-038	479-112-018	REP-E	99-19-006
479- 16-035	REP	99-24-038	479- 20-025	AMD-P	99-03-089	479-112-018	REP-P	99-20-143
479- 16-035	REP	99-24-038	479- 20-025	AMD	99-08-021	479-112-018	REP	99-24-038
479- 16-035	REP	99-24-038	479- 20-025	REP-E	99-19-006	479-112-020	REP-E	99-19-006

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
479-112-020	REP-P	99-20-143	479-310-010	REP-E	99-19-006	479-320-150	REP	99-24-038
479-112-020	REP	99-24-038	479-310-010	REP-P	99-20-143	479-320-200	REP-E	99-19-006
479-113-010	REP-P	99-20-143	479-310-010	REP	99-24-038	479-320-200	REP-P	99-20-143
479-113-010	REP	99-24-038	479-310-050	REP-E	99-19-006	479-320-200	REP	99-24-038
479-113-011	REP-P	99-20-143	479-310-050	REP-P	99-20-143	479-410-010	REP-E	99-19-006
479-113-011	REP	99-24-038	479-310-050	REP	99-24-038	479-410-010	REP-P	99-20-143
479-113-029	REP-P	99-20-143	479-310-100	REP-E	99-19-006	479-410-010	REP	99-24-038
479-113-029	REP	99-24-038	479-310-100	REP-P	99-20-143	479-410-020	REP-E	99-19-006
479-113-031	REP-P	99-20-143	479-310-100	REP	99-24-038	479-410-020	REP-P	99-20-143
479-113-031	REP	99-24-038	479-310-150	REP-E	99-19-006	479-410-020	REP	99-24-038
479-113-035	REP-P	99-20-143	479-310-150	REP-P	99-20-143	479-410-100	REP-E	99-19-006
479-113-035	REP	99-24-038	479-310-150	REP	99-24-038	479-410-100	REP-P	99-20-143
479-113-070	REP-P	99-20-143	479-310-200	REP-E	99-19-006	479-410-100	REP	99-24-038
479-113-070	REP	99-24-038	479-310-200	REP-P	99-20-143	479-410-150	REP-E	99-19-006
479-116-010	REP-P	99-20-143	479-310-200	REP	99-24-038	479-410-150	REP-P	99-20-143
479-116-010	REP	99-24-038	479-312-010	REP-E	99-19-006	479-410-150	REP	99-24-038
479-116-015	REP-P	99-20-143	479-312-010	REP-P	99-20-143	479-410-160	REP-E	99-19-006
479-116-015	REP	99-24-038	479-312-010	REP	99-24-038	479-410-160	REP-P	99-20-143
479-116-016	REP-P	99-20-143	479-312-050	REP-E	99-19-006	479-410-160	REP	99-24-038
479-116-016	REP	99-24-038	479-312-050	REP-P	99-20-143	479-410-170	REP-E	99-19-006
479-116-020	REP-P	99-20-143	479-312-050	REP	99-24-038	479-410-170	REP-P	99-20-143
479-116-020	REP	99-24-038	479-312-100	REP-E	99-19-006	479-410-170	REP	99-24-038
479-116-030	REP-P	99-20-143	479-312-100	REP-P	99-20-143	479-410-180	REP-E	99-19-006
479-116-030	REP	99-24-038	479-312-100	REP	99-24-038	479-410-180	REP-P	99-20-143
479-116-035	REP-P	99-20-143	479-312-150	REP-E	99-19-006	479-410-180	REP	99-24-038
479-116-035	REP	99-24-038	479-312-150	REP-P	99-20-143	479-410-200	REP-E	99-19-006
479-116-040	REP-P	99-20-143	479-312-150	REP	99-24-038	479-410-200	REP-P	99-20-143
479-116-040	REP	99-24-038	479-312-200	REP-E	99-19-006	479-410-200	REP	99-24-038
479-116-045	REP-P	99-20-143	479-312-200	REP-P	99-20-143	479-412-020	REP-E	99-19-006
479-116-045	REP	99-24-038	479-312-200	REP	99-24-038	479-412-020	REP-P	99-20-143
479-116-050	REP-P	99-20-143	479-312-250	REP-E	99-19-006	479-412-020	REP	99-24-038
479-116-050	REP	99-24-038	479-312-250	REP-P	99-20-143	479-412-100	REP-E	99-19-006
479-116-060	REP-P	99-20-143	479-312-250	REP	99-24-038	479-412-100	REP-P	99-20-143
479-116-060	REP	99-24-038	479-312-300	REP-E	99-19-006	479-412-100	REP	99-24-038
479-116-070	REP-P	99-20-143	479-312-300	REP-P	99-20-143	479-412-150	REP-E	99-19-006
479-116-070	REP	99-24-038	479-312-300	REP	99-24-038	479-412-150	REP-P	99-20-143
479-116-080	REP-P	99-20-143	479-316-010	REP-E	99-19-006	479-412-150	REP	99-24-038
479-116-080	REP	99-24-038	479-316-010	REP-P	99-20-143	479-412-200	REP-E	99-19-006
479-120-010	REP-P	99-20-143	479-316-010	REP	99-24-038	479-412-200	REP-P	99-20-143
479-120-010	REP	99-24-038	479-316-050	REP-E	99-19-006	479-412-200	REP	99-24-038
