

WSR 05-20-003
RULES COORDINATOR
UNIVERSITY OF WASHINGTON

[Filed September 22, 2005, 4:42 p.m.]

The University of Washington's director of rules coordinator, Rebecca Goodwin Deardorff, has a new address and phone numbers. Mail should be addressed as follows: Rebecca Goodwin Deardorff, University of Washington, Rules Coordination Office, Box 355509, Seattle, WA 98195-5509, (206) 543-9219 (voice), (206) 221-6917 (fax).

Rebecca Goodwin Deardorff
 Director of Rules Coordination

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
Thursday, June 8, 2006	5:00 p.m.	College Boardroom
Thursday, August 10, 2006	5:00 p.m.	College Boardroom
Thursday, September 14, 2006	5:00 p.m.	College Boardroom
Thursday, October 12, 2006	5:00 p.m.	College Boardroom
Thursday, November 9, 2006	5:00 p.m.	College Boardroom
Thursday, December 14, 2006	5:00 p.m.	College Boardroom

WSR 05-20-004
PUBLIC RECORDS OFFICER
UNIVERSITY OF WASHINGTON

[Filed September 22, 2005, 4:42 p.m.]

The University of Washington's director of public records and open public meeting and the university's public records officer, Eliza A. Saunders, has a new mailing address. Mail should be addressed as follows: Eliza A. Saunders, University of Washington, Office of Public Records and Open Public Meetings, Box 354610, Seattle, WA 98195-4610.

My staff and I do not receive mail at our street address, however, members of the public wishing to make a request in person may visit our offices at 4046 12th Avenue N.E., Seattle, WA.

Eliza A. Saunders

WSR 05-20-007
NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE CENTER

[Memorandum—September 21, 2005]

A regular meeting of the Washington State Convention and Trade Center board of directors will be held on Tuesday, September 27, 2005, at 2:00 p.m. in the Administrative Boardroom, 5th Floor of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding this meeting, please call (206) 694-5000.

WSR 05-20-005
NOTICE OF PUBLIC MEETINGS
CENTRALIA COLLEGE

[Memorandum—September 19, 2005]

The board of trustees for Washington Community College District Twelve, at their meeting on September 15, 2005, adopted the following regular meeting schedule for the 2006 calendar year.

BOARD OF TRUSTEES
Meeting Schedule
2006

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
Thursday, January 12, 2006	5:00 p.m.	College Boardroom
Thursday, February 9, 2006	5:00 p.m.	College Boardroom
Thursday, March 9, 2006	5:00 p.m.	College Boardroom
Thursday, April 13, 2006	5:00 p.m.	Centralia College East
Thursday, May 11, 2006	5:00 p.m.	College Boardroom

WSR 05-20-008
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF GENERAL ADMINISTRATION
 (Capital Projects Advisory Review Board)

[Memorandum—September 23, 2005]

Please record the following Capital Projects Advisory Review Board (CPARB) meeting date, time and location in the Washington State Register:

Date: Thursday, October 13, 2005
 Time: 9:00 a.m. - 2:00 p.m.
 Location: John L. O'Brien Building, Hearing Room A

If you would like to request this information in alternative formats (Braille, large type, etc.), please call (360) 902-7941.

If you have any questions, please contact Searetha Kelly at (360) 902-7941.

WSR 05-20-012**NOTICE OF PUBLIC MEETINGS
CASCADIA COMMUNITY COLLEGE**

[Memorandum—September 23, 2005]

Change to October 19, 2005, Board Meeting

Be advised that the October 19, 2005, board of trustees meeting has been changed to October 10, 2005. The October 19, 2005, board meeting will be cancelled.

**Board of Trustees Meetings for
2005-2006 Academic Year***Approved by the Board July 29, 2005*

**Many Board Meetings begin with an Executive Session—
Please contact the President's Office (425) 352-8252 for
official start time for the public session.**

The board meetings are held on the 3rd Wednesday of each month starting at 4:00 p.m.

