

**JULY 18, 1990**

**OLYMPIA, WASHINGTON**

**ISSUE 90-14**



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filed not later than July 5, 1990

## CITATION

Cite all material in the Washington State Register by its issue number and sequence within that issue, preceded by the acronym WSR. Example: the 37th item in the August 5, 1981, Register would be cited as WSR 81-15-037.

## PUBLIC INSPECTION OF DOCUMENTS

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## CERTIFICATE

Pursuant to RCW 34.08.040, the publication of rules or other information in this issue of the Washington State Register is hereby certified to be a true and correct copy of such rules or other information, except that headings of public meeting notices have been edited for uniformity of style.

DENNIS W. COOPER  
Code Reviser

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## STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of July 1990 pursuant to RCW 19.52.020 is twelve point zero three percent (12.03%).

**NOTICE: FEDERAL LAW PERMITS FEDERALLY INSURED FINANCIAL INSTITUTIONS IN THE STATE TO CHARGE THE HIGHEST RATE OF INTEREST THAT MAY BE CHARGED BY ANY FINANCIAL INSTITUTION IN THE STATE. THE MAXIMUM ALLOWABLE RATE OF INTEREST SET FORTH ABOVE MAY NOT APPLY TO A PARTICULAR TRANSACTION.**

The maximum allowable retail installment contract service charge applicable for calendar year 1990 pursuant to RCW 63.14.130(1)(a) is fourteen and one-half percent (14.50%).

The maximum allowable retail installment contract service charge for the purchase of a motor vehicle pursuant to RCW 63.14.130(2)(a) is fourteen point two five percent (14.25%) for the third calendar quarter of 1990.

The maximum allowable retail installment contract service charge for the purchase of a vessel pursuant to RCW 63.14.130(3)(a) is fourteen point zero percent (14.00%) for the third calendar quarter of 1990.

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# WASHINGTON STATE REGISTER

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Olympia, WA 98504

The Washington State Register is an official publication of the state of Washington. It contains proposed, emergency, and permanently adopted administrative rules, as well as other documents filed with the code reviser's office pursuant to RCW 34.08.020 and 42.30.075. Publication of any material in the Washington State Register is deemed to be official notice of such information.

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## STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

### 1. ARRANGEMENT OF THE REGISTER

Documents are arranged within each issue of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence within an issue's material.

### 2. PROPOSED, ADOPTED, AND EMERGENCY RULES OF STATE AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION

The three types of rule-making actions taken under the Administrative Procedure Act (chapter 34.05 RCW) may be distinguished by the size and style of type in which they appear.

- (a) **Proposed rules** are those rules pending permanent adoption by an agency and are set forth in eight point type.
- (b) **Adopted rules** have been permanently adopted and are set forth in ten point type.
- (c) **Emergency rules** have been adopted on an emergency basis and are set forth in ten point oblique type.

### 3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

RCW 34.05.395 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

- (a) In amendatory sections—
  - (i) underlined material is new material;
  - (ii) ~~deleted material is ((lined out and bracketed between double parentheses));~~
- (b) Complete new sections are prefaced by the heading NEW SECTION;
- (c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading REPEALER.

### 4. EXECUTIVE ORDERS, COURT RULES, NOTICES OF PUBLIC MEETINGS

Material contained in the Register other than rule-making actions taken under the APA does not necessarily conform to the style and format conventions described above. The headings of these other types of material have been edited for uniformity of style; otherwise the items are shown as nearly as possible in the form submitted to the code reviser's office.

### 5. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules normally take effect thirty days after the rules and the agency order adopting them are filed with the code reviser's office. This effective date may be delayed or advanced and such an effective date will be noted in the promulgation statement preceding the text of the rule.
- (b) Emergency rules take effect upon filing with the code reviser's office unless a later date is provided by the agency. They remain effective for a maximum of one-hundred-twenty days from the date of filing.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

### 6. EDITORIAL CORRECTIONS

Material inserted by the code reviser's office for purposes of clarification or correction or to show the source or history of a document is enclosed in [brackets].

### 7. INDEX AND TABLES

A combined subject matter and agency index and a table of WAC sections affected may be found at the end of each issue.

1989 – 1990

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates <sup>1</sup>			Distribution Date	First Agency Hearing Date <sup>3</sup>
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS <sup>2</sup> or 10 p. max. Non-OTS		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing on or after
89-14	Jun 7	Jun 21	Jul 5	Jul 19	Aug 8
89-15	Jun 21	Jul 5	Jul 19	Aug 2	Aug 22
89-16	Jul 5	Jul 19	Aug 2	Aug 16	Sep 5
89-17	Jul 26	Aug 9	Aug 23	Sep 6	Sep 26
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90-23	Oct 24	Nov 7	Nov 21	Dec 5	Dec 25
90-24	Nov 7	Nov 21	Dec 5	Dec 19	Jan 2, 1991

<sup>1</sup>All documents are due at the code reviser's office by 5:00 p.m. on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

<sup>2</sup>A filing of any length will be accepted on the closing dates of this column if it has been prepared and completed by the order typing service (OTS) of the code reviser's office; see WAC 1-21-040. Agency-typed material is subject to a ten page limit for these dates; longer agency-typed material is subject to the earlier non-OTS dates.

<sup>3</sup>At least twenty days before the rule-making hearing, the agency shall cause notice of the hearing to be published in the Register; see RCW 34.05.320(1). These dates represent the twentieth day after the distribution date of the applicable Register.



**WSR 90-14-001**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed June 22, 1990, 9:45 a.m.]

**Original Notice.**

**Title of Rule:** Prevailing wage for developmentally disabled workers.

**Purpose:** To establish procedures for establishing prevailing wages for handicapped workers.

**Statutory Authority for Adoption:** RCW 39.12.022.

**Summary:** The rules allow employment of developmentally disabled workers on public works jobs at rates less than the prevailing rate.

**Reasons Supporting Proposal:** RCW 39.12.022 requires the department to allow for employment of handicapped workers at less than prevailing wage to prevent curtailment of employment opportunities. These rules will help to prevent loss of employment opportunities for workers who are developmentally disabled.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Mark M. McDermott, 406 Legion Way, Olympia, 98504, (206) 753-3487.

**Name of Proponent:** Department of Labor and Industries, governmental.

Rule is not necessitated by federal law, federal or state court decision.

**Explanation of Rule, its Purpose, and Anticipated Effects:** The proposed rule promotes employment of workers who are developmentally disabled working on public works projects by authorizing their work to be paid at a percentage of the prevailing rate commensurate with their productivity. The proposed rule begins department activity implementing RCW 39.12.022.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

This rule affects only nonprofit vocational rehabilitation programs and handicapped workers, neither of which are subject to the Regulatory Fairness Act according to RCW 19.85.020 and 43.31.025 which defines a small business as ". . . any business which is owned and operated independently from all other businesses, which has the purpose of making a profit . . ."

**Hearing Location:** Main Auditorium, General Administration Building, Olympia, Washington, on August 16, 1990, at 9:00 a.m.

**Submit Written Comments to:** Mark M. McDermott, Assistant Director, 406 Legion Way S.E., Olympia, WA 98504, by September 10, 1990.

**Date of Intended Adoption:** September 17, 1990.

June 22, 1990  
 Joseph A. Dear  
 Director

NEW SECTION

WAC 296-127-400 APPLICABILITY. WAC 296-127-400 through 296-127-470 are issued pursuant to RCW 39.12.022, authorizing the director of the department of labor and industries, to the extent necessary in order to prevent curtailment of opportunities for employment, to issue special sub-prevailing wage certificates for employment of individuals whose earning capacity is impaired by physical or mental deficiency or injury at wages lower than the prevailing rate applicable under RCW 39.12.020. Sub-prevailing wage certificates shall be subject to the conditions prescribed in these regulations.

NEW SECTION

WAC 296-127-410 DEFINITIONS. For the purposes of WAC 296-127-400 through 296-127-470:

(1) "Developmental disability" means a disability attributable to mental retardation, cerebral palsy, epilepsy, autism, or another neurological or other condition of an individual found by the secretary of social and health services to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation, which disability originates before the individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to the individual.

(2) "Handicapped worker" means an individual whose earning capacity for the work to be performed is impaired by physical or mental deficiency or injury.

(3) "Prevailing rate" means the prevailing rate of wage as defined in RCW 39.12.010 and as determined by the industrial statistician.

NEW SECTION

WAC 296-127-420 APPLICATION FOR A SUB-PREVAILING WAGE CERTIFICATE. (1) Nonprofit vocational rehabilitation programs may apply for a sub-prevailing wage certificate authorizing the employment of one or more handicapped workers with a developmental disability at less than the prevailing rate. An application for each worker shall be filed with the office of the industrial statistician not less than annually upon forms approved by the director or an authorized representative of the director.

(2) The application shall be signed jointly by the employer, the handicapped worker for whom such application is being made, and by the parent or guardian of the handicapped worker except as otherwise authorized by the director or an authorized representative of the director.

NEW SECTION

WAC 296-127-430 CONDITIONS FOR GRANTING A SUB-PREVAILING WAGE CERTIFICATE. (1) A sub-prevailing wage certificate may be issued to a nonprofit vocational rehabilitation program if the application is in proper form and sets forth facts showing:

(a) A wage below prevailing rate is necessary to prevent curtailment of the handicapped worker's opportunities for employment;

(b) The handicap impairs the earning capacity of the worker for the work to be performed;

(c) The percentage of full productivity at which the handicapped worker functions; and

(d) A description of the duties to be performed by each handicapped worker;

(e) The nature of the disability; and

(f) An addendum containing a detailed explanation of the nature of the disability.

(2) The industrial statistician shall not require a nonprofit vocational rehabilitation program to provide the information required in subsection (1)(f) of this section if it provides a notarized copy of a federal certificate granted by the United States department of labor under section 14(c) of the Federal Fair Labor Standards Act and any documentation deemed necessary by the industrial statistician identifying the workers with a developmental disability, a description of the duties to be performed, and the percentage of productivity at which each worker functions.

(3) The director or an authorized representative of the director may require the submission of additional information to that required by subsection (1) or (2) of this section shown on the application and may require the handicapped worker to take a medical examination where it is deemed necessary in order to determine whether or not the issuance of a certificate is justified.

NEW SECTION

WAC 296-127-440 ISSUANCE OF A SUB-PREVAILING WAGE CERTIFICATE. If the application and other available information indicate that the requirements of this regulation are satisfied, the director or an authorized representative of the director may issue a sub-prevailing wage certificate. If issued, copies of the sub-prevailing wage certificate shall be mailed to the employer, the handicapped worker, and to the parent or guardian of the handicapped worker. If denied, the employer, the handicapped worker, and the parent or guardian of the handicapped worker shall be given written notice of the denial.

NEW SECTION

WAC 296-127-450 TERMS OF SUB-PREVAILING WAGE CERTIFICATE. (1) A sub-prevailing wage certificate shall specify, among other things, the names of the handicapped workers, the name of the employer, the duties to be performed by the handicapped worker, the percentage of the prevailing rate authorized to be paid, and the period of time during which that percentage of the prevailing rate may be paid. A certificate shall also indicate that the percentage of the prevailing rate to be paid a handicapped worker shall change to reflect an increase or decrease in the worker's productivity when the worker's productivity is determined to change.

(2) A sub-prevailing wage certificate shall be effective for a period of one year or less as designated by the director or an authorized representative of the director. A handicapped worker employed under such certificate may be paid at the specified percentage of the prevailing rate only during the effective period of the certificate.

(3) Notwithstanding the requirements of chapter 49.46 RCW and its administrative regulations, the percentage of the prevailing rate authorized to be paid shall be fixed at a figure designed to reflect adequately the percentage of productivity at which the handicapped worker functions.

(4) Any money received by a handicapped worker by reason of any state or federal pension or compensation program for handicapped persons shall not be considered as offsetting any part of the wage or remuneration due the handicapped worker by the employer.

(5) A handicapped worker shall be paid not less than one and one-half times the rate specified in the sub-prevailing wage certificate for hours worked in excess of forty hours per workweek or eight hours per day.

(6) The terms of any sub-prevailing wage certificate, including the percentage of the prevailing rate authorized to be paid, may be amended by the director or an authorized representative of the director upon written notice to the parties concerned, if the facts justify such amendment.

NEW SECTION

WAC 296-127-460 RENEWAL OF SUB-PREVAILING WAGE CERTIFICATE. Application for renewal of any sub-prevailing wage certificate shall be filed in the same manner as an original application. An application for renewal shall include the most recent evaluation conducted within the past year of the productivity level at which the handicapped worker functions. If such application has been filed prior to the expiration date of the certificate, the certificate shall remain in effect until the application for renewal has been granted or denied.

NEW SECTION

WAC 296-127-470 REVIEW. Any person aggrieved by any action of the director or an authorized representative of the director taken pursuant to this regulation may, within fifteen days after notice of such action has been mailed, file with the director a petition for review of the action complained of, setting forth grounds for seeking such review. If reasonable grounds exist, the director or an authorized representative of the director may grant such review and to the extent deemed appropriate afford all interested persons an opportunity to be heard on such review.

WSR 90-14-002  
EMERGENCY RULES  
DEPARTMENT OF  
LABOR AND INDUSTRIES

[Filed June 22, 1990, 9:47 a.m.]

Date of Adoption: June 22, 1990.

Purpose: Establish procedures for authorizing sub-prevailing wage certificates for developmentally disabled workers.

Statutory Authority for Adoption: RCW 39.12.022.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: RCW 39.12.022 requires the department to allow for employment of handicapped workers at less than prevailing wage to prevent curtailment of employment opportunities. These rules will help to prevent loss of employment opportunities for workers who are developmentally disabled. A notice of rule making also has been filed. A hearing is scheduled for 9:00 a.m. on August 16, 1990.

Effective Date of Rule: Immediately.

June 22, 1990  
Joseph A. Dear  
Director

NEW SECTION

WAC 296-127-400 APPLICABILITY. WAC 296-127-400 through 296-127-470 are issued pursuant to RCW 39.12.022, authorizing the director of the department of labor and industries, to the extent necessary in order to prevent curtailment of opportunities for employment, to issue special sub-prevailing wage certificates for employment of individuals whose earning capacity is impaired by physical or mental deficiency or injury at wages lower than the prevailing rate applicable under RCW 39.12.020. Sub-prevailing wage certificates shall be subject to the conditions prescribed in these regulations.

NEW SECTION

WAC 296-127-410 DEFINITIONS. For the purposes of WAC 296-127-400 through 296-127-470:

(1) "Developmental disability" means a disability attributable to mental retardation, cerebral palsy, epilepsy, autism, or another neurological or other condition of an individual found by the secretary of social and health services to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation, which disability originates before the individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to the individual.

(2) "Handicapped worker" means an individual whose earning capacity for the work to be performed is impaired by physical or mental deficiency or injury.

(3) "Prevailing rate" means the prevailing rate of wage as defined in RCW 39.12.010 and as determined by the industrial statistician.

#### NEW SECTION

WAC 296-127-420 APPLICATION FOR A SUB-PREVAILING WAGE CERTIFICATE. (1) Nonprofit vocational rehabilitation programs may apply for a sub-prevailing wage certificate authorizing the employment of one or more handicapped workers with a developmental disability at less than the prevailing rate. An application for each worker shall be filed with the office of the industrial statistician not less than annually upon forms approved by the director or an authorized representative of the director.

(2) The application shall be signed jointly by the employer, the handicapped worker for whom such application is being made, and by the parent or guardian of the handicapped worker except as otherwise authorized by the director or an authorized representative of the director.

#### NEW SECTION

WAC 296-127-430 CONDITIONS FOR GRANTING A SUB-PREVAILING WAGE CERTIFICATE. (1) A sub-prevailing wage certificate may be issued to a nonprofit vocational rehabilitation program if the application is in proper form and sets forth facts showing:

(a) A wage below prevailing rate is necessary to prevent curtailment of the handicapped worker's opportunities for employment;

(b) The handicap impairs the earning capacity of the worker for the work to be performed;

(c) The percentage of full productivity at which the handicapped worker functions; and

(d) A description of the duties to be performed by each handicapped worker;

(e) The nature of the disability; and

(f) An addendum containing a detailed explanation of the nature of the disability.

(2) The industrial statistician shall not require a nonprofit vocational rehabilitation program to provide the information required in subsection (1)(f) of this section if it provides a notarized copy of a federal certificate granted by the United States department of labor under section 14(c) of the Federal Fair Labor Standards Act and any documentation deemed necessary by the industrial statistician identifying the workers with a developmental disability, a description of the duties to be performed, and the percentage of productivity at which each worker functions.

(3) The director or an authorized representative of the director may require the submission of additional information to that required by subsection (1) or (2) of this section shown on the application and may require the

handicapped worker to take a medical examination where it is deemed necessary in order to determine whether or not the issuance of a certificate is justified.

#### NEW SECTION

WAC 296-127-440 ISSUANCE OF A SUB-PREVAILING WAGE CERTIFICATE. If the application and other available information indicate that the requirements of this regulation are satisfied, the director or an authorized representative of the director may issue a sub-prevailing wage certificate. If issued, copies of the sub-prevailing wage certificate shall be mailed to the employer, the handicapped worker, and to the parent or guardian of the handicapped worker. If denied, the employer, the handicapped worker, and the parent or guardian of the handicapped worker shall be given written notice of the denial.

#### NEW SECTION

WAC 296-127-450 TERMS OF SUB-PREVAILING WAGE CERTIFICATE. (1) A sub-prevailing wage certificate shall specify, among other things, the names of the handicapped workers, the name of the employer, the duties to be performed by the handicapped worker, the percentage of the prevailing rate authorized to be paid, and the period of time during which that percentage of the prevailing rate may be paid. A certificate shall also indicate that the percentage of the prevailing rate to be paid a handicapped worker shall change to reflect an increase or decrease in the worker's productivity when the worker's productivity is determined to change.

(2) A sub-prevailing wage certificate shall be effective for a period of one year or less as designated by the director or an authorized representative of the director. A handicapped worker employed under such certificate may be paid at the specified percentage of the prevailing rate only during the effective period of the certificate.

(3) Notwithstanding the requirements of chapter 49-.46 RCW and its administrative regulations, the percentage of the prevailing rate authorized to be paid shall be fixed at a figure designed to reflect adequately the percentage of productivity at which the handicapped worker functions.

(4) Any money received by a handicapped worker by reason of any state or federal pension or compensation program for handicapped persons shall not be considered as offsetting any part of the wage or remuneration due the handicapped worker by the employer.

(5) A handicapped worker shall be paid not less than one and one-half times the rate specified in the sub-prevailing wage certificate for hours worked in excess of forty hours per workweek or eight hours per day.

(6) The terms of any sub-prevailing wage certificate, including the percentage of the prevailing rate authorized to be paid, may be amended by the director or an authorized representative of the director upon written notice to the parties concerned, if the facts justify such amendment.

**NEW SECTION**

WAC 296-127-460 RENEWAL OF SUB-PRE-VAILING WAGE CERTIFICATE. Application for renewal of any sub-prevailing wage certificate shall be filed in the same manner as an original application. An application for renewal shall include the most recent evaluation conducted within the past year of the productivity level at which the handicapped worker functions. If such application has been filed prior to the expiration date of the certificate, the certificate shall remain in effect until the application for renewal has been granted or denied.

**NEW SECTION**

WAC 296-127-470 REVIEW. Any person aggrieved by any action of the director or an authorized representative of the director taken pursuant to this regulation may, within fifteen days after notice of such action has been mailed, file with the director a petition for review of the action complained of, setting forth grounds for seeking such review. If reasonable grounds exist, the director or an authorized representative of the director may grant such review and to the extent deemed appropriate afford all interested persons an opportunity to be heard on such review.

**WSR 90-14-003  
PERMANENT RULES  
LIQUOR CONTROL BOARD  
[Filed June 22, 1990, 3:29 p.m.]**

Date of Adoption: June 20, 1990.

Purpose: New regulation specifying what records are required, how they must be kept and how long they must be kept when a manufacturer, importer or wholesaler (or employee thereof) entertains a retail liquor licensee (or employee thereof).

Statutory Authority for Adoption: RCW 66.08.030.

Other Authority: Chapter 125, Laws of 1990.

Pursuant to notice filed as WSR 90-10-088 on May 2, 1990.

Effective Date of Rule: Thirty days after filing.

June 20, 1990  
Paula O'Connor  
Chairman

**NEW SECTION**

WAC 314-12-135 BUSINESS ENTERTAINMENT-RECORDS. All manufacturers, importers and wholesalers and employees thereof who provide either food, beverages, transportation, tickets or admission fees for or at athletic events or for other forms of entertainment to retail licensees and or their employees must maintain records thereof as follows:

(1) The originals or copies of all purchase invoices, receipts and other memoranda covering or relating to all expenditures made for entertainment activities as specified in this subsection showing:

- (a) tickets, transportation, food, beverage, admission fees purchased or paid for,
- (b) quantities purchased or paid for,
- (c) from whom purchased,
- (d) the name of the retail licensees or employee for whom purchased and the retail license number of the business they represent, and
- (e) the purchase date.

(2) The records described above shall be kept for at least two years after each purchase or payment and shall be filed separately and kept apart from all other records and as nearly as possible shall be filed in consecutive order and each month's records kept separate so as to render the same readily available for inspection and copying.

(3) All cancelled checks, bank statements and books of account covering or involving the purchase of or expenditures for items specified in subsection (1) above and all memoranda, if any, showing payment for any such items other than by check, shall be preserved for two years and shall at all times be kept available for inspection and copying by Board employees.

**WSR 90-14-004  
PERMANENT RULES  
LIQUOR CONTROL BOARD  
[Filed June 22, 1990, 3:31 p.m.]**

Date of Adoption: June 20, 1990.

Purpose: To add amendatory language to existing WAC 314-40-020 to allow a private club operating under a national charter which has existing like club licenses already within the state to forego the one year operating requirement prior to applying for a liquor license.

Citation of Existing Rules Affected by this Order: Amending WAC 314-40-020.

Statutory Authority for Adoption: RCW 66.08.030.

Pursuant to notice filed as WSR 90-10-089 on May 2, 1990.

Effective Date of Rule: Thirty days after filing.

June 20, 1990  
Paula O'Connor  
Chairman

**AMENDATORY SECTION** (Amending Rule 104, filed 6/13/63)

WAC 314-40-020 APPLICATIONS. (1) Applications for new club licenses shall be accompanied by proof that:

- (a) The organization is bona fide and nonprofit;
- (b) The organization has been in operation for at least one year immediately prior to the date of its application, such proof to consist of records of (i) membership, (ii) meetings of trustees or directors at least every month and membership meetings at least once a year, (iii) the location of such meetings, and (iv) such other data as is necessary to establish that the organization has been active for at least one year prior to application: PROVIDED, the minimum one year period of operation shall not

be required when the applicant club is under a nationally chartered organization and there is a previously licensed club operating under the same national charter within the state. Proof of issuance of a charter to such existing club must be provided at the time of application;

(c) The application is approved by a majority of the members which approval shall be indicated by presentation to the board of a petition bearing the names of such members desiring license. The president and secretary of the organization shall certify on such petition the total number of members of the organization in good standing as of the date of the application and that those signing the petition are all members in good standing on such date;

(d) The organization was not primarily formed or activated to obtain a license to sell liquor, but that the sale of liquor is incidental to the main purposes of the club.

(2) Applications for renewal of club licenses shall be made on forms prescribed by the board and accompanied by such information as the board may request.

(3) All applications must be made in the official name of the organization and be signed by either the president or the secretary and be accompanied by a certified copy of the minutes of that meeting of the governing board of the organization which authorized the president or secretary to make the application. The use of trade names shall not be permitted. [Rule 104, filed 6/13/63.]

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 90-14-005**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE LIBRARY**  
**(Library Commission)**  
 [Memorandum—June 22, 1990]

Thursday, September 13, 1990, the Washington State Library Commission will meet for a staff briefing in the Chieftain Restaurant, 1005 North Wenatchee Avenue, Wenatchee, WA, beginning at 6:30 p.m.

Friday, September 14, 1990, the Washington State Library Commission will hold its regular business meeting in the Golden Delicious West Room, Wenatchee Convention Center, 121 North Wenatchee Avenue, Wenatchee, WA, beginning at 10:00 a.m.

**WSR 90-14-006**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE LIBRARY**  
**(Library Commission)**  
 [Memorandum—June 22, 1990]

Thursday, August 2, 1990, the Washington State Library Commission committee meeting(s) will be held at

the West Coast Sea-Tac Hotel, Parlor Room #532, 18118 Pacific Highway South, Seattle, WA, beginning at 9:00 a.m.

**WSR 90-14-007**  
**NOTICE OF PUBLIC MEETINGS**  
**CONVENTION AND TRADE CENTER**  
 [Memorandum—June 20, 1990]

This is to advise you that pursuant to Resolution No. 306, the Washington State Convention and Trade Center board of directors has adopted revised regular meeting dates for September and October 1990.

In lieu of meeting on September 12 and October 3, the board will hold regular meetings on Friday, September 12 at the Inn at Semiahmoo in Blaine, Washington in conjunction with a board retreat, and on Wednesday, October 10 at the Plymouth Congregational Church in Seattle.

**WSR 90-14-008**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT**  
 [Memorandum—June 22, 1990]

Revised 1990 - 1991 Meeting Schedule for the Business and Job Retention Advisory Committee

Date	Location
Friday, January 5, 1990	General Administration Building, Olympia
Friday, February 23, 1990	Tyee Hotel, Olympia
Friday, March 23, 1990	(conference call)
Friday, April 27, 1990	Labor and Industry Building, Tukwila
Friday, May 25, 1990	(conference call 10 a.m.)
Friday, June 29, 1990	Sea-Tac
Friday, July 27, 1990	(conference call 10 a.m.)
Friday, August 31, 1990	(conference call 10 a.m.)
Friday, September 21, 1990	Spokane
Friday, October 26, 1990	(conference call 10 a.m.)
Friday, November 30, 1990	(conference call 10 a.m.)
Friday, December 14, 1990	Sea-Tac
Friday, January 25, 1991	(conference call)
Friday, February 22, 1991	(conference call)
Friday, March 22, 1991	Olympia
Friday, April 26, 1991	(conference call)
Friday, May 24, 1991	(conference call)
Friday, June 28, 1991	Sea-Tac

Beginning June 1990, formal advisory meetings will be held quarterly. On the other months, the committee may convene through a conference phone call if needed.

**WSR 90-14-009**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed June 25, 1990, 2:34 p.m., effective August 1, 1990]

Date of Adoption: June 25, 1990.

Purpose: Chapter 296-15 WAC, to clarify when a supplemental SIF-5 is required; chapter 296-18A WAC, to clarify procedures for providing vocational rehabilitation services; and chapter 296-20 WAC, to clarify when payments can be made.

Citation of Existing Rules Affected by this Order: Amending chapters 296-15, 296-18A and 296-20 WAC.

Statutory Authority for Adoption: RCW 51.04.020.

Pursuant to notice filed as WSR 90-09-072 on April 18, 1990.

Any Changes Other than Editing from Proposed to Adopted Version: The Department of Labor and Industries proposes to make changes to Title 296 WAC. In accordance with RCW 34.05.320, the department filed its notice of proposed rule on April 18, 1990. The proposed rule changes were printed in the Washington State Register, issue 90-09 (pages 139-144). A public hearing was held in Olympia, Washington, on May 23, 1990. Verbal and written statements were taken. Based on the statements received, the department reconsidered its proposed changes to WAC 296-18A-440(2). In its initial proposal, the change would require progress reports to be submitted each thirty days (from the current 60 days). The majority of the responses received indicated that 30 days may not be appropriate in all cases. The department concurs. It recognizes that there are two types of progress reports, and that current policy has a different reporting frequency for each. The WAC currently submitted for adoption has been rewritten to recognize the distinction. It allows the claims manager to specify, in writing, alternate reporting frequencies if appropriate. The change to WAC 296-18A-440(2) also recognizes the advances in technology currently available and allows the provider to submit the progress report directly to the department via an electronic transfer process termed "VOC-LINK." This process eliminates the need for costly mailings and clerical time by allowing the provider to input directly to the department's computerized claims management system. One additional change was the department's withdrawal of the proposed change to WAC 296-20-1103. The department is currently reviewing this WAC in its entirety to determine what, if any, changes should be made.

Effective Date of Rule: August 1, 1990.

June 25, 1990  
 Joseph A. Dear  
 Director

AMENDATORY SECTION (Amending Order 88-07, filed 6/1/88)

WAC 296-15-070 ACCIDENT REPORTS AND CLAIMS PROCEDURES. (1) Reporting of accidents shall be on a form prescribed by the department, entitled the self-insurer's accident report (SIF #2), which will be

supplied to all self-insurers, and by self-insurers to their employees. Forwarding a completed copy of this form to the department for compensable claims immediately and medical only claims monthly after closing by the self-insured employer shall satisfy the initial accident reporting responsibility and statistical reporting responsibility under the law.

(2) A self-insurer, on denying any claim, shall provide to the claimant, the department, and the attending physician, within thirty days after such self-insurer has notice of the claim, a notice of denial of claim, substantially similar to the example SIF #4. With every such claim denial a self-insurer shall send to the department all information on which the denial was based.

(3) A self-insurer shall file a complete and accurate supplemental or final report on injury or occupational disease claims resulting in time loss payments, on a form substantially similar to labor and industries Form No. F207-005-000, self-insurer's report of occupational injury or disease, 7-86 (SIF-5) at the following times:

(a) Within five working days following the date the first time loss compensation is paid.

(b) Within five working days following the date the time loss compensation is terminated, reinstated, or the rate thereof changed. If time loss compensation is terminated due to the self-insurer's finding that the injured worker is not eligible for vocational rehabilitation services, the self-insurer must attach the employability notification to the supplemental SIF-5.

(c) On the date a determination is requested or date temporary disability claim is closed.

(d) On all claims where vocational rehabilitation services have been provided, a rehabilitation outcome report must be submitted with the final SIF #5.

All medical reports and other pertinent information in the self-insurer's possession not previously forwarded to the department must be submitted with the request for all determinations.

(4)(a) A self-insured employer shall, upon notice of an industrial injury, provide the injured worker with the opportunity to file a self-insurer accident report (SIF-2) and shall notify the worker of his/her rights and responsibilities under Title 51 RCW. A completed copy of the self-insurer accident report (SIF-2), with an assigned department claim number, is to be provided to the worker within five working days of the date an injured worker submits the SIF-2 to the employer.

(b) A self-insurer, upon closure of a medical only claim, shall issue an order on a form prescribed by the department entitled self-insurer's claim closure order and notice (LI-207-20), which will be supplied to all self-insurers, and by the self-insurers to their employees, in compliance with reporting responsibilities under the law, a copy of which shall be sent to the attending physician.

The self-insurer shall submit monthly statistical information on medical only claims closed during the month by copy of the accident report (SIF #2). In medical only claims where vocational rehabilitation services have been provided, the self-insurer shall submit a rehabilitation outcome report with the self-insurers accident report (SIF-2) at the time of reporting claim closure.

(c) A self-insurer, upon closure of a temporary disability claim, shall issue an order on a format substantially similar to labor and industries Form No. F207-070-000, self-insured employer's time loss claim closure order and notice, 7-86. The self-insurer shall send a copy of the closing order and final SIF-5 to the claimant and the department at the time of closure of a temporary disability claim.

(d) When the department requests claim information by certified mail, the self-insurer shall submit all information in its possession dealing with the claim in question, within ten working days from the date of receipt of such certified mail.

(e) In any case where the department or the self-insured employer has issued an appealable order on a medical-only claim, all subsequent orders in that claim shall be issued by the department.

(f) When an application for reopening of claim for aggravation of condition is received by a self-insured employer or its authorized representative, it shall be the responsibility of the self-insured employer to forward it to the department within five working days from the date of receipt.

(5) Self-insurers may close temporary disability claims with the date of injury occurring July 1, 1986, through June 30, 1990, and occupational disease claims filed July 1, 1986, through June 30, 1990. Self-insured claims that involve a permanent partial disability, an order issued by the department resolving a disagreement, or return to work with a different employer are not subject to closure by the self-insurer.

AMENDATORY SECTION (Amending Order 88-24, filed 10/10/88)

WAC 296-18A-440 REPORTS. The following reports are required from the vocational rehabilitation provider for state fund referrals.

~~(1) ((Contact report. Contact with the injured worker shall be reported to the department within twenty-one calendar days of the date the referral was sent to the provider. Notification of contact shall be on a department provided form.~~

~~(2))~~ Progress reports. ~~((A progress report shall be submitted each sixty days))~~ Unless otherwise authorized by the claim manager, in writing, plan development progress reports are to be submitted at thirty day intervals; with plan implementation progress reports submitted at sixty day intervals. These reports should be submitted to the department through VOC-LINK when possible. Progress reports will follow a department approved format. The referral source is to be notified immediately of factors affecting plan completion or changes of status or changes in plan costs.

~~((3))~~ (2) Closing report. Upon completion of ~~((the formal program))~~ vocational rehabilitation services, a closing report to the referral source shall be submitted by the vocational rehabilitation provider. That report shall contain at least the following:

(a) Assessment of the injured worker's employability status at the time of completion of vocational services;

(b) Whether or not the injured worker has returned to work;

(c) Any remaining barriers to the injured worker becoming employable at gainful employment;

(d) An ability to work summary may be substituted for a closing report.

AMENDATORY SECTION (Amending Order 88-13, filed 6/24/88)

WAC 296-18A-450 VOCATIONAL REHABILITATION PLAN. (1) A vocational rehabilitation plan shall be approved by the referral source prior to its implementation. ~~((The plan))~~ After the plan has been approved by the referral source, injured worker and vocational rehabilitation counselor, a copy of it shall be sent to all individuals with responsibilities under it. The plan shall contain the following:

(a) Assessment of the skills and abilities, based on the physical capacities and mental status, aptitudes, and transferrable skills of the injured worker;

(b) The services necessary to enable the injured worker to become employable at gainful employment;

(c) Labor market information indicating the employability of the injured worker at plan completion;

(d) An estimate of the cost and the time necessary for the completion of the plan;

(e) A direct comparison of the injured worker's skills with potential types of employment to demonstrate a likelihood of success;

(f) If necessary, a job analysis of the injured worker's previous occupation, including earnings, may be included; and

(g) Any other information that will significantly affect the plan.

(2) The following priorities shall be addressed and justification given to why each preceding priority was not used.

(a) Return to the previous job with the same employer;

(b) Modification of the previous job with the same employer including transitional return to work;

(c) A new job with the same employer in keeping with any limitations or restrictions;

(d) Modification of a new job with the same employer including transitional return to work;

(e) Modification of the previous job with a new employer;

(f) A new job with a new employer or self-employment based upon transferable skills;

(g) Modification of a new job with a new employer;

(h) A new job with a new employer or self-employment involving on-the-job training; and

~~((h) Modification of a new job with a new employer; and))~~

(i) Short-term retraining and job placement.

(3) Each plan shall be signed by the vocational rehabilitation counselor and the injured worker. In state fund cases, a copy will be sent to the employer, attending physician, department, injured worker and any parties with responsibilities within the plan by the vocational rehabilitation counselor. The following statement shall be printed above the signatures:



I have read the above plan and understand its contents. By signing this plan I agree to faithfully execute my responsibilities described in it.

(4) If the plan is interrupted for good cause this case will be returned to the referral source at the discretion of the referral source. At the end of such interruption, the referral source may return the referral to the original vocational provider to resume the plan or its preparation.

**AMENDATORY SECTION** (Amending Order 88-24, filed 10/10/88)

**WAC 296-18A-480 RESPONSIBILITIES.** All parties will have the following responsibilities in assisting the injured worker to become employable at gainful employment:

(1) The attending physician shall maintain open communication with the injured worker's assigned vocational rehabilitation counselor and the referral source. The attending physician shall respond to any requests for information in a timely fashion and will do all that is possible to expedite the vocational rehabilitation process, including making an estimate of physical capacities or restrictions. The attending physician may review the vocational plan, and if the attending physician feels that the injured worker is not physically capable of carrying out the plan, or the plan is unnecessary, based on current medical findings, shall notify the referral source immediately of this opinion with the reasons for such opinion.

(2) The claims unit within the department shall:

(a) Notify the employer of the referral to a vocational rehabilitation provider;

(b) Send the employer a copy of the closing report; and

(c) Give written notice to an injured worker if a complaint of noncooperation has been made.

(3) The employer shall assist the vocational rehabilitation counselor in any way necessary to collect data regarding the former gainful employment of the injured worker. Further, the employer will assist the vocational rehabilitation counselor and attending physician to determine whether or not a modified job could be made available for employment of the injured worker.

(4) The injured worker shall cooperate with all reasonable requests from all responsible individuals in determining disability, developing and implementing the rehabilitation process. Should the injured worker fail to be cooperative, the sanctions as set out in RCW 51.32-.110 shall be applied.

(5) In assisting the injured worker to become employable at gainful employment, the provider is to follow the priorities as set out in RCW 51.32.095. Vocational rehabilitation providers actually assisting the injured worker shall have the burden of showing that they meet the qualifications to be a vocational rehabilitation counselor as set out in these rules. The vocational rehabilitation provider shall comply with all the rules in chapter 296-18A WAC and Title 51 RCW, whether the injured worker is referred by the department or a self-insurer under the following criteria:

(a) Develop a formal program to assist the eligible injured worker to become employable at gainful employment;

(b) Maintain accurate records that will be periodically reviewed by department staff;

(c) Notify the referral source of noncooperative behavior on the part of the injured worker; ~~((and))~~

(d) Keep all parties informed of the progress and development of the formal program; and

(e) Assist/instruct any person, company, or firm utilized in a formal program and/or job modification in the proper procedure for requesting a provider number and completing and submitting the appropriate bill for services.

**AMENDATORY SECTION** (Amending Order 88-07, filed 6/1/88)

**WAC 296-18A-500 SELF-INSURERS.** (1) No later than paying ninety continuous days of time loss following the initial filing or reopening of a claim, the self-insurer shall notify the self-insurance section as to whether or not vocational rehabilitation services are necessary and likely to enable the injured worker to become employable at gainful employment. Each of these cases will be reviewed by the self-insurance section. The criteria ~~((to determine employability will be the same as for the state fund))~~ outlined in RCW 51.32.095, WAC 296-18A-420 and department guidelines must be followed to determine employability. If the injured worker is determined employable, the self-insurer will submit an employability assessment form which contains objective reasons why the injured worker is employable. Within twenty calendar days of receipt of an employability assessment form, the supervisor's designee within the self-insurance section will inform the self-insurer and the injured worker as to whether or not self-insurers determination of employability is approved. If an employability determination cannot be made due to medical instability, the self-insured shall request an extension by notifying the self-insurance section of the injured worker's condition and when a determination can be made. If the request for extension is not approved, notice will be sent within fifteen calendar days of receipt.

(2) The supervisor's designee within the self-insurance section of the department will receive from the self-insurer the vocational rehabilitation plan signed by the injured worker and employer. Within ten calendar days of receipt of the vocational plan, the supervisor's designee will inform the self-insurer, the vocational rehabilitation counselor and the injured worker that the plan has been received. A review of the vocational rehabilitation plan by the supervisor's designee will be initiated upon request by the employer or the injured worker. Reasons for the review must be stated in writing. A request for a plan review must be made prior to completion or termination of the plan. If necessary, conflict resolution techniques, such as conferences and fact-finding, will be used in order to resolve problems with the plan in as fair and expedient manner as possible. The supervisor's designee shall notify the parties of the plan review results no later than sixty days from the date the request was received.



Disputes of the supervisor's designee's determination must be submitted to the director in accordance with WAC 296-18A-470.

(3) Upon completion of the formal program, the self-insurer will submit to the self-insurance section a closing report. Within ten calendar days of receipt of the closing report, the supervisor's designee shall inform the injured worker and employer that vocational services have concluded.

(4) The self-insurer shall provide the self-insurance section with a rehabilitation outcome report on a form prescribed by the department. The rehabilitation outcome report shall be attached to the final self-insurer's report on occupational injury or disease (SIF-5) or, in the case of medical only claims, with the self-insurers accident report (SIF-2), which is submitted at the time of claim closure. A rehabilitation outcome report will be submitted on all claims where vocational rehabilitation services have been provided.

**AMENDATORY SECTION** (Amending Order 87-16, filed 5/6/87)

WAC 296-18A-510 VOCATIONAL REHABILITATION COUNSELOR QUALIFICATIONS. (1) All vocational rehabilitation counselors who ~~((were))~~ are registered by the department ~~((prior to May 16, 1985))~~, will ~~((remain on the))~~ be placed on a list and be eligible to receive referrals. The referral source may only refer to vocational counselors on the list. The department is not obligated to make referrals to anyone on this list.

(2) When it is determined an injured worker is eligible for vocational rehabilitation services, the referral source shall authorize such services. Selection of the appropriate provider of vocational services is at the sole discretion of the referral source. Selected vocational rehabilitation counselors must meet one or more of the following categories of experience and education:

(a) A doctorate or masters degree in rehabilitation counseling, psychology, counseling and guidance, social work, or educational psychology; and a minimum of one year of experience in vocational counseling, job placement, vocational assessment, or other documented areas of vocational rehabilitation services with industrially injured workers;

(b) A masters degree with twenty-four credit hours in a combination of rehabilitation philosophy, rehabilitation history, rehabilitation ethics, medical aspects of disability, psychological aspects of disability, job placement, occupational information, counseling theory, personal and vocational adjustment, work evaluation, practicum in subjects listed in this subsection, or coursework relating to counseling and subjects listed in this subsection; and a minimum of two years of experience in vocational counseling, job placement, vocational assessment, or other documented areas of vocational rehabilitation services with industrially injured workers;

(c) A bachelors degree in rehabilitation counseling, psychology, counseling and guidance, social work, or educational psychology; and a minimum of two years of

experience in vocational counseling, job placement, vocational assessment, or other documented areas of vocational rehabilitation services with industrially injured workers; or

(d) A bachelors degree with twenty-four credit hours in a combination of rehabilitation philosophy, rehabilitation history, rehabilitation ethics, medical aspects of disability, psychological aspects of disability, job placement, occupational information, counseling theory, personal and vocational adjustment, work evaluation, practicum in subjects listed in this subsection, or coursework relating to counseling and subjects listed in this subsection; and a minimum of three years of experience in vocational counseling, job placement, vocational assessment, or other documented areas of vocational rehabilitation services; with industrially injured workers(;

~~((c) Has been a registered vocational counselor in Washington state)).~~

(3) An intern is an individual who meets the minimum educational requirements as set forth in subsection (2)(a) through ~~((c))~~ (d) of this section, but not the experience requirements. When the intern is employed, the vocational rehabilitation provider shall provide the name of the intern's supervisor. The intern supervisor will be responsible for all rehabilitation work done by the intern. The intern supervisor will co-sign all reports submitted by the intern. The intern must be designated as such on all reports. At the end of the time requirement the intern may apply for or identification number as a fully qualified vocational rehabilitation counselor.

The period of internship shall be not less than one year during which the intern shall satisfactorily complete a training curriculum as approved by the department. At the completion of this curriculum and a satisfactory performance evaluation from the intern's supervisor, the intern may petition to the department to be registered as a fully qualified vocational rehabilitation counselor.

(4) In order to receive or maintain a provider account number, the provider shall submit an application form provided by the department. The owner or legal representative of the provider must sign the application form. The provider shall also submit the names and signatures of all counselors working for the provider. The provider shall also submit official sealed copies of each counselor's college transcripts unless the counselor is already on the department's ~~((provider))~~ vocational rehabilitation counselor list, the department having completed a check of qualifications and having sent written notice of their acceptance. If counselors employed by the provider are not on the department's ~~((provider))~~ vocational rehabilitation counselor list, completed applications signed by each counselor must be submitted on a form provided by the department. The application form must include a statement of each counselor's experience providing vocational rehabilitation to industrially injured workers and the names of former and current employers and supervisors.

(5) It is the responsibility of the vocational counselor and provider to be familiar with the industrial insurance rules and laws of the state of Washington. The vocational counselor and provider must act in a professional manner and comply with the code of professional ethics for vocational rehabilitation counselors.

NEW SECTION

WAC 296-18A-515 PERIOD OF REGISTRATION. (1) The period of registration for vocational rehabilitation counselors shall be two years.

(2) In order to maintain his or her registration with the department, the vocational rehabilitation counselor must complete forty continuing education units (CEUs) within the two-year registration period.

(a) The forty continuing education units must relate to the field of vocational rehabilitation; and

(b) Are subject to approval by the department.

(3) Any vocational rehabilitation counselor that has not provided vocational rehabilitation services to a Washington state industrially injured worker, and has not completed the forty continuing education units as stated in subsection (2) of this section within each two-year period, shall have his/her registration with the department terminated.

(a) For new vocational rehabilitation counselors the two-year time period shall start upon approval of their application by the department.

(b) For vocational rehabilitation counselors who are registered at the time this rule takes effect, the two-year time period shall start on their next birthday.

AMENDATORY SECTION (Amending Order 88-13, filed 6/24/88)

WAC 296-18A-520 JOB MODIFICATION ASSISTANCE. (1) As provided for in section 13, chapter 63, Laws of 1982 (RCW 51.32.250), the supervisor or supervisor's designee in his or her discretion may pay job modification costs in an amount not to exceed five thousand dollars from the department per worker per job modification. This payment is intended to be a cooperative participation with the employer and funds shall be taken from the appropriate account within the second injury fund. The employer may add to this amount with their own contribution.

(2) An employer requesting job modification assistance must submit to the department a job modification assistance application.

(3) The job modification assistance application shall include, but not be limited to:

(a) A document supporting the need for job modification;

(b) A description of the job modification; and

(c) An itemized account of each expense to be incurred in the job modification. Job modification assistance applications shall be submitted on a form prescribed by the department.

(4) The supervisor or supervisor's designee shall accept, reject, or modify the job modification application within thirty days of receipt. Notification of the supervisor's acceptance, rejection, or modification shall be in writing.

(5) No employer/employee relationship need exist if the modification is used to assist in the successful completion of vocational rehabilitation services as authorized by chapter 51.32 RCW.

AMENDATORY SECTION (Amending WSR 90-04-057, filed 2/2/90, effective 3/5/90)

WAC 296-20-01002 DEFINITIONS. TERMINATION OF TREATMENT: When treatment is no longer required and/or the industrial condition is stabilized, a report indicating the date of stabilization should be submitted to the department or self-insurer. This is necessary to initiate closure of the industrial claim. The patient may require continued treatment for conditions not related to the industrial condition; however, financial responsibility for such care must be the patient's.

UNUSUAL OR UNLISTED PROCEDURE: Value of unlisted services or procedures should be substantiated "by report" (BR).

"BY REPORT": BR (by report) in the value column indicates that the value of this service is to be determined by report (BR) because the service is too unusual, variable or new to be assigned a unit value. The report shall provide an adequate definition or description of the services or procedures that explain why the services or procedures (e.g., operative or narrative report) are too unusual, variable, or complex to be assigned a relative value unit, using any of the following as indicated:

- (1) Diagnosis;
- (2) Size, location and number of lesion(s) or procedure(s) where appropriate;
- (3) Major surgical procedure and supplementary procedure(s);
- (4) Whenever possible, list the nearest similar procedure by number according to this schedule;
- (5) Estimated follow-up;
- (6) Operative time.

The department or self-insurer may adjust BR procedures when such action is indicated.

"INDEPENDENT OR SEPARATE PROCEDURE": Certain of the listed procedures are commonly carried out as an integral part of a total service, and as such do not warrant a separate charge. When such a procedure is carried out as a separate entity, not immediately related to other services, the indicated value for "independent procedure" is applicable.

SV. ITEMS: Sv (service) procedures are not essentially a single procedure, rather they are comprised of several other procedures. These "Sv" procedures although identified by a specific code number, can be described only in terms of the several services included. Therefore, unit values are not indicated for Sv procedures and total value is derived from the values of the individual services performed. These Sv procedures require "BR" (see above) information to substantiate billing.

MODIFIED WORK STATUS: The injured worker is not able to return to their previous work, but is physically capable of carrying out work of a lighter nature. Injured workers should be urged to return to modified work as soon as reasonable as such work is frequently beneficial for body conditioning and regaining self confidence.

Under RCW 51.32.090, when the employer has modified work available for the worker, the employer must furnish the doctor and the worker with a statement describing the available work in terms that will enable the doctor to relate the physical activities of the job to the

worker's physical limitations and capabilities. The doctor shall then determine whether the worker is physically able to perform the work described. The employer may not increase the physical requirements of the job without requesting the opinion of the doctor as to the worker's ability to perform such additional work. If after a trial period of reemployment the worker is unable to continue with such work, the worker's time loss compensation will be resumed upon certification by the attending doctor.

If the employer has no modified work available, the department should be notified immediately, so vocational assessment can be conducted to determine whether the worker will require assistance in returning to work.

**REGULAR WORK STATUS:** The injured worker is physically capable of returning to his/her regular work. It is the duty of the attending doctor to notify the worker and the department or self-insurer, as the case may be, of the specific date of release to return to regular work. Compensation will be terminated on the release date. Further treatment can be allowed as requested by the attending doctor if the condition is not stationary and such treatment is needed and otherwise in order.

**TOTAL TEMPORARY DISABILITY:** Full-time loss compensation will be paid when the worker is unable to return to any type of reasonably continuous gainful employment as a direct result of an accepted industrial injury or exposure.

**TEMPORARY PARTIAL DISABILITY:** Partial time loss compensation may be paid when the worker can return to work on a limited basis or return to lesser paying job is necessitated by the accepted injury or condition. The worker must have a reduction in wages of (~~at least~~) more than five percent before consideration of partial time loss can be made. No partial time loss compensation can be paid after the worker's condition is stationary.

**ALL TIME LOSS COMPENSATION MUST BE CERTIFIED BY THE ATTENDING DOCTOR BASED ON OBJECTIVE FINDINGS.**

**PERMANENT PARTIAL DISABILITY:** Any anatomic or functional abnormality or loss after maximum rehabilitation has been achieved, which is determined to be stable or nonprogressive at the time the evaluation is made. When the attending doctor has reason to believe a permanent impairment exists, the department or self-insurer should be notified. Specified disabilities (amputation or loss of function of extremities, loss of hearing or vision) are to be rated utilizing a nationally recognized impairment rating guide. Unspecified disabilities (internal injuries, spinal injuries, mental health, etc.) are to be rated utilizing the category system detailed under WAC 296-20-200 et al. for injuries occurring on or after October 1, 1974. Appendix D contains a schedule of the permanent disability maximum awards. **UNDER WASHINGTON LAW DISABILITY AWARDS ARE BASED SOLELY ON PHYSICAL OR MENTAL IMPAIRMENT DUE TO THE ACCEPTED INJURY OR CONDITIONS WITHOUT CONSIDERATION OF ECONOMIC FACTORS.**

**TOTAL PERMANENT DISABILITY:** Loss of both legs or arms, or one leg and one arm, total loss of eyesight, paralysis or other condition permanently incapacitating the worker from performing any work at any gainful

employment. When the attending doctor feels a worker may be totally and permanently disabled, the attending doctor should communicate this information immediately to the department or self-insurer. A vocational evaluation and an independent rating of disability may be arranged by the department prior to a determination as to total permanent disability. Coverage for treatment does not usually continue after the date an injured worker is placed on pension.

**FATAL:** When the attending doctor has reason to believe a worker has died as a result of an industrial injury or exposure, the doctor should notify the nearest department service location (see Appendix C) or the self-insurer immediately. Often an autopsy is required by the department or self-insurer. If so, it will be authorized by the service location manager or the self-insurer. Benefits payable include burial stipend and monthly payments to the surviving spouse and/or dependents.

**DOCTOR:** For these rules, means a person licensed to practice one or more of the following professions: Medicine and surgery; osteopathic medicine and surgery; chiropractic; drugless therapeutics; podiatry; dentistry; optometry.

Only those persons so licensed may sign report of accident forms and time loss cards except as provided in WAC 296-20-100.

**HEALTH SERVICES PROVIDER OR PROVIDER:** For these rules means any person, firm, corporation, partnership, association, agency, institution, or other legal entity providing any kind of services related to the treatment of an industrially injured worker. It includes, but is not limited to, hospitals, medical doctors, dentists, chiropractors, vocational rehabilitation counselors, osteopathic physicians, pharmacists, podiatrists, physical therapists, occupational therapists, massage therapists, psychologists, drugless therapeutics, and durable medical equipment dealers.

**PRACTITIONER:** For these rules, means any person defined as a "doctor" under these rules, or licensed to practice one or more of the following professions: Audiology; physical therapy; occupational therapy; pharmacy; prosthetics; orthotics; psychology; nursing; physician or osteopathic assistant; and massage therapy.

**PHYSICIAN:** For these rules, means any person licensed to perform one or more of the following professions: Medicine and surgery; or osteopathic medicine and surgery.

**ACCEPTANCE, ACCEPTED CONDITION:** Determination by a qualified representative of the department or self-insurer that reimbursement for the diagnosis and curative or rehabilitative treatment of a claimant's medical condition is the responsibility of the department or self-insurer. The condition being accepted must be specified by one or more diagnosis codes from the current edition of the International Classification of Diseases, Clinically Modified (ICD-CM).

**AUTHORIZATION:** Notification by a qualified representative of the department or self-insurer that specific medically necessary treatment, services, or equipment provided for the diagnosis and curative or rehabilitative treatment of an accepted condition will be reimbursed by the department or self-insurer.

MEDICALLY NECESSARY: Those health services are medically necessary which, in the opinion of the director or his or her designee, are:

- (a) Proper and necessary for the diagnosis and curative or rehabilitative treatment of an accepted condition; and
- (b) Reflective of accepted standards of good practice within the scope of the provider's license or certification; and
- (c) Not delivered primarily for the convenience of the claimant, the claimant's attending doctor, or any other provider; and
- (d) Provided at the least cost and in the least intensive setting of care consistent with the other provisions of this definition.

In no case shall services which are inappropriate to the accepted condition or which present hazards in excess of the expected medical benefits be considered medically necessary. Services which are controversial, obsolete, experimental, or investigational are presumed not to be medically necessary, and shall be authorized only as provided in WAC 296-20-03002(6).

UTILIZATION REVIEW: The assessment of a claimant's medical care to assure that it is medically necessary and of good quality. This assessment typically considers the appropriateness of the place of care, level of care, and the duration, frequency or quantity of services provided in relation to the accepted condition being treated.

EMERGENT HOSPITAL ADMISSION: Placement of the worker in an acute care hospital for treatment of a work related medical condition of an unforeseen or rapidly progressing nature which if not treated in an inpatient setting, is likely to jeopardize the worker's health or treatment outcome.

NONEMERGENT (ELECTIVE) HOSPITAL ADMISSION: Placement of the worker in an acute care hospital for medical treatment of an accepted condition which may be safely scheduled in advance without jeopardizing the worker's health or treatment outcome.

Title of Rule: WAC 480-12-045 relating to motor carrier applications and protests. The proposed amendatory section is shown below as Appendix A, Docket No. TV-900022. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed section on economic values, pursuant to chapter 43.21H RCW.

Purpose: The proposed rule is designed to simplify the language and to inform applicants and protestants of their rights and responsibilities.

Statutory Authority for Adoption: RCW 80.01.040.

Statute Being Implemented: RCW 81.80.070.

Summary: This rule clarifies the present procedure for motor carriers making application for authority and any protests made thereto.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Paul Curl, Secretary, and Transportation Staff, 1300 South Evergreen Park Drive S.W., Olympia, WA, (206) 753-6451.

Name of Proponent: Washington Utilities and Transportation Commission, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization as reflected in RCW 80.01.040.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose and Summary above.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Commission Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, on August 8, 1990, at 9:00 a.m.

Submit Written Comments to: Paul Curl, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA, by July 30, 1990.

Date of Intended Adoption: August 8, 1990.

June 25, 1990

Paul Curl  
Secretary

**WSR 90-14-010**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**TRADE AND ECONOMIC DEVELOPMENT**  
**(Hardwoods Commission)**  
 [Memorandum—June 22, 1990]

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-276, Cause No. TV-2092, filed 9/17/87)

WAC 480-12-045 APPLICATION FOR ((PERMANENT)) AUTHORITY, DOCKETING—PROTESTS—HEARINGS. For the purposes of this rule, applications for ((permanent)) authority shall include applications for ((permanent)) original or extended common or contract carrier authority ((or extensions thereof, requests for authority)) applications to transfer ((outstanding)) existing common or contract carrier ((permits, and requests for)) authority or to acquire control of common or contract carrier((s)) authority. Applications for temporary authority are governed by WAC 480-12-033.

(1) All applications for ((permanent)) authority (except applications for combination of services by log contract carriers, filed under the provisions of RCW 81.80.060), ((shall)) will be published in the commission's weekly application docket, ((to be)) which is mailed on the first business day of each week.

(2) The weekly application docket will ((set forth)) publish the name and address of the applicant and the name and address of ((his))

On June 28, 1990, at 10:00 a.m. there will be a special meeting of the Hardwoods Commission. The meeting will be held in the House Office Building, Hearing Room E in Olympia.

**WSR 90-14-011**  
**PROPOSED RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**  
 [Filed June 25, 1990, 3:18 p.m.]

Original Notice.

the applicant's attorney or (~~agent~~) representative, if any, and a description of the authority sought. The docket shall be mailed to the applicant, and, upon written request(s) to (~~all carriers, or their attorneys or agents, and to~~) any other person(s) having a valid interest in application proceedings.

(3)(a) Any person having a valid interest adverse to the application may file a protest with the commission (~~its protest to the application; in two copies, within 30 days after the date of the weekly docket on which the application was published. A copy of the protest shall also be served upon the applicant's attorney or agent (or applicant if no representative is named in the docket), and there shall appear on the copies filed with the commission a certificate of service reading: "I hereby certify that I have this day served a copy of this protest upon the applicant or his attorney or his authorized agent by mailing it properly addressed with postage prepaid" and followed by date and signature of the protesting person, his attorney or his authorized agent.~~)

(b) Protests shall set forth specifically the grounds upon which they are made and contain a concise statement of the interest of the protestant in the proceeding. If the protest is directed to only a portion of the rights sought, Note: Any eligible person who fails to file a timely protest, in substantial compliance with this section, will be precluded from participating at the hearing or at any further stage of the proceeding.

(b) Protests to applications for temporary authority are governed by WAC 480-12-033.

(c) Protests may be filed on a form provided by the commission, or in a similar format, specifying the grounds for the protest and defining the protestant's interest in the proceeding.

(i) The (~~protestant~~) protest shall (~~set forth~~) identify that portion of the requested authority to which (~~it~~) the protestant objects (~~in the case of applications made under RCW 81.80.270, if an allegation of inactivity is directed to only a portion of the rights involved in the transaction~~), or that portion of the (~~rights~~) authority alleged to be inactive (~~shall be specifically set forth. Where~~) in a transfer or acquisition of control proceeding pursuant to RCW 81.80.270.

(ii) When a protestant has a limited interest in an application, which (~~possibly~~) could be eliminated by a restrictive amendment (~~to the application, which amendment must be acceptable to the commission, it may also include in the protest an offer to withdraw the protest in the event of acceptance by~~), the protest shall describe the amendment. If the applicant and the commission (~~of such amendment~~) accept the proposed amendment, then the protest will be dismissed pursuant to subsection (4)(d) of this section. The commission will reject amendments it finds unacceptable.

(iii) Protests shall (~~set forth~~) state the approximate number of witnesses to be presented by the protestant and an estimate of the hearing time required for (~~such~~) the presentation. (~~Protests shall contain a certification that, if an oral hearing is held, the protestant will appear at the hearing.~~)

(e) (~~iv~~) Protests (~~may~~) must be signed either by the protesting party or by (~~his duly authorized attorney or agent, and if by attorney or agent shall contain the name of the person or persons in whose behalf the same is filed. Protests~~) the protestant's attorney or representative. Protests shall contain the name and address of each person on whose behalf the protest is filed, and include that person's permit number and a copy of the permit.

(d) Within thirty days following publication of the application in the weekly docket, the protestant must file one original and two copies of the protest with the commission. The protestant must also serve one copy each upon the applicant and the applicant's attorney or representative named in the docket. The protest and each copy must include a certificate of service executed according to WAC 480-09-120.

(e) A protest also may be filed in the name of a transportation industry organization, association, or conference on behalf of its members (~~and~~); such group protest shall specify the (~~names of the individuals in whose interests it is filed~~) group's mailing address. (~~Such~~) A group protest(s) shall contain a list of all currently active group members and be signed by an authorized representative of the organization, association, or conference. Service upon the protesting group shall be made by serving its contact person and the group's attorney, and need not be made upon any member who does not file a protest in that individual member's own name.

(~~d~~) No person who fails to file a protest as provided herein will be permitted to intervene at the hearing. Failure seasonably to file a protest as provided herein will be construed as a waiver of opposition and participation in the hearing.

(c) Protests not in reasonable compliance with the requirements of this subsection shall be rejected by the commission.

(4)(a) Unless applicant has certified at the time of filing the application that it is ready to proceed upon the expiration of the 30-day protest period, if protests to its application have been filed, applicant shall, within 30 days after the period for filing protests has expired, notify the commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application. Failure so to notify the commission will be construed to mean that applicant has no further interest in the application, and the application will thereupon be dismissed by the commission.

(b) (~~4~~) (a) Notice of the time, date, and place of hearing will be (~~given to~~) served upon all parties (~~of record~~) pursuant to WAC 480-09-700 (1)(a).

(~~c~~) (b) A request by any party for a change in the time, date, or place of an assigned hearing must be (~~in writing, must set forth good and sufficient cause for the request, and be filed with the commission not less than 10 days before the assigned hearing date and must be served on all other parties. Only in emergency circumstances may such request be filed less than 10 days before the assigned hearing date and shall set forth in writing the reasons therefor and must be served on all other parties~~) made pursuant to WAC 480-09-440, generally at least five days before the assigned hearing date. Notice of a change in the time, date, or place of hearing will be (~~given to~~) served upon all parties of record by the commission or the office of administrative hearings, in accordance with WAC 480-09-700 (1)(b).

(c) An application shall be dismissed without further notice if the applicant fails to appear at the hearing or if the applicant appears and fails to present supporting evidence. The order of dismissal may provide that the application may not be refiled for a period of ninety days thereafter. Application fees are not refundable.

(d) By filing a protest, the protestant agrees to appear at the hearing if an oral hearing is held. If an applicant adopts a restrictive amendment that satisfies the interests of a protestant, and the protestant files a withdrawal at least five days prior to the hearing, that protestant need not appear at the hearing. If the commission rejects the proposed amendment, a new notice will issue.

(e) A penalty may be assessed, pursuant to WAC 480-09-700, against any party who fails to appear at the hearing. Failure to appear may also result in dismissal or default, which would include the loss of the right to participate further in the proceeding.

(5)(~~a~~) Except for good cause shown, any application upon which a hearing has been ordered by the commission shall be dismissed without further notice for failure of the applicant to appear at the hearing and present evidence in support of its application and said dismissal may provide that the application may not be refiled for a period of 90 days thereafter. Application fees are intended partially to defray the expense of handling and processing applications and are not subject to refund.

(b) Except where a restrictive amendment has been made as provided in subdivision (3)(b) of this section, or for good cause shown, the failure of any person filing a protest to attend an application to appear at a hearing thereon shall be construed as a waiver of its right to participate further in the proceedings, and the protest of such person shall be deemed abandoned.

(6) The commission may require a hearing in any proceeding, pursuant to RCW 34.05.413 and WAC 480-09-400.

(a) If the protest period (~~for filing protests~~) expires without any protest (~~having been~~) being filed (~~with the commission~~), or if (~~a protest has been filed and is later~~) all protests are withdrawn or (~~abandoned~~) dismissed, the commission may allow the application to (~~be presented by verified statements~~) proceed without hearing.

(b) If the application is processed without hearing, the applicant shall, (~~within 15 days of being notified~~) upon request, submit verified statements of its witnesses, containing the facts to which the witnesses would testify at a hearing if one were held (~~and otherwise such application shall be dismissed~~). If no verified statements are submitted, the application shall be dismissed.

(c) An application may be denied, or it may be granted in part or in full, based upon the sufficiency of the statements presented. The applicant may request a review of full or partial denial through a brief adjudicative proceeding, pursuant to WAC 480-09-500.

**WSR 90-14-012**  
**PERMANENT RULES**  
**LIQUOR CONTROL BOARD**  
 [Filed June 25, 1990, 4:18 p.m.]

Date of Adoption: June 20, 1990.

Purpose: Eliminate language restricting educational program activities which would be in conflict with chapter 125, Laws of 1990.

Citation of Existing Rules Affected by this Order:  
 Repealing WAC 314-12-175.

Statutory Authority for Adoption: RCW 66.08.030.

Other Authority: Chapter 125, Laws of 1990.

Pursuant to notice filed as WSR 90-10-087 on May 2, 1990.

Changes Other than Editing from Proposed to Adopted Version: After discussion of the original proposal to delete a major portion of the requirement for reporting, the board determined the remainder of the regulation was not necessary. It will be advantageous to the board and those it regulated in terms of a major reduction in paperwork.

Rationale for variance between proposed and final rule: The change to the proposed rule was to repeal the entire rule, as opposed to only eliminating the description of activities which could be conducted in conjunction with courses of instruction (educational activities) which manufacturers, importers, or wholesalers may provide to retail licensees and their employees. The repeal of the rule deletes the requirement that advance approval be obtained from the board for courses of instruction. The board determined that advance approval for such activities is no longer necessary or efficient, as a primary reason for requiring advance approval was to ensure that those activities prohibited by subsection (2) of the rules were not to be included in the course of instruction. Chapter 125, Laws of 1990, effective June 7, 1990, allows the items and activities listed in subsection (2) to be provided to retail licensees and therefore the advance approval is no longer necessary.

Effective Date of Rule: Thirty days after filing.