479-120-011	REP-P	99-20-143	479-316-050	REP-P	99-20-143	479-412-250	REP-E	99-19-006
479-120-011	REP	99-24-038	479-316-050	REP	99-24-038	479-412-250	REP-P	99-20-143
479-120-013	REP-P	99-20-143	479-316-100	REP-E	99-19-006	479-412-250	REP	99-24-038
479-120-013	REP	99-24-038	479-316-100	REP-P	99-20-143	479-412-300	REP-E	99-19-006
479-120-016	REP-P	99-20-143	479-316-100	REP	99-24-038	479-412-300	REP-P	99-20-143
479-120-016	REP	99-24-038	479-316-200	REP-E	99-19-006	479-412-300	REP	99-24-038
479-120-020	REP-P	99-20-143	479-316-200	REP-P	99-20-143	479-412-310	REP-E	99-19-006
479-120-020	REP	99-24-038	479-316-200	REP	99-24-038	479-412-310	REP-P	99-20-143
479-120-025	REP-P	99-20-143	479-316-250	REP-E	99-19-006	479-412-310	REP	99-24-038
479-120-025	REP	99-24-038	479-316-250	REP-P	99-20-143	479-416-010	REP-E	99-19-006
479-120-027	REP-P	99-20-143	479-316-250	REP	99-24-038	479-416-010	REP-P	99-20-143
479-120-027	REP	99-24-038	479-316-300	REP-E	99-19-006	479-416-010	REP	99-24-038
479-120-031	REP-P	99-20-143	479-316-300	REP-P	99-20-143	479-416-015	REP-E	99-19-006
479-120-031	REP	99-24-038	479-316-300	REP	99-24-038	479-416-015	REP-P	99-20-143
479-120-037	REP-P	99-20-143	479-320-050	REP-E	99-19-006	479-416-015	REP	99-24-038
479-120-037	REP	99-24-038	479-320-050	REP-P	99-20-143	479-416-016	REP-E	99-19-006
479-120-086	REP-P	99-20-143	479-320-050	REP	99-24-038	479-416-016	REP-P	99-20-143
479-120-086	REP	99-24-038	479-320-100	REP-E	99-19-006	479-416-016	REP	99-24-038
479-120-089	REP-P	99-20-143	479-320-100	REP-P	99-20-143	479-416-018	REP-E	99-19-006
479-120-089	REP	99-24-038	479-320-100	REP	99-24-038	479-416-018	REP-P	99-20-143
479-120-095	REP-P	99-20-143	479-320-150	REP-E	99-19-006	479-416-018	REP	99-24-038
479-120-095	REP	99-24-038	479-320-150	REP-P	99-20-143	479-416-020	REP-E	99-19-006

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
479-416-020	REP-P	99-20-143	479-510-110	REP-E	99-19-006	480- 09-500	AMD	99-05-031
479-416-020	REP	99-24-038	479-510-110	REP-P	99-20-143	480- 09-510	AMD	99-05-031
479-416-030	REP-E	99-19-006	479-510-110	REP	99-24-038	480- 09-600	AMD	99-05-031
479-416-030	REP-P	99-20-143	479-510-120	REP-E	99-19-006	480- 09-610	AMD	99-05-031
479-416-030	REP	99-24-038	479-510-120	REP-P	99-20-143	480- 09-620	AMD	99-05-031
479-416-035	REP-E	99-19-006	479-510-120	REP	99-24-038	480- 09-700	AMD	99-05-031
479-416-035	REP-P	99-20-143	479-510-210	REP-E	99-19-006	480- 09-705	AMD	99-05-031
479-416-035	REP	99-24-038	479-510-210	REP-P	99-20-143	480- 09-710	AMD	99-05-031
479-416-040	REP-E	99-19-006	479-510-210	REP	99-24-038	480- 09-720	AMD	99-05-031
479-416-040	REP-P	99-20-143	479-510-220	REP-E	99-19-006	480- 09-730	AMD	99-05-031
479-416-040	REP	99-24-038	479-510-220	REP-P	99-20-143	480- 09-735	AMD	99-05-031
479-416-045	REP-E	99-19-006	479-510-220	REP	99-24-038	480- 09-736	AMD	99-05-031
479-416-045	REP-P	99-20-143	479-510-410	AMD-P	99-03-088	480- 09-740	AMD	99-05-031
479-416-045	REP	99-24-038	479-510-410	AMD	99-08-020	480- 09-745	AMD	99-05-031
479-416-050	REP-E	99-19-006	479-510-410	REP-E	99-19-006	480- 09-750	AMD	99-05-031
479-416-050	REP-P	99-20-143	479-510-410	REP-P	99-20-143	480- 09-751	AMD	99-05-031
479-416-050	REP	99-24-038	479-510-410	REP	99-24-038	480- 09-760	AMD	99-05-031
479-420-010	REP-E	99-19-006	479-510-420	AMD-P	99-03-088	480- 09-770	AMD	99-05-031
479-420-010	REP-P	99-20-143	479-510-420	AMD	99-08-020	480- 09-780	AMD	99-05-031
479-420-010	REP	99-24-038	479-510-420	REP-E	99-19-006	480- 09-780	AMD	99-05-031
479-420-011	REP-E	99-19-006	479-510-420	REP-P	99-20-143	480- 09-800	AMD	99-05-031
479-420-011	REP-P	99-20-143	479-510-420	REP	99-24-038	480- 09-810	AMD	99-05-031
479-420-011	REP	99-24-038	479-510-420	REP	99-24-038	480- 09-815	AMD	99-05-031