Cascadia Community College

2005-06 Board of Trustees - Meeting Dates
Third Wednesday of Each Month

All meetings will begin at 4:00 p.m. and will take place in the board room (Room 260) at Cascadia Community College, 18345 Campus Way N.E., Bothell, WA 98011.

2005-06 Board Meeting Dates

September 21, 2005
October 10, 2005 - Special Meeting
October 19, 2005 - Cancelled
November 16, 2005
December 21, 2005
January 18, 2006
February 15, 2006
March 15, 2006
April 19, 2006
May 17, 2006
June 21, 2006

Please note: No regular meetings will be held during July and August.

WSR 05-20-013**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF ECOLOGY**

(Oil Transfer Operations Advisory Committee)

[Memorandum—September 26, 2005]

Spill Prevention, Preparedness, and Response Program

The Department of Ecology announces a regular quarterly meeting of the Oil Transfer Operations Advisory Committee established by RCW 88.46.160.

Meeting date, time, and location are October 20, 2005, 8:30 a.m. to 4:30 p.m., Department of Ecology, Headquarters, Room 2S 23, 300 Desmond Drive, Lacey, WA.

The mission of this committee is to provide input and advice to the program regarding the new oil transfer and pre-booming standards required by chapter 88.46 RCW. The new standards would enhance the prevention of, preparedness for, and response to oil spills during transfers.

This meeting will be open to the public and a public comment period is included in the meeting agenda.

More information can be found on our web site <http://www.ecy.wa.gov/programs/spills/preparedness/transrule/transferrule.html>.

WSR 05-20-014**NOTICE OF PUBLIC MEETINGS
OFFICE OF THE
INTERAGENCY COMMITTEE**

(Governor's Forum on Monitoring)

[Memorandum—September 20, 2005]

The next public meeting of the Governor's Forum on Monitoring (Executive Order 04-03) will be Wednesday, October 5, 2005, from 9:00 a.m. to 3:00 p.m. in Room #172 of the Natural Resources Building, 1111 Washington Street S.E., Olympia.

For further information, please contact Patty Dickason, Interagency Committee for Outdoor Recreation (IAC), (360) 902-3085 or check the web page at <http://www.iac.wa.gov/monitoring/schedule.htm>.

The IAC schedules all public meetings at barrier free sites. Persons who need special assistance, such as large type materials, may contact Patty Dickason at the number listed above or by e-mail at pattyd@iac.wa.gov.

WSR 05-20-015**ATTORNEY GENERAL'S OFFICE**

[Filed September 26, 2005, 2:45 p.m.]

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION
WASHINGTON ATTORNEY GENERAL**

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by October 26, 2005. This is not the due date by which comments must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by this date, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (360) 664-3027, or by writing to the Solicitor General, Office of the Attorney General, P.O. Box 40100, Olympia, WA 98504-0100. When you

notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested; information about the Attorney General's Opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

The Attorney General's Office seeks public input on the following opinion request(s).

05-09-04 Request by Tim Sheldon & Bill Eickmeyer State Senator & State Representative, 35th District

1. Are funds appropriated through section 116(2) of the 2005-07 operation budget (ESSB 6090), which are "solely for one-time corrective actions to address Hood Canal's dissolved oxygen problems," subject to the joint coordination, consent, and co-management provisions of ESHB 2097?

2. Must the Hood Canal Coordinating Council contract directly with its co-manager, the Puget Sound Action Team, for its share of the implementation funding under ESSB 6090, section 116(6), or can the Hood Canal Coordinating Council contract directly wit the Office of Financial Management (OFM) or another entity within the Office of the Governor in order to receive state funding?

Reviser's note: The typographical error in the above material occurred in the copy filed by the Attorney General's Office and appears in the Register pursuant to the requirements of RCW 34.08.040.

eral's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by October 26, 2005. This is not the due date by which comments must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by this date, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (360) 664-3027, or by writing to the Solicitor General, Office of the Attorney General, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested; information about the Attorney General's Opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

The Attorney General's Office seeks public input on the following opinion request(s).