June 20, 1990  
 Paula O'Connor  
 Chairman

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 314-12-175 Educational activities

**WSR 90-14-013**  
**PREPROPOSAL COMMENTS**  
**DEPARTMENT OF REVENUE**  
 [Filed June 26, 1990, 9:42 a.m.]

Subject of Possible Rule Making: The Department of Revenue establishes stumpage values as WAC rules under RCW 84.33.091. The department is considering changing how it analyzes the timber sales data used to establish stumpage values.

Persons may comment on this subject by written or oral presentation. Written presentations may be submitted prior to the meeting. The meeting will be committee format with free and open discussion of all proposals. Olympia, General Administration Building, First Floor Conference Room, 1:00 p.m. to 4:00 p.m. on July 26, 1990.

Other Information or Comments by Agency at this Time, if any: Since it began in 1972 the Forest Excise Tax has been based on stumpage values arrived at by a form of comparable sales appraisal that relies heavily on the individual species bid prices. At the time this was a reasonable procedure. Since that time there have been significant changes in the composition of markets and the selling practices of public agencies. The result of all of this is to provide a data base in which many characteristics of the stand and a total sale value for that stand are known, but the selling values of the components for which values are to be established are not known. Here are some possible solutions to this problem: To continue with the same basic methods of analysis; to modify the basic methods by applying some predetermined value relationships; to go from comparable sales analysis to conversion return or residual value analysis; to incorporate conversion return methods into the present comparable sales approach; to use statistical methods (i.e. multiple regression analysis) to allocate value to the various components of the data; to allocate all sales in the data by some method of overbid analysis; and to index the present values to variations in new sales data. The Department of Revenue is asking for public input on the advantages and disadvantages of these and any other alternatives which might be proposed.

June 26, 1990  
 John B. Conklin  
 Assistant Director  
 Forest Tax Division

**WSR 90-14-014**  
**INDETERMINATE SENTENCE**  
**REVIEW BOARD**

[Filed June 26, 1990, 1:50 p.m.]

**Reviser's note:** The following material has **not** been adopted under the Administrative Procedure Act, chapter 34.05 RCW, but has been filed in the office of the code reviser and is published in the Register exactly as filed.

At the May 21, 1990, board meeting, Rule 6.160 was revised to include information about discovery in parole revocation proceedings.

The effective date of this revision is July 1, 1990.

6.160

**RIGHTS AND PRIVILEGES RELATING TO REVOCATION HEARINGS**

An alleged parole violator shall be entitled to a fair and impartial hearing of the charges of the parole violation within 30 days of service of suspension in the State of Washington, reasonably near the site of the alleged violation(s).

- (1) The alleged parole violator shall be entitled to be represented by an attorney of his own choosing and at his own expense and shall have the right to present evidence and witnesses.
- (2) Upon satisfactory evidence of indigency and upon request, the Board may cause the appointment of an attorney to represent the parolee at an on-site parole revocation hearing. In such cases, the cost of representation shall be paid by the Board at a rate determined by legislative appropriation.

Counsel may ask, in writing, for exception to the established rate. Such requests should be directed to the Executive Secretary, Indeterminate Sentence Review Board.

- (3) Discovery The Community Corrections Officer shall provide, within ten days of suspension of parole, the parolee's defense attorney with a copy of the violations specified, the violation report, and all evidence relating to the violations charged intended for introduction at the hearing, either as factual evidence or in support of a dispositional recommendation.

Such documents, materials and information shall include, but not be limited to, copies of the parole order and addenda, copies of prior violation reports submitted to the Board, and copies of all Board actions or hearing findings issued during the current parole.

In addition, the CCO must provide to the parolee's attorney any material or information within the CCO's knowledge or possession which tends to negate the parolee's guilt as to the violations charged.

- (4) The Board shall have the authority to issue subpoenas for compulsory attendance of witnesses and production of evidence, provided that an offer has been made to pay the statutory fees and mileage.
- (5) The alleged parole violator may be requested to testify during the on-site hearing and any such testimony shall not be used against him in any criminal prosecution (RCW 9.95.124).
- (6) The allegations of violations of the conditions of parole must be proven by a preponderance of evidence. At the conclusion of the hearing, or within ten (10) days thereafter, the Board shall make written Findings and Conclusions concerning the allegations.
- (7) If the Member, having heard the matter, should conclude that the allegations of violations of conditions of parole have not been proven by a preponderance of evidence or those which have been proven by a preponderance of evidence are not sufficient cause for revocation of parole, then the parolee shall be reinstated on parole on the same or modified conditions.

- (8) If the Member or Members, having heard the matter, should conclude that the allegations of violations of conditions of parole have been proven by a preponderance of evidence and constitute sufficient cause for revocation of parole, then such Member or Members shall enter an Order of Parole Revocation and Return to State Custody. Within thirty (30) days of the return of such parole violator to a state correctional institution for convicted felons, the Board shall enter an order determining a new minimum sentence, not exceeding the maximum penalty provided by law for the crime for which the parole violator was originally convicted or the maximum fixed by the court.

- (9) A parolee who has been convicted and sentenced to prison on a new felony charge will have the right to a hearing pertaining to disposition only pursuant to In Re Akridge, 90 Wn2d 350 (1978), and the hearing will be held at the institution of confinement. Chapter 98, Laws of 1969 provides that an alleged parole violator, after service of the allegations of violations of the conditions of parole and the advice of rights, may admit to one or more of the alleged violations and waive the on-site hearing. If the Board accepts the waiver, it shall either:

a. Reinstatement the parolee on parole under the same or modified conditions;

or

b. Revoke the parole of the parolee and enter an Order of Parole Revocation and Return to State Custody for determination of a new minimum sentence. Such determination shall be made within thirty (30) days of the return of such parole violator to a state correctional institution for convicted felons, and the Board shall enter an order determining the new minimum sentence, not exceeding the maximum penalty provided by law for the crime for which the parole violator was convicted or the maximum fixed by the Court.

Revision effective 7/1/90

**WSR 90-14-015**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Filed June 27, 1990, 8:49 a.m.]

Date of Adoption: June 22, 1990.

Purpose: Personal use fishing regulation.

Citation of Existing Rules Affected by this Order:  
 Amending WAC 220-57-160.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.



Reasons for this Finding: This regulation maximizes recreational opportunity with virtually no risk of exceeding the PFMC guideline of 110,000 coho to be harvested through September 2. This regulation is consistent with Oregon regulation, as required under the Columbia River Compact.

Effective Date of Rule: August 13, 1990.

June 22, 1990  
Judith Merchant  
Deputy  
for Joseph R. Blum  
Director

### NEW SECTION

*WAC 220-57-16000E COLUMBIA RIVER PERSONAL USE SALMON Notwithstanding the provisions of WAC 220-57-160, effective Aug 13, 1990 through Labor Day, it shall be unlawful to fish for or possess salmon downstream from the Megler-Astoria Bridge to the Buoy 10 line except as follows.*

(1) Bag Limit F

**WSR 90-14-016**  
**NOTICE OF PUBLIC MEETINGS**  
**OIL AND GAS**  
**CONSERVATION COMMITTEE**

[Memorandum—June 22, 1990]

At the request of Don Ford, Chairman of the Oil and Gas Conservation Committee, the July 17, 1990, meeting of the committee has been cancelled due to a lack of agenda items.

The next regularly scheduled meeting will be October 16, 1990.

**WSR 90-14-017**  
**NOTICE OF PUBLIC MEETINGS**  
**TRANSPORTATION IMPROVEMENT BOARD**

[Memorandum—June 27, 1990]

MEETING NOTICE FOR  
JULY 1990  
TRANSPORTATION IMPROVEMENT BOARD  
TRANSPORTATION BUILDING  
OLYMPIA, WASHINGTON 98504

Work session, 6:00 p.m., Thursday, July 19, 1990, in Olympia at the Governor House Hotel, Council Room, 621 South Capitol Way.

TIB meeting, 9:00 a.m., Friday, July 20, 1990, in Olympia at the Transportation Building, Commission Board Room.

No TIB meeting in August.

**WSR 90-14-018**  
**PERMANENT RULES**  
**HIGHER EDUCATION**  
**PERSONNEL BOARD**

[Filed June 27, 1990, 9:58 a.m., effective August 1, 1990]

Date of Adoption: June 7, 1990.

Purpose: Proposed modifications correct references to "workmen's" and change to "worker's." Additional modification corrects a reference to another section of Title 251 WAC.

Citation of Existing Rules Affected by this Order: Amending WAC 251-12-073, 251-01-180 and 251-22-165.

Statutory Authority for Adoption: RCW 28B.16.100.

Pursuant to notice filed as WSR 90-09-075 and 90-09-076 on April 18, 1990.

Effective Date of Rule: August 1, 1990.

June 22, 1990  
John A. Spitz  
Director

AMENDATORY SECTION (Amending WSR 89-22-020, filed 10/24/89, effective 12/1/89)

WAC 251-12-073 APPEALS FROM EXEMPT STATUS. As indicated in WAC 251-04-040(~~((H))~~) (10), any employee who feels that any classification should or should not be exempt, or any employee in a nonexempt classification who feels that he/she should be exempt because of academic qualifications which would enable such employee to teach and thus be exempt, may appeal to the board in the same manner as provided in WAC 251-12-080.

AMENDATORY SECTION (Amending Order 147, filed 4/22/86)

WAC 251-01-180 FRINGE BENEFITS. As used in the conduct of salary surveys, the term shall include but not be limited to compensation for leave time, including vacation, civil, and personal leave; employer retirement contributions; health insurance payments, including life, accident, and health insurance, (~~((workmen's))~~) worker's compensation, and sick leave; and stock options, bonuses, and purchase discounts where appropriate.

AMENDATORY SECTION (Amending Order 108, filed 9/23/83, effective 10/24/83)

WAC 251-22-165 (~~((WORKMEN'S))~~) WORKERS' COMPENSATION—LEAVE. (1) Employees who suffer a work related injury or illness that is compensable under the state (~~((workmen's))~~) workers' compensation law may select time loss compensation exclusively, leave payment exclusively or a combination of time loss compensation and accrued paid leave.

(2) Employees taking sick leave during a period in which they receive (~~((workmen's))~~) workers' compensation under the industrial insurance provisions for a work related illness or injury shall receive full sick leave pay, less any industrial insurance payments for time loss during the sick leave period.



(a) Until eligibility for ((workmen's)) workers' compensation is determined by the department of labor and industries, the institution may pay full sick leave, provided that the employee shall return any overpayment to the institution when the salary adjustment is determined.

(b) Sick leave hours charged to an employee who receives ((workmen's)) workers' compensation, as a result of the time loss shall be proportionate to that portion of the employee's salary paid by the institution during the claim period.

(3) During a period when an employee receives pay for vacation leave, compensatory time off or holidays and also receives ((workmen's)) workers' compensation for time loss, he/she is entitled to both payments without any deduction for the industrial insurance payment.

(4) When an employee receives ((workmen's)) workers' compensation payment for time loss and is on leave without pay, no deductions will be made for the industrial insurance payment.

(5) An employee who sustains an industrial injury, accident or illness, arising from employment by an institution under the jurisdiction of the higher education personnel board shall, upon written request and proof of continuing disability, be granted leave of absence without pay for up to six months without loss of layoff seniority or change in annual increment date. Leave without pay exceeding six months without loss of layoff seniority or change in annual increment date may be granted at the option of the employing institution.

**WSR 90-14-019**  
**PERMANENT RULES**  
**POLLUTION LIABILITY**  
**INSURANCE AGENCY**

[Order 90-4—Filed June 27, 1990, 2:04 p.m.]

Date of Adoption: June 27, 1990.

Purpose: To inform the public about agency location, general organization and operations and methods for obtaining access to public records.

Statutory Authority for Adoption: RCW 42.17.250.

Pursuant to notice filed as WSR 90-10-093 on May 2, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 27, 1990

James M. Sims  
Director

Chapter 374-20 WAC  
**PUBLIC RECORDS**

NEW SECTION

WAC 374-20-010 PURPOSE. The purpose of this chapter is to implement those provisions of RCW 42.17-.250 through 42.17.320 relating to access to public records.

NEW SECTION

WAC 374-20-020 DEFINITIONS. (1) The terms "person," "public record," and "writing" have the same meanings as stated in RCW 42.17.020.

(2) "Agency" means the pollution liability insurance agency established pursuant to chapter 70.148 RCW. For purposes of WAC 374-20-030 through 374-20-100 inclusive, agency shall also mean staff or employees of the pollution liability insurance agency.

(3) "Director" means the director of the agency.

(4) "Public records officer" means the records manager of the agency.

(5) "Designee" means the employee of the agency designated by the director or the public records officer to serve as the public records officer at the agency in the absence of the officer.

NEW SECTION

WAC 374-20-030 DESCRIPTION OF ORGANIZATION. (1) The location of the principal offices and the mailing address of the agency are:

Pollution Liability Insurance Agency  
State of Washington  
1015 - 10th Avenue, S.E.  
Mailstop: EN-12  
Olympia, Washington 98504

(2) The principal administrative and appointing officer of the agency is the director. The director may designate other officers or employees of the agency to act in his or her behalf in the director's absence or with respect to those matters in which so doing would enhance the efficiency of the agency's operations.

(3) The agency implements and administers the pollution liability insurance program established by chapter 70.148 RCW.

NEW SECTION

WAC 374-20-040 PUBLIC RECORDS AVAILABLE. (1) All public records of the agency are available for public inspection and copying pursuant to these rules and subject to subsections (2), (3), and (4) of this section.

(2) Availability of public records is subject to the exemptions and requirements of RCW 42.17.310, 42.17.315, and 70.148.060.

(3) When a public record includes information the disclosure of which would lead to an unreasonable invasion of personal privacy, the agency shall delete such information before making the record available and the public records officer shall provide a written justification for the deletion.

(4) The agency shall, upon request for identifiable public records, make them promptly available to any person. If public records requested are not readily available for inspection, the agency shall notify the requester when and where the records will be available.

**NEW SECTION**

WAC 374-20-050 RECORDS INDEX. The indexes developed by or for the agency shall be available to all persons under the same rules and under the same conditions as are applied to public records available for inspection and shall be available at the offices of the agency.

**NEW SECTION**

WAC 374-20-060 REQUESTS FOR PUBLIC RECORDS. (1) All requests for inspection or copying made in person at the agency shall be made on a form substantially as follows:

REQUEST FOR PUBLIC RECORDS

Date .....Time .....

Name .....

Address .....

.....

Representing .....

Description of Records:

.....

.....

.....

I certify that lists of names obtained through this request for public records will not be used for commercial purposes.

.....

Signature

Number of copies .....

Number of pages .....

Per page charge \$.....

Total charge \$.....

(2) All requests made in person may be made at the agency between the hours of 9:00 a.m. to 12:00 noon and 1:00 p.m. to 4:00 p.m. Monday through Friday, excluding legal holidays.

(3) A request for inspection or copying of public records may be made by mail in a letter containing the following information:

- (a) The name and address of the person making the request;
- (b) The organization or group that the person represents;
- (c) The time of day and the calendar date on which the person wishes to inspect the public records;
- (d) A description of the public records requested;
- (e) A statement whether access to copying equipment is desired;
- (f) A phone number where the person can be reached in case the public records officer or designee needs to contact the person for further description of the material or any other reason;

(g) A statement that the record will not be used for commercial purposes.

(4) All requests by mail should be received at the agency at least three business days before the requested date of inspection to allow the public records officer or designee to make certain the requested records are available and not exempt and, if necessary, to contact the person requesting inspection.

(5) The agency may in its discretion fill requests made by telephone.

**NEW SECTION**

WAC 374-20-070 FEES. No fee shall be charged for inspection of public records. The agency may charge a reasonable fee, determined from time to time by the director, for providing copies of typed, printed, or written material of a maximum size of 8 1/2" by 14". The fee shall be the amount necessary to reimburse the agency for its actual costs incident to such copying. Fees for copies of nonstandard printed material or public records in nonwritten form may not exceed the agency's actual costs incident to such copying.

**NEW SECTION**

WAC 374-20-080 STATEMENT OF REASONS FOR DENIAL OF PUBLIC RECORDS REQUEST. When the agency refuses, in whole or in part, a written request for inspection of any public record, it shall include a statement of the specific exemption authorizing the refusal and a brief explanation of how the exemption applies to the record withheld.

**NEW SECTION**

WAC 374-20-090 REVIEWS OF DENIALS OF PUBLIC RECORDS REQUEST. Upon denial of a request for inspection of a public record, in whole or in part, the public records officer or other staff member denying the request shall refer the denial to the director or the director's designee for review. The director or the director's designee shall immediately review the denial and either affirm or reverse it. Such review shall be deemed complete at the end of the second business day following the denial of inspection and shall constitute final agency action for the purpose of review. The final decision shall be sent to the person requesting inspection promptly following the decision.

**NEW SECTION**

WAC 374-20-100 PROTECTION OF PUBLIC RECORDS. In order to protect the public records of the agency, the following guidelines shall be adhered to by any person inspecting such public records:

- (1) No public records shall be removed from the agency's premises.
- (2) Inspection of any public record shall be conducted in the presence of a designated agency employee.
- (3) No public records may be marked or defaced in any manner during inspection.
- (4) Public records which are maintained in a file or jacket, or chronological order, may not be dismantled

except for purposes of copying and then only by the public records officer or designee.

(5) Access to file cabinets, shelves, vaults, and other storage areas is restricted to office personnel, unless other arrangements are made with the public records officer or designee.

**WSR 90-14-020**  
**PERMANENT RULES**  
**POLLUTION LIABILITY**  
**INSURANCE AGENCY**

[Order 90-5—Filed June 27, 1990, 2:05 p.m., effective August 1, 1990]

Date of Adoption: June 27, 1990.

Purpose: To provide mechanisms for establishing, adjusting and using loss reserves and surplus reserves for the pollution liability insurance program.

Statutory Authority for Adoption: RCW 70.148.040.

Pursuant to notice filed as WSR 90-10-094 on May 2, 1990.

Effective Date of Rule: August 1, 1990.

June 27, 1990  
James M. Sims  
Director

Chapter 374-30 WAC  
RESERVES

NEW SECTION

WAC 374-30-010 AUTHORITY AND PURPOSE. This chapter is promulgated under the authority conferred by RCW 70.148.040. The purpose of this chapter is to implement those provisions of chapter 70.148 RCW as amended by Substitute House Bill No. 2609 (chapter 64, Laws of 1990) relating to the establishment of reserves for the pollution liability insurance program.

NEW SECTION

WAC 374-30-020 DEFINITIONS. Unless the context requires otherwise, the following definitions shall apply:

(1) "Claim" means a properly filed request for insurance benefits made by the holder of a pollution liability insurance policy issued by an insurer with whom the pollution liability insurance program has executed a contract for reinsurance.

(2) "Director" means the director of the pollution liability insurance agency and program appointed by the governor pursuant to chapter 70.148 RCW, or a person designated to act on the director's behalf.

(3) "Insurer" means a commercial property and casualty insurance company, risk retention group, or group of insurance companies or risk retention groups.

(4) "Loss reserve" means the amount traditionally set aside by insurers for costs and expenses related to claims that have been made.

(5) "Program" means the pollution liability insurance program created in chapter 70.148 RCW.

(6) "Surplus reserve" means the amount traditionally set aside by insurers to provide financial protection from unexpected losses and to serve, in part, as a measure of an insurer's net worth.

(7) "Unrestricted trust account balance" means the cash balance in the pollution liability insurance program trust account created in RCW 70.148.020 less reserves established under this chapter.

NEW SECTION

WAC 374-30-030 LOSS RESERVES—ESTABLISHMENT AND ADJUSTMENT. (1) When the director is notified by an insurer with whom a reinsurance contract has been entered into that claims have been made by policyholders, the director shall order the establishment of a loss reserve for each claim. The loss reserves will consist of an accounting transfer from the unrestricted trust account balance of funds sufficient to cover the program's estimated reinsurance reimbursement obligation for costs and expenses for each claim as reported by the insurer.

(2) In the event that the costs and expenses associated with a claim change during the claim adjustment and settlement process, the director shall order that the loss reserve established for that claim be adjusted to reflect changes in the program's reinsurance reimbursement obligation. Such adjustments shall consist of additional transfers of funds from or to the unrestricted trust account balance as required in each case.

NEW SECTION

WAC 374-30-040 LOSS RESERVES—USE AND DISPOSITION. (1) When the adjustment and settlement of claims for which the program has provided reinsurance has been completed, the insurer shall notify the director of the terms of final settlement and shall provide such documentation as the director may require. The director shall order that the insurer be reimbursed for those costs and expenses in excess of the insurer's contractual net retention that are properly due to the insurer under the reinsurance contract. Such payments will be made from the funds set aside as loss reserves for the pertinent claim.

(2) In the event that the program's final reinsurance obligation for any claim differs from the amount set aside as a loss reserve for that claim, adjustment shall be made as follows:

(a) If the program's reinsurance obligation is greater than the amount set aside as a loss reserve, the additional funds required shall be withdrawn from the unrestricted trust account balance.

(b) If the program's reinsurance obligation is less than the amount set aside as a loss reserve, the unutilized funds shall be restored to the unrestricted trust account balance.

NEW SECTION

WAC 374-30-050 SURPLUS RESERVES—ESTABLISHMENT AND ADJUSTMENT. The director shall establish a surplus reserve, consisting of an accounting segregation of funds from the unrestricted trust

account balance, for the program in order to protect the program and the state against unexpected catastrophic losses and in order to establish a financial foundation for the program that will be acceptable to commercial insurers and insurance industry regulatory authorities. The surplus reserve shall be established as soon as practicable following the effective date of this rule, and shall be adjusted by the director from time to time as needed. In establishing and adjusting the surplus reserve, the director shall consider the following:

- (1) The required minimum capitalization for insurers and reinsurers established in chapter 48.05 RCW.
- (2) Similar requirements set forth in the laws and rules of the state or states in which the insurer or insurers for whom the program is providing reinsurance are domiciled.
- (3) Generally accepted standards of financial soundness and solvency applicable to insurance and reinsurance.
- (4) Actuarial analysis and information concerning likely levels of reinsurance cost and expense exposure of the program over time.
- (5) Advice and information from the Washington insurance commissioner, insurance industry advisors, the pollution liability insurance program technical advisory committee, and other knowledgeable persons.
- (6) The actual loss and expense experience of insurers and the program as this develops over time.
- (7) Any additional information that the director may deem pertinent and relevant.

**NEW SECTION**

**WAC 374-30-060 SURPLUS RESERVES—USE AND REESTABLISHMENT.** Funds set aside as surplus reserves shall be used only for payment of reinsurance costs and expenses resulting from natural disasters, catastrophes, or other conditions not foreseen or expected. Such payments may be made only by order of the director. In the event that such use is made of any or all of the surplus reserves established by this rule, the surplus reserve balance shall be restored to required levels out of program revenues as expeditiously as possible.

**WSR 90-14-021**  
**EMERGENCY RULES**  
**DEPARTMENT OF LICENSING**  
 [Filed June 27, 1990, 2:06 p.m.]

Date of Adoption: June 27, 1990.  
 Purpose: To establish the regulatory standard for imposing the master license handling fee.  
 Citation of Existing Rules Affected by this Order: Amending chapter 308-300 WAC.  
 Statutory Authority for Adoption: RCW 34.05.220 and chapter 264, Laws of 1990.  
 Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity

to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Because of the time constraints imposed by end of session and the effective date of the bill, it is necessary to adopt this emergency rule while the permanent rule processing takes place.

Effective Date of Rule: Immediately.

June 27, 1990  
 Mary Faulk  
 Director

*Chapter 308-300 WAC*  
**CONSOLIDATED LICENSING SYSTEM ((FOR**  
**GROCERY-RELATED BUSINESS))**

**NEW SECTION**

**WAC 308-300-075 HANDLING FEE.** Beginning July 1, 1990, a master license handling fee of twelve dollars shall apply to all master business applications for original licenses, permits, or registrations.

*Original licenses, permits, or registrations are those that are not currently held by a business and are being sought for the first time through the use of a master application.*

*Applications for additional licenses, permits, or registrations received within sixty days following the initial application shall be deemed to be part of the first application.*

**WSR 90-14-022**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
 [Filed June 27, 1990, 2:09 p.m.]

Original Notice.  
 Title of Rule: Consolidated licensing system (revised from consolidated licensing system for grocery related businesses).

Purpose: To establish the standard for implementation of the master license system handling fee in regulation.

Statutory Authority for Adoption: Chapter 264, Laws of 1990 and RCW 34.05.220.

Statute Being Implemented: Chapter 264, Laws of 1990.

Summary: The proposed rule establishes the standard for implementation of the master license system handling fee in regulation.

Name of Agency Personnel Responsible for Drafting: Maxine Nelson, 405 Black Lake Boulevard, 586-1421; Implementation: Nell Benzschawel, 405 Black Lake Boulevard, 586-5372; and Enforcement: Keith Weaver, 405 Black Lake Boulevard, 753-9627.

Name of Proponent: State of Washington Department of Licensing, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule is proposed in response to passage of SSB 6664 (chapter 264, Laws of 1990), an act relating

to the Business License Center Act. Passage of the legislation was necessary to continue the master licensing unified business identifier (MLS/UBI) program. Without the master license services one-stop licensing program, the business community would have to return to the old time-consuming and inefficient multiple agency concept. The agencies which have not issued these licenses for years would have to reestablish these licensing programs. Because the fee has been adopted, the program will continue to provide efficient service to the business community.

**Proposal Changes the Following Existing Rules:** There was no handling fee in the rules until after the fee was adopted by the legislature and signed into law by the governor. This proposed amendment adds the handling fee to the regulation.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

An economic burden will not be imposed on any regulated business by this rule since the cost of compliance for most businesses would be \$12.00 at the time of origination. There will be no additional fee unless there is a change to an existing master license which requires the issuance of a new original master license.

**Hearing Location:** 1st Floor Conference Room, Department of Licensing, Business License Services, 405 Black Lake Boulevard, Olympia, WA 98504, on Thursday, August 9, 1990, at 9:00 a.m.

**Submit Written Comments to:** Ken Mark, Assistant Director, 1st Floor Conference Room, Department of Licensing, Business License Services, 405 Black Lake Boulevard, Olympia, WA 98504, by August 8, 1990.

**Date of Intended Adoption:** August 15, 1990.

June 27, 1990

Ken Mark

Assistant Director

Chapter 308-300 WAC  
 CONSOLIDATED LICENSING SYSTEM ((~~FOR GROCERY-RELATED BUSINESS~~))

NEW SECTION

WAC 308-300-075 **HANDLING FEE.** Beginning July 1, 1990, a master license handling fee of twelve dollars shall apply to all master business applications for original licenses, permits, or registrations.

Original licenses, permits, or registrations are those that are not currently held by a business and are being sought for the first time through the use of a master application.

Applications for additional licenses, permits, or registrations received within sixty days following the initial application shall be deemed to be part of the first application.

**WSR 90-14-023**

**PROPOSED RULES**

**HORSE RACING COMMISSION**

[Filed June 27, 1990, 2:16 p.m.]

Original Notice.

Title of Rule: WAC 260-36-190 Facsimile for owners may be used; and 260-36-200 Provisional owners license.

**Purpose:** Facilitation of issuance of owners licenses through use of FAX machines; and the shortening of time it takes to issue owners licenses by recognizing trainers as agents of owners for purposes of filing for provisional licenses.

**Statutory Authority for Adoption:** RCW 67.16.020 and 67.16.040.

**Statute Being Implemented:** Chapter 67.16 RCW.

**Summary:** Modern technology is in place to allow for a streamlining of commission licensing procedures, therefore the commission is implementing these rules to take advantage of this technology.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** John Crowley, Executive Secretary, Olympia, Washington, 753-3741.

**Name of Proponent:** Washington Horse Racing Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

**Explanation of Rule, its Purpose, and Anticipated Effects:** The purpose of this rule is to provide the commission with the ability to use modem facsimile machines to allow it to facilitate and speed up the licensing process; and the rule also allows trainers to act as agents for owners to speed the grant of licenses.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The enactments listed above are not anticipated to effect more than 20 percent of all industries nor more than 10 percent of any one industry as defined by section 2(3), chapter 6, Laws of 1982. Therefore, a small business economic impact statement has not been prepared.

**Hearing Location:** Sea-Tac Red Lion Inn, 18740 Pacific Highway South, Seattle, WA 98188, on August 14, 1990, at 1 p.m.

**Submit Written Comments to:** John Crowley, Executive Secretary, Washington Horse Racing Commission, Olympia, Washington 98501, by August 6, 1990.

**Date of Intended Adoption:** August 14, 1990.

June 27, 1990

John Crowley

Executive Secretary

NEW SECTION

WAC 260-36-190 **FACSIMILE FOR OWNERS MAY BE USED.** If an owner is unavailable to execute the application for an owner's license, the license may be issued and approved after submission to the commission of a facsimile of the original application which does contain the signature of the owner.

NEW SECTION

WAC 260-36-200 **PROVISIONAL OWNER'S LICENSE.** The stewards may issue a provisional license for a period of fourteen days based on an application completed by the trainer representing the owner and payment of all license fees and labor and industries fees due, provided that the trainer signs a statement that he or she is authorized on behalf of the owner to execute the application and that the trainer is familiar with the truth of the contents of the application.

**WSR 90-14-024**  
**EMERGENCY RULES**  
**UTILITIES AND**  
**TRANSPORTATION COMMISSION**

[Order R-322, Docket No. TL-900359—Filed June 27, 1990, 3:17 p.m.]

In the matter of amending WAC 480-35-120 relating to identification decals for limousine charter party carriers.

The Washington Utilities and Transportation Commission finds that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest. A statement of the facts constituting such emergency is: Provision must be made for cab cards and identification decals for limousines added to a carrier's fleet for short-term or emergency situations and for permanently substituted vehicles.

This rule-making proceeding is being promulgated pursuant to RCW 80.01.040 and is intended administratively to implement these statutes.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

This amendment to WAC 480-35-120 affects no economic values.

In reviewing the entire record herein, it has been determined that the above section should be amended as indicated and as set forth in Appendix A shown below and made a part hereof by this reference. The amendment of this section will provide for replacement identification decals or cab cards and identification decals for limousines on a short-term or emergency basis.

**ORDER**

WHEREFORE, IT IS ORDERED That the amendment of WAC 480-35-120 as set forth in Appendix A, take effect as an emergency rule of the Washington Utilities and Transportation Commission pursuant to RCW 34.05.350 and 34.05.380(2).

IT IS FURTHER ORDERED That the order and the annexed rule, after being first recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapters 34.05 RCW and 1-21 WAC.

DATED at Olympia, Washington, and effective this 27th day of June, 1990.

Washington Utilities and Transportation Commission  
 Sharon L. Nelson, Chairman  
 Richard D. Casad, Commissioner  
 A. J. Pardini, Commissioner

**APPENDIX "A"**

AMENDATORY SECTION (Amending Order R-312, Docket No. TL-2294, filed 11/13/89, effective 12/14/89)

**WAC 480-35-120 IDENTIFICATION DECALS.**

(1) For the purpose of identification and information of the public, all motor vehicles, ((including)) except short-term substitute or emergency vehicles, while being operated under certificate, shall have displayed on the vertical surface of the left side of the rear bumper, in the proximity of the license plate, a reflectorized decal to be issued by the Washington utilities and transportation commission. In the event a certificate is revoked or canceled or the equipment sold, the carrier shall immediately remove the decal from its vehicle or vehicles.

(a) Where a vehicle is permanently substituted for one that has been destroyed or has been permanently withdrawn from ownership or possession of the permittee, a replacement decal must be purchased and displayed as shown above. Cost of the replacement decal shall be three dollars.

(b) Permittees shall be allowed to rent or lease vehicles to meet short-term or emergency situations of thirty days or less. In these cases, a copy of the rental or lease agreement must be carried within the vehicle. In addition, an unassigned cab card displaying proof of payment of regulatory fees and a temporary decal shall be obtained from the commission. The unassigned cab card must be carried in the vehicle and the temporary decal must be displayed in the lower right corner of the windshield. The regulatory fee for this purpose shall be twenty dollars and the cost of the decal shall be three dollars.

(2) An application for a sufficient number of decals shall be filed with the commission, accompanied by the necessary decal and regulatory fee. New decals shall be issued each year and the cost of the decal shall be three dollars.

(3) The annual regulatory fee shall be established by general order of the commission before November 1 of any year when circumstances so require, but the fee shall not exceed the cost of supervising and regulating such carrier.

(4) The annual decal and regulatory fee shall be collected from each limousine charter party carrier holding a certificate as well as each carrier registered with the commission and such fee shall be due and payable on or before December 31 of each year, to cover the ensuing year beginning February 1.

**WSR 90-14-025**  
**EMERGENCY RULES**  
**UTILITIES AND**  
**TRANSPORTATION COMMISSION**

[Order R-323, Docket No. TV-900576—Filed June 27, 1990, 3:21 p.m.]

In the matter of adopting WAC 480-12-181 relating to pole trailer reaches.

The Washington Utilities and Transportation Commission finds that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest. A statement of the facts constituting such emergency is: Investigations of several log truck accidents have shown that damaged, repaired, or welded pole trailer reaches have been the cause of or a contributing factor to such accidents. This rule is intended to eliminate those causes.

This rule-making proceeding is being promulgated pursuant to RCW 80.01.040 and is intended administratively to implement these statutes.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

This adoption to WAC 480-12-181 affects no economic values.

In reviewing the entire record herein, it has been determined that the above section should be adopted as indicated and as set forth in Appendix A shown below and made a part hereof by this reference. The adoption of WAC 480-12-181 will eliminate accidents occurring because of damaged or repaired pole trailer reaches.

#### ORDER

WHEREFORE, IT IS ORDERED That the amendment of WAC 480-12-181 as set forth in Appendix A, take effect as an emergency rule of the Washington Utilities and Transportation Commission pursuant to RCW 34.05.350 and 34.05.380(2).

IT IS FURTHER ORDERED That the order and the annexed rule, after being first recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapters 34.05 RCW and 1-21 WAC.

DATED at Olympia, Washington, and effective this 27th day of June, 1990.

Washington Utilities and Transportation Commission  
Sharon L. Nelson, Chairman  
Richard D. Casad, Commissioner  
A. J. Pardini, Commissioner

#### APPENDIX "A"

#### NEW SECTION

**WAC 480-12-181 POLE TRAILERS.** (1) *Welded reach extension prohibited. No motor carrier shall operate a pole trailer that has had the length of its reach extended by welding or any other means, except that a telescopic reach manufactured and designed to extend by using an inner and outer reach with securing clamp shall be permissible. In addition to the securing clamp on a telescopic reach there must be a secondary device to keep the inner and outer reach from separating. The*

*term "reach" as used in this rule means the steel tube that joins the axle(s) of the pole trailer to the rear of the power unit towing the trailer.*

(2) *Damaged reach. No motor carrier shall operate a pole trailer that has sustained cracks to the reach nor shall it be permissible to operate a trailer that has had welded repair or repair of any kind made to cracks in the reach.*

#### WSR 90-14-026

#### PROPOSED RULES

#### UTILITIES AND

#### TRANSPORTATION COMMISSION

[Filed June 27, 1990, 3:26 p.m.]

#### Original Notice.

Title of Rule: WAC 480-35-120 relating to identification decals for limousine charter party carriers. The proposed amendatory section is shown below as Appendix A, Docket No. TL-900359. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed amendatory section on economic values pursuant to chapter 43.21H RCW.

Purpose: The proposed rule is designed to provide for cab cards and identification decals for limousines added to a carrier's fleet for short-term or emergency situations and for permanently substituted vehicles.

Statutory Authority for Adoption: RCW 80.01.040.

Statute Being Implemented: Title 81 RCW.

Summary: The amended rule would allow for floater-type cab cards and identification decals for vehicles leased on a short-term basis by limousine charter party carriers and replacement decals on permanently substituted vehicles.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Paul Curl, Secretary, and Transportation Staff, 1300 South Evergreen Park Drive S.W., Olympia, WA, (206) 753-6451.

Name of Proponent: Washington Utilities and Transportation Commission, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization as reflected in RCW 80.01.040.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose and Summary above.

Proposal Changes the Following Existing Rules: See Purpose and Summary above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Commission Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, on August 8, 1990, at 9:00 a.m.

Submit Written Comments to: Paul Curl, Secretary,  
1300 South Evergreen Park Drive S.W., Olympia, WA,  
by July 30, 1990.

Date of Intended Adoption: August 8, 1990.

June 27, 1990

Paul Curl  
Secretary

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-312, Docket No. TL-2294, filed 11/13/89, effective 12/14/89)

WAC 480-35-120 IDENTIFICATION DECALS. (1) For the purpose of identification and information of the public, all motor vehicles, ((including)) except short-term substitute or emergency vehicles, while being operated under certificate, shall have displayed on the vertical surface of the left side of the rear bumper, in the proximity of the license plate, a reflectorized decal to be issued by the Washington utilities and transportation commission. In the event a certificate is revoked or canceled or the equipment sold, the carrier shall immediately remove the decal from its vehicle or vehicles.

(a) Where a vehicle is permanently substituted for one that has been destroyed or has been permanently withdrawn from ownership or possession of the permittee, a replacement decal must be purchased and displayed as shown above. Cost of the replacement decal shall be three dollars.

(b) Permittees shall be allowed to rent or lease vehicles to meet short-term or emergency situations of thirty days or less. In these cases, a copy of the rental or lease agreement must be carried within the vehicle. In addition, an unassigned cab card displaying proof of payment of regulatory fees and a temporary decal shall be obtained from the commission. The unassigned cab card must be carried in the vehicle and the temporary decal must be displayed in the lower right corner of the windshield. The regulatory fee for this purpose shall be twenty dollars and the cost of the decal shall be three dollars.

(2) An application for a sufficient number of decals shall be filed with the commission, accompanied by the necessary decal and regulatory fee. New decals shall be issued each year and the cost of the decal shall be three dollars.

(3) The annual regulatory fee shall be established by general order of the commission before November 1 of any year when circumstances so require, but the fee shall not exceed the cost of supervising and regulating such carrier.

(4) The annual decal and regulatory fee shall be collected from each limousine charter party carrier holding a certificate as well as each carrier registered with the commission and such fee shall be due and payable on or before December 31 of each year, to cover the ensuing year beginning February 1.

**WSR 90-14-027  
PROPOSED RULES  
UTILITIES AND  
TRANSPORTATION COMMISSION**

[Filed June 27, 1990, 3:30 p.m.]

Original Notice.

Title of Rule: WAC 480-12-181 relating to pole trailer reaches. The proposed new section is shown below as Appendix A, Docket No. TV-900576. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed new section on economic values pursuant to chapter 43.21H RCW.

Purpose: The proposed amendment is designed to eliminate logging truck accidents caused by damaged, repaired, or welded pole trailer reaches.

Statutory Authority for Adoption: RCW 80.01.040.

Statute Being Implemented: Title 81 RCW.

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Paul Curl, Secretary, and Transportation Staff, 1300 South Evergreen Park Drive S.W., Olympia, WA, (206) 753-6451.

Name of Proponent: Washington Utilities and Transportation Commission, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization as reflected in RCW 80.01.040.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: See Purpose above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Commission Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, on August 8, 1990, at 9:00 a.m.

Submit Written Comments to: Paul Curl, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA, by July 30, 1990.

Date of Intended Adoption: August 8, 1990.

June 27, 1990

Paul Curl  
Secretary

APPENDIX "A"

NEW SECTION

WAC 480-12-181 POLE TRAILERS. (1) Welded reach extension prohibited. No motor carrier shall operate a pole trailer that has had the length of its reach extended by welding or any other means, except that a telescopic reach manufactured and designed to extend by using an inner and outer reach with securing clamp shall be permissible. In addition to the securing clamp on a telescopic reach there must be a secondary device to keep the inner and outer reach from separating. The term "reach" as used in this rule means the steel tube that joins the axle(s) of the pole trailer to the rear of the power unit towing the trailer.

(2) Damaged reach. No motor carrier shall operate a pole trailer that has sustained cracks to the reach nor shall it be permissible to operate a trailer that has had welded repair or repair of any kind made to cracks in the reach.

**WSR 90-14-028  
EMERGENCY RULES  
DEPARTMENT OF REVENUE**  
[Filed June 28, 1990, 10:45 a.m.]

Date of Adoption: June 28, 1990.

Purpose: To adopt a rule on a system of indexing public records.

Citation of Existing Rules Affected by this Order: Amending WAC 458-276-130.

Statutory Authority for Adoption: RCW 82.32.300 and 42.17.260.



Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: RCW 42.17.260 requires each agency to have a rule on a system of indexing in place by July 1, 1990.

Effective Date of Rule: Immediately.

June 28, 1990  
Edward L. Faker  
Assistant Director

**AMENDATORY SECTION** (Amending Order GT 78-1, filed 1/23/78)

**WAC 458-276-130 PUBLIC ((R)) RECORDS INDEXES.** (1) **INTRODUCTION.** *The department will maintain and make available for public inspection and copying ((an)) appropriate indexes ((or indices)) in accordance with RCW 42.17.260.*

(2) **FORM AND CONTENT.** *Public records indexes will list the records they contain by date of issue, number, addressee, subject matter, or other identifying information appropriate to the type of record.*

(3) **LOCATION AND AVAILABILITY.** *Public records indexes will be maintained at the Taxpayer Information and Education Section, 321 Cleveland Avenue, Tumwater, Washington 98501. They will be available for inspection and copying at that location from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding legal holidays.*

(4) **SCHEDULE FOR REVISING OR UPDATING INDEXES.** *Public records indexes will be revised or updated no less frequently than annually.*

**WSR 90-14-029**  
**PROPOSED RULES**  
**HIGHER EDUCATION**  
**COORDINATING BOARD**  
[Filed June 28, 1990, 12:20 p.m.]

Continuance of WSR 90-11-130.

Title of Rule: State of Washington educational opportunity grant project.

Hearing Location: Higher Education Coordinating Board, 917 Lakeridge Way, Olympia, WA 98504, on July 10, 1990, at 1:00 p.m.; and at the Sea-Tac Hilton, 17620 Pacific Highway, on July 18, 1990, at 9:00 a.m.

Submit Written Comments to: Ann Daley, Executive Director, Higher Education Coordinating Board, 917 Lakeridge Way, GV-11, Olympia, WA 98504, by July 13, 1990.

Date of Intended Adoption: July 18, 1990.

June 28, 1990  
Ann Daley  
Executive Director

**WSR 90-14-030**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**COMMUNITY DEVELOPMENT**

[Memorandum—June 27, 1990]

The Washington State Department of Community Development plans to hold a public hearing on the proposed 1991/92 state plan for the community services block grant (CSBG) program.

The hearing will be held on Thursday, August 2, 1990, at the Department of Community Development, Ninth and Columbia Building, Conference Room 4A, Fourth Floor, Olympia, Washington. The hearing will begin at 10:30 a.m. and close at 12:00 noon, unless participation requires more time.

Two typewritten copies of all oral testimony are requested. There will be a question and answer period. Written testimony will be accepted until 5:00 p.m., Wednesday, July 25, 1990. This should be sent to the attention of Ed Barton, CSBG Program Manager, Department of Community Development, Ninth and Columbia Building, Olympia, Washington 98504-4151.

If you have any questions or need additional information, please contact Ed Barton at (206) 586-1232, or 321-1232 scan.

**WSR 90-14-031**  
**EMERGENCY RULES**  
**DEPARTMENT OF ECOLOGY**  
[Order 90-23—Filed June 29, 1990, 8:15 a.m.]

Date of Adoption: June 29, 1990.

Purpose: To adopt chapter 173-360 WAC to provide licensing requirements for firms and persons who provide services to underground storage tank systems.

Statutory Authority for Adoption: Chapter 90.76 RCW.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Activities associated with providing services to underground storage tank systems can lead to serious injuries or fatalities, as well as significant environmental damage if performed incorrectly. Establishing a program to prevent their performance by incompetent individuals is necessary for the preservation of the public health, safety and general welfare.

Effective Date of Rule: Immediately.

June 29, 1990  
Fred Olson  
Deputy Director

**REGISTRATION AND LICENSING  
REQUIREMENTS FOR UNDERGROUND  
STORAGE TANK SERVICE PROVIDERS AND  
SERVICE SUPERVISORS**

**[NEW SECTION]**

**WAC 173-360-600 AUTHORITY, PURPOSE AND SCOPE.** (1) This chapter is adopted pursuant to RCW 90.76.020(5).

(2) The purpose of this chapter is to regulate firms and persons that service and inspect underground storage tank systems in order to assure that underground storage tank systems are being serviced in a manner which will protect human health and the environment. This chapter establishes requirements for:

(a) Registration and licensing of firms that perform services on underground storage tanks;

(b) Examination, qualification and licensing of persons who supervise the performance of tank service;

(c) Examination, qualification and licensing of persons conducting underground storage tank system inspection for determination of compliance with the state underground storage tank regulations; and

(d) Administration and enforcement of these rules by the department.

(3) This chapter applies to the installation, retrofitting, decommissioning, testing, site assessment and inspection for compliance with state regulations, by any person, of underground storage tanks regulated by Chapter 90.76 RCW.

(4) After October 1, 1990, a site assessment shall only be performed by a qualified hydrogeologist, geologist, licensed professional engineer, professional soil scientist, certified groundwater professional, or other qualified professional, as determined by the department. A person performing site assessments must register with the department as per the requirements of WAC 173-360-630 (1) and (2), except that no license will be required for this activity.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[NEW SECTION]**

**WAC 173-360-610 DEFINITIONS.** The following definitions shall apply to this chapter:

(1) "Cathodic Protection" means a technique to prevent corrosion of a metal surface by making that surface the cathode of an electrochemical cell. A tank system can be cathodically protected through the application of either galvanic anodes or impressed current.

(2) "Department" means the department of ecology.

(3) "Decommissioning" or "Closure" means to remove an underground storage tank from operation, either temporarily or permanently, by abandonment in place or by removal from the ground.

(4) "Director" means the director of the department of ecology.

(5) "Firm" means any business, including but not limited to corporations, limited partnerships, and sole proprietorships, engaged in performing tank services.

(6) "Installation" means the activity of placing an underground storage tank system or any part thereof in the ground and preparing it to be placed in service.

(7) "Licensed" means a firm or a person which has been issued a license by the department under this chapter.

(8) "Person" means an individual, trust, firm, joint stock company, federal agency, corporation, state, municipality, commission, or political subdivision of a state. "Person" also includes a consortium, a joint venture, and a commercial entity.

(9) "Retrofitting" means the modification of an existing underground storage tank including, but not limited to, installation of splash, spill and overflow protection, installing or replacing monitoring systems, adding cathodic protective systems, tank repair, replacement of piping, valves, fill pipes or vents and installing tank liners.

(10) "Site assessment" means an assessment of the underground storage tank system site at the time a system is being decommissioned, as required by 40 CFR 280.72.

(11) "Supervisor" means a licensed person operating independently or employed by a contractor, who is responsible for directing and overseeing the performance of tank services at a facility.

(12) "Tank permit" means a tank tag, as required by RCW 90.76.010(4).

(13) "Tank services" include underground storage tank installation, decommissioning, retrofitting, testing, inspecting and assessing the site at closure or decommissioning.

(14) "Tank services provider" is a person or firm registered and, if required under WAC 173-360-630(3), licensed to offer or perform tank services on regulated underground storage tanks in Washington.

(15) "Testing" means applying a method to determine the integrity of an underground storage tank.

(16) "Tightness testing" means a procedure for testing the ability of a tank system to prevent an inadvertent release of any stored substance into the environment or, in the case of an underground storage tank system, intrusion of groundwater into a tank system.

(17) "Underground storage tank" or "UST" means an underground storage tank as defined in 40 CFR 280.12.

(18) "Underground storage tank site" means the location at which underground storage tanks are in place or will be placed. A site encompasses the entire property contiguous to the underground storage tanks that is associated with the use of the tanks.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**[NEW SECTION]**

**WAC 173-360-620 TANKS NOT SUBJECT TO THESE REGULATIONS.** (1) Tanks not subject to the requirements of this licensing program are those tanks which are exempt or deferred from 40 CFR 280, parts A through E and G. Exempt tanks include:

(a) Any UST system holding hazardous wastes listed or identified under Subtitle C of the Solid Waste Disposal Act, or any dangerous waste subject to the state dangerous waste regulations (Chapter 173-303 WAC), or a mixture of hazardous waste and other regulated substances.

(b) Equipment or machinery that contains regulated substances for operational purposes such as hydraulic lift tanks and electrical equipment tanks.

(c) Wastewater treatment tanks systems that are part of a wastewater treatment facility regulated under section 402 or 307(b) of the Clean Water Act.

(d) UST systems containing electrical equipment;

(e) Any UST system whose capacity is 110 gallons or less;

(f) Any UST system that contains a de minimus concentration of regulated substances;

(g) Any emergency spill or overflow containment UST system that is expeditiously emptied after use;

(h) Farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;

(i) Tanks used for storing heating oil for consumptive use on the premises where stored;

(j) Septic tanks;

(k) Pipeline facilities (including gathering lines) regulated under:

(i) The Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1671, et seq.), or

(ii) The Hazardous Liquid Pipeline Act of 1979 (49 U.S.C. App. 2001, et seq.), or

(iii) Which is an intrastate pipeline facility regulated under state laws comparable to the provisions of the law referred to in paragraph (d)(1) or (d)(2) of this definition;

(l) Surface impoundments, pits, ponds or lagoons;

(m) Storm-water or wastewater collection systems;

(n) Flow-through process tanks;

(o) Liquid traps or associated gathering lines directly related to oil or gas production and gathering operations; or

(p) Storage tanks situated in an underground area (such as a basement, cellar, mine working, drift, shaft or tunnel) if the storage tank is situated upon or above the surface of the floor.

(2) Deferred tanks include:

(a) Any UST system that is part of an emergency generator system at nuclear power generation facilities regulated by the nuclear regulatory commission under 10 CFR 50 Appendix A;

(b) Wastewater treatment tank systems not regulated under section 402 or 307(b) of the Clean Water Act;

(c) Airport hydrant fuel distribution systems;

(d) UST systems with field constructed tanks, and

(e) Any UST systems containing radioactive material that are regulated under the Atomic Energy Act of 1954 (42 USC 2011 and following).

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[NEW SECTION]**

WAC 173-360-630 REGISTRATION AND LICENSING OF TANK SERVICE PROVIDERS. (1) After August 1, 1990, only firms that have registered with the department shall perform tank services in the state of Washington.

(2) Registration and application for a license shall be accomplished by:

(a) Completing a registration application provided by the department, including submission of the following information to the department:

(i) The name, address and telephone number of the firm;

(ii) The nature of the tank services to be offered;

(iii) A summary of the recent project history of the firm (the two year period immediately preceding the application) including the number of projects completed by the firm in each tank services category and identification of any other industry or government licenses held by the firm related to specific tank services;

(iv) Identifying the names of employees or principals responsible for on-site project supervision; and

(b) Including a signed statement that certifies that:

"I (name), am the chief executive officer of (company) and do hereby certify that I will comply with the applicable laws, rules and procedures pertaining to the regulation of underground storage tanks in the State of Washington and will direct the employees and principals of this company to perform the tank services rendered by this company in a manner that is consistent with their requirements."

(3) After January 1, 1991, only tank services providers who have obtained a license from the department may install, retrofit, test, decommission, or inspect for the purpose of determining compliance with the state underground storage tank regulations, and underground storage tank system in the State of Washington.

(4) After January 1, 1991, an application for a tank services provider license must be submitted to the department and must include:

(a) The information required by WAC 173-360-630 (2)(a) and (b);

(b) A list of employees licensed by the department to supervise tank services, and identification of the specific tanks services for which they are licensed; the date the employee received a license from the department; and the license number of the employee.

(5) The department will review the license application for completeness. If the application is incomplete, the department shall notify the applicant of the deficiencies. The department shall deny, in writing, a license to an applicant who has not satisfied the license application requirements. The department shall issue a license to the applicant after approving the application.

(6) The department shall issue licenses for a period not to exceed two years.

(7) Renewals:

(a) License renewals must be applied for in the same manner as is required for an initial license, pursuant to Section 4.

(b) The complete license renewal application shall be submitted to the department no later than 30 days prior to the expiration date of the current license.

(8) The department may suspend or revoke a license if the tank services provider:

(a) Fraudulently obtains or attempts to obtain a license;

(b) Fails at any time to satisfy the requirements for a license or comply with any rules or procedures adopted by the department;

(c) Fails to meet any applicable state or federal standard relating to the service performed under the license; or

(d) Fails to employ and designate a licensed supervisor for each underground storage tank project which is directly overseen by the tank services provider.

(9) A tank services provider who has a license suspended or revoked may reapply for a license after demonstrating to the department that the cause of the revocation has been resolved.

(10) In the event a tank services provider no longer employs a supervisor licensed to perform a particular tank service, the tank services provider must stop providing this service on any regulated underground storage tank system. Work involving this service shall not start until a supervisor licensed for the particular service is again employed by the provider and written notice of the hiring of a licensed supervisor is received by the department.

(11) Any tank services provider licensed by the department under the provisions of this chapter must:

(a) comply with WAC 173-360-600 through WAC 173-360-680;

(b) maintain a current address on file with the department; and

(c) Comply with all federal and state regulations and procedures when performing tank services.

(12)(a) A tank services provider or person performing a site assessment must complete a checklist for each activity performed. The service provider shall submit the checklist to the department within thirty (30) days following the completion of an underground storage tank installation, repair, retrofit, decommissioning, or site assessment, using a form provided by the department.

(b) The checklist must be signed by the owner or operator, an executive officer of the firm and, after January 1, 1991, except in the case of the person performing a site assessment, by the licensed tank services supervisor.

(c) In addition, the firm must submit an as-built site plan, showing the location of the completed tank system installations or retrofitted tank system, including adjacent structures, if present.

(13) A licensed tank services provider or person qualified to perform a site assessment, shall report to the department and the tank owner or operator, the existence of any confirmed release from an underground tank system that is a threat to human health and the environment. This report shall be provided to the tank owner or operator immediately and to the department within 72 hours of the discovery of the condition. If the owner or operator are not immediately available, the report should be made immediately to the department.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

#### [NEW SECTION]

WAC 173-360-640 TYPES OF LICENSES (1) The department will issue the following five separate licenses:

(a) Tank services provider;

(b) Supervision of tank installation and retrofitting;

(c) Supervision of tank decommissioning;

(d) Supervision of tightness testing; and

(e) Supervision of cathodic protection installation and testing.

(2) A tank services supervisor must pass an examination and obtain a license for each activity that person intends to supervise. A firm which obtains a tank services provider license may provide all authorized tank services.

(3) A license will be issued to firms and individuals who meet the qualification requirements of WAC 173-360-630 (a) and (b) or WAC 173-360-650(4), whichever is applicable.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

#### [NEW SECTION]

WAC 173-360-650 EXAMINATION AND LICENSING OF TANK SERVICES SUPERVISORS.

(1) After January 1, 1991, a licensed tank services supervisor shall be present on site at all times tank service activities are being carried out at a tank installation, retrofit, testing, or decommissioning project when project tasks are being performed, including, but not limited to;

(a) Preparing the excavation immediately prior to receiving backfill and placement of the tank into the excavation;

(b) Any movement of the tank vessel, including but not limited to transferring the vessel from the vehicle used to transport it to the project site;

(c) Setting the tank and its associated piping into the excavation, including placing any anchoring devices and strapping, if any, and backfilling to the level of the tank;

(d) Placing and connecting the piping system to the tank vessel;

(e) Installing cathodic protection systems;

(f) All pressure testing of the underground storage tank system, including associated piping, performed during the installation or retrofitting;

(g) Completing the backfill and filling of the installation;

(h) Evaluating preparation for and installing any tank lining system;

(i) Tank purging or inerting;

(j) Removing and disposing of the tank and tank contents from the cleaning and removal process.

(k) Removing flammable vapors from tanks;

(l) Excavating around tanks for removal;

(m) Field installation and operational testing of cathodic protection systems;

(n) Inspecting of existing tank and piping systems for corrosion;

(o) Tank or line tightness testing;

(p) Inspection of existing tanks for structural integrity;

(q) Inspection of existing tank and piping systems for the purpose of determining compliance with the Washington state underground storage tank regulations.

(2) If a licensed supervisor obtains knowledge, in the course of performing regulated activities, that a regulated tank has not been registered with the department, or is otherwise out of compliance with the requirements of this chapter, the supervisor shall inform the tank owner or operator of the notification requirement and any other applicable requirements.

(3) After January 1, 1991, only persons licensed by the department under this section may perform the duties of a tank services supervisor.

(4) To obtain a license from the department as a tank services supervisor, a person must take and pass a qualifying examination approved by the department.

(5) At least once prior to January 1, 1991, and twice every year thereafter, the department shall offer a qualifying examination for any person who wishes to become licensed to install, remove, test, retrofit, or inspect underground storage tank systems. Not less than thirty (30) days prior to offering an examination, the department shall prepare and make available to interested persons, a study guide which may include sample examination questions. The department shall develop and administer the qualifying examinations in a manner consistent with the objectives of this section

(6) An application for a supervisor examination and license must be submitted to the department on a form provided at least 45 days prior to the date of the qualifying examination.

(7) A tank services supervisor license is valid for a period not to exceed two years after the date of issue. Upon issuance of a supervisor's license, the department shall issue an identification card showing the license number and license expiration date to the successful applicant. The supervisor's license identification card shall be available for inspection at any project site supervised by the licensee.

(8) Renewals - License renewals must be applied for in the same manner as the original license, including completing and passing a qualifying examination.

(9) The department may suspend or revoke a supervisor's license for failure to comply with any state or federal law, regulation, or procedure pertaining to underground storage tanks.

(10) If a supervisor's license is revoked, that person may not apply for another supervisor license prior to ninety (90) days after the revocation date.

(11) The requirements of this section are in addition to and not in lieu of any other licensing and registration requirement imposed by other laws or regulations

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[NEW SECTION]**

**WAC 173-360-655 EXAMINATION AND LICENSING OF PERSONS WHO PERFORM INSPECTIONS.** After January 1, 1991, only persons who

have the appropriate supervisor license shall conduct underground storage tank system inspections for the purpose of determining compliance with the Washington state underground storage tank regulations. Persons wishing to obtain such a license must comply with the requirements of WAC 173-360-650.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[NEW SECTION]**

**WAC 173-360-660 STUDY GUIDE FEES** The department shall make examination study guides available to the public for a fee of \$10 for each set of study guides.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[NEW SECTION]**

**WAC 173-360-670 PENALTIES.** Any person or firm who violates this chapter is subject to a civil penalty not to exceed five thousand dollars for each tank per day of violation, pursuant to RCW 90.76.080(2).

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[NEW SECTION]**

**WAC 173-360-680 RECIPROCITY WITH OTHER STATES.** If the director or director's designee determines that a licensing program established by another state is essentially equivalent to the licensing program created by this chapter, and a person with a valid license from such a state applies to the department on a Washington state form, the department may issue a Washington license. This license will be valid until the earlier of the expiration date of the license issued by the previous state, or the expiration of the licensing period described in WAC 173-360-630 and WAC 173-360-650, whichever comes first. The license will become immediately invalid if revoked by the previous state, and may be revoked by the department as per WAC 173-360-650(8).

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 90-14-032**

**EMERGENCY RULES**

**DEPARTMENT OF REVENUE**

[Filed June 29, 1990, 9:52 a.m.]

Date of Adoption: June 29, 1990.

Purpose: To establish the stumpage values for reporting and payment of the timber excise tax.

Citation of Existing Rules Affected by this Order: Amending WAC 458-40-610, 458-40-636, 458-40-640, 458-40-660 and 458-40-670.

Statutory Authority for Adoption: RCW 84.33.096.

Other Authority: RCW 82.32.300.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Statute requires stumpage values be established and in effect by July 1, 1990.

Effective Date of Rule: Immediately.

June 29, 1990  
John B. Conklin  
Assistant Director  
Forest Tax

**AMENDATORY SECTION** (Amending Order 86-4, filed 12/31/86)

WAC 458-40-610 **TIMBER EXCISE TAX—DEFINITIONS.** Unless the context clearly requires otherwise, the definitions in this section apply to WAC 458-40-600 through 458-40-690.

(1) **Codominant trees.** Trees whose crowns form the general level of the crown cover and receive full light from above, but comparatively little light from the sides.

(2) **Competitive sales.** The offering for sale of timber which is advertised to the general public for sale at public auction under terms wherein all qualified potential buyers have an equal opportunity to bid on the sale, and the sale is awarded to the highest qualified bidder. The term "competitive sales" includes making available to the general public permits for the removal of forest products.

(3) **Department.** The department of revenue of the state of Washington.

(4) **Dominant trees.** Trees whose crowns are higher than the general level of the canopy and which receive full light from the sides as well as from above.

(5) **Harvest unit.** An area of timber harvest having the same forest excise tax permit number, stumpage value area, hauling distance zone, harvest adjustments, and harvester. It may include more than one section: **PROVIDED,** A harvest unit may not overlap a county boundary.

(6) **Hauling distance zone.** An area with specified boundaries as shown on the state-wide stumpage value area and hauling distance zone maps contained in WAC 458-40-640, having similar accessibility to timber markets.

(7) **Lump sum sale.** Also known as a cash sale or an installment sale, it is a sale of timber wherein the total sale price is dependent upon an estimate of the total volume of timber in the sale rather than the actual volume harvested.

(8) **MBF.** One thousand board feet measured in Scribner Decimal C Log Scale Rule.

(9) **Noncompetitive sales.** Sales of timber in which the purchaser has a preferential right to purchase the timber or a right of first refusal.

(10) **Other consideration.** Value given in lieu of cash as payment for stumpage, such as improvements to the land that (~~are required by contract by the seller and~~) are of a permanent nature. It may include, but is not

limited to, the construction of permanent roads and the installation of permanent bridges.

(11) **Permanent road.** A road built as part of the harvesting operation which is intended to have a useful life subsequent to the completion of the harvest.

(12) **Private timber.** All timber harvested from privately owned lands, including timber on reclassified reforestation land under chapters 84.28 and 84.33 RCW.

(13) **Public timber.** Timber harvested from federal, state, county, municipal, or other government owned lands.

(14) **Remote island.** An area of land which is totally surrounded by water at normal high tide and which has no bridge or causeway connecting it to the mainland.

(15) **Sale price.** The amount paid for timber in cash or other consideration.

(16) **Scale sale.** A sale of timber in which the sale price is the product of the actual volume harvested and the unit price at the time of harvest.

(17) **Species.** A grouping of timber based on biological or physical characteristics. In addition to the designations of species or subclassifications defined in Agriculture Handbook No. 451 Checklist of United States Trees (native and naturalized) found in the state of Washington, the following shall be considered separate species for the purpose of harvest classification used in the stumpage value tables:

(a) **Other conifer.** All conifers not separately designated in the stumpage value tables. See WAC 458-40-660.

(b) **Other hardwood.** All hardwoods not separately designated.

(c) **Conifer utility.** All conifer logs graded as utility.

(d) **Hardwood utility.** All hardwood logs graded as utility or number four sawmill as defined by the current edition of the "Official Log Scaling and Grading Rules" as developed and authored by the Northwest Log Rules Advisory Group.

(e) **Special forest products.** The following are considered to be separate species of special forest products: Christmas trees (various species), posts (various species), western redcedar flatsawn and shingle blocks, western redcedar shake blocks and boards.

(18) **Stumpage.** Standing or fallen trees, live or dead, having commercial value which have not been severed from the stump.

(19) **Stumpage value area (SVA).** An area with specified boundaries which contains timber having similar growing, harvesting and marketing conditions.

(20) **Thinning.** Timber removed from a harvest unit meeting all the following conditions:

(a) Located in Western Washington;

(b) The total volume removed is less than forty percent of the total merchantable volume of the harvest unit prior to harvest;

(c) Not more than forty percent of the total volume removed is from the dominant and codominant trees;

(d) The trees removed in the harvest operation shall be distributed over the entire harvest unit.

(21) **Timber.** Forest trees, standing or down, on privately or publicly owned land, and except as provided in RCW 84.33.170, includes Christmas trees.

**AMENDATORY SECTION** (Amending Order 86-4, filed 12/31/86)

**WAC 458-40-636 TIMBER EXCISE TAX—TAXABLE STUMPAGE VALUE—PUBLIC TIMBER.** The taxable stumpage value for public timber sales shall be determined as follows:

(1) Competitive sales. The taxable value shall be the actual purchase price in cash or other consideration. The taxable value of other consideration shall be the fair market value of the other consideration; provided that if the other consideration is permanent roads, the taxable value shall be the appraised value as appraised by the seller. If the seller does not provide an appraised value for roads, the taxable value shall be the actual costs incurred by the purchaser for constructing or improving the roads.

(2) Noncompetitive sales. The taxable value shall be determined using the department's stumpage value tables as set forth in this chapter.

(3) Sale of logs. The taxable value for public timber sold in the form of logs shall be the actual purchase price for the logs in cash or other consideration less appropriate deductions for costs of felling, bucking, and yarding the logs to the point of sale. Cost deductions shall be the actual costs when documented proof is available. In the absence of verifiable actual cost data, cost deductions shall be based on the costs as appraised by the seller, if available; or an estimate of such costs

based on the best available information from the sale of similar timber under similar harvesting conditions.