479-420-013	REP-E	99-19-006	479-510-450	NEW-P	99-03-088	480- 09-820	AMD	99-05-031
479-420-013	REP-P	99-20-143	479-510-450	NEW	99-08-020	480- 09-830	REP	99-05-031
479-420-013	REP	99-24-038	479-510-460	NEW-P	99-03-088	480- 12-100	REP-W	99-08-085
479-420-016	REP-E	99-19-006	479-510-460	NEW	99-08-020	480- 12-370	RE-AD	99-08-026
479-420-016	REP-P	99-20-143	479-510-500	REP-E	99-19-006	480- 12-375	REP	99-08-026
479-420-016	REP	99-24-038	479-510-500	REP-P	99-20-143	480- 12-375	REP-W	99-08-085
479-420-020	REP-E	99-19-006	479-510-500	REP	99-24-038	480- 14-060	AMD-XA	99-14-079
479-420-020	REP-P	99-20-143	480- 09-005	NEW	99-05-031	480- 14-060	AMD	99-20-013
479-420-020	REP	99-24-038	480- 09-010	AMD	99-05-031	480- 15	PREP	99-22-039
479-420-025	REP-E	99-19-006	480- 09-012	AMD	99-05-031	480- 15-040	AMD-XA	99-14-079
479-420-025	REP-P	99-20-143	480- 09-100	AMD	99-05-031	480- 15-040	AMD	99-20-013
479-420-025	REP	99-24-038	480- 09-101	NEW	99-05-031	480- 30-015	AMD-XA	99-14-079
479-420-027	REP-E	99-19-006	480- 09-115	AMD	99-05-031	480- 30-015	AMD	99-20-013
479-420-027	REP-P	99-20-143	480- 09-120	AMD	99-05-031	480- 31-100	AMD-XA	99-14-079
479-420-027	REP	99-24-038	480- 09-125	AMD	99-05-031	480- 31-100	AMD	99-20-013
479-420-031	REP-E	99-19-006	480- 09-130	AMD	99-05-031	480- 31-120	AMD-XA	99-14-079
479-420-031	REP-P	99-20-143	480- 09-135	AMD	99-05-031	480- 31-120	AMD	99-20-013
479-420-031	REP	99-24-038	480- 09-140	AMD	99-05-031	480- 31-130	AMD-XA	99-14-079
479-420-037	REP-E	99-19-006	480- 09-150	AMD	99-05-031	480- 31-130	AMD	99-20-013
479-420-037	REP-P	99-20-143	480- 09-200	AMD	99-05-031	480- 31-140	AMD-XA	99-14-079
479-420-037	REP	99-24-038	480- 09-210	AMD	99-05-031	480- 31-140	AMD	99-20-013
479-420-086	REP-E	99-19-006	480- 09-220	AMD	99-05-031	480- 40-015	AMD-XA	99-14-079
479-420-086	REP-P	99-20-143	480- 09-230	AMD	99-05-031	480- 40-015	AMD	99-20-013
479-420-086	REP	99-24-038	480- 09-337	NEW-S	99-12-112	480- 60-010	AMD-P	99-15-083
479-420-089	REP-E	99-19-006	480- 09-337	NEW	99-24-100	480- 60-012	NEW-P	99-15-083
479-420-089	REP-P	99-20-143	480- 09-340	AMD	99-05-031	480- 60-014	NEW-P	99-15-083
479-420-089	REP	99-24-038	480- 09-390	AMD	99-05-031	480- 60-020	AMD-P	99-15-083
479-420-095	REP-E	99-19-006	480- 09-400	AMD	99-05-031	480- 60-030	AMD-P	99-15-083
479-420-095	REP-P	99-20-143	480- 09-410	AMD	99-05-031	480- 60-035	NEW-P	99-15-083
479-420-095	REP	99-24-038	480- 09-420	AMD	99-05-031	480- 60-040	AMD-P	99-15-083
479-510-060	REP-E	99-19-006	480- 09-425	AMD	99-05-031	480- 60-050	AMD-P	99-15-083
479-510-060	REP-P	99-20-143	480- 09-426	AMD	99-05-031	480- 60-060	AMD-P	99-15-083
479-510-060	REP	99-24-038	480- 09-430	AMD	99-05-031	480- 60-070	REP-P	99-15-083
479-510-076	REP-E	99-19-006	480- 09-440	AMD	99-05-031	480- 60-080	AMD-P	99-15-083
479-510-076	REP-P	99-20-143	480- 09-460	AMD	99-05-031	480- 60-090	AMD-P	99-15-083
479-510-076	REP	99-24-038	480- 09-465	AMD	99-05-031	480- 60-99002	REP-P	99-15-083
479-510-080	REP-E	99-19-006	480- 09-466	AMD	99-05-031	480- 60-99003	REP-P	99-15-083
479-510-080	REP-P	99-20-143	480- 09-467	AMD	99-05-031	480- 62	PREP	99-08-053
479-510-080	REP	99-24-038	480- 09-470	AMD	99-05-031	480- 62-090	AMD-XA	99-14-079
			480- 09-475	AMD	99-05-031	480- 62-090	AMD	99-20-013

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-66-010	REP-P	99-15-083	480-110-011	REP-W	99-07-053	480-110-091	REP	99-24-100
480-66-020	REP-P	99-15-083	480-110-011	REP-S	99-12-112	480-110-096	REP-W	99-07-053
480-66-030	REP-P	99-15-083	480-110-011	REP	99-24-100	480-110-096	REP-S	99-12-112
480-66-040	REP-P	99-15-083	480-110-016	REP-W	99-07-053	480-110-096	REP	99-24-100