05-09-03 Request by Geoff Simpson State Representative, 47th District

May the elected board or commission of a Washington special purpose district, as a part of its "normal and regular conduct", support or oppose a ballot proposition which the district's board determines to 1) be related to the district's operations or 2) directly affect the interests of the district's taxpayers or rate-payers?

WSR 05-20-016

**NOTICE OF PUBLIC MEETINGS
LOTTERY COMMISSION**

[Memorandum—September 26, 2005]

AMENDED WASHINGTON'S LOTTERY NOVEMBER COMMISSION MEETING

The November 17, 2005, commission meeting date has changed to December 1, 2005. The commission will conduct a work session beginning at 8:00 a.m. The commission meeting will begin at 10:00 a.m. The work session and commission meeting will both be held at Washington's Lottery Headquarters, Drawing Studio, 814 4th Avenue East, Olympia, WA 98506.

WSR 05-20-019

ATTORNEY GENERAL'S OFFICE

[Filed September 27, 2005, 10:05 a.m.]

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION
WASHINGTON ATTORNEY GENERAL**

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney Gen-

WSR 05-20-020

**NOTICE OF PUBLIC MEETINGS
OFFICE OF THE
INTERAGENCY COMMITTEE**

(Interagency Committee for Outdoor Recreation)

[Memorandum—September 26, 2005]

At a regular meeting on September 16, 2005, the Interagency Committee for Outdoor Recreation adopted the following meeting schedule:

February 2 and 3, 2006	Regular Meeting and Possible Tour	Olympia
April 18, 2006	Regular Meeting	Olympia
June 22 and 23, 2006	Regular Meeting and Possible Tour	TBD
September 21 and 22, 2006	Regular Meeting and Possible Tour	TBD
November 16 and 17, 2006	Regular Meeting	Olympia

WSR 05-20-021
NOTICE OF PUBLIC MEETINGS
OFFICE OF
CIVIL LEGAL AID
 [Memorandum—September 27, 2005]

The Civil Legal Aid Oversight Committee established by section 4, chapter 105, Laws of 2005, will hold its initial meeting on October 12, 2005, at the Administrative Office of the Court's SeaTac conference facility.

What: Initial Meeting of the Civil Legal Aid Oversight Committee
 When: Wednesday, October 12, 2005
 Time: 9:30 a.m. to 3:30 p.m.
 Where: AOC SeaTac Facility
 18000 Pacific Highway South
 Suite 1106

The agenda will include discussion of and decisions relating to oversight committee organizational matters, receipt of a quarterly report from the director of the Office of Civil Legal Aid (established by section 5, chapter 105, Laws of 2005), establishing a meeting schedule for the balance of the biennium, and presentations by various boards and organizations involved in the funding, oversight and delivery of civil legal aid services to low income people in Washington state. A detailed agenda will be available at the meeting.

Accommodations: The Civil Legal Aid Oversight Committee fully complies with applicable laws ensuring access for persons with disabilities. Upon request, the Civil Legal Aid Oversight Committee will make reasonable accommodations to ensure full accessibility and meaningful opportunity for interested individuals to participate in the meeting, regardless of physical, mental, cognitive or other disabilities.

For further information about this meeting and/or to request reasonable accommodation, please contact James A. Bamberger, Director, Office of Civil Legal Aid, 1112 Quince Street S.E., Mailstop 41183, Olympia, WA 98504, (360) 704-4135, jim.bamberger@ocla.wa.gov.

WSR 05-20-024
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING
 (Real Estate Commission)
 [Memorandum—September 27, 2005]

WASHINGTON REAL ESTATE COMMISSION
AGENDA
 Special Commission Meeting

DATE: October 18, 2005.
 PLACE: Hilton, 17620 Pacific Highway South, SeaTac, WA 98188.
 CONTACT PERSON: Jerry McDonald, Assistant Administrator, (360) 664-6525 or fax (360) 568-0998, e-mail jmcDonald@dol.wa.gov.
 ORDER OF AGENDA: OPEN SESSION.
 CALL TO ORDER: - LIZ LUCE, DIRECTOR/CHAIR, 9:00 a.m.