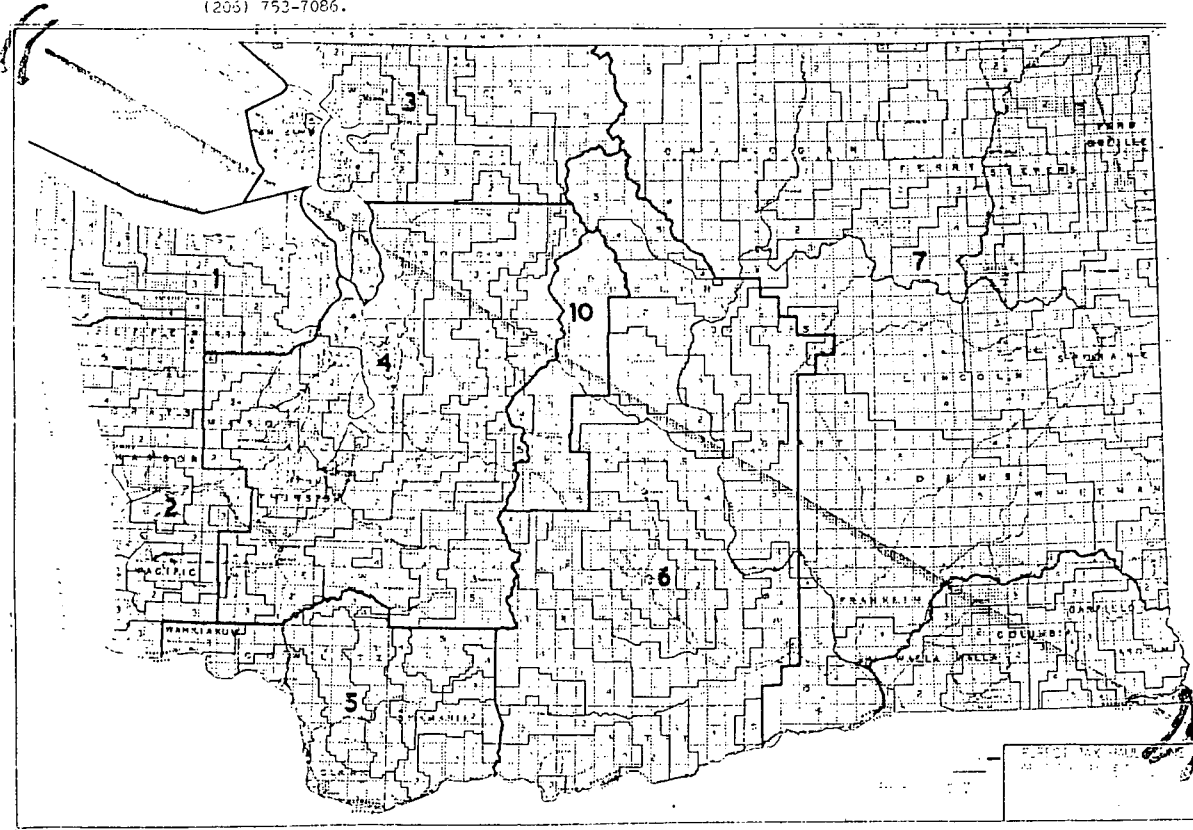
(4) Transitional sales. Sales in which the harvest began before July 1, 1984, and continued after that date. On such sales, the volume harvested prior to July 1, 1984, shall be taxed using the department's stumpage value tables as set forth in this chapter. For volume harvested on or after July 1, 1984, the taxable stumpage value shall be determined by actual payments for stumpage in cash or other consideration.

(5) Defaulted sales and uncompleted contracts. In the event of default on a public timber sale contract, wherein the taxpayer has made partial payment for the timber but has not removed timber, no tax shall be due. If part of the sale is logged and the purchaser fails to complete the harvesting, taxes shall be due on the amount the purchaser has been billed by the selling agency for the volume removed to date.

**AMENDATORY SECTION** (Amending Order 86-4, filed 12/31/86)

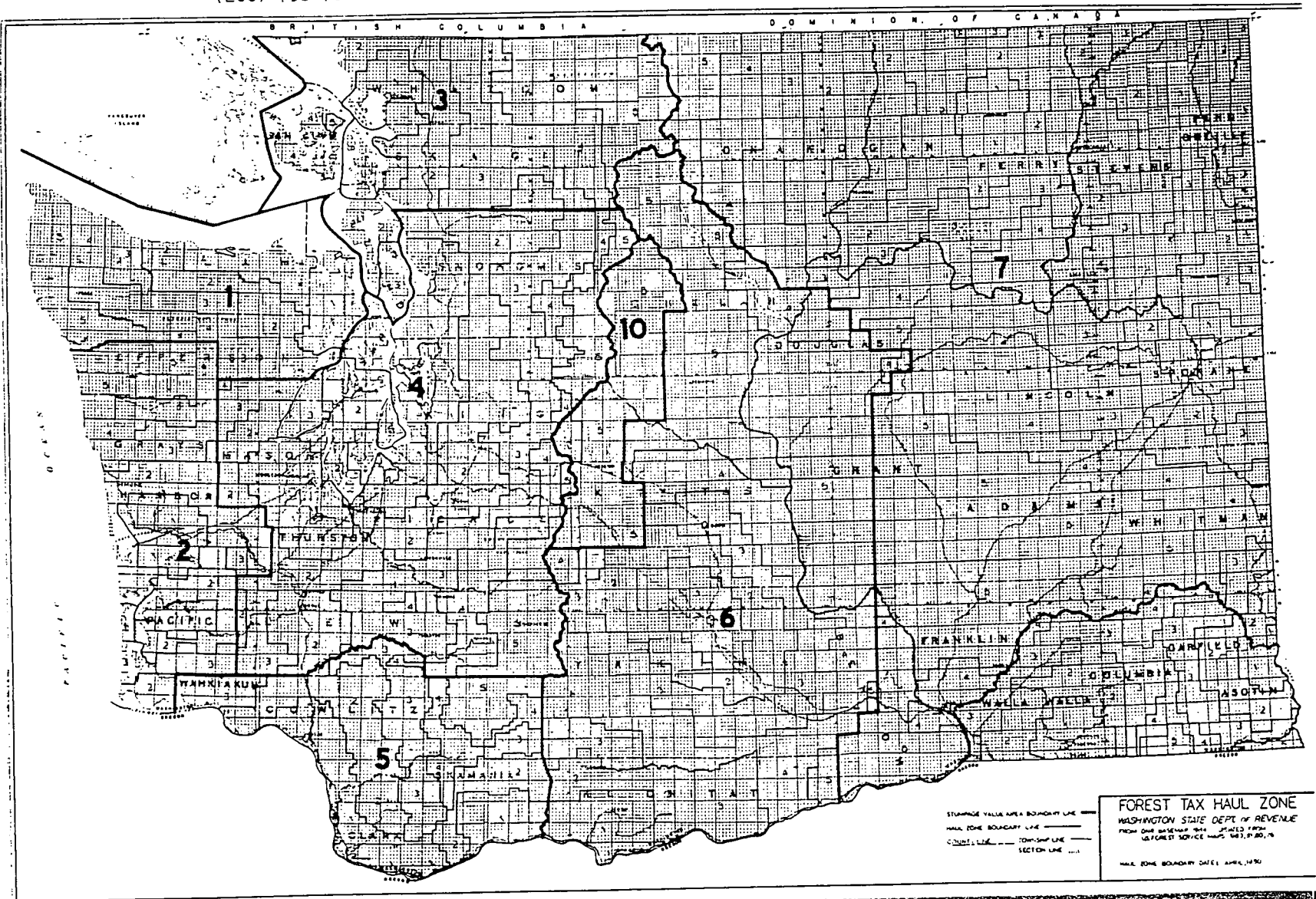
**WAC 458-40-640 TIMBER EXCISE TAX—STUMPAGE VALUE AREA (MAP).** The stumpage value area and hauling distance zone map contained in this section shall be used to determine the proper stumpage value table and haul zone to be used in calculating the taxable stumpage value of timber harvested from private land.

458-40-640. STUMPAGE VALUE AREA AND HAULING DISTANCE ZONE --MAP. Harvesters may obtain a larger scale map by writing to the Washington State Department of Revenue, Forest Tax Division, Mail Stop AX-02, Olympia WA 98504 or calling (206) 753-7086.





458-40-640. STUMPAGE VALUE AREA AND HAULING DISTANCE ZONE --MAP. Harvesters may obtain a larger scale map by writing to the Washington State Department of Revenue, Forest Tax Division, Mail Stop AX-02, Olympia WA 98504 or calling (206) 753-7086.





**AMENDATORY SECTION** (Amending WSR 90-02-049, filed 12/29/89, effective 1/29/90)

WAC 458-40-660 **TIMBER EXCISE TAX—STUMPAGE VALUE TABLES.** The following stumpage value tables are hereby adopted for use in reporting the taxable value of stumpage harvested during the period ((January)) July 1 through ((June 30)) December 31, 1990:

((TABLE 1—Stumpage Value Table  
Stumpage Value Area 1  
January 1 through June 30, 1990

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$730	\$723	\$716	\$709	\$702
		2	349	342	335	328	321
		3	345	338	331	324	317
		4	277	270	263	256	249
		5	261	254	247	240	233
		6	237	230	223	216	209
Western Redcedar <sup>2</sup>	RC	1	521	514	507	500	493
		2	500	493	486	479	472
		3	335	328	321	314	307
		4	313	306	299	292	285
Sitka Spruce	SS	1	543	536	529	522	515
		2	438	431	424	417	410
		3	283	276	269	262	255
		4	208	201	194	187	180
		5	193	186	179	172	165
		6	177	170	163	156	149
Western Hemlock <sup>3</sup>	WH	1	437	430	423	416	409
		2	325	318	311	304	297
		3	263	256	249	242	235
		4	239	232	225	218	211
		5	217	210	203	196	189
		6	157	150	143	136	129
Other Conifer	OC	1	437	430	423	416	409
		2	325	318	311	304	297
		3	263	256	249	242	235
		4	239	232	225	218	211
		5	217	210	203	196	189
		6	157	150	143	136	129
Red Alder	RA	1	121	114	107	100	93
Black Cottonwood	BC	1	76	69	62	55	48
Other Hardwood	OH	1	82	75	68	61	54
Hardwood Utility	HU	5	27	27	27	27	27
Conifer Utility	CU	5	21	21	21	21	21

TABLE 1—Stumpage Value Table  
Stumpage Value Area 1  
July 1 through December 31, 1990

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$847	\$840	\$833	\$826	\$819
		2	422	415	408	401	394
		3	385	378	371	364	357

TABLE 1—  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
		4	320	313	306	299	292
		5	270	263	256	249	242
		6	130	123	116	109	102
Western Redcedar <sup>2</sup>	RC	1	724	717	710	703	696
		2	567	560	553	546	539
		3	375	368	361	354	347
		4	307	300	293	286	279
Sitka Spruce	SS	1	552	545	538	531	524
		2	469	462	455	448	441
		3	302	295	288	281	274
		4	262	255	248	241	234
		5	258	251	244	237	230
		6	102	95	88	81	74
Western Hemlock <sup>3</sup>	WH	1	475	468	461	454	447
		2	421	414	407	400	393
		3	320	313	306	299	292
		4	306	299	292	285	278
		5	206	199	192	185	178
		6	104	97	90	83	76
Other Conifer	OC	1	475	468	461	454	447
		2	421	414	407	400	393
		3	320	313	306	299	292
		4	306	299	292	285	278
		5	206	199	192	185	178
		6	104	97	90	83	76
Red Alder	RA	1	121	114	107	100	93
Black Cottonwood	BC	1	55	48	41	34	27
Other Hardwood	OH	1	85	78	71	64	57
Hardwood Utility	HU	5	55	48	41	34	27
Conifer Utility	CU	5	67	60	53	46	39

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Alaska-Cedar.

<sup>3</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

((TABLE 2—Stumpage Value Table  
Stumpage Value Area 1  
January 1 through June 30, 1990

**WESTERN WASHINGTON SPECIAL FOREST PRODUCTS**  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards	RCS	1	\$370	\$363	\$356	\$349	\$342
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	157	150	143	136	129
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.59	0.59	0.59	0.59	0.59
Douglas-Fir Christmas Trees	DFX	1	0.25	0.25	0.25	0.25	0.25

**TABLE 2—**  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality		Hauling Distance Zone Number				
		Code	Number	1	2	3	4	5
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50	0.50

**TABLE 2—Stumpage Value Table**  
Stumpage Value Area 1  
July 1 through December 31, 1990

**WESTERN WASHINGTON SPECIAL FOREST PRODUCTS**  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality		Hauling Distance Zone Number				
		Code	Number	1	2	3	4	5
Western Redcedar Shake Blocks & Boards <sup>1</sup>	RCS	1	\$438	\$431	\$424	\$417	\$410	

Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	161	154	147	140	133	
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Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.48	0.48	0.48	0.48	0.48	
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Douglas-Fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25	
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True Fir & Other Christmas Trees	TFX	1	0.50	0.50	0.50	0.50	0.50	
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<sup>1</sup> Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>3</sup> Stumpage value per lineal foot.

**TABLE 3—Stumpage Value Table**  
Stumpage Value Area 2  
January 1 through June 30, 1990

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality		Hauling Distance Zone Number				
		Code	Number	1	2	3	4	5
Douglas-Fir	DF	1	\$724	\$717	\$710	\$703	\$696	
		2	514	507	500	493	486	
		3	303	296	289	282	275	
		4	263	256	249	242	235	
		5	223	216	209	202	195	
		6	206	199	192	185	178	
Western Redcedar <sup>2</sup>	RC	1	687	680	673	666	659	
		2	635	628	621	614	607	
		3	331	324	317	310	303	
		4	256	249	242	235	228	
Sitka Spruce	SS	1	550	543	536	529	522	
		2	415	408	401	394	387	
		3	278	271	264	257	250	
		4	245	238	231	224	217	
		5	237	230	223	216	209	
		6	206	199	192	185	178	

**TABLE 3—**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality		Hauling Distance Zone Number				
		Code	Number	1	2	3	4	5
Western Hemlock <sup>3</sup>	WH	1	454	447	440	433	426	
		2	356	349	342	335	328	
		3	234	227	220	213	206	
		4	229	222	215	208	201	
		5	171	164	157	150	143	
		6	151	144	137	130	123	
Other Conifer	OC	1	454	447	440	433	426	
		2	356	349	342	335	328	
		3	234	227	220	213	206	
		4	229	222	215	208	201	
		5	171	164	157	150	143	
		6	151	144	137	130	123	
Red Alder	RA	1	102	95	88	81	74	
Black Cottonwood	BC	1	76	69	62	55	48	
Other Hardwood	OH	1	82	75	68	61	54	
Hardwood Utility	HU	5	27	27	27	27	27	
Conifer Utility	CU	5	37	37	37	37	37	

**TABLE 3—Stumpage Value Table**  
Stumpage Value Area 2  
July 1 through December 31, 1990

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality		Hauling Distance Zone Number				
		Code	Number	1	2	3	4	5
Douglas-Fir	DF	1	\$684	\$677	\$670	\$663	\$656	
		2	553	546	539	532	525	
		3	365	358	351	344	337	
		4	309	302	295	288	281	
		5	274	267	260	253	246	
		6	192	185	178	171	164	
Western Redcedar <sup>2</sup>	RC	1	680	673	666	659	652	
		2	653	646	639	632	625	
		3	347	340	333	326	319	
		4	331	324	317	310	303	
Sitka Spruce	SS	1	611	604	597	590	583	
		2	548	541	534	527	520	
		3	294	287	280	273	266	
		4	262	255	248	241	234	
		5	202	195	188	181	174	
		6	103	96	89	82	75	
Western Hemlock <sup>3</sup>	WH	1	538	531	524	517	510	
		2	403	396	389	382	375	
		3	302	295	288	281	274	
		4	289	282	275	268	261	
		5	255	248	241	234	227	
		6	113	106	99	92	85	
Other Conifer	OC	1	538	531	524	517	510	
		2	403	396	389	382	375	
		3	302	295	288	281	274	
		4	289	282	275	268	261	
		5	255	248	241	234	227	
		6	113	106	99	92	85	
Red Alder	RA	1	115	108	101	94	87	
Black Cottonwood	BC	1	55	48	41	34	27	
Other Hardwood	OH	1	85	78	71	64	57	
Hardwood Utility	HU	5	55	48	41	34	27	

**TABLE 3—**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Conifer Utility	CU	5	67	60	53	46	39

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Includes Alaska-Cedar.  
<sup>3</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

((TABLE 4—Stumpage Value Table  
Stumpage Value Area 2  
January 1 through June 30, 1990

**WESTERN WASHINGTON SPECIAL FOREST PRODUCTS**  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards <sup>1</sup>	RCS	1	\$370	\$363	\$356	\$349	\$342
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	157	150	143	136	129
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.59	0.59	0.59	0.59	0.59
Douglas-Fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

**TABLE 4—Stumpage Value Table**  
Stumpage Value Area 2  
July 1 through December 31, 1990

**WESTERN WASHINGTON SPECIAL FOREST PRODUCTS**  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards <sup>1</sup>	RCS	1	\$438	\$431	\$424	\$417	\$410
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	161	154	147	140	133
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.48	0.48	0.48	0.48	0.48
Douglas-Fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

**TABLE 4—**  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>3</sup> Stumpage value per lineal foot.

((TABLE 5—Stumpage Value Table  
Stumpage Value Area 3  
January 1 through June 30, 1990

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$629	\$622	\$615	\$608	\$601
		2	410	403	396	389	382
		3	355	348	341	334	327
		4	298	291	284	277	270
		5	291	284	277	270	263
		6	164	157	150	143	136
Western Redcedar <sup>3</sup>	RC	1	584	577	570	563	556
		2	384	377	370	363	356
		3	333	326	319	312	305
		4	288	281	274	267	260
Western Hemlock <sup>4</sup>	WH	1	446	439	432	425	418
		2	368	361	354	347	340
		3	267	260	253	246	239
		4	258	251	244	237	230
		5	239	232	225	218	211
		6	157	150	143	136	129
Other Conifer	OC	1	446	439	432	425	418
		2	368	361	354	347	340
		3	267	260	253	246	239
		4	258	251	244	237	230
		5	239	232	225	218	211
		6	157	150	143	136	129
Red Alder	RA	1	79	72	65	58	51
Black Cottonwood	BC	1	76	69	62	55	48
Other Hardwood	OH	1	82	75	68	61	54
Hardwood Utility	HU	5	27	27	27	27	27
Conifer Utility	CU	5	15	15	15	15	15

**TABLE 5—Stumpage Value Table**  
Stumpage Value Area 3  
July 1 through December 31, 1990

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$550	\$543	\$536	\$529	\$522
		2	494	487	480	473	466
		3	408	401	394	387	380
		4	326	319	312	305	298

TABLE 5—

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
		5	292	285	278	271	264
		6	179	172	165	158	151
Western Redcedar <sup>3</sup>	RC	1	695	688	681	674	667
		2	428	421	414	407	400
		3	357	350	343	336	329
		4	347	340	333	326	319
Western Hemlock <sup>4</sup>	WH	1	517	510	503	496	489
		2	369	362	355	348	341
		3	342	335	328	321	314
		4	283	276	269	262	255
		5	266	259	252	245	238
		6	251	244	237	230	223
Other Conifer	OC	1	517	510	503	496	489
		2	369	362	355	348	341
		3	342	335	328	321	314
		4	283	276	269	262	255
		5	266	259	252	245	238
		6	251	244	237	230	223
Red Alder	RA	1	106	99	92	85	78
Black Cottonwood	BC	1	55	48	41	34	27
Other Hardwood	OH	1	85	78	71	64	57
Hardwood Utility	HU	5	55	48	41	34	27
Conifer Utility	CU	5	67	60	53	46	39

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Western Larch.

<sup>3</sup> Includes Alaska-Cedar.

<sup>4</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

((TABLE 6—Stumpage Value Table  
Stumpage Value Area 3  
January 1 through June 30, 1990

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar— Shake Blocks & Boards <sup>1</sup>	RCS	1	\$370	\$363	\$356	\$349	\$342
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	157	150	143	136	129
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.59	0.59	0.59	0.59	0.59
Douglas-Fir Christ- mas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

TABLE 6—Stumpage Value Table  
Stumpage Value Area 3  
July 1 through December 31, 1990

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar— Shake Blocks & Boards <sup>1</sup>	RCS	1	\$438	\$431	\$424	\$417	\$410
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	161	154	147	140	133
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.48	0.48	0.48	0.48	0.48
Douglas-Fir Christ- mas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>3</sup> Stumpage value per lineal foot.

((TABLE 7—Stumpage Value Table  
Stumpage Value Area 4  
January 1 through June 30, 1990

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$630	\$623	\$616	\$609	\$602
		2	419	412	405	398	391
		3	325	318	311	304	297
		4	250	243	236	229	222
		5	196	189	182	175	168
		6	144	137	130	123	116
Western Redcedar <sup>3</sup>	RC	1	414	407	400	393	386
		2	312	305	298	291	284
		3	293	286	279	272	265
		4	291	284	277	270	263
Western Hemlock <sup>4</sup>	WH	1	424	417	410	403	396
		2	332	325	318	311	304
		3	256	249	242	235	228
		4	248	241	234	227	220
		5	191	184	177	170	163
		6	120	113	106	99	92
Other Conifer	OC	1	424	417	410	403	396
		2	332	325	318	311	304
		3	256	249	242	235	228
		4	248	241	234	227	220
		5	191	184	177	170	163
		6	120	113	106	99	92
Red Alder	RA	1	92	85	78	71	64
Black Cottonwood	BC	1	76	69	62	55	48
Other Hardwood	OH	1	82	75	68	61	54
Hardwood Utility	HU	5	27	27	27	27	27

**TABLE 7—**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality		Hauling Distance Zone Number				
		Code	Number	1	2	3	4	5
Conifer Utility	CU	5		20	20	20	20	20

**TABLE 7—Stumpage Value Table**  
Stumpage Value Area 4  
July 1 through December 31, 1990

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Quality Code	Number	Hauling Distance Zone Number				
				1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1		\$708	\$701	\$694	\$687	\$680
		2		519	512	505	498	491
		3		374	367	360	353	346
		4		310	303	296	289	282
		5		250	243	236	229	222
		6		218	211	204	197	190
Western Redcedar <sup>3</sup>	RC	1		406	399	392	385	378
		2		377	370	363	356	349
		3		352	345	338	331	324
		4		318	311	304	297	290
Western Hemlock <sup>4</sup>	WH	1		492	485	478	471	464
		2		388	381	374	367	360
		3		382	375	368	361	354
		4		283	276	269	262	255
		5		276	269	262	255	248
		6		224	217	210	203	196
Other Conifer	OC	1		492	485	478	471	464
		2		388	381	374	367	360
		3		382	375	368	361	354
		4		283	276	269	262	255
		5		276	269	262	255	248
		6		224	217	210	203	196
Red Alder	RA	1		115	108	101	94	87
Black Cottonwood	BC	1		55	48	41	34	27
Other Hardwood	OH	1		85	78	71	64	57
Hardwood Utility	HU	5		55	48	41	34	27
Conifer Utility	CU	5		67	60	53	46	39

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Western Larch.

<sup>3</sup> Includes Alaska-Cedar.

<sup>4</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**TABLE 8—Stumpage Value Table**  
Stumpage Value Area 4  
January 1 through June 30, 1990

**WESTERN WASHINGTON SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality		Hauling Distance Zone Number				
		Code	Number	1	2	3	4	5
Western Redcedar Shake Blocks & Boards <sup>1</sup>	RCS	1		\$370	\$363	\$356	\$349	\$342

**TABLE 8—**  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality		Hauling Distance Zone Number				
		Code	Number	1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1		157	150	143	136	129
Western Redcedar & Other Posts <sup>2</sup>	RCP	1		0.59	0.59	0.59	0.59	0.59
Douglas-Fir Christmas Trees <sup>3</sup>	DFX	1		0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1		0.50	0.50	0.50	0.50	0.50

**TABLE 8—Stumpage Value Table**  
Stumpage Value Area 4  
July 1 through December 31, 1990

**WESTERN WASHINGTON SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality		Hauling Distance Zone Number				
		Code	Number	1	2	3	4	5
Western Redcedar Shake Blocks & Boards <sup>1</sup>	RCS	1		\$438	\$431	\$424	\$417	\$410
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1		161	154	147	140	133
Western Redcedar & Other Posts <sup>2</sup>	RCP	1		0.48	0.48	0.48	0.48	0.48
Douglas-Fir Christmas Trees <sup>3</sup>	DFX	1		0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1		0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>3</sup> Stumpage value per lineal foot.

**TABLE 9—Stumpage Value Table**  
Stumpage Value Area 5  
January 1 through June 30, 1990

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality		Hauling Distance Zone Number				
		Code	Number	1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1		\$606	\$599	\$592	\$585	\$578
		2		464	457	450	443	436
		3		336	329	322	315	308
		4		217	210	203	196	189
		5		182	175	168	161	154
		6		170	163	156	149	142

**TABLE 9**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar <sup>3</sup>	RC	1	638	631	624	617	610
		2	610	603	596	589	582
		3	503	496	489	482	475
		4	275	268	261	254	247
Western Hemlock <sup>4</sup>	WH	1	423	416	409	402	395
		2	326	319	312	305	298
		3	282	275	268	261	254
		4	240	233	226	219	212
		5	177	170	163	156	149
		6	134	127	120	113	106
Other Conifer	OC	1	423	416	409	402	395
		2	326	319	312	305	298
		3	282	275	268	261	254
		4	240	233	226	219	212
		5	177	170	163	156	149
		6	134	127	120	113	106
Red Alder	RA	1	113	106	99	92	85
Black Cottonwood	BC	1	76	69	62	55	48
Other Hardwood	OH	1	82	75	68	61	54
Hardwood Utility	HU	5	27	27	27	27	27
Conifer Utility	CU	5	21	21	21	21	21

**TABLE 9—Stumpage Value Table  
Stumpage Value Area 5  
July 1 through December 31, 1990**

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$763	\$756	\$749	\$742	\$735
		2	549	542	535	528	521
		3	440	433	426	419	412
		4	266	259	252	245	238
		5	235	228	221	214	207
		6	205	198	191	184	177
Western Redcedar <sup>3</sup>	RC	1	695	688	681	674	667
		2	551	544	537	530	523
		3	425	418	411	404	397
		4	258	251	244	237	230
Western Hemlock <sup>4</sup>	WH	1	517	510	503	496	489
		2	400	393	386	379	372
		3	368	361	354	347	340
		4	297	290	283	276	269
		5	290	283	276	269	262
		6	271	264	257	250	243
Other Conifer	OC	1	517	510	503	496	489
		2	400	393	386	379	372
		3	368	361	354	347	340
		4	297	290	283	276	269
		5	290	283	276	269	262
		6	271	264	257	250	243
Red Alder	RA	1	128	121	114	107	100
Black Cottonwood	BC	1	55	48	41	34	27
Other Hardwood	OH	1	85	78	71	64	57
Hardwood Utility	HU	5	55	48	41	34	27
Conifer Utility	CU	5	67	60	53	46	39

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Includes Western Larch.  
<sup>3</sup> Includes Alaska-Cedar.  
<sup>4</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**((TABLE 10—Stumpage Value Table  
Stumpage Value Area 5  
January 1 through June 30, 1990**

**WESTERN WASHINGTON SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards <sup>1</sup>	RCS	1	\$370	\$363	\$356	\$349	\$342
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	157	150	143	136	129
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.59	0.59	0.59	0.59	0.59
Douglas-Fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

**TABLE 10—Stumpage Value Table  
Stumpage Value Area 5  
July 1 through December 31, 1990**

**WESTERN WASHINGTON SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards <sup>1</sup>	RCS	1	\$438	\$431	\$424	\$417	\$410
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	161	154	147	140	133
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.48	0.48	0.48	0.48	0.48
Douglas-Fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>3</sup> Stumpage value per lineal foot.

((TABLE 11—Stumpage Value Table  
Stumpage Value Area 6  
January 1 through June 30, 1990

**EASTERN WASHINGTON MERCHANTABLE SAWTIMBER**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$156	\$150	\$144	\$138	\$132
Engelmann Spruce	ES	1	118	112	106	100	94
Lodgepole Pine	LP	1	143	137	131	125	119
Ponderosa Pine	PP	1	367	361	355	349	343
		2	161	155	149	143	137
Western Redcedar <sup>3</sup>	RC	1	160	154	148	142	136
True Firs <sup>4</sup>	WH	1	163	157	151	145	139
Western White Pine	WP	1	110	104	98	92	86
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	8	8	8	8	8

TABLE 11—Stumpage Value Table  
Stumpage Value Area 6  
July 1 through December 31, 1990

**EASTERN WASHINGTON MERCHANTABLE SAWTIMBER**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$217	\$211	\$205	\$199	\$193
Engelmann Spruce	ES	1	144	138	132	126	120
Lodgepole Pine	LP	1	92	86	80	74	68
Ponderosa Pine	PP	1	371	365	359	353	347
		2	237	231	225	219	213
Western Redcedar <sup>3</sup>	RC	1	209	203	197	191	185
True Firs <sup>4</sup>	WH	1	208	202	196	190	184
Western White Pine	WP	1	176	170	164	158	152
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	36	30	24	18	12

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Includes Western Larch.  
<sup>3</sup> Includes Alaska-Cedar.  
<sup>4</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

((TABLE 12—Stumpage Value Table  
Stumpage Value Area 6  
January 1 through June 30, 1990

**EASTERN WASHINGTON SPECIAL FOREST PRODUCTS**  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	\$150	\$144	\$138	\$132	\$126
Lodgepole Pine & Other Posts <sup>2</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees <sup>3</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir & Other Christmas Trees <sup>4</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

TABLE 12—Stumpage Value Table  
Stumpage Value Area 6  
July 1 through December 31, 1990

**EASTERN WASHINGTON SPECIAL FOREST PRODUCTS**  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	\$150	\$144	\$138	\$132	\$126
Lodgepole Pine & Other Posts <sup>2</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees <sup>3</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir & Other Christmas Trees <sup>4</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

<sup>1</sup> Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>3</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.  
<sup>4</sup> Stumpage value per lineal foot.

((TABLE 13—Stumpage Value Table  
Stumpage Value Area 7  
January 1 through June 30, 1990

**EASTERN WASHINGTON MERCHANTABLE SAWTIMBER**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$136	\$130	\$124	\$118	\$112
Engelmann Spruce	ES	1	94	88	82	76	70

**TABLE 13**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Lodgepole Pine	LP	1	91	85	79	73	67
Ponderosa Pine	PP	1	265	259	253	247	241
		2	146	140	134	128	122
Western Redcedar <sup>3</sup>	RC	1	170	164	158	152	146
True Firs <sup>4</sup>	WH	1	113	107	101	95	89
Western White Pine	WP	1	203	197	191	185	179
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	2	2	2	2	2

**TABLE 13—Stumpage Value Table**  
Stumpage Value Area 7  
July 1 through December 31, 1990

**EASTERN WASHINGTON MERCHANTABLE SAWTIMBER**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$154	\$148	\$142	\$136	\$130
Engelmann Spruce	ES	1	113	107	101	95	89
Lodgepole Pine	LP	1	100	94	88	82	76
Ponderosa Pine	PP	1	286	280	274	268	262
		2	171	165	159	153	147
Western Redcedar <sup>3</sup>	RC	1	177	171	165	159	153
True Firs <sup>4</sup>	WH	1	134	128	122	116	110
Western White Pine	WP	1	222	216	210	204	198
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	13	7	1	1	1

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Western Larch.

<sup>3</sup> Includes Alaska-Cedar.

<sup>4</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**TABLE 14—Stumpage Value Table**  
Stumpage Value Area 7  
January 1 through June 30, 1990

**EASTERN WASHINGTON SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks	RCF	1	\$150	\$144	\$138	\$132	\$126
Lodgepole Pine & Other Posts <sup>2</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35

**TABLE 14**  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Pine Christmas Trees <sup>3</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir & Other Christmas Trees <sup>4</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

**TABLE 14—Stumpage Value Table**  
Stumpage Value Area 7  
July 1 through December 31, 1990

**EASTERN WASHINGTON SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	\$150	\$144	\$138	\$132	\$126
Lodgepole Pine & Other Posts <sup>2</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees <sup>3</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir & Other Christmas Trees <sup>4</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

<sup>1</sup> Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>3</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

<sup>4</sup> Stumpage value per lineal foot.

**TABLE 15—Stumpage Value Table**  
Stumpage Value Area 10  
January 1 through June 30, 1990

**EASTERN WASHINGTON MERCHANTABLE SAWTIMBER**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$328	\$322	\$316	\$310	\$304
		2	187	181	175	169	163
		3	116	110	104	98	92
Engelmann Spruce	ES	1	204	198	192	186	180
		2	169	163	157	151	145
		3	134	128	122	116	110
Lodgepole Pine	LP	1	147	141	135	129	123
		2	142	136	130	124	118
		3	137	131	125	119	113
Ponderosa Pine	PP	1	423	417	411	405	399
		2	145	139	133	127	121
		3	137	131	125	119	113



**TABLE 15—**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar <sup>2</sup>	RC	1	322	316	310	304	298
		2	243	237	231	225	219
		3	165	159	153	147	141
True Firs <sup>4</sup>	WH	1	255	249	243	237	231
		2	208	202	196	190	184
		3	154	148	142	136	130
Western White Pine	WP	1	224	218	212	206	200
		2	169	163	157	151	145
		3	138	132	126	120	114
Hardwoods	OH	1	61	55	49	43	37
Utility	CU	5	6	6	6	6	6

**TABLE 15—Stumpage Value Table**  
Stumpage Value Area 10  
July 1 through December 31, 1990

**EASTERN WASHINGTON MERCHANTABLE SAWTIMBER**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$398	\$392	\$386	\$380	\$374
		2	309	303	297	291	285
		3	219	213	207	201	195
Engelmann Spruce	ES	1	254	248	242	236	230
		2	222	216	210	204	198
		3	190	184	178	172	166
Lodgepole Pine	LP	1	204	198	192	186	180
		2	199	193	187	181	175
		3	194	188	182	176	170
Ponderosa Pine	PP	1	453	447	441	435	429
		2	421	415	409	403	397
		3	209	203	197	191	185
Western Redcedar <sup>3</sup>	RC	1	386	380	374	368	362
		2	237	231	225	219	213
		3	207	201	195	189	183
True Firs <sup>4</sup>	WH	1	255	249	243	237	231
		2	208	202	196	190	184
		3	154	148	142	136	130
Western White Pine	WP	1	325	319	313	307	301
		2	270	264	258	252	246
		3	239	233	227	221	215
Hardwoods	OH	1	61	55	49	43	37
Utility	CU	5	54	48	42	36	30

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Western Larch.

<sup>3</sup> Includes Alaska-Cedar.

<sup>4</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**((TABLE 16—Stumpage Value Table**  
Stumpage Value Area 10  
January 1 through June 30, 1990

**EASTERN WASHINGTON SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks	RCF	1	\$150	\$144	\$138	\$132	\$126
		1	0.35	0.35	0.35	0.35	0.35
Lodgepole Pine & Other Posts <sup>2</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees <sup>3</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir & Other Christmas Trees <sup>4</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

**TABLE 16—Stumpage Value Table**  
Stumpage Value Area 10  
July 1 through December 31, 1990

**EASTERN WASHINGTON SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	\$150	\$144	\$138	\$132	\$126
		1	0.35	0.35	0.35	0.35	0.35
Lodgepole Pine & Other Posts <sup>2</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees <sup>3</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir & Other Christmas Trees <sup>4</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

<sup>1</sup> Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>3</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

<sup>4</sup> Stumpage value per lineal foot.

**AMENDATORY SECTION (Amending WSR 90-02-049, filed 12/29/89, effective 1/29/90)**

**WAC 458-40-670 TIMBER EXCISE TAX—STUMPAGE VALUE ADJUSTMENTS.** Harvest value adjustments relating to the various logging and harvest conditions shall be allowed against the stumpage values as set forth in WAC 458-40-660 for the designated stumpage value areas with the following limitations:

(1) No harvest adjustment shall be allowed against ((conifer utility, hardwood utility, or any of the)) special forest products.

(2) Stumpage value rates for conifer and hardwoods shall be adjusted to a value no lower than one dollar per MBF.

(3) Timber harvesters planning to remove timber from areas having damaged timber may apply to the department for adjustment in stumpage values. Such applications should contain a map with the legal descriptions of the area, a description of the damage sustained by the timber, and a list of estimated costs to be incurred. Such applications shall be sent to the department before the harvest commences. Upon receipt of such application, the department will determine the amount of adjustment allowed, and notify the harvester. Such amount may be taken as a credit against tax liabilities or, if harvest is terminated, a refund may be authorized. In the event the extent of such timber damage or additional costs are not known at the time the application is filed, the harvester may supplement the application not later than ninety days following completion of the harvest unit.

The following harvest adjustment tables are hereby adopted for use during the period of ~~((January))~~ July 1 through ~~((June 30))~~ December 31, 1990:

**TABLE 1—Harvest Adjustment Table**  
**Stumpage Value Areas 1, 2, 3, 4, and 5**  
~~((January))~~ July 1 through ~~((June 30))~~ December 31, 1990

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
<b>I. Volume per acre</b>		
Class 1	Harvest of more than 40 thousand board feet per acre.	\$0.00
Class 2	Harvest of 20 thousand board feet to 40 thousand board feet per acre.	– \$4.00
Class 3	Harvest of 10 thousand board feet to but not including 20 thousand board feet per acre.	– \$7.00
Class 4	Harvest of 5 thousand board feet to but not including 10 thousand board feet per acre.	– \$9.00
Class 5	Harvest of less than 5 thousand board feet per acre.	– \$10.00
<b>II. Logging conditions</b>		
Class 1	Favorable logging conditions and easy road construction. No significant rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	<del>((–\$22.00))</del> – \$23.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	<del>((–\$35.00))</del> – \$34.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	<del>((–\$84.00))</del> – \$81.00

**TABLE 1—cont.**

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
<b>III. Remote island adjustment:</b>		
	For timber harvested from a remote island	– \$50.00
<b>IV. Thinning (see WAC 458-40-610(20))</b>		
Class 1	Average log volume of 50 board feet or more.	– \$25.00
Class 2	Average log volume of less than 50 board feet.	– \$35.00

**TABLE 2—Harvest Adjustment Table**  
**Stumpage Value Areas 6, 7, and 10**  
~~((January))~~ July 1 through ~~((June 30))~~ December 31, 1990

**EASTERN WASHINGTON MERCHANTABLE SAWTIMBER**

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
<b>I. Volume per acre</b>		
Class 1	Harvest of more than 8 thousand board feet per acre.	\$0.00
Class 2	Harvest of 3 thousand board feet to 8 thousand board feet per acre.	– \$7.00
Class 3	Harvest of less than 3 thousand board feet per acre.	– \$10.00
<b>II. Logging conditions</b>		
Class 1	Favorable logging conditions and easy road construction. No significant rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	<del>((–\$22.00))</del> – \$28.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	<del>((–\$35.00))</del> – \$39.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	<del>((–\$84.00))</del> – \$86.00
<b>III. Remote island adjustment:</b>		
	For timber harvested from a remote island	– \$50.00

**Table 3—Domestic Market Adjustment**

Harvest of timber not sold by a competitive bidding process which is prohibited under the authority of state or federal law from foreign export may be eligible for the domestic market adjustment. The adjustment may be applied only to those species of timber which must be processed domestically. According to type of sale, the adjustment may be applied to the following species:

Federal Timber Sales: All species except Alaska yellow cedar. (Stat. Ref. – 36 CFR 223.10)

State Timber Sales: Western red cedar only. (Stat. Ref. – 50 USC appendix 2406.1)

The adjustment amounts shall be as follows:

Class 1:	All eligible species in Western Washington (SVA's 1 through 5)	<del>(-\$63.00)</del> - \$32.00 per MBF
Class 2:	All eligible species in Eastern Washington (SVA's 6, 7, and 10)	<del>(-\$17.00)</del> - \$19.00 per MBF

Note: The adjustment will not be allowed on (~~conifer utility, hardwood utility or~~) special forest products.

**WSR 90-14-033**  
**PERMANENT RULES**  
**DEPARTMENT OF REVENUE**

[Filed June 29, 1990, 9:53 a.m.]

Date of Adoption: June 29, 1990.

Purpose: To establish the stumpage values for reporting and payment of the timber excise tax.

Citation of Existing Rules Affected by this Order:  
Amending WAC 458-40-610, 458-40-636, 458-40-640, 458-40-660 and 458-40-670.

Statutory Authority for Adoption: RCW 84.33.096.

Other Authority: RCW 82.32.300.

Pursuant to notice filed as WSR 90-10-079 on May 2, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 29, 1990

John B. Conklin  
Assistant Director  
Forest Tax

**AMENDATORY SECTION** (Amending Order 86-4, filed 12/31/86)

WAC 458-40-610 TIMBER EXCISE TAX—  
DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply to WAC 458-40-600 through 458-40-690.

(1) Codominant trees. Trees whose crowns form the general level of the crown cover and receive full light from above, but comparatively little light from the sides.

(2) Competitive sales. The offering for sale of timber which is advertised to the general public for sale at public auction under terms wherein all qualified potential buyers have an equal opportunity to bid on the sale, and the sale is awarded to the highest qualified bidder. The term "competitive sales" includes making available to the general public permits for the removal of forest products.

(3) Department. The department of revenue of the state of Washington.

(4) Dominant trees. Trees whose crowns are higher than the general level of the canopy and which receive full light from the sides as well as from above.

(5) Harvest unit. An area of timber harvest having the same forest excise tax permit number, stumpage value area, hauling distance zone, harvest adjustments, and harvester. It may include more than one section: PROVIDED, A harvest unit may not overlap a county boundary.

(6) Hauling distance zone. An area with specified boundaries as shown on the state-wide stumpage value

area and hauling distance zone maps contained in WAC 458-40-640, having similar accessibility to timber markets.

(7) Lump sum sale. Also known as a cash sale or an installment sale, it is a sale of timber wherein the total sale price is dependent upon an estimate of the total volume of timber in the sale rather than the actual volume harvested.

(8) MBF. One thousand board feet measured in Scribner Decimal C Log Scale Rule.

(9) Noncompetitive sales. Sales of timber in which the purchaser has a preferential right to purchase the timber or a right of first refusal.

(10) Other consideration. Value given in lieu of cash as payment for stumpage, such as improvements to the land that (~~are required by contract by the seller and~~) are of a permanent nature. It may include, but is not limited to, the construction of permanent roads and the installation of permanent bridges.

(11) Permanent road. A road built as part of the harvesting operation which is intended to have a useful life subsequent to the completion of the harvest.

(12) Private timber. All timber harvested from privately owned lands, including timber on reclassified reforestation land under chapters 84.28 and 84.33 RCW.

(13) Public timber. Timber harvested from federal, state, county, municipal, or other government owned lands.

(14) Remote island. An area of land which is totally surrounded by water at normal high tide and which has no bridge or causeway connecting it to the mainland.

(15) Sale price. The amount paid for timber in cash or other consideration.

(16) Scale sale. A sale of timber in which the sale price is the product of the actual volume harvested and the unit price at the time of harvest.

(17) Species. A grouping of timber based on biological or physical characteristics. In addition to the designations of species or subclassifications defined in Agriculture Handbook No. 451 Checklist of United States Trees (native and naturalized) found in the state of Washington, the following shall be considered separate species for the purpose of harvest classification used in the stumpage value tables:

(a) Other conifer. All conifers not separately designated in the stumpage value tables. See WAC 458-40-660.

(b) Other hardwood. All hardwoods not separately designated.

(c) Conifer utility. All conifer logs graded as utility.

(d) Hardwood utility. All hardwood logs graded as utility or number four sawmill as defined by the current edition of the "Official Log Scaling and Grading Rules" as developed and authored by the Northwest Log Rules Advisory Group.

(e) Special forest products. The following are considered to be separate species of special forest products: Christmas trees (various species), posts (various species), western redcedar flatsawn and shingle blocks, western redcedar shake blocks and boards.

(18) Stumpage. Standing or fallen trees, live or dead, having commercial value which have not been severed from the stump.

(19) Stumpage value area (SVA). An area with specified boundaries which contains timber having similar growing, harvesting and marketing conditions.

(20) Thinning. Timber removed from a harvest unit meeting all the following conditions:

(a) Located in Western Washington;

(b) The total volume removed is less than forty percent of the total merchantable volume of the harvest unit prior to harvest;

(c) Not more than forty percent of the total volume removed is from the dominant and codominant trees;

(d) The trees removed in the harvest operation shall be distributed over the entire harvest unit.

(21) Timber. Forest trees, standing or down, on privately or publicly owned land, and except as provided in RCW 84.33.170, includes Christmas trees.

**AMENDATORY SECTION** (Amending Order 86-4, filed 12/31/86)

WAC 458-40-636 TIMBER EXCISE TAX—TAXABLE STUMPAGE VALUE—PUBLIC TIMBER. The taxable stumpage value for public timber sales shall be determined as follows:

(1) Competitive sales. The taxable value shall be the actual purchase price in cash or other consideration. The taxable value of other consideration shall be the fair market value of the other consideration; provided that if the other consideration is permanent roads, the taxable value shall be the appraised value as appraised by the seller. If the seller does not provide an appraised value for roads, the taxable value shall be the actual costs incurred by the purchaser for constructing or improving the roads.

(2) Noncompetitive sales. The taxable value shall be determined using the department's stumpage value tables as set forth in this chapter.

(3) Sale of logs. The taxable value for public timber sold in the form of logs shall be the actual purchase

price for the logs in cash or other consideration less appropriate deductions for costs of felling, bucking, and yarding the logs to the point of sale. Cost deductions shall be the actual costs when documented proof is available. In the absence of verifiable actual cost data, cost deductions shall be based on the costs as appraised by the seller, if available; or an estimate of such costs based on the best available information from the sale of similar timber under similar harvesting conditions.

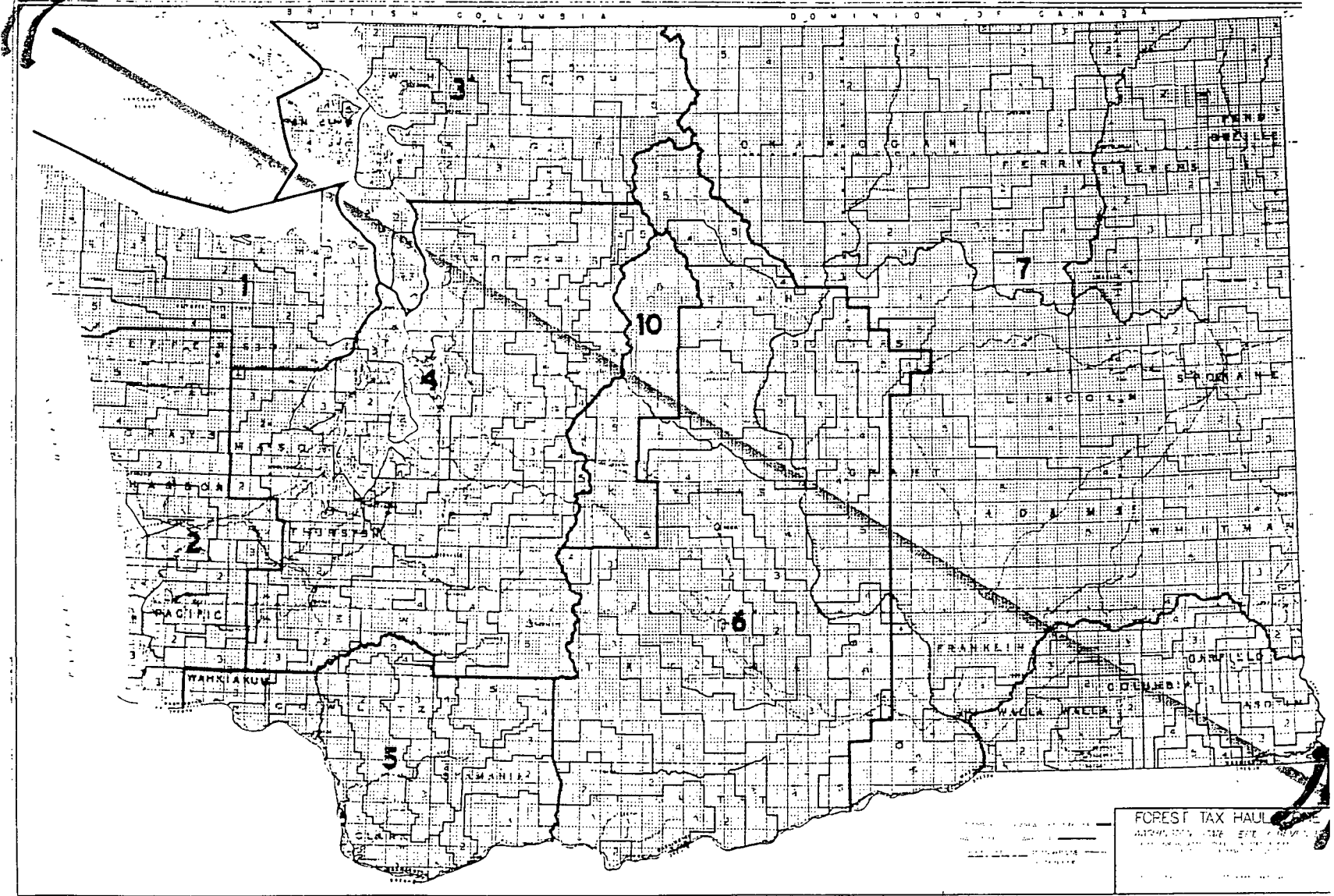
(4) Transitional sales. Sales in which the harvest began before July 1, 1984, and continued after that date. On such sales, the volume harvested prior to July 1, 1984, shall be taxed using the department's stumpage value tables as set forth in this chapter. For volume harvested on or after July 1, 1984, the taxable stumpage value shall be determined by actual payments for stumpage in cash or other consideration.

(5) Defaulted sales and uncompleted contracts. In the event of default on a public timber sale contract, wherein the taxpayer has made partial payment for the timber but has not removed timber, no tax shall be due. If part of the sale is logged and the purchaser fails to complete the harvesting, taxes shall be due on the amount the purchaser has been billed by the selling agency for the volume removed to date.

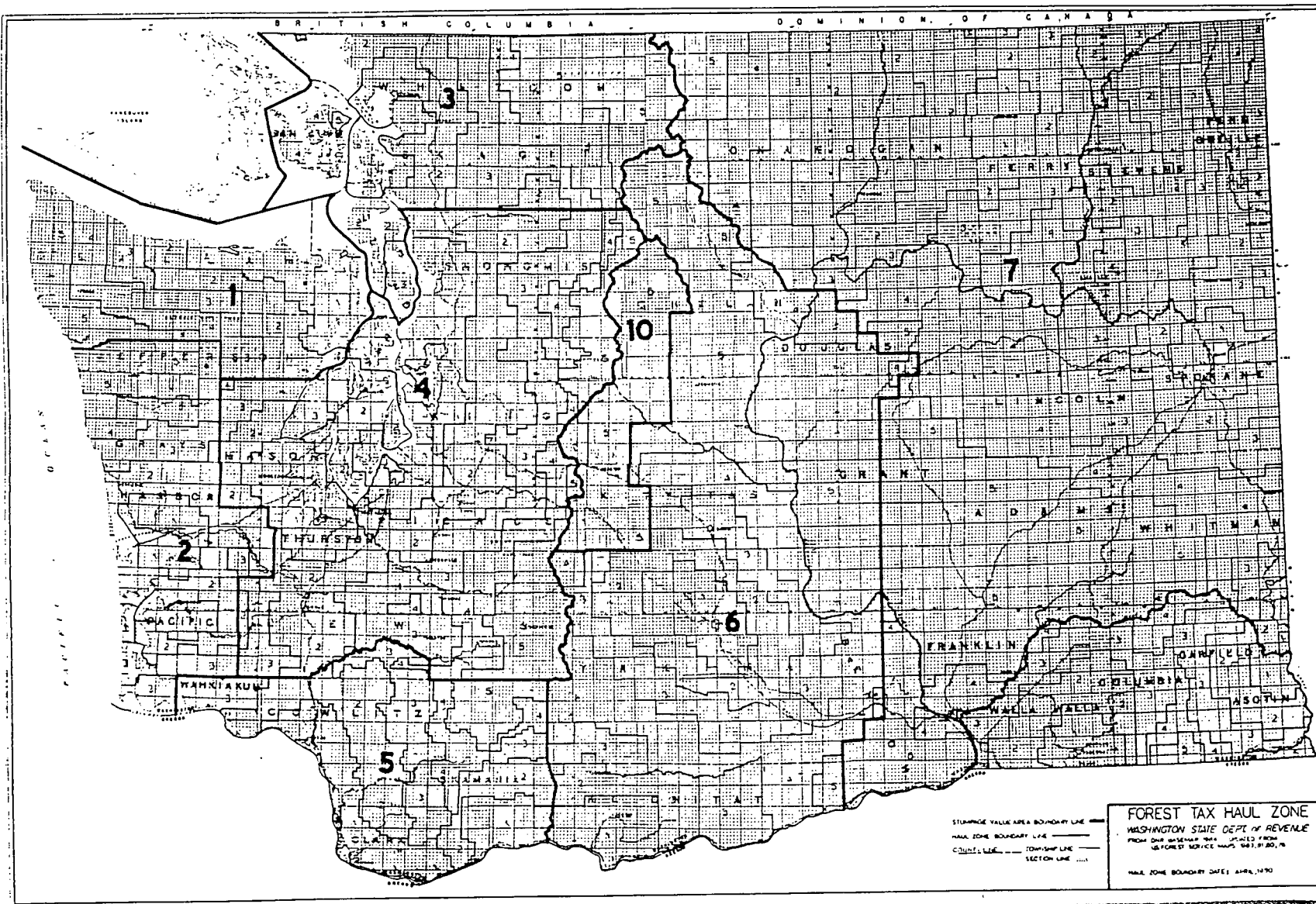
**AMENDATORY SECTION** (Amending Order 86-4, filed 12/31/86)

WAC 458-40-640 TIMBER EXCISE TAX—STUMPAGE VALUE AREA (MAP). The stumpage value area and hauling distance zone map contained in this section shall be used to determine the proper stumpage value table and haul zone to be used in calculating the taxable stumpage value of timber harvested from private land.

458-40-640. STUMPAGE VALUE AREA AND HAULING DISTANCE ZONE --MAP. Harvesters may obtain a larger scale map by writing to the Washington State Department of Revenue, Forest Tax Division, Mail Stop AX-02, Olympia WA 98504 or calling (206) 753-7086.



458-40-640. STUMPAGE VALUE AREA AND HAULING DISTANCE ZONE --MAP. Harvesters may obtain a larger scale map by writing to the Washington State Department of Revenue, Forest Tax Division, Mail Stop AX-02, Olympia WA 98504 or calling (206) 753-7086.



**AMENDATORY SECTION** (Amending WSR 90-02-049, filed 12/29/89, effective 1/29/90)

WAC 458-40-660 **TIMBER EXCISE TAX—STUMPAGE VALUE TABLES.** The following stumpage value tables are hereby adopted for use in reporting the taxable value of stumpage harvested during the period ((January)) July 1 through ((June 30)) December 31, 1990:

((TABLE 1—Stumpage Value Table  
Stumpage Value Area 1  
January 1 through June 30, 1990

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$730	\$723	\$716	\$709	\$702
		2	349	342	335	328	321
		3	345	338	331	324	317
		4	277	270	263	256	249
		5	261	254	247	240	233
		6	237	230	223	216	209
Western Redcedar <sup>2</sup>	RC	1	521	514	507	500	493
		2	500	493	486	479	472
		3	335	328	321	314	307
		4	313	306	299	292	285
Sitka Spruce	SS	1	543	536	529	522	515
		2	438	431	424	417	410
		3	283	276	269	262	255
		4	208	201	194	187	180
		5	193	186	179	172	165
		6	177	170	163	156	149
Western Hemlock <sup>3</sup>	WH	1	437	430	423	416	409
		2	325	318	311	304	297
		3	263	256	249	242	235
		4	239	232	225	218	211
		5	217	210	203	196	189
		6	157	150	143	136	129
Other Conifer	OC	1	437	430	423	416	409
		2	325	318	311	304	297
		3	263	256	249	242	235
		4	239	232	225	218	211
		5	217	210	203	196	189
		6	157	150	143	136	129
Red Alder	RA	1	121	114	107	100	93
Black Cottonwood	BC	1	76	69	62	55	48
Other Hardwood	OH	1	82	75	68	61	54
Hardwood Utility	HU	5	27	27	27	27	27
Conifer Utility	CU	5	21	21	21	21	21

TABLE 1—Stumpage Value Table  
Stumpage Value Area 1  
July 1 through December 31, 1990

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$847	\$840	\$833	\$826	\$819
		2	422	415	408	401	394
		3	385	378	371	364	357

TABLE 1—

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Name	Species Code	Timber Quality Code	Hauling Distance Zone Number					
			1	2	3	4	5	
			4	320	313	306	299	292
			5	270	263	256	249	242
			6	130	123	116	109	102
Western Redcedar <sup>2</sup>	RC	1	724	717	710	703	696	
		2	567	560	553	546	539	
		3	375	368	361	354	347	
		4	307	300	293	286	279	
Sitka Spruce	SS	1	552	545	538	531	524	
		2	469	462	455	448	441	
		3	302	295	288	281	274	
		4	262	255	248	241	234	
		5	258	251	244	237	230	
		6	102	95	88	81	74	
Western Hemlock <sup>3</sup>	WH	1	475	468	461	454	447	
		2	421	414	407	400	393	
		3	320	313	306	299	292	
		4	306	299	292	285	278	
		5	206	199	192	185	178	
		6	104	97	90	83	76	
Other Conifer	OC	1	475	468	461	454	447	
		2	421	414	407	400	393	
		3	320	313	306	299	292	
		4	306	299	292	285	278	
		5	206	199	192	185	178	
		6	104	97	90	83	76	
Red Alder	RA	1	121	114	107	100	93	
Black Cottonwood	BC	1	55	48	41	34	27	
Other Hardwood	OH	1	85	78	71	64	57	
Hardwood Utility	HU	5	55	48	41	34	27	
Conifer Utility	CU	5	67	60	53	46	39	

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Alaska-Cedar.

<sup>3</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

((TABLE 2—Stumpage Value Table  
Stumpage Value Area 1  
January 1 through June 30, 1990

**WESTERN WASHINGTON SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards	RCS	1	\$370	\$363	\$356	\$349	\$342
Western Redcedar Flatsawn & Shingle Blocks	RCF	1	157	150	143	136	129
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.59	0.59	0.59	0.59	0.59
Douglas-Fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

**TABLE 2—**  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality		Hauling Distance Zone Number				
		Code	Number	1	2	3	4	5
True Fir & Other Christmas Trees <sup>1</sup>	TFX	1	1	0.50	0.50	0.50	0.50	0.50

**TABLE 2—Stumpage Value Table**  
Stumpage Value Area 1  
July 1 through December 31, 1990

**WESTERN WASHINGTON SPECIAL FOREST PRODUCTS**  
Stumpage Values per Product Unit

Species Name	Species Code	Quality Code	Number	Hauling Distance Zone Number				
				1	2	3	4	5
Western Redcedar Shake Blocks & Boards <sup>1</sup>	RCS	1	1	\$438	\$431	\$424	\$417	\$410
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	1	161	154	147	140	133
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	1	0.48	0.48	0.48	0.48	0.48
Douglas-Fir Christmas Trees <sup>3</sup>	DFX	1	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>3</sup> Stumpage value per lineal foot.

**TABLE 3—Stumpage Value Table**  
Stumpage Value Area 2  
January 1 through June 30, 1990

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Quality Code	Number	Hauling Distance Zone Number				
				1	2	3	4	5
Douglas-Fir	DF	1	1	\$724	\$717	\$710	\$703	\$696
		2	2	514	507	500	493	486
		3	3	303	296	289	282	275
		4	4	263	256	249	242	235
		5	5	223	216	209	202	195
		6	6	206	199	192	185	178
Western Redcedar <sup>2</sup>	RC	1	1	687	680	673	666	659
		2	2	635	628	621	614	607
		3	3	331	324	317	310	303
		4	4	256	249	242	235	228
Sitka Spruce	SS	1	1	550	543	536	529	522
		2	2	415	408	401	394	387
		3	3	278	271	264	257	250
		4	4	245	238	231	224	217
		5	5	237	230	223	216	209
		6	6	206	199	192	185	178

**TABLE 3—**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Quality Code	Number	Hauling Distance Zone Number				
				1	2	3	4	5
Western Hemlock <sup>3</sup>	WH	1	1	454	447	440	433	426
		2	2	356	349	342	335	328
		3	3	234	227	220	213	206
		4	4	229	222	215	208	201
		5	5	171	164	157	150	143
		6	6	151	144	137	130	123
Other Conifer	OC	1	1	454	447	440	433	426
		2	2	356	349	342	335	328
		3	3	234	227	220	213	206
		4	4	229	222	215	208	201
		5	5	171	164	157	150	143
		6	6	151	144	137	130	123
Red Alder	RA	1	1	102	95	88	81	74
Black Cottonwood	BC	1	1	76	69	62	55	48
Other Hardwood	OH	1	1	82	75	68	61	54
Hardwood Utility	HU	5	5	27	27	27	27	27
Conifer Utility	CU	5	5	37	37	37	37	37

**TABLE 3—Stumpage Value Table**  
Stumpage Value Area 2  
July 1 through December 31, 1990

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Quality Code	Number	Hauling Distance Zone Number				
				1	2	3	4	5
Douglas-Fir	DF	1	1	\$684	\$677	\$670	\$663	\$656
		2	2	553	546	539	532	525
		3	3	365	358	351	344	337
		4	4	309	302	295	288	281
		5	5	274	267	260	253	246
		6	6	192	185	178	171	164
Western Redcedar <sup>2</sup>	RC	1	1	680	673	666	659	652
		2	2	653	646	639	632	625
		3	3	347	340	333	326	319
		4	4	331	324	317	310	303
Sitka Spruce	SS	1	1	611	604	597	590	583
		2	2	548	541	534	527	520
		3	3	294	287	280	273	266
		4	4	262	255	248	241	234
		5	5	202	195	188	181	174
		6	6	103	96	89	82	75
Western Hemlock <sup>3</sup>	WH	1	1	538	531	524	517	510
		2	2	403	396	389	382	375
		3	3	302	295	288	281	274
		4	4	289	282	275	268	261
		5	5	255	248	241	234	227
		6	6	113	106	99	92	85
Other Conifer	OC	1	1	538	531	524	517	510
		2	2	403	396	389	382	375
		3	3	302	295	288	281	274
		4	4	289	282	275	268	261
		5	5	255	248	241	234	227
		6	6	113	106	99	92	85
Red Alder	RA	1	1	115	108	101	94	87
Black Cottonwood	BC	1	1	55	48	41	34	27
Other Hardwood	OH	1	1	85	78	71	64	57
Hardwood Utility	HU	5	5	55	48	41	34	27



**TABLE 3—**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Conifer Utility	CU	5	67	60	53	46	39

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Alaska-Cedar.

<sup>3</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

((TABLE 4—Stumpage Value Table  
Stumpage Value Area 2  
January 1 through June 30, 1990

**WESTERN WASHINGTON SPECIAL FOREST PRODUCTS**  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards <sup>1</sup>	RCS	1	\$370	\$363	\$356	\$349	\$342
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	157	150	143	136	129
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.59	0.59	0.59	0.59	0.59
Douglas-Fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

**TABLE 4—Stumpage Value Table**  
Stumpage Value Area 2  
July 1 through December 31, 1990

**WESTERN WASHINGTON SPECIAL FOREST PRODUCTS**  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards <sup>1</sup>	RCS	1	\$438	\$431	\$424	\$417	\$410
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	161	154	147	140	133
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.48	0.48	0.48	0.48	0.48
Douglas-Fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

**TABLE 4—**  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

True Fir & Other Christmas Trees<sup>3</sup>

<sup>1</sup> Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>3</sup> Stumpage value per lineal foot.

((TABLE 5—Stumpage Value Table  
Stumpage Value Area 3  
January 1 through June 30, 1990

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$629	\$622	\$615	\$608	\$601
		2	410	403	396	389	382
		3	355	348	341	334	327
		4	298	291	284	277	270
		5	291	284	277	270	263
		6	164	157	150	143	136
Western Redcedar <sup>3</sup>	RC	1	584	577	570	563	556
		2	384	377	370	363	356
		3	333	326	319	312	305
		4	288	281	274	267	260
Western Hemlock <sup>4</sup>	WH	1	446	439	432	425	418
		2	368	361	354	347	340
		3	267	260	253	246	239
		4	258	251	244	237	230
		5	239	232	225	218	211
		6	157	150	143	136	129
Other Conifer	OC	1	446	439	432	425	418
		2	368	361	354	347	340
		3	267	260	253	246	239
		4	258	251	244	237	230
		5	239	232	225	218	211
		6	157	150	143	136	129
Red Alder	RA	1	79	72	65	58	51
Black Cottonwood	BC	1	76	69	62	55	48
Other Hardwood	OH	1	82	75	68	61	54
Hardwood Utility	HU	5	27	27	27	27	27
Conifer Utility	CU	5	15	15	15	15	15

**TABLE 5—Stumpage Value Table**  
Stumpage Value Area 3  
July 1 through December 31, 1990

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$550	\$543	\$536	\$529	\$522
		2	494	487	480	473	466
		3	408	401	394	387	380
		4	326	319	312	305	298

**TABLE 6—Stumpage Value Table**  
Stumpage Value Area 3  
July 1 through December 31, 1990

**WESTERN WASHINGTON SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar-Shake Blocks & Boards <sup>1</sup>	RC	5	292	285	278	271	264
		6	179	172	165	158	151
		1	695	688	681	674	667
		2	428	421	414	407	400
		3	357	350	343	336	329
		4	347	340	333	326	319
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCS	1	\$438	\$431	\$424	\$417	\$410
		1	161	154	147	140	133
		1	0.48	0.48	0.48	0.48	0.48
		1	0.25	0.25	0.25	0.25	0.25
		1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup>Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup>Stumpage value per 8 lineal feet or portion thereof.  
<sup>3</sup>Stumpage value per lineal foot.

