

claimant will be applied to satisfy the amount underpaid to the child support agency.

(4) Appeal rights. Any appeal regarding the validity of the child support obligation upon which the order to withhold is based including whether the obligation is owed, the total amount of obligation, and the amount to be withheld from benefits and paid over to the child support agency shall be resolved between the claimant and the child support agency. The employment security department will not be responsible for any appeals regarding such matters.

Any appeal regarding the validity of the employment security department's authority to make deductions, the applicable weeks for which the deduction was made, and the accuracy of the amount deducted may be appealed in the same manner in which nonmonetary benefit determinations are appealed. The department's notification to the claimant shall contain an appeals notice. The laws and regulations relating to benefit appeals shall apply to appeals regarding matters subject to this regulation.

(5) Effective date of withholding. No amount shall be withheld from unemployment benefits paid for weeks prior to the date the notice to withhold is served on the individual, or prior to the date when an agreement to withhold is reached between the individual and the child support agency. [Statutory Authority: Chapter 50.40 RCW and 1982 1st ex.s. c 18. 82-13-057 (Order 3-82), § 192-16-050, filed 6/14/82.]

WAC 192-16-051 Interpretive regulations--Special coverage provisions--Contract or reasonable assurance defined--RCW 50.44.050(1). (1) For the purposes of RCW 50.44.050(1), an individual has a contract to perform services in an instructional, research, or principal administrative capacity if there is a binding obligation on the part of the educational institution to provide such work and a binding obligation on the part of the individual to perform such services.

(2) For the purposes of RCW 50.44.050(1), a reasonable assurance that an individual will perform services in an instructional, research, or principal administrative capacity requires that the individual be given a bona fide notification of intent to assign him/her work in any such capacity. [Statutory Authority: RCW 50.12.010 and 50.12.040. 82-17-052 (Order 6-82), § 192-16-051, filed 8/17/82.]

WAC 192-16-055 Interpretive regulations--Special coverage provisions--Bona fide notification of intent for substitute teacher--RCW 50.44.050(1). In determining whether a notification of intent for a substitute teacher is bona fide, consideration shall be given, but not necessarily limited to the following factors:

- (1) With respect to the preceding academic year(s) or term(s):
 - (a) Number of full time teaching positions,
 - (b) Student enrollment,
 - (c) Number of schools,
 - (d) Size of substitute list at beginning, during, and end of academic year(s) or term(s),

(e) Priorities affecting the assignment of substitute teachers,

(f) Average number of substitute teachers assigned each day.

(2) With respect to the ensuing academic year or term:

(a) Projected number of full time teaching positions,

(b) Projected student enrollment,

(c) Projected number of schools,

(d) Projected size of substitute list at beginning, during, and end of academic year(s) or term(s),

(e) Priorities affecting the assignment of substitute teachers,

(f) Projected average number of substitute teachers assigned each day. [Statutory Authority: RCW 50.12.010 and 50.12.040. 82-17-052 (Order 6-82), § 192-16-055, filed 8/17/82.]

Title 194 WAC

WASHINGTON STATE ENERGY OFFICE

Chapters

194-10

Public Disclosure Act rules.

194-12

Washington State Environmental Policy Act rules.

194-16

Fees--Radioactive waste management facilities.

Chapter 194-10 WAC

PUBLIC DISCLOSURE ACT RULES

WAC

194-10-020	Definitions.
194-10-030	Description of organization.
194-10-040	Procedures.
194-10-050	Public records available.
194-10-060	Exemptions.
194-10-090	Requests for public records.
194-10-100	Adoption of form.
194-10-120	Review of denials.
194-10-130	Protection of public records.
194-10-140	Records index.

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

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

"Washington state energy office" means the state agency created pursuant to chapter 43.21F RCW. It shall hereinafter be referred to as "office." Where appropriate, the term "office" also refers to the staff and employees of the Washington state energy office.

"Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of

recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents. [Statutory Authority: RCW 43.21F.045(12). 82-17-030 (Order 82-2), § 194-10-020, filed 8/11/82; Order 1, § 194-10-020, filed 1/18/77.]

