

for primary response contractor approval in forty-five calendar days. Upon receipt of an application, the office shall evaluate promptly whether the application is incomplete. If the office determines that an application is incomplete, the submitter shall be notified of deficiencies. The forty-five-day review period shall begin when the application is complete.

(2) An application shall be approved if it meets the conditions specified in WAC 317-10-090.

(3) The office shall endeavor to notify the applicant that the application has been approved/not approved within five working days after the review is completed.

(a) If the application is approved, the contractor shall receive a certificate of approval describing the terms of approval, including expiration dates.

(b) If the application is not approved, the contractor shall receive an explanation of the factors for disapproval and a list of actions to be taken to gain approval. The contractor may not act as a primary response contractor for a covered vessel contingency plan until approved by the office.

(c) If the application is not approved, the contractor shall have thirty calendar days from the date of the notice of nonapproval to appeal the office's decision. The appeal shall be perfected by serving an application for an adjudicative proceeding upon the office within the time specified herein.

(d) Approval of a response contractor by the office does not constitute an express assurance regarding the adequacy of the contractor nor constitute a defense to liability imposed under state law.

(4) Response contractor approvals shall be reviewed by the office every two years pursuant to WAC 317-10-094. Reapproval applications shall be submitted sixty calendar days in advance of the approval expiration date.

(5) An approved contractor shall notify the office in writing as soon as possible and within twenty-four hours of any significant change in the information reported in the approval application, such as a substantial change in equipment ownership. A facsimile received by the office will be considered written notice for the purposes of this subsection. Failure to notify the office may result in loss of approval status. Upon notification, the office may review and modify the approval of the primary response contractor pursuant to this section. If the department determines that approval conditions are no longer met, approval may be withdrawn.

[Statutory Authority: ESHB 1027. 91-22-086, § 317-10-096, filed 11/5/91, effective 1/1/92.]

WAC 317-10-098 Severability. If any provision of this chapter is held invalid, the remainder of the rule is not affected.

[Statutory Authority: ESHB 1027. 91-22-086, § 317-10-098, filed 11/5/91, effective 1/1/92.]

[1991 WAC Supp—page 2304]

Title 318 WAC MARITIME COMMISSION

Chapter 318-04 Vessel assessment schedule.

Chapter 318-04 WAC VESSEL ASSESSMENT SCHEDULE

WAC	
318-04-020	Definitions.
318-04-030	Assessments.

WAC 318-04-020 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout these rules.

"Tanker barge" is a vessel as defined by RCW 88.44.010(15) which is not self-propelled and is designed, constructed or adapted primarily to carry, or carries oil, as defined by RCW 88.44.010(6), in bulk as cargo or cargo residue.

"Tanker vessel" — is a vessel as defined by RCW 88.44.010(15) which is self-propelled and designed, constructed or adapted primarily to carry or carries oil, as defined by RCW 88.44.010(6), in bulk as cargo or cargo residue.

"Small tanker vessel" — is a vessel as defined by RCW 88.44.010(15), of 300 gross registered tons or less, whether self-propelled or not, and designed, constructed or adapted primarily to carry or carries oil, as defined by RCW 88.44.010(6), in bulk as cargo or cargo residue, which voluntarily pays assessments under WAC 318-04-030 and submits to the provisions of chapter 88.44 RCW.

"Dry cargo barge" is a vessel as defined by RCW 88.44.010(15) which is not self-propelled, but because it is not designed, constructed or adapted primarily to carry oil, is not a tanker barge. To be subject to assessment, the dry cargo barge must be carrying oil solely to fuel barge machinery or mobile equipment carried as cargo.

"Nontanker vessel" is a vessel as defined by RCW 88.44.010(15) which is neither a tanker barge, a tanker vessel, nor a dry cargo barge.

"Maximum capacity" is the volume of oil, as defined by RCW 88.44.010(6) that a tanker barge or tanker vessel is capable of carrying when fully loaded as designed, constructed or adapted.

[Statutory Authority: RCW 88.44.100. 91-19-073, § 318-04-020, filed 9/17/91, effective 11/5/91; 91-02-005, § 318-04-020, filed 12/21/90, effective 1/1/91.]

