

WAC 240-15-035 Requirements applicable to the department of revenue. (1) Administration. Administration of this chapter shall be the responsibility of the Washington department of revenue.

(2) Referrals of violations. Whenever the department of revenue becomes aware of a violation, or possible violation, of the prohibitions in WAC 240-15-015(1) (relating to export), WAC 240-15-015(2) (relating to substitution), or WAC 240-15-015(3) (relating to certain indirect transactions) it shall notify the managing agency so that such agency may promptly take appropriate action, as provided in this chapter.

(3) Monitoring.

(a) The department of revenue shall develop and implement a program for the monitoring of export restricted timber in transit and at ports and other facilities for the purpose of ensuring that

(i) Export restricted timber is not exported from the United States or used in substitution, and

(ii) Timber harvested from lands referred to in WAC 240-15-025 (3)(b) (relating to reporting requirements for certain purchasers of export restricted timber) at any time during the period of time referred to in WAC 240-15-010 (4)(g)(ii), is not exported from the United States.

(b) The department of revenue may enter into contracts or agreements with other appropriate state or federal authorities for the purpose of meeting the requirements of WAC 240-15-035 (3)(a).

(4) Certifications.

(a) The department of revenue shall issue uniform forms which shall be used as Purchaser Certifications required to be submitted under WAC 240-15-025(1), and Transferee Certifications required to be submitted under WAC 240-15-025(2). Each such form shall include a notification, conspicuously placed, that the making of a false statement on such certification is punishable as a gross misdemeanor under RCW 9A.72.040.

(b) Copies of all certifications received by the department of revenue shall be available for public inspection at reasonable hours and locations.

(c) The department of revenue may audit certifications submitted by any person under WAC 240-15-025 (relating to reporting requirements) in order to assure that such person is able to account for the disposition of all export restricted timber which such person has purchased from a public agency or received by means of transfer from any other person.

(d) The department of revenue shall develop and implement a program to audit certifications submitted under WAC 240-15-025 (relating to reporting requirements) in order to assure that persons who acquire export restricted timber are able to account for the disposition of all export restricted timber which they have purchased from a public agency or received by means of transfer from any other person.

(5) List of ineligible purchasers.

(a) The department of revenue shall establish and maintain a list of persons who, due to violations of this chapter, are ineligible to purchase export restricted timber.

(b) The department of revenue shall add a person to the list referred to in WAC 240-15-035 (5)(a) whenever:

(i) It finds under WAC 240-15-030(1) (relating to debarment) that such person has violated WAC 240-15-015(1) (relating to the prohibition on exports), WAC 240-15-015(2) (relating to the prohibition on

substitution), or WAC 240-15-015(3) (relating to certain indirect transactions); or

(ii) It receives notification from an agency which sells export restricted timber that such agency has made a finding, under WAC 240-15-030(1) (relating to debarment) that such person has violated WAC 240-15-015(1) (relating to the prohibition on exports) WAC 240-15-015(2) (relating to the prohibition on substitution), or WAC 240-15-015(3) (relating to certain indirect transactions).

(c) The department of revenue shall remove a person from the list referred to in WAC 240-15-035 (5)(a) after such period of time has elapsed as is required under the order debarment such person under WAC 240-15-030(1) (relating to debarment). No person who is placed on the list as the result of being debarred for a violation which occurred subsequent to the first debarment of such person under WAC 240-15-030(1) shall be removed from the list.

(d) The department of revenue shall provide a copy of the list of ineligible purchasers referred to in WAC 240-15-035 (5)(a)(i) to each agency which sells export restricted timber, and (ii) each person who requests to receive copies of the list. The department of revenue shall provide revised copies of the list to all such agencies and persons whenever a person is added to or removed from the list.

[WSR 92-11-017, § 240-15-035, filed 5/12/92, effective 7/1/92; WSR 91-14-040, § 240-15-035, filed 6/27/91, effective 8/16/91. Statutory Authority: Public Law 101-382. WSR 91-02-111, § 240-15-035, filed 1/2/91, effective 1/2/91; WSR 90-22-105, § 240-15-035, filed 11/7/90, effective 1/1/91.]