WAC 194-10-030 Description of organization. The Washington State Energy Office is located at 400 E. Union, Olympia, Washington, 98504. There are no field offices. The agency is organized into four divisions/groups as follows: Administration division, conservation division, resource development and energy management division, and the energy policy development group. The director is appointed by the governor. The energy office advisory committee is appointed pursuant to RCW 43.21F.085. [Statutory Authority: RCW 43.21F.045(12). 82-17-030 (Order 82-2), § 194-10-030, filed 8/11/82; Order 1, § 194-10-030, filed 1/18/77.]

WAC 194-10-040 Procedures. The energy office has instituted an "Office Policies and Procedures Manual" to govern agency administrative practices and procedures. [Statutory Authority: RCW 43.21F.045(12). 82-17-030 (Order 82-2), § 194-10-040, filed 8/11/82; Order 1, § 194-10-040, filed 1/18/77.]

WAC 194-10-050 Public records available. All public records of the office, as defined in WAC 194-10-020 are deemed to be available except as provided by chapter 42.17 RCW or RCW 43.21F.060(1). [Statutory Authority: RCW 43.21F.045(12). 82-17-030 (Order 82-2), § 194-10-050, filed 8/11/82; Order 1, § 194-10-050, filed 1/18/77.]

WAC 194-10-060 Exemptions. The office reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 194-10-090 is exempt under the provisions of chapter 42.17 RCW and other applicable laws. In addition, pursuant to chapter 42.17 RCW, the agency reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is a reason to believe that disclosure of such details would be an invasion of personal privacy or vital governmental interests. In each case, the justification shall be explained fully in writing. Notwithstanding any other provision of law to the contrary, proprietary information obtained under RCW 43.21F.060(1) shall be confidential and maintained as such if so requested by the person providing the information. However, the use of confidential information to prepare statistics or other general data for publication when it is so presented as to prevent identification of particular persons or sources of confidential information is authorized. [Statutory Authority: RCW 43.21F.045(12). 82-17-030 (Order 82-2), § 194-10-060, filed 8/11/82; Order 1, § 194-10-060, filed 1/18/77.]

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

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

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

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

(3) Staff members shall make all reasonable efforts to respond to the request within two working days after its receipt. [Statutory Authority: RCW 43.21F.045(12). 82-17-030 (Order 82-2), § 194-10-090, filed 8/11/82; Order 1, § 194-10-090, filed 1/18/77.]

WAC 194-10-100 Adoption of form. The office has adopted state Form S.F. 276 for use by all persons requesting inspection and/or copies of public records. [Statutory Authority: RCW 43.21F.045(12). 82-17-030 (Order 82-2), § 194-10-100, filed 8/11/82; Order 1, § 194-10-100 and Form, filed 1/18/77.]

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

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

(3) Administrative remedies shall not be considered exhausted until the agency has returned the request for review with a decision or until the close of the second business day following date of filing the request for review, whichever occurs first. [Statutory Authority: RCW 43.21F.045(12). 82-17-030 (Order 82-2), § 194-10-

120, filed 8/11/82; Order 1, § 194-10-120, filed 1/18/77.]

WAC 194-10-130 Protection of public records. Requests for public records shall be made in the Washington State Energy Office at 400 E. Union, Olympia. Public records and a facility for their inspection will be provided by the public records officer. Such records shall not be removed from the place designated for their inspection. Copies shall be made in the office or, if copying facilities are not available, the office will arrange to have copies made subject to the provisions of WAC 194-10-110. [Statutory Authority: RCW 43.21F.045(12). 82-17-030 (Order 82-2), § 194-10-130, filed 8/11/82; Order 1, § 194-10-130, filed 1/18/77.]

WAC 194-10-140 Records index. A current index of records of the Washington state energy office may be examined at the Washington State Energy Office at 400 E. Union, Olympia, during office hours defined in WAC 194-10-080. [Statutory Authority: RCW 43.21F.045(12). 82-17-030 (Order 82-2), § 194-10-140, filed 8/11/82; Order 1, § 194-10-140, filed 1/18/77.]

Chapter 194-12 WAC

WASHINGTON STATE ENVIRONMENTAL POLICY ACT RULES

WAC

194-12-010	Authority.
194-12-060	Exemptions.
194-12-070	Designation of responsible official.
194-12-080	Copies of public information.