480-66-050	REP-P	99-15-083	480-110-016	REP-S	99-12-112	480-110-101	REP-W	99-07-053
480-66-060	REP-P	99-15-083	480-110-016	REP	99-24-100	480-110-101	REP-S	99-12-112
480-66-070	REP-P	99-15-083	480-110-018	REP-W	99-07-053	480-110-101	REP	99-24-100
480-66-100	NEW-P	99-15-083	480-110-018	REP-S	99-12-112	480-110-111	REP-W	99-07-053
480-66-110	NEW-P	99-15-083	480-110-018	REP	99-24-100	480-110-111	REP-S	99-12-112
480-66-120	NEW-P	99-15-083	480-110-021	REP-W	99-07-053	480-110-111	REP	99-24-100
480-66-140	NEW-P	99-15-083	480-110-021	REP-S	99-12-112	480-110-116	REP-W	99-07-053
480-66-150	NEW-P	99-15-083	480-110-021	REP	99-24-100	480-110-116	REP-S	99-12-112
480-66-160	NEW-P	99-15-083	480-110-023	REP-W	99-07-053	480-110-116	REP	99-24-100
480-66-170	NEW-P	99-15-083	480-110-023	REP-S	99-12-112	480-110-121	REP-W	99-07-053
480-66-200	NEW-P	99-15-083	480-110-023	REP	99-24-100	480-110-121	REP-S	99-12-112
480-66-210	NEW-P	99-15-083	480-110-026	REP-W	99-07-053	480-110-121	REP	99-24-100
480-66-220	NEW-P	99-15-083	480-110-026	REP-S	99-12-112	480-110-126	REP-W	99-07-053
480-66-230	NEW-P	99-15-083	480-110-026	REP	99-24-100	480-110-126	REP-S	99-12-112
480-66-300	NEW-P	99-15-083	480-110-028	REP-W	99-07-053	480-110-126	REP	99-24-100
480-66-310	NEW-P	99-15-083	480-110-028	REP-S	99-12-112	480-110-131	REP-W	99-07-053
480-66-320	NEW-P	99-15-083	480-110-028	REP	99-24-100	480-110-131	REP-S	99-12-112
480-66-330	NEW-P	99-15-083	480-110-031	REP-W	99-07-053	480-110-131	REP	99-24-100
480-66-400	NEW-P	99-15-083	480-110-031	REP-S	99-12-112	480-110-136	REP-W	99-07-053
480-66-410	NEW-P	99-15-083	480-110-031	REP	99-24-100	480-110-136	REP-S	99-12-112
480-66-420	NEW-P	99-15-083	480-110-032	REP-W	99-07-053	480-110-136	REP	99-24-100
480-66-430	NEW-P	99-15-083	480-110-032	REP-S	99-12-112	480-110-141	REP-W	99-07-053
480-66-440	NEW-P	99-15-083	480-110-032	REP	99-24-100	480-110-141	REP-S	99-12-112
480-66-450	NEW-P	99-15-083	480-110-036	REP-W	99-07-053	480-110-141	REP	99-24-100
480-66-460	NEW-P	99-15-083	480-110-036	REP-S	99-12-112	480-110-146	REP-W	99-07-053
480-66-470	NEW-P	99-15-083	480-110-036	REP	99-24-100	480-110-146	REP-S	99-12-112
480-66-480	NEW-P	99-15-083	480-110-041	REP-W	99-07-053	480-110-146	REP	99-24-100
480-66-490	NEW-P	99-15-083	480-110-041	REP-S	99-12-112	480-110-151	REP-W	99-07-053
480-66-500	NEW-P	99-15-083	480-110-041	REP	99-24-100	480-110-151	REP-S	99-12-112
480-66-510	NEW-P	99-15-083	480-110-046	REP-W	99-07-053	480-110-151	REP	99-24-100
480-66-520	NEW-P	99-15-083	480-110-046	REP-S	99-12-112	480-110-156	REP-W	99-07-053
480-66-600	NEW-P	99-15-083	480-110-046	REP	99-24-100	480-110-156	REP-S	99-12-112
480-66-620	NEW-P	99-15-083	480-110-051	REP-W	99-07-053	480-110-156	REP	99-24-100
480-70	PREP	99-08-012	480-110-051	REP-S	99-12-112	480-110-161	REP-W	99-07-053
480-70-055	AMD-XA	99-14-079	480-110-051	REP	99-24-100	480-110-161	REP-S	99-12-112
480-70-055	AMD	99-20-013	480-110-056	REP-W	99-07-053	480-110-161	REP	99-24-100
480-75-005	AMD-XA	99-14-079	480-110-056	REP-S	99-12-112	480-110-166	REP-W	99-07-053
480-75-005	AMD	99-20-013	480-110-056	REP	99-24-100	480-110-166	REP-S	99-12-112
480-80	PREP	99-19-086	480-110-061	REP-W	99-07-053	480-110-166	REP	99-24-100
480-90	PREP	99-08-052	480-110-061	REP-S	99-12-112	480-110-171	REP-W	99-07-053
480-92-011	AMD	99-05-016	480-110-061	REP	99-24-100	480-110-171	REP-S	99-12-112
480-92-016	NEW	99-05-016	480-110-066	REP-W	99-07-053	480-110-171	REP	99-24-100
480-92-021	AMD	99-05-016	480-110-066	REP-S	99-12-112	480-110-176	REP-W	99-07-053
480-92-031	AMD	99-05-016	480-110-066	REP	99-24-100	480-110-176	REP-S	99-12-112
480-92-041	NEW	99-05-016	480-110-071	REP-W	99-07-053	480-110-176	REP	99-24-100