**((TABLE 7—Stumpage Value Table**  
Stumpage Value Area 4  
January 1 through June 30, 1990

**WESTERN WASHINGTON MERCHANTABLE SAWTIMBER**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$630	\$623	\$616	\$609	\$602
		2	419	412	405	398	391
		3	325	318	311	304	297
		4	250	243	236	229	222
		5	196	189	182	175	168
		6	144	137	130	123	116
Western Redcedar <sup>3</sup>	RC	1	414	407	400	393	386
		2	312	305	298	291	284
		3	293	286	279	272	265
		4	291	284	277	270	263
Western Hemlock <sup>4</sup>	WH	1	424	417	410	403	396
		2	332	325	318	311	304
		3	256	249	242	235	228
		4	248	241	234	227	220
		5	191	184	177	170	163
		6	120	113	106	99	92
Other Conifer	OC	1	424	417	410	403	396
		2	332	325	318	311	304
		3	256	249	242	235	228
		4	248	241	234	227	220
		5	191	184	177	170	163
		6	120	113	106	99	92
Red Alder	RA	1	92	85	78	71	64
Black Cottonwood	BC	1	76	69	62	55	48
Other Hardwood	OH	1	82	75	68	61	54
Hardwood Utility	HU	5	27	27	27	27	27

**TABLE 5—**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar <sup>3</sup>	RC	5	292	285	278	271	264
		6	179	172	165	158	151
		1	695	688	681	674	667
		2	428	421	414	407	400
		3	357	350	343	336	329
		4	347	340	333	326	319
Western Hemlock <sup>4</sup>	WH	1	517	510	503	496	489
		2	369	362	355	348	341
		3	342	335	328	321	314
		4	283	276	269	262	255
		5	266	259	252	245	238
		6	251	244	237	230	223
Other Conifer	OC	1	517	510	503	496	489
		2	369	362	355	348	341
		3	342	335	328	321	314
		4	283	276	269	262	255
		5	266	259	252	245	238
		6	251	244	237	230	223
Red Alder	RA	1	106	99	92	85	78
Black Cottonwood	BC	1	55	48	41	34	27
Other Hardwood	OH	1	85	78	71	64	57
Hardwood Utility	HU	5	55	48	41	34	27
Conifer Utility	CU	5	67	60	53	46	39

<sup>1</sup>Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup>Includes Western Larch.  
<sup>3</sup>Includes Alaska-Cedar.  
<sup>4</sup>Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**((TABLE 6—Stumpage Value Table**  
Stumpage Value Area 3  
January 1 through June 30, 1990

**WESTERN WASHINGTON SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar-Shake Blocks & Boards <sup>1</sup>	RCS	1	\$370	\$363	\$356	\$349	\$342
		1	157	150	143	136	129
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	0.59	0.59	0.59	0.59	0.59
		1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
		1	0.50	0.50	0.50	0.50	0.50
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

TABLE 7—

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code Number	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Conifer Utility	CU	5	20	20	20	20	20

TABLE 7—Stumpage Value Table  
Stumpage Value Area 4  
July 1 through December 31, 1990

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code Number	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$708	\$701	\$694	\$687	\$680
		2	519	512	505	498	491
		3	374	367	360	353	346
		4	310	303	296	289	282
		5	250	243	236	229	222
		6	218	211	204	197	190
Western Redcedar <sup>3</sup>	RC	1	406	399	392	385	378
		2	377	370	363	356	349
		3	352	345	338	331	324
		4	318	311	304	297	290
Western Hemlock <sup>4</sup>	WH	1	492	485	478	471	464
		2	388	381	374	367	360
		3	382	375	368	361	354
		4	283	276	269	262	255
		5	276	269	262	255	248
		6	224	217	210	203	196
Other Conifer	OC	1	492	485	478	471	464
		2	388	381	374	367	360
		3	382	375	368	361	354
		4	283	276	269	262	255
		5	276	269	262	255	248
		6	224	217	210	203	196
Red Alder	RA	1	115	108	101	94	87
Black Cottonwood	BC	1	55	48	41	34	27
Other Hardwood	OH	1	85	78	71	64	57
Hardwood Utility	HU	5	55	48	41	34	27
Conifer Utility	CU	5	67	60	53	46	39

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Western Larch.

<sup>3</sup> Includes Alaska-Cedar.

<sup>4</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

((TABLE 8—Stumpage Value Table  
Stumpage Value Area 4  
January 1 through June 30, 1990

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code Number	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards <sup>1</sup>	RCS	1	\$370	\$363	\$356	\$349	\$342

TABLE 8—

Stumpage Values per Product Unit

Species Name	Species Code Number	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	157	150	143	136	129
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.59	0.59	0.59	0.59	0.59
Douglas-Fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

TABLE 8—Stumpage Value Table  
Stumpage Value Area 4  
July 1 through December 31, 1990

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code Number	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards <sup>1</sup>	RCS	1	\$438	\$431	\$424	\$417	\$410
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	161	154	147	140	133
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.48	0.48	0.48	0.48	0.48
Douglas-Fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>3</sup> Stumpage value per lineal foot.

((TABLE 9—Stumpage Value Table  
Stumpage Value Area 5  
January 1 through June 30, 1990

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code Number	Timber Quality Code	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$606	\$599	\$592	\$585	\$578
		2	464	457	450	443	436
		3	336	329	322	315	308
		4	217	210	203	196	189
		5	182	175	168	161	154
		6	170	163	156	149	142

**TABLE 9—**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar <sup>3</sup>	RC	1	638	631	624	617	610
		2	610	603	596	589	582
		3	503	496	489	482	475
		4	275	268	261	254	247
Western Hemlock <sup>4</sup>	WH	1	423	416	409	402	395
		2	326	319	312	305	298
		3	282	275	268	261	254
		4	240	233	226	219	212
		5	177	170	163	156	149
		6	134	127	120	113	106
Other Conifer	OC	1	423	416	409	402	395
		2	326	319	312	305	298
		3	282	275	268	261	254
		4	240	233	226	219	212
		5	177	170	163	156	149
		6	134	127	120	113	106
Red Alder	RA	1	113	106	99	92	85
Black Cottonwood	BC	1	76	69	62	55	48
Other Hardwood	OH	1	82	75	68	61	54
Hardwood Utility	HU	5	27	27	27	27	27
Conifer Utility	CU	5	21	21	21	21	21

**TABLE 9—Stumpage Value Table**  
Stumpage Value Area 5  
July 1 through December 31, 1990

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$763	\$756	\$749	\$742	\$735
		2	549	542	535	528	521
		3	440	433	426	419	412
		4	266	259	252	245	238
		5	235	228	221	214	207
		6	205	198	191	184	177
Western Redcedar <sup>3</sup>	RC	1	695	688	681	674	667
		2	551	544	537	530	523
		3	425	418	411	404	397
		4	258	251	244	237	230
Western Hemlock <sup>4</sup>	WH	1	517	510	503	496	489
		2	400	393	386	379	372
		3	368	361	354	347	340
		4	297	290	283	276	269
		5	290	283	276	269	262
		6	271	264	257	250	243
Other Conifer	OC	1	517	510	503	496	489
		2	400	393	386	379	372
		3	368	361	354	347	340
		4	297	290	283	276	269
		5	290	283	276	269	262
		6	271	264	257	250	243
Red Alder	RA	1	128	121	114	107	100
Black Cottonwood	BC	1	55	48	41	34	27
Other Hardwood	OH	1	85	78	71	64	57
Hardwood Utility	HU	5	55	48	41	34	27
Conifer Utility	CU	5	67	60	53	46	39

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Includes Western Larch.  
<sup>3</sup> Includes Alaska-Cedar.  
<sup>4</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**((TABLE 10—Stumpage Value Table**  
Stumpage Value Area 5  
January 1 through June 30, 1990

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards <sup>1</sup>	RCS	1	\$370	\$363	\$356	\$349	\$342
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	157	150	143	136	129
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.59	0.59	0.59	0.59	0.59
Douglas-Fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

**TABLE 10—Stumpage Value Table**  
Stumpage Value Area 5  
July 1 through December 31, 1990

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards <sup>1</sup>	RCS	1	\$438	\$431	\$424	\$417	\$410
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	161	154	147	140	133
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.48	0.48	0.48	0.48	0.48
Douglas-Fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>3</sup> Stumpage value per lineal foot.

((TABLE 11—Stumpage Value Table  
Stumpage Value Area 6  
January 1 through June 30, 1990

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$156	\$150	\$144	\$138	\$132
Engelmann Spruce	ES	1	118	112	106	100	94
Lodgepole Pine	LP	1	143	137	131	125	119
Ponderosa Pine	PP	1	367	361	355	349	343
		2	161	155	149	143	137
Western Redcedar <sup>3</sup>	RC	1	160	154	148	142	136
True Firs <sup>4</sup>	WH	1	163	157	151	145	139
Western White Pine	WP	1	110	104	98	92	86
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	8	8	8	8	8

TABLE 11—Stumpage Value Table  
Stumpage Value Area 6  
July 1 through December 31, 1990

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$217	\$211	\$205	\$199	\$193
Engelmann Spruce	ES	1	144	138	132	126	120
Lodgepole Pine	LP	1	92	86	80	74	68
Ponderosa Pine	PP	1	371	365	359	353	347
		2	237	231	225	219	213
Western Redcedar <sup>3</sup>	RC	1	209	203	197	191	185
True Firs <sup>4</sup>	WH	1	208	202	196	190	184
Western White Pine	WP	1	176	170	164	158	152
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	36	30	24	18	12

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Includes Western Larch.  
<sup>3</sup> Includes Alaska-Cedar.  
<sup>4</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

((TABLE 12—Stumpage Value Table  
Stumpage Value Area 6  
January 1 through June 30, 1990

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	\$150	\$144	\$138	\$132	\$126
Lodgepole Pine & Other Posts <sup>2</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees <sup>3</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir & Other Christmas Trees <sup>4</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

TABLE 12—Stumpage Value Table  
Stumpage Value Area 6  
July 1 through December 31, 1990

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	\$150	\$144	\$138	\$132	\$126
Lodgepole Pine & Other Posts <sup>2</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees <sup>3</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir & Other Christmas Trees <sup>4</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

<sup>1</sup> Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>3</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.  
<sup>4</sup> Stumpage value per lineal foot.

((TABLE 13—Stumpage Value Table  
Stumpage Value Area 7  
January 1 through June 30, 1990

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$136	\$130	\$124	\$118	\$112
Engelmann Spruce	ES	1	94	88	82	76	70

**TABLE 13**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Lodgepole Pine	LP	1	91	85	79	73	67
Ponderosa Pine	PP	1	265	259	253	247	241
		2	146	140	134	128	122
Western Redcedar <sup>3</sup>	RC	1	170	164	158	152	146
True Firs <sup>4</sup>	WH	1	113	107	101	95	89
Western White Pine	WP	1	203	197	191	185	179
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	2	2	2	2	2

**TABLE 13—Stumpage Value Table**  
Stumpage Value Area 7  
July 1 through December 31, 1990

**EASTERN WASHINGTON MERCHANTABLE SAWTIMBER**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$154	\$148	\$142	\$136	\$130
Engelmann Spruce	ES	1	113	107	101	95	89
Lodgepole Pine	LP	1	100	94	88	82	76
Ponderosa Pine	PP	1	286	280	274	268	262
		2	171	165	159	153	147
Western Redcedar <sup>3</sup>	RC	1	177	171	165	159	153
True Firs <sup>4</sup>	WH	1	134	128	122	116	110
Western White Pine	WP	1	222	216	210	204	198
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	13	7	1	1	1

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Includes Western Larch.

<sup>3</sup> Includes Alaska-Cedar.

<sup>4</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**TABLE 14—Stumpage Value Table**  
Stumpage Value Area 7  
January 1 through June 30, 1990

**EASTERN WASHINGTON SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	\$150	\$144	\$138	\$132	\$126
Lodgepole Pine & Other Posts <sup>2</sup>			LPP	1	0.35	0.35	0.35

**TABLE 14**  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Pine Christmas Trees <sup>3</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir & Other Christmas Trees <sup>4</sup>			DFX	1	0.25	0.25	0.25

**TABLE 14—Stumpage Value Table**  
Stumpage Value Area 7  
July 1 through December 31, 1990

**EASTERN WASHINGTON SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	\$150	\$144	\$138	\$132	\$126
Lodgepole Pine & Other Posts <sup>2</sup>			LPP	1	0.35	0.35	0.35
Pine Christmas Trees <sup>3</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-Fir & Other Christmas Trees <sup>4</sup>			DFX	1	0.25	0.25	0.25

<sup>1</sup> Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>3</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

<sup>4</sup> Stumpage value per lineal foot.

**TABLE 15—Stumpage Value Table**  
Stumpage Value Area 10  
January 1 through June 30, 1990

**EASTERN WASHINGTON MERCHANTABLE SAWTIMBER**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$328	\$322	\$316	\$310	\$304
		2	187	181	175	169	163
		3	116	110	104	98	92
Engelmann Spruce	ES	1	204	198	192	186	180
		2	169	163	157	151	145
		3	134	128	122	116	110
Lodgepole Pine	LP	1	147	141	135	129	123
		2	142	136	130	124	118
		3	137	131	125	119	113
Ponderosa Pine	PP	1	423	417	411	405	399
		2	145	139	133	127	121
		3	137	131	125	119	113

**TABLE 15—**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar <sup>3</sup>	RC	1	322	316	310	304	298
		2	243	237	231	225	219
		3	165	159	153	147	141
True Firs <sup>4</sup>	WH	1	255	249	243	237	231
		2	208	202	196	190	184
		3	154	148	142	136	130
Western White Pine	WP	1	224	218	212	206	200
		2	169	163	157	151	145
		3	138	132	126	120	114
Hardwoods	OH	1	61	55	49	43	37
Utility	CU	5	6	6	6	6	6

**TABLE 15—Stumpage Value Table**  
Stumpage Value Area 10  
July 1 through December 31, 1990

**EASTERN WASHINGTON MERCHANTABLE SAWTIMBER**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>2</sup>	DF	1	\$398	\$392	\$386	\$380	\$374
		2	309	303	297	291	285
		3	219	213	207	201	195
Engelmann Spruce	ES	1	254	248	242	236	230
		2	222	216	210	204	198
		3	190	184	178	172	166
Lodgepole Pine	LP	1	204	198	192	186	180
		2	199	193	187	181	175
		3	194	188	182	176	170
Ponderosa Pine	PP	1	453	447	441	435	429
		2	421	415	409	403	397
		3	209	203	197	191	185
Western Redcedar <sup>3</sup>	RC	1	386	380	374	368	362
		2	237	231	225	219	213
		3	207	201	195	189	183
True Firs <sup>4</sup>	WH	1	255	249	243	237	231
		2	208	202	196	190	184
		3	154	148	142	136	130
Western White Pine	WP	1	325	319	313	307	301
		2	270	264	258	252	246
		3	239	233	227	221	215
Hardwoods	OH	1	61	55	49	43	37
Utility	CU	5	54	48	42	36	30

<sup>1</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Includes Western Larch.  
<sup>3</sup> Includes Alaska-Cedar.  
<sup>4</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**(TABLE 16—Stumpage Value Table**  
Stumpage Value Area 10  
January 1 through June 30, 1990

**EASTERN WASHINGTON SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name	Species Code	Quality Code Number	Hauling Distance Zone Number					
			1	2	3	4	5	
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	\$150	\$144	\$138	\$132	\$126	
		LPP	1	0.35	0.35	0.35	0.35	0.35
		PX	1	0.25	0.25	0.25	0.25	0.25
Lodgepole Pine & Other Posts <sup>2</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35	
		DFX	1	0.25	0.25	0.25	0.25	0.25
Pine Christmas Trees <sup>3</sup>	PX	1	0.25	0.25	0.25	0.25	0.25	
Douglas-Fir & Other Christmas Trees <sup>4</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25	

**TABLE 16—Stumpage Value Table**  
Stumpage Value Area 10  
July 1 through December 31, 1990

**EASTERN WASHINGTON SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name	Species Code	Quality Code Number	Hauling Distance Zone Number					
			1	2	3	4	5	
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	\$150	\$144	\$138	\$132	\$126	
		LPP	1	0.35	0.35	0.35	0.35	0.35
		PX	1	0.25	0.25	0.25	0.25	0.25
Lodgepole Pine & Other Posts <sup>2</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35	
		DFX	1	0.25	0.25	0.25	0.25	0.25
Pine Christmas Trees <sup>3</sup>	PX	1	0.25	0.25	0.25	0.25	0.25	
Douglas-Fir & Other Christmas Trees <sup>4</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25	

<sup>1</sup> Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.  
<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>3</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.  
<sup>4</sup> Stumpage value per lineal foot.

**AMENDATORY SECTION (Amending WSR 90-02-049, filed 12/29/89, effective 1/29/90)**

**WAC 458-40-670 TIMBER EXCISE TAX—STUMPAGE VALUE ADJUSTMENTS.** Harvest value adjustments relating to the various logging and harvest conditions shall be allowed against the stumpage values as set forth in WAC 458-40-660 for the designated stumpage value areas with the following limitations:

(1) No harvest adjustment shall be allowed against ((conifer-utility, hardwood-utility, or any of the)) special forest products.

(2) Stumpage value rates for conifer and hardwoods shall be adjusted to a value no lower than one dollar per MBF.

(3) Timber harvesters planning to remove timber from areas having damaged timber may apply to the department for adjustment in stumpage values. Such applications should contain a map with the legal descriptions of the area, a description of the damage sustained by the timber, and a list of estimated costs to be incurred. Such applications shall be sent to the department before the harvest commences. Upon receipt of such application, the department will determine the amount of adjustment allowed, and notify the harvester. Such amount may be taken as a credit against tax liabilities or, if harvest is terminated, a refund may be authorized. In the event the extent of such timber damage or additional costs are not known at the time the application is filed, the harvester may supplement the application not later than ninety days following completion of the harvest unit.

The following harvest adjustment tables are hereby adopted for use during the period of ~~((January))~~ July 1 through ~~((June 30))~~ December 31, 1990:

**TABLE 1—Harvest Adjustment Table  
Stumpage Value Areas 1, 2, 3, 4, and 5  
~~((January))~~ July 1 through ~~((June 30))~~ December 31,  
1990**

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER		
Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
<b>I. Volume per acre</b>		
Class 1	Harvest of more than 40 thousand board feet per acre.	\$0.00
Class 2	Harvest of 20 thousand board feet to 40 thousand board feet per acre.	- \$4.00
Class 3	Harvest of 10 thousand board feet to but not including 20 thousand board feet per acre.	- \$7.00
Class 4	Harvest of 5 thousand board feet to but not including 10 thousand board feet per acre.	- \$9.00
Class 5	Harvest of less than 5 thousand board feet per acre.	- \$10.00
<b>II. Logging conditions</b>		
Class 1	Favorable logging conditions and easy road construction. No significant rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	<del>((-\$22.00))</del> - \$23.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	<del>((-\$35.00))</del> - \$34.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	<del>((-\$84.00))</del> - \$81.00

**TABLE 1—cont.**

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
<b>III. Remote island adjustment:</b>		
	For timber harvested from a remote island	- \$50.00
<b>IV. Thinning (see WAC 458-40-610(20))</b>		
Class 1	Average log volume of 50 board feet or more.	- \$25.00
Class 2	Average log volume of less than 50 board feet.	- \$35.00

**TABLE 2—Harvest Adjustment Table  
Stumpage Value Areas 6, 7, and 10  
~~((January))~~ July 1 through ~~((June 30))~~ December 31,  
1990**

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER		
Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
<b>I. Volume per acre</b>		
Class 1	Harvest of more than 8 thousand board feet per acre.	\$0.00
Class 2	Harvest of 3 thousand board feet to 8 thousand board feet per acre.	- \$7.00
Class 3	Harvest of less than 3 thousand board feet per acre.	- \$10.00
<b>II. Logging conditions</b>		
Class 1	Favorable logging conditions and easy road construction. No significant rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	<del>((-\$22.00))</del> - \$28.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	<del>((-\$35.00))</del> - \$39.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	<del>((-\$84.00))</del> - \$86.00
<b>III. Remote island adjustment:</b>		
	For timber harvested from a remote island	- \$50.00

**Table 3—Domestic Market Adjustment**

Harvest of timber not sold by a competitive bidding process which is prohibited under the authority of state or federal law from foreign export may be eligible for the domestic market adjustment. The adjustment may be applied only to those species of timber which must be processed domestically. According to type of sale, the adjustment may be applied to the following species:

- Federal Timber Sales: All species except Alaska yellow cedar. (Stat. Ref. - 36 CFR 223.10)
- State Timber Sales: Western red cedar only. (Stat. Ref. - 50 USC appendix 2406.1)



The adjustment amounts shall be as follows:

- Class 1: All eligible species in Western Washington (SVA's 1 through 5) ~~((=\$63.00))~~  
- \$32.00 per MBF
- Class 2: All eligible species in Eastern Washington (SVA's 6, 7, and 10) ~~((=\$17.00))~~  
- \$19.00 per MBF

Note: The adjustment will not be allowed on ~~((conifer utility, hardwood utility or))~~ special forest products.

**WSR 90-14-034**  
**PERMANENT RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Order 2046—Filed June 29, 1990, 10:25 a.m.]

Date of Adoption: June 29, 1990.

Purpose: Restrictions placed on the use of pesticides to protect public health, beneficial insects and prevent damage to nontarget crops. These rules affect Benton County and portions of Franklin and Walla Walla counties.

Citation of Existing Rules Affected by this Order: Repealing WAC 16-230-805; and amending WAC 16-230-825, 16-230-835, 16-230-845, 16-230-850, 16-238-855, 16-230-860 and 16-230-865.

Statutory Authority for Adoption: Chapters 17.21 and 15.58 RCW.

Pursuant to notice filed as WSR 90-11-125 on May 23, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 29, 1990

Michael V. Schwisow  
Deputy Director

**AMENDATORY SECTION** (Amending Order 2014, filed 7/31/89, effective 8/31/89)

WAC 16-230-825 APPLICATION OF PESTICIDES IN BENTON COUNTY AND PORTIONS OF FRANKLIN AND WALLA WALLA COUNTIES—PERMITS. The following conditions will apply to all permits issued under the authority of WAC 16-230-800 through 16-230-865.

(1) Application for a permit may be made to the Washington State Department of Agriculture, Compliance Branch, 2015 S. 1st Street, Yakima, Washington 98903. Applications may also be taken in person or by phone.

(2) The department may make on-site monitoring of the application a condition of any permit. A representative of the department may condition, deny, or revoke a permit at any time, if the representative determines that the situation at the application site creates an unreasonable risk of drift. In determining whether the situation at the application site creates an unreasonable risk of drift, the representative may consider all relevant factors such as temperature, air inversions, time of day, burning restrictions, wind direction, wind velocity, topography, and type and condition of application equipment.

(3) No permit shall be issued to apply any pesticide unless that permit is consistent with existing department laws and rules.

~~((4) Application records prescribed in WAC 16-230-805 shall be submitted to the Washington State Department of Agriculture, Compliance Branch, 2015 So. 1st Street, Yakima, Washington 98903, within three days after the aerial application under permit is performed.))~~

**AMENDATORY SECTION** (Amending Order 2014, filed 7/31/89, effective 8/31/89)

WAC 16-230-835 APPLICATION OF PESTICIDES IN BENTON COUNTY AND PORTIONS OF FRANKLIN AND WALLA WALLA COUNTIES—AREA 1. (1) Area 1 description ~~((North east))~~ North Horse Heaven Hills). An area including all lands lying within a boundary line beginning at the ~~((south west corner of Section 24, T8N, R26E, thence north approximately 7 miles))~~ northwest corner of Section 19, T8N, R24E; thence east four miles along section lines to the southwest corner of Section 14, T8N, R24E; thence north one mile along the section line to the northwest corner of Section 14, T8N, R24E; thence east two miles along section lines to the southwest corner of Section 7, T8N, R25E; thence north one mile along the section line to the northwest corner of Section 7, T8N, R25E; thence east one mile along the section line to the southwest corner of Section 5, T8N, R25E; thence northeast approximately one and four-tenths of a mile diagonally across Section 5 to the northeast corner of Section 5, T8N, R25E; thence east one mile along the section line to the southwest corner of Section 34, T9N, R25E; thence northeast approximately one and four-tenths of a mile diagonally across Section 34 to the northeast corner of Section 34, T9N, R25E; thence east two miles along section lines to the southwest corner of Section 30, T9N, R26E; thence north one mile along the section line to the northwest corner of Section 30, T9N, R26E; thence east one mile along the section line to the southwest corner of Section 20, T9N, R26E; thence northeast approximately one and four-tenths of a mile diagonally across Section 20 to the northeast corner of Section 20, T9N, R26E; thence east two miles along section lines to the northwest corner of Section 23, T9N, R26E; thence southeast approximately one and four-tenths of a mile diagonally across Section 23 to the southeast corner of Section 23, T9N, R26E; thence north approximately one mile along the section line(s) to the intersection with the Kennewick Irrigation District (K.I.D.) main canal; thence easterly along the K.I.D. main canal to the Amon pumping station located in Section 7, T8N, R29E; thence southeasterly along the K.I.D. Division Four Canal to the Columbia River in Section 8, T7N, R31E; thence south approximately ~~((one and one-half miles along the Columbia River to the south section line of Section 17, T7N, R31E, thence west approximately seventeen miles along section lines to the southwest corner of Section 15, T7N, R28E, thence north one mile along the section line to the northwest corner of Section 15, T7N, R28E, thence west four miles along section lines to the intersection with Badger Canyon Road at the southwest corner of Section 12, T7N, R27E, thence north two miles along Badger Canyon Road and section lines to~~

the intersection with Sellards Road at the southeast corner of Section 35, T8N, R27E; thence west one mile along Sellards Road and the section line to the southwest corner of Section 35, T8N, R27E; thence north one mile along the section line to the northwest corner of Section 35, T8N, R27E; thence west three miles along section lines to the southwest corner of Section 29, T8N, R27E; thence north one mile along the section line to the intersection with Cemetery Road at the northwest corner of Section 29, T8N, R27E; thence west two miles along Cemetery Road and section lines)) five and one-half miles along the Columbia River to the south section line of Section 5, T6N, R31E; thence west approximately eight miles along section lines to the southwest corner of Section 1, T6N, R29E; thence north two miles along section lines to the southwest corner of Section 25, T7N, R29E; thence west thirteen miles along section lines to the southeast corner of Section 27, T7N, R27E; thence north one mile along the section line to the northeast corner of Section 27, T7N, R27E; thence west one mile along the section line to the northwest corner of Section 27, T7N, R27E; thence north two miles along section lines to the northeast corner of Section 16, T7N, R27E; thence west one mile along the section line to the southeast corner of Section 8, T7N, R27E; thence north one mile along the section line to the northeast corner of Section 8, T7N, R27E; thence west approximately twenty miles along section lines to the Benton-Yakima County line at the southwest corner of Section 6, T7N, R24E; thence north four miles along the county line to the point of beginning.

(2) Area 1 restrictions. Application by air of restricted use pesticides as defined in WAC 16-230-810 is prohibited: PROVIDED, That the department may issue written permits for application of insecticides not containing the signal words danger/poison on the label.

**AMENDATORY SECTION** (Amending Order 2014, filed 7/31/89, effective 8/31/89)

WAC 16-230-845 APPLICATION OF PESTICIDES IN BENTON COUNTY AND PORTIONS OF FRANKLIN AND WALLA WALLA COUNTIES—AREA 3. (1) Area 3 description.

(a) Eastern Yakima Valley. An area including all lands lying within a boundary line beginning at the northwest corner of Section ((25, T10N, R26E; thence west four miles along section lines to the northwest corner of Section 29, T10N, R26E; thence south one mile along the section line to the southwest corner of Section 29, T10N, R26E; thence west eleven miles along section lines to the southeast corner of Section 29, T10N, R24E; thence north one mile along the section line to the intersection with Anderson Road at the northeast corner of Section 29, T10N, R24E; thence west two miles along Anderson Road and section lines to the Benton-Yakima County line at the northwest corner of Section 30, T10N, R24E; thence south approximately thirteen miles along the Benton-Yakima County line to the northwest corner of Section 31, T8N, R24E; thence east approximately two miles along section lines to the southeast corner of Section 29, T8N, R24E; thence north one mile

along the section line to the northeast corner of Section 29, T8N, R24E; thence east four miles along section lines to the southeast corner of Section 24, T8N, R24E; thence north one mile along the section line to the northeast corner of Section 24, T8N, R24E; thence east two miles along section lines to the southeast corner of Section 16, T8N, R25E; thence north one mile along Burt James Road and the section line to the intersection with County Well Road at the northeast corner of Section 16, T8N, R25E; thence east two miles along County Well Road and section lines to the southeast corner of Section 10, T8N, R25E; thence north one mile along the section line to the northeast corner of Section 10, T8N, R25E; thence east three miles along section lines to the intersection with Gould Road at the southeast corner of Section 6, T8N, R26E; thence north one mile along Gould Road and the section line to the northeast corner of Section 6, T8N, R26E; thence east four miles along section lines to the southeast corner of Section 35, T9N, R26E; thence north eight miles along section lines)) 19, T8N, R24E; thence east four miles along section lines to the southwest corner of Section 14, T8N, R24E; thence north one mile along the section line to the northwest corner of Section 14, T8N, R24E; thence east two miles along section lines to the southwest corner of Section 7, T8N, R25E; thence north one mile along the section line to the northwest corner of Section 7, T8N, R25E; thence east one mile along the section line to the southwest corner of Section 5, T8N, R25E; thence northeast approximately one and four-tenths of a mile diagonally across Section 5 to the northeast corner of Section 5, T8N, R25E; thence east one mile along the section line to the southwest corner of Section 34, T9N, R25E; thence northeast approximately one and four-tenths of a mile diagonally across Section 34 to the northeast corner of Section 34, T9N, R25E; thence east two miles along section lines to the southwest corner of Section 30, T9N, R26E; thence north one mile along the section line to the northwest corner of Section 30, T9N, R26E; thence east one mile along the section line to the southwest corner of Section 20, T9N, R26E; thence northeast approximately one and four-tenths of a mile diagonally across Section 20 to the northeast corner of Section 20, T9N, R26E; thence east two miles along section lines to the northwest corner of Section 23, T9N, R26E; thence southeast approximately one and four-tenths of a mile diagonally across Section 23 to the southeast corner of Section 23, T9N, R26E; thence north six miles along section lines to the northwest corner of Section 25, T10N, R26E; thence west four miles along section lines to the northwest corner of Section 29, T10N, R26E; thence south one mile along the section line to the southwest corner of Section 29, T10N, R26E; thence west eleven miles along section lines to the southeast corner of Section 29, T10N, R24E; thence north one mile along the section line to the intersection with Anderson Road at the northeast corner of Section 29, T10N, R24E; thence west two miles along Anderson Road and section lines to the Benton-Yakima County line at the northwest corner of Section 30, T10N, R24E; thence south approximately eleven miles along the Benton-Yakima county line to the point of beginning.

(b) Cold Creek Area. An area including all lands lying within a boundary line beginning at the intersection of the Benton-Yakima County line and the Columbia River in Section 7, T13N, R24E; thence south approximately six and one-half miles along the Benton-Yakima County line to the southwest corner of Section 7, T12N, R24E; thence east five miles along section lines to the southeast corner of Section 11, T12N, R24E; thence north approximately seven miles along section lines to the Columbia River; thence west approximately five miles along the Columbia River to the point of beginning.

(2) Area 3 restrictions. Application by air of restricted use herbicides as defined in WAC 16-230-810 is prohibited.

**AMENDATORY SECTION** (Amending Order 2014, filed 7/31/89, effective 8/31/89)

WAC 16-230-850 APPLICATION OF PESTICIDES IN BENTON COUNTY AND PORTIONS OF FRANKLIN AND WALLA WALLA COUNTIES—AREA 4. (1) Area 4 description.

(a) Tri-cities northwest buffer zone. An area including all lands lying within a boundary line beginning at the northwest corner of Section 25, T10N, R26E; thence north two miles along section lines to the northwest corner of Section 13, T10N, R26E; thence east one mile along the section line to the northeast corner of Section 13, T10N, R26E; thence north approximately one-half mile along the section line to the United States Department of Energy Hanford Site south boundary line; thence easterly approximately ten miles and south approximately two and one-half miles along the south boundary line to the south section line of Section 27, T10N, R28E; thence west approximately six and three-fourths miles along section lines to the southwest corner of Section 27, T10N, R27E; thence north one mile along the section line to the northwest corner of Section 27, T10N, R27E; thence west four miles along section lines to the point of beginning.

(b) Tri-cities northeast buffer zone. An area including all lands lying within a boundary line beginning at the intersection of the Esquatzel Diversion Channel drain and the Columbia River; thence east along the Esquatzel Channel to its intersection with Road 68; thence southeasterly approximately one mile along Road 68 to its intersection with Fraser Drive near the northeast corner of Section 24, T10N, R28E; thence south approximately four miles along section lines and portions of Fraser Drive and Dent Road to the southwest corner of Section 6, T9N, R29E; thence east approximately eight and one-half miles along section lines and a portion of Foster Wells Road to its intersection with the Bonneville Power Administration power line in Section 4, T9N, R30E; thence southeasterly approximately seven miles along the power line to its intersection with SR 124 in Section 32, T9N, R31E; thence easterly approximately two and one-half miles along SR 124 to the east section line of Section 34, T9N, R31E near the intersection of SR 124

and the Union Pacific Railroad; thence south approximately three miles along section lines to the southeast corner of Section 15, T8N, R31E; thence west approximately one-fourth mile along the section line to the Union Pacific Railroad; thence southerly approximately four and one-half miles along the railroad to its intersection with U.S. Highway 12 near the Boise Cascade paper mill; thence northwesterly along Highway 12 to its intersection with Interstate 182; thence westerly along I-182 to the west shoreline of the Columbia River; thence northerly approximately six and one-half miles along the Columbia River to the U.S. Department of Energy Hanford Site south boundary line in Section 14, T10N, R28E; thence east approximately one-half mile across the Columbia River to its east shoreline; thence northerly approximately one-half mile to the point of beginning.

~~((c) Horse Heaven Hills east buffer zone. An area including all lands lying within a boundary line beginning at the southwest corner of Section 24, T8N, R26E; thence south three miles along section lines and Tyacke Road to the southwest corner of Section 1, T7N, R26E; thence east three miles along section lines to the northeast corner of Section 8, T7N, R27E; thence south one mile along the section line and Travis Road to the intersection with Reese Road at the southeast corner of Section 8, T7N, R27E; thence east one mile along the section line and Reese Road to the northeast corner of Section 16, T7N, R27E; thence south two miles along section lines to the intersection with Tyrell Road at the northwest corner of Section 27, T7N, R27E; thence east one mile along the section line and Tyrell Road to the northeast corner of Section 27, T7N, R27E; thence south one mile along the section line to the southeast corner of Section 27, T7N, R27E; thence east approximately twenty-two miles along section lines to the Columbia River; thence northerly approximately two miles along the Columbia River to the south section line of Section 17, T7N, R31E; thence west approximately seventeen miles along section lines to the southwest corner of Section 15, T7N, R28E; thence north one mile along the section line to the northwest corner of Section 15, T7N, R28E; thence west four miles along section lines to the intersection with Badger Canyon Road at the southwest corner of Section 12, T7N, R27E; thence north two miles along Badger Canyon Road and section lines to the intersection with Sellards Road at the southeast corner of Section 35, T8N, R27E; thence west one mile along Sellards Road and the section line to the southwest corner of Section 35, T8N, R27E; thence north one mile along the section line to the northwest corner of Section 35, T8N, R27E; thence west three miles along section lines to the southwest corner of Section 29, T8N, R27E; thence north one mile along the section line to the intersection with Cemetery Road at the northwest corner of Section 29, T8N, R27E; thence west two miles along Cemetery Road and section lines to the point of beginning.))~~

(2) Area 4 restrictions. Application by air of restricted use pesticides as defined in WAC 16-230-810 may be made by written permit only.

AMENDATORY SECTION (Amending Order 2014, filed 7/31/89, effective 8/31/89)

WAC 16-230-855 APPLICATION OF PESTICIDES IN BENTON COUNTY AND PORTIONS OF FRANKLIN AND WALLA WALLA COUNTIES—AREA 5. (1) Area 5 description.

(a) Cold Creek buffer zone. An area including all lands lying within a boundary line beginning at the southwest corner of Section 7, T12N, R24E; thence east five miles along section lines to the southeast corner of Section 11, T12N, R24E; thence north approximately seven miles along section lines to the Columbia River; thence easterly approximately two miles along the Columbia River to the east section line of Section 6, T13N, R25E, near the Vernita Bridge; thence south approximately eight and one-half miles along section lines to the southeast corner of Section 18, T12N, R25E; thence west seven miles along section lines to the Benton-Yakima County line at the southwest corner of Section 18, T12N, R24E; thence north one mile along the county line to the point of beginning.

(b) Roza buffer zone. An area including all lands lying within a boundary line beginning at the northwest corner of Section 25, T10N, R26E; thence west four miles along section lines to the northwest corner of Section 29, T10N, R26E; thence south one mile along the section line to the southwest corner of Section 29, T10N, R26E; thence west eleven miles along section lines to the southeast corner of Section 29, T10N, R24E; thence north one mile along the section line to the intersection with Anderson Road at the northeast corner of Section 29, T10N, R24E; thence west two miles along Anderson Road and section lines to the Benton-Yakima County line at the northwest corner of Section 30, T10N, R24E; thence north two miles along the county line to the northwest corner of Section 18, T10N, R24E; thence east four miles along section lines to the northeast corner of Section 15, T10N, R24E; thence south one mile along the section line to the southeast corner of Section 15, T10, R24E; thence east seven miles along section lines to the southwest corner of Section 13, T10N, R25E; thence north one mile along the section line to the northwest corner of Section 13, T10N, R25E; thence east six miles along section lines to the northwest corner of Section 13, T10N, R26E; thence south two miles along section lines to the point of beginning.

~~((c) West Horse Heaven buffer zone. An area including all lands lying within a boundary line beginning at the northwest corner of Section 31, T8N, R24E; thence east approximately two miles along section lines to the southeast corner of Section 29, T8N, R24E; thence north one mile along the section line to the northeast corner of Section 29, T8N, R24E; thence east four miles along section lines to the southeast corner of Section 24, T8N, R24E; thence north one mile along the section line to the northeast corner of Section 24, T8N, R24E; thence east two miles along section lines to the southeast corner of Section 16, T8N, R25E; thence north one mile along Burt James Road and the section line to the intersection with County Well Road at the northeast corner of Section 16, T8N, R25E; thence east~~

~~two miles along County Well Road and section lines to the southeast corner of Section 10, T8N, R25E; thence north one mile along the section line to the northeast corner of Section 10, T8N, R25E; thence east three miles along section lines to the intersection with Gould Road at the southeast corner of Section 6, T8N, R26E; thence north one mile along Gould Road and the section line to the northeast corner of Section 6, T8N, R26E; thence east four miles along section lines to the southeast corner of Section 35, T9N, R26E; thence south seven miles along section lines and a portion of Tyacke Road to the southwest corner of Section 1, T7N, R26E; thence west approximately seventeen miles along section lines to the Benton-Yakima County line at the southwest corner of Section 6, T7N, R24E; thence north two miles along the county line to the point of beginning.))~~

(2) Area 5 restrictions. Application by air of restricted use herbicides as defined by WAC 16-230-810 may be made by written permit only.

AMENDATORY SECTION (Amending Order 2014, filed 7/31/89, effective 8/31/89)

WAC 16-230-860 APPLICATION OF PESTICIDES IN BENTON COUNTY AND PORTIONS OF FRANKLIN AND WALLA WALLA COUNTIES—AREA 6. ~~((+))~~ Area 6 description. All remaining lands in the area under order.

~~((2) Area 6 restrictions. Records shall be kept as required in WAC 16-230-805.))~~

NEW SECTION

WAC 16-230-861 APPLICATION OF PESTICIDES IN BENTON COUNTY AND PORTIONS OF FRANKLIN AND WALLA WALLA COUNTIES—WIND CONDITIONS. The use or application of all herbicides and class 1 and 2 insecticides are prohibited in the area under order listed in WAC 16-230-800 when the mean sustained wind velocity is over twelve miles per hour throughout the year: PROVIDED, That applications shall be allowed in higher velocity winds when an approved ground apparatus is used. Ground apparatus shall be approved by the department prior to application. Approval shall be based on research data.

AMENDATORY SECTION (Amending Order 2014, filed 7/31/89, effective 8/31/89)

WAC 16-230-865 OTHER RULES. Provisions of WAC 16-230-800 through ~~((WAC))~~ 16-230-860 shall take precedence over all existing, less restrictive rules of the department affecting the application of pesticides in Benton, Franklin or Walla Walla counties. No provision of WAC 16-230-800 through ~~((WAC 16-230-860))~~ 16-230-861 shall be construed as relieving any requirement of existing rules except those in direct conflict.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-230-805 APPLICATION OF PESTICIDES IN BENTON COUNTY AND PORTIONS OF FRANKLIN AND WALLA WALLA COUNTIES—RECORDKEEPING.

**WSR 90-14-035**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Filed June 29, 1990, 10:40 a.m.]

In accordance with WAC 1-21-060, the Department of Labor and Industries is withdrawing the proposed rule change to WAC 296-20-1103 as published in WSR 90-09-072.

Joseph A. Dear  
 Director

**WSR 90-14-036**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Filed June 29, 1990, 10:42 a.m.]

Date of Adoption: June 29, 1990.

Purpose: To define qualifications and procedures to become an employer certified to self insure workers' compensation benefits in Washington.

Citation of Existing Rules Affected by this Order: Amending WAC 296-15-020.

Statutory Authority for Adoption: RCW 51.04.020.

Pursuant to notice filed as WSR 90-09-071 on April 18, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 29, 1990  
 Joseph A. Dear  
 Director

AMENDATORY SECTION (Amending Order 88-07, filed 6/1/88)

WAC 296-15-020 APPLICATION. (1) The application for certification to self-insure will be made only by those firms who have been in business for a minimum of three years, on a form prescribed by the department which will elicit necessary information as to an employer's qualifications for self-insurance. The application form must be accompanied by independently audited financial statements for the most recent three years of the applicant firm's operation. Provided that, in cases where the majority of employees of a currently certified self-insurer purchase the controlling interest in that business or a portion of that business pursuant to an employees' stock ownership plan (ESOP), the three-year requirement of this subsection shall not apply. In these instances, an ESOP may apply for certification to self-insure on a form prescribed by the department, which must be accompanied by an independently audited financial

statement covering a minimum of one year of the new entity's operation. Any such new entity must meet all other qualifications and requirements to obtain and maintain certification, provided that, until such time that independently audited financial statements covering three years of the applicant firm's operation are provided, such entities shall provide surety at a level equal to one hundred twenty-five percent of the amount which would otherwise be required by the department as specified in WAC 296-15-030.

(2) The application shall be supplied by the department to an employer upon the employer's request. It shall be completely and accurately filled out by the employer, and forwarded, with all necessary supporting documents, to the director.

(3) The director shall consider all matters relating to the applicant's qualifications to perform as a self-insurer, and shall advise the employer of the action taken on the application thirty days before the requested certification date. If deemed necessary for obtaining further information, the director may extend the time for acting on the application. Employers who are denied certification due to deficient accident prevention programs may be required to wait six months before being considered for certification again.

**WSR 90-14-037**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed June 29, 1990, 10:45 a.m., effective August 1, 1990]

Date of Adoption: June 29, 1990.

Purpose: Implementing RCW 49.30.030. The rules establish requirements for rest and meal periods for agricultural employees.

Statutory Authority for Adoption: RCW 49.30.030.

Pursuant to notice filed as WSR 90-07-078 on March 21, 1990; WSR 90-08-093 on April 4, 1990; and WSR 90-12-069 on June 1, 1990.

Effective Date of Rule: August 1, 1990.

June 29, 1990  
 Joseph A. Dear  
 Director

NEW SECTION

WAC 296-131-020 MEALS AND REST PERIODS. (1) Every employee employed more than five hours shall receive a meal period of at least thirty minutes. Employees working eleven or more hours in a day shall be allowed at least one additional thirty-minute meal period.

(2) Every employee shall be allowed a rest period of at least ten minutes, on the employer's time, in each four-hour period of employment. For purposes of computing the minimum wage on a piecework basis, the time allotted an employee for rest periods shall be included in the number of hours for which the minimum wage must be paid.

**WSR 90-14-038**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed June 29, 1990, 10:48 a.m., effective November 1, 1990]

Date of Adoption: June 29, 1990.

Purpose: Implementing RCW 49.30.030. The proposed rules limit employment of minors in agriculture for protection of their health, safety, and welfare and to encourage school attendance.

Citation of Existing Rules Affected by this Order: Amending WAC 296-131-001.

Statutory Authority for Adoption: RCW 49.30.030.

Pursuant to notice filed as WSR 90-07-078 on March 21, 1990; WSR 90-08-093 on April 4, 1990; and WSR 90-12-069 on June 1, 1990.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Overview: In response to extensive public comment, the department has revised the details of the agricultural labor rules in many respects. Many who commented emphasized that education should be a priority for children. Numerous farmers and migrant parents also expressed the belief that parents should decide when and where their children would work.

Three major issues were the focus of public comment. Most of the testimony and letters addressed the sections of the rules relating to hours of work and the age of workers. Two points stood out in the majority of the testimony on the proposals: Allow less work during the school year, particularly before the start of the school day; and allow more work during the harvest season, particularly for sixteen and seventeen year olds.

The third major focus of public comment was whether minors under the age of 14 should be allowed to work. The department revised the proposed rules to address all three of these concerns and to better reflect the legislative intent that the rules encourage school attendance and provide flexible hours of employment to meet the unique requirements of agricultural employers.

The rules as adopted permit less work during the school year, particularly before the start of the school day, permit more work during the harvest season, especially for sixteen and seventeen year olds, and allow twelve and thirteen year olds to work during non-school weeks in crops with minimum workplace hazards. The rationale for these changes and others follow in a section by section explanation of changes to the proposed agricultural labor rules.

Explanatory statement: WAC 296-131-001 Applicability, is revised to clarify that the regulations of this chapter do not apply to the immediate family members of farmers; WAC 296-131-005 Definitions, contains only technical revisions; WAC 296-131-105 Parental and school authorization, is revised to allow flexibility in a student's workload based on the student's academic performance. Relying on national studies evaluating the impact of work on academic performance, the Superintendent of Public Instruction recommends that students aged 14 through 17 be permitted to work only 15 to 20 hours per week during the school year, with no more

than 3 hours per day on school days. Several members of the advisory committee recommended that a minimum grade point average be required in order to work. Another advisory committee member suggested that students with good grades be able to work longer hours. Several students also commented that they should be able to work as many hours as they wish so long as their grades are maintained. Some educators have stated that too much emphasis on school performance in the rules could spur an increase in dropouts. Although research indicates that academic performance for most students declines after 15 to 22 hours of work per week, there are also students who can work longer hours with no adverse impact on their academic performance. Parents and schools are better able than the department to determine how many hours an individual student should work. The rules are revised to require that a student's school tailor its school authorization to each student, up to the maximum hours per day and per week allowed by rule; WAC 296-131-110 Posting, is revised to require the department to provide employers an informational poster describing rights of agricultural employees in English and Spanish. Due to the delayed effective date of the rules, the department will have posters available to employers prior to the posting requirement taking effect; WAC 296-131-115 Age of employment, is revised to expand work opportunities for 12- and 13-year olds during the summer. Although 14 is the minimum age for employment in nonagricultural work, the department received extensive testimony from children and parents asking that a lower minimum age apply. Many who commented on the proposed rules asked, if 12- and 13-year old children can work in the berry harvest, why can't they work in the hand-harvest of other crops during summer vacation? In answering this question, the department evaluated the workplace risks involved in different types of agricultural employment and determined that 12- and 13-year olds may work during nonschool weeks in the hand-harvest of bulbs, berries and cucumbers and in the hand cultivation of spinach. The department considered the following in creating this limited exception: The work does not involve exposure to machinery or sharp objects; the work does not involve extensive lifting; the work is limited to times in the agricultural work cycle when exposure to agricultural chemicals is minimized. Aside from whether minors under 14 can work, is the separate question of whether they ought to work as much as older children. The testimony from pediatricians would suggest that the rules distinguish between this age group and the 14- and 15-year old age group by restricting minors 12- and 13-years of age to fewer hours per week. Testimony from farmers and those who have worked as 12- and 13-year olds in the crops covered by the rules indicates that the harvest day is usually less than eight hours. WAC 296-131-120 Hours of work for minors in agriculture is revised to permit less work during the school year, particularly before school on school days, and to permit more work during the harvest season, especially for 16- and 17-year olds. As indicated above in the discussion of changes to proposed WAC 296-131-105, research indicates that working

more than 15 to 22 hours per week often adversely impacts academic performance. The Superintendent of Public Instruction also supports extending to the agricultural industry the existing regulations prohibiting students under 16 years of age from working before 7 a.m. and after 7 p.m. During school year: With the exception of the asparagus and apple harvests in Eastern Washington, minors generally are not employed during the school year for large numbers of hours per day or per week. Some districts close school for a short period of time to better enable students to participate in the apple harvest. The revisions address the concern of educators and many others that education be the first priority for teens. Minors under 16 are generally prohibited from working before school, as they are in most other Washington industry and as they are in all occupations (including agriculture) in California. An exception is created to address the unique needs and opportunities of young men and women who work on a neighboring farm in the daily care and feeding of agricultural animals or in assisting with irrigation. As the advisory committee recognized, these agricultural tasks require a dependable long-term workforce different from that necessary to harvest crops. By allowing 14- and 15-year olds engaged in these tasks to begin work at 6:00 a.m., the department intends to allow routine farm work such as feeding pigs, milking cows, and irrigating fields to be performed for a short period before school, just as the current statute regulating minors who work allows newspaper delivery to occur before school begins. During summer: Many people testified to the differences between farms and other types of industry. One difference frequently mentioned is that crops cannot wait to be harvested. Another difference is that much of the work is done outside in hot weather. Like the advisory committee, the department recognizes the need for the agricultural work force to be available for long hours during the harvest season with early start times. Although the advisory committee recommended that 16- and 17-year olds be permitted to work up to 48 hours a week during the summer, the department heard extensive comment that the proposed limitations on hours per day and per week were too restrictive. At least one business, National Frozen Foods, advocated allowing 16- and 17-year old employees to work up to 12 hours a day, 60 hours a week. In keeping with the legislative directive that the rules promote school attendance and allow flexible hours to meet usual crop cultural and harvest requirements, the rules allow 16- and 17-year olds to work up to 10 hours a day, 50 hours per week. Recognizing that hay, wheat and pea harvest typically involve even more intense harvest activity, the rules allow 16- and 17-year olds to work up to 10 hours a day and 60 hours per week in those harvests. The department considered the suggestion urged by farmworker representatives to require payment of overtime for hours in excess of 40 per week and determined that it does not have the authority to adopt such a rule. All age groups may begin work at 5:00 a.m. on nonschool days. Hours of work - days: Many farmers and minor employees want youth to be able to work every day. Several farmers suggested that minor employees be allowed to work every day during

harvest time. For migrant children who begin working with the asparagus harvest in April and finish with the apple harvest in October, this could result in over six months work without a day off. The rules generally limit minor employees to six days each week. For certain work recognized by the advisory committee as requiring daily attention, the rules allow work every day with at least one day off every two weeks. Applicability of hours and days limitations: The proposed rules exempted minors 15 and older who are no longer legally required to attend school. This exemption may encourage some to drop out at age 15 rather than be limited in the number of hours that may be worked because they are attending school. Unfortunately, RCW 28A.27.010 does allow minors 15 and older to escape mandatory school attendance until the age of 18 if "regularly and lawfully engaged in a useful or remunerative occupation." Most who testified agreed that education should be the top priority for children. The rules are designed to encourage, not discourage, school attendance. The exemption from the rules for minors no longer attending school is dropped, establishing the hours and days limitations as standard for all minors except those 16 and older emancipated by court order; WAC 296-131-125 Prohibited and hazardous employment, is revised to incorporate many of the workplace protections afforded to minors working in nonagricultural employment. Widely disputed throughout the statewide hearings was the contention that agricultural work is more hazardous than other types of work. National studies have indicated that farm work has one of the highest rates of injury. Preliminary results from a comprehensive study of Washington industrial insurance claims filed by minors indicates that farmworker injuries represent a substantial percentage of all injury claims by the youngest age groups. Minors engaged in farm work had a higher percentage of severe claims than the overall population of minors, nearly five times greater than minors working in the food service industry. Of the claims filed by minors working in agriculture, 13 percent were considered to be severe injuries, compared with only 2.9 percent of the claims filed by minors in food service work. The Washington State Labor Council advocates that the workplace protections that apply to minors in nonagricultural work should be included in the rules. Many other who commented testified in general that the rules the department adopts for minors in agriculture be identical to those already in existence for minors engaged in other work. Except for whether the rules should address agricultural chemicals, however, there was little comment on the specific prohibitions proposed. Several people correctly noted that the proposals closely paralleled the existing federal prohibitions for minors under 16. Agricultural chemicals: Labor, churches and farmworker advocates argue for a 7-day reentry period for minors after use of specified categories of agricultural chemicals. The rules limit harvesting consistent with established preharvest intervals and prohibit harvest activity within 14 days after application if no preharvest interval exists. The preharvest interval is the period of time established by the Environmental Protection Agency between the application of a chemical and the time it is considered safe to eat. The philosophy



behind the preharvest interval therefore is that if it is safe to eat, it is safe to pick. Except for adopting the use prohibition contained in the proposed rule, no additional pesticide requirements are established in this rule for those engaged in nonharvest work. Medical experts differ on whether minors are more susceptible to injury from agricultural chemicals than older workers. In the absence of consensus, the rules being adopted provide minors engaged in harvest activity with an extra degree of protection in those cases where no preharvest interval is established. The department considered whether the rules should also address exposure to agricultural chemicals during nonharvest activity. It is the department's conclusion that the pesticide incident reporting and tracking review panel, charged by the legislature with reviewing pesticide reentry intervals, is the appropriate body to evaluate concerns over reentry intervals, along with concerns about existing preharvest intervals, and make recommendations where additional protection is necessary. Other prohibitions: The department carefully reviewed the minor work restrictions in WAC 296-125-030 and 296-125-033 to determine which should apply to minors employed in agriculture. Several types of work prohibited under those regulations are covered under the federal regulations upon which the proposed rules were based. The federal regulations prohibit minors under 16 from working with circular, band or chain saws. All minors engaged in nonagricultural work are prohibited from using such equipment. The inherent danger of such tools warrants extending that prohibition to all minors. All minors working in agriculture also are prohibited from working with power driven wood and metal working machines and guillotine shears; work involving slaughtering, meat packing or processing and rendering; work involving wrecking and demolition; work involving roofing; work involving mechanical excavation; and work in any place where a strike or lockout exists. Except for the last of the prohibitions, the prohibitions are designed to protect minors from dangerous machinery, sharp materials, heights, or dangers related to earth removal or collapse of man-made structures. The prohibition against work where a strike or lockout exists is intended to protect minors from potentially hostile workplace situations. The language, narrower in scope than WAC 296-125-030 (2)(b) which applies to minors working in nonagricultural employment, is drawn from the farm-labor contractor statute, RCW 19.30.120(3). The rules do not prohibit some types of work normally done on the farm that would be prohibited by adopting the existing standards: work involving regular driving of motor vehicles is integral to many farm activities; minor excavation work also occurs frequently on the farm and is permitted if not mechanically performed. Minors under 16 are also prohibited from work on a farm which may involve dangerous equipment or which may result in severe injury, including work in manufacturing, work in food processing, work in transportation, warehouse and storage work or construction work, work in boiler or engine rooms, and work in freezers, coolers and meat cutting and preparation. Because both manual and mechanical lifting are integral to agricultural work, the rules do not include the prohibitions which apply to minors working in

nonagricultural employment on use of hoisting apparatus or loading and unloading. Lifting instruction is required prior to commencement of work. WAC 296-131-126 Lifting, is revised to require lifting instructions be provided to an employee prior to starting work. WAC 296-131-130 Recordkeeping, is revised to reduce employer paperwork and allow employee access to employer files consistent with that authorized in other rules. Paperwork: The proposed rules require employers to keep on file for one year proof of age of minor employees, as required of employers under existing minor work rules. Several employers requested that the federal employment eligibility verification (Form I-9) satisfy the requirement for documentation of age. The Form I-9 requires that persons completing the form state their date of birth, among other information. Because the department needs only to determine an employee's age, use of the Form I-9 to satisfy that requirement is adopted in the revised rules. Recordkeeping: The proposed rules required that the records an employer is required to maintain be available to the director or the director's representative. To be consistent with the recordkeeping revisions adopted last fall, the rules also allow access "to the employee, upon request for that employee's work record, at any reasonable time"; WAC 296-131-140 Variances, is revised to allow more flexibility in the granting of variances. The extensive comment on the proposed rules indicated numerous situations where variances may be appropriate or necessary. Variances may be granted to the hours and days limitations, and the restrictions applying to prohibited and hazardous employment. Variances may also be granted for weather emergencies. The "good cause" criteria for granting a variance is revised by eliminating the requirements that adult workers be unavailable and that compliance would result in severe economic hardship to the employer. "Good cause" criteria in the rules that are adopted are based on the statutory directive that the rules encourage school attendance and provide flexibility to meet usual crop cultural and harvest requirements. Evergreen Legal Services commented that it would be difficult, if not impossible, for an entire industry to comply with the "good cause" provisions in seeking a variance. This should be less of a problem under the adopted rules than under the proposed rules. However, as Evergreen suggested, employers who apply in groups for a variance should name each farm for which the variance is sought, the number of children for whom the variance is sought, and indicate how each farm individually satisfies the "good cause" requirements. Because the "good cause" criteria require the applicant to indicate that the variance would not adversely impact school attendance or performance, it is unlikely that a group variance would be granted during the school year.

Effective Date of Rule: November 1, 1990.

June 29, 1990  
Joseph A. Dear  
Director



AMENDATORY SECTION (Amending Order 89-15, filed 10/24/89, effective 11/24/89)

WAC 296-131-001 APPLICABILITY. These standards, adopted pursuant to sections 83 through 86, chapter 380, Laws of 1989, shall apply to persons employed in agricultural labor as defined in RCW 50.04.150 and WAC 296-131-005. The standards in this chapter beginning at WAC 296-131-100 shall apply only to minors employed in agricultural labor. The standards in this chapter do not apply to the immediate family members of the officers of any business engaged in agricultural production of crops or livestock.

NEW SECTION

WAC 296-131-005 DEFINITIONS. For the purpose of these rules:

(1) A "minor" is a person of either gender, employed in agricultural labor, who is under the age of eighteen years.

(2) "Agricultural labor" is defined as services performed:

(a) On a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or

(b) In packing, packaging, grading, storing, or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; but only if such service is performed as incident to ordinary farming operations.

"Agricultural labor" does not include employment in commercial packing houses, commercial storage establishments, commercial canning, commercial freezing, or any other commercial processing with respect to services performed in connection with the cultivation, raising, harvesting and processing of oysters or raising and harvesting of mushrooms or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption.

(3) "Department" means the department of labor and industries.

(4) "Director" means the director of the department of labor and industries.

(5) "Employ" means to engage, suffer, or permit to work in agricultural labor.

(6) "Employee" means any person employed by an employer, except those who are members of the immediate family of an employer.

(7) "Employer" means any person, firm, corporation, partnership, business trust, legal representative, or other business entity that engages in any agricultural activity in this state and employs one or more employees.

NEW SECTION

WAC 296-131-100 PERMITS TO EMPLOY MINORS. (1) Within three days after the commencement of employment of one or more minors, an employer shall file with the department an application for a permit to employ minors. When validated by the supervisor of employment standards, this permit will authorize the employer to employ for one year any number of minor workers at the workplace specified in accordance with the conditions of the permit and the regulations established in this chapter.

(2) An employer shall at all times employ minors in accordance with the regulations established in this chapter, regardless whether the employer has filed with the department an application for a permit to employ minors as required in subsection (1) of this section.

(3) The department shall annually publicize the requirements of this chapter through departmental publications and other appropriate means designed to assist employers in complying with the law.

NEW SECTION

WAC 296-131-105 PARENTAL AND SCHOOL AUTHORIZATION. (1) An employer of a minor shall be required to annually obtain written authorization from a minor's parent before employing the minor.

(2) Except when performing intermittent weekend work, a minor who is legally required to attend school and who is working during the school year shall obtain from his or her school written authorization to work a specified number of hours per day and per week up to the maximum permitted in WAC 296-131-120, based on an evaluation of the impact of work on the student's academic performance. School authorization is not required for high school graduates.

(3) The parental and school authorization required by this chapter shall be on forms supplied by the department and shall be kept on file by the employer.

(4) Neither parent nor school authorization is required for minors who are emancipated by court order.

(5) For purposes of this section, "intermittent weekend work" is defined as work during the weekend arranged to be performed after the end of the preceding school week. Work performed after the beginning of the next school day is not considered to be intermittent weekend work and requires school authorization. Work during more than two weekends per quarter is not considered to be intermittent weekend work.

NEW SECTION

WAC 296-131-110 POSTING. (1) At least one copy of a valid permit to employ minors shall be posted in a conspicuous place at the workplace specified in the permit.

(2) An informational poster supplied by the department, describing in English and Spanish the rights of agricultural employees under this chapter, also shall be posted in a conspicuous place at the workplace specified in the permit.

NEW SECTION

**WAC 296-131-115 AGE OF EMPLOYMENT.** No minor under the age of fourteen shall be employed in agriculture at any time except as follows: Minors twelve and thirteen years of age may be employed in the hand harvest of berries, bulbs, and cucumbers and in the hand cultivation of spinach during weeks when school is not in session.

NEW SECTION

**WAC 296-131-120 HOURS OF WORK FOR MINORS IN AGRICULTURE.** (1) Minors legally required to attend school may not be employed during school hours except by special permission from school officials as provided in RCW 28A.27.010 and 28A.27.090.

(2)(a) Minors under the age of sixteen may work up to three hours a day on school days, up to eight hours a day on nonschool days and up to twenty-one hours a week during weeks when school is in session. Minors under the age of sixteen may work up to eight hours a day and up to forty hours a week during weeks when school is not in session.

(b) Except as otherwise provided, on days when school is in session, minors under the age of sixteen may not be employed before 7:00 a.m. nor after 8:00 p.m. On days when school is not in session, minors under the age of sixteen may not be employed before 5:00 a.m. nor after 9:00 p.m. On days when school is in session, minors under the age of sixteen employed in animal agriculture or whose employment in crop production requires daily attention to irrigation, may be employed beginning at 6:00 a.m.

(3)(a) Minors who are sixteen and seventeen years of age may work up to twenty-eight hours a week, up to four hours a day on school days and up to eight hours a day on nonschool days during weeks when school is in session. Minors who are sixteen and seventeen years of age may work up to ten hours per day and up to fifty hours per week during weeks when school is not in session. Minors who are sixteen and seventeen years of age may work up to sixty hours per week in the mechanical harvest of peas, wheat, and hay during weeks when school is not in session.

(b) Minors who are sixteen and seventeen years of age may not be employed before 5:00 a.m. nor after 10:00 p.m. Minors who are sixteen and seventeen years of age may not work later than 9:00 p.m. on more than two consecutive nights preceding a school day.

(4) Except for minors employed in dairy or livestock production, in the harvest of hay, or whose employment in crop production requires daily attention to irrigation, no minor shall be employed more than six days in any one week.

(5) The provisions of this section shall not apply to minors sixteen years of age and older who are emancipated by court order.

NEW SECTION

**WAC 296-131-125 PROHIBITED AND HAZARDOUS EMPLOYMENT.** (1) Employment in the

following occupations in agriculture is prohibited to minors under the age of sixteen:

(a) Operating a tractor of over 20 PTO horsepower, or connecting or disconnecting an implement or any of its parts to or from such a tractor.

(b) Operating or assisting to operate (including starting, stopping, adjusting, feeding, or any other activity involving physical contact associated with the operation) any of the following machines:

(i) Corn picker, cotton picker, grain combine, hay mower, forage harvester, hay baler, potato digger, or mobile pea viner;

(ii) Feed grinder, crop dryer, forage blower, auger conveyor, or the unloading mechanism of a nongravity-type self-unloading wagon or trailer; or

(iii) Power post-hole digger, power post driver, or nonwalking type rotary tiller.

(c) Operating or assisting to operate (including starting, stopping, adjusting, feeding, or any other activity involving physical contact associated with the operation) any of the following machines:

(i) Trencher or earthmoving equipment;

(ii) Fork lift; or

(iii) Potato combine.

(d) Working on a farm in a yard, pen, or stall occupied by a:

(i) Bull, boar, or stud horse maintained for breeding purposes; or

(ii) Sow with suckling pigs, or cow with newborn calf (with umbilical cord present).

(e) Felling, bucking, skidding, loading, or unloading timber with butt diameter of more than six inches.

(f) Working from a ladder or scaffold (painting, repairing, or building structures, pruning trees, picking fruit, etc.) at a height of over twenty feet.

(g) Driving a bus, truck, or automobile when transporting passengers, or riding on a tractor as a passenger or helper.

(h) Working inside:

(i) A fruit, forage, or grain storage designed to retain an oxygen deficient or toxic atmosphere;

(ii) An upright silo within two weeks after silage has been added or when a top unloading device is in operating position;

(iii) A manure pit; or

(iv) A horizontal silo while operating a tractor for packing purposes.

(i) Working in any manufacturing occupation.

(j) Working in any processing operations, including food processing.

(k) Working in transportation, warehouse, and storage or construction.

(l) Work in or about engine or boiler rooms.

(m) Work in freezers, meat coolers, and all work in preparing meats for sale. (Wrapping, sealing, labeling, weighing, pricing, and stocking are permitted if work is performed away from meat-cutting and preparation areas.)

(2) Employment in the following occupations in agriculture is prohibited to all minors:

(a) Handling, mixing, loading or applying (including cleaning or decontaminating equipment, disposal or return of empty containers, or serving as a flagman for aircraft applying) agricultural chemicals classified under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.) as Category I of toxicity, identified by the word "poison" and the "skull and crossbones" on the label; or Category II of toxicity, identified by the word "warning" on the label.

