

WAC 296-17A-3407 Classification 3407.

3407-00 Gas or oil dealers, wholesale or retail, including fuel oil, propane or butane

Applies to:

Businesses engaged in the distribution of fuel oil, liquefied petroleum gases (propane and butane), and gasoline on a retail or wholesale basis.

Dealers may maintain their own storage tanks on their premises and receive gas or oil through a pipeline from a refinery, by rail or tanker truck, or they may receive their supplies from a separate distribution facility.

Work activities include, but are not limited to:

- Delivering gasoline and lubricating oils directly to retail gas stations in large tank trucks;
- Delivering fuel oil to customers by pump trucks; pumping the fuel oil into the customer's tank;
- Delivering liquefied petroleum gases (LPG) to customers by pump truck or in prefilled cylinders;
- Draining, repairing, installing, or removing of customer's oil tanks;
- Incidental mixing or blending of oil or gas with additives;
- Selling or leasing of gas appliances and maintenance contracts, including installing, maintaining, and emergency repairing of the gas appliances which is included in this classification when done by employees of an employer subject to this classification.

Exclusions:

- Repair, installation, or removal of underground oil storage tanks by a contractor is classified in 0108;
- Installation or repair of furnaces by a contractor is classified in 0307;
- Construction or repair of exterior commercial storage tanks by a contractor is classified in 0508.

3407-02 Processing waste oils, solvents, antifreeze, paints, and similar materials; dewatering sludge; advanced recycling of plastics and tires; on-site oil filtering

Applies to:

- Businesses processing waste oils, used solvents, antifreeze, paints, and similar hazardous materials;
- Businesses providing mobile dewatering services to waste sludge producers through the use of mobile decanter centrifuges;
- Businesses for the advanced recycling of plastics and tires;
- Mobile recycling units engaged in similar activities are included in this classification, whether on ships, in industrial plants, or at gas or oil storage facilities.

Processes include, but are not limited to:

- Sampling the waste material for laboratory testing so the composition of the substance is known prior to pick up and processing;
- Picking up or accepting delivery from customers, which may be in drums or in tanker trucks;
- Pumping incoming oil into waste oil storage tanks where water settles out;
- Heating the oil in treatment tanks to boil off remaining water and vaporize gases;

- Using chemical methods of recycling oil is also included in this classification;
- Recycling solvents and antifreeze through a distilling process for reuse;
- Dewatering sludge to concise quality specifications as determined by the client;
- Advanced recycling of plastics and tires similar in process to a small refinery: Either pelletized or shredded plastic material made from used consumer materials, or shredded used tire material may be used; the plastic or tire material is fed into a retort which decomposes the material using heat without oxygen, so the material is not burned; as the hot vapor gas cools, it is condensed into oil;
- On-site oil filtering, which includes filtering the oil through a filtering mechanism and then back into its original tank.

Products manufactured include, but are not limited to:

- Oil which can be used in industrial burners or for cutter fuel;
- Dewatered sludge can be used in a wide variety of applications such as composting and land reclamation. The ultimate disposal of the dewatered sludge is provided by either a subcontractor or by the client;
- Oil from the plastic processing is shipped to refineries where it will be refined further into plastic base material;
- Oil from the chipped tires is usually sold to oil blending companies.

Equipment used include, but are not limited to:

- Flatbed, tanker, or other specialized trucks;
- Centrifuges and control instrumentation that is highly specialized and designed specifically for the dewatering of sludge;
- Mobile decanter centrifuge installations include dredging and pumping equipment, flocculation systems, and portable electrical supply;
- Filtering systems;
- Retorts - Which decompose the material using heat without oxygen;
- Treatment tanks;
- Waste oil storage tanks.

Exclusions:

- Worker hours unloading and setting up the equipment at a new job site, and tearing it down and loading it on trucks to haul it to the next job site (the "rig up/down" process) must be reported separately in classification 0603;
- Worker hours processing or handling hazardous/toxic material, not described above, such as processing of medical or septic tank waste, drug lab or hazardous spill cleanup (excluding oil spill cleanup on land - Classification 0101), and reprocessing or handling of low-level radioactive materials must be reported separately in classification 4305.

3407-03 Oil refining - Petroleum, including manufacture of products from oil; gasohol - Distilling or refining

Applies to:

- Businesses operating oil refineries;
- Preliminary separation of crude oil (called "topping") at a well site by a contractor.

Processes include, but are not limited to:

- Receiving crude oil by pipeline, truck, or tanker ship;
- Refining processes involving four basic steps: Separation, conversion, treating, and blending; these processes are highly automated;
- Distributing to customers.