480-92-050	AMD	99-05-016	480-110-071	REP-S	99-12-112	480-110-205	NEW-S	99-12-112
480-92-060	AMD	99-05-016	480-110-071	REP	99-24-100	480-110-205	NEW	99-24-100
480-92-070	AMD	99-05-016	480-110-076	REP-W	99-07-053	480-110-215	NEW-S	99-12-112
480-92-080	AMD	99-05-016	480-110-076	REP-S	99-12-112	480-110-215	NEW	99-24-100
480-92-090	AMD	99-05-016	480-110-076	REP	99-24-100	480-110-225	NEW-S	99-12-112
480-92-100	AMD	99-05-016	480-110-081	REP-W	99-07-053	480-110-225	NEW	99-24-100
480-92-110	AMD	99-05-016	480-110-081	REP-S	99-12-112	480-110-235	NEW-S	99-12-112
480-93-010	AMD-XA	99-14-079	480-110-081	REP	99-24-100	480-110-235	NEW	99-24-100
480-93-010	AMD	99-20-013	480-110-086	REP-W	99-07-053	480-110-245	NEW-S	99-12-112
480-100	PREP	99-08-105	480-110-086	REP-S	99-12-112	480-110-245	NEW	99-24-100
480-100-076	PREP	99-19-155	480-110-086	REP	99-24-100	480-110-255	NEW-S	99-12-112
480-100-186	PREP	99-19-155	480-110-091	REP-W	99-07-053	480-110-255	NEW	99-24-100
480-100-191	PREP	99-19-155	480-110-091	REP-S	99-12-112	480-110-265	NEW-S	99-12-112

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-110-265	NEW	99-24-100	480-110-650	NEW-W	99-07-053	480-123-100	NEW-W	99-13-095
480-110-275	NEW-S	99-12-112	480-110-660	NEW-W	99-07-053	480-123-110	NEW-W	99-13-095
480-110-275	NEW	99-24-100	480-110-670	NEW-W	99-07-053	480-123-120	NEW-W	99-13-095
480-110-285	NEW-S	99-12-112	480-110-680	NEW-W	99-07-053	480-123-130	NEW-W	99-13-095
480-110-285	NEW	99-24-100	480-110-690	NEW-W	99-07-053	480-123-140	NEW-W	99-13-095
480-110-295	NEW-S	99-12-112	480-110-700	NEW-W	99-07-053	480-123-150	NEW-W	99-13-095
480-110-295	NEW	99-24-100	480-110-710	NEW-W	99-07-053	480-123-160	NEW-W	99-13-095
480-110-305	NEW-S	99-12-112	480-110-720	NEW-W	99-07-053	480-123-170	NEW-W	99-13-095
480-110-305	NEW	99-24-100	480-110-730	NEW-W	99-07-053	480-123-180	NEW-W	99-13-095
480-110-315	NEW-S	99-12-112	480-110-740	NEW-W	99-07-053	480-123-190	NEW-W	99-13-095
480-110-315	NEW	99-24-100	480-110-750	NEW-W	99-07-053	480-123-200	NEW-W	99-13-095
480-110-325	NEW-S	99-12-112	480-110-760	NEW-W	99-07-053	480-123-210	NEW-W	99-13-095
480-110-325	NEW	99-24-100	480-110-770	NEW-W	99-07-053	480-123-220	NEW-W	99-13-095
480-110-335	NEW-S	99-12-112	480-110-780	NEW-W	99-07-053	480-123-230	NEW-W	99-13-095
480-110-335	NEW	99-24-100	480-110-790	NEW-W	99-07-053	480-123-240	NEW-W	99-13-095
480-110-345	NEW-S	99-12-112	480-120	PREP	99-09-027	480-123-250	NEW-W	99-13-095
480-110-345	NEW	99-24-100	480-120-052	NEW	99-10-013	480-123-260	NEW-W	99-13-095
480-110-355	NEW-S	99-12-112	480-120-058	NEW	99-10-013	480-123-270	NEW-W	99-13-095
480-110-355	NEW	99-24-100	480-120-071	PREP	99-23-110	480-123-280	NEW-W	99-13-095
480-110-365	NEW-S	99-12-112	480-120-139	AMD-P	99-07-107	480-123-290	NEW-W	99-13-095
480-110-365	NEW	99-24-100	480-120-139	AMD	99-11-070	480-123-300	NEW-W	99-13-095
480-110-375	NEW-S	99-12-112	480-120-139	AMD-P	99-21-057	480-123-310	NEW-W	99-13-095
480-110-375	NEW	99-24-100	480-120-144	NEW	99-05-015	480-123-320	NEW-W	99-13-095
480-110-385	NEW-S	99-12-112	480-120-151	NEW	99-05-015	480-123-330	NEW-W	99-13-095
480-110-385	NEW	99-24-100	480-120-152	NEW	99-05-015	480-123-340	NEW-W	99-13-095
480-110-395	NEW-S	99-12-112	480-120-153	NEW	99-05-015	480-123-350	NEW-W	99-13-095
480-110-395	NEW	99-24-100	480-120-154	NEW	99-05-015	480-123-360	NEW-W	99-13-095
480-110-405	NEW-S	99-12-112	480-121	AMD-P	99-07-106	480-123-370	NEW-W	99-13-095
480-110-405	NEW	99-24-100	480-121	AMD	99-13-097	480-123-380	NEW-W	99-13-095
480-110-415	NEW-S	99-12-112	480-121-010	AMD-P	99-07-106	480-123-390	NEW-W	99-13-095
480-110-415	NEW	99-24-100	480-121-010	AMD	99-13-097	480-123-400	NEW-W	99-13-095