(b) Handling or using a blasting agent, including but not limited to, dynamite, black powder, sensitized ammonium nitrate, blasting caps, and primer cord.

(c) Transporting, transferring, or applying anhydrous ammonia.

(d) Work involving circular, band or chain saws, power driven wood working machines, power driven metal forming, punching and shearing machines, and guillotine shears.

(e) Work involving slaughtering, meat packing, or processing and rendering.

(f) Work involving wrecking and demolition.

(g) Work involving roofing.

(h) Work involving mechanical excavation.

(i) Work in any place where a strike or lockout exists.

(3) The employment prohibited by subsection (1) of this section shall not apply to the employment of any minor as a vocational agriculture student-learner in any of the occupations described in subsection (1)(a), (b), (c), (d), (e), or (f) of this section when each of the following requirements are met:

(a) The student-learner is enrolled in a vocational education training program in agriculture under a recognized state or local educational authority, or in a substantially similar program conducted by a private school;

(b) Such student-learner is employed under a written agreement which provides that the work of the student-learner is incidental to his training; that such work shall be intermittent, for short periods of time, and under the direct and close supervision of a qualified and experienced person; that safety instruction shall be given by the school and correlated by the employer with on-the-job training; and that a schedule of organized and progressive work processes to be performed on the job have been prepared;

(c) Such written agreement contains the name of the student-learner, and is signed by the employer and by a person authorized to represent the educational authority or school; and

(d) Copies of each such agreement are kept on file by both the educational authority or school and by the employer.

(4) The employment prohibited by subsection (1) of this section shall not apply to the employment of any minor in those occupations for which the minor has successfully completed one or more federal extension service training programs described in 29 C.F.R. section 570.72(b) and who has been instructed by the employer in the safe and proper operation of the specific equipment to be used, who is continuously and closely supervised by the employer where feasible or, where not feasible, in work such as cultivating, whose safety is checked by the employer at least at midmorning, noon,

and midafternoon, or during the first and second halves of the workday, whichever is more frequent.

(5) The employment prohibited by subsection (1) of this section shall not apply to the employment of any minor in those occupations for which the minor has successfully completed one or more of the vocational agriculture training programs described in 29 C.F.R. section 570.72(c) and who has been instructed by the employer in the safe and proper operation of the specific equipment to be used, who is continuously and closely supervised by the employer where feasible or, where not feasible, in work such as cultivating, whose safety is checked by the employer at least at midmorning, noon, and midafternoon, or during the first and second halves of the workday, whichever is more frequent.

(6) No minor shall be permitted to ride in or work in the vicinity of a vehicle driven by any person who is under the age of sixteen or anyone who does not possess a valid driver's license.

(7) No minor shall be employed in agriculture in the harvest of any crop to which agricultural chemicals described in subsection (2)(a) of this section have been applied, prior to the expiration of the preharvest interval or within fourteen days after the application if no preharvest interval has been established.

(8) If, upon inspection or investigation, the director or the director's designee believes that an employer is violating this section creating a danger from which there is a substantial probability that death or serious physical harm could result to a minor employee, the director or the director's designee may issue an order under RCW 34.05.479 immediately restraining the condition, practice, method, process, or means creating the danger and suspend the employer's permit authorizing employment of minors until action is taken to avoid, correct, or remove the danger.

(9) A copy of the federal regulations referenced in subsections (4) and (5) of this section may be obtained from the department upon request.

#### NEW SECTION

WAC 296-131-126 LIFTING. Where weights in excess of twenty pounds are to be lifted, carried, pushed, or pulled as a normal part of an employee's responsibility, the employer shall instruct minors on correct weight lifting techniques prior to the commencement of work and display a poster developed by the department illustrating correct weight lifting techniques.

#### NEW SECTION

WAC 296-131-130 RECORDKEEPING. In addition to the records required under WAC 296-131-017, an employer is responsible for obtaining and keeping on file for one year the following information concerning each minor employee:

(1) Proof of age by means of a copy of one of the following: Birth certificate; driver's license; baptismal record; Bible record; insurance policy at least one year old indicating the date of birth; or witnessed statement of the parent or guardian; a completed federal employment eligibility verification (Form I-9);

(2) Parental authorization required by WAC 296-131-105;

(3) School authorization required by WAC 296-131-105.

Every employer shall make the records described in this section available to the director or the director's authorized representative at any time for inspection and transcription or copying and to the employee, upon request for that employee's work record, at any reasonable time.

### NEW SECTION

**WAC 296-131-135 REVOCATION OF PERMITS.** (1) The department may revoke any employer's permit to employ minors upon a showing that the conditions of its issuance are not being met, or that other conditions exist which are detrimental to the health, safety, or welfare of the minor.

(2) The department may refuse to issue or renew a permit to employ minors. If the department refuses to issue or renew a permit, it shall send the employer a notice of denial. The notice of denial shall explain the grounds for denial of the permit. The department may refuse to renew a permit if the conditions of its initial issuance are not being met.

(3) Any employer aggrieved by any action taken by the department under this section may appeal the action or decision by filing notice of the appeal with the director within thirty days of the department's action or decision. Upon receipt of an appeal, a hearing shall be held in accordance with chapter 34.05 RCW. The director shall issue all final orders after the hearing. Final orders are subject to appeal in accordance with chapter 34.05 RCW. Orders not appealed within the time period specified in chapter 34.05 RCW are final and binding.

### NEW SECTION

**WAC 296-131-140 VARIANCES.** (1) Upon written application from an employer or an organization representing employers, a variance permitting employment of minors otherwise prohibited under WAC 296-131-120 or 296-131-125 may be granted for good cause shown. The employer or the organization representing employers shall give written notice to the employees so that they may submit their views to the department on any variance request.

(2) The department may afford the applicant and any involved employee, or employee representatives, the opportunity for oral presentation whenever circumstances of the particular application warrant.

(3) "Good cause" shall mean, but not be limited to, those situations in which the employer demonstrates that (a) the granting of the variance would not have a harmful effect upon the health, safety, or welfare of the minor employees involved; (b) the granting of the variance would not have a deleterious effect on school attendance or the academic performance of minors; and (c) the variance is necessary to meet usual crop cultural or harvest requirements.

(4) Upon application from an employer or an organization representing employers a variance permitting employment of minors otherwise prohibited under these rules may be granted by the director or an authorized representative of the director in response to a weather emergency.

### **WSR 90-14-039**

#### **PROPOSED RULES**

#### **DEPARTMENT OF AGRICULTURE**

[Filed June 29, 1990, 11:42 a.m.]

#### Original Notice.

Title of Rule: Chapter 308-100 WAC, Driver's licenses—Special provisions; and chapter 308-104 WAC, Driver's licenses—Commercial driver's licenses.

Purpose: Establish definition of recreational vehicles for commercial driver license purposes, provide for the release of driving records to insurance companies for commercial motor vehicles; correct a drafting error in WAC 308-104-050.

Statutory Authority for Adoption: RCW 46.01.110 and 46.25.140.

Statute Being Implemented: Chapter 46.25 RCW.

Summary: Provides a definition of recreational vehicles, which are exempt from the commercial driver license provisions under RCW 46.25.050; clarifies department's duties in releasing driving records under RCW 46.52.130; and corrects a drafting error in WAC 308-104-050.

Reasons Supporting Proposal: Necessary to implement Uniform Commercial Driver's License Act, chapter 46.25 RCW.

Name of Agency Personnel Responsible for Drafting: Clark J. Holloway, Highways-Licenses Building, (206) 753-1134; Implementation and Enforcement: Joan L. Baird, Highways-Licenses Building, (206) 753-6977.

Name of Proponent: Department of Licensing, governmental.

Rule is necessary because of federal law, Title XII, Public Law 99-570.

Explanation of Rule, its Purpose, and Anticipated Effects: Provides a definition of recreational vehicles, which are exempt from the commercial driver license provisions. The definition will include vehicles used for recreation, camping, or travel, vehicles towing a horse trailer, and rental trucks having no more than two axles used for personal possessions. Allows the department to separate driving records based on whether citation or accident issued was for use of a personal vehicle or a commercial motor vehicle. Would require the department to release only the appropriate record to the insurance company. Corrects a drafting error in WAC 308-104-050.

Proposal Changes the Following Existing Rules: Amends WAC 308-100-010 to make it clear that those drivers exempt from commercial driver's licenses under RCW 46.25.020 do not need to obtain a commercial driver's license; and amends WAC 308-104-050 to correct a drafting error.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Implements provisions of federal law.

Hearing Location: Department of Licensing, Highways-Licenses Building, 4th Floor, Olympia, Washington 98504, on August 7, 1990, at 1:00 p.m.

Submit Written Comments to: Clark J. Holloway, Department of Licensing, Highways-Licenses Building, 4th Floor, Olympia, Washington 98504, by August 7, 1990.

Date of Intended Adoption: August 8, 1990.

June 26, 1990

Joan Baird  
Assistant Director  
Driver Services

NEW SECTION

WAC 308-100-210 RECREATION VEHICLE — DEFINITION. For the purposes of RCW 46.25.050 (1)(c), the term "recreational vehicle" shall include vehicles used exclusively for non-commercial purposes which are:

- (1) Primarily designed for recreational, camping, or travel use;
- (2) Towing a horse trailer; or
- (3) Rental trucks having no more than two axles (one steering and one drive axle) used strictly and exclusively to transport personal possessions.

NEW SECTION

WAC 308-104-145 DRIVING RECORD ABSTRACTS—RELEASE TO INSURANCE COMPANIES. For purposes of RCW 46.52.130, an abstract of driving record provided to an insurance company that has insurance in effect covering a person's employer or a prospective employer shall exclude any information pertaining to the person's operation of a noncommercial motor vehicle. The abstract provided to the insurance company that has insurance in effect covering the person, or the insurance company to which the person has applied, shall exclude any information pertaining to the person's operation of a commercial motor vehicle. The abstract provided to the insurance company shall also exclude any information pertaining to law enforcement officers or fire fighters as defined in RCW 41.26.020, or any member of the Washington state patrol, while driving official vehicles in the performance of occupational duty during an emergency situation if the chief of the officer's or fire fighter's department certifies on the accident report that the actions of the officer or fire fighter were reasonable under the circumstances as they existed at the time of the accident. As used in this section, "commercial motor vehicle" shall have the meaning defined in RCW 46.25.010(6).

AMENDATORY SECTION [(Amending WSR 89-18-003, filed 8/24/89, effective 9/24/89)]

WAC 308-100-010 VEHICLES REQUIRING ENDORSEMENT OR COMMERCIAL DRIVER LICENSE FOR THEIR OPERATION. The director of the department of licensing hereby finds that the following vehicles require special operating skills by the drivers of those vehicles: Single vehicles with a gross vehicle weight rating (GVWR) of 26,001 pounds or more, and any such vehicle towing a vehicle with a GVWR not in excess of 10,000 pounds; or any single vehicles with a GVWR of less than 26,001 pounds or any such vehicle towing a vehicle with a GVWR not in excess of 10,000 pounds consisting of:

- (1) Vehicles designed to transport sixteen or more passengers, including the driver;
- (2) Vehicles used in the transportation of hazardous materials that requires the vehicle to be identified with a placard under 49 C.F.R., part 172, subpart F; and
- (3) All school buses regardless of capacity.

All persons driving such vehicles, other than those exempt under RCW 46.25.020, must have an endorsement on their driver's license designated as INTERMEDIATE or must possess a commercial driver's license with the proper classification(s). Drivers of trucks having two axles and with a GVWR of 26,001 pounds or more must obtain a commercial driver's license in the manner prescribed by (~~WAC 308-~~

~~100-...~~ (~~Commercial driver license conversion~~)) WAC 308-100-100, no later than April 1, 1992.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

AMENDATORY SECTION [(Amending Order DS 3, filed 9/22/87)]

WAC 308-104-050 WAIVER OF DRIVER EDUCATION REQUIREMENT—WHEN GRANTED. No waiver of the traffic safety education course requirement for applicants under the age of 18 years shall be issued unless:

(1) The parent, guardian, or other person having the care, custody and control of the ((applicants)) applicant certifies that the ((applicant[s])) applicant is:

(a) Unable to take or successfully complete a traffic safety education course and the reasons therefor, and

(b) That there exists an immediate need to operate a motor vehicle. The immediate need shall be set forth in as much detail as possible. For the purpose of meeting this requirement, "an immediate need exists" shall be construed to mean that the capability to drive will reduce or help eliminate the negative consequences of the situation that created the immediate need to drive. If operating a motor vehicle does not reduce the hardship which was created by the situation, "an immediate need" does not exist; and

(2) The waiver is approved by a majority of a three member committee consisting of two department of licensing members which shall include any two of the following: The assistant director for driver services, the administrator of hearings, the administrator of driver responsibility, the administrator or assistant administrator(s) for driver operations, and one member who shall be the supervisor of driver and safety education in the office of the superintendent of public instruction or his/her designee. The committee shall have the power to set definite restrictions as to hours of the day and routes or areas of travel permitted under the waiver until the applicant has completed a driver education course or has reached the age of 18 years.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 90-14-040**  
**EMERGENCY RULES**  
**DEPARTMENT OF ECOLOGY**

[Filed June 29, 1990, 12:52 p.m.]

Date of Adoption: June 29, 1990.

Purpose: The emergency rule implements provisions of the Washington Clean Air Act as amended by SSB 6698 and SSB 6407 of the 1990 session. The rule increases the retail sales fee on solid fuel burning devices to fifteen dollars and limits the use of these funds to education and enforcement.

Citation of Existing Rules Affected by this Order: Amending chapter 173-433 WAC, Solid fuel burning device standards.

Statutory Authority for Adoption: Chapter 70.94 RCW, Washington Clean Air Act.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: SSB 6698 expanded the woodstove education program to include enforcement activities, and authorized ecology to increase the retail sales fee on solid fuel burning devices to fifteen dollars.

SSB 6407 appropriated an additional \$250,000 to the "woodstove education and enforcement account" for FY 91 based on the collection of these increased fees. Enforcement and education are critical elements of a woodstove particulate reduction program, and are dependent on the \$250,000 appropriation. The appropriation is, in turn, dependent upon the increased fee.

Effective Date of Rule: July 1, 1990.

June 29, 1990  
Fred Olson  
Deputy Director

[AMENDATORY SECTION (Amending Order 88-38, filed 1/3/89)]

WAC 173-433-170 RETAIL SALES FEE.  
(Amending Order 88-38, Filed 1/3/89)

(1) A person selling a solid fuel burning device at retail shall ~~((impose upon the buyer a fee))~~ collect a fee from the buyer, pursuant to RCW 70.94.483.

(2) The fee shall be:

(a) ~~((Set at a minimum of five)) Fifteen dollars(;) until January 1, 19((89,)) 91. ((and annually-t)) Thereafter, ((it may be adjusted upward according to increases)) ecology may annually increase the fee according to changes in the consumer price index;~~

(b) Applicable to all new and used solid fuel burning devices, with the exception of built-in masonry fireplaces; and

(c) Collected by the retailer at the time of sale and remitted to the department of revenue in conjunction with the retail sales tax under chapter 82.08 RCW.

(3) If the ~~((seller should))~~ retailer fails to collect ~~((the fee herein imposed or))~~ and remit the fee to the department of revenue as prescribed in chapter 82.08 RCW, the ~~((seller))~~ retailer shall be personally liable to the state for the amount of the fee, with subsequent actions taken in accordance with the ~~((collection))~~ provisions of chapter 82.32 RCW.

(4) Beginning July 1, 1990 and each calendar quarter thereafter, the funds collected under RCW 70.94.483 shall be used solely for the purposes of public education and enforcement of the solid fuel burning device program. The department shall distribute the funds from the woodstove education and enforcement account as follows:

(a) Sixty-six percent of the funds shall be distributed to those local air authorities with enforcement programs, based upon the fraction of the total state population residing in the counties within their respective jurisdictions. Population figures used to establish this fraction shall be determined by the office of financial management. Where an activated local air authority does not exist or does not implement an enforcement program, or elects not to receive the funds, ecology shall retain the funds that would otherwise be distributed under this subsection; and

(b) Thirty-four percent of the funds shall be distributed to ecology for the purposes of enforcement and educating the public about:

(i) The effects of solid fuel burning device emissions upon health and air quality; and

(ii) Methods of achieving better efficiency and emission performance from solid fuel burning devices. [Statutory Authority: Chapters 70.94 and 43.21A RCW. 89-02-054 (Order 88-38), § 173-433-170, filed 1/3/89.]

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: The unnecessary underscoring in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 90-14-041**

**EMERGENCY RULES**

**DEPARTMENT OF ECOLOGY**

[Order 90-25—Filed June 29, 1990, 12:55 p.m.]

Date of Adoption: June 29, 1990.

Purpose: Adopt records indexing rules required by chapter 175, Laws of 1989 and RCW 42.17.260.

Statutory Authority for Adoption: RCW 42.17.260.

Other Authority: Chapter 175, Laws of 1989.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: RCW 42.17.260(4) requires that "by July 1, 1990, each agency shall, by rule, establish and implement a system of indexing for the identification and location" of certain categories of records.

Effective Date of Rule: Immediately.

June 29, 1990  
Fred Olson  
Deputy Director

AMENDATORY SECTION (Amending Order DE 77-35, filed 1/17/78)

WAC 173-03-010 PURPOSE. The purpose of this chapter is to implement the requirements of ~~((sections 25 through 32, chapter 1, Laws of 1973-))~~ RCW 42.17.250 - ~~((42.17.320))~~ 42.17.340 relating to public records.

AMENDATORY SECTION (Amending Order DE 77-35, filed 1/17/78)

WAC 173-03-020 DEFINITIONS. (1) The terms "person," "public record," and "writing" shall have the meanings as stated in RCW 42.17.020.

(2) "Department" means the department of ecology.

(3) "Director" means the director of the department.

(4) "Public records officer" means the ~~((records manager of))~~ employee designated as such by the department.

(5) "Designee" means the employee of the department designated by the director or the public records officer to serve as the public records ~~((officer))~~ coordinator at the

~~((central))~~ headquarters offices or at each of the satellite and regional offices in the absence of the officer.

AMENDATORY SECTION (Amending Order DE 77-35, filed 1/17/78)

WAC 173-03-030 DESCRIPTION OF ORGANIZATION. (1) Headquarters office.

(a) The headquarters office is located in Abbott Raphael Hall on the campus of St. Martin's College, Lacey, Washington. The mailing address for the headquarters office and all satellite program offices, except for the environmental investigations and lab services program is:

Department of Ecology  
Mailstop PV-11  
Olympia, Washington 98504-8711

(b) The offices of the director, deputy director, and assistant directors all are located in the headquarters office.

(c) The titles and responsibilities of the ~~((six))~~ seven assistant directors are as follows:

(i) Assistant director for the office of water ~~((programs))~~ and shorelands — water quality, water resources, shorelands and coastal zone management, and water quality financial assistance programs.

(ii) Assistant director for ~~((air programs — air quality, air monitoring))~~ the office of central programs and enforcement — central programs, air program, and environmental investigations and lab services program.

(iii) Assistant director for ~~((land programs))~~ the office of waste management — solid ~~((waste, shorelines))~~ and hazardous waste program, hazardous waste investigations and cleanup program, nuclear and mixed waste program, and waste reduction, recycling and litter control program.

(iv) Assistant director for ~~((comprehensive programs — major industries, tax credits for pollution control expenditures, environmental review))~~ the office of quality control, information management and comprehensive planning.

(v) Assistant director for ~~((external affairs — department liaison with other agencies))~~ the office of legislative and intergovernmental affairs.

(vi) Assistant director for ~~((field operations — enforcement, regional affairs))~~ the office of financial, personnel, and support services.

~~((d))~~ (vii) Assistant director for the office~~((s))~~ of public ~~((affairs and legal affairs, also are at the headquarters office))~~ information and education.

(2) Satellite program offices are located as follows:

(a) Air program:

Rowesix Building 4  
4224 6th Avenue S.E.  
Lacey, Washington

(b) Budget, accounting, and support services program:

Sawyer Hall  
St. Martin's College Campus  
Lacey, Washington

(c) Central programs:

Abbott Raphael Hall  
St. Martin's College Campus  
Lacey, Washington

(d) Environmental investigations and lab services program:

Airustrial Building 8  
7272 Cleanwater Lane #8  
Tumwater, Washington  
Mailing address:  
Mailstop LH-14  
Olympia, WA 98504-6814

(e) Hazardous waste investigations and cleanup program:

Woodland Square  
4415 Woodview Drive S.E.  
Lacey, Washington

(f) Nuclear and mixed waste program:

99 South Sound Center  
Lacey, Washington

(g) Shorelands and coastal zone management program:

Baran Hall  
St. Martin's College Campus  
Lacey, Washington

(h) Solid and hazardous waste program:

Rowesix Building 4  
4224 6th Avenue S.E.  
Lacey, Washington

(i) Waste reduction, recycling, and litter control program:

Eikenberry Building  
4407 Woodview Drive S.E.  
Lacey, Washington

(j) Water quality financial assistance program:

Moduline Building  
4500 3rd Avenue  
Lacey, Washington

(k) Water quality program:

Prudential Building  
715 Woodview Drive S.E.  
Lacey, Washington

(l) Water resources program:

Baran Hall  
St. Martin's College Campus  
Lacey, Washington

(3) Regional offices and their geographical jurisdictions are as follows:

(a) Northwest regional office (Whatcom, Skagit, Snohomish, San Juan, Island, King, and Kitsap counties):

4350 - 150th Avenue N.E.  
Redmond, Washington ~~((98050))~~ 98052-5301

(b) Southwest regional office (Pierce, Thurston, Mason, Clallam, Jefferson, Grays Harbor, Pacific, Lewis, Cowlitz, Wahkiakum, Clark, and Skamania counties):

7272 Cleanwater Lane  
Tumwater, Washington ((98504))  
Mailing address:  
Mailstop LU-11  
Olympia, Washington 98504-6811

(c) Central regional office (Okanogan, Chelan, Douglas, Kittitas, Yakima, Benton, and Klickitat counties):

((2802 Main Street  
Union Gap, Washington 98903  
2015 South First Street  
Yakima, Washington 98703  
(Environmental Quality Section))  
3601 W. Washington  
Yakima, Washington 98903-1164  
801-B Summitview Ave.  
Yakima, Washington 98902-3033  
(Waste Management Section)  
1600 S.W. Perry Street, Suite F  
Yakima, Washington 98902-5713  
(Yakima Adjudications)

(d) Eastern regional office (Ferry, Stevens, Pend Oreille, Grant, Lincoln, Spokane, Adams, Whitman, Franklin, Walla Walla, Columbia, Garfield, and Asotin counties):

((103 East Indiana  
Spokane, Washington 99207))  
N. 4601 Monroe, Suite 100  
Spokane, Washington 99205-1295

AMENDATORY SECTION (Amending Order DE 77-35, filed 1/17/78)

~~WAC 173-03-050 RECORDS INDEX. ((The department does not maintain an index of just the material listed in RCW 42.17.260. It does maintain for its own use a "records management procedures manual" which indexes the location of categories of all records, not just public records, which exist in the department. The manual is available to the public for inspection and copying. With the assistance of the public records officer or designee, any person can obtain access to public records of the department using the manual.~~

~~Because of the existence of the manual, the department has not developed any other index for its own use, and it would be unduly burdensome to develop such an index merely for the material listed in RCW 42.17.260.)~~

The records retention schedule established by the division of state archives of the office of the secretary of state serves as an index for the identification and location of the following records:

(1) All records issued before July 1, 1990, for which the department has maintained an index;

(2) Final orders entered after June 30, 1990, that are issued in adjudicative proceedings as defined in RCW 34.05.010(1) and that contain an analysis or decision of substantial importance to the department in carrying out its duties;

(3) Declaratory orders entered after June 30, 1990, that are issued pursuant to RCW 34.05.240 and that contain an analysis or decision of substantial importance to the department in carrying out its duties; and

(4) Interpretive statements as defined in RCW 34.05.010(8) that were entered after June 30, 1990.

The records retention schedule indexes records according to the originating program or section, and then the record series title. Each title is further identified by a statement of function or purpose, and the retention period. The records retention schedule is available to the public for inspection and copying. With the assistance of the public records officer or designee, any person can obtain access to public records of the department using the records retention schedule.

A separate index of policy statements as defined in RCW 34.05.010(4) entered after June 30, 1990, shall be maintained by the department's policy manual coordinator or designees.

AMENDATORY SECTION (Amending Order DE 77-35, filed 1/17/78)

WAC 173-03-060 REQUESTS FOR PUBLIC RECORDS. (1) All requests for inspection or copying made in person at a department office shall be made on a form substantially as follows:

REQUEST FOR PUBLIC RECORDS

Date of Request..... Time of Request.....  
Name .....  
Address .....

Description of Records:  
.....  
.....  
.....

((I certify that lists of names obtained through this request for public records will not be used for political or commercial purposes.)) I understand that if a list of individuals is provided me by the Department of Ecology, it will neither be used to promote the election of an official or promote or oppose a ballot proposition as prohibited by RCW 42.17.130 nor for commercial purposes or give or provide access to material to others for commercial purposes as prohibited by RCW 42.17.260(5).

I understand that I will be charged . . . . cents per copy for all standard letter size copies I desire and that other size publications are available at cost.

.....  
Signature



Number of copies .....  
 Number of pages .....  
 Per page charge \$. .....  
 Total charge \$. .....

(2) All requests made in person may be made at a department office between the hours of 8:00 a.m. to 12:00 noon and 1:00 p.m. to ~~((4:00))~~ 4:30 p.m., Monday through Friday, excluding legal holidays.

(3) A request for inspection or copying of public records may be made by mail in a letter containing the following information:

- (a) The name and address of the person making the request and the organization the person represents;
- (b) The time of day and calendar date on which the person wishes to inspect the public records;
- (c) A description of the public records requested;
- (d) A statement whether access to copying equipment is desired;
- (e) A phone number where the person can be reached in case the public records officer or designate needs to contact the person for further description of the material or any other reason.

(f) A statement that the record will not be used for commercial purposes.

(4) All requests by mail must be received by the department at least ~~((three))~~ five business days before the requested date of inspection to allow the public records officer or designee to make certain the requested records are available and not exempt and, if necessary, to contact the person requesting inspection. All requests will be handled in a timely manner. However, for large requests or for public records maintained off-site, it may require more than five business days for location and withdrawal from archives.

(5) The department may in its discretion fill requests made by telephone.

**AMENDATORY SECTION** (Amending Order DE 77-35, filed 1/17/78)

WAC 173-03-070 FEES. No fee shall be charged for the inspection of public records. For printed, typed, and written material of a maximum size of 8 1/2" by 14", the department shall charge a reasonable fee, determined from time to time by the department, for providing copies of public records and for use of the department's copy equipment, payable at the time copies are furnished. This charge is the amount necessary to reimburse the department for its actual costs incident to such copying and shall not exceed 20 cents per copy. For copies from microfilm, the charge shall not exceed 40 cents per copy. Copies of maps, photos, reports, computer printouts, tapes of hearings, and other nonstandard items shall be furnished at the regular price established by the department. When other special copy work for nonstandard items is requested, the fee charged will reflect the total cost, including the time of department personnel.

**AMENDATORY SECTION** (Amending Order DE 77-35, filed 1/17/78)

WAC 173-03-100 PROTECTION OF PUBLIC RECORDS. In order to adequately protect the public records of the department, the following guidelines shall be adhered to by any person inspecting such public records:

- (1) No public records shall be removed from the department's premises.
- (2) Inspection of any public record shall be conducted in the presence of a designated department employee.
- (3) No public records may be marked or defaced in any manner during inspection.
- (4) Public records( ) which are maintained in a file or jacket, or in chronological order, may not be dismantled except for purposes of copying and then only by the public records officer or designee.
- (5) Access to file cabinets, shelves, vaults, ~~((and))~~ or other storage areas is restricted to department personnel, unless other arrangements are made with the public records officer or designee.

**WSR 90-14-042**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
 [Filed June 29, 1990, 2:40 p.m.]

Original Notice.

Title of Rule: WAC 248-17-213 Emergency medical technician certification and recertification.

Purpose: Amends the rule to require a recommendation from the medical program director prior to recertifying an emergency medical technician; and amends certification of emergency medical technicians to require an affiliation with a service.

Statutory Authority for Adoption: RCW 18.73.081.

Summary: This rule will reestablish the provisions for a medical program director to recommend an emergency medical technician prior to recertification which was inadvertently removed from WAC.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jack Cvitanovic, 1112 Quince Street S.E., Olympia, WA, 753-2095.

Name of Proponent: [Department of Health], governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule will put back into WAC the requirement for medical program directors to recommend emergency medical technicians for recertification. This rule will also add that the persons being certified have an affiliation with a service as described in WAC 248-17-211 (1)(d).

Proposal Changes the Following Existing Rules: This proposed rule will change the existing rule by putting back into WAC the requirement for medical program directors (MPD) to recommend emergency medical technicians for recertification and add that a person seeking certification as an emergency medical technician must be affiliated with a service.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: General Administration Auditorium, 11th and Columbia, Olympia, Washington, on August 7, 1990, at 10:00 a.m.

Submit Written Comments to: Leslie Baldwin, 1300 Quince Street, Olympia, WA 98504, by August 6, 1990.

Date of Intended Adoption: August 14, 1990.

June 29, 1990  
Pam Campbell Mead  
for Kristine M. Gebbie  
Secretary

**AMENDATORY SECTION** (Amending Order 007, filed 11/1/89, effective 12/2/89)

WAC 248-17-213 EMERGENCY MEDICAL TECHNICIAN—CERTIFICATION AND RECERTIFICATION. (1) The department shall initially certify an individual for a period of time not to exceed thirty-six months who successfully completed an EMT course when the individual has:

- (a) Passed either the state written examination or the NREMT written examination;
- (b) Passed the state practical examination; ~~((and))~~
- (c) Been recommended for certification by the EMS medical program director; and
- (d) Affiliation with a service as described in WAC 248-17-211 (1)(d).

(2) The department shall consider currently certified EMTs eligible for recertification for a period of time not to exceed thirty-six months upon:

- (a) Successful completion and documentation of a minimum of thirty hours of medical program director and/or department-approved continuing medical education (CME) during the thirty-six month certification period, including a minimum of six hours every twelve months in the following:

- (i) Two hours of CPR and airway management;
- (ii) One hour of patient medical extrication;
- (iii) One hour of patient assessment; and
- (iv) Two additional hours of CME; and
- (b) Passing the state written and practical examinations; or

(c) Successful completion of a program of ongoing training and evaluation approved by the EMS medical program director and the department and passing the state written examination.

(3) To meet the requirements of chapter 70.24 RCW, all persons certified under the authority of chapters 18.71 and 18.73 RCW shall:

(a) Complete four hours of training in infectious disease prevention with special emphasis on human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and Hepatitis B. Training shall be consistent with the curriculum manual Know - HIV/AIDS and HBV Prevention Education for EMS Personnel, June 15, 1989, published by the office on HIV/AIDS including, but not limited to, the following subjects:

- (i) Etiology and epidemiology;
- (ii) Clinical manifestation and treatment;
- (iii) Infection control standards;
- (iv) Psychosocial issues, including special populations; and
- (v) Legal and ethical issues.

(b) Provide proof of the training required in subsection (4)(a) of this section:

- (i) Using forms provided by the department; and
- (ii) Retaining forms for three years or more from the date of training.

(c) Complete two hours of continuing medical education in each subsequent certification period including:

- (i) Disease prevention;
- (ii) Infection control standards; and
- (iii) HIV/AIDS and hepatitis.

(d) Recertification shall also be contingent on:

- (i) Affiliation with a service as described in WAC 248-17-211 (1)(d).

(ii) Being recommended for recertification by the medical program director.

(4) Certification by the department as an EMT does not warrant future performance of the individuals certified. It will indicate that the

cognitive and performance capabilities met the requirements for certification established for the course at the time the testing or evaluation was performed.

**WSR 90-14-043**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**

[Filed June 29, 1990, 2:41 p.m.]

Original Notice.

Title of Rule: Repealer, chapter 308-41 WAC.

Purpose: To repeal chapter 308-41 WAC, Fees for drugless therapists, drugless therapists are now covered under chapter 308-34 WAC, Naturopathy.

Statutory Authority for Adoption: RCW 43.70.250.

Summary: This chapter is obsolete and contradicts current rules under chapter 308-34 WAC.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Leslie Baldwin, 1300 Quince Street, Olympia, WA, 586-6894.

Name of Proponent: Department of Health, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule is proposed to repeal chapter 308-41 WAC, it is obsolete and it is already covered in chapter 308-34 WAC.

Proposal Changes the Following Existing Rules: This rule will repeal chapter 308-41 WAC entirely.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: General Administration Auditorium, 11th and Columbia, Olympia, Washington, on August 7, 1990, at 9:45 a.m.

Submit Written Comments to: Leslie Baldwin, 1300 Quince Street, Olympia, WA 98504, by August 6, 1990.

Date of Intended Adoption: August 14, 1990.

June 29, 1990  
Pamela J. Mead  
for Kristine M. Gebbie  
Secretary

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

WAC 308-41-025 FEES.

**WSR 90-14-044**  
**EMERGENCY RULES**  
**DEPARTMENT OF HEALTH**  
[Order 069—Filed June 29, 1990, 2:42 p.m.]

Date of Adoption: June 29, 1990.

Purpose: The purpose of this emergency adoption is based on the need for medical control of EMS field personnel as required in chapters 18.71 and 18.73 RCW.

Also, to maintain consistency in certification and recertification requirements as it pertains to agency affiliation.

Citation of Existing Rules Affected by this Order: Amending WAC 248-17-213.

Statutory Authority for Adoption: RCW 18.73.081.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: During the last major WAC revision the provision for MPD involvement in personnel recertification was inadvertently removed. In the absence of this provision the Department of Health cannot guarantee that state emergency medical services certificate and recertification requirements are being met.

Effective Date of Rule: Immediately.

June 29, 1990  
Pamela Campbell Mead  
for Kristine M. Gebbie  
Secretary

**AMENDATORY SECTION** (Amending Order 007, filed 11/1/89, effective 12/2/89)

**WAC 248-17-213 EMERGENCY MEDICAL TECHNICIAN—CERTIFICATION AND RECERTIFICATION.** (1) The department shall initially certify an individual for a period of time not to exceed thirty-six months who successfully completed an EMT course when the individual has:

(a) Passed either the state written examination or the NREMT written examination;

(b) Passed the state practical examination; ~~(and)~~

(c) Been recommended for certification by the EMS medical program director, and

(d) Affiliation with a service as described in WAC 248-17-211 (1)(d).

(2) The department shall consider currently certified EMTs eligible for recertification for a period of time not to exceed thirty-six months upon:

(a) Successful completion and documentation of a minimum of thirty hours of medical program director and/or department-approved continuing medical education (CME) during the thirty-six month certification period, including a minimum of six hours every twelve months in the following:

(i) Two hours of CPR and airway management;

(ii) One hour of patient medical extrication;

(iii) One hour of patient assessment; and

(iv) Two additional hours of CME; and

(b) Passing the state written and practical examinations; or

(c) Successful completion of a program of ongoing training and evaluation approved by the EMS medical program director and the department and passing the state written examination.

(3) To meet the requirements of chapter 70.24 RCW, all persons certified under the authority of chapters 18.71 and 18.73 RCW shall:

(a) Complete four hours of training in infectious disease prevention with special emphasis on human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and Hepatitis B. Training shall be consistent with the curriculum manual *Know - HIV/AIDS and HBV Prevention Education for EMS Personnel*, June 15, 1989, published by the office on HIV/AIDS including, but not limited to, the following subjects:

(i) Etiology and epidemiology;

(ii) Clinical manifestation and treatment;

(iii) Infection control standards;

(iv) Psychosocial issues, including special populations; and

(v) Legal and ethical issues.

(b) Provide proof of the training required in subsection (4)(a) of this section:

(i) Using forms provided by the department; and

(ii) Retaining forms for three years or more from the date of training.

(c) Complete two hours of continuing medical education in each subsequent certification period including:

(i) Disease prevention;

(ii) Infection control standards; and

(iii) HIV/AIDS and hepatitis.

(d) Recertification shall also be contingent on:

(i) Affiliation with a service as described in WAC 248-17-211 (1)(d).

(ii) Being recommended for recertification by the medical program director.

(4) Certification by the department as an EMT does not warrant future performance of the individuals certified. It will indicate that the cognitive and performance capabilities met the requirements for certification established for the course at the time the testing or evaluation was performed.

**WSR 90-14-045**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**

[Filed June 29, 1990, 2:48 p.m.]

Original Notice.

Title of Rule: Amending WAC 275-16-030.

Purpose: To revise the schedule of charges for state hospitals. The charges are cost based. Costs rise each year. Increased rates result in additional revenue to the state.

Statutory Authority for Adoption: RCW 43.20B.335 and 71.05.560.

Statute Being Implemented: RCW 43.20B.335 and 71.05.560.

Summary: The schedule of charges for patient charges at Western State Hospital, Eastern State Hospital, and Child Study and Treatment Center are revised annually based on the prior year's costs of operating each facility. The charges are used for billing purposes to Medicare, Medicaid, and third party resources for the patients.

Reasons Supporting Proposal: This rule is necessary to comply with RCW 43.20B.325, which requires charges for hospitalization of patients in state hospitals to be based on the actual cost of operating such hospitals for the previous year.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jan Wells, Division of Mental Health, 753-2743.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 7, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 7, 1990.

Date of Intended Adoption: August 21, 1990.

June 29, 1990

Leslie F. James, Director  
Administrative Services  
By Rosemary Carr

**AMENDATORY SECTION** (Amending Order 2890, filed 11/1/89, effective 12/2/89)

WAC 275-16-030 SCHEDULE OF CHARGES. ((Pursuant to)) Under RCW 43.20B.325, the department shall base hospitalization charges for ((clients)) patients in state hospitals on the actual operating costs of such hospitals for the previous year. Hospitalization charges are due and payable on or before the tenth day of each calendar month for services rendered to ((clients)) patients of the department during the preceding month, based upon the following schedule:

(1) COSTING AND BILLING RATES

	Western State Hospital	Child Study and Treatment Center	Eastern State Hospital
<b>(a) INPATIENT SERVICES -</b>			
Hospital Costs Per Day	\$((+55.57	255.07	194.55))
	191.30	288.23	206.81
Physician Costs		((+2.16))	15.56
Clozapine Costs Per Week	\$172.00	—	172.00

\*The department shall bill the client for physician costs on a fee-for-service basis.

(b) OUTPATIENT SERVICES - Per diem

Outpatient Day Care Per Day	—	—	—
Per Hour	—	((+6.45))	89.30
	—	((+4.34))	15.92

(c) ANCILLARY SERVICES - Per relative value unit /

Radiology	((5.50	5.50	3.65))
	4.20	4.20	5.90
Pathology	((-.32	-.32	-.20))
	.31	.31	.29
Medical Clinics	((1.73	1.73	8.42))
	1.78	1.78	7.31
Electroencephalogram	1.09	1.09	1.09

	Western State Hospital	Child Study and Treatment Center	Eastern State Hospital
Electrocardiogram	((-.13	.13	.40))
	.18	.18	.62
Physical Therapy	((5.82	5.82	9.91))
	5.06	5.06	12.05
Occupational Therapy	—	—	((21.97))
			26.89
Speech Therapy	—	—	((15.76))
			16.68
Dental	((24.60	24.60	50.70))
	29.46	29.60	40.60
Podiatry	1.28	1.28	1.00

(2) The department shall purchase services required by the ((client)) patient, not provided by hospital staff, ((shall be purchased by the department)) from private sources and the ((client)) patient shall be charged actual cost.

<sup>1</sup>/California Medical Association. Relative Value Studies. Fifth edition. San Francisco: 693 Sutter Publication, Inc., 1969, 135 pp.

**WSR 90-14-046**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**

[Filed June 29, 1990, 2:49 p.m.]

Original Notice.

Title of Rule: Chapter 275-155 WAC, Sexual predator program—Special commitment process.

Purpose: Defines the newly authorized sexual predator program.

Statutory Authority for Adoption: Chapter 3, Laws of 1990.

Statute Being Implemented: Chapter 3, Laws of 1990.

Summary: The sexual predator program shall provide evaluation of a person court-ordered to the sexual predator program; and control, care, and treatment to a person court-committed as a sexually violent predator.

Reasons Supporting Proposal: This rule is necessary to comply with Laws of 1990.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David B. Weston, Special Commitment Center, 586-6368.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 7, 1990, at 10:00 a.m.; and at the Health Department, Room 140 Auditorium, West 1101 College Avenue, Spokane, on August 10, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health

Services, Mailstop OB-33H, Olympia, Washington  
98504, by August 10, 1990.

Date of Intended Adoption: August 21, 1990.

June 29, 1990

Leslie F. James, Director  
Administrative Services  
By Rosemary Carr

Chapter 275-155 WAC  
SEXUAL PREDATOR PROGRAM—SPECIAL COMMITMENT  
PROCESS

NEW SECTION

WAC 275-155-005 SPECIAL COMMITMENT OF SEXUALLY VIOLENT PREDATORS—LEGAL BASIS. (1) Laws of 1990, chapter 3, section 1006 authorizes the department to develop a sexual predator program (SPP) for a person the court determines is a sexually violent predator.

(2) Beginning July 1, 1990, the department's SPP shall provide:

(a) Evaluation of a person court-ordered to the SPP for determining if the person meets the definition of a sexually violent predator under this chapter; and

(b) Control, care, and treatment services to a person court-committed as a sexually violent predator.

NEW SECTION

WAC 275-155-010 DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Appropriate facility" means a facility the department uses for evaluating and determining if a person meets the definition of a sexually violent predator as defined in this section.

(2) "Care" means a service the department provides during a person's commitment to the SPP to sustain adequate health, shelter, and physical sustenance.

(3) "Control" means a restraint, restriction, or confinement the department applies protecting a person from endangering self, others, or property during a commitment under this chapter.

(4) "Department" means the department of social and health services.

(5) "Evaluation" means an examination, report, or recommendation a professionally qualified person makes determining if a person meets or continues to meet the definition of a sexually violent predator as defined in this section.

(6) "Individual treatment plan (ITP)" means an outline the SPP staff persons develop detailing how control, care, and treatment services are provided to a SPP-committed person.

(7) "Predatory" means acts a person directs toward strangers or individuals with whom a relationship has been established or promoted for the primary purpose of victimization.

(8) "Mental abnormality" means a congenital or acquired condition affecting a person's emotional or volitional capacity, including personality disorders, predisposing the person to commit criminal acts of sexual violence placing other persons in danger.

(9) "Professionally qualified person" includes:

(a) "Mental health counselor" means a person certified as a mental health counselor under chapter 18.19 RCW;

(b) "Psychiatric nurse" means a person licensed as a registered nurse under chapter 18.88 RCW and having two or more years supervised clinical experience;

(c) "Psychiatrist" means a person licensed as a physician under chapter 18.19 RCW. In addition, the person shall:

(i) Have completed three years of graduate training in a psychiatry program approved by the American Medical Association or the American Osteopathic Association; and

(ii) Be certified, or eligible to be certified, by the American Board of Psychiatry and Neurology;

(d) "Psychologist" means a person licensed as a doctor of psychology under chapter 18.83 RCW; and

(e) "Social worker" means a person certified as a social worker under chapter 18.19 RCW.

(10) "Secure facility" means a department-operated facility, not located on the grounds of a state mental facility or residential habilitation center, with the purpose of confining and treating a person committed to the SPP.

(11) "Sexual predator program (SPP)" means a department-administered and operated program established for:

(a) A court-ordered person's evaluation; or

(b) Control, care, and treatment of a court-committed person defined as a sexually violent predator under this chapter.

(12) "Sexually violent offense" means an act defined under Laws of 1990, chapter 3, section 1002 and for which a person is charged or convicted on, before, or after July 1, 1990.

(13) "Sexually violent predator" means a person defined under Laws of 1990, chapter 3, section 1002 who has been convicted or charged with a crime of sexual violence and who suffers from a mental abnormality or personality disorder which makes the person likely to engage in predatory acts of sexual violence.

NEW SECTION

WAC 275-155-020 AUTHORIZATION FOR INDEFINITE COMMITMENT TO THE SEXUAL PREDATOR PROGRAM. The department shall admit a person to the SPP as a sexually violent predator only when all of the following requirements are met:

(1) Petition. The prosecuting attorney or attorney general if requested by the prosecutor files a petition with the superior court in the county where a person was most recently charged or convicted of a sexually violent offense;

(2) Probable cause. A court determines probable cause exists and orders a person transferred to an appropriate facility for evaluation as to whether the person is a sexually violent predator;

(3) Evaluation. A person is evaluated by one or more professionally qualified persons and is found to have:

(a) Been charged with or convicted of a sexually violent offense;

(b) A mental abnormality rendering the person likely to commit a sexually violent offense; and

(c) A sentence or commitment about to expire or having expired.

(4) Trial. A court commences a trial determining if a person is a sexually violent predator within forty-five days of the petition filing date, not including continuances requested by the alleged sexually violent predator; and

(5) Judgment. A court or jury finds a person, beyond a reasonable doubt, to be a sexually violent predator and the person is committed to the department's custody for control, care, and treatment.

NEW SECTION

WAC 275-155-030 SEXUAL PREDATOR PROGRAM EVALUATION—REPORTING. (1) When a court orders a person transferred to an appropriate facility for evaluation, the department shall, within forty-five days of the petition filing date, evaluate and provide a recommendation to the court as to whether the person meets the statutory definition of a sexually violent predator under Laws of 1990, chapter 3, section 1002.

(2) Annually or more often, the department shall provide the committing court an evaluation determining if a committed person continues meeting the definition of a sexually violent predator under this chapter.

NEW SECTION

WAC 275-155-040 INDIVIDUAL TREATMENT. (1) When the court commits a person to the SPP as a sexually violent predator, SPP staff persons shall develop an individual treatment plan (ITP). The ITP shall include, but not be limited to:

(a) A description of a person's specific treatment needs;

(b) An outline of intermediate and long-range treatment goals, with a projected timetable for reaching the goals;

(c) The treatment strategies for achieving the treatment goals;

(d) A description of SPP staff persons' responsibility; and

(e) Criteria for recommending to the court whether a person should be released from the SPP.

(2) The SPP staff persons shall review a committed person's ITP every six months or more often.

NEW SECTION

WAC 275-155-050 RIGHTS OF A PERSON COMMITTED TO THE SEXUAL PREDATOR PROGRAM. (1) During a person's

evaluation or commitment to the SPP, the department shall apprise the committed person of the person's right to an attorney and to retain a professionally qualified person to perform an evaluation on the committed person's behalf.

(2) Upon request, the department shall provide to the following persons access to a committed person for an evaluation and all records and reports related to the person's commitment, control, care, and treatment:

- (a) The committed person's attorney;
  - (b) The committed person's professionally qualified person, if any;
  - (c) The prosecuting attorney, or the attorney general, if requested by the prosecuting attorney; and
  - (d) The professionally qualified person approved by the prosecuting attorney or the attorney general.
- (3) A person the court commits to the SPP shall:
- (a) Receive adequate care and individualized treatment;
  - (b) Be permitted to wear the committed person's own clothes and keep and use the person's personal possessions, except when deprivation of possessions is necessary for the person's protection and safety, the protection and safety of others, or the protection of property within the SPP;
  - (c) Be permitted to accumulate and spend a reasonable amount of money in the person's SPP account;
  - (d) Have access to reasonable personal storage space within SPP limitations;
  - (e) Be permitted to have approved visitors within reasonable limitations;
  - (f) Have reasonable access to a telephone to make and receive confidential calls within SPP limitations; and
  - (g) Have reasonable access to letter writing material and to:
    - (i) Receive and send correspondence through the mail within SPP limitations; and
    - (ii) Send written communication regarding the fact of the person's commitment.
  - (4) A person the court commits to the SPP shall have the following procedural rights to:
    - (a) Have reasonable access to an attorney and be informed of the name and address of the person's designated attorney;
    - (b) Remain silent, understanding statements the person makes may be used against the person;
    - (c) Present evidence and to cross-examine witnesses testifying against the person in court;
    - (d) Petition the court for release from the SPP; and
    - (e) Receive annual written notice of the person's right to petition the committing court for release. The department's written notice and waiver shall:
      - (i) Include the option to voluntarily waive the right to petition the committing court for release; and
      - (ii) Annually be forwarded to the committing court by the department.

#### NEW SECTION

WAC 275-155-060 SEXUAL PREDATOR PROGRAM REIMBURSEMENT. (1) The department shall obtain reimbursement under RCW 43.20B.330, 43.20B.335, 43.20B.340, 43.20B.345, 43.20B.350, 43.20B.355, 43.20B.360, and 43.20B.370 for the cost of care of a person committed to a SPP to the extent of the person's ability to pay.

(2) The department shall calculate ability to pay and assess liability under chapter 275-16 WAC.

**WSR 90-14-047**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed June 29, 1990, 2:50 p.m.]

Original Notice.

Title of Rule: WAC 388-28-480 Use of income and potentials—Types of income—Effect on need.

Purpose: To use the need standard instead of the payment standard to determine financial eligibility. Changes regarding gifts are editorial. There are no substantive changes.

Statutory Authority for Adoption: WAC 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: The rule change permits financial eligibility to be determined against the need standard. Prior to this change, financial eligibility was determined against the payment standard. This change will allow more aid to families with dependent children (AFDC) applicants with earned income to be eligible for a public assistance grant. Changes regarding gifts makes a clearer statement about disregarding gifts other than cash provided gifts are within the ceiling limits.

Reasons Supporting Proposal: This rule is necessary to change the way the department determines financial eligibility.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dana Beck, AFDC/DIA/Refugee Assistance Section, 753-4908.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, 45 CFR 233.20 (a)(7) and (11).

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 7, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 7, 1990.

Date of Intended Adoption: August 21, 1990.

June 29, 1990

Leslie F. James, Director  
 Administrative Services  
 By Rosemary Carr

AMENDATORY SECTION (Amending Order 2865, filed 9/1/89, effective 10/2/89)

WAC 388-28-480 USE OF INCOME AND INCOME POTENTIALS—TYPES OF INCOME—EFFECT ON NEED. (1) Treatment of income.

(a) To be eligible for AFDC, a client shall meet the following income tests:

(i) The one hundred eighty-five percent of need test as defined under WAC 388-28-484(7);

(ii) If the assistance unit has not received assistance in one of the four months before the month of application, the assistance unit's monthly nonexempt unearned income plus monthly earned income, as defined under WAC 388-28-570, less the disregards and deductions contained under WAC 388-28-535, 388-28-570(4), and 388-28-570(6)(a)(i) and (iv), shall be below the appropriate state need standard plus additional requirements. This test does not apply if the assistance unit received assistance in one of the four months before the month of application; and

(iii) The assistance unit's monthly nonexempt unearned income plus monthly nonexempt earned income as determined under WAC 388-28-570 shall be below the appropriate state payment standard plus additional requirements.

~~(b) To be eligible for general assistance unemployable (GA-U), a client's monthly nonexempt income shall be below the monthly payment standard plus authorized additional requirements.~~

~~(2) Grant amount.~~

~~(a) The department shall determine the grant amount for the month of application by subtracting all ((net)) nonexempt income, received or reasonably expected to be received during the calendar month, from the payment level plus authorized additional requirements. The department shall prorate the remainder for the number of days after grant authorization. This prorated figure is the grant amount for the first month of eligibility.~~

~~(b) The department shall determine the grant amount for the month following the month of initial eligibility by subtracting all ((net)) non-exempt income, received or reasonably expected to be received during the calendar month, from the payment level plus authorized additional requirements. The remainder is the grant amount for the second month of eligibility.~~

~~(c) The department shall base the grant amount for the third month of assistance and subsequent months upon income received in the budget and/or report month. WAC 388-28-483(3) is an exception to this rule.~~

~~((d)) An applicant or recipient whose nonexempt net monthly income exceeds the monthly payment level plus authorized additional requirements is not eligible to receive assistance. Ineligibility exists whether the income is received weekly, biweekly, or monthly, except as specified in WAC 388-24-250 through 388-24-265.~~

~~((2)) (3) Irregular or nonrecurring income.~~

~~(a) The department shall disregard irregular income up to five dollars per month received by a general assistance applicant or recipient.~~

~~(b) The department shall disregard nonrecurring cash gifts up to thirty cumulative dollars received by each member of the AFDC assistance unit per calendar quarter. The department, unless otherwise specified by the donor, shall determine an individual's share in a gift to more than one person by dividing the amount of the gift by the number of persons receiving the gift.~~

~~(c) The department shall disregard as income an earned income credit (EIC).~~

~~((3)) (4) Loans.~~

~~(a) The department shall ((not consider)) disregard as income or resources any contractually agreed loan acquired by ((an applicant or recipient)) a client committing all funds for a specific purpose other than current maintenance, and so expended.~~

~~(i) The department shall ((b-not include)) disregard the property used as collateral for the loan in determining property reserves.~~

~~(ii) The department shall consider toward the resource ceiling the equity accumulated in the specified property.~~

~~(b) The department shall ((not consider)) disregard as income or resources any other loan, regardless of the loan's ability to meet current needs when the department verifies:~~

~~(i) The terms of the loan are stated in a written agreement between the lender and the borrower; and~~

~~(ii) The agreement clearly specifies the obligation of the borrower to repay the loan; and~~

~~(iii) The agreement includes a repayment plan providing for installments of specified amounts to begin within ninety days of either the receipt of the loan or the date of application for assistance and continue thereafter on a regular basis until the loan is fully repaid; and~~

~~(iv) The agreement sets forth the terms of the loan regarding the loan's amount; and~~

~~(v) The agreement is signed by the lender and the borrower.~~

~~(c) The department shall ((not consider)) disregard as income repayments to a recipient of money previously loaned by the recipient to another party since the loan represents income or resources already considered in computing need.~~

~~(i) The department shall verify the facts of the loan.~~

~~(ii) The department shall consider any interest paid on the loan to be newly acquired income.~~

~~((4)) (5) ((Gift-in-kind)) Gifts other than cash.~~

~~(a) The department ((considers the following items to be)) shall disregard gifts((=in-kind:))~~

~~(i) Real or personal property, excluding)) other than cash ((and marketable securities, exempted for an applicant and)) as defined under WAC 388-22-030 (36)(a) provided such gifts are within the ((ceiling values, e.g., a home or a new furnace.~~

~~(ii) Any item in the department's standards for additional requirements which is not a requirement for the recipient of such a gift, e.g., telephone service.~~

~~(b) The department shall not consider a gift in-kind as income or resource if the donor specified in writing the intended use or purpose of the gift.~~

~~(c) Needed goods or services not currently included as additional requirements in the department's standards, e.g., repair of house or of household equipment)) allowable program resource limits.~~

~~((5)) (6) Lump sums.~~

~~(a) The department shall consider lump sum payments as income in the month received;~~

~~(b) The department defines a lump sum payment as nonrecurring unearned income. Lump sums may include, but are not limited to:~~

~~(i) Lottery winnings,~~

~~(ii) An inheritance,~~

~~(iii) Personal injury award,~~

~~(iv) Workers compensation awards, or~~

~~(v) Social Security back payments.~~

~~((6)) (7) WAC 388-28-482 and 388-28-484 cover newly acquired income received by a recipient.~~

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 90-14-048**

**PROPOSED RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

**(Public Assistance)**

[Filed June 29, 1990, 2:51 p.m.]

**Original Notice.**

**Title of Rule:** Net cash income—Exempt earned income, WAC 388-28-570.

**Purpose:** To delete references to refugee assistance (RA) clients receiving \$30+1/3.

**Statutory Authority for Adoption:** RCW 74.08.090.

**Statute Being Implemented:** RCW 74.08.090.

**Summary:** Federal regulations do not allow RA clients to receive \$30+1/3 earned income deductions. WAC 388-28-570 was misleading. This amendment eliminated incorrect references.

**Reasons Supporting Proposal:** This rule is necessary to correct Washington Administrative Code.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Dana Beck, Division of Income Assistance, 753-4908.

**Name of Proponent:** Department of Social and Health Services, governmental.

**Rule is not necessitated by federal law, federal or state court decision.**

**Explanation of Rule, its Purpose, and Anticipated Effects:** Same as above.

**Proposal Changes the Following Existing Rules:** See above.

**No small business economic impact statement is required for this proposal by chapter 19.85 RCW.**

**Hearing Location:** OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 7, 1990, at 10:00 a.m.

**Submit Written Comments to:** Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 7, 1990.

Date of Intended Adoption: August 21, 1990.

June 29, 1990  
 Leslie F. James, Director  
 Administrative Services  
 By Rosemary Carr

Hours Worked Per Month	Child Care Maximum Deductions Child 2 Years of Age or Older	Child Care Maximum Deductions Child Under 2 Years of Age
0 - 40	\$ 43.75	\$ 50.00
41 - 80	87.50	\$100.00
81 - 120	131.25	\$150.00
121 or more	175.00	\$200.00

**AMENDATORY SECTION** (Amending Order 2865, filed 9/1/89, effective 10/2/89)

WAC 388-28-570 NET CASH INCOME—EXEMPT EARNED INCOME. (1) For rules on exempting earned income of a full- or part-time student, see WAC 388-28-535. For rules exempting income from training, see WAC 388-28-515. For rules on other income, see WAC 388-28-580.

(2) As used in this section, "earned income" shall mean income in cash or in-kind earned as wages, salary, commissions, or profit from activities in which the individual is engaged as a self-employed person or as an employee. Earned income may be derived from self-employment (such as business enterprise or farming), or derived from wages or salary received as an employee. Earned income also includes earnings over a period of time for which settlement is made at one time, for example, sale of farm crops, livestock, or poultry. Income from rentals is earned income, provided the individual has managerial responsibility for the rental property.

(3) For an AFDC recipient, earned income includes earnings under Title I of the Elementary and Secondary Education Act, all earnings received under the Economic Opportunity Act, wages from WIN on-the-job training, and wages paid under the Job Training Partnership Act (JTPA). See WAC 388-28-535(2) for treatment of a child excluded from the grant.

(4) The definition of "earned income" excludes:

(a) Returns from capital investment with respect to which the individual is not actively engaged, as in a business. For example, under most circumstances, dividends and interest are excluded from "earned income."

(b) Benefits accruing as compensation or reward for service, or as compensation for lack of employment, for example, pensions and benefits from labor organizations, veterans' benefits, unemployment compensation, Social Security, etc.

(c) Income from WIN incentive payments and training-related expenses derived from WIN institutional or work experience training.

(d) Income received under the Job Training Partnership Act for training allowances, payments for support services, etc.

(5) In AFDC, refugee assistance, and general assistance when payment of income earned over a period of more than one month is delayed, the exemption applies to the period during which the income was earned.

(6) Aid to families with dependent children (~~and refugee assistance~~)).

(a) The following shall be disregarded sequentially from the monthly gross earned income of each individual member of the assistance unit.

(i) Ninety dollars for work expenses, regardless of the number of hours worked per month.

(ii) For each nonstudent dependent child and adult found otherwise eligible to receive assistance or having received assistance in one of the four prior months, thirty dollars and one-third of the remainder not already disregarded. The thirty dollars and one-third disregard shall be applied for a maximum of four consecutive months; it cannot be applied again until the recipient has been a nonrecipient for twelve consecutive months.

(iii) After expiration of the disregard in subsection (6)(a)(ii) of this section, thirty dollars for a maximum of eight consecutive months, whether or not the recipient has earnings or is receiving assistance; it cannot be applied again until the recipient has been a nonrecipient for twelve consecutive months.

(iv) The actual cost not to exceed the following amounts depending upon the number of hours worked per month for the care of each dependent child or incapacitated adult living in the same home and receiving AFDC (~~or refugee assistance~~). No deduction shall be made for child care provided by a parent or stepparent. The amount incurred must be verified by the provider. The expense must have been incurred for the month of employment being reported to be allowed as a deduction.

(b) The exemptions and deductions in subsection (6)(a) of this section will not be applied for any month if the individual within a period of thirty days preceding the month in which the income was received:

(i) Terminated the individual's employment or reduced the individual's earned income without good cause; or

(ii) Refused without good cause to accept employment in which the individual is able to engage which is offered through employment security department, or is otherwise offered by an employer if the offer of such employment is determined by the local office to be a bona fide offer of employment.

(c) The exemptions and deductions in subsection (6)(a) of this section will not be applied for any month the recipient failed without good cause to make a timely report of income. When a timely report is made under these circumstances, the thirty-dollar and one-third exemption shall be counted in the applicable time limits. Good cause shall be determined by the department. Any circumstance beyond the control of the recipient shall constitute good cause.

To be considered timely, a report must be received by the department:

(i) On or before the eighteenth day of the month following the month in which the income was received, or

(ii) By the first following work day if the eighteenth day of the month falls on a weekend or holiday.

(d) If a recipient requests termination in order to break the consecutiveness of the applicable time limits for the thirty-dollar plus one-third exemption, and would have been eligible, the months of voluntary nonreceipt of assistance shall be counted toward the applicable time limits.

(e) If a recipient quits work without good cause, the thirty-dollar and one-third exemption shall be deemed to have been received and shall be counted toward the applicable time limits.

(f) Months in which the applicant/recipient received the thirty-dollar and one-third exemption in another state shall not apply toward the applicable time limits.

(7) The following conditions when verified shall constitute good cause for refusal of an offer of employment or refusal to continue employment:

(a) Physical, mental, or emotional inability of the individual to satisfactorily perform the work required;

(b) Inability of the individual to get to and from the job without undue cost or hardship to the individual;

(c) The nature of the work would be hazardous to the individual;

(d) The wages do not meet any applicable minimum wage requirements and are not customary for such work in the community;

(e) The job is available because of a labor dispute; or

(f) Adequate child care is not available to the AFDC household.

**WSR 90-14-049  
 PROPOSED RULES  
 DEPARTMENT OF  
 SOCIAL AND HEALTH SERVICES  
 (Public Assistance)**

[Filed June 29, 1990, 2:52 p.m.]

Original Notice.

Title of Rule: Chapter 388-31 WAC, Lifeline assistance telephone program.

Purpose: To comply with legislative changes to the Washington telephone assistance program (WTAP) effective July 1, 1990.

Statutory Authority for Adoption: RCW 80.36.440.

Statute Being Implemented: RCW 80.36.440.



**Summary:** The amendment adds the name, "Washington telephone assistance program" or "WTAP" and deletes the term "lifeline" and "LTAP" to avoid infringing on the registered trademark of a hospital-based telephone system; WAC 388-31-015 establishes the WTAP service year as July 1 to June 30, instead of August 1 to July 31; WAC 388-31-020 expands the eligible population to include recipients of the family independence program (FIP), general assistance (GA-U and GA-S), medical assistance (coupons). This section also defines the term "adult" to include family heads under age 18, and allows the monthly rate discount to apply to a single-party line for persons age 60 or on medical aid; WAC 388-31-025 defines the term "household," for the limit of one WTAP line per household; and WAC 388-31-035 specifies what administrative expenses the telephone companies may bill to the WTAP fund, and allows the department to reimburse the companies without a contract.

**Reasons Supporting Proposal:** This rule is necessary to modify the telephone assistance program and extend it from June 30, 1990 to June 30, 1993, in accordance with amendments to section 13, chapter 101, Laws of 1989 and to sections 4, 5, 6, 8, 9 and 10, chapter 229, Laws of 1987, state of Washington.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Wayne Balcom, Division of Income Assistance, 753-4910.

**Name of Proponent:** Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

**Explanation of Rule, its Purpose, and Anticipated Effects:** Same as above.

**Proposal Changes the Following Existing Rules:** See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

**Hearing Location:** OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 7, 1990, at 10:00 a.m.

**Submit Written Comments to:** Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 7, 1990.

**Date of Intended Adoption:** August 21, 1990.

June 29, 1990

Leslie F. James, Director  
Administrative Services  
By Rosemary Carr

**AMENDATORY SECTION** (Amending Order 2541, filed 9/17/87)

WAC 388-31-010 **PURPOSE OF PROGRAM.** The ~~((lifetime F))~~ Washington telephone assistance program ~~((L))~~ (WTAP) is designed to help low-income households afford access to local exchange telephone service.

**AMENDATORY SECTION** (Amending Order 2541, filed 9/17/87)

WAC 388-31-015 **DEFINITIONS.** (1) "Local exchange company" means a telecommunication company providing local exchange telecommunication service, i.e., the telephone company.

(2) "Service year" means the period beginning ~~((August T))~~ July 1 and ending ~~((July T))~~ June 30 of the following calendar year ~~((for the LTAP)).~~

**AMENDATORY SECTION** (Amending Order 2541, filed 9/17/87)

WAC 388-31-020 **CONDITIONS OF ELIGIBILITY.** ~~((Recipients of AFDC, SSI, food stamps, chore services, refugee assistance, and COPES shall meet all of the following eligibility conditions for benefits under LTAP))~~ To receive WTAP benefits, an applicant shall:

- (1) Be a recipient of:
  - (a) Aid to families with dependent children (AFDC);
  - (b) Family independence program (FIP);
  - (c) Supplemental security income (SSI);
  - (d) General assistance (GA-U or GA-S);
  - (e) Food stamps;
  - (f) Refugee assistance;
  - (g) Medical coupons;
  - (h) Community options program entry system (COPES); or
  - (i) Chore services.

(2) Be an adult living in a private residence. For WTAP eligibility, the term adult may include a person seventeen years of age or younger who is:

- (a) A financially needy payee of a qualifying assistance unit; and
  - (b) the responsible head of household.
- (3) Make application to the local exchange company using the ~~((application/certificate of eligibility provided by the))~~ assigned department of social and health services case number; and
- (4) Have local exchange telecommunications service billed in ~~((their))~~ the applicant's name; and
- (5) ~~((Subscribe to the lowest available local exchange flat rate service))~~ To be eligible for the monthly rate discount, subscribe to the lowest available local exchange flat rate service. Single party service shall qualify as the lowest available flat rate for a person otherwise eligible who is sixty years of age or older or who receives medical assistance.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**AMENDATORY SECTION** (Amending Order 2541, filed 9/17/87)

WAC 388-31-025 ~~((L))~~ WTAP BENEFITS. (1) ~~((B))~~ Household benefits under ~~((L))~~ WTAP shall be limited to funds available in the ~~((lifeline telephone assistance program))~~ WTAP fund.