Included within the scope of this classification are any additional processing methods used to produce the finished secondary products.

Equipment used include, but are not limited to:

- Distillation towers;
- Intermediate storage;
- Pipelines;
- Processing units;
- Receiving tanks.

Products manufactured include, but are not limited to:

- Asphalt;
- Fuel oil;
- Gasohol;
- Gasoline;
- Kerosene;
- Lubricating oils;
- Natural gas.

Exclusions:

- Oil refinery maintenance by a contractor is classified in 0603;
- Cleaning of storage tanks by a contractor is classified in 0504;
- Operation of an oil well or pipeline, and incidental preliminary separation of crude oil ("topping") at the well site is classified in 3407-05;
- Worker hours constructing an oil refinery or storage tanks must be reported separately in classification 0508.

3407-05 Gas or oil well operation; oil or gas pipeline operation

Applies to:

Businesses operating oil or gas wells or pipelines, whether operated by the owner or a contractor.

Pipelines may be used to transport crude oil from a well to a refinery, or processed oil from a refinery to a remote storage facility or customer.

Work activities include, but are not limited to:

- Land clearing and excavation to create slush pits and fire walls;
- Pipe laying;
- Equipment installation and operation;
- Preliminary separation of crude oil;
- All routine operation and maintenance for wells, above and below ground pipelines, feeder and distribution lines, pumping stations, storage facilities, meters, and monitoring equipment;
- Monitoring of oil or gas production when performed by employees of an employer having operations subject to this classification.

Equipment used include, but are not limited to:

- Meters and monitoring equipment;
- Oil, gas, and water pumps.

Exclusions:

- Oil or gas pipeline operations in connection with an oil refinery is classified in 3407-03;
- Derrick, storage tank, or oil refinery construction is classified in 0508;
- Oil well drilling is classified in 0103;
- Excavation by a contractor is classified in 0101;
- Pipe laying by a contractor is classified in 0107;
- Cleaning of storage tanks by a contractor is classified in 0504;
- Machinery or equipment maintenance by a contractor is classified in 0603;
- Above or below ground pipe installation by contractors is classified in 0107;
- Worker hours installing pumps or monitoring equipment must be reported separately in classification 0603.

3407-07 Oil or gas wells - Cementing

Applies to:

Businesses providing cementing services to oil and gas well drilling operations.

Cementing is required to fill the space between the outer edge of the hole being drilled and the metal casing which is being installed in segments to line the hole.

Work activities include, but are not limited to:

- Pumping mixed cement, under pressure, down into the casing. When it reaches the bottom of the existing hole, the continuing pressure forces it upward around the outside of the casing to the top of the hole or to where it will meet the last segment to have been cemented. This will serve to keep the casing stable and also to prevent any leakage of oil or gas from the casing into the surrounding soil when the well is operational;
- Cementing contractors can use the drilling derrick already in place to support their machinery;
- Filling the entire well hole with cement, after the casing is disassembled and removed, when the well is no longer operational.

Exclusions:

- Oil or gas well cementing done by employees of an oil well drilling contractor is classified in 0103.

3407-17 Asphalt, bitumen dealers; asphalt or tar - Distilling or refining; asphalt roofing material - Manufacturing; asphalt paving material - Manufacturing

Applies to:

- Businesses producing commercial asphalt or tar;
- Businesses manufacturing asphalt mixtures used in the preparation of building or roofing papers and shingles from raw materials purchased from others;
- Businesses manufacturing asphalt mixtures used for road paving operations from raw materials purchased from others;
- Businesses operating as dealers of asphalt and bitumen which can be either a by-product of petroleum refining or found in naturally occurring deposits.

Work activities include, but are not limited to:

- Refining asphalt or tar to a liquid or semiliquid;

- Separating the asphalt or tar - Low grade crude oil, petroleum distillate (by-product of oil refining operations) and coal-tar oil must be treated in a heat exchange system and still before undergoing a final processing in a fractioning tower (a process also used in oil refining);

- Incidental distillation of asphalt flux;

- Grinding and mixing raw asphalt and bitumen with sand, gravel, or limestone;

- Manufacturing asphalt roofing materials - Some plants are fully automated, with controls, gauges, and valves housed in a separate room. Liquid asphalt flux, purchased from refineries, is hauled in by tanker trucks owned either by the refineries or the manufacturer, and is pumped directly into "air stills" or into holding tanks. An oxidation process takes place in the air stills. The asphalt flux is heated, then pumped into cooling tanks before it is pumped through pipes to a bulk loading/delivery station or to another area for further use. The processed hot asphalt may also be pumped into a blending tank where it can be blended with mineral spirits or naphtha to produce "cut-back" asphalt which is used in "cold asphalt" applications, or mixed with water to obtain an emulsified asphalt which "sets up" when it cools;