480-110-425	NEW-S	99-12-112	480-121-015	NEW	99-13-097	480-123-410	NEW-W	99-13-095
480-110-425	NEW	99-24-100	480-121-020	AMD-P	99-07-106	480-123-420	NEW-W	99-13-095
480-110-435	NEW-S	99-12-112	480-121-020	AMD	99-13-097	480-123-430	NEW-W	99-13-095
480-110-435	NEW	99-24-100	480-121-023	NEW	99-13-097	480-123-440	NEW-W	99-13-095
480-110-445	NEW-S	99-12-112	480-121-026	NEW	99-13-097	480-123-450	NEW-W	99-13-095
480-110-445	NEW	99-24-100	480-121-030	AMD-P	99-07-106	480-123-460	NEW-W	99-13-095
480-110-455	NEW-S	99-12-112	480-121-030	AMD	99-13-097	480-123-470	NEW-W	99-13-095
480-110-455	NEW	99-24-100	480-121-040	AMD-P	99-07-106	480-123-480	NEW-W	99-13-095
480-110-465	NEW-S	99-12-112	480-121-040	AMD	99-13-097	480-123-490	NEW-W	99-13-095
480-110-465	NEW	99-24-100	480-121-050	REP-P	99-07-106	480-123-500	NEW-W	99-13-095
480-110-475	NEW-S	99-12-112	480-121-050	AMD	99-13-097	480-123-510	NEW-W	99-13-095
480-110-475	NEW	99-24-100	480-121-060	NEW-P	99-07-106	480-123-520	NEW-W	99-13-095
480-110-485	NEW-S	99-12-112	480-121-060	NEW	99-13-097	480-123-530	NEW-W	99-13-095
480-110-485	NEW	99-24-100	480-121-070	NEW-P	99-07-106	480-123-540	NEW-W	99-13-095
480-110-495	NEW-S	99-12-112	480-121-070	NEW	99-13-097	480-123-550	NEW-W	99-13-095
480-110-495	NEW	99-24-100	480-121-080	NEW-P	99-07-106	480-123-560	NEW-W	99-13-095
480-110-500	NEW-W	99-07-053	480-121-080	NEW-W	99-20-088	480-123-570	NEW-W	99-13-095
480-110-510	NEW-W	99-07-053	480-121-090	NEW-P	99-07-106	480-140	PREP	99-09-028
480-110-520	NEW-W	99-07-053	480-121-090	NEW-W	99-20-088	480-140-010	AMD-P	99-17-044
480-110-530	NEW-W	99-07-053	480-121-100	NEW-P	99-07-106	480-140-010	AMD	99-23-065
480-110-540	NEW-W	99-07-053	480-121-100	NEW-W	99-20-088	480-140-015	NEW-P	99-17-044
480-110-550	NEW-W	99-07-053	480-123-015	NEW-W	99-13-095	480-140-015	NEW	99-23-065
480-110-560	NEW-W	99-07-053	480-123-020	NEW-W	99-13-095	480-140-020	AMD-P	99-17-044
480-110-570	NEW-W	99-07-053	480-123-030	NEW-W	99-13-095	480-140-020	AMD	99-23-065
480-110-580	NEW-W	99-07-053	480-123-040	NEW-W	99-13-095	480-140-030	AMD-P	99-17-044
480-110-590	NEW-W	99-07-053	480-123-050	NEW-W	99-13-095	480-140-030	AMD	99-23-065
480-110-600	NEW-W	99-07-053	480-123-060	NEW-W	99-13-095	480-140-040	AMD-P	99-17-044
480-110-610	NEW-W	99-07-053	480-123-070	NEW-W	99-13-095	480-140-040	AMD	99-23-065
480-110-620	NEW-W	99-07-053	480-123-080	NEW-W	99-13-095	480-140-050	REP-P	99-17-044
480-110-630	NEW-W	99-07-053	480-123-085	NEW-W	99-13-095	480-140-050	REP	99-23-065
480-110-640	NEW-W	99-07-053	480-123-090	NEW-W	99-13-095	480-140-060	REP-P	99-17-044

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480-140-060	REP	99-23-065	480-143-210	NEW	99-08-055	480-146-380	NEW	99-08-054
480-140-070	REP-P	99-17-044	480-143-990	REP-P	99-03-074	484- 20-068	PREP	99-22-025
480-140-070	REP	99-23-065	480-143-990	REP	99-08-055	490-500-005	PREP	99-06-081
480-140-080	AMD-P	99-17-044	480-146-010	REP-P	99-03-073	490-500-005	REP-P	99-12-030
480-140-080	AMD	99-23-065	480-146-010	REP	99-08-054	490-500-005	REP	99-18-053
480-140-090	REP-P	99-17-044	480-146-020	REP-P	99-03-073	490-500-010	PREP	99-06-081
480-140-090	REP	99-23-065	480-146-020	REP	99-08-054	490-500-010	REP-P	99-12-030
480-140-100	REP-P	99-17-044	480-146-030	REP-P	99-03-073	490-500-010	REP	99-18-053
480-140-100	REP	99-23-065	480-146-030	REP	99-08-054	490-500-015	PREP	99-06-081
480-140-110	REP-P	99-17-044	480-146-040	REP-P	99-03-073	490-500-015	REP-P	99-12-030
480-140-110	REP	99-23-065	480-146-040	REP	99-08-054	490-500-015	REP	99-18-053
480-140-120	REP-P	99-17-044	480-146-050	REP-P	99-03-073	490-500-022	PREP	99-06-081
480-140-120	REP	99-23-065	480-146-050	REP	99-08-054	490-500-022	REP-P	99-12-030