A. Vote on contract proposal from WCRER for study on licensee profile.

B. Discussion of chapter 18.85 RCW, Rewrite/task force—Next steps.

WSR 05-20-040
NOTICE OF PUBLIC MEETINGS
OFFICE OF THE
INTERAGENCY COMMITTEE
 (Biodiversity Council)
 [Memorandum—September 27, 2005]

A special meeting of the Biodiversity Council (Executive Order 04-02) has been scheduled for Thursday, October 13, 2005, at 10:00 a.m. at the Natural Resources Building in Room #682, 1111 Washington Street S.E., Olympia. This will be an open public meeting.

For further information, please contact Amie Fowler, Interagency Committee for Outdoor Recreation (IAC), (360) 902-3012.

The IAC schedules all public meetings at barrier free sites. Persons who need special assistance, such as large type materials, may contact Amie Fowler at the number listed above or by e-mail at amief@iac.wa.gov.

WSR 05-20-041
NOTICE OF PUBLIC MEETINGS
PUGET SOUND
CLEAN AIR AGENCY
 [Memorandum—September 27, 2005]

The Puget Sound Clean Air Agency has cancelled the October 27, 2005, board of directors meeting. If you have any questions, please call Carol Pogers at (206) 689-4080.

BOARD OF DIRECTORS
 MEETING DATES FOR YEAR 2005

Regular Monthly Meetings
 January 27, 2005
 February 24, 2005
 March 24, 2005
 April 28, 2005
 May 26, 2005
 June 23, 2005
 July 28, 2005
 August (no meeting)
 September 22, 2005
 October 2005 CANCELLED
 November 17, 2005
 December 22, 2005

WSR 05-20-045
PUBLIC RECORDS OFFICER
HUMAN RIGHTS COMMISSION

[Filed September 30, 2005, 9:14 a.m.]

Pursuant to section 3, chapter 483, Laws of 2005, the public records officer of the Washington State Human Rights Commission is Tanya Calahan, 711 South Capitol Way, Suite 402, P.O. Box 42490, Olympia, WA 98504-2490, e-mail tcalahan@hum.wa.gov, phone (360) 753-4876, fax (360) 586-2282.

Marc Brenman
 Executive Director

WSR 05-20-092
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
HISPANIC AFFAIRS

[Memorandum—October 5, 2005]

2006 Meeting Schedule

February 9-11	Olympia
April 14-15	Mattawa
June 23-24	Yakima
August 18-19	Quincy
October 20-21	South Park, Seattle
*December	Teleconference

*Dates are pending for legislative committee calendar.

WSR 05-20-100
POLICY STATEMENT
DEPARTMENT OF HEALTH

[Filed October 5, 2005, 10:02 a.m.]

NOTICE OF ADOPTION OF A POLICY STATEMENT

Title of Policy: Clinical Guidelines for Office-Based Surgery.

Issuing Entity: Medical Quality Assurance Commission.

Subject Matter: Guidelines for practitioners providing office-based surgery.

Description: The office-based surgery (OBS) guidelines are intended to be an educational service for those already involved in OBS and for physicians contemplating establishment of such a service. Guidelines do provide a valuable service by promulgating a more exact awareness among physicians of OBS standards.

The overriding intent for this effort is to identify and define that which constitutes safe, high quality OBS practice so that allegations of violation and incidents of harm to patients can be kept to a minimum.

Effective Date: February 25, 2005.

Contact Person: Beverly Thomas, Program Manager, Health Professions Quality Assurance, Department of

Health, P.O. Box 47866, Olympia, WA 98504-7866, (360) 236-4788.

WSR 05-20-109
DEPARTMENT OF ECOLOGY

[Filed October 5, 2005, 10:31 a.m.]

PUBLIC NOTICE

Public Workshops and Hearings to Accept Comments on the Concentrated Animal Feeding Operation (CAFO) General Permit

The Department of Ecology (ecology) is proposing to issue a general permit to cover concentrated animal feeding operations (CAFO). The old dairy general permit expired in March 2005. Ecology has revised the draft permit to reflect changes from the first public comments and a federal court decision issued on February 12, 2005. Ecology is proposing to reissue the final permit soon after the comment period ends. The title of the revised permit is "Concentrated Animal Feeding Operations (CAFO) National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge General Permit."