WAC 194-12-010 Authority. This chapter is promulgated pursuant to the authority granted in RCW 43.21C.120, requiring each state agency to adopt rules implementing the State Environmental Policy Act.

This chapter is also promulgated to comply with WAC 197-10-020(1). [Statutory Authority: RCW 43.21F.045(12). 82-17-030 (Order 82-2), § 194-12-010, filed 8/11/82; Order 1, § 194-12-010, filed 1/18/77.]

WAC 194-12-060 Exemptions. In addition to those exemptions identified by WAC 197-10-170, any action taken pursuant to chapter 43.21G RCW (Energy supply emergencies alert), shall be exempt from the procedural requirements of this chapter. This is in accordance with RCW 43.21G.040(6). [Statutory Authority: RCW 43.21F.045(12). 82-17-030 (Order 82-2), § 194-12-060, filed 8/11/82; Order 1, § 194-12-060, filed 1/18/77.]

WAC 194-12-070 Designation of responsible official. The responsible official is the director of the state energy office. Normally, the director will delegate duties and functions assigned under this chapter. [Statutory Authority: RCW 43.21F.045(12). 82-17-030 (Order

82-2), § 194-12-070, filed 8/11/82; Order 1, § 194-12-070, filed 1/18/77.]

WAC 194-12-080 Copies of public information. Copies of public information shall be provided upon written request. The office may charge for copies in the manner provided by chapter 42.17 RCW, and for the cost of mailing. [Statutory Authority: RCW 43.21F.045(12). 82-17-030 (Order 82-2), § 194-12-080, filed 8/11/82; Order 1, § 194-12-080, filed 1/18/77.]

Chapter 194-16 WAC

FEES--RADIOACTIVE WASTE MANAGEMENT FACILITIES

WAC

194-16-010	Purpose and scope.
194-16-020	Authority.
194-16-030	Definitions.
194-16-040	Perpetual care and maintenance fee.
194-16-050	PCM fee—Method of payment.
194-16-060	PCM fee—Disposition.
194-16-070	Severability.

WAC 194-16-010 Purpose and scope. The proper perpetual care and maintenance of radioactive waste management facilities is required to protect the public health, safety, and welfare. This chapter establishes the fees charged by the Washington state energy office for financing the necessary perpetual care and maintenance of radioactive waste management facilities. Promulgation of this regulation is further intended to satisfy the state's financial responsibility to the United States government pursuant to the perpetual care agreement executed July 29, 1965. [Statutory Authority: RCW 43.21F.075(2). 82-11-005 (Order 82-1), § 194-16-010, filed 5/7/82.]

WAC 194-16-020 Authority. This chapter is promulgated by the state energy office pursuant to authority granted in RCW 43.21F.045 and 43.21F.075. [Statutory Authority: RCW 43.21F.075(2). 82-11-005 (Order 82-1), § 194-16-020, filed 5/7/82.]

WAC 194-16-030 Definitions. (1) "Facility" means any site, location, structure, or property used or to be used for the storage, disposal, or burial of radioactive materials or waste, which lies within the one hundred acre tract described in the perpetual care agreement between the state of Washington and the United States government executed July 29, 1965.

(2) "Office" means the Washington state energy office.

(3) "Perpetual care and maintenance" means the activities necessary to stabilize and secure a closed facility during the perpetual care period, including but not limited to: Trench stabilization; upkeep of erosion control measures, fences, and warning signs; and sampling of monitor wells.

(4) "Subleasee" means a party to a sublease with the state of Washington for a portion of the one thousand

acres of land, as described in the state's lease with the United States government executed September 10, 1964, lying within the Hanford Reservation. [Statutory Authority: RCW 43.21F.075(2). 82-11-005 (Order 82-1), § 194-16-030, filed 5/7/82.]

WAC 194-16-040 Perpetual care and maintenance fee. (1) Any subleasee of the state who stores, disposes, or buries radioactive materials or waste at a facility shall pay a perpetual care and maintenance fee.

(2) The perpetual care and maintenance fee shall be one dollar seventy-five cents per cubic foot of radioactive material or waste buried or permanently stored at a facility. [Statutory Authority: RCW 43.21F.075(2). 82-11-005 (Order 82-1), § 194-16-040, filed 5/7/82.]