480-140-130	REP-P	99-17-044	480-146-060	REP-P	99-03-073	490-500-022	REP	99-18-053
480-140-130	REP	99-23-065	480-146-060	REP	99-08-054	490-500-025	PREP	99-06-081
480-140-140	REP-P	99-17-044	480-146-070	REP-P	99-03-073	490-500-025	REP-P	99-12-030
480-140-140	REP	99-23-065	480-146-070	REP	99-08-054	490-500-025	REP	99-18-053
480-140-150	REP-P	99-17-044	480-146-080	REP-P	99-03-073	490-500-030	PREP	99-06-081
480-140-150	REP	99-23-065	480-146-080	REP	99-08-054	490-500-030	REP-P	99-12-030
480-140-160	REP-P	99-17-044	480-146-090	REP-P	99-03-073	490-500-030	REP	99-18-053
480-140-160	REP	99-23-065	480-146-090	REP	99-08-054	490-500-050	PREP	99-06-081
480-140-170	REP-P	99-17-044	480-146-091	REP-P	99-03-073	490-500-050	REP-P	99-12-030
480-140-170	REP	99-23-065	480-146-091	REP	99-08-054	490-500-050	REP	99-18-053
480-143-010	REP-P	99-03-074	480-146-095	REP-P	99-03-073	490-500-055	PREP	99-06-081
480-143-010	REP	99-08-055	480-146-095	REP	99-08-054	490-500-055	REP-P	99-12-030
480-143-020	REP-P	99-03-074	480-146-200	REP-P	99-03-073	490-500-055	REP	99-18-053
480-143-020	REP	99-08-055	480-146-200	REP	99-08-054	490-500-065	PREP	99-06-081
480-143-030	REP-P	99-03-074	480-146-210	REP-P	99-03-073	490-500-065	REP-P	99-12-030
480-143-030	REP	99-08-055	480-146-210	REP	99-08-054	490-500-065	REP	99-18-053
480-143-040	REP-P	99-03-074	480-146-220	REP-P	99-03-073	490-500-070	PREP	99-06-081
480-143-040	REP	99-08-055	480-146-220	REP	99-08-054	490-500-070	REP-P	99-12-030
480-143-050	REP-P	99-03-074	480-146-230	REP-P	99-03-073	490-500-070	REP	99-18-053
480-143-050	REP	99-08-055	480-146-230	REP	99-08-054	490-500-080	PREP	99-06-081
480-143-060	REP-P	99-03-074	480-146-240	NEW-P	99-03-073	490-500-080	REP-P	99-12-030
480-143-060	REP	99-08-055	480-146-240	NEW	99-08-054	490-500-080	REP	99-18-053
480-143-070	REP-P	99-03-074	480-146-250	NEW-P	99-03-073	490-500-170	PREP	99-06-081
480-143-070	REP	99-08-055	480-146-250	NEW	99-08-054	490-500-170	REP-P	99-12-030
480-143-080	REP-P	99-03-074	480-146-260	NEW-P	99-03-073	490-500-170	REP	99-18-053
480-143-080	REP	99-08-055	480-146-260	NEW	99-08-054	490-500-180	PREP	99-06-081
480-143-100	NEW-P	99-03-074	480-146-270	NEW-P	99-03-073	490-500-180	REP-P	99-12-030
480-143-100	NEW	99-08-055	480-146-270	NEW	99-08-054	490-500-180	REP	99-18-053
480-143-110	NEW-P	99-03-074	480-146-280	NEW-P	99-03-073	490-500-185	PREP	99-06-081
480-143-110	NEW	99-08-055	480-146-280	NEW	99-08-054	490-500-185	REP-P	99-12-030
480-143-120	NEW-P	99-03-074	480-146-290	NEW-P	99-03-073	490-500-185	REP	99-18-053
480-143-120	NEW	99-08-055	480-146-290	NEW	99-08-054	490-500-190	PREP	99-06-081
480-143-130	NEW-P	99-03-074	480-146-300	NEW-P	99-03-073	490-500-190	REP-P	99-12-030
480-143-130	NEW	99-08-055	480-146-300	NEW	99-08-054	490-500-190	REP	99-18-053
480-143-140	NEW-P	99-03-074	480-146-310	NEW-P	99-03-073	490-500-200	PREP	99-06-081
480-143-140	NEW	99-08-055	480-146-310	NEW	99-08-054	490-500-200	REP-P	99-12-030
480-143-150	NEW-P	99-03-074	480-146-320	NEW-P	99-03-073	490-500-200	REP	99-18-053
480-143-150	NEW	99-08-055	480-146-320	NEW	99-08-054	490-500-205	PREP	99-06-081
480-143-160	NEW-P	99-03-074	480-146-330	NEW-P	99-03-073	490-500-205	REP-P	99-12-030
480-143-160	NEW	99-08-055	480-146-330	NEW	99-08-054	490-500-205	REP	99-18-053
480-143-170	NEW-P	99-03-074	480-146-340	NEW-P	99-03-073	490-500-257	PREP	99-06-081
480-143-170	NEW	99-08-055	480-146-340	NEW	99-08-054	490-500-257	REP-P	99-12-030
480-143-180	NEW-P	99-03-074	480-146-350	NEW-P	99-03-073	490-500-257	REP	99-18-053
480-143-180	NEW	99-08-055	480-146-350	NEW	99-08-054	490-500-260	PREP	99-06-081