- (2) Households participating in ~~((L))~~ WTAP shall be eligible for a:
- (a) ~~((A-d))~~ Discount on local exchange flat rate services to the extent the local exchange flat rate exceeds the ~~((lifeline))~~ WTAP service rate as established by the Washington utilities and transportation commission. The local exchange flat rate shall include any federal ~~((and))~~ end user access charges and any other charges necessary to obtain local exchange service;
  - (b) ~~((A-w))~~ Waiver of deposit requirements on local exchange service; and
  - (c) ~~((A-f))~~ Fifty percent discount on service connection fees.

Any connection fee discounts available from other programs shall be added to the WTAP discount, thus paying part or all the remaining fifty percent.

- (3) Benefits under ~~((L))~~ WTAP are limited to one residential access per household.
- (4) The households's waiver of deposit and the fifty percent discount on service connection fees shall be available once per service year.

**AMENDATORY SECTION** (Amending Order 2541, filed 9/17/87)

WAC 388-31-030 **NOTIFICATION AND ELIGIBILITY PERIODS.** (1) The department shall notify recipients of ~~((AFDC, SSI, food stamps, chore services, refugee assistance, and COPES of))~~ qualifying assistance programs of their eligibility for ~~((L))~~ WTAP.

- (2) ~~((E))~~ Recipient eligibility for ~~((L))~~ WTAP shall continue from ~~((August T))~~ July 1 or the date qualifying assistance ~~((or food stamps))~~ is approved, whichever is more recent, through ~~((July T))~~ the next June 30.

**AMENDATORY SECTION** (Amending Order 2541, filed 9/17/87)

WAC 388-31-035 ~~((L))~~ WTAP FUND. (1) Limited to funds available in the ~~((L))~~ WTAP fund, the department shall reimburse local exchange companies for administrative and program expenses associated with the ~~((L))~~ WTAP:

(a) The amount the department pays shall be reduced to the maximum extent possible by a waiver of all or part of the federal end user access ~~((change;))~~ charge;

(b) Reimbursement shall be from the ~~((the))~~ WTAP fund ~~((:))~~; and

(c) Payments shall be limited to services provided after the household's eligibility for the ~~((the))~~ WTAP ~~((has-been))~~ is established~~((:))~~;

(d) Local exchange companies shall fully document and support in detail all administrative and program expenses billed to the department in the required monthly invoices. Reimbursable administrative expenses are limited to:

(i) salaries and benefits for documented time required for implementing and maintaining the WTAP, with the exception that time required for the correction of case number errors is not an allowable expense.;

(ii) documented travel expenses incurred for attending hearings, meetings, or training pertaining to the WTAP;

(iii) documented expenses incurred for supplies and materials required to implement and maintain the WTAP;

(iv) documented postage and handling for delivery of WTAP material;

(v) change of service charges from a private line to a party line in order to participate in WTAP, not to exceed the amount tariffed, as necessary to meet the requirements of WAC 480-122-010 (3)(c);

(vi) administrative charge for change of service orders specified by tariffs; and

(vii) documented indirect costs associated with implementing and maintaining WTAP.

(2) The department shall recover its administrative costs from the ~~((the))~~ WTAP fund.

(3) Reimbursement from the ~~((the))~~ WTAP fund shall be by such procedure as established by the department.

(4) The department shall not be required to conclude a contract with local exchange companies to reimburse costs incurred after June 30, 1990.

**WSR 90-14-050**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed June 29, 1990, 2:53 p.m.]

Original Notice.

Title of Rule: Prospective income budgeting, WAC 388-49-520.

Purpose: To implement by emergency adoption and subsequent regular adoption; provisions of 7 CFR 273.21 (b)(1) requiring that migrant and seasonal farmworker households have their eligibility and benefits determined prospectively. Also, to clarify that supplemental security income (SSI) is budgeted prospectively.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: This rule amendment adds seasonal farmworkers to the list of types of households that have their income budgeted prospectively.

Reasons Supporting Proposal: This rule is necessary to bring WAC 388-49-520(1) into conformance with 7 CFR 273.21(b).

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Charles Henderson, Food Stamp Program, 234-4912.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, CFR 273.21 (b)(1).

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 7, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 7, 1990.

Date of Intended Adoption: August 21, 1990.

June 29, 1990

Leslie F. James, Director  
Administrative Services  
By Rosemary Carr

AMENDATORY SECTION (Amending Order 2663, filed 8/2/88)

WAC 388-49-520 PROSPECTIVE INCOME BUDGETING.

(1) The department shall budget income prospectively for:

(a) Migrant households; ~~((and))~~

(b) Seasonal farmworker households; and

~~((and))~~ (c) Households in which all adult members ~~((are elderly or disabled))~~ have no earned income and are:

(i) Elderly; or

(ii) Disabled.

(2) The department shall budget the following income prospectively:

(a) Monthly student financial aid, except for work study;

(b) Public assistance; ~~((and))~~

(c) Supplemental security income (SSI); and

(d) Income from a new household member for the first two months of participation when the:

(i) ~~((The))~~ Household timely reports the new member; and

(ii) ~~((The))~~ New member has not received benefits within the last calendar month.

(3) The department shall consider income exclusions and deductions prospectively when budgeting income prospectively.

**WSR 90-14-051**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed June 29, 1990, 2:53 p.m.]

Original Notice.

Title of Rule: WAC 388-81-060 Medicare cost sharing; and 388-82-160 Hospital premium insurance enrollment for the working disabled.

Purpose: Provide for Medicare cost sharing (payment of Part A premiums) by Medicaid state agency for certain qualified working and disabled individuals as required by section 6408(d) of OBRA 1989.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Amendatory rule adds cross reference to new WAC rule defining qualified working and disabled individuals eligible for Medicare cost sharing and restricts Medicare cost sharing for these individuals to payment of Part A premiums. New rule establishes income, resource and other eligibility requirements for

those qualified working and disabled individuals (as determined by the Social Security Administration) who are eligible to have their Medicare Part A premiums paid by the department.

**Reasons Supporting Proposal:** This rule is necessary to modify existing regulation and add new regulation to implement Medicare cost sharing for qualified working and disabled individuals as required by federal law.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Tom Everett, Division of Medical Assistance, 753-7488.

**Name of Proponent:** Department of Social and Health Services, governmental.

Rule is necessary because of federal law, Social Security Act 613 3-90.

**Explanation of Rule, its Purpose, and Anticipated Effects:** Same as above.

**Proposal Changes the Following Existing Rules:** See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

**Hearing Location:** OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 7, 1990, at 10:00 a.m.

**Submit Written Comments to:** Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 7, 1990.

**Date of Intended Adoption:** August 21, 1990.

June 29, 1990

Leslie F. James, Director  
Administrative Services

By Rosemary Carr

**AMENDATORY SECTION** (Amending Order 2758, filed 2/13/89)

WAC 388-81-060 MEDICARE COST SHARING. (1) Subject to limitations under chapter 388-87 WAC, the department shall pay, for an otherwise eligible individual:

- (a) Supplementary medical insurance Part B, under Title XVIII of the Social Security Act;
- (b) Coinsurance; and
- (c) Deductibles.

(2) In addition to subsection (1) of this section, the department shall pay Part A, under Title XVIII of the Social Security Act, for an individual eligible under WAC 388-82-140.

(3) The department shall pay only the Part A premium, under Title XVIII of the Social Security Act, for an individual eligible under WAC 388-82-160.

**NEW SECTION**

WAC 388-82-160 HOSPITAL PREMIUM INSURANCE ENROLLMENT FOR THE WORKING DISABLED. The department shall pay premiums for Medicare Part A for an individual:

- (1) Who is not otherwise entitled for medical assistance;
- (2) Entitled to enroll for Medicare hospital insurance benefits, Part A, under section 1818A of the Social Security Act;
- (3) Having resources, as determined under chapter 388-92 WAC, not exceeding twice the maximum supplemental security income (SSI) resource limits under chapter 388-92 WAC for an individual or a couple (individual with a spouse); and
- (4) Having a total countable family income, as determined under chapter 388-92 WAC, not exceeding two hundred percent of the poverty income guidelines as published and updated by the secretary of health and human services. Two hundred percent of the 1990 poverty income guidelines is:

	Family Size	Monthly
(a)	One	\$1,046.00
(b)	Two	1,404.00

(c) For family units with three members or more, add \$356.00 to the monthly income for each additional member.

**WSR 90-14-052**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed June 29, 1990, 2:54 p.m.]

**Original Notice.**

**Title of Rule:** WAC 388-82-130 Medical care provided in bordering cities.

**Purpose:** Administratively add Coeur d' Alene, Idaho as a bordering city for medical care.

**Statutory Authority for Adoption:** RCW 74.08.090.

**Statute Being Implemented:** RCW 74.08.090.

**Summary:** The department shall provide medical care to eligible individuals in a bordering city on the same basis as in-state care. Coeur d' Alene, Idaho is added as a bordering city.

**Reasons Supporting Proposal:** This rule is necessary to add Coeur d' Alene, Idaho as a bordering city for medical care for eligible individuals.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Bobbe Andersen, Division of Medical Assistance, 753-0529.

**Name of Proponent:** Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

**Explanation of Rule, its Purpose, and Anticipated Effects:** Same as above.

**Proposal Changes the Following Existing Rules:** See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

**Hearing Location:** OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 7, 1990, at 10:00 a.m.

**Submit Written Comments to:** Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 7, 1990.

**Date of Intended Adoption:** August 21, 1990.

June 29, 1990

Leslie F. James, Director  
Administrative Services

By Rosemary Carr

**AMENDATORY SECTION** (Amending Order 2063, filed 1/4/84)

WAC 388-82-130 MEDICAL CARE PROVIDED IN BORDERING CITIES. The department shall provide medical care ((with be provided)) to eligible ((individuals)) Washington state residents in a bordering city on the same basis as in-state care. The only recognized bordering cities are Coeur d'Alene, Moscow, Sandpoint, Priest River, and Lewiston, Idaho; Portland, The Dalles, Hermiston, Hood River, Rainier, Milton-Freewater, and Astoria, Oregon.

**WSR 90-14-053  
PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Filed June 29, 1990, 2:54 p.m.]

**Original Notice.**

Title of Rule: New WAC 388-83-220 Coordinated community AIDS service alternatives (CCASA) program.

Purpose: To add a new Medicaid program for individuals who have AIDS or Class IV HIV disability disease.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: To provide Medicaid to individuals with AIDS or Class IV HIV disabling disease, who meet certain eligibility criteria and agree to receive services in their own home when the cost of care is less than the cost of institutional care.

Reasons Supporting Proposal: This rule is necessary to implement the waived program for individuals who have AIDS or Class IV HIV disability disease.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Division of Medical Assistance, 753-0529.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 7, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 7, 1990.

Date of Intended Adoption: August 21, 1990.

June 29, 1990  
Leslie F. James, Director  
Administrative Services  
By Rosemary Carr

**NEW SECTION**

WAC 388-83-220 COORDINATED COMMUNITY AIDS SERVICE ALTERNATIVES (CCASA) PROGRAM. (1) An eligible person for CCASA shall be an individual:

(a) Meeting the Title XIX categorically needy eligibility requirements for SSI-related institutionalized individuals. For the purposes of CCASA, the department shall consider an individual institutionalized the date the individual meets other eligibility criteria, except institutional status;

(b) Having a diagnosis of Acquired Immune Deficiency Syndrome or Disabling Class IV Human Immunodeficiency Virus disease as defined by the Centers for Disease Control or Washington state department of health;

(c) Determined medically at risk of need for the level of hospital-provided care;

(d) Certified by the person's physician or nurse practitioner as in the terminal stage of life;

(e) Agreeing to receive services in the person's own home, a licensed congregate care facility, or adult family home; and

(f) Having a department-approved and department of health approved plan of care.

(2) The department shall allocate available total income, including amounts disregarded in determining eligibility of a CCASA recipient residing at home:

(a) The recipient retains as maintenance needs an amount equal to the medically needy income level (MNIL) for one person; and

(b) As described under WAC 388-95-360 (1), (2)(c), (d), (e), and (f), (3), (4), and (5).

(3) The department shall allocate available total income, including amounts disregarded in determining eligibility of a CCASA recipient residing in an adult family home or congregate care facility as follows:

(a) The recipient shall retain a specified personal needs allowance as described under WAC 388-29-130 or 388-29-280;

(b) As described under WAC 388-95-360 (1), (2)(c), (d), (e), (f), and (g), and (3), (4), and (5); and

(c) Pay remaining income up to the MNIL to the facility for the cost of board and room.

(4) CCASA recipient's income remaining after deductions in subsection (2) or (3) of this section shall be the participation amount for CCASA services.

**WSR 90-14-054  
PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Filed June 29, 1990, 2:55 p.m.]

**Original Notice.**

Title of Rule: Chapter 388-86 WAC, Medical care—Services provided.

Purpose: To include the medical services provided by a school district that will be reimbursed by Medicaid funds; and to include the limited services of occupational therapy.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: School districts will be reimbursed for providing physical therapy, occupational therapy, and speech therapy when the service is provided to eligible clients and the therapy is a covered service.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Division of Medical Assistance, 753-0529.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 7, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health

Services, Mailstop OB-33H, Olympia, Washington 98504, by August 7, 1990.

Date of Intended Adoption: August 21, 1990.

June 29, 1990

Leslie F. James, Director  
Administrative Services  
By Rosemary Carr

#### NEW SECTION

WAC 388-86-022 MEDICAL SERVICES BY SCHOOL DISTRICTS. (1) The department shall pay for medical services to an eligible categorically needy child when a school district furnishes the medical services as part of the child's individualized education program (IEP).

(2) Qualified Medicaid providers as described under WAC 388-87-007 shall provide such school district medical services.

#### NEW SECTION

WAC 388-86-073 OCCUPATIONAL THERAPY. (1) The department shall pay for occupational therapy when the following conditions are met:

(a) A licensed occupational therapist, or a licensed occupational therapy assistant supervised by a licensed occupational therapist, provides the service;

(b) Approval is obtained before services are performed as required for each program as designated in the division of medical assistance billing instructions; and

(c) The occupational therapy is provided:

(i) As part of an outpatient program when identified in the early and periodic screening, diagnosis, and treatment program of a recipient twenty years of age and younger;

(ii) By a home health agency;

(iii) As part of the physical medicine and rehabilitation program; or

(iv) In a neuromuscular center.

(2) The department shall not pay for occupational therapy when payment for occupational therapy is included in the reimbursement of other treatment programs including, but not limited to hospital inpatient diagnosis related group services.

(3) The department shall pay for occupational therapy provided to recipients eligible under the:

(a) Categorically needy, general assistance unemployable and ADATSA programs;

(b) Medically needy program only when the recipient is:

(i) Twenty years of age and younger and referred by a screening provider under the early and periodic screening, diagnosis and treatment program; or

(ii) Receiving home health care services.

(c) Medically indigent program as part of the treatment program under home health care services.

#### AMENDATORY SECTION (Amending Order 2758, filed 2/13/89)

WAC 388-86-090 PHYSICAL THERAPY. (1) The department shall ~~((provide))~~ pay for physical therapy as an outpatient service when:

(a) ~~((Prescribed by))~~ The attending physician prescribes physical therapy; ~~((and))~~

(b) ~~((Performed by a registered))~~ A licensed physical therapist or physiatrist or a physical therapist assistant supervised by a licensed physical therapist provides the treatment; and

(c) The therapy assists the recipient:

(i) ~~((Avoids the need for))~~ In avoiding hospitalization or nursing home care; or

(ii) ~~((Assists the recipient))~~ In becoming employable; or

(iii) ~~((Enables a person suffering))~~ Who suffers from severe motor disabilities to obtain a greater degree of self-care or independence; or

(iv) ~~((Is))~~ As part of a treatment program intended to restore normal function of a body part following injury, surgery, or prolonged immobilization.

(2) The department shall require ~~((prior))~~ approval before services are performed for outpatient physical therapy sessions exceeding ten sessions per patient in a ~~((twelve-month period))~~ calendar year.

(3) The medical director of the division of medical assistance (DMA) may waive the prior approval requirement for physical therapy provided:

(a) In facilities ~~((which have))~~ having contracts with DMA as neuromuscular centers; and

(b) By school districts as part of an individual education program or individualized family service plan.

~~((3))~~ (4) The department shall ~~((include payment))~~ not pay for physical therapy when payment for physical therapy is included in the reimbursement as part of other treatment programs including, but not limited to:(:

(a)) hospital inpatient diagnostic related group services(;

(b)) and nursing home services(;-and

(c) Home health care).

~~((4))~~ (5) The department shall ~~((not provide))~~ pay for outpatient physical therapy ~~((under the medically needy or medically indigent programs))~~ for recipients eligible under the:

(a) Categorically needy, general assistance unemployable and ADATSA programs;

(b) Medically needy program only when the recipient is:

(i) Twenty years of age and under and referred by a screening provider under the early and periodic screening, diagnosis, and treatment program; or

(ii) Receiving home health care services.

(c) Medically indigent program when receiving home health care services.

#### AMENDATORY SECTION (Amending Order 2649, filed 7/8/88)

WAC 388-86-098 SPEECH THERAPY SERVICES. (1) The department shall ~~((provide))~~ pay for speech therapy for conditions which are the result of medically recognized diseases and defects ~~((if medically necessary and otherwise covered by this program. Such conditions may include aphasia, sudden bilateral on-set of hearing loss, rapid progressive bilateral loss and post laryngectomy surgery. The therapist shall document medical necessity in the therapist's records)).~~

(2) The department shall ~~((apply the following conditions to approval of))~~ pay for speech therapy when the following conditions are met:

(a) ~~((Prior))~~ A speech pathologist is granted a certificate of clinical competence by the American speech, hearing and language association, or a person who completed the equivalent educational and work experience necessary for such a certificate provides the service; and

(b) Approval ~~((requirements))~~ is obtained before the service is performed for:

(i) All speech therapy for ~~((clients))~~ recipients three years of age through twenty years of age ~~((requires prior approval))~~; and

(ii) Speech therapy sessions after the evaluation and twelve sessions in a calendar year for ~~((clients under))~~ recipients three years of age or younger or twenty-one years of age and over ~~((; speech therapy, except for the evaluation and up to twelve sessions of speech therapy in a twelve-month period, requires prior approval.~~

(b) That the services be performed by a speech pathologist granted a certificate of clinical competence by the American speech and hearing association, or who has completed the equivalent educational and work experience necessary for such a certificate; and

(c) The department reserves the right to limit the number of treatments based on professional judgment).

(3) The medical director of the division of medical assistance (DMA) may waive the prior approval requirement for speech therapy provided:

(a) In facilities having contracts with DMA as neuromuscular centers; and

(b) By school districts as part of an individualized education program or individualized family service plan.

(4) The department shall not pay for speech therapy when the speech therapy payment is in the reimbursement as part of other treatment programs including, but not limited to:

(a) Hospital diagnosis related group services; and

(b) Nursing home services.

(5) The department shall pay for speech ~~((and language))~~ therapy ~~((is not))~~ provided to recipients eligible under ~~((the limited casualty program))~~:

(a) The categorically needy, general assistance unemployable and ADATSA programs;

(b) The medically needy program only when the recipient is:

(i) Twenty years of age and under and referred by a screening provider under the early and periodic screening, diagnosis, and treatment program; or

(ii) Receiving home health care services.

(c) The medically indigent program when receiving home health care services.

**WSR 90-14-055**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed June 29, 1990, 2:56 p.m.]

Original Notice.

Title of Rule: Chapter 388-86 WAC, Medical care—Services provided; and chapter 388-87 WAC, Medical care—Payment.

Purpose: To add federally qualified health center services as a mandatory service. To move Medicare certified rural health clinic services from optional to mandatory. To show additional organ transplants now covered as specified under state plan. To add chiropractic services as an optional covered service under the medical assistance program.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Categorically needy or general assistance unemployable/ADATSA recipient may receive 12 chiropractic visits within a twelve month period. Medically needy children may receive chiropractic services when referred by an EPSDT screener. Medicare certified rural health clinic services and federally qualified health center services are mandatory covered Medicaid services. Organ transplants provided now include single lung, heart-lung, kidney-pancreas, and pancreas.

Reasons Supporting Proposal: This rule is necessary to add federally qualified health center services moved Medicare certified rural health clinic services to mandatory covered services. Add heart-lung, single-pancreas, kidney-pancreas, organ transplants to the limited services provided.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Division of Medical Assistance, 753-0529.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 7, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 7, 1990.

Date of Intended Adoption: August 21, 1990.

June 29, 1990

Leslie F. James, Director  
Administrative Services  
By Rosemary Carr

AMENDATORY SECTION (Amending Order 3009, filed 5/31/90, effective 7/1/90)

WAC 388-86-005 SERVICES AVAILABLE TO RECIPIENTS OF CATEGORICAL NEEDY MEDICAL ASSISTANCE. (1) The department shall provide the following Title XIX mandatory services:

- (a) Early and periodic screening diagnosis and treatment services to eligible individuals twenty years of age or under;
- (b) Family planning services;
- (c) Federally qualified health center services;
- (d) Home health agency services;
- ~~((d))~~ (e) Inpatient and outpatient hospital care;
- ~~((e))~~ (f) Medicare certified rural health clinic services;
- (g) Other laboratory and x-ray services;
- ~~((g))~~ (h) Skilled nursing home care;
- ~~((h))~~ (i) Certified registered nurse practitioner services; and
- ~~((i))~~ (j) Physicians' services in the office or away from the office as needed for necessary and essential medical care.

(2) The department shall provide the following Title XIX optional services:

- (a) ~~((Anesthetization))~~ Anesthesia services;
- (b) Blood;
- (c) Chiropractic services;
- (d) Drugs and pharmaceutical supplies;
- ~~((d))~~ (e) Eyeglasses and examination;
- ~~((e))~~ (f) Hearing aids and examinations;
- ~~((f))~~ (g) Hospice(s) services;
- ~~((g))~~ (h) ~~((Nurse and))~~ Licensed midwife services;
- ~~((h))~~ (i) Maternity support services;
- ~~((i))~~ (j) Oxygen;
- ~~((j))~~ (k) Personal care services;
- ~~((k))~~ (l) Physical therapy services;
- ~~((l))~~ (m) Private duty nursing services;
- ~~((m))~~ Rural health clinic services;
- (n) Surgical appliances;
- (o) Prosthetic devices and certain other aids to mobility; and
- (p) Dental services.

(3) The department shall limit organ transplants to the cornea, heart, heart-lung, kidney, kidney-pancreas, liver, pancreas, single lung, and bone marrow.

(4) The department shall provide treatment, dialysis, equipment, and supplies for acute and chronic nonfunctioning kidneys when the recipient is in the home, hospital, ((and)) or kidney center as described under WAC 388-86-050(5).

(5) The department shall provide detoxification and medical stabilization to chemically using pregnant women in a hospital.

(6) The department shall provide detoxification of acute alcohol or other drug intoxication only in a certified detoxification center or in a general hospital having a detoxification provider agreement with the department.

(7) The department shall provide outpatient chemical dependency treatment in programs certified under chapter 275-19 WAC.

(8) The department shall approve requested services:

- (a) Listed in this section; and
- (b) Where evidence is obtainable to establish medical necessity as defined under WAC 388-80-005, if the recipient or provider submits sufficient objective clinical information including, but not limited to:
  - (i) A physiological description of the disease, injury, impairment, or other ailment;
  - (ii) Pertinent laboratory findings;
  - (iii) X-ray reports; and
  - (iv) Patient profiles.

(9) The department shall deny a request for medical services when the requested service is:

- (a) Not medically necessary as defined under WAC 388-80-005; or
- (b) Generally regarded by the medical profession as experimental in nature or as unacceptable treatment, unless the recipient demonstrates through sufficient objective clinical evidence the existence of particular circumstances rendering the requested service medically necessary.

(10) The department shall:

(a) Approve or deny all requests for medical services within fifteen days of the receipt of the request; or

(b) If additional justifying information is necessary before a decision can be made, neither approve nor deny the request, but shall return the request to the provider within five working days of the original receipt. If additional justifying information is:

(i) Not returned within thirty days of the date the request was returned to the provider, then the department shall approve or deny the original request.

(ii) Returned to the department, the department shall act on the request within five working days of the receipt of the additional justifying information.

(11) When the department denies a request for medical services, the department shall, within five working days of the decision, give the recipient and the provider written notice of the denial. The notice shall state:

(a) The specific reasons for the department's conclusion to deny the requested service;

(b) The recipient has a right to a fair hearing if the request is made within ninety days of receipt of the denial, with the instruction on how to request the hearing;

(c) The recipient may be represented at the hearing by legal counsel or other representative;

(d) That upon request, the community service office (CSO) shall furnish the recipient the name and address of the nearest legal services office; and

(e) If a fair hearing is requested, a medical assessment from other than the person involved in making the original decision may be obtained at the department's expense.

(12) For services available under the limited casualty:

(a) Program—medically needy, see chapter 388-99 WAC; and

(b) Program—medically indigent, see chapter 388-100 WAC.

(13) The department may require a second opinion and/or consultation before the approval of any elective surgical procedure.

(14) The department shall designate diagnoses that may require surgical intervention:

(a) Performed in other than a hospital in-patient setting; and

(b) Requiring prior approval by the central authorization unit for a hospital admission.

(15) The department shall assure the availability of necessary transportation to and from covered Title XIX medical services.

#### NEW SECTION

WAC 388-86-019 CHIROPRACTIC SERVICES. (1) The department shall authorize payment for services of a chiropractor:

(a) When the chiropractor is licensed by the state of Washington to perform services within the scope of the chiropractor's license; and

(b) The services are medically necessary.

(2) Chiropractic services shall be subject to the following limitations:

(a) Treatment shall be restricted to adjustment by hand of subluxation of the spine;

(b) X-rays shall be:

(i) A single area film when the treatment area can be isolated;

(ii) A maximum of one x-ray per area, per calendar year; and

(iii) Limited to an anterior-posterior, and lateral view of the following spinal areas:

(A) Cervical;

(B) Thoracic (dorsal); and

(C) Lumbar or lumbo-sacral.

(c) The department shall pay for a maximum of twelve chiropractic visits within a twelve-month period.

(d) The maximum number of visits include the initial new patient visit.

(3) The department shall pay for chiropractic services for recipients under:

(a) The categorically needy, general assistance unemployable and ADATSA programs; and

(b) The medically needy program only when the recipient is:

(i) Twenty years of age and under; and

(ii) Referred by a screening provider under the early and periodic screening, diagnosis, and treatment program.

AMENDATORY SECTION (Amending Order 2860, filed 8/29/89, effective 9/29/89)

WAC 388-87-005 PAYMENT—ELIGIBLE PROVIDERS DEFINED. (1) The following providers shall be eligible for enrollment to provide medical ((care)) services:

(a) Persons currently licensed by the state of Washington to practice medicine, osteopathy, dentistry, optometry, podiatry, midwifery, nursing, dental hygiene, chiropractic, or physical therapy;

(b) A hospital currently licensed by the department of health;

(c) A nursing home currently licensed and classified by the department as a skilled nursing or intermediate care facility;

(d) A licensed pharmacy;

(e) A home health services agency certified according to chapter 70-126 RCW;

(f) An independent (outside) laboratory certified to participate under Title XVIII or determined currently to meet the Medicare requirements for such participation;

(g) A company or individual, not excluded in subsection (3) of this section, supplying items vital to the provision of medical ((care)) services such as ambulance service, oxygen, eyeglasses, other appliances, or approved services, not otherwise covered by this section;

(h) A provider of screening services that has signed an agreement with the department to provide such services to eligible individuals in the early and periodic screening and diagnosis and treatment (EPSDT) program;

(i) A qualified and approved center for the detoxification of acute ((alcoholic)) alcohol or other drug intoxication conditions;

(j) A qualified and approved outpatient clinical community mental health center, an approved inpatient psychiatric facility, drug treatment center, or Indian health service clinic;

(k) A Medicare certified rural health clinic;

(l) A federally qualified health care center;

(m) Approved prepaid health maintenance, prepaid health plans ((and/or)), or health insuring organizations; and

((n)) ((n)) An out-of-state provider of services listed in subsection (1)(a) through (k) of this section subject to conditions specified in WAC 388-87-105.

(2) ((Under the mandatory and discretionary provision of RCW 74-09-536)) The department shall not pay for services ((of)) performed by the following practitioners ((shall not be furnished to applicants or recipients)):

(a) Acupuncturists;

(b) Sanipractors;

((b)) ((c)) Naturopaths;

((c)) ((d)) Homopathists;

((d)) ((e)) Herbalists;

((e)) ((f)) Masseurs or manipulators;

((f)) ((g)) Christian Science practitioners or theological healers; and

((g)) ((h)) Any other licensed or unlicensed practitioners not otherwise specifically provided for in these rules.

(3) Conditions of eligibility.

(a) Nothing in this section shall bind the department to enroll all eligible providers capable of delivering covered services. The department shall demonstrate its plan for service delivery creates adequate access to covered services.

(b) When a provider has a restricted professional license or has been terminated, excluded, or suspended from the Medicare/Medicaid programs, the department shall not authorize provider eligibility unless the department has determined the violations leading to the sanction or license restriction are not likely to be repeated. In its determination, the department shall consider whether the provider has been convicted of offenses related to the delivery of professional or other services not considered during the development of the previous sanction.

(c) The department shall not reinstate in the medical assistance program, a provider suspended from Medicare or suspended by the department of health and human services (DHHS) until notified by DHHS that the provider may be reinstated.

(d) Nothing in this subsection shall preclude the department from denying provider enrollment if, in the opinion of the medical director, division of medical assistance, the provider constitutes a danger to the health and safety of recipients.

#### NEW SECTION

WAC 388-87-019 PAYMENT—CHIROPRACTIC SERVICES. (1) The department shall pay for medically necessary services a licensed chiropractor provides as limited in chapter 388-86 WAC;

- (2) The department shall not pay for:  
 (a) Modalities such as light, heat, hydrotherapy, and physiotherapy;  
 or  
 (b) Any food supplement, medication, or drug.

**WSR 90-14-056**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed June 29, 1990, 2:57 p.m.]

Continuance of WSR 90-09-087.  
 Title of Rule: WAC 388-86-085 Transportation  
 (other than ambulance).  
 Name of Proponent: Department of Social and Health  
 Services, governmental.  
 Date of Intended Adoption: July 27, 1990.

June 29, 1990  
 Leslie F. James, Director  
 Administrative Services  
 By Rosemary Carr

**WSR 90-14-057**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**

[Order 3026—Filed June 29, 1990, 2:58 p.m.]

Date of Adoption: June 29, 1990.  
 Purpose: To revise the schedule of charges for state  
 hospitals. The charges are cost based. Costs rise each  
 year. Increased rates result in additional revenue to the  
 state.

Citation of Existing Rules Affected by this Order:  
 Amending WAC 275-16-030.

Statutory Authority for Adoption: RCW 43.20B.335  
 and 71.05.560.

Pursuant to RCW 34.05.350 the agency for good  
 cause finds that immediate adoption, amendment, or re-  
 peal of a rule is necessary for the preservation of the  
 public health, safety, or general welfare, and that ob-  
 serving the time requirements of notice and opportunity  
 to comment upon adoption of a permanent rule would be  
 contrary to the public interest.

Reasons for this Finding: This rule is necessary to  
 comply with RCW 43.20B.325, which requires charges  
 for hospitalization of patients in state hospitals to be  
 based on the actual cost of operating such hospitals for  
 the previous year.

Effective Date of Rule: July 1, 1990, 12:01 a.m.

June 29, 1990  
 Leslie F. James, Director  
 Administrative Services  
 By Rosemary Carr

**AMENDATORY SECTION (Amending Order 2890,  
 filed 11/1/89, effective 12/2/89)**

**WAC 275-16-030 SCHEDULE OF CHARGES.**  
 ((Pursuant to)) Under RCW 43.20B.325, the depart-  
 ment shall base hospitalization charges for ((clients))  
 patients in state hospitals on the actual operating costs  
 of such hospitals for the previous year. Hospitalization  
 charges are due and payable on or before the tenth day  
 of each calendar month for services rendered to ((cli-  
 ents)) patients of the department during the preceding  
 month, based upon the following schedule:

(1) COSTING AND BILLING RATES

	Western State Hospital	Child Study and Treat- ment Center	Eastern State Hospital
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(a) INPATIENT SERVICES -

Hospital Costs Per Day	<del>\$(155.57)</del> 255.07	<del>194.55)</del>	
	191.30	288.23	206.81
Physician Costs	*	((+2.16))	15.56 *
Clozapine Costs Per Week	\$172.00	—	172.00

\*The department shall bill the client for physician costs on a  
 fee-for-service basis.

(b) OUTPATIENT SERVICES -

Per diem			
Outpatient	—	—	—
Day Care Per Day	—	((80.45))	89.30
Per Hour	—	((+4.34))	15.92

(c) ANCILLARY SERVICES -  
 Per relative value unit <sup>1/</sup>

Radiology	((5.50	5.50	3.65))
	4.20	4.20	5.90
Pathology	((-.32	.32	.20))
	.31	.31	.29
Medical Clinics	((1.73	1.73	8.42))
	1.78	1.78	7.31
Electroencephalogram	1.09	1.09	1.09
Electrocardiogram	((.13	.13	.40))
	.18	.18	.62
Physical Therapy	((5.82	5.82	9.91))
	5.06	5.06	12.05
Occupational Therapy	—	—	((21.97))
			26.89
Speech Therapy	—	—	((15.76))
			16.68
Dental	((24.60	24.60	50.70))
	29.46	29.60	40.60
Podiatry	1.28	1.28	1.00

(2) The department shall purchase services required  
 by the ((client)) patient, not provided by hospital staff,  
 ((shall be purchased by the department)) from private  
 sources and the ((client)) patient shall be charged actual  
 cost.

<sup>1/</sup>California Medical Association. Relative Value Studies. Fifth edi-  
 tion. San Francisco: 693 Sutter Publication, Inc., 1969, 135 pp.



**WSR 90-14-058**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3035—Filed June 29, 1990, 2:59 p.m.]

Date of Adoption: June 29, 1990.

Purpose: To add federally qualified health center services as a mandatory service; to move Medicare certified rural health clinic services from optional to mandatory; to show additional organ transplants now covered as specified under state plan; and to add chiropractic services as an optional covered service under the medical assistance program.

Citation of Existing Rules Affected by this Order: Amending chapters 388-86 and 388-87 WAC.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is necessary to add federally qualified health center services, move Medicare certified rural health clinic services to mandatory covered services. Add heart-lung, single pancreas, kidney-pancreas, organ transplants to the limited services provided.

Effective Date of Rule: July 1, 1990, 12:01 a.m.

June 29, 1990  
 Leslie F. James, Director  
 Administrative Services  
 By Rosemary Carr

**AMENDATORY SECTION** (Amending Order 3009, filed 5/31/90, effective 7/1/90)

**WAC 388-86-005 SERVICES AVAILABLE TO RECIPIENTS OF CATEGORICAL NEEDY MEDICAL ASSISTANCE.** (1) The department shall provide the following Title XIX mandatory services:

(a) Early and periodic screening diagnosis and treatment services to eligible individuals twenty years of age or under;

(b) Family planning services;

(c) Federally qualified health center services;

(d) Home health agency services;

~~((f))~~ (e) Inpatient and outpatient hospital care;

~~((f))~~ (f) Medicare certified rural health clinic services;

(g) Other laboratory and x-ray services;

~~((f))~~ (h) Skilled nursing home care;

~~((g))~~ (i) Certified registered nurse practitioner services; and

~~((h))~~ (j) Physicians' services in the office or away from the office as needed for necessary and essential medical care.

(2) The department shall provide the following Title XIX optional services:

(a) ~~((Anesthetization))~~ Anesthesia services;

(b) Blood;

(c) Chiropractic services;

(d) Drugs and pharmaceutical supplies;

~~((f))~~ (e) Eyeglasses and examination;

~~((f))~~ (f) Hearing aids and examinations;

~~((f))~~ (g) Hospice~~((s))~~ services;

~~((g))~~ (h) ~~((Nurse and))~~ Licensed midwife services;

~~((h))~~ (i) Maternity support services;

~~((i))~~ (j) Oxygen;

~~((j))~~ (k) Personal care services;

~~((k))~~ (l) Physical therapy services;

~~((l))~~ (m) Private duty nursing services;

~~((m))~~ Rural health clinic services;)

(n) Surgical appliances;

(o) Prosthetic devices and certain other aids to mobility; and

(p) Dental services.

(3) The department shall limit organ transplants to the cornea, heart, heart-lung, kidney, kidney-pancreas, liver, pancreas, single lung, and bone marrow.

(4) The department shall provide treatment, dialysis, equipment, and supplies for acute and chronic nonfunctioning kidneys when the recipient is in the home, hospital, ~~((and))~~ or kidney center as described under WAC 388-86-050(5).

(5) The department shall provide detoxification and medical stabilization to chemically using pregnant women in a hospital.

(6) The department shall provide detoxification of acute alcohol or other drug intoxication only in a certified detoxification center or in a general hospital having a detoxification provider agreement with the department.

(7) The department shall provide outpatient chemical dependency treatment in programs certified under chapter 275-19 WAC.

(8) The department shall approve requested services:

(a) Listed in this section; and

(b) Where evidence is obtainable to establish medical necessity as defined under WAC 388-80-005, if the recipient or provider submits sufficient objective clinical information including, but not limited to:

(i) A physiological description of the disease, injury, impairment, or other ailment;

(ii) Pertinent laboratory findings;

(iii) X-ray reports; and

(iv) Patient profiles.

(9) The department shall deny a request for medical services when the requested service is:

(a) Not medically necessary as defined under WAC 388-80-005; or

(b) Generally regarded by the medical profession as experimental in nature or as unacceptable treatment, unless the recipient demonstrates through sufficient objective clinical evidence the existence of particular circumstances rendering the requested service medically necessary.

(10) The department shall:

(a) Approve or deny all requests for medical services within fifteen days of the receipt of the request; or

(b) If additional justifying information is necessary before a decision can be made, neither approve nor deny the request, but shall return the request to the provider

within five working days of the original receipt. If additional justifying information is:

(i) Not returned within thirty days of the date the request was returned to the provider, then the department shall approve or deny the original request.

(ii) Returned to the department, the department shall act on the request within five working days of the receipt of the additional justifying information.

(11) When the department denies a request for medical services, the department shall, within five working days of the decision, give the recipient and the provider written notice of the denial. The notice shall state:

(a) The specific reasons for the department's conclusion to deny the requested service;

(b) The recipient has a right to a fair hearing if the request is made within ninety days of receipt of the denial, with the instruction on how to request the hearing;

(c) The recipient may be represented at the hearing by legal counsel or other representative;

(d) That upon request, the community service office (CSO) shall furnish the recipient the name and address of the nearest legal services office; and

(e) If a fair hearing is requested, a medical assessment from other than the person involved in making the original decision may be obtained at the department's expense.

(12) For services available under the limited casualty:

(a) Program—medically needy, see chapter 388-99 WAC; and

(b) Program—medically indigent, see chapter 388-100 WAC.

(13) The department may require a second opinion and/or consultation before the approval of any elective surgical procedure.

(14) The department shall designate diagnoses that may require surgical intervention:

(a) Performed in other than a hospital in-patient setting; and

(b) Requiring prior approval by the central authorization unit for a hospital admission.

(15) The department shall assure the availability of necessary transportation to and from covered Title XIX medical services.

**NEW SECTION**

**WAC 388-86-019 CHIROPRACTIC SERVICES.**  
(1) The department shall authorize payment for services of a chiropractor:

(a) When the chiropractor is licensed by the state of Washington to perform services within the scope of the chiropractor's license; and

(b) The services are medically necessary.  
(2) Chiropractic services shall be subject to the following limitations:

(a) Treatment shall be restricted to adjustment by hand of subluxation of the spine;

(b) X-rays shall be:  
(i) A single area film when the treatment area can be isolated;

(ii) A maximum of one x-ray per area, per calendar year; and

(iii) Limited to an anterior-posterior, and lateral view of the following spinal areas:

- (A) Cervical;
- (B) Thoracic (dorsal); and
- (C) Lumbar or lumbo-sacral.

(c) The department shall pay for a maximum of twelve chiropractic visits within a twelve-month period.

(d) The maximum number of visits include the initial new patient visit.

(3) The department shall pay for chiropractic services for recipients under:

(a) The categorically needy, general assistance unemployable and ADATSA programs; and

(b) The medically needy program only when the recipient is:

- (i) Twenty years of age and under; and
- (ii) Referred by a screening provider under the early and periodic screening, diagnosis, and treatment program.

**AMENDATORY SECTION** (Amending Order 2860, filed 8/29/89, effective 9/29/89)

**WAC 388-87-005 PAYMENT—ELIGIBLE PROVIDERS DEFINED.** (1) The following providers shall be eligible for enrollment to provide medical ((care)) services:

(a) Persons currently licensed by the state of Washington to practice medicine, osteopathy, dentistry, optometry, podiatry, midwifery, nursing, dental hygiene, chiropractic, or physical therapy;

(b) A hospital currently licensed by the department of health;

(c) A nursing home currently licensed and classified by the department as a skilled nursing or intermediate care facility;

(d) A licensed pharmacy;

(e) A home health services agency certified according to chapter 70.126 RCW;

(f) An independent (outside) laboratory certified to participate under Title XVIII or determined currently to meet the Medicare requirements for such participation;

(g) A company or individual, not excluded in subsection (3) of this section, supplying items vital to the provision of medical ((care)) services such as ambulance service, oxygen, eyeglasses, other appliances, or approved services, not otherwise covered by this section;

(h) A provider of screening services that has signed an agreement with the department to provide such services to eligible individuals in the early and periodic screening and diagnosis and treatment (EPSDT) program;

(i) A qualified and approved center for the detoxification of acute ((~~alcoholic~~)) alcohol or other drug intoxication conditions;

(j) A qualified and approved outpatient clinical community mental health center, an approved inpatient psychiatric facility, drug treatment center, or Indian health service clinic;

(k) A Medicare certified rural health clinic;

(l) A federally qualified health care center;

(m) Approved prepaid health maintenance, prepaid health plans ((and/or)), or health insuring organizations; and

~~((m))~~ (n) An out-of-state provider of services listed in subsection (1)(a) through (k) of this section subject to conditions specified in WAC 388-87-105.

~~((Under the mandatory and discretionary provision of RCW 74.09.530;))~~ The department shall not pay for services ~~((of))~~ performed by the following practitioners ~~((shall not be furnished to applicants or recipients))~~:

(a) Acupuncturists;

(b) Sanipractors;

~~((b))~~ (c) Naturopaths;

~~((c))~~ (d) Homopaths;

~~((d))~~ (e) Herbalists;

~~((e))~~ (f) Masseurs or manipulators;

~~((f))~~ (g) Christian Science practitioners or theological healers; and

~~((g))~~ (h) Any other licensed or unlicensed practitioners not otherwise specifically provided for in these rules.

(3) Conditions of eligibility.

(a) Nothing in this section shall bind the department to enroll all eligible providers capable of delivering covered services. The department shall demonstrate its plan for service delivery creates adequate access to covered services.

(b) When a provider has a restricted professional license or has been terminated, excluded, or suspended from the Medicare/Medicaid programs, the department shall not authorize provider eligibility unless the department has determined the violations leading to the sanction or license restriction are not likely to be repeated. In its determination, the department shall consider whether the provider has been convicted of offenses related to the delivery of professional or other services not considered during the development of the previous sanction.

(c) The department shall not reinstate in the medical assistance program, a provider suspended from Medicare or suspended by the department of health and human services (DHHS) until notified by DHHS that the provider may be reinstated.

(d) Nothing in this subsection shall preclude the department from denying provider enrollment if, in the opinion of the medical director, division of medical assistance, the provider constitutes a danger to the health and safety of recipients.

#### NEW SECTION

WAC 388-87-019 PAYMENT—CHIROPRACTIC SERVICES. (1) The department shall pay for medically necessary services a licensed chiropractor provides as limited in chapter 388-86 WAC;

(2) The department shall not pay for:

(a) Modalities such as light, heat, hydrotherapy, and physiotherapy; or

(b) Any food supplement, medication, or drug.

**WSR 90-14-059**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**

[Order 3028—Filed June 29, 1990, 3:00 p.m.]

Date of Adoption: June 29, 1990.

Purpose: Defines the newly authorized sexual predator program.

Statutory Authority for Adoption: Chapter 3, Laws of 1990.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is necessary to comply with Laws of 1990.

Effective Date of Rule: July 1, 1990, 12:01 a.m.

June 29, 1990

Leslie F. James, Director  
 Administrative Services  
 By Rosemary Carr

Chapter 275-155 WAC  
SEXUAL PREDATOR PROGRAM—SPECIAL  
COMMITMENT PROCESS

#### NEW SECTION

WAC 275-155-005 SPECIAL COMMITMENT OF SEXUALLY VIOLENT PREDATORS—LEGAL BASIS. (1) Laws of 1990, chapter 3, section 1006 authorizes the department to develop a sexual predator program (SPP) for a person the court determines is a sexually violent predator.

(2) Beginning July 1, 1990, the department's SPP shall provide:

(a) Evaluation of a person court-ordered to the SPP for determining if the person meets the definition of a sexually violent predator under this chapter; and

(b) Control, care, and treatment services to a person court-committed as a sexually violent predator.

#### NEW SECTION

WAC 275-155-010 DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Appropriate facility" means a facility the department uses for evaluating and determining if a person meets the definition of a sexually violent predator as defined in this section.

(2) "Care" means a service the department provides during a person's commitment to the SPP to sustain adequate health, shelter, and physical sustenance.

(3) "Control" means a restraint, restriction, or confinement the department applies protecting a person from endangering self, others, or property during a commitment under this chapter.

(4) "Department" means the department of social and health services.

(5) "Evaluation" means an examination, report, or recommendation a professionally qualified person makes determining if a person meets or continues to meet the definition of a sexually violent predator as defined in this section.

(6) "Individual treatment plan (ITP)" means an outline the SPP staff persons develop detailing how control, care, and treatment services are provided to a SPP-committed person.

(7) "Predatory" means acts a person directs toward strangers or individuals with whom a relationship has been established or promoted for the primary purpose of victimization.

(8) "Mental abnormality" means a congenital or acquired condition affecting a person's emotional or volitional capacity, including personality disorders, predisposing the person to commit criminal acts of sexual violence placing other persons in danger.

(9) "Professionally qualified person" includes:

(a) "Mental health counselor" means a person certified as a mental health counselor under chapter 18.19 RCW;

(b) "Psychiatric nurse" means a person licensed as a registered nurse under chapter 18.88 RCW and having two or more years supervised clinical experience;

(c) "Psychiatrist" means a person licensed as a physician under chapter 18.19 RCW. In addition, the person shall:

(i) Have completed three years of graduate training in a psychiatry program approved by the American Medical Association or the American Osteopathic Association; and

(ii) Be certified, or eligible to be certified, by the American Board of Psychiatry and Neurology;

(d) "Psychologist" means a person licensed as a doctor of psychology under chapter 18.83 RCW; and

(e) "Social worker" means a person certified as a social worker under chapter 18.19 RCW.

(10) "Secure facility" means a department-operated facility, not located on the grounds of a state mental facility or residential habilitation center, with the purpose of confining and treating a person committed to the SPP.

(11) "Sexual predator program (SPP)" means a department-administered and operated program established for:

(a) A court-ordered person's evaluation; or

(b) Control, care, and treatment of a court-committed person defined as a sexually violent predator under this chapter.

(12) "Sexually violent offense" means an act defined under Laws of 1990, chapter 3, section 1002 and for which a person is charged or convicted on, before, or after July 1, 1990.

(13) "Sexually violent predator" means a person defined under Laws of 1990, chapter 3, section 1002 who has been convicted or charged with a crime of sexual violence and who suffers from a mental abnormality or personality disorder which makes the person likely to engage in predatory acts of sexual violence.

#### NEW SECTION

WAC 275-155-020 **AUTHORIZATION FOR INDEFINITE COMMITMENT TO THE SEXUAL PREDATOR PROGRAM.** The department shall admit a person to the SPP as a sexually violent predator only when all of the following requirements are met:

(1) **Petition.** The prosecuting attorney or attorney general if requested by the prosecutor files a petition with the superior court in the county where a person was most recently charged or convicted of a sexually violent offense;

(2) **Probable cause.** A court determines probable cause exists and orders a person transferred to an appropriate facility for evaluation as to whether the person is a sexually violent predator;

(3) **Evaluation.** A person is evaluated by one or more professionally qualified persons and is found to have:

(a) Been charged with or convicted of a sexually violent offense;

(b) A mental abnormality rendering the person likely to commit a sexually violent offense; and

(c) A sentence or commitment about to expire or having expired.

(4) **Trial.** A court commences a trial determining if a person is a sexually violent predator within forty-five days of the petition filing date, not including continuances requested by the alleged sexually violent predator; and

(5) **Judgment.** A court or jury finds a person, beyond a reasonable doubt, to be a sexually violent predator and the person is committed to the department's custody for control, care, and treatment.

#### NEW SECTION

WAC 275-155-030 **SEXUAL PREDATOR PROGRAM EVALUATION—REPORTING.** (1) When a court orders a person transferred to an appropriate facility for evaluation, the department shall, within forty-five days of the petition filing date, evaluate and provide a recommendation to the court as to whether the person meets the statutory definition of a sexually violent predator under Laws of 1990, chapter 3, section 1002.

(2) Annually or more often, the department shall provide the committing court an evaluation determining if a committed person continues meeting the definition of a sexually violent predator under this chapter.

#### NEW SECTION

WAC 275-155-040 **INDIVIDUAL TREATMENT.** (1) When the court commits a person to the SPP as a sexually violent predator, SPP staff persons shall develop an individual treatment plan (ITP). The ITP shall include, but not be limited to:

(a) A description of a person's specific treatment needs;

(b) An outline of intermediate and long-range treatment goals, with a projected timetable for reaching the goals;

(c) The treatment strategies for achieving the treatment goals;

(d) A description of SPP staff persons' responsibility, and

(e) Criteria for recommending to the court whether a person should be released from the SPP.

(2) The SPP staff persons shall review a committed person's ITP every six months or more often.

#### NEW SECTION

**WAC 275-155-050 RIGHTS OF A PERSON COMMITTED TO THE SEXUAL PREDATOR PROGRAM.** (1) During a person's evaluation or commitment to the SPP, the department shall apprise the committed person of the person's right to an attorney and to retain a professionally qualified person to perform an evaluation on the committed person's behalf.

(2) Upon request, the department shall provide to the following persons access to a committed person for an evaluation and all records and reports related to the person's commitment, control, care, and treatment:

(a) The committed person's attorney;

(b) The committed person's professionally qualified person, if any;

(c) The prosecuting attorney, or the attorney general, if requested by the prosecuting attorney; and

(d) The professionally qualified person approved by the prosecuting attorney or the attorney general.

(3) A person the court commits to the SPP shall:

(a) Receive adequate care and individualized treatment;

(b) Be permitted to wear the committed person's own clothes and keep and use the person's personal possessions, except when deprivation of possessions is necessary for the person's protection and safety, the protection and safety of others, or the protection of property within the SPP;

(c) Be permitted to accumulate and spend a reasonable amount of money in the person's SPP account;

(d) Have access to reasonable personal storage space within SPP limitations;

(e) Be permitted to have approved visitors within reasonable limitations;

(f) Have reasonable access to a telephone to make and receive confidential calls within SPP limitations; and

(g) Have reasonable access to letter writing material and to:

(i) Receive and send correspondence through the mail within SPP limitations; and

(ii) Send written communication regarding the fact of the person's commitment.

(4) A person the court commits to the SPP shall have the following procedural rights to:

(a) Have reasonable access to an attorney and be informed of the name and address of the person's designated attorney;

(b) Remain silent, understanding statements the person makes may be used against the person;

(c) Present evidence and to cross-examine witnesses testifying against the person in court;

(d) Petition the court for release from the SPP; and

(e) Receive annual written notice of the person's right to petition the committing court for release. The department's written notice and waiver shall:

(i) Include the option to voluntarily waive the right to petition the committing court for release; and

(ii) Annually be forwarded to the committing court by the department.

#### NEW SECTION

**WAC 275-155-060 SEXUAL PREDATOR PROGRAM REIMBURSEMENT.** (1) The department shall obtain reimbursement under RCW 43.20B.330, 43.20B.335, 43.20B.340, 43.20B.345, 43.20B.350, 43.20B.355, 43.20B.360, and 43.20B.370 for the cost of care of a person committed to a SPP to the extent of the person's ability to pay.

(2) The department shall calculate ability to pay and assess liability under chapter 275-16 WAC.

#### **WSR 90-14-060**

#### **EMERGENCY RULES**

#### **DEPARTMENT OF**

#### **SOCIAL AND HEALTH SERVICES**

#### **(Public Assistance)**

[Order 3029—Filed June 29, 1990, 3:01 p.m.]

Date of Adoption: June 29, 1990.

Purpose: To comply with legislative changes to the Washington telephone assistance program (WTAP) effective July 1, 1990.

Citation of Existing Rules Affected by this Order: Amending chapter 388-31 WAC.

Statutory Authority for Adoption: RCW 80.36.440.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is necessary to modify the telephone assistance program and extend it from June 30, 1990, to June 30, 1993, in accordance with amendments to section 13, chapter 101, Laws of 1989 and to sections 4, 5, 6, 8, 9 and 10, chapter 229, Laws of 1987, state of Washington.

Effective Date of Rule: July 1, 1990, 12:01 a.m.

June 29, 1990

Leslie F. James, Director

Administrative Services

By Rosemary Carr

#### AMENDATORY SECTION (Amending Order 2541, filed 9/17/87)

**WAC 388-31-010 PURPOSE OF PROGRAM.** The ~~((lifetime F))~~ Washington telephone assistance program ~~((E))~~ (WTAP) is designed to help low-income households afford access to local exchange telephone service.

AMENDATORY SECTION (Amending Order 2541, filed 9/17/87)

WAC 388-31-015 DEFINITIONS. (1) "Local exchange company" means a telecommunication company providing local exchange telecommunication service, i.e., the telephone company.

(2) "Service year" means the period beginning ~~((August 1))~~ July 1 and ending ~~((July 31))~~ June 30 of the following calendar year ~~((for the LTAP)).~~

AMENDATORY SECTION (Amending Order 2541, filed 9/17/87)

WAC 388-31-020 CONDITIONS OF ELIGIBILITY. ~~((Recipients of AFDC, SSI, food stamps, chore services, refugee assistance, and COPEs shall meet all of the following eligibility conditions for benefits under LTAP))~~ To receive WTAP benefits, an applicant shall:

- (1) Be a recipient of:
- (a) Aid to families with dependent children (AFDC);
  - (b) Family independence program (FIP);
  - (c) Supplemental security income (SSI);
  - (d) General assistance (GA-U or GA-S);
  - (e) Food stamps;
  - (f) Refugee assistance;
  - (g) Medical coupons;
  - (h) Community options program entry system (COPEs); or

(i) Chore services.

(2) Be an adult living in a private residence. For WTAP eligibility, the term adult may include a person seventeen years of age or younger who is:

- (a) A financially needy payee of a qualifying assistance unit; and
  - (b) the responsible head of household.
- (3) Make application to the local exchange company using the ~~((application/certificate of eligibility provided by the))~~ assigned department of social and health services case number; and

(4) Have local exchange telecommunications service billed in ~~((their))~~ the applicant's name; and

(5) ~~((Subscribe to the lowest available local exchange flat rate service))~~ To be eligible for the monthly rate discount, subscribe to the lowest available local exchange flat rate service. Single party service shall qualify as the lowest available flat rate for a person otherwise eligible who is sixty years of age or older or who receives medical assistance.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 2541, filed 9/17/87)

WAC 388-31-025 ((£)) WTAP BENEFITS. (1) ((£)) Household benefits under ((£)) WTAP shall be limited to funds available in the ~~((lifetime telephone assistance program))~~ WTAP fund.

(2) Households participating in ((£)) WTAP shall be eligible for a:

- (a) ~~((A-d))~~ Discount on local exchange flat rate services to the extent the local exchange flat rate exceeds

the ~~((lifetime))~~ WTAP service rate as established by the Washington utilities and transportation commission. The local exchange flat rate shall include any federal ~~((and))~~ end user access charges and any other charges necessary to obtain local exchange service;

- (b) ~~((A-w))~~ Waiver of deposit requirements on local exchange service; and

- (c) ~~((A-f))~~ Fifty percent discount on service connection fees.

Any connection fee discounts available from other programs shall be added to the WTAP discount, thus paying part or all the remaining fifty percent.

- (3) Benefits under ~~((£))~~ WTAP are limited to one residential access per household.

- (4) The household's waiver of deposit and the fifty percent discount on service connection fees shall be available once per service year.

AMENDATORY SECTION (Amending Order 2541, filed 9/17/87)

WAC 388-31-030 NOTIFICATION AND ELIGIBILITY PERIODS. (1) The department shall notify recipients of ~~((AFDC, SSI, food stamps, chore services, refugee assistance, and COPEs of))~~ qualifying assistance programs of their eligibility for ~~((£))~~ WTAP.

(2) ~~((£))~~ Recipient eligibility for ~~((£))~~ WTAP shall continue from ~~((August 1))~~ July 1 or the date qualifying assistance ~~((or food stamps))~~ is approved, whichever is more recent, through ~~((July 31))~~ the next June 30.

AMENDATORY SECTION (Amending Order 2541, filed 9/17/87)

WAC 388-31-035 ~~((£))~~ WTAP FUND. (1) Limited to funds available in the ~~((£))~~ WTAP fund, the department shall reimburse local exchange companies for administrative and program expenses associated with the ~~((£))~~ WTAP:

- (a) The amount the department pays shall be reduced to the maximum extent possible by a waiver of all or part of the federal end user access ~~((change,))~~ charge;

- (b) Reimbursement shall be from the ~~((£))~~ WTAP fund ~~((:))~~; and

- (c) Payments shall be limited to services provided after the household's eligibility for the ~~((£))~~ WTAP ~~((has been))~~ is established~~((:))~~;

- (d) Local exchange companies shall fully document and support in detail all administrative and program expenses billed to the department in the required monthly invoices. Reimbursable administrative expenses are limited to:

- (i) salaries and benefits for documented time required for implementing and maintaining the WTAP, with the exception that time required for the correction of case number errors is not an allowable expense;

- (ii) documented travel expenses incurred for attending hearings, meetings, or training pertaining to the WTAP;

- (iii) documented expenses incurred for supplies and materials required to implement and maintain the WTAP;

- (iv) documented postage and handling for delivery of WTAP material;

(v) change of service charges from a private line to a party line in order to participate in WTAP, not to exceed the amount tariffed, as necessary to meet the requirements of WAC 480-122-010 (3)(c);

(vi) administrative charge for change of service orders specified by tariffs; and

(vii) documented indirect costs associated with implementing and maintaining WTAP.

(2) The department shall recover its administrative costs from the ((£)) WTAP fund.

(3) Reimbursement from the ((£)) WTAP fund shall be by such procedure as established by the department.

(4) The department shall not be required to conclude a contract with local exchange companies to reimburse costs incurred after June 30, 1990.

**WSR 90-14-061**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3030—Filed June 29, 1990, 3:02 p.m.]

Date of Adoption: June 29, 1990.

Purpose: Provide for Medicare cost sharing (payment of Part A premiums) by Medicaid state agency for certain qualified working and disabled individuals as required by section 6408(d) of OBRA 1989.

Citation of Existing Rules Affected by this Order: Amending WAC 388-81-060; and new WAC 388-82-160 Hospital premium insurance.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: This rule is necessary to modify existing regulation and add new regulation to implement Medicare cost sharing for qualified working and disabled individuals as required by federal law.

Effective Date of Rule: July 1, 1990, 12:01 a.m.

June 29, 1990  
 Leslie F. James, Director  
 Administrative Services  
 By Rosemary Carr

**AMENDATORY SECTION** (Amending Order 2758, filed 2/13/89)

**WAC 388-81-060 MEDICARE COST SHARING.** (1) Subject to limitations under chapter 388-87 WAC, the department shall pay, for an otherwise eligible individual:

(a) Supplementary medical insurance Part B, under Title XVIII of the Social Security Act;

(b) Coinsurance; and

(c) Deductibles.

(2) In addition to subsection (1) of this section, the department shall pay Part A, under Title XVIII of the Social Security Act, for an individual eligible under WAC 388-82-140.

(3) The department shall pay only the Part A premium, under Title XVIII of the Social Security Act, for an individual eligible under WAC 388-82-160.

**NEW SECTION**

**WAC 388-82-160 HOSPITAL PREMIUM INSURANCE ENROLLMENT FOR THE WORKING DISABLED.** The department shall pay premiums for Medicare Part A for an individual:

(1) Who is not otherwise entitled for medical assistance;

(2) Entitled to enroll for Medicare hospital insurance benefits, Part A, under section 1818A of the Social Security Act;

(3) Having resources, as determined under chapter 388-92 WAC, not exceeding twice the maximum supplemental security income (SSI) resource limits under chapter 388-92 WAC for an individual or a couple (individual with a spouse); and

(4) Having a total countable family income, as determined under chapter 388-92 WAC, not exceeding two hundred percent of the poverty income guidelines as published and updated by the secretary of health and human services. Two hundred percent of the 1990 poverty income guidelines is:

	Family Size	Monthly
(a)	One	\$1,046.00
(b)	Two	1,404.00

(c) For family units with three members or more, add \$356.00 to the monthly income for each additional member.

**WSR 90-14-062**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3031—Filed June 29, 1990, 3:03 p.m.]

Date of Adoption: June 29, 1990.

Purpose: To use the need standard instead of the payment standard to determine financial eligibility. Changes regarding gifts are editorial. There are no substantive changes.

Citation of Existing Rules Affected by this Order: Amending WAC 388-28-480 Use of income and income potentials—Types of income—Effect on need.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is necessary to change the way the department determines financial eligibility.



Effective Date of Rule: July 1, 1990, 12:01 a.m.

June 29, 1990  
Leslie F. James, Director  
Administrative Services  
By Rosemary Carr

AMENDATORY SECTION (Amending Order 2865, filed 9/1/89, effective 10/2/89)

WAC 388-28-480 USE OF INCOME AND INCOME POTENTIALS—TYPES OF INCOME—EFFECT ON NEED. (1) Treatment of income.

(a) To be eligible for AFDC, a client shall meet the following income tests:

(i) The one hundred eighty-five percent of need test as defined under WAC 388-28-484(7);

(ii) If the assistance unit has not received assistance in one of the four months before the month of application, the assistance unit's monthly nonexempt unearned income plus monthly earned income, as defined under WAC 388-28-570, less the disregards and deductions contained under WAC 388-28-535, 388-28-570(4), and 388-28-570 (6)(a)(i) and (iv), shall be below the appropriate state need standard plus additional requirements. This test does not apply if the assistance unit received assistance in one of the four months before the month of application; and

(iii) The assistance unit's monthly nonexempt unearned income plus monthly nonexempt earned income as determined under WAC 388-28-570 shall be below the appropriate state payment standard plus additional requirements.

(b) To be eligible for general assistance unemployable (GA-U), a client's monthly nonexempt income shall be below the monthly payment standard plus authorized additional requirements.

(2) Grant amount.

(a) The department shall determine the grant amount for the month of application by subtracting all ~~((net))~~ nonexempt income, received or reasonably expected to be received during the calendar month, from the payment level plus authorized additional requirements. The department shall prorate the remainder for the number of days after grant authorization. This prorated figure is the grant amount for the first month of eligibility.

(b) The department shall determine the grant amount for the month following the month of initial eligibility by subtracting all ~~((net))~~ nonexempt income, received or reasonably expected to be received during the calendar month, from the payment level plus authorized additional requirements. The remainder is the grant amount for the second month of eligibility.

(c) The department shall base the grant amount for the third month of assistance and subsequent months upon income received in the budget and/or report month. WAC 388-28-483(3) is an exception to this rule.

~~((d)) An applicant or recipient whose nonexempt net monthly income exceeds the monthly payment level plus authorized additional requirements is not eligible to receive assistance. Ineligibility exists whether the income is received weekly, biweekly, or monthly, except as specified in WAC 388-24-250 through 388-24-265.~~

~~((2)))~~ (3) Irregular or nonrecurring income.

(a) The department shall disregard irregular income up to five dollars per month received by a general assistance applicant or recipient.

(b) The department shall disregard nonrecurring cash gifts up to thirty cumulative dollars received by each member of the AFDC assistance unit per calendar quarter. The department, unless otherwise specified by the donor, shall determine an individual's share in a gift to more than one person by dividing the amount of the gift by the number of persons receiving the gift.

(c) The department shall disregard as income an earned income credit (EIC).

~~((3)))~~ (4) Loans.

(a) The department shall ~~((not consider))~~ disregard as income or resources any contractually agreed loan acquired by ~~((an applicant or recipient))~~ a client committing all funds for a specific purpose other than current maintenance, and so expended.

(i) The department shall ~~((b-not include))~~ disregard the property used as collateral for the loan in determining property reserves.

(ii) The department shall consider toward the resource ceiling the equity accumulated in the specified property.

(b) The department shall ~~((not consider))~~ disregard as income or resources any other loan, regardless of the loan's ability to meet current needs when the department verifies:

(i) The terms of the loan are stated in a written agreement between the lender and the borrower, and

(ii) The agreement clearly specifies the obligation of the borrower to repay the loan; and

(iii) The agreement includes a repayment plan providing for installments of specified amounts to begin within ninety days of either the receipt of the loan or the date of application for assistance and continue thereafter on a regular basis until the loan is fully repaid; and

(iv) The agreement sets forth the terms of the loan regarding the loan's amount; and

(v) The agreement is signed by the lender and the borrower.