- Manufacturing asphalt impregnated felt roofing paper - Large rolls of felt paper are unrolled and automatically fed into a saturation tank where the paper is impregnated with the hot asphalt mixture. The paper then goes through several large rollers for cooling and smoothing, and is finally cut to size and rolled to produce rolls of asphalt coated felt roofing paper ready for use;

- Manufacturing asphalt fiberglass shingles - Limestone is delivered in bulk by suppliers' trucks and blown pneumatically into storage tanks. In the production processes it goes through a heater and is then mixed with the liquid asphalt. The production line starts with huge rolls of fiberglass which are fed continuously (roll ends spliced together automatically) into the process. The asphalt mixture is crushed into both sides of the fiberglass by large rollers and the excess asphalt scraped off. Granules are applied to the top side and sand is applied to the back side of the asphalt coated fiberglass. The coated fiberglass is then run through coolers. Granules are pressed into the coating and the material is fed/hung into "loopers" for additional cooling. After cooling, the coated material is automatically cut into strips, cut to specified width and length, "dragon teeth" (notches) cut, asphalt applied to the back of the "dragon teeth," then the "teeth" applied to the shims, and the asphalt shingle is complete;

- Manufacturing asphalt paving mixture - Plants are usually fully automated and controlled from a central control room overlooking the production area. Sand and gravel may be obtained from the producer's own gravel pit or purchased from independent suppliers. Liquid asphalt is obtained directly from either the refineries or from an asphalt dealer. Suppliers usually deliver raw materials to the manufacturing plant.

In a *batch plant*, each batch is made separately. The stored aggregate is loaded into hoppers, then carried by conveyor through a dust collecting system prior to entering the dryer drum. In the dryer drum the aggregate is dried and heated to specified temperatures before being conveyed to the "batcher" where it is screened, then stored in bins. Heated liquid asphalt is weighed to precise specifications required for that batch. Measured amounts of aggregate and liquid as-

phalt are in a pug mill to desired state, then discharge into trucks to be delivered to customers or stored in a silo.

In a *drum plant*, the mix is continuous with several of the processing steps being combined in the drum. The measured cold aggregate is fed directly into the burner end of the drum for drying and heating. A measured amount of hot oil asphalt is dumped into the drum and mixed with the heated aggregate. The mixed product is conveyed into storage silos where it is held until pumped into delivery trucks.

Products manufactured include, but are not limited to:

- Asphalt or asphalt mixture used for paving applications or sold to an asphalt paving material manufacturer for further processing;
- Asphalt fiberglass shingles;
- Asphalt impregnated felt roofing paper;
- Asphalt roofing compound;
- Asphalt used in manufacturing felt roofing paper;
- Coal tar which is used in drugs and waterproofing products;
- Tar to be used in various paving and waterproofing applications.

Products are usually not packaged, but sold by the truckload.

Exclusions:

- Operations conducted in connection with an oil/petroleum refinery are classified in 3407-03;
- Distillery/refinery maintenance by contractors is classified in 0603;
- Cleaning of storage tanks by contractors is classified in 0504;
- Paving of roads or other surfaces is classified in 0210 or 0212;
- Mining or quarrying of raw materials which is to be reported separately as applicable;
- Constructing oil refineries and/or storage tanks is classified in 0508;
- Paving or roofing contractors who manufacture asphalt paving or roofing material for their own use must be reported separately in the appropriate construction classifications.

Special note: If the product is manufactured by paving or roofing contractors for sale to the general public, as well as for their own use, and if the employees operating the asphalt plant have no other duties, classification 3407-17 would apply to the asphalt plant employees.

[Statutory Authority: RCW 51.04.020 and 51.16.035. WSR 24-23-081, s 296-17A-3407, filed 11/19/24, effective 1/1/25. WSR 07-01-014, recodified as § 296-17A-3407, filed 12/8/06, effective 12/8/06. Statutory Authority: RCW 51.16.035. WSR 98-18-042, § 296-17-584, filed 8/28/98, effective 10/1/98. Statutory Authority: RCW 51.04.020(1) and 51.16.035. WSR 93-12-093, § 296-17-584, filed 5/31/93, effective 7/1/93. Statutory Authority: RCW 51.16.035. WSR 85-24-032 (Order 85-33), § 296-17-584, filed 11/27/85, effective 1/1/86; WSR 83-24-017 (Order 83-36), § 296-17-584, filed 11/30/83, effective 1/1/84; Order 73-22, § 296-17-584, filed 11/9/73, effective 1/1/74.]