Due to a court decision on the federal CAFO rule, the draft permit process was suspended in February 2005. This decision by the Second Circuit Court affects the federal NPDES rules by the Environmental Protection Agency for CAFOs. This changes the requirements for CAFOs under the Clean Water Act. This court decision ruled:

1. Only CAFOs that have a discharge or propose having a discharge must apply for a permit.
2. Site-specific nutrient management plans used as effluent limitations must be part of the permit application and subject to public review.
3. Runoff from land-applied manure is a point source, even if it is not channelized. However, agricultural stormwater runoff from areas meeting proper land application requirements is exempt from the NPDES permit.
4. NPDES permitting authorities must provide oversight of the nutrient management plans.

The new draft permit reflects these changes. The draft permit and fact sheet are available for review and public comment from October 19, 2005, to December 5, 2005. Ecology will host three informational workshops and public hearings on its proposed permit. The public is encouraged to give written comments during the public comment period or oral comments at the public hearings.

Purpose of the General Permit: The proposed general permit covers discharges of wastewater from CAFOs to waters of Washington state. Under federal and state water quality law (federal Clean Water Act and state Water Pollution Control Act), a permit is required for the discharge of wastewater. The proposed permit addresses these legal requirements and controls the discharge of pollutants to protect surface water and ground water quality in Washington state.

A general permit is used instead of a series of individual permits when the permitted facilities are similar. Individual facilities that receive coverage under the general permit are required to comply with the terms and conditions of the permit.

Requesting Copies of the Permit: You can request copies of the proposed permit and fact sheet by contacting Kevin Hancock, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6283, fax (360) 407-6426, e-mail khan461@ecy.wa.gov.

The proposed permit and fact sheet are also available online at www.ecy.wa.gov/programs/wq/permits/cafo.

Submitting Written and Oral Comments: Ecology will accept written and oral comments on the draft CAFO general permit and fact sheet. Please check ecology's response to comments from the first comment period prior to submitting comments. Comments should reference specific text when possible. Comments may address the following:

- Technical issues,
- Accuracy and completeness of information,
- The scope of facilities proposed for coverage,
- Adequacy of environmental protection and permit conditions, or
- Any other concern that would result from issuance of the revised permit.

Please submit written comments to Kevin Hancock, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6283, fax (360) 407-6426, e-mail khan461@ecy.wa.gov.

Written, e-mailed and faxed comments must be **received** no later than 5 p.m., Monday, December 5, 2005. Oral comments can be made by attending and testifying at the public hearings.

Public Workshops/Hearings: The workshops begin at 7 p.m. The hearings will begin when the workshop ends. The purpose of the workshops is to explain the general permit, what has changed from the previous permit, and answer questions. The purpose of the hearings is to provide an opportunity for people to give formal comments on the proposed permit. The public workshops and hearings on the draft general permit are: Monday, November 21, 2005, at 7 p.m., Skagit County PUD #1, 1415 Freeway Drive, Mt. Vernon, 98273-1436; on Tuesday, November 22, 2005, at 7 p.m., Cowlitz County PUD, 961 12th Avenue, Longview, 98632; and on Thursday, December 1, 2005, at 7 p.m., Terrace Heights Civic Center, 4009 Commonwealth Drive, Yakima, 98901.

Issuing the Final CAFO General Permit: Ecology will issue the final permit after it considers all public comments. Ecology expects to issue the general permit soon after the end of the public comment period. It will be effective thirty days later. When ecology issues the permit, it will send a response to everyone who commented.

Who would be covered by the permit? The permit covers all CAFOs who discharge or propose to discharge to waters of the state. The permit also covers any animal feeding operations (AFOs) who decide to get a permit. There are three types of CAFOs: Large CAFOs, medium CAFOs, and designated CAFOs.