(c) The department shall ~~((not consider))~~ disregard as income repayments to a recipient of money previously loaned by the recipient to another party since the loan represents income or resources already considered in computing need.

(i) The department shall verify the facts of the loan.

(ii) The department shall consider any interest paid on the loan to be newly acquired income.

~~((4)))~~ (5) ~~((Gift in-kind))~~ Gifts other than cash.

(a) The department ~~((considers the following items to be))~~ shall disregard gifts ~~((=in-kind:))~~

~~((i)) Real or personal property, excluding))~~ other than cash ~~((and marketable securities, exempted for an applicant and))~~ as defined under WAC 388-22-030 (36)(a) provided such gifts are within the ~~((ceiling values, e.g., a home or a new furnace.~~

~~((ii)) Any item in the department's standards for additional requirements which is not a requirement for the recipient of such a gift, e.g., telephone service.~~



~~(b) The department shall not consider a gift in-kind as income or resource if the donor specified in writing the intended use or purpose of the gift.~~

~~(c) Needed goods or services not currently included as additional requirements in the department's standards, e.g., repair of house or of household equipment)) allowable program resource limits.~~

~~((5)) (6) Lump sums.~~

(a) The department shall consider lump sum payments as income in the month received;

(b) The department defines a lump sum payment as nonrecurring unearned income. Lump sums may include, but are not limited to:

- (i) Lottery winnings,
- (ii) An inheritance,
- (iii) Personal injury award,
- (iv) Workers compensation awards, or
- (v) Social Security back payments.

~~((6)) (7) WAC 388-28-482 and 388-28-484 cover newly acquired income received by a recipient.~~

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 90-14-063**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3032—Filed June 29, 1990, 3:04 p.m.]

Date of Adoption: June 29, 1990.

Purpose: To add a new Medicaid program for individuals who have AIDS or Class IV HIV disabling disease.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is necessary to implement the waived program for individuals who have AIDS or Class IV HIV disability disease.

Effective Date of Rule: July 1, 1990, 12:01 a.m.

June 29, 1990

Leslie F. James, Director  
 Administrative Services  
 By Rosemary Carr

**NEW SECTION**

**WAC 388-83-220 COORDINATED COMMUNITY AIDS SERVICE ALTERNATIVES (CCASA) PROGRAM. (1) An eligible person for CCASA shall be an individual:**

(a) Meeting the Title XIX categorically needy eligibility requirements for SSI-related institutionalized individuals. For the purposes of CCASA, the department shall consider an individual institutionalized the date the

individual meets other eligibility criteria, except institutional status;

(b) Having a diagnosis of Acquired Immune Deficiency Syndrome or Disabling Class IV Human Immunodeficiency Virus disease as defined by the Centers for Disease Control or Washington state department of health;

(c) Determined medically at risk of need for the level of hospital-provided care;

(d) Certified by the person's physician or nurse practitioner as in the terminal stage of life;

(e) Agreeing to receive services in the person's own home, a licensed congregate care facility, or adult family home; and

(f) Having a department-approved and department of health approved plan of care.

(2) The department shall allocate available total income, including amounts disregarded in determining eligibility of a CCASA recipient residing at home:

(a) The recipient retains as maintenance needs an amount equal to the medically needy income level (MNIL) for one person; and

(b) As described under WAC 388-95-360 (1), (2)(c), (d), (e), and (f), (3), (4), and (5).

(3) The department shall allocate available total income, including amounts disregarded in determining eligibility of a CCASA recipient residing in an adult family home or congregate care facility as follows:

(a) The recipient shall retain a specified personal needs allowance as described under WAC 388-29-130 or 388-29-280;

(b) As described under WAC 388-95-360 (1), (2)(c), (d), (e), (f), and (g), and (3), (4), and (5); and

(c) Pay remaining income up to the MNIL to the facility for the cost of board and room.

(4) CCASA recipient's income remaining after deductions in subsection (2) or (3) of this section shall be the participation amount for CCASA services.

**WSR 90-14-064**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3033—Filed June 29, 1990, 3:05 p.m., effective August 1, 1990]

Date of Adoption: June 29, 1990.

Purpose: To clarify when separate household status can be established for elderly, permanently disabled persons unable to prepare meals.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-190 Household concept.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to notice filed as WSR 90-11-016 on May 7, 1990.

Effective Date of Rule: August 1, 1990.

June 29, 1990

Leslie F. James, Director  
 Administrative Services  
 By Rosemary Carr

AMENDATORY SECTION (Amending Order 2770, filed 3/2/89)

WAC 388-49-190 HOUSEHOLD CONCEPT. (1) The department shall consider the following as households:

(a) A person (~~(who lives)~~) living alone;

(b) A person (~~(who lives)~~) living with others and (~~(who purchases)~~) purchasing and (~~(prepares)~~) preparing meals separate and apart from the others;

(c) A group of persons who live together and purchase and prepare meals together;

(d) A permanently disabled (~~(and)~~), elderly person unable to prepare meals(~~(-)~~) provided the:

(i) (~~The person must be living with others.~~)

(ii) (~~The~~) Person's spouse shall be included in the household(~~(-)~~); and

(iii) (~~The~~) Income of (~~(the)~~) other (~~(household members)~~) individuals, except the person's spouse, (~~(cannot)~~) living with the person does not exceed one hundred sixty-five percent of the poverty level.

(e) A person who is the parent of a child (~~(under 18)~~) seventeen years of age or younger, along with that person's child and spouse, if the person and the person's child are:

(i) (~~(Residing)~~) Living with the person's parent or sibling, and

(ii) Purchasing and preparing meals separate from the parent or sibling.

(f) A person who is a parent or sibling living with the person described in WAC 388-49-190 (1)(e) or (h);

(g) A person living with (~~(his or her)~~) the person's natural, adoptive, or (~~(stepchildren)~~) stepchild, or (~~(such children)~~) the child living with parents when one parent is:

(i) Elderly or disabled, and

(ii) Purchasing and preparing meals separate from the child.

(h) A person, living with a sibling, who is:

(i) Elderly or disabled, and

(ii) Purchasing and preparing meals (~~(separately)~~) separate from the sibling.

(2) The department shall not grant separate household status to:

(a) (~~(Children under eighteen)~~) A child seventeen years of age or younger, and under parental control of a member of the household;

(b) (~~(Parents)~~) A parent living with (~~(their)~~) the parent's natural, adoptive, or (~~(stepchildren)~~) stepchild, or (~~(such children)~~) the child living with (~~(parents)~~) the parent unless (~~(they)~~) the child and parent qualify as separate households (~~(per)~~) as described under WAC 388-49-190 (1)(d), (e), (f), or (g);

(c) A spouse of a household member;

(d) Siblings unless they qualify as separate households (~~(per)~~) as described under WAC 388-49-190 (1)(d), (e), (f), or (h);

(e) A boarder.

(3) The department shall consider the following persons (~~(residing)~~) living with the household as nonhousehold members who, if otherwise eligible, may qualify as a separate household:

(a) Roomers,

(b) Live-in attendants, or

(c) Persons sharing living quarters with the household who purchase food and prepare meals separately from the household.

(4) The department shall consider the following persons (~~(residing)~~) living with the household as ineligible household members:

(a) Persons disqualified for intentional program violation;

(b) Persons disqualified because of noncompliance with work registration requirements;

(c) Persons who are ineligible aliens;

(d) Persons disqualified for failure to apply for or provide a Social Security number;

(e) Persons who are ineligible students; or

(f) Persons who fail to sign the application attesting to their citizenship or alien status.

**WSR 90-14-065**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3034—Filed June 29, 1990, 3:06 p.m.]

Date of Adoption: June 29, 1990.

Purpose: To implement by emergency adoption and subsequent regular adoption; provisions of 7 CFR 273.21 (b)(1) requiring that migrant and seasonal farmworker households have their eligibility and benefits determined prospectively. Also, to clarify that supplemental security income (SSI) is budgeted prospectively.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-520.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is necessary to bring the WAC 388-49-520(1) into conformance with 7 CFR 273.21 (b)(1).

Effective Date of Rule: July 1, 1990, 12:01 a.m.

June 29, 1990

Leslie F. James, Director  
 Administrative Services  
 By Rosemary Carr

AMENDATORY SECTION (Amending Order 2663, filed 8/2/88)

WAC 388-49-520 PROSPECTIVE INCOME BUDGETING. (1) The department shall budget income prospectively for:

(a) Migrant households; (~~(and)~~)

(b) Seasonal farmworker households; and

~~(c) Households in which all adult members ((are elderly or disabled and)) have no earned income and are:~~

- ~~(i) Elderly, or  
(ii) Disabled.~~

(2) The department shall budget the following income prospectively:

(a) Monthly student financial aid, except for work study;

(b) Public assistance; ~~((and))~~

(c) Supplemental security income (SSI); and

~~(d) Income from a new household member for the first two months of participation when the:~~

~~(i) ((The)) Household timely reports the new member, and~~

~~(ii) ((The)) New member has not received benefits within the last calendar month.~~

(3) The department shall consider income exclusions and deductions prospectively when budgeting income prospectively.

**WSR 90-14-066**

**EMERGENCY RULES**

**UTILITIES AND**

**TRANSPORTATION COMMISSION**

[Order R-324, Docket No. UT-900462—Filed June 29, 1990, 4:00 p.m.]

In the matter of amending chapter 480-122 WAC relating to the Washington telephone assistance program.

The Washington Utilities and Transportation Commission finds that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest and, further, that this order and the regulations accompanying it are required by chapter 170, Laws of 1990. In that 1990 legislation, the legislature expressed its desire to protect the public welfare by expanding the Washington telephone assistance (formerly "lifeline") program by making it available to more persons in need of such program. The rules adopted with this order effect that intent both by more broadly defining "eligible person" and by lowering the telephone assistance rate to eight dollars per month.

This rule-making proceeding is being promulgated pursuant to RCW 80.01.040 and is intended administratively to implement these statutes.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

This amendment to chapter 480-122 WAC affects no economic values.

In reviewing the entire record herein, it has been determined that the above chapter should be amended as indicated and as set forth in Appendix A shown below

and made a part hereof by this reference. The amendments to chapter 480-122 WAC will implement chapter 170, Laws of 1990, by changing reference from "lifeline" to Washington telephone assistance program, setting the excise tax to fund the program, expanding the class of persons eligible for the program, and establishing a new threshold rate for such telecommunications service.

**ORDER**

WHEREFORE, IT IS ORDERED That the amendment of chapter 480-122 WAC as set forth in Appendix A, take effect as emergency rules of the Washington Utilities and Transportation Commission pursuant to RCW 34.05.350 and 34.05.380(2).

IT IS FURTHER ORDERED That the order and the annexed rules, after being first recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.05 RCW and 1-21 WAC.

DATED at Olympia, Washington, and effective this 28th day of June 1990.

Washington Utilities and Transportation Commission  
Sharon L. Nelson, Chairman  
Richard D. Casad, Commissioner

**APPENDIX "A"**

[AMENDATORY SECTION (Amending Order R-277, Cause No. U-87-1102-R, filed 10/1/87)]

WAC 480-122-010 DEFINITIONS. For purposes of this chapter:

(1) "Local exchange company" means a telecommunications company providing local exchange telecommunications service.

(2) "Department" means the department of social and health services.

(3) "~~(Lifetime)~~ Washington telephone assistance program" means:

(a) A discount on residential service connection fees of fifty percent;

(b) A waiver of the deposit on local residential exchange service;

(c) A discounted flat rate on one access line for local residential exchange service for eligible persons subscribing to the lowest available local exchange flat rate service, where that rate, including any federal end user access charge or other charge necessary to obtain local exchange service, is greater than the ~~((lifeline service))~~ telephone assistance rate set by the commission. Where available, single-party service shall qualify as the lowest available flat rate for persons otherwise eligible, who are sixty years of age or older, or who receive medical assistance.

(4) "Eligible person" means ~~((any participant in the following department programs who has been certified as eligible by the department:~~

~~(a) Aid to families with dependent children;~~

~~(b) Chore services;~~

~~(c) Food stamps;~~

~~(d) Supplemental security income;~~

~~(e) Refugee assistance; and~~

~~(f) Community options program entry system; and adult recipient of department-administered programs for the financially needy which provide continuing financial or medical assistance, food stamps, or supportive services to persons in their own homes. The department shall notify the participants of their eligibility.~~

(5) "Eligibility period" means a one-year period of eligibility as certified by the department. The eligibility period shall run from ~~((August 1))~~ July 1 through ~~((July 31))~~ June 30 of the succeeding year.

(6) "Charge necessary to obtain local exchange service" means the charge for the lowest available grade of residential flat rate service, any federal end user access charge, any charge for nonoptional extended area service and any charge for nonoptional mileage. It does not include any charge for customer premises equipment or any applicable taxes.

(7) "Switched access line" means a communication facility extending from a serving central office to a customer's premises to provide access to and from the switched telecommunications network for message toll service and local calling. When used with PBX or Centrex-CU a switched access line may also be referred to as a trunk.

(8) "Connection fees" means any service charge applicable to the connection of a switched access line to establish new service, but not including line extension charges or any delinquent balance owed to the local exchange company.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

[AMENDATORY SECTION (Amending Order R-277, Cause No. U-87-1102-R, filed 10/1/87)]

WAC 480-122-020 ~~((LIFELINE SERVICE))~~ WASHINGTON TELEPHONE ASSISTANCE PROGRAM RATE. The ((lifeline service)) telephone assistance rate is ((ten)) eight dollars per month.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

[AMENDATORY SECTION (Amending Order R-277, Cause No. U-87-1102-R, filed 10/1/87)]

WAC 480-122-030 CONNECTION FEES. Eligible persons shall receive a fifty percent discount on service connection fees. Any connection fee discounts available from other programs shall be added to the telephone assistance discount, thus paying part or all of the remaining fee. The service connection fee remaining after application of the discount shall be payable in no fewer than three installments. A subscriber may choose to pay the connection fee in a lump sum. Eligible persons shall be allowed one connection fee discount per eligibility period.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

[AMENDATORY SECTION (Amending Order R-277, Cause No. U-87-1102-R, filed 10/1/87)]

WAC 480-122-040 DEPOSIT WAIVER. A local exchange company shall waive the deposit on local exchange service for eligible persons. Eligible persons shall be allowed one deposit waiver per eligibility period.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**Reviser's note:** No amendments were proposed in the above section. The section is shown exactly as filed by the agency pursuant to the requirements of RCW 34.08.040.

[AMENDATORY SECTION (Amending Order R-277, Cause No. U-87-1102-R, filed 10/1/87)]

WAC 480-122-050 OTHER CHARGES. No change of service charge shall be charged to an eligible subscriber for the establishment of service under the ((lifeline)) telephone assistance program.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

[AMENDATORY SECTION (Amending Order R-300, Docket No. U-89-2754-R, filed 5/11/89)]

WAC 480-122-060 ~~((SURCHARGES))~~ TELEPHONE ASSISTANCE EXCISE TAX. Beginning July 1, 1990, Local exchange companies shall ((surcharge)) collect as telephone assistance excise tax on all switched access lines ((not subscribing under the lifeline assistance program)) of five cents per month, in lieu of previously tariffed lifeline surcharge. Each party line subscriber shall be assessed the ((surcharge)) telephone assistance excise tax in full. The telephone assistance excise tax shall be separately identified on each ratepayer's bill as the "Washington telephone assistance program". Money collected from the ((surcharge)) telephone assistance excise tax shall be transferred to a ((lifeline)) telephone assistance fund to be administered by the department.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

[AMENDATORY SECTION (Amending Order R-277, Cause No. U-87-1102-R, filed 10/1/87)]

WAC 480-122-070 RECOVERY OF COSTS. Local exchange companies shall recover to the maximum extent possible by a waiver of all or part of the federal end user access charge and, to the extent necessary, from the ((lifeline)) telephone assistance fund administered by the department the following amounts:

(1) The difference between the ((lifeline service)) telephone assistance rate specified in WAC 480-122-020 and the lowest available local exchange service flat rate, as specified in WAC 480-122-010 (3)(c);

(2) The discounted portion of the service connection fees;

(3) Applicable taxes not billed to the subscriber;

(4) Net uncollectibles directly resulting from the waiver of local exchange service deposits for eligible subscribers, provided that any partial payment collected for disconnected accounts shall be applied first to the payment of the local service bill; with the total for any account not to exceed two times the ~~((lifetime service)) telephone assistance rate; and~~

(5) Administrative and program expenses incurred in offering the ~~((lifetime)) telephone assistance program, ((including change of service charges if otherwise applicable, not to exceed the amount tariffed, as necessary to meet the requirements of WAC 480-122-010 (3)(c))) as authorized by the department.~~

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[AMENDATORY SECTION (Amending Order R-277, Cause No. U-87-1102-R, filed 10/1/87)]**

**WAC 480-122-080 ACCOUNTING.** Local exchange companies shall maintain their accounting records so that expenses associated with the ~~((lifetime)) telephone assistance program can be separately identified. Only the unwaived portion of the federal end user access charge shall be shown on the ratepayer's bill.~~

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[AMENDATORY SECTION (Amending Order R-277, Cause No. U-87-1102-R, filed 10/1/87)]**

**WAC 480-122-090 ADMINISTRATION.** (1) A local exchange company shall not extend ~~((lifetime)) telephone assistance program benefits to any person for any period prior to the earlier of:~~

(a) The date on which the local exchange company first receives from said person written evidence of his status as an eligible subscriber; or

(b) The date on which the local exchange company first receives confirmation from the department that said person is an eligible subscriber.

(2) A local exchange company shall not continue ~~((lifetime)) telephone assistance program benefits to any person for whom renewed certification has not been received by the company from the department beyond the expiration of the eligibility period for which the company has most recently received certification.~~

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 90-14-067  
PROPOSED RULES  
HORSE RACING COMMISSION**

[Filed July 2, 1990, 12:41 p.m.]

Original Notice.

Title of Rule: Deposit with association of amount of claim—Receipt credit.

Purpose: To provide procedure for handling of next racing start of horses that are claimed but not processed.

Statutory Authority for Adoption: RCW 67.16.040.

Statute Being Implemented: Chapter 67.16 RCW.

Summary: This rule handles claims that fail to be processed as a result of a horse being scratched subsequent to the appearance of the horse at the receiving barn.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Crowley, Executive Secretary, Olympia, Washington, 753-3741.

Name of Proponent: Washington Horse Racing Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this rule is to amend WAC 260-60-060 Deposit with association of amount of claim—Receipt credit, is [in] such a manner as to provide for the handling of claims which fail to be processed.

Proposal Changes the Following Existing Rules: This rule provides a procedure for the handling of horses that are claimed, but scratched subsequent to the appearance of a horse at the receiving barn.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The enactment above is not anticipated to effect more than 20 percent of all industries nor more than 10 percent of any one industry as defined by section 2(3), chapter 6, Laws of 1982. Therefore, a small business economic impact statement has not been prepared.

Hearing Location: Sea-Tac Red Lion, 18740 Pacific Highway South, Seattle, WA 98188, on August 14, 1990, at 2 p.m.

Submit Written Comments to: John Crowley, 210 East Union, Suite C, Olympia, WA 98501, by August 13, 1990.

Date of Intended Adoption: August 14, 1990.

July 2, 1990

John Crowley

Executive Secretary

**AMENDATORY SECTION (Amending Order 73.7, filed 12/3/73)**

**WAC 260-60-060 DEPOSIT WITH ASSOCIATION OF AMOUNT OF CLAIM—RECEIPT CREDIT.** No money shall accompany the claim. Each person desiring to make a claim, must first deposit with the association the whole amount of the claim in cash, or in the discretion of the association, a certified or bank cashier check, for which a receipt will be given unless at the time of depositing said claim he shall have such amount to his credit with the association. Provided further, that in the event a claim is not processed, as a result of a horse being scratched subsequent to the appearance of the horse at the receiving barn, the horse's next start in the state of Washington must be in a claiming race of the same or less value than the race from which it was scratched.

**WSR 90-14-068**

**NOTICE OF PUBLIC MEETINGS  
BOARD FOR  
VOCATIONAL EDUCATION**  
[Memorandum—June 27, 1990]

The following dates and locations have been established for the regular meetings of the Washington State Board for Vocational Education during 1990-91.

Thursday, December 13, 1990  
South Puget Sound Community College  
Olympia, Washington

Thursday, March 28, 1991  
Educational Services District 113  
Olympia, Washington

Thursday, June 27, 1991  
Spokane Community College District  
Spokane, Washington

Thursday, September 26, 1991  
Pierce College  
Tacoma, Washington

Thursday, December 12, 1991  
North Thurston School District  
Lacey, Washington

**WSR 90-14-069**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**

[Filed July 2, 1990, 3:10 p.m.]

**Original Notice.**

**Title of Rule:** Disclosure of individual vehicle owner names and addresses.

**Purpose:** To provide instructions for requesting individual vehicle owner names and addresses.

**Other Identifying Information:** Adopted as an emergency rule on July 2, 1990.

**Statutory Authority for Adoption:** RCW 46.01.110.

**Statute Being Implemented:** RCW 46.12.380 as amended by chapter 232, Laws of 1990, SHB 2463.

**Summary:** Only business entities, or persons having prior business dealings with a vehicle owner, may obtain the owner's name and address.

**Reasons Supporting Proposal:** RCW 46.12.380 as amended by chapter 232, Laws of 1990, limits persons who may obtain disclosure of individual vehicle owner names and addresses.

**Name of Agency Personnel Responsible for Drafting:** Jack L. Lince, 1st Floor, Highways-Licenses Building, Olympia, Washington 98504, 753-7379; **Implementation:** Phyllis Jolliff, 2nd Floor, Highways-Licenses Building, Olympia, Washington 98504, 753-6996; and **Enforcement:** Nancy Kelly, 2nd Floor, Highways-Licenses Building, Olympia, Washington 98504, 753-6920.

**Name of Proponent:** Department of Licensing, governmental.

Rule is not necessitated by federal law, federal or state court decision.

**Explanation of Rule, its Purpose, and Anticipated Effects:** Provides instructions to the public on requested disclosure of individual vehicle owner names and addresses. SHB 2463 severely limits who may receive vehicle owner information.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

**Hearing Location:** Second Floor Conference Room, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 98504, on August 24, 1990, at 9:00 a.m.

**Submit Written Comments to:** Nancy Kelly, Administrator, Department of Licensing, Olympia, Washington 98504, by August 24, 1990.

**Date of Intended Adoption:** August 27, 1990.

June 20, 1990

Mary Faulk  
Director

**NEW SECTION**

**WAC 308-56A-090 DISCLOSURE OF INDIVIDUAL VEHICLE OWNER NAMES AND ADDRESSES.** (1) Any business entity requesting the name and address of an individual vehicle owner must furnish verification of its identity as a business entity. For purposes of this section, acceptable verification includes:

(a) A copy of the requesting entity's unexpired Washington Master Business License; or

(b) for businesses not authorized to do business in this state, a copy of its unexpired business license issued by the out-of-state jurisdiction where the business entity is authorized to do business.

(2) Any individual purchaser or transferee of a vehicle may request the name and address of previous owners of that vehicle by providing verification that the person is the purchaser or transferee of the vehicle. Acceptable verification includes:

(a) A properly released vehicle certificate of ownership; or

(b) a certificate of ownership issued in the requestor's name; or

(c) a bill of sale from the vehicle owner on record with the department.

(3) Any person requesting the name or address of an individual vehicle owner shall complete a form provided by the department giving their full business or individual name and the purpose for the requested information. If the purpose for the information is in connection with a prior business transaction, that prior business transaction must be identified.

**WSR 90-14-070**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
[Filed July 2, 1990, 3:15 p.m.]

**Original Notice.**

**Title of Rule:** Campers titled as motor homes.

**Purpose:** To clarify certificate of ownership and licensure requirements for campers permanently mounted on motor vehicles. These vehicles may not be titled as motor homes after June 7, 1990.

**Statutory Authority for Adoption:** RCW 46.01.110.

**Statute Being Implemented:** RCW 46.04.305 as amended by section 19, chapter 250, Laws of 1990.

**Summary:** This rule will permit campers permanently mounted on motor vehicles, and previously licensed and titled as motor homes, to retain their licensure and certificate of ownership status as motor homes.

**Reasons Supporting Proposal:** The amendatory statute is not retroactive. This rule will clarify the status of the affected vehicles.

**Name of Agency Personnel Responsible for Drafting:** Jack L. Lince, 1st Floor, Highways-Licenses Building, Olympia, Washington 98504, 753-7379; **Implementation:** Phyllis Jolliff, 2nd Floor, Highways-Licenses Building, Olympia, Washington 98504, 753-6996; and

Enforcement: Nancy Kelly, 2nd Floor, Highways-Licenses Building, Olympia, Washington 98504, 753-6920.

Name of Proponent: Department of Licensing, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 308-96A-105 Motor homes, the section is amended to comply with the definition of "motor homes," RCW 46.04.305, as amended by section 19, chapter 250, Laws of 1990. The amendatory section provides that when a vehicle is reconstructed or converted to a motor home, its reconstruction or conversion must satisfy the definition of a motor home, RCW 46.06.305; WAC 308-96A-120 Campers, the section is amended to comply with the definition of "motor homes," RCW 46.04.305, as amended by section 19, chapter 250, Laws of 1990. Under the amendatory section, a camper constructed separately and affixed to a motor vehicle must be licensed separately from the licensed motor vehicle it is mounted upon; and WAC 308-96A-106 Campers titled as motor homes, this new section provides that campers permanently affixed to motor vehicles and licensed as a motor home prior to June 7, 1990, may continue licensed as a motor home rather than requiring separate licensure as for two units.

Proposal Changes the Following Existing Rules: WAC 308-96A-105, the rule changes the definition of motor home and changes conditions a Washington State Patrol inspection is asked to confirm in the inspection required when a vehicle is reconstructed or converted to a motor home; and WAC 308-96A-120, the rule makes separate licensure mandatory for campers and the licensed motor vehicles they are mounted upon.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Second Floor Conference Room, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 98504, on August 24, 1990, at 9:00 a.m.

Submit Written Comments to: Nancy Kelly, Administrator, Department of Licensing, Olympia, Washington 98504, by August 24, 1990.

Date of Intended Adoption: August 27, 1990.

June 20, 1990

Mary Faulk

Director

AMENDATORY SECTION (Amending Order MV-328 [TL/RG 24], filed 5/15/86 [5/5/86])

WAC 308-96A-105 MOTOR HOMES. (1) A motor home will normally be licensed with passenger plates. ~~((Facilities for human habitation referred to in the definition of a motor home shall mean the permanent installation of at least a stove, a bed, or a sink. The installation must be within an area covered by a waterproof roof and sides, all of which are constructed from rigid material.))~~

(2) When a vehicle is reconstructed or converted to a motor home, the applicant must obtain a state patrol inspection. The inspector will confirm the ~~((permanent installation of at least a stove, a bed, or a sink and will confirm the rigid roof and sides. It is not necessary to confirm the permanency of installation of a former slide-in camper. It is the owner's responsibility to keep the camper installed whenever the unit is operated under passenger plates))~~ reconstruction or conversion satisfies the definition of a motor home as set forth in RCW 46.04.305.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

AMENDATORY SECTION (Amending Order MV-328 [TL/RG 24], filed 5/15/86 [5/5/86])

WAC 308-96A-120 CAMPERS. Campers ~~((may))~~ must be licensed separately from the licensed motor vehicles they are mounted upon ~~((, or the whole unit may be licensed as a motor home with passenger plates, provided that the truck is not used with the camper detached. When the truck and camper are licensed separately.))~~. The weight of the camper shall not be included as a part of the gross weight of the ~~((vehicle))~~ licensed motor vehicles.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

#### NEW SECTION

WAC 308-96A-106 CAMPERS TITLED AS MOTOR HOMES. Campers permanently affixed to motor vehicles which are titled and licensed as a motor home prior to June 7, 1990, may continue to be licensed as a motor home until the camper is separated from the motor vehicle. Upon separation, the owner shall make application to the department for a separate certificate of ownership and vehicle registration ~~((license))~~ for each vehicle.

**Reviser's note:** The unnecessary doubling in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

### WSR 90-14-071

#### PROPOSED RULES

#### DEPARTMENT OF LICENSING

[Filed July 2, 1990, 3:16 p.m.]

#### Original Notice.

Title of Rule: Disclosure of individual vessel owner names and addresses.

Purpose: To provide instructions for requesting individual vessel owner names and addresses.

Other Identifying Information: Adopted as emergency rule on July 2, 1990.

Statutory Authority for Adoption: RCW 88.02.100.

Statute Being Implemented: RCW 46.12.380 as amended by chapter 232, Laws of 1990, SHB 2463.

Summary: Only business entities, or person having prior business dealings with a vessel owner, may obtain the owners name and address.

Reasons Supporting Proposal: RCW 46.12.380 as amended by chapter 232, Laws of 1990, limits persons who may obtain disclosure of individual vessel owner names and addresses.

Name of Agency Personnel Responsible for Drafting: Jack Lince, 1st Floor, Highways-Licenses Building, Olympia, Washington 98504, 753-7379; Implementation: Phyllis Jolliff, 2nd Floor, Highways-Licenses Building, Olympia, Washington 98504, 753-6996; and Enforcement: Nancy Kelly, 2nd Floor, Highways-Licenses Building, Olympia, Washington 98504, 753-6920.

Name of Proponent: Department of Licensing, governmental.

Rule is not necessitated by federal law, federal or state court decision.

**Explanation of Rule, its Purpose, and Anticipated Effects:** Provides instructions to the public on requesting disclosure of individual vessel owner names and addresses. SHB 2463 severely limits who may receive vessel owner information.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

**Hearing Location:** Second Floor Conference Room, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 98504, on August 24, 1990, at 9:00 a.m.

Submit Written Comments to: Nancy Kelly, Department of Licensing, Olympia, Washington 98504, by August 24, 1990.

Date of Intended Adoption: August 27, 1990.

June 20, 1990

Mary Faulk  
Director

#### NEW SECTION

**WAC 308-93-670 DISCLOSURE OF INDIVIDUAL VESSEL OWNER NAMES AND ADDRESSES.** (1) Any business entity requesting the name and address of an individual vessel owner must furnish verification of its identity as a business entity. For purposes of this section, acceptable verification includes:

(a) A copy of the requesting entity's unexpired Washington Master Business License; or

(b) for businesses not authorized to do business in this state, a copy of its unexpired business license issued by the out-of-state jurisdiction where the business entity is authorized to do business.

(2) Any individual purchaser or transferee of a vessel may request the name and address of previous owners of that vessel by providing verification that the person is the purchaser or transferee of the vessel. Acceptable verification includes:

(a) A properly released vessel certificate of ownership; or

(b) a certificate of ownership issued in the requestor's name; or

(c) a bill of sale from the vessel owner on record with the department.

(3) Any person requesting the name or address of an individual vessel owner shall complete a form provided by the department giving their full business or individual name and the purpose for the requested information. If the purpose for the information is in connection with a prior business transaction, that prior business transaction must be identified.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 90-14-072**  
**EMERGENCY RULES**  
**DEPARTMENT OF LICENSING**

[Filed July 2, 1990, 3:17 p.m.]

Date of Adoption: June 20, 1990.

Purpose: To establish procedures for requesting names and addresses of individual vehicle owners.

Statutory Authority for Adoption: RCW 46.01.110.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity

to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule implements chapter 232, Laws of 1990, which limits the disclosure of vehicle record information to protect the health and safety of individuals. The effective date of the legislation of June 7, 1990, requires adoption of an emergency rule until a permanent rule can be adopted.

Effective Date of Rule: Immediately.

June 20, 1990

Mary Faulk  
Director

#### NEW SECTION

**WAC 308-56A-090 DISCLOSURE OF INDIVIDUAL VEHICLE OWNER NAMES AND ADDRESSES.** (1) Any business entity requesting the name and address of an individual vehicle owner must furnish verification of its identity as a business entity. For purposes of this section, acceptable verification includes:

(a) A copy of the requesting entity's unexpired Washington Master Business License; or

(b) for businesses not authorized to do business in this state, a copy of its unexpired business license issued by the out-of-state jurisdiction where the business entity is authorized to do business.

(2) Any individual purchaser or transferee of a vehicle may request the name and address of previous owners of that vehicle by providing verification that the person is the purchaser or transferee of the vehicle. Acceptable verification includes:

(a) A properly released vehicle certificate of ownership; or

(b) a certificate of ownership issued in the requestor's name; or

(c) a bill of sale from the vehicle owner on record with the department.

(3) Any person requesting the name or address of an individual vehicle owner shall complete a form provided by the department giving their full business or individual name and the purpose for the requested information. If the purpose for the information is in connection with a prior business transaction, that prior business transaction must be identified.

**WSR 90-14-073**  
**EMERGENCY RULES**  
**DEPARTMENT OF LICENSING**

[Filed July 2, 1990, 3:18 p.m.]

Date of Adoption: June 20, 1990.

Purpose: To clarify certificate of ownership and license requirements for campers permanently mounted on motor vehicles.

Citation of Existing Rules Affected by this Order: Amending WAC 308-96A-105 and 308-96A-120.

Statutory Authority for Adoption: RCW 46.01.110.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the



public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: WAC 308-96A-105 and 308-96A-120 conflict with RCW 46.04.305 as amended by section 19, chapter 250, Laws of 1990, SSB 6663, effective June 7, 1990. An emergency amendment of the rules is necessary to eliminate the conflict until the rules can be permanently amended.

Effective Date of Rule: Immediately.

June 20, 1990  
Mary Faulk  
Director

AMENDATORY SECTION (Amending Order MV-328 [TL/RG 24], filed 5/15/86 [5/5/86])

WAC 308-96A-105 MOTOR HOMES. (1) A motor home will normally be licensed with passenger plates. ~~((Facilities for human habitation referred to in the definition of a motor home shall mean the permanent installation of at least a stove, a bed, or a sink. The installation must be within an area covered by a waterproof roof and sides, all of which are constructed from rigid material.))~~

(2) When a vehicle is reconstructed or converted to a motor home, the applicant must obtain a state patrol inspection. The inspector will confirm the ((permanent installation of at least a stove, a bed, or a sink and will confirm the rigid roof and sides. It is not necessary to confirm the permanency of installation of a former slide-in camper. It is the owner's responsibility to keep the camper installed whenever the unit is operated under passenger plates)) reconstruction or conversion satisfies the definition of a motor home as set forth in RCW 46.04.305.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

AMENDATORY SECTION (Amending Order MV-328 [TL/RG 24], filed 5/15/86 [5/5/86])

WAC 308-96A-120 CAMPERS. Campers ~~((may)) must be licensed separately from the licensed motor vehicles they are mounted upon((, or the whole unit may be licensed as a motor home with passenger plates, provided that the truck is not used with the camper detached. When the truck and camper are licensed separately.))~~. The weight of the camper shall not be included as a part of the gross weight of the ((vehicle)) licensed motor vehicles.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 308-96A-106 CAMPERS TITLED AS MOTOR HOMES. Campers permanently affixed to motor vehicles which are titled and licensed as a motor

home prior to June 7, 1990, may continue to be licensed as a motor home until the camper is separated from the motor vehicle. Upon separation, the owner shall make application to the department for a separate certificate of ownership and vehicle registration ((license)) for each vehicle.

Reviser's note: The unnecessary doubling in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 90-14-074**

**EMERGENCY RULES**

**DEPARTMENT OF LICENSING**

[Filed July 2, 1990, 3:19 p.m.]

Date of Adoption: June 20, 1990.

Purpose: To establish procedures for requesting names and addresses of individual vessel owners.

Statutory Authority for Adoption: RCW 88.02.100.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule implements chapter 232, Laws of 1990, which limits the disclosure of vessel record information to protect the health and safety of individuals. The effective date of the legislation of June 7, 1990, requires adoption of an emergency rule until a permanent rule can be adopted.

Effective Date of Rule: Immediately.

June 20, 1990  
Mary Faulk  
Director

NEW SECTION

WAC 308-93-670 DISCLOSURE OF INDIVIDUAL VESSEL OWNER NAMES AND ADDRESSES. (1) Any business entity requesting the name and address of an individual vessel owner must furnish verification of its identity as a business entity. For purposes of this section, acceptable verification includes:

(a) A copy of the requesting entity's unexpired Washington Master Business License; or

(b) for businesses not authorized to do business in this state, a copy of its unexpired business license issued by the out-of-state jurisdiction where the business entity is authorized to do business.

(2) Any individual purchaser or transferee of a vessel may request the name and address of previous owners of that vessel by providing verification that the person is the purchaser or transferee of the vessel. Acceptable verification includes:

(a) A properly released vessel certificate of ownership; or

(b) a certificate of ownership issued in the requestor's name; or

(c) a bill of sale from the vessel owner on record with the department.

(3) Any person requesting the name or address of an individual vessel owner shall complete a form provided by the department giving their full business or individual name and the purpose for the requested information. If the purpose for the information is in connection with a prior business transaction, that prior business transaction must be identified.

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

**WSR 90-14-075**  
**PERMANENT RULES**  
**DEPARTMENT OF AGRICULTURE**

[Filed July 2, 1990, 3:23 p.m.]

Date of Adoption: July 1, 1990.

Purpose: To update existing rules and better reflect present day needs.

Citation of Existing Rules Affected by this Order: Amending chapter 16-148 WAC.

Statutory Authority for Adoption: Chapters 15.32 and 15.36 RCW.

Pursuant to notice filed as WSR 90-02-020 on December 27, 1989.

Effective Date of Rule: Thirty-one days after filing.

July 1, 1990

Michael V. Schwisow  
Deputy Director

**AMENDATORY SECTION** (Amending Order 1068, Regulation 1, filed 9/20/67, effective 11/1/67)

WAC 16-148-010 DEFINITION OF TERMS. (1) ~~((Leucocytes or leucocyte))~~ The somatic cell count shall mean to include the total number of ((white blood)) so-matic cells present in one milliliter of milk.

(2) ~~((D.M.L.C. or direct microscopic leucocyte count shall be the official test for the determination of the number of white blood cells in the milk))~~ The official confirmatory test shall be the direct microscopic somatic cell count (DMSCC) or other confirmatory test method as outlined in the current edition of Standards Methods for the Examination of Dairy Products of the American Public Health Association, Inc.

(3) The Wisconsin Mastitis test shall be the official screening test for abnormal milk.

**AMENDATORY SECTION** (Amending Order 1068, Regulation 2, filed 9/20/67, effective 11/1/67)

WAC 16-148-020 EXAMINATION OF PRODUCER MILK. (1) ~~((A Wisconsin mastitis test or D.M.L.C.))~~ An official screening or confirmatory test shall be conducted on each producer's milk at least four times in each six-month period.

(2) Prior to July 1, 1990, a milk sample having a count of one million or more ((leucocytes)) somatic cells per ml. shall be deemed to be violative of the abnormal milk provisions and RCW 15.36.230 and effective July

1, 1990, a milk sample having a count greater than seven hundred fifty thousand somatic cells per ml. shall be deemed violative of the abnormal milk provisions and RCW 15.36.230.

(3) The Wisconsin Mastitis test may be used for screening purposes but shall be confirmed by ~~((the D.M.L.C. before))~~ an official confirmatory test.

(4) If the results of the official test is violative the milk producer ((is)) shall be notified of official violative results.

**AMENDATORY SECTION** (Amending Order 1068, Regulation 3, filed 9/20/67, effective 11/1/67)

WAC 16-148-030 ENFORCEMENT PROCEDURES. ~~((1) Four samples of each producer's milk shall be examined within the first six months following adoption of this regulation and results shall be reported to the producer for his information before any samples are taken to apply for grading purposes.~~

(2) ~~Thereafter the three out of four compliance method as defined in RCW 15.36.110 shall apply in the case of all abnormal milk showing one million or more leucocytes per ml. except that a period of eight weeks shall be allowed between the warning notice and the taking of the next official test for enforcement purposes.)~~ The enforcement provisions of RCW 15.36.110 shall govern the enforcement of this chapter.

**WSR 90-14-076**  
**PERMANENT RULES**  
**DEPARTMENT OF AGRICULTURE**

[Filed July 2, 1990, 3:25 p.m.]

Date of Adoption: July 1, 1990.

Purpose: To update existing rules and better reflect present day needs.

Citation of Existing Rules Affected by this Order: Amending chapter 16-144 WAC.

Statutory Authority for Adoption: Chapters 15.32 and 15.36 RCW.

Pursuant to notice filed as WSR 90-02-021 on December 27, 1989.

Effective Date of Rule: Thirty-one days after filing.

July 1, 1990

Michael V. Schwisow  
Deputy Director

**NEW SECTION**

WAC 16-144-090 FROZEN YOGURT. (1) Frozen yogurt is a food produced by freezing under agitation, a mix consisting of pasteurized or ultra pasteurized dairy ingredients, which may contain one or more safe and suitable nondairy ingredients, excluding other food fats and oils, except which are natural components of the safe and suitable nondairy ingredient additive. All, or a portion of the dairy ingredient mix shall be cultured totally, or in part, by the addition of live bacteria cultures consisting of streptococcus thermophilus and lactobacillus bulgaricus, and optionally, other lactic acid-producing bacteria. Frozen yogurt shall not be

subjected to chemical preservatives, heat treatment, or other processes that would eliminate or reduce the live yogurt bacteria.

(2) Frozen yogurt mix, prior to the addition of any flavorings, shall have a titratable acidity of not less than 0.3 percent (calculated as lactic acid) or the manufacturer shall be able to demonstrate that not less than 0.15 percent increase in titratable acidity, above that of the uncultured ingredients, has been achieved due to bacterial action. No food grade acids or acidogens are permitted for the purpose of meeting the prescribed minimum titratable acidity requirement.

(3) Frozen yogurt may contain safe and suitable sweeteners, flavorings, color additives, and other characterizing food ingredients which may be added before or after pasteurization.

(4) Frozen yogurt shall contain not less than 3.25 percent milkfat and 8.25 percent milk solids not fat before the addition of bulky flavoring ingredients. Frozen yogurt shall contain not less than 1.3 pounds of total solids per gallon and weight not less than 4.5 pounds per gallon.

(5) The name of the food is "frozen yogurt," and it shall be accompanied by a declaration of the characterizing flavor. Flavor and ingredient declarations shall be as shown in 21 C.F.R. Sec. 135.110 (e), (f). If a sweetener is used that is not a nutritive carbohydrate sweetener, the name of the food shall be accompanied by the statement "sweetened with . . . . . " or "with . . . . . sweetener" in type height not less than one-half the size of the name of the food.

NEW SECTION

WAC 16-144-100 FROZEN LOWFAT YOGURT. Lowfat frozen yogurt is the food prepared from the same ingredients and in the same manner prescribed in WAC 16-144-090 for frozen yogurt and complies with all the provisions of WAC 16-144-090 (including the requirements for label statements of all ingredients) except that:

(1) Its milkfat content is not less than 0.5 percent nor more than 2.0 percent before the addition of bulky flavoring ingredients.

(2) The name of the food is "frozen lowfat yogurt" or alternatively, "lowfat frozen yogurt."

NEW SECTION

WAC 16-144-110 FROZEN NONFAT YOGURT. Nonfat frozen yogurt is the food prepared from the same ingredients and in the same manner prescribed in WAC 16-144-090 for frozen yogurt and complies with all the provisions of WAC 16-144-090 (including the requirements for label statements of all ingredients) except that:

(1) Its milkfat content is less than 0.5 percent before the addition of bulky flavoring ingredients.

(2) The name of the food is "frozen nonfat yogurt" or alternatively, "nonfat frozen yogurt."

NEW SECTION

WAC 16-144-120 SOFT SERVE FROZEN YOGURT MIX. Soft serve frozen yogurt mix is the food prepared from the same ingredients and in the same manner prescribed in WAC 16-144-090 for frozen yogurt, except that:

The name of the food is "soft serve frozen yogurt mix."

NEW SECTION

WAC 16-144-130 SOFT SERVE FROZEN LOWFAT YOGURT MIX. Soft serve frozen lowfat yogurt mix is the food prepared from the same ingredients and in the same manner prescribed in WAC 16-144-100(1) for frozen yogurt, except that:

The name of the food is "soft serve frozen lowfat yogurt mix" or alternatively, "soft serve lowfat frozen yogurt mix."

NEW SECTION

WAC 16-144-140 SOFT SERVE FROZEN NONFAT YOGURT MIX. Soft serve frozen nonfat yogurt mix is the food prepared from the same ingredients and in the same manner prescribed in WAC 16-144-110(1) for frozen yogurt, except that:

The name of the food is "soft serve frozen nonfat yogurt mix" or alternatively, "soft serve nonfat frozen yogurt mix."

**WSR 90-14-077  
PROPOSED RULES  
OFFICE OF  
FINANCIAL MANAGEMENT**

[Filed July 2, 1990, 4:46 p.m.]

Original Notice.

Title of Rule: Amends existing WAC 82-50-021 Official lagged, semi-monthly paydates established.

Purpose: Establishes state paydates for calendar year 1991.

Statutory Authority for Adoption: RCW 42.16.010(1) and 42.16.017.

Statute Being Implemented: RCW 42.16.010(1) and 42.16.017.

Summary: Eliminates historical paydates for calendar year 1989, retains existing paydates for calendar year 1990, and adds new paydates for calendar year 1991.

Reasons Supporting Proposal: To ensure compliance with legislative directive to annually update and publish the official lagged, semi-monthly paydates for the current and ensuing calendar years through the administrative hearing process.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Collum Liska, 4505 Woodview Drive S.E., Lacey, 459-6956.

Name of Proponent: Office of Financial Management, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Make annual adjustments to state paydates, eliminating calendar year 1989 paydates, retaining calendar year 1990 paydates, and adding calendar year 1991 paydates.

Proposal Changes the Following Existing Rules: Eliminates calendar year 1989 paydates from WAC 82-50-021 and adds calendar year 1991 paydates to WAC 82-50-021.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: 3rd Floor Conference Room, 4505 Woodview Drive S.E., Lacey, WA 98504, on August 7, 1990, at 8:00 a.m.

Submit Written Comments to: Collum Liska, Office of Financial Management, Mailstop QF-41, Lacey, Washington 98504, by August 3, 1990.

Date of Intended Adoption: August 7, 1990.

July 2, 1990  
 Dan Pensula  
 Assistant Director  
 Accounting and Fiscal  
 Services Division

**AMENDATORY SECTION** (Amending Order 89-70, filed 8/22/89, effective 9/22/89)

WAC 82-50-021 OFFICIAL LAGGED, SEMIMONTHLY PAY DATES ESTABLISHED. Unless exempted otherwise under the provisions of WAC 82-50-031, the salaries of all state officers and employees are paid on a lagged, semimonthly basis for the official twice-a-month pay periods established in RCW 42.16.010(1). The following are the official lagged, semimonthly pay dates for calendar years ((1989 and)) 1990 and 1991:

CALENDAR YEAR 1989	CALENDAR YEAR 1990
Tuesday, January 10, 1989	Wednesday, January 10, 1990
Wednesday, January 25, 1989	Thursday, January 25, 1990
Friday, February 10, 1989	Friday, February 9, 1990
Friday, February 24, 1989	Monday, February 26, 1990
Friday, March 10, 1989	Friday, March 9, 1990
Friday, March 24, 1989	Monday, March 26, 1990
Monday, April 10, 1989	Tuesday, April 10, 1990
Tuesday, April 25, 1989	Wednesday, April 25, 1990
Wednesday, May 10, 1989	Thursday, May 10, 1990
Thursday, May 25, 1989	Friday, May 25, 1990
Friday, June 9, 1989	Monday, June 11, 1990
Friday, June 23, 1989	Monday, June 25, 1990
Monday, July 10, 1989	Tuesday, July 10, 1990
Tuesday, July 25, 1989	Wednesday, July 25, 1990
Thursday, August 10, 1989	Friday, August 10, 1990
Friday, August 25, 1989	Friday, August 24, 1990
Monday, September 11, 1989	Monday, September 10, 1990
Monday, September 25, 1989	Tuesday, September 25, 1990
Tuesday, October 10, 1989	Wednesday, October 10, 1990
Wednesday, October 25, 1989	Thursday, October 25, 1990
Thursday, November 9, 1989	Friday, November 9, 1990
Wednesday, November 22, 1989	Monday, November 26, 1990
Friday, December 8, 1989	Monday, December 10, 1990
Friday, December 22, 1989	Monday, December 24, 1990))

CALENDAR YEAR 1990	CALENDAR YEAR 1991
Wednesday, January 10, 1990	Thursday, January 10, 1991
Thursday, January 25, 1990	Friday, January 25, 1991
Friday, February 9, 1990	Monday, February 11, 1991
Monday, February 26, 1990	Monday, February 25, 1991
Friday, March 9, 1990	Monday, March 11, 1991
Monday, March 26, 1990	Monday, March 25, 1991
Tuesday, April 10, 1990	Wednesday, April 10, 1991
Wednesday, April 25, 1990	Thursday, April 25, 1991
Thursday, May 10, 1990	Friday, May 10, 1991
Friday, May 25, 1990	Friday, May 24, 1991
Monday, June 11, 1990	Monday, June 10, 1991
Monday, June 25, 1990	Tuesday, June 25, 1991
Tuesday, July 10, 1990	Wednesday, July 10, 1991
Wednesday, July 25, 1990	Thursday, July 25, 1991

CALENDAR YEAR 1990	CALENDAR YEAR 1991
Friday, August 10, 1990	Friday, August 9, 1991
Friday, August 24, 1990	Monday, August 26, 1991
Monday, September 10, 1990	Tuesday, September 10, 1991
Tuesday, September 25, 1990	Wednesday, September 25, 1991
Wednesday, October 10, 1990	Thursday, October 10, 1991
Thursday, October 25, 1990	Friday, October 25, 1991
Friday, November 9, 1990	Friday, November 8, 1991
Monday, November 26, 1990	Monday, November 25, 1991
Monday, December 10, 1990	Tuesday, December 10, 1991
Monday, December 24, 1990	Tuesday, December 24, 1991

**WSR 90-14-078**  
**PERMANENT RULES**  
**DEPARTMENT OF ECOLOGY**  
 [Order 90-11—Filed July 3, 1990, 9:21 a.m.]

Date of Adoption: July 3, 1990.

Purpose: Establish minimum statewide treatment requirements for upland fin-fish hatching and rearing facilities.

Statutory Authority for Adoption: Chapter 90.48 RCW.

Pursuant to notice filed as WSR 90-06-071 on March 7, 1990.

The only changes made between the initial rule filing and adoption of chapter 173-221A WAC consist of the following: WAC 173-221A-100 (3)(ii) "After receipt by the department of a complete and accurate exemption registration form, the", was deleted; and WAC 173-221A-100 (5)(d)(i) and (ii), These two sections previously stated the suspended solids and settleable solids analyses were to be conducted using procedures contained in the 16th Edition of Standard Methods for the Examination of Water and Wastewater. Since this procedures book is updated and printed yearly, it seems inappropriate to cite a specific edition. Therefore, we deleted these two subsections.

Effective Date of Rule: Thirty-one days after filing.  
 July 3, 1990  
 Fred Olson  
 Deputy Director

**Chapter 173-221A WAC**  
**WASTEWATER DISCHARGE STANDARDS AND**  
**EFFLUENT LIMITATIONS**

- WAC
- 173-221A-010 Purpose and scope.
  - 173-221A-020 Policy.
  - 173-221A-030 Definitions.
  - 173-221A-100 Upland fin-fish facilities.

**NEW SECTION**

WAC 173-221A-010 PURPOSE AND SCOPE. This chapter implements chapters 43.21A, 90.48, 90.52, and 90.54 RCW by setting minimum discharge standards which represent "known, available, and reasonable methods" of prevention, control, and treatment for industrial wastewater facilities that discharge to waters of the state. This chapter supplements WAC 173-216-110, 173-218-100, and 173-220-130.

NEW SECTION

WAC 173-221A-020 POLICY. Waters of the state shall be of the high quality. Regardless of the quality of the waters of the state, all wastes and other materials and substances proposed for entry into said waters shall be provided with all known, available, and reasonable methods of treatment prior to entry. Notwithstanding that standards of quality established for waters of the state would not be violated, wastes and other materials and substances shall not be allowed to enter such waters which will reduce the existing quality thereof, except in those situations where it is clear that overriding considerations of the public interest will be served.

NEW SECTION

WAC 173-221A-030 DEFINITIONS. As used in this chapter, unless the context indicates otherwise:

- (1) "Department" means the department of ecology.
- (2) "Director" means the director of the department of ecology, or designee.
- (3) "General NPDES permit" means a permit designed to cover multiple dischargers of a point source category within a designated geographical area, in lieu of individual permits being issued to each discharger.
- (4) "Individual NPDES permit" means a permit for a single point source or a single facility.
- (5) "NPDES" means National Pollutant Discharge Elimination System.
- (6) "Permit" means an authorization, license, or equivalent control document issued by the department to implement chapter 173-220 WAC and/or chapter 173-216 WAC.
- (7) "Sediment quality standards" means the standards set forth in chapter 173-204 WAC.
- (8) "Upland fin-fish facility" means those facilities not located within waters of the state where fin-fish are hatched, fed, nurtured, held, maintained, or reared to reach the size of release or for market sale. This includes fish hatcheries, rearing ponds, spawning channels, and other similarly constructed or fabricated public or private facility.
- (9) "Wastewater" means the water or liquid carried waste. These wastes may result from any process or activity, including but not limited to, of industry, manufacturer, trade, business, development of any natural resource, or from animal operations such as feed lots, poultry houses, dairies, or fish rearing operations. The term also includes contaminated stormwater and leachate from solid waste facilities.
- (10) "Water quality standards" means any applicable standards including chapter 173-201 WAC for surface waters and chapter 173-290 for ground water.
- (11) "Waters of the state" includes those waters as defined as "waters of the United States" in 40 CFR 122.2 within the geographic boundaries of Washington state and "waters of the state" as defined in RCW 90.48.020.
- (12) "40 CFR" means Title 40 of the Code of Federal Regulations, as presently promulgated and subsequently amended or repromulgated.

NEW SECTION

WAC 173-221A-100 UPLAND FIN-FISH FACILITIES. (1) Compliance.

(a) An NPDES permit under chapter 173-220 WAC is required for each upland fin-fish facility that: (i) Is a concentrated aquatic animal production facility as defined in 40 CFR 122.24, or (ii) the department has designated as a significant contributor of pollution in accordance with 40 CFR 122.24. NPDES permit requirements may be satisfied by obtaining coverage under either an individual or general permit.

Each upland fin-fish facility for which either an individual or a general NPDES permit is required must comply with subsections (2), and (4) through (7) of this section.

(b) Each upland fin-fish facility that produces more than 5,000 harvest weight pounds of aquatic animals per year or that feeds more than 1,250 pounds of food during the calendar month of maximum production and does not fall within (a) of this subsection must comply with subsections (2), (3), (5), and (6) of this section.

(c) Each upland fin-fish facility which does not fall within (a) or (b) of this subsection must comply with subsections (3)(a)(ii), (3)(b), (5), and (6) of this section.

(2) Time of compliance. Each upland fin-fish facility falling within subsection (1)(a) of this section must obtain coverage under a discharge permit prior to commencing operations. Each upland fin-fish facility falling within subsection (1)(b) of this section in existence on the effective date of this rule must either register for an exemption from having a state waste discharge permit under subsection (3) of this section or file a complete application for a permit with the department by January 1, 1991.

Each upland fin-fish facility falling within subsection (1)(b) of this section either be deemed exempt by compliance with subsection (3) of this section or obtain a permit prior to commencing operations.

(3) Exemptions.

(a) Registration for exemption. Each upland fin-fish facility which meets the size criteria in subsection (1)(b) of this section and wishes to be deemed exempt from the requirement of obtaining a state waste discharge permit must register with the department on an exemption registration form prescribed by the department in (a)(i) of this subsection and comply with (a)(ii) of this subsection. Upon submission to the department of a complete and accurate exemption registration form and so long as the facility complies fully with (a)(ii) of this subsection the facility shall be deemed exempt from the requirement to obtain a state waste discharge permit.

(i) The exemption registration form shall require the following information: The facility owner's name, mailing address and phone number; the facility operator's name, mailing address and phone number if different from the owners; the facility location and address; the facility's average annual production in pounds of fish; the maximum historical and anticipated harvest weight in pounds of fish; the average amount of fish on hand in pounds; the facility's maximum anticipated amount of fish on hand at any time; the amount of food fed (in

pounds) during the calendar month of maximum feeding; the facility's water source(s); the receiving water of the state into which facility effluent is discharged; and the amount of water being discharged into the receiving water of the state.

(ii) All upland fin-fish facilities shall be operated so as to:

(A) Comply with subsections (5) and (6) of this section.

(B) Comply with all applicable water quality standards, sediment quality standards and other applicable requirements of federal and state law.

(C) Allow authorized representatives of the department, upon presentation of identification to:

(I) Enter in or upon the facility at all reasonable times;

(II) Have access to and copy at all reasonable times any records relative to information that must be kept or provided the department under the terms of the exemption;

(III) Inspect, investigate, and photograph at all reasonable times any production, collection, treatment, pollution management, monitoring, or discharge equipment or facilities, or any conditions relating to pollution or possible pollution of any water of the state;

(IV) Sample and make tests at all reasonable times; and

(V) The term "reasonable times" shall include normal business hours, hours during which production, prevention, control, or treatment occurs or times when the department reasonably suspects a violation of this chapter is or may be occurring.

(D) Notify the department in writing, within thirty calendar days of:

(I) Any change of ownership of the facility;

(II) Any increase in production or feeding that could result in the facility being defined as a concentrated aquatic animal production facility under 40 CFR 122.24; or

(III) Any increase in production or feeding rate of more than ten percent over the production and feeding rates reported in the exemption registration form.

(b) Termination of exemption.

(i) Exemption from the requirement of obtaining a state waste discharge permit under (a) of this subsection is automatically terminated under the following conditions:

(A) The upland fin-fish facility meets the criteria for a concentrated aquatic animal production facility as defined in 40 CFR 122.24 or the department designated it as a significant contributor to pollution in accordance with 40 CFR 122.24.

(B) The wastewater from the upland fin-fish facility is not undergoing all known available and reasonable treatment prior to discharge or the upland fin-fish facility otherwise fails to comply with the requirements of (a)(ii) of this subsection.

(C) Information contained in the exemption registration form is or becomes materially inaccurate.

(D) Receiving waters do not meet state water quality standards due wholly or in part to pollutants from the upland fin-fish facility.

(E) The cumulative effect of multiple dischargers has, will, or is likely to cause adverse effects on the receiving environment.

(ii) Termination of exemption from the requirement of obtaining a state waste discharge permit shall become effective thirty calendar days following receipt of the department's notice of termination.

(c) Failure to obtain a permit or exemption. Any facility falling within subsection (1)(b) of this section that fails to either obtain a permit or achieved the conditions necessary to become exempt within the time frame set out in subsection (2) of this section is in violation of state and/or federal law and will be subject to potential enforcement action.

(4) Prevention, control, and treatment. Each upland fin-fish facility shall provide treatment prior to discharging to waters of the state regardless of receiving water quality. The minimum acceptable technology-based treatment requirements for upland fin-fish facilities required to obtain permits including general NPDES permits are:

(a) For facilities that use a vacuum cleaning system, standpipe bottom-drain system or other method to remove solids from the water, raceways or ponds, with treatment in a separate settling basin or treatment system:

(i) All facilities utilizing off-line settling shall incorporate into the pond or raceway design methods to collect settleable solids. Methods such as screened settling zones in the downstream end at raceways shall be used to collect settleable solids prior to periodic removal to off-line settling basins.

(ii) The settling basin shall have a hydraulic detention time of twenty-four hours or more.

(iii) The settling basin shall be designed to minimize short-circuiting and to provide a minimum total suspended solids average monthly percent removal of 85% and an average monthly settleable solids percent removal of 90%.

(iv) Turbulent flow shall be minimized within the cleaning system to avoid homogenization or solids.

(v) Rearing of fish within the settling basin is not permitted.

(vi) Alternative treatment technologies may be used, subject to written departmental approval in advance, provided equivalent treatment efficiency and reliability can be demonstrated.

(b) For facilities that provide in-line settling for the entire effluent;

(i) The settling basin shall have a minimum hydraulic detention time of sixty minutes.

(ii) The settling basin shall be designed to minimize hydraulic short-circuiting.

(iii) The settling basin shall be designed to provide at least a twenty year sludge decomposition and storage capacity unless provisions are made for periodic sludge removal without interruption in treatment.

(iv) Rearing of fish within the settling basin is prohibited.

(v) Alternative treatment technologies may be used subject to written departmental approval in advance,

provided equivalent treatment efficiency and reliability can be demonstrated.

(c) For facilities with rearing ponds only, no other form of effluent treatment shall be required, provided the rearing pond has a minimum hydraulic retention time of two hours or more. Rearing vessels with less than two hours hydraulic retention time may be approved by the department in writing without additional treatment provided the applicant can demonstrate to the department, in advance the ability to continuously comply with effluent limits established in subsection (5)(a) of this section.

(d) Each upland fin-fish facility that begins construction after September 1, 1990, or expands production by fifty percent over the production on the effective date of this rule shall either:

(i) Line all settling basins or otherwise ensure that the static (i.e., without inflow) seepage rate through the settling basin bottom and sides shall not be greater than a water surface drop of 0.10 inch per day; or

(ii) Demonstrate to the department through hydrogeologic investigation and/or ground water monitoring that the operation of the facility will not have an adverse impact upon ground water quality.

(e) Notwithstanding the treatment requirements of this subsection, more stringent or additional conditions may be required by the department as necessary on a case-by-case basis to mitigate adverse water quality impacts or meet water quality standards, ground water standards, sediment standards or other applicable requirements of federal or state law.

(5) Effluent standards. Wastewater from all upland fin-fish facilities regardless of size shall meet the following effluent discharge standards.

(a) Facility discharges.

(i) The instantaneous maximum total suspended solids concentration in the effluent at the point of discharge to the receiving environment shall not exceed 15 milligrams per liter of effluent.

(ii) The average monthly total suspended solids concentration in the effluent at the point of discharge to the receiving environment shall not exceed 5 milligrams per liter of effluent.

(iii) The average monthly settleable solids concentration in the effluent at the point of discharge to the receiving environment shall not exceed 0.1 milliliter per liter of effluent.

(iv) Effluent limitations shall apply as net values provided the criteria contained in 40 CFR 122.45 (net gross allowance) are met.

(b) Off-line settling basin effluent.

(i) The instantaneous maximum total suspended solids concentration shall not exceed 100 milligrams per liter of effluent.

(ii) The instantaneous maximum settleable solids concentration in off-line settling basin effluent shall not exceed 1.0 milliliter per liter of effluent.

(c) Discharges during rearing pond drawdown for fish release shall meet the following discharge standards. Pond drawdown for purposes other than fish release shall meet the discharger standards in (a) of this subsection.

(i) The instantaneous maximum total suspended solids concentration in the rearing pond effluent shall not exceed 100 milligrams per liter.

(ii) The instantaneous maximum settleable solids concentration in the rearing pond effluent shall not exceed 1.0 milliliter per liter.

(d) Test procedures. All sampling and analytical methods used to determine compliance with standards specified in this subsection shall, unless otherwise approved by the department, conform to the Guidelines Establishing Test Procedures for the Analysis of Pollutants contained in 40 CFR Part 136.

(e) Notwithstanding the numerical discharge standards within this subsection, each upland fin-fish facility shall be operated in the most efficient manner possible. Additional effluent limits and/or more stringent effluent limits may be required as necessary on a case-by-case basis to meet water quality standards, ground water quality standards, sediment quality standards, or other applicable requirements of federal or state law.

(6) General requirements. The following practices shall be applicable to all upland fin-fish facilities.

(a) Sand, silt, mud, solids, sludges, filter backwash, debris, or other pollutants deposited or removed in the course of treatment or control of water supply and wastewaters shall be disposed of in a manner so as to prevent such materials from entering waters of the state.

(b) Discharging untreated cleaning wastes (e.g., obtained from a vacuum or standpipe bottom drain system) to waters of the state is prohibited.

(c) Sweeping or intentionally discharging accumulated solids from raceways or ponds to waters of the state without prior treatment is prohibited.

(d) Practices such as removing dam boards in raceways or ponds, that allow accumulated solids to discharge to waters of the state are prohibited.

(e) The discharge of any drugs or chemicals in toxic amounts or in violation of water quality standards to waters of the state is prohibited.

(f) Only drugs, medications, and disease control chemicals approved for hatchery use by the United States Food and Drug Administration (USFDA) or the United States Environmental Protection Agency (USEPA) shall be used. Their use shall comply with the permitted uses and application practices given on the product labels.

(g) Fish mortalities and kill spawning or processing wastes, shall be disposed of in a manner so as to prevent such materials from entering the waters of the state.

(7) Receiving water quality studies. Receiving water quality studies shall be required as follows for each upland fin-fish facility which begins construction after September 1, 1990, or expands production by fifty percent over the production on the effective date of this rule. Existing facilities may be required to do receiving water studies on a case-by-case basis. Dilution shall be evaluated by the department using total facility effluent at maximum production at the lowest seven-day average receiving stream flow with a 10-year recurrence interval (7Q10).

(a) For facilities with a discharge of one part upland fin-fish facility effluent to ten parts or more of receiving

water, receiving water studies are not required unless significant data indicates water quality standards would be violated.

(b) For facilities with an effluent dilution of between one part upland fin-fish facility effluent to three parts receiving water and one part effluent to ten parts receiving water, receiving water studies may be required by the department. The department shall provide the upland fin-fish operator or permit applicant with written documentation on the need for receiving water studies upon request. Factors to be considered by the department in determining the need for and objectives of special receiving water studies may include, but are limited to, the following:

(i) The water quality classification of the receiving water of the state;

(ii) The potential water quality impacts of surrounding land use practices and/or existing and proposed discharges including the proposed upland fin-fish hatching and rearing facility;

(iii) The likelihood that the proposed discharge will have an effect on existing water quality and/or present or future beneficial uses;

(iv) The proximity of the discharge to a quiescent water body such as a lake or a reservoir;

(v) On-site inspection;

(vi) The potential of the discharge to have an adverse impact on receiving water quality such that water quality standards would be violated; and

(vii) Possible beneficial impacts of upland fin-fish discharges on existing water quality such as flow augmentation.