WAC 318-04-030 Assessments. Effective September 12, 1991 or upon approval by the office of marine safety, whichever is later (except as provided below in this subsection), there is hereby levied by the Washington state maritime commission upon all nonexempt vessels, as defined by RCW 88.44.010(15) and WAC 318-04-020, which transit upon the waters of this state and upon small tanker vessels, or the owners or

operators thereof, an assessment in the following amounts:

(A) On tanker barges whose maximum capacity is:

	<u>Rate</u>
(1) 0 to 28,999 bbls	\$ 68.00
(2) 29,000 to 44,999 bbls	\$ 78.00
(3) 45,000 to 59,999 bbls	\$ 97.00
(4) 60,000 to 79,999 bbls	\$ 122.00
(5) 80,000 and over	\$ 152.00

(B) On tanker vessels carrying oil as cargo

	<u>Rate</u>
(1) 0 to 300 gross registered tons – on small tanker vessels	\$ 25.00
(2) 301 to 9,999 gross reg. tons	\$ 1,620
(3) 10,000 gross reg. tons and over	\$ 3,240

(C) On tanker vessels when not carrying oil as cargo, but while carrying other liquid or semi-liquid cargoes

	<u>Rate</u>
(1) 301 – 500 gross reg. tons	\$ 73.00
(2) 501 – 1,000 gross reg. tons	\$ 97.00
(3) 1,001 – 4,999 gross reg. tons	\$ 122.00
(4) 5,000 gross reg. tons and over	\$ 162.00

(D) On dry cargo barges (not tanker barges)

<u>Rate</u>
\$ 73.00

(E) On nontanker vessels carrying oil as fuel for propulsion machinery

	<u>Rate</u>
(1) 301 – 500 gross reg. tons	\$ 73.00
(2) 501 – 1,000 gross reg. tons	\$ 97.00
(3) 1,001 – 4,999 gross reg. tons	\$ 122.00
(4) 5,000 gross reg. tons and over	\$ 162.00

The assessment levied on all vessels, or the owners or operators thereof, which transit upon the portion of the Columbia River that runs between the states of Washington and Oregon, shall be effective on and after January 1, 1992.

[Statutory Authority: RCW 88.44.100. 91-19-073, § 318-04-030, filed 9/17/91, effective 11/5/91; 91-02-005, § 318-04-030, filed 12/21/90, effective 1/1/91.]

Reviser's note: The effective date mentioned in the last paragraph has been indefinitely deferred; see WSR 92-03-061, filed on January 13, 1992.

Title 326 WAC
MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE OF

Chapter 326-30 **Goal setting rules.**

Chapter 326-30 WAC
GOAL SETTING RULES

WAC
326-30-03904 Goals for 1991-92.

WAC 326-30-03904 Goals for 1991-92. The annual overall goals for each state agency and educational institution for each of the following classes of contracts for the period July 1, 1991 through June 30, 1992, should be:

Construction/Public Works	10% MBE	6% WBE
Architect/Engineering	10% MBE	6% WBE
Purchased Goods and Services	8% MBE	4% WBE
Other Consultants	10% MBE	4% WBE

These MWBE participation goals are based on the state agency's or educational institution's total contracts subject to this chapter within each of the above noted classes of contracts, less excluded contracts.

[Statutory Authority: RCW 39.19.030(7). 91-18-041, § 326-30-03904, filed 8/30/91, effective 9/30/91.]

Title 332 WAC
NATURAL RESOURCES, BOARD AND DEPARTMENT OF

Chapters	
332-08	Practice and procedure.
332-10	Public records--Department of natural resources and board of natural resources.
332-24	Forest protection.
332-30	Aquatic land management.
332-48	Fire and game damage.
332-100	Leases, sales, rights of way, etc.
332-130	Minimum standards for land boundary surveys and geodetic control surveys and guidelines for the preparation of land descriptions.

Chapter 332-08 WAC
PRACTICE AND PROCEDURE

WAC	
332-08-005	Adoption of model rules of procedure.
332-08-010	Repealed.
332-08-015	Definitions.
332-08-020	Repealed.
332-08-025	Inapplicability to proprietary decisions.
332-08-040	Repealed.
332-08-050	Repealed.
332-08-060	Repealed.
332-08-070	Repealed.
332-08-080	Repealed.
332-08-090	Repealed.
332-08-100	Repealed.
332-08-105	Adjudicative proceedings--Application.
332-08-110	Repealed.
332-08-115	Application for adjudicative proceeding--Time limit.
332-08-120	Repealed.
332-08-125	Application for adjudicative proceeding--Place of filing.