Animal Feeding Operations (AFOs): Any AFO can choose to get a permit. A lot or facility is defined as an AFO if it meets these two conditions:

1. It has animals (other than aquatic animals) that have been, are, or will be stabled or confined and fed or maintained for a total of forty-five days or more in any twelve-month period.

2. Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility where animals are confined.

Large CAFOs: Large CAFOs who discharge or propose to discharge to waters of the state must get a permit. A lot or facility is defined as a large CAFO if it meets the following two conditions:

1. It is an AFO.

and

2. It stables or confines as many as or more than the number of animals specified in any of the following categories:

- (i) 700 mature dairy cows, whether milked or dry;
- (ii) 1,000 veal calves;
- (iii) 1,000 cattle other than mature dairy cows or veal calves. Cattle includes but is not limited to heifers, steers, bulls and cow/calf pairs;
- (iv) 2,500 swine each weighing fifty-five pounds or more;
- (v) 10,000 swine each weighing less than fifty-five pounds;
- (vi) 500 horses;
- (vii) 10,000 sheep or lambs;
- (viii) 55,000 turkeys;
- (ix) 30,000 laying hens or broilers, if the operation uses a liquid manure handling system;
- (x) 125,000 chickens (other than laying hens), if the operation uses other than a liquid manure handling system;
- (xi) 82,000 laying hens, if the operation uses other than a liquid manure handling system;
- (xii) 30,000 ducks (if the operation uses other than a liquid manure handling system); or
- (xiii) 5,000 ducks (if the operation uses a liquid manure handling system).

Medium CAFOs: A lot or facility is defined as a medium CAFO if it is an AFO (see above) **and** also meets the following conditions:

1. It stables or confines the number of animals that falls within any of the following ranges:

- (i) 200 to 699 mature dairy cows, whether milked or dry;
- (ii) 300 to 999 veal calves;
- (iii) 300 to 999 cattle other than mature dairy cows or veal calves. Cattle includes but is not limited to heifers, steers, bulls and cow/calf pairs;
- (iv) 750 to 2,499 swine each weighing fifty-five pounds or more;
- (v) 3,000 to 9,999 swine each weighing less than fifty-five pounds;
- (vi) 150 to 499 horses;
- (vii) 3,000 to 9,999 sheep or lambs;
- (viii) 16,500 to 54,999 turkeys;
- (ix) 9,000 to 29,999 laying hens or broilers, if the operation uses a liquid manure handling system;

(x) 37,500 to 124,999 chickens (other than laying hens), if the operation uses other than a liquid manure handling system;

(xi) 25,000 to 81,999 laying hens, if the operation uses other than a liquid manure handling system;

(xii) 10,000 to 29,999 ducks (if the operation uses other than a liquid manure handling system); or

(xiii) 1,500 to 4,999 ducks (if the operation uses a liquid manure handling system);

and

2. Either one of the following conditions are met:

(i) Pollutants are discharged into waters of the state through a man-made ditch or other similar man-made device; or

(ii) Pollutants are discharged directly into waters of the state which originate outside of and pass over, across, or through the facility or otherwise come into direct contact with the animals confined in the operation.

Designated CAFOs: Any AFO facility or lot smaller than a large CAFO can be designated as a CAFO by the department if:

1. Either one of the following conditions are met:

(i) Pollutants are discharged into waters of the state through a man-made ditch or other similar man-made device; or

(ii) Pollutants are discharged directly into waters of the state which originate outside of and pass over, across, or through the facility or otherwise come into direct contact with the animals confined in the operation;

and

2. It is determined to be a significant contributor of pollutants to waters of the state. A "significant contributor of pollution" includes, but is not limited to, a facility directly discharging pollutants that causes or contributes to a violation of state surface water quality standards (chapter 173-201A WAC), state ground water quality standards, (chapter 173-200 WAC), or chapter 90.48 RCW, (water pollution control).

If you have special accommodation needs or require a copy of the permit and fact sheet in an alternative format, please contact Kevin Hancock at (360) 407-6283. If you are a person with a speech or hearing impairment, call 711 or 800-833-6388 for TTY.