480-143-190	NEW-P	99-03-074	480-146-360	NEW-P	99-03-073	490-500-260	REP-P	99-12-030
480-143-190	NEW	99-08-055	480-146-360	NEW	99-08-054	490-500-260	REP	99-18-053
480-143-200	NEW-P	99-03-074	480-146-370	NEW-P	99-03-073	490-500-270	PREP	99-06-081
480-143-200	NEW	99-08-055	480-146-370	NEW	99-08-054	490-500-270	REP-P	99-12-030
480-143-210	NEW-P	99-03-074	480-146-380	NEW-P	99-03-073	490-500-270	REP	99-18-053

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490-500-275	PREP	99-06-081	490-500-477	REP	99-18-053	490-500-630	REP-P	99-12-030
490-500-275	REP-P	99-12-030	490-500-480	PREP	99-06-081	490-500-630	REP	99-18-053
490-500-275	REP	99-18-053	490-500-480	REP-P	99-12-030	490-500-635	PREP	99-06-081
490-500-300	PREP	99-06-081	490-500-480	REP	99-18-053	490-500-635	REP-P	99-12-030
490-500-300	REP-P	99-12-030	490-500-485	PREP	99-06-081	490-500-635	REP	99-18-053
490-500-300	REP	99-18-053	490-500-485	REP-P	99-12-030	491-02	PREP	99-13-170
490-500-325	PREP	99-06-081	490-500-485	REP	99-18-053	491-02-095	AMD-P	99-18-021
490-500-325	REP-P	99-12-030	490-500-500	PREP	99-06-081	491-02-095	AMD	99-21-052
490-500-325	REP	99-18-053	490-500-500	REP-P	99-12-030	495A-141-165	AMD-XA	99-19-030
490-500-350	PREP	99-06-081	490-500-500	REP	99-18-053	495A-141-165	AMD	99-24-072
490-500-350	REP-P	99-12-030	490-500-505	PREP	99-06-081	495D-120-040	PREP	99-15-006
490-500-350	REP	99-18-053	490-500-505	REP-P	99-12-030	495D-120-040	AMD-E	99-15-009
490-500-380	PREP	99-06-081	490-500-505	REP	99-18-053	495D-120-040	AMD-P	99-20-097
490-500-380	REP-P	99-12-030	490-500-510	PREP	99-06-081	495D-120-040	AMD-E	99-23-031
490-500-380	REP	99-18-053	490-500-510	REP-P	99-12-030	495D-135-040	PREP	99-15-007
490-500-385	PREP	99-06-081	490-500-510	REP	99-18-053	495D-135-040	AMD-E	99-15-008
490-500-385	REP-P	99-12-030	490-500-525	PREP	99-06-081	495D-135-040	AMD-P	99-20-098
490-500-385	REP	99-18-053	490-500-525	REP-P	99-12-030	495D-135-040	AMD-E	99-23-029
490-500-389	PREP	99-06-081	490-500-525	REP	99-18-053	516-13-090	AMD-P	99-03-011
490-500-389	REP-P	99-12-030	490-500-530	PREP	99-06-081	516-13-090	AMD-E	99-03-012
490-500-389	REP	99-18-053	490-500-530	REP-P	99-12-030	516-13-090	AMD	99-07-089
490-500-390	PREP	99-06-081	490-500-530	REP	99-18-053	516-15-050	AMD-P	99-03-011
490-500-390	REP-P	99-12-030	490-500-542	PREP	99-06-081	516-15-050	AMD-E	99-03-012
490-500-390	REP	99-18-053	490-500-542	REP-P	99-12-030	516-15-050	AMD	99-07-089
490-500-418	PREP	99-06-081	490-500-542	REP	99-18-053	516-133	PREP	99-08-044
490-500-418	REP-P	99-12-030	490-500-545	PREP	99-06-081	516-133-020	AMD-P	99-19-081
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490-500-420	REP-P	99-12-030	490-500-555	PREP	99-06-081			
490-500-420	REP	99-18-053	490-500-555	REP-P	99-12-030			
490-500-430	PREP	99-06-081	490-500-555	REP	99-18-053			
490-500-430	REP-P	99-12-030	490-500-560	PREP	99-06-081			
490-500-430	REP	99-18-053	490-500-560	REP-P	99-12-030			
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490-500-435	REP-P	99-12-030	490-500-580	PREP	99-06-081			
490-500-435	REP	99-18-053	490-500-580	REP-P	99-12-030			
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490-500-465	REP-P	99-12-030	490-500-622	PREP	99-06-081			
490-500-465	REP	99-18-053	490-500-622	REP-P	99-12-030			
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490-500-470	REP	99-18-053	490-500-625	REP-P	99-12-030			
490-500-475	PREP	99-06-081	490-500-625	REP	99-18-053			
490-500-475	REP-P	99-12-030	490-500-627	PREP	99-06-081			
490-500-475	REP	99-18-053	490-500-627	REP-P	99-12-030			
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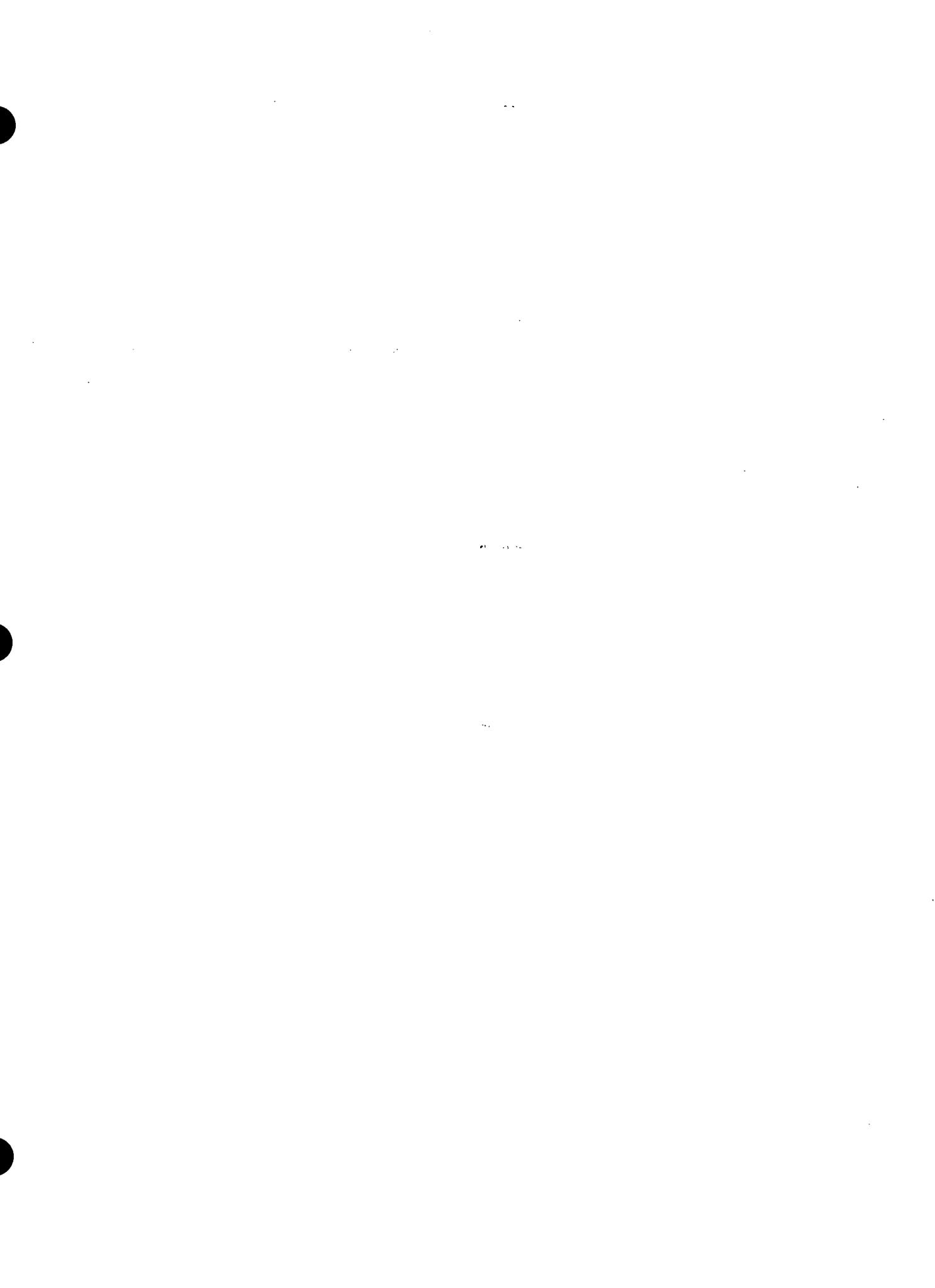
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