WAC 194-16-050 PCM fee—Method of payment.

(1) The perpetual care and maintenance fee shall be due on a quarterly basis for the quarters ending January 15, April 15, July 15, and October 15. All perpetual care and maintenance fee payments shall be paid within forty-five days after the due date.

(2) Perpetual care and maintenance payments shall be by check, draft, or money order payable to the Washington state energy office. [Statutory Authority: RCW 43.21F.075(2). 82-11-005 (Order 82-1), § 194-16-050, filed 5/7/82.]

WAC 194-16-060 PCM fee—Disposition. (1) Upon receipt of perpetual care and maintenance fee payments, the office shall transmit such payments to the state treasurer for deposit in the perpetual maintenance account authorized by RCW 43.21F.075(2).

(2) Moneys in the perpetual maintenance account shall be invested by the state investment board in the same manner as other state moneys. Any interest accruing as a result of investment shall accrue to the perpetual maintenance account.

(3) The office shall maintain a segregated account of perpetual care and maintenance fee payments which are deposited in the perpetual maintenance account.

(4) The office, in consultation with the state radiation control agency, shall periodically evaluate the perpetual care and maintenance fee to determine whether it will provide adequate financing to assure perpetual care and maintenance of a closed facility. Any adjustments to the fees shall be made by rule adopted pursuant to chapter 34.04 RCW. [Statutory Authority: RCW 43.21F.075(2). 82-11-005 (Order 82-1), § 194-16-060, filed 5/7/82.]

WAC 194-16-070 Severability. If any portion of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances, shall not be affected. [Statutory Authority: RCW 43.21F.075(2). 82-11-005 (Order 82-1), § 194-16-070, filed 5/7/82.]

Title 196 WAC

PROFESSIONAL ENGINEERS AND LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR

Chapters

196-12	Registered professional engineers.
196-16	Registered professional land surveyors.
196-20	Engineers in training.
196-24	General.
196-28	Nonresidents.

Chapter 196-12 WAC

REGISTERED PROFESSIONAL ENGINEERS

WAC

196-12-010	Applications.
196-12-020	Experience records.
196-12-030	Examinations.
196-12-031	Repealed.
196-12-050	Evaluation of candidates for engineering licenses.
196-12-060	Holders of E.I.T. certificates.
196-12-070	Repealed.
196-12-075	Repealed.
196-12-080	Repealed.
196-12-085	Corporation or joint stock associations.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

196-12-031	Examinations—Modification of examination times. [Filed 12/13/67.] Repealed by 82-01-064 (Order 81-10), filed 12/18/81. Statutory Authority: RCW 18.43.035.
196-12-070	Fees. [Order PL 224, § 196-12-070, filed 11/5/75; Order PL 181, § 196-12-070, filed 1/28/75; Order 11, § 196-12-070, filed 9/12/68; Rule IIF, filed 11/15/65; 8/4/64; Rule IG, filed 12/26/62.] Repealed by 82-01-064 (Order 81-10), filed 12/18/81. Statutory Authority: RCW 18.43.035.
196-12-075	Renewal of licenses. [Order PL 224, § 196-12-075, filed 11/5/75; Order PL 181, § 196-12-075, filed 1/28/75; Order PL 176, § 196-12-075, filed 10/15/74.] Repealed by 82-01-064 (Order 81-10), filed 12/18/81. Statutory Authority: RCW 18.43.035.
196-12-080	Branches of registration. [Order PL-129, § 196-12-080, filed 7/27/72; Order PL-115, § 196-12-080, filed 11/24/71; Order 11, § 196-12-080, filed 9/12/68; Rule IG, filed 11/15/65, 8/4/64; Rule IH, filed 12/26/62.] Repealed by 82-01-064 (Order 81-10), filed 12/18/81. Statutory Authority: RCW 18.43.035.

WAC 196-12-010 Applications. The deadline for receipt of applications properly filled out and accompanied by the application fee is four months before the date of the examination. Verification of the applicant's claimed experience must be in the board office two months before the date of the examination. Applications received after the deadline will be held for consideration for a later examination. Lack of verification of experience will also cause the application to be held for a later examination. Those who have previously taken the examination and failed or those who qualified and did not appear for the examination are required to notify the