(c) For facilities with an effluent dilution of one part upland fin-fish facility effluent to three parts or less of receiving waters, receiving water quality studies will generally be required for new facilities and may be required on a case-by-case basis for existing facilities.

(d) Receiving water quality studies content and scope shall include, as required by the department an analysis of the proposed facilities discharge and any impacts upon the receiving water of the state, including, but not limited to, the following:

(i) Identification of existing and potential beneficial uses of the receiving water of the state and an evaluation of the impact on those beneficial uses of the proposed discharge;

(ii) Hydraulic impacts;

(iii) The impacts of both nitrogen and phosphorous compounds and the potential for eutrophication of the receiving waters;

(iv) The use of chemicals and medications within the facility, their toxicity, and the impacts on the receiving waters;

(v) The effect of the facilities on receiving water temperature and dissolved oxygen concentrations; and

(vi) The potential for impacting any specified identified water use.

(vii) Possible beneficial impact of upland fin-fish discharges on existing water quality such as flow augmentation.

## NEW SECTION

**WAC 173-221A-150 ENFORCEMENT.** This chapter shall be enforced through all legal, equitable, and other methods available to the department, including, but not limited to those described in chapter 90.48 RCW.

**WSR 90-14-079**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(Board of Dental Examiners)**  
[Filed July 3, 1990, 10:18 a.m.]

### Original Notice.

Title of Rule: New sections WAC 308-40-150 Licensure without examination for dentists—Eligibility; 308-40-151 Licensure without examination for dentists—Application procedure; and 308-40-152 Licensure without examination for dentists—Licensing examination standards.

Purpose: To implement RCW 18.32.215.

Statutory Authority for Adoption: RCW 18.32.035.

Statute Being Implemented: RCW 18.32.215.

Summary: RCW 18.32.035 provides that the board may adopt rules implementing a process whereby applicants for dental licenses who hold a valid license in another state may apply for a license without examination, if certain other criteria are met.

Reasons Supporting Proposal: To implement RCW 18.32.215 for licensure without examination for dentists.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Judy Mayo, Program Administrator, 1300 S.E. Quince Street, Olympia, WA 98504, (206) 753-2461.

Name of Proponent: Board of Dental Examiners, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule will satisfy the legislative intent set forth in RCW 18.32.215 by addressing the eligibility requirements, application procedure, and licensing examination standards for licensure without examination for dentists.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: West Coast Sea-Tac Hotel, Seattle Room, 18220 Pacific Highway South, Seattle, WA 98188, on August 18, 1990, at 8:30 a.m.

Submit Written Comments to: Judy Mayo, Program Administrator, 1300 S.E. Quince Street, Mailstop EY-26, Olympia, WA 98504, by August 11, 1990.

Date of Intended Adoption: August 18, 1990.

June 29, 1990

Judy E. Mayo

Program Administrator

## NEW SECTION

**WAC 308-40-150 LICENSURE WITHOUT EXAMINATION FOR DENTISTS—ELIGIBILITY.** The Washington board of dental



examiners may grant licensure without an examination to dentists licensed in other states who:

(1) Have graduated from an educational program approved by the board of dental examiners; provided that graduates of non-accredited schools must meet the requirements of WAC 308-40-110.

(2) Have successfully completed parts I and II of the National Dental Board Examination.

(3) Have been issued a license, registration or certificate to practice dentistry, without restrictions, in another state by successful completion of an examination, if the other state's current licensing standards are substantively equivalent to the licensing standards of the state of Washington. The board of dental examiners will determine if the other state's current licensing standards are substantively equivalent to licensing standards in this state, pursuant to WAC 308-40-152.

(4) Are currently engaged in the practice of dentistry in another state pursuant to WAC 308-40-151(11).

(5) Have completed the AIDS education requirement defined in WAC 308-40-107.

(6) Are certified as having been licensed by the state board(s) of dentistry in all the state(s) in which the applicant has held a dental license.

(7) Have completed the jurisprudence requirement as determined by the Washington board of dental examiners.

(8) Participate in a personal interview with the board, if requested by the Washington board of dental examiners.

#### NEW SECTION

**WAC 308-40-151 LICENSURE WITHOUT EXAMINATION FOR DENTISTS—APPLICATION PROCEDURE.** The applicant is responsible for obtaining and furnishing to the Washington board of dental examiners all materials required by the board to establish eligibility for a license without examination. Any fees for verification of requirements must be paid by the applicant.

A license issued based on the succeeding credentials, may be revoked upon evidence of misinformation or substantial omission.

The following must be submitted to the board:

(1) A completed application for licensure without examination to include the payment of the required non-refundable application fee. The application must be signed and notarized. All information must be completed and received within 180 days of receipt of the initial application. Only completed applications will be reviewed by the board. Completed applications will be acted on at the next scheduled board meeting; provided that the board may extend application reviews to the following meeting or meetings if required by the number of completed applications or the board's other business.

(2) A statement by the applicant as to whether he/she has been the subject of any disciplinary action in the state(s) of licensure and whether he/she has engaged in unprofessional conduct as defined in RCW 18.130.180.

(3) A statement by the applicant that he/she is not an impaired practitioner as defined in RCW 18.130.170.

(4) A certification by the state board(s) of dentistry (or equivalent authority) that, based on successful completion of an examination, the applicant was issued a license, registration, certificate or privilege to practice dentistry, without restrictions, and whether he/she has been the subject of final or pending disciplinary action.

(5) Documentation to substantiate that standards defined in WAC 308-40-152 have been met.

(6) A certification from each state or jurisdiction where the applicant holds or has held a license to practice dentistry and whether he/she has been the subject of final or pending disciplinary action.

(7) An official dental school transcript showing the degree and date of graduation. This transcript shall be mailed from the school directly to the board.

(8) The national board scores certified by the Joint Commission on National Dental Examinations.

(9) Submit a current photograph duly identified and attested.

(10) Proof of completion of AIDS education as required by WAC 308-40-107.

(11) Proof that the applicant is currently engaged in the practice of dentistry in another state, and has been for at least five years, as demonstrated by the following information:

(a) Address of practice location(s);

(b) Length of time at the location(s);

(c) Certification of a minimum of twenty hours per week in dental practice, as defined by RCW 18.32.020;

(d) Malpractice insurance carrier(s) and years when insured;

(e) Federal or state tax numbers;

(f) DEA number if any; and

(g) A copy of the applicant's current dental license.

Dentists serving in the United States federal services as described in RCW 18.32.030(2), for the period of such service, need not provide (a) through (f) above, but must provide documentation from their commanding officer regarding length of service, duties and responsibilities and a copy of their current license. Such dental service, including service within the state of Washington, shall be credited toward the dental practice requirement.

Dentists employed by a teaching institution, for the period of such dental practice, need not provide (a) through (f) above, but must provide documentation from the dean or appropriate administrator of the institution regarding the length and terms of employment and their duties and responsibilities, and a copy of their current license. Such dental practice, including practice within the state of Washington, shall be credited toward the dental practice requirement.

#### NEW SECTION

**WAC 308-40-152 LICENSURE WITHOUT EXAMINATION FOR DENTISTS—LICENSING EXAMINATION STANDARDS.** An applicant is deemed to have met Washington state examination standards if either (1) or (2) below is met:

(1) The state in which the applicant received a license, following successful completion of an examination, currently administers an examination, which includes all components listed in (a) and at least three of the components listed in (b) below.

(2) The applicant provides documentation that he/she has successfully completed an examination in another state which includes all of the components listed in (a) and at least three of the components listed in (b) below.

(a) The applicant must have successfully completed an examination which includes the following components:

(i.) Oral diagnosis and treatment planning, written or clinical test.

(ii.) Class II amalgam test on a live patient.

(iii.) Class II cast gold test, up to and including a 3/4 crown, on a live patient.

(iv.) Periodontal test on a live patient to include a documentation and patient evaluation as well as scaling and root planing of at least one quadrant.

(v.) Use of a rubber dam during grading of restorative tests.

(vi.) Removable prosthodontics written or clinical test.

(b) The examination includes at least three of the following characteristics or components:

(i.) Calibration of examiners.

(ii.) Lab work completed by candidate and graded.

(iii.) Anonymity of candidates and examiners.

(iv.) Endodontic test.

(v.) Gold foil test.

(vi.) Other clinical procedures.

The board will publish a list of states or regional licensing examinations which are currently considered substantively equivalent to Washington state's dental licensing examination, on the date of publication of the list. The list will be periodically updated and available upon request.

#### **WSR 90-14-080**

#### **PROPOSED RULES**

#### **DEPARTMENT OF HEALTH (Medical Disciplinary Board)**

[Filed July 3, 1990, 10:20 a.m.]

#### **Original Notice.**

**Title of Rule:** WAC 320-08-002 Responsibility for maintaining mailing address on file with the board.

**Purpose:** To have current information on all licensees in the state of Washington for mailing of official business.

**Statutory Authority for Adoption:** Chapter 18.72 RCW.

**Statute Being Implemented:** Chapter 18.72 RCW.

Summary: Each licensee will be required to maintain a current mailing address on file with the board.

Reasons Supporting Proposal: Current mailing address is needed for mailing of official business.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Gail Zimmerman, 1300 Quince Street, Olympia, WA, 753-2287.

Name of Proponent: Medical Disciplinary Board, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule will require licensees to maintain a current mailing address on file with the Medical Disciplinary Board.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Executive Inn, Fife, 5700 Pacific Highway East, Tacoma, WA, on August 17, 1990, at 9:00 a.m.

Submit Written Comments to: Leslie Baldwin, 1300 Quince Street, Olympia, WA 98504, by August 16, 1990.

Date of Intended Adoption: August 17, 1990.

July 3, 1990  
Gail Zimmerman  
Administrator

Purpose: To provide emergency rules for the adoption of survivor benefit options for members of judicial retirement system, chapter 2.10 RCW, as required by chapter 249, Laws of 1990.

Statutory Authority for Adoption: RCW 34.05.350 and chapter 249, Laws of 1990.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest:

Reasons for this Finding: SHB 2643, chapter 249, Laws of 1990, provides that the department shall adopt rules establishing additional survivor benefit options for retiring eligible members of judicial retirement system (JRS). These emergency rules are intended to provide guidance on the implementation of these additional options until permanent rules are formulated and adopted.

Effective Date of Rule: Immediately.

July 3, 1990  
George Northcroft  
Director

Chapter 415-100 WAC  
Additional Survivor Benefit Options  
Offered by Department of Retirement Systems

#### NEW SECTION

WAC 320-08-002 RESPONSIBILITY FOR MAINTAINING MAILING ADDRESS ON FILE WITH THE BOARD. It is the responsibility of each licensee to maintain a current mailing address on file with the board. The mailing address on file with the board shall be used for mailing of all official matters from the board to the licensee. If charges against the licensee are mailed by certified mail to the address on file with the board and returned unclaimed or are unable to be delivered for any reason, then the board shall proceed against the licensee by default under RCW 34.05.440.

**WSR 90-14-081**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
[Filed July 3, 1990, 10:22 a.m.]

We would like to withdraw WSR 90-07-068, filed March 21, 1990, regarding implementation of RCW 18.32.215.

Judy Mayo  
Program Administrator

**WSR 90-14-082**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**  
[Filed July 3, 1990, 11:02 a.m.]

Date of Adoption: July 3, 1990.

#### NEW SECTION

WAC 415-100-041 BACKGROUND AND PURPOSE. (1) Background - Chapter 249, Laws of 1990, (Substitute House Bill No. 2643) provides in part that the department shall adopt rules establishing survivor benefit options for certain retiring eligible members of the Judicial Retirement System, chapter 2.10 RCW. Under the law as amended, a member retiring for service or disability is allowed to select a retirement option that pays the member a reduced monthly retirement allowance. Upon the retired member's death, a portion of the member's reduced retirement allowance shall be continued throughout the life of and paid to the designated survivor at a joint and one hundred percent survivor option (Option 2); or at a joint and fifty percent survivor option (Option 3); or at some other option adopted by the department. The member, if married, must provide the written consent of his or her spouse to the option selected under this section. If a married member does not provide spousal consent, the department will pay the retired member a joint and fifty percent survivor benefit allowance (Option 3) and record the member's spouse as the beneficiary, in compliance with RCW 2.10.146(2), as amended.

(2) Purpose - This chapter is intended to provide emergency rules for the adoption of survivor benefit options required by chapter 249, Laws of 1990. These emergency rules shall become effective immediately and shall remain in effect until either (a) permanent rules are filed, or (b) 180 days, whichever shall occur first. The emergency rules contained in this chapter shall not govern permanent rules when filed.

**NEW SECTION**

WAC 415-100-045 DEFINITIONS FOR PURPOSES OF SECTIONS 415-100-040 THROUGH 415-100-055. (1) "Eligible member" or "member" means a judge as defined in RCW 2.10.030(2), who elected to exchange survivor benefits and who filed the requisite documents with the department pursuant to RCW 2.10.140(2).

(2) "Survivor" means a person who has an insurable interest in the member's life. Such person shall be nominated by the member by written designation duly executed and filed with the department at the time of retirement. Concurrently, "Survivor" may include a surviving spouse as defined in RCW 2.10.030(4).

(3) "Duly executed" means that all required forms or documents have been completed, signed and notarized, and filed with the department.

(4) "Spousal consent" means written evidence that the married member's spouse consents to the retirement option selected by the member. The spouse's notarized signature on the retirement application, when such application is duly executed and filed with the department, shall constitute "spousal consent".

(5) "Insurable interest" means (a) a reasonable expectation of monetary benefit from the continued life of the eligible member, or (b) a relation of the parties to each other by blood or marriage.

**NEW SECTION**

WAC 415-100-051 MARRIED MEMBER'S BENEFIT SELECTION - SPOUSAL CONSENT REQUIRED. The member, if married, must provide the written consent of his or her spouse to the option selected under section 415-100-055. If a married member does not provide spousal consent, the department will pay the retired member a joint and fifty percent survivor benefit allowance (Option 3) and record the member's spouse as the beneficiary, in compliance with RCW 2.10.146(2), as amended.

**NEW SECTION**

WAC 415-100-055 OPTIONS. RCW 2.10.146, as amended by chapter 249, Laws of 1990, provides three benefit options for eligible members retiring under the provisions of RCW 2.10.100 or RCW 2.10.120. The choice of option is to be made by the member upon application for either service or disability retirement.

(1) Option 1 - Standard allowance. A retired member shall receive a monthly retirement allowance computed as provided in RCW 2.10.110 or 2.10.130. Upon the retired member's death, all continuing benefits cease. The remaining balance, if any, of the member's accumulated contributions shall be paid to the member's designated survivor, or to the member's surviving spouse, or to the member's legal representative, in accordance with RCW 2.10.146 (1)(a).

(2) Option 2 - Joint and one hundred percent allowance. A retired member shall receive a reduced monthly retirement allowance based on the joint life expectancy of the member and the designated survivor nominated by

written designation duly executed and filed with the department at the time of retirement. Upon the retired member's death, the survivor shall receive the same monthly retirement allowance for the duration of the survivor's life.

(3) Option 3 - Joint and fifty percent allowance. A retired member shall receive a reduced monthly retirement allowance based on the joint life expectancy of the member and the designated survivor nominated by written designation duly executed and filed with the department at the time of retirement. Upon the retired member's death, the survivor shall receive one half of the amount of the retired member's monthly retirement allowance for the duration of the survivor's life.

(4) Other options. The department shall in its discretion adopt other options pursuant to chapter 249, Laws of 1990.

**WSR 90-14-083**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**  
 [Filed July 3, 1990, 11:03 a.m.]

Date of Adoption: July 3, 1990.

Purpose: To provide emergency rules for the adoption of survivor benefit options for members of Washington public employees' retirement systems (PERS), Plan I and Plan II, chapter 41.40 RCW, as required by chapter 249, Laws of 1990.

Statutory Authority for Adoption: RCW 34.05.350 and chapter 249, Laws of 1990.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: SHB 2643, chapter 249, Laws of 1990, provides that the department shall adopt rules establishing additional survivor benefit options for retiring eligible members of Washington public employees' retirement systems (PERS), Plan I and Plan II. These emergency rules are intended to provide guidance on the implementation of these additional options until permanent rules are formulated and adopted.

Effective Date of Rule: Immediately.

July 3, 1990  
 George Northcroft  
 Director

Chapter 415-108 WAC  
 Additional Survivor Benefit Options  
 Offered by Department of Retirement Systems

**NEW SECTION**

WAC 415-108-320 BACKGROUND AND PURPOSE. (1) Background - Chapter 249, Laws of 1990, (Substitute House Bill No. 2643) provides that the department shall adopt rules establishing survivor benefit

options to retiring eligible members of Washington Public Employees' Retirement Systems, Plan I and Plan II, chapter 41.40 RCW. Under the law as amended, upon retirement for service or for disability, a retiring member is allowed to select a retirement option that pays the member a reduced monthly retirement allowance. Upon the retired member's death, a portion of the member's reduced monthly retirement allowance as designated will be continued throughout the life of and paid to a designated survivor, at a joint and one hundred percent survivor option (Option 2); or at a joint and fifty percent survivor option (Option 3); or at some other option adopted by the department. The member, if married, must provide the written consent of his or her spouse to the option selected under this section. If a married member does not provide spousal consent, the department will pay the retired member a joint and fifty percent survivor benefit allowance (Option 3) and record the member's spouse as the beneficiary, in compliance with RCW 41.40 and 41.40.660(2), as amended.

(2) Purpose - This chapter is intended to provide emergency rules for the adoption of survivor benefit options required by chapter 249, Laws of 1990. These emergency rules shall become effective immediately and shall remain in effect until either (a) permanent rules are filed, or (b) 180 days, whichever shall occur first. The emergency rules contained in this chapter shall not govern permanent rules when filed.

#### NEW SECTION

WAC 415-108-322 DEFINITIONS FOR PURPOSES OF SECTIONS 415-108-320 THROUGH 415-108-326. (1) "Survivor" means a person who has an insurable interest in the member's life. Such person shall be nominated by the member by written designation duly executed and filed with the department at the time of retirement.

(2) "Duly executed" means that all required forms or documents have been completed, signed and notarized, and filed with the department.

(3) "Spousal consent" means written evidence that the married member's spouse consents to the retirement option selected by the member. The spouse's notarized signature on the retirement application, when such application is duly executed and filed with the department, shall constitute "spousal consent".

(4) "Insurable interest" means (a) a reasonable expectation of monetary benefit from the continued life of the member, or (b) a relation of the parties to each other by blood or marriage.

#### NEW SECTION

WAC 415-108-324 MARRIED MEMBER'S BENEFIT SELECTION - SPOUSAL CONSENT REQUIRED. The member, if married, must provide the written consent of his or her spouse to the option selected under section 415-108-326. If a married member does not provide spousal consent, the department will pay the retired member a joint and fifty percent survivor benefit allowance (Option 3) and record the member's

spouse as the beneficiary, in compliance with RCW 41.40 and 41.40.660(2), as amended.

#### NEW SECTION

WAC 415-108-326 OPTIONS. Chapter 249, Laws of 1990 (SHB 2643), as it amends RCW 41.40.185, RCW 41.40.190, RCW 41.40.230, RCW 41.40.235, RCW 41.40.250, RCW 41.40.660 and RCW 41.40.670, provides three benefit options for retiring eligible members of either Plan I or Plan II. In addition, each Plan I option has a Cost of Living Adjustment (COLA) option. The choice of option is to be made upon application for retirement, either for service or for disability.

(1) Option 1 - Standard allowance. A retired member shall receive a monthly retirement allowance computed as provided by RCW 41.40.185, 41.40.190, 41.40.230, 41.40.235, 41.40.250, 41.40.660 or 41.40.670. Upon the retired member's death, all benefits cease. The remaining balance, if any, of the member's accumulated contributions shall be paid to the member's designated survivor, or to the member's surviving spouse, or to the member's legal representative, in accordance with RCW 41.40, as amended.

(2) Option 2 - Joint and one hundred percent allowance. A retired member shall receive a reduced monthly retirement allowance based on the joint life expectancy of the member and the designated survivor nominated by written designation duly executed and filed with the department at the time of retirement. Upon the retired member's death, the survivor shall receive the same monthly reduced retirement allowance for the duration of the survivor's life.

(3) Option 3 - Joint and fifty percent allowance. A retired member shall receive a reduced monthly retirement allowance based on the joint life expectancy of the member and the designated survivor nominated by written designation duly executed and filed with the department at the time of retirement. Upon the retired member's death, the survivor shall receive one half of the amount of the retired member's monthly retirement allowance for the duration of the survivor's life.

(4) Other options. The department shall in its discretion adopt other options pursuant to chapter 249, Laws of 1990 (SHB 2643).

**WSR 90-14-084**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**  
 [Filed July 3, 1990, 11:04 a.m.]

Date of Adoption: July 3, 1990.

Purpose: To provide emergency rules for the adoption of survivor benefit options for members of law enforcement officers' and fire fighters' retirement system, chapter 41.26 RCW, required by chapter 249, Laws of 1990.

Statutory Authority for Adoption: RCW 34.05.350 and chapter 249, Laws of 1990.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: SHB 2643, chapter 249, Laws of 1990, provides that the department shall adopt rules establishing additional survivor benefit options for retiring eligible members of law enforcement officers' and fire fighters' retirement system. These emergency rules are intended to provide guidance on the implementation of these additional options until permanent rules are formulated and adopted.

Effective Date of Rule: Immediately.

July 3, 1990  
George Northcroft  
Director

Chapter 415-104 WAC  
Additional Survivor Benefit Options  
Offered by Department of Retirement Systems

NEW SECTION

WAC 415-104-201 BACKGROUND AND PURPOSE. (1) Background - Chapter 249, Laws of 1990, (Substitute House Bill No. 2643) provides in part that the department shall adopt rules establishing survivor benefit options for retiring eligible Plan II members of the Law Enforcement Officers' and Fire Fighters' Retirement System, chapter 41.26 RCW. Under the law as amended, a member retiring for service or disability is allowed to select a retirement option that pays the member a reduced monthly retirement allowance. Upon the retired member's death, a portion of the member's reduced retirement allowance shall be continued throughout the life of and paid to the designated survivor at a joint and one hundred percent survivor option (Option 2); or at a joint and fifty percent survivor option (Option 3); or at some other option adopted by the department. The member, if married, must provide the written consent of his or her spouse to the option selected under this section. If a married member does not provide spousal consent, the department will pay the retired member a joint and fifty percent survivor benefit allowance (Option 3) and record the member's spouse as the beneficiary, in compliance with RCW 41.26.460(2), as amended.

(2) Purpose - This chapter is intended to provide emergency rules for the adoption of survivor benefit options required by chapter 249, Laws of 1990. These emergency rules shall become effective immediately and shall remain in effect until either (a) permanent rules are filed, or (b) 180 days, whichever shall occur first. The emergency rules contained in this chapter shall not govern permanent rules when filed.

NEW SECTION

WAC 415-104-205 DEFINITIONS FOR PURPOSES OF SECTIONS 415-104-200 THROUGH

415-104-215. (1) "Member" means a Plan II member who is eligible to select a survivor option.

(2) "Survivor" means a person who has an insurable interest in the member's life. Such person shall be nominated by the member by written designation duly executed and filed with the department at the time of retirement.

(3) "Duly executed" means that all required forms or documents have been completed, signed and notarized, and filed with the department.

(4) "Spousal consent" means written evidence that the married member's spouse consents to the retirement option selected by the member. The spouse's notarized signature on the retirement application, when such application is duly executed and filed with the department, shall constitute "spousal consent".

(5) "Insurable interest" means (a) a reasonable expectation of monetary benefit from the continued life of the member, or (b) a relation of the parties to each other by blood or marriage.

NEW SECTION

WAC 415-104-211 MARRIED MEMBER'S BENEFIT SELECTION - SPOUSAL CONSENT REQUIRED. The member, if married, must provide the written consent of his or her spouse to the option selected under section 415-104-215. If a married member does not provide spousal consent, the department will pay the retired member a joint and fifty percent survivor benefit allowance (Option 3) and record the member's spouse as the beneficiary, in compliance with RCW 41.26.460(2), as amended.

NEW SECTION

WAC 415-104-215 OPTIONS. RCW 41.26.460, as amended by chapter 249, Laws of 1990, provides three benefit options for members retiring under the provisions of RCW 41.26.430 or RCW 41.26.470. The choice of option is to be made by the member upon application for either service or disability retirement.

(1) Option 1 - Standard allowance. A retired member shall receive the monthly retirement allowance provided by RCW 41.26.460 (1)(a). Upon the retired member's death, all continuing benefits cease. The remaining balance, if any, of the member's accumulated contributions shall be paid to the member's designated survivor, or to the member's surviving spouse, or to the member's legal representative, in accordance with RCW 41.26.460 (1)(a).

(2) Option 2 - Joint and one hundred percent allowance. A retired member shall receive a reduced monthly retirement allowance based on the joint life expectancy of the member and the designated survivor nominated by written designation duly executed and filed with the department at the time of retirement. Upon the retired member's death, the survivor shall receive the same monthly retirement allowance for the duration of the survivor's life.

(3) Option 3 - Joint and fifty percent allowance. A retired member shall receive a reduced monthly retirement allowance based on the joint life expectancy of the

member and the designated survivor nominated by written designation duly executed and filed with the department at the time of retirement. Upon the retired member's death, the survivor shall receive one half of the amount of the retired member's monthly retirement allowance for the duration of the survivor's life.

(4) Other options. The department shall in its discretion adopt other options pursuant to chapter 249, Laws of 1990.

**WSR 90-14-085**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**

[Filed July 3, 1990, 11:05 a.m.]

Date of Adoption: July 3, 1990.

Purpose: To provide emergency rules for the adoption of survivor benefit options for members of teachers' retirement systems, Plan I and Plan II, chapter 41.32 RCW, as required by chapter 249, Laws of 1990.

Statutory Authority for Adoption: RCW 34.05.350 and chapter 249, Laws of 1990.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: SHB 2643, chapter 249, Laws of 1990, provide that the department shall adopt rules establishing additional survivor benefit options for retiring eligible members of teachers' retirement systems (TRS), Plan I and Plan II. These emergency rules are intended to provide guidance on the implementation of these additional options until permanent rules are formulated and adopted.

Effective Date of Rule: Immediately.

July 3, 1990  
George Northcroft  
Director

*Chapter 415-112 WAC*  
*Additional Survivor Benefit Options*  
*Offered by Department of Retirement Systems*

NEW SECTION

WAC 415-112-720 BACKGROUND AND PURPOSE. (1) Background - Chapter 249, Laws of 1990, (Substitute House Bill No. 2643) provides that the department shall adopt rules establishing additional survivor benefit options for retiring eligible members of Teachers' Retirement Systems (TRS) Plan I and Plan II, chapter 41.32, RCW. Under the law as amended, upon application for retirement for service or for disability, a retiring TRS Plan I member is allowed to select a retirement option that pays the member a reduced monthly retirement allowance. Upon retirement for service or for disability, a retiring TRS Plan II member is also allowed to select a retirement option that pays the

member a reduced monthly retirement allowance. Upon the retired member's death, a portion of the member's reduced monthly retirement allowance as designated will be continued throughout the life of and paid to the designated survivor, at a joint and one hundred percent survivor option (Option 2); or at a joint and fifty percent survivor option (Option 3); or at some other option adopted by the department. The member must provide the written consent of his or her spouse, if married, to the option selected under this section. If a married member does not provide spousal consent, the department will pay the retired member a joint and fifty percent survivor benefit allowance (Option 3) and record the member's spouse as the beneficiary, in compliance with RCW 41.32.530(2) and 41.32.785(2), as amended.

Purpose - This chapter is intended to provide emergency rules for the adoption of survivor benefit options required by chapter 249, Laws of 1990. These emergency rules shall become effective immediately and shall remain in effect until either (a) permanent rules are filed, or (b) 180 days, whichever shall occur first. The emergency rules contained in this chapter shall not govern permanent rules when filed.

NEW SECTION

WAC 415-112-722 DEFINITIONS FOR PURPOSES OF SECTIONS 415-112-720 THROUGH 415-112-727. (1) "Survivor" means a person who has an insurable interest in the member's life. Such person shall be nominated by the member by written designation duly executed and filed with the department at the time of retirement.

(2) "Duly executed" means that all required forms or documents have been completed, signed and notarized, and filed with the department.

(3) "Spousal consent" means written evidence that the married member's spouse consents to the retirement option selected by the member. The spouse's notarized signature on the retirement application, when such application is duly executed and filed with the department, shall constitute "spousal consent".

(4) "Insurable interest" means (a) a reasonable expectation of monetary benefit from the continued life of the member, or (b) a relation of the parties to each other by blood or marriage.

NEW SECTION

WAC 415-112-725 MARRIED MEMBER'S BENEFIT SELECTION - SPOUSAL CONSENT REQUIRED. The member, if married, must provide the written consent of his or her spouse to the option selected under section 415-112-727. If a married member does not provide spousal consent, the department will pay the retired member a joint and fifty percent survivor benefit allowance (Option 3) and record the member's spouse as the beneficiary, in compliance with RCW 41.32.530(2) and 41.32.785(2), as amended.

NEW SECTION

WAC 415-112-727 OPTIONS. Chapter 249, Laws of 1990 (SHB 2643), as it amends RCW 41.32.498,

RCW 41.32.530, RCW 41.32.785 and RCW 41.32.790, provides benefit options for retiring eligible members of either Plan I or Plan II. In addition, each Plan I option has a Cost of Living Adjustment (COLA) option. The choice of option is to be made upon application for either service or disability retirement.

(1) *Maximum benefit allowance.* The retired member elects to receive the maximum benefit to which they are entitled, with no survivor or beneficiary allowance. Upon the retired member's death, any remaining balance in employee contributions is retained by the retirement system.

(2) *Option 1 - Standard allowance.* A retired member shall receive a monthly retirement allowance computed as provided in RCW 41.32.530 (Plan I) or RCW 41.32.785 (Plan II). Upon the retired member's death, all benefits cease. The remaining balance, if any, of the member's accumulated contributions shall be paid to the member's designated survivor, or to the member's surviving spouse, or to the member's legal representative, in accordance with RCW 41.32.530 and 41.32.785.

(3) *Option 2 - Joint and one hundred percent allowance.* A retired member shall receive a reduced monthly retirement allowance based on the joint life expectancy of the member and the designated survivor nominated by written designation duly executed and filed with the department at the time of retirement. Upon the retired member's death, the survivor shall receive the same monthly retirement allowance for the duration of the survivor's life.

(4) *Option 3 - Joint and fifty percent allowance.* A retired member shall receive a reduced monthly retirement allowance based on the joint life expectancy of the member and the designated survivor nominated by written designation duly executed and filed with the department at the time of retirement. Upon the retired member's death, the survivor shall receive one half of the member's monthly retirement allowance for the duration of the survivor's life.

(5) *Other options.* The department shall in its discretion adopt other options pursuant to chapter 249, Laws of 1990.

**WSR 90-14-086**  
**PROPOSED RULES**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**  
 [Filed July 3, 1990, 11:12 a.m.]

Original Notice.

Title of Rule: WAC 296-116-300 Pilotage rates for the Puget Sound pilotage district.

Purpose: To provide a transportation fee in Port Angeles for the Puget Sound pilotage district.

Statutory Authority for Adoption: RCW 88.16.035.

Statute Being Implemented: RCW 88.16.035.

Summary: The pilotage rates for the Puget Sound pilotage district failed to contain a transportation fee for Port Angeles.

Reasons Supporting Proposal: Vessels routinely use the berths in Port Angeles necessitating the need for the transportation charge.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Admiral Chet Richmond, Pier 52, Seattle, Washington, 464-7818.

Name of Proponent: Port Angeles Pilots Association, private.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 296-116-300 establishes the tariffs for pilotage services performed aboard vessels in the Puget Sound pilotage district. Although vessels routinely dock in Port Angeles, there was no transportation fee included for Port Angeles.

Proposal Changes the Following Existing Rules: The proposed amendment to the rule establishes a ten dollar fee for Port Angeles.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Conference Room, Pier 52, Seattle, Washington 98104, on August 9, 1990, at 9:00 a.m.

Submit Written Comments to: Admiral Chet Richmond, by July 30, 1990.

Date of Intended Adoption: August 9, 1990.

July 3, 1990  
 Marjorie Smitch  
 Assistant Attorney General

**AMENDATORY SECTION** (Amending WSR 90-08-095, filed 4/4/90, effective 5/5/90)

WAC 296-116-300 PILOTAGE RATES FOR THE PUGET SOUND PILOTAGE DISTRICT. These rates shall become effective on May 1, 1989.

CLASSIFICATION	RATE
Ship length overall (LOA) Charges:	per LOA rate schedule in this section
Boarding fee: Per each boarding/deboarding at the Port Angeles pilot station.	\$ 26.00
Harbor shift - Live ship (Seattle Port)	LOA Zone I
Harbor shift - Live ship (other than Seattle Port)	LOA Zone I
Harbor shift - Dead ship	Double LOA Zone I
Dead ship towing charge: LOA of tug + LOA of tow + beam of tow Any tow exceeding seven hours, two pilots are mandatory. Harbor shifts shall constitute and be limited to those services in moving vessels from dock to dock, from anchorage to dock, from dock to anchorage, or from anchorage to anchorage in the same port after all other applicable tariff charges for pilotage services have been recognized as payable.	Double LOA Zone

**Waterway and bridge charges:**

Ships up to 90' beam:  
 A charge of \$141.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle, south of Eleventh Street Bridge in any of the Tacoma waterways, in Port Gamble, or in the Snohomish River. Any vessel movements required to transit through bridges shall have an additional charge of \$67.00 per bridge.

**Ships 90' beam and/or over:**

A charge of \$190.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle and south of Eleventh Street Bridge in any of the Tacoma waterways. Any



CLASSIFICATION	RATE	CLASSIFICATION	RATE
vessel movements required to transit through bridges shall have an additional charge of \$133.00 per bridge. (The above charges shall not apply to transit of vessels from Shilshole Bay to the limits of Lake Washington.)		Olympia	84.00
		Point Wells	23.00
		<u>Port Angeles</u>	<u>10.00</u>
		Port Gamble	60.00
Two or three pilots required: In a case where two or three pilots are employed for a single vessel waterway or bridge transit, the second and/or third pilot charge shall include the bridge and waterway charge in addition to the harbor shift rate.		Port Townsend (Indian Island)	85.00
		Semiahmoo (Blaine)	153.00
		Tacoma	43.00
		Tacoma Smelter	49.00
		Winslow	34.00
Compass adjustment	\$189.00	(a) Interport shifts: Transportation paid to and from both points.	
Radio direction finder calibration	\$189.00	(b) Intraharbor shifts: Transportation to be paid both ways. If intraharbor shift is cancelled on or before scheduled reporting time, transportation paid one way only.	
Launching vessels	\$285.00	(c) Cancellation: Transportation both ways unless notice of cancellation is received prior to scheduled reporting time in which case transportation need only be paid one way.	
Trial trips, 6 hours or less (Minimum \$534.00)	\$ 89.00 per hr.	(d) Any new facilities or other seldom used terminals, not covered above, shall be based on mileage x \$1.60 per mile.	
Trial trips, over 6 hours (two pilots)	\$178.00 per hr.	Delinquent payment charge: 1 1/2% per month after 45 days from first billing.	
Shilshole Bay — Salmon Bay	\$111.00	Nonuse of pilots: Ships taking and discharging pilots without using their services through all Puget Sound and adjacent inland waters shall pay full pilotage fees on the LOA zone mileage basis from Port Angeles to destination, from place of departure to Port Angeles, or for entire distance between two ports on Puget Sound and adjacent inland waters.	
Salmon Bay — Lake Union	\$ 87.00		
Lake Union — Lake Washington (plus LOA zone from Webster Point)	\$111.00	LOA rate schedule The following rate schedule is based upon distances furnished by National Oceanic and Atmospheric Administration, computed to the nearest half-mile and includes retirement fund contributions.	
Cancellation charge	LOA Zone 1		
Cancellation charge — Port Angeles (when pilot is ordered and vessel proceeds without stopping for pilot.)	LOA Zone 1		
Docking delay after anchoring:	\$ 89.00 per hr.		
Applicable harbor shift rate to apply, plus \$89.00 per hour standby. No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is \$89.00 for every hour or fraction thereof.			
Sailing delay:	\$ 89.00 per hour		
No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is \$89.00 for every hour or fraction thereof.			
	\$ 89.00 per hour		
Slowdown: When a vessel chooses not to maintain its normal speed capabilities for reasons determined by the vessel and not the pilot, and when the difference in arrival time is one hour, or greater, from the predicted arrival time had the vessel maintained its normal speed capabilities, a charge of \$89.00 per hour, and each fraction thereof, will be assessed for the resultant difference in arrival time.			
Super ships: 20,000 to 50,000 gross tons: Additional charge to LOA zone mileage of \$0.0472 a gross ton for all gross tonnage in excess of 20,000 gross tons up to 50,000 gross tons.  50,000 gross tons and up: In excess of 50,000 gross tons, the charge shall be \$0.0565 per gross ton.			
For vessels where a certificate of international gross tonnage is required, the appropriate international gross tonnage shall apply.			
Delayed arrival—Port Angeles:	\$ 89.00 per hour		
When a pilot is ordered for an arriving inbound vessel at Port Angeles and the vessel does not arrive within two hours of its ETA, or its ETA is amended less than six hours prior to the original ETA, a charge of \$89.00 for each hour delay, or fraction thereof, shall be assessed in addition to all other appropriate charges.			
Transportation to vessels on Puget Sound:			
March Point or Anacortes	\$ 112.00		
Bangor	65.00		
Bellingham	124.00		
Bremerton	34.00		
Cherry Point	146.00		
Dupont	65.00		
Edmonds	23.00		
Everett	42.00		
Ferndale	134.00		
Manchester	51.00		
Mukilteo	41.00		

LOA	ZONE I Intra Harbor	ZONE II 0-30 Miles	ZONE III 31-50 Miles	ZONE IV 51-75 Miles	ZONE V 76-100 Miles	ZONE VI 101 Miles & Over
Up to 449	133	208	361	541	730	950
450 - 459	136	213	364	549	741	953
460 - 469	140	216	368	558	752	957
470 - 479	145	221	373	570	755	960
480 - 489	148	226	375	580	760	963
490 - 499	151	228	379	590	768	968
500 - 509	158	232	386	599	774	975
510 - 519	160	237	390	606	782	978
520 - 529	162	246	396	609	789	987
530 - 539	168	249	401	616	801	997
540 - 549	171	253	409	623	815	1006
550 - 559	174	261	412	632	821	1016
560 - 569	181	271	420	638	830	1026
570 - 579	184	275	424	640	837	1033
580 - 589	192	279	432	645	843	1044
590 - 599	201	285	435	649	855	1055
600 - 609	208	293	441	651	864	1061
610 - 619	220	296	449	655	874	1070
620 - 629	229	300	455	660	883	1082
630 - 639	241	307	459	662	891	1093
640 - 649	251	313	464	665	901	1101
650 - 659	267	319	472	670	911	1111
660 - 669	275	322	477	673	920	1120
670 - 679	283	330	482	685	931	1127
680 - 689	288	337	488	692	939	1138
690 - 699	296	342	494	705	950	1161
700 - 719	310	353	504	712	966	1175
720 - 739	328	364	516	722	987	1194
740 - 759	342	379	527	730	1006	1215
760 - 779	356	395	539	741	1026	1233
780 - 799	373	410	549	752	1044	1254
800 - 819	388	424	560	757	1061	1272
820 - 839	401	438	572	768	1082	1288
840 - 859	419	456	584	776	1101	1310
860 - 879	433	472	596	798	1120	1328
880 - 899	449	487	606	816	1138	1348
900 - 919	462	501	617	835	1161	1367
920 - 939	478	516	632	855	1175	1385
940 - 959	494	530	641	874	1194	1403
960 - 979	507	546	653	891	1215	1423
980 - 999	525	560	663	911	1233	1441
1000 & over	539	579	675	931	1254	1461



**WSR 90-14-087**  
**NOTICE OF PUBLIC MEETINGS**  
**HUMAN RIGHTS COMMISSION**  
 [Memorandum—July 2, 1990]

This is to advise you that the Washington State Human Rights Commission will hold its next regular commission meeting in Yakima on July 25 and 26, 1990. The meeting on July 25, will be a goals assessment session held in Ballroom B from 9:30 a.m. to 4:00 p.m. There will be a reception for the Yakima Valley area community members on July 25, in Ballrooms A and B from 7:00 p.m. to 9:00 p.m. There will be a goals assessment session on July 26, in Ballroom B from 9:30 a.m. to 11:30 a.m. The regular business meeting will be held in Ballroom B beginning at 1:30 p.m. on July 26, 1990. There will be a rule-making hearing in Ballroom B at 2:00 p.m. regarding chapter 162-08 WAC which will include: Procedural changes for withdrawing complaints; procedural changes for completing and approving findings and investigations; and, procedural changes on settlement of complaints filed. The two day meeting and reception will be held at the Holiday Inn of Yakima, 9 North 9th Street, Yakima, in the rooms indicated above.

**WSR 90-14-088**  
**NOTICE OF PUBLIC MEETINGS**  
**EVERETT COMMUNITY COLLEGE**  
 [Memorandum—June 28, 1990]

Please change the August 8, 1990, regular meeting date of the board of trustees of Everett Community College to August 15, 1990. The meeting time will be 12:30 p.m.

**WSR 90-14-089**  
**PROPOSED RULES**  
**UTILITIES AND**  
**COMMISSION TRANSPORTATION**  
 [Filed July 3, 1990, 11:54 a.m.]

Original Notice.

Title of Rule: WAC 480-122-010, 480-122-020, 480-122-030, 480-122-050, 480-122-060, 480-122-070, 480-122-080 and 480-122-090, relating to the Washington telephone assistance program. The proposed amendatory sections are shown below as Appendix A, Docket No. UT-900462. Written and/or oral submissions may also contain data, views and arguments concerning the effect of the amendatory sections on economic values, pursuant to chapter 43.21H RCW.

Purpose: See Short Explanation below.

Statutory Authority for Adoption: RCW 80.01.040.

Statute Being Implemented: Chapter 170, Laws of 1990.

Summary: See Short Explanation below.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Paul Curl, Secretary, and Utilities Staff, 1300 South Evergreen Park Drive S.W., Olympia, WA, (206) 753-6451.

Name of Proponent: Washington Utilities and Transportation Commission, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization as reflected in RCW 80.01.040.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: These amendments change the name of the program from "lifeline" to "Washington" telephone assistance program; provide for an assistance rate to financially needy persons 60 years of age or older who receive financial or medical assistance, food stamps, or supportive services in their own home and who are notified of their eligibility by DSHS; lower the assistance rate to \$8 per month and the connection fees by any discounts available from other programs; provide that where available, single party service shall qualify as the lowest available flat rate for persons otherwise eligible for the telephone assistance program; and identify the telephone assistance excise tax on ratepayers' billings.

Proposal Changes the Following Existing Rules: See Short Explanation above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Commission Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, on August 15, 1990, at 9:00 a.m.

Submit Written Comments to: Paul Curl, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA, by July 30, 1990.

Date of Intended Adoption: August 15, 1990.

July 3, 1990

Paul Curl  
Secretary

APPENDIX "A"

AMENDATORY SECTION (Amendatory Order R-277, filed 10/1/87)

WAC 480-122-010 DEFINITIONS. For purposes of this chapter:

(1) "Local exchange company" means a telecommunications company providing local exchange telecommunications service.

(2) "Department" means the department of social and health services.

(3) "~~(Lifeline)~~ Washington telephone assistance program" means:

(a) A discount on residential service connection fees of fifty percent;

(b) A waiver of the deposit on local residential exchange service;

(c) A discounted flat rate on one access line for local residential exchange service for eligible persons subscribing to the lowest available local exchange flat rate service, where that rate, including any federal end user access charge or other charge necessary to obtain local exchange service, is greater than the ~~((lifeline service))~~ telephone assistance rate set by the commission. Where available, single-party service shall qualify as the lowest available flat rate for persons otherwise eligible, who are sixty years of age or older, or who receive medical assistance.

(4) "Eligible person" means ~~((any participant in the following department programs who has been certified as eligible by the department:~~

~~(a) Aid to families with dependent children;~~

~~(b) Chore services;~~

(c) Food stamps;  
 (d) Supplemental security income;  
 (e) Refugee assistance; and  
 (f) Community options program entry system.) an adult recipient of department-administered programs for the financially needy which provide continuing financial or medical assistance, food stamps, or supportive services to persons in their own homes. The department shall notify the participants of their eligibility.

(5) "Eligibility period" means a one-year period of eligibility as certified by the department. The eligibility period shall run from ~~((August 1))~~ July 1 through ~~((July 31))~~ June 30 of the succeeding year.

(6) "Charge necessary to obtain local exchange service" means the charge for the lowest available grade of residential flat rate service, any federal end user access charge, any charge for nonoptional extended area service and any charge for nonoptional mileage. It does not include any charge for customer premises equipment or any applicable taxes.

(7) "Switched access line" means a communication facility extending from a serving central office to a customer's premises to provide access to and from the switched telecommunications network for message toll service and local calling. When used with PBX or Centrex-CU a switched access line may also be referred to as a trunk.

(8) "Connection fees" means any service charge applicable to the connection of a switched access line to establish new service, but not including line extension charges or any delinquent balance owed to the local exchange company.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order R-277, filed 10/1/87)

WAC 480-122-020 ~~((LIFELINE SERVICE))~~ WASHINGTON TELEPHONE ASSISTANCE PROGRAM RATE. The ~~((lifeline service))~~ telephone assistance rate is ~~((ten))~~ eight dollars per month.

AMENDATORY SECTION (Amending Order R-277, filed 10/1/87)

WAC 480-122-030 CONNECTION FEES. Eligible persons shall receive a fifty percent discount on service connection fees. Any connection fee discounts available from other programs shall be added to the telephone assistance discount, thus paying part or all of the remaining fee. The service connection fee remaining after application of the discount shall be payable in no fewer than three installments. A subscriber may choose to pay the connection fee in a lump sum. Eligible persons shall be allowed one connection fee discount per eligibility period.

AMENDATORY SECTION (Amending Order R-277, filed 10/1/87)

WAC 480-122-050 OTHER CHARGES. No change of service charge shall be charged to an eligible subscriber for the establishment of service under the ~~((lifeline))~~ telephone assistance program.

AMENDATORY SECTION (Amending Order R-300, filed 5/11/89)

WAC 480-122-060 ~~((SURCHARGES-))~~ TELEPHONE ASSISTANCE EXCISE TAX. Beginning July 1, 1990, local exchange companies shall ~~((surcharge))~~ collect a telephone assistance excise tax on all switched access lines ~~((not subscribing under the lifeline assistance program))~~ of five cents per month, in lieu of previously tariffed lifeline surcharge. Each party line subscriber shall be assessed the ~~((surcharge))~~ telephone assistance excise tax in full. The telephone assistance excise tax shall be separately identified on each ratepayer's bill as the "Washington telephone assistance program". Money collected from the ~~((surcharge))~~ telephone assistance excise tax shall be transferred to a ~~((lifeline))~~ telephone assistance fund to be administered by the department.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order R-277, filed 10/1/87)

WAC 480-122-070 RECOVERY OF COSTS. Local exchange companies shall recover to the maximum extent possible by a waiver of all or part of the federal end user access charge and, to the extent necessary, from the ~~((lifeline))~~ telephone assistance fund administered by the department the following amounts:

(1) The difference between the ~~((lifeline service))~~ telephone assistance rate specified in WAC 480-122-020 and the lowest available local exchange service flat rate, as specified in WAC 480-122-010 (3)(c);

(2) The discounted portion of the service connection fees;

(3) Applicable taxes not billed to the subscriber;

(4) Net uncollectibles directly resulting from the waiver of local exchange service deposits for eligible subscribers, provided that any partial payment collected for disconnected accounts shall be applied first to the payment of the local service bill; with the total for any account not to exceed two times the ~~((lifeline service))~~ telephone assistance rate; and

(5) Administrative and program expenses incurred in offering the ~~((lifeline))~~ telephone assistance program. ~~((including change of service charges if otherwise applicable, not to exceed the amount tariffed, as necessary to meet the requirements of WAC 480-122-010 (3)(c)))~~ as authorized by the department.

AMENDATORY SECTION (Amending Order R-277, filed 10/1/87)

WAC 480-122-080 ACCOUNTING. Local exchange companies shall maintain their accounting records so that expenses associated with the ~~((lifeline))~~ telephone assistance program can be separately identified. Only the unwaived portion of the federal end user access charge shall be shown on the ratepayer's bill.

AMENDATORY SECTION (Amending Order R-277, filed 10/1/87)

WAC 480-122-090 ADMINISTRATION. (1) A local exchange company shall not extend ~~((lifeline))~~ telephone assistance program benefits to any person for any period prior to the earlier of:

(a) The date on which the local exchange company first receives from said person written evidence of his status as an eligible subscriber; or

(b) The date on which the local exchange company first receives confirmation from the department that said person is an eligible subscriber.

(2) A local exchange company shall not continue ~~((lifeline))~~ telephone assistance program benefits to any person for whom renewed certification has not been received by the company from the department beyond the expiration of the eligibility period for which the company has most recently received certification.

## WSR 90-14-090

### PERMANENT RULES

### DEPARTMENT OF ECOLOGY

[Order 90-15—Filed July 3, 1990, 2:23 p.m.]

Date of Adoption: July 3, 1990.

Purpose: Adoption of a revised shoreline master program into the state master program, chapter 173-19 WAC.

Citation of Existing Rules Affected by this Order: Amending WAC 173-19-2517 North Bend, city of.

Statutory Authority for Adoption: RCW 90.58.200.

Pursuant to notice filed as WSR 90-09-097 on April 18, 1990.

Changes Other than Editing from Proposed to Adopted Version: Residential densities in the conservancy environment and rural environments were reversed (from minimum lot size of 2 acres in conservancy and 5 acres in rural environment to 5 acres in conservancy and 2

acres in rural) and minor changes were made in wording to clarify the intent of the revisions.

Effective Date of Rule: Thirty-one days after filing.  
 July 3, 1990  
 Fred Olson  
 Deputy Director

AMENDATORY SECTION (Amending Order DE 87-43, filed 12/1/87)

WAC 173-19-2517 NORTH BEND, CITY OF. City of North Bend master program approved September 18, 1974. Revision approved December 1, 1987. Revision approved July 3, 1990.

**WSR 90-14-091**  
**PERMANENT RULES**  
**DEPARTMENT OF ECOLOGY**

[Order 90-14—Filed July 3, 1990, 2:26 p.m.]

Date of Adoption: July 3, 1990.

Purpose: Adoption of a revised shoreline master program into the state master program, chapter 173-19 WAC.

Citation of Existing Rules Affected by this Order: Amending WAC 173-19-280 Klickitat County.

Statutory Authority for Adoption: RCW 90.58.200.

Pursuant to notice filed as WSR 90-09-096 on April 18, 1990.

Changes Other than Editing from Proposed to Adopted Version: Minor modifications in wording to ensure consistency with the Shoreline Act and to clarify the intent of the revisions including certain permit requirements.

Effective Date of Rule: Thirty-one days after filing.  
 July 3, 1990  
 Fred Olson  
 Deputy Director

AMENDATORY SECTION (Amending Order DE 83-40, filed 3/2/84)

WAC 173-19-280 KLUCKITAT COUNTY. Klickitat County master program approved August 29, 1975. Revision approved September 6, 1979. Revision approved March 1, 1984. Revision approved July 3, 1990.

**WSR 90-14-092**  
**NOTICE OF PUBLIC MEETINGS**  
**PUGET SOUND**  
**WATER QUALITY AUTHORITY**

[Memorandum—July 2, 1990]

Listed below is the date and specific location for the August meeting of the Puget Sound Water Quality Authority.

The meeting begins at 9:30 a.m.

Wednesday, August 15, 1990  
 House Hearing Room C  
 John L. O'Brien Building  
 State Capitol Campus  
 Olympia

**WSR 90-14-093**  
**PERMANENT RULES**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Order 16—Filed July 3, 1990, 4:00 p.m.]

Date of Adoption: July 3, 1990.

Purpose: To set forth policies and procedures for the operation of a teacher assistance program, including the conditions for the receipt of state moneys for such purpose by school districts of the state.

Citation of Existing Rules Affected by this Order: Chapter 392-196 WAC.

Statutory Authority for Adoption: RCW 28A.67.240.

Pursuant to notice filed as WSR 90-11-088 on May 17, 1990.

Effective Date of Rule: Thirty-one days after filing.  
 July 3, 1990  
 Judith A. Billings  
 Superintendent of  
 Public Instruction

AMENDATORY SECTION (Amending Order 17, filed 10/20/89, effective 11/20/89)

WAC 392-196-030 DEFINITION—BEGINNING TEACHER(~~(/EXPERIENCED TEACHER)~~) STIPEND. As used in this chapter, the term "beginning teacher stipend" shall mean an amount paid by a school district to a beginning teacher(~~(/experienced teacher)~~) for three days of attendance at the required workshops or training sessions. Such stipend, including the amount and conditions applicable, shall be set forth in a supplemental contract in accordance with and subject to the provisions of RCW (~~(28A.67.074)~~) 28A.405.240.

NEW SECTION

WAC 392-196-037 EXPERIENCED TEACHER PARTICIPATION. "Experienced teachers" shall not be required to participate in this program nor attend the superintendent of public instruction sponsored mentor workshops and shall not receive a stipend. Districts shall be reimbursed for up to twenty-four hours substitute teacher expenses (per team) associated with participation of experienced teachers if such funds are available after all nominated beginning teachers have been included.

AMENDATORY SECTION (Amending Order 17, filed 10/20/89, effective 11/20/89)

WAC 392-196-040 DEFINITION—EDUCATIONAL SERVICE DISTRICT SPONSORED

**WORKSHOP.** As used in this chapter, the term "educational service district sponsored workshop" shall mean an in-service training program sponsored by the educational service district for the purpose of providing professional training for beginning (~~(/experienced)~~) teachers and mentors with particular emphasis upon improving communications skills and developing support teams. Such workshops shall be no more than one day in length and shall not be held during school hours.

**AMENDATORY SECTION** (Amending Order 17, filed 10/20/89, effective 11/20/89)

**WAC 392-196-045 DEFINITION—SCHOOL DISTRICT WORKSHOPS.** As used in this chapter, the term "school district workshops" shall mean an in-service training program sponsored or approved by the school district for the purpose of providing professional training for the mentors and the beginning (~~(or participating experienced)~~) teachers in one or more of the following:

- (1) Communication skills;
- (2) Teacher effectiveness; and/or
- (3) School district policies and procedures.

Such workshops shall be no longer than two days in length, but need not be consecutive days, and shall not be held during school hours. School districts will be provided fifty dollars per team, per workshop to support the costs associated with providing two days of training.

**AMENDATORY SECTION** (Amending Order 17, filed 10/20/89, effective 11/20/89)

**WAC 392-196-066 BEGINNING TEACHER (~~(/EXPERIENCED TEACHER)~~) STIPEND—MINIMUM AMOUNT.** The minimum amount of the beginning teacher (~~(/experienced teacher)~~) stipend shall be two hundred forty dollars.

**AMENDATORY SECTION** (Amending Order 17, filed 10/20/89, effective 11/20/89)

**WAC 392-196-080 SCHOOL DISTRICT APPLICATION TO SPI FOR PARTICIPATION IN THE TEACHER ASSISTANCE PROGRAM.** Any district may apply to the superintendent of public instruction for participation in the teacher assistance program. The application shall require the superintendent of the district to provide the following assurances:

- (1) The board of directors of the district has reviewed the requirements of this chapter and has agreed to the conditions therein.
- (2) The mentor teacher shall be paid a mentor teacher stipend.
- (3) The beginning (~~(/experienced)~~) teacher shall be paid a beginning (~~(/experienced)~~) teacher stipend.

(4) The beginning (~~(/experienced)~~) teacher and mentor shall be required to attend and shall be reimbursed by the district for travel expenses for attendance at the educational service district sponsored workshops or training sessions.

(5) The mentor (~~(teacher, the)~~) and beginning (~~(teacher, and the experienced)~~) teachers shall be released from teaching responsibilities in order to jointly

or separately observe each other or observe colleagues in teaching situations.

(6) The district shall provide for or approve two days of workshops as training sessions as defined in WAC 392-196-045. The mentor and beginning (~~(or participating experienced)~~) teachers shall be required to attend together and shall be reimbursed by the district for expenses for attendance at the two school district sponsored or approved workshops or training sessions.

(7) The total released time from classroom teaching as required by subsection (5) of this section shall be at least twenty-four scheduled instructional hours per school year but no more than twenty-four scheduled instructional hours shall be paid for with funds made available under this chapter.

(8) Mentor teachers shall not be involved in evaluations of their beginning (~~(or experienced)~~) teachers conducted pursuant to RCW (~~(28A.67.065)~~) 28A.405.100.

(9) The mentor (~~(teacher,)~~) and beginning teacher (~~(; and experienced teacher)~~) shall be required to complete and forward to the superintendent of public instruction such evaluation reports of the teacher assistance program as requested by the superintendent of public instruction.

(10) Mentor teachers shall periodically inform their principals respecting the contents of training sessions and other program activities.

(11) The superintendent of the district shall supply the superintendent of public instruction, at times specified by the superintendent of public instruction, such information as requested regarding the teacher assistance program, including agendas and evaluation material from each district sponsored or approved workshop or training session.

**AMENDATORY SECTION** (Amending Order 17, filed 10/20/89, effective 11/20/89)

**WAC 392-196-085 SELECTION PROCESS.** Nominations for the teacher assistance program must be received by the office of the superintendent of public instruction by 5:00 p.m. September 15 (~~(, 1989)~~).

A maximum of nine hundred beginning teacher and mentor teams and a maximum of one hundred experienced teacher and mentor teams will be selected) of a given year: PROVIDED, That if September 15 falls on a weekend, the nominations must be received by the office of the superintendent of public instruction by 5:00 p.m. on the Monday following September 15. Applications will be accepted based upon date of receipt at the office of the superintendent of public instruction until funding is depleted.

**AMENDATORY SECTION** (Amending Order 17, filed 10/20/89, effective 11/20/89)

**WAC 392-196-100 DISTRIBUTION OF STATE MONEYS FOR THE TEACHER ASSISTANCE PROGRAM.** The superintendent of public instruction shall issue grant awards (~~(for the 1989-90 school year for a maximum of one thousand seven hundred thirty~~

dollars per mentor-beginning teacher team)) to the participating school districts according to the dollar amount per team established pursuant to WAC 392-196-095.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 392-196-051 EXPERIENCED TEACHER—DEFINITION.
- WAC 392-196-052 EXPERIENCED TEACHER PARTICIPATION.
- WAC 392-196-070 EXPERIENCED TEACHER PARTICIPATION.
- WAC 392-196-072 SUPERINTENDENT OF PUBLIC INSTRUCTION CONSULTATION.
- WAC 392-196-075 EXPERIENCED TEACHER—SELECTION CRITERIA.

#### WSR 90-14-094

#### WITHDRAWAL OF PROPOSED RULES EMPLOYMENT SECURITY DEPARTMENT (By the Code Reviser's Office)

[Filed July 3, 1990, 4:10 p.m.]

WAC 192-16-250, 192-16-300, 192-16-305, 192-16-310, 192-16-315, 192-16-320, 192-16-325, 192-16-330, 192-16-335, 192-16-340 and 192-16-345, proposed by the Employment Security Department in WSR 90-01-101, appearing in issue 90-01 of the State Register, which was distributed on January 3, 1990, is withdrawn by the code reviser under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor  
Washington State Register

#### WSR 90-14-095

#### PROPOSED RULES DEPARTMENT OF REVENUE

[Filed July 5, 1990, 8:35 a.m.]

#### Original Notice.

Title of Rule: New section WAC 458-20-17902 Brokered natural—Use tax.

Purpose: To explain the use tax on brokered natural gas and its administration.

Statutory Authority for Adoption: RCW 82.32.300.

Statute Being Implemented: Chapter 384, Laws of 1989.

Summary: This rule explains the applicability of state and local use tax and the tax base computation on brokered natural gas.

Name of Agency Personnel Responsible for Drafting: Byron Norton, 711 Capitol Way, #205, Olympia, (206) 753-0665; Implementation: Les Jaster, 711 Capitol Way, #400, Olympia, (206) 586-7150; and Enforcement: Ed Faker, 711 Capitol Way, #400, Olympia, (206) 753-5579.

Name of Proponent: Department of Revenue, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule implements the new state and local use tax on brokered natural gas. The rule explains when the tax applies the effect of transportation charges and the use of credits against the tax. The statute and rule provides for the same tax rates for state and local governments regardless of whether it is an interstate or intra-state transaction.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The Department of Revenue has reviewed administrative provisions contained in this rule in order to lessen the economic impact on small businesses. A small business economic impact statement is not required for the following reason: Affects less than 20% of all industries. There are presently 314,019 businesses in the state of Washington and this rule affects only 59, less than 1%. Furthermore, of the 59 businesses affected, there are 30 three digit standard industrial codes involved. There is less than 6% involvement in any one three digit code.

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA, on August 9, 1990, at 9:30 a.m.

Submit Written Comments to: Byron Norton, Administrative Law Judge, Department of Revenue, Interpretation and Appeals, Mailstop AX-02, Olympia, Washington 98504, by August 9, 1990.

Date of Intended Adoption: August 16, 1990.

July 5, 1990  
Edward L. Faker  
Assistant Director

#### NEW SECTION

WAC 458-20-17902 BROKERED NATURAL GAS - USE TAX. (1) DEFINITIONS.

(a) "Brokered natural gas" as used in this section is natural gas purchased by a consumer from a source out of the state and delivered to the consumer in this state.

(b) "Value of gas consumed or used" as used in this section shall be the purchasing price of the gas to the consumer and generally shall include all or part of the transportation charges as explained later.

(2) APPLICABILITY OF USE TAX. The distribution and sale of natural gas in this state is generally taxed under the state and city public utility taxes. With changing conditions and federal regulations, it is now possible to have natural gas brokered from out of the state and sold directly to the consumer. If this occurs and the public utility taxes have not been paid, RCW 82.12.022 (state) and RCW 82.14.230 (city) impose a use tax on the brokered natural gas at the same rate as the state and city public utility taxes.

(3) STATE TAX. When the use tax applies, the rate of tax imposed is equal to the public utility tax on gas distribution business under RCW 82.16.020 (1)(c). The rate of tax applies to the value of the gas consumed or used and is imposed upon the consumer.

(4) CITY TAX. Cities are given the authority to impose a use tax on brokered natural gas. When imposed and applicable, the rate of tax is equal to the tax on natural gas business under RCW 35.21.870 on the value of gas consumed or used and is imposed on the consumer.

(5) TRANSPORTATION CHARGES.

(a) If all or part of the transportation charges for the delivery of the brokered natural gas are separately subject to the state's and cities' public utility taxes (RCW 82.16.020 (1)(c) and RCW 35.21.870), those transportation charges are excluded from measure of the use tax.

The transportation charges not to subject to the public utility taxes are included in the value of the gas consumed or used.

(b) EXAMPLES.

(i) Public university purchases natural gas from an out of the state source through a broker. The natural gas is delivered by interstate pipeline to the local gas distribution system who delivers it to the university. The university pays the supplier for the gas, the pipeline for the interstate transportation charge, and the gas distribution system for its local transportation charge. The transportation charge by the pipeline is not subject to public utility tax because it is an interstate transportation charge. The transportation charge paid to the local gas distribution system is subject to the public utility taxes as an intrastate delivery. The value of the gas consumed or used is the purchase price paid to the supplier plus the transportation charge paid to pipeline company.

(ii) The above factual situation applies except that the natural gas is delivered directly by the interstate pipeline to the university. The university pays the supplier for the gas and the pipeline for the transportation charge. As the transportation charge is not subject to the public utility tax, it will be included in the measure of the tax. The value of the gas consumed or used is the purchase price plus the transportation charge paid to the pipeline.

(6) CREDITS AGAINST THE TAXES.

(a) A credit is allowed against the use taxes described in this section for any use tax paid by the consumer to another state which is similar to this use tax and is applicable to the gas subject to this tax. Any other state's use tax allowed as a credit shall be prorated to the state's and cities' portion of the tax based on the relative rates of the two taxes.

(b) A credit is also allowed against the use tax imposed by the state for any gross receipts tax similar that imposed pursuant to RCW 82-16.020 (1)(c) by another state on the seller of the gas with respect to the gas consumed or used.

(c) A credit is allowed against the use tax imposed by the cities for any gross receipts tax similar to that imposed pursuant to RCW 35-21.870 by another state or political subdivision of the state on the seller of the gas with respect to the gas consumed or used.

(7) REPORTING REQUIREMENTS. The person who delivers the gas to the consumer shall make a report to the Miscellaneous Tax Division of the department by the fifteenth day of the month following a calendar quarter. The report shall contain the following information:

- (a) The name and address of the consumer to whom gas was delivered,
- (b) the volume of gas delivered to each consumer during the calendar quarter, and,
- (c) service address of consumer if different from mailing address.

(8) COLLECTION AND ADMINISTRATION. A separate quarterly return for use tax on brokered natural gas shall be filed with the department by the consumer on or before the last day of the month following a calendar quarter accompanied by the remittance of the tax. The collection and administration for the cities of the use tax described in this section shall be done by the department under RCW 82.14.050.

**WSR 90-14-096**

**PROPOSED RULES**

**DEPARTMENT OF LICENSING**

[Filed July 5, 1990, 10:40 a.m.]

**Original Notice.**

Title of Rule: WAC 308-14-085 Examination; 308-14-130 Standards of professional practice; and 308-14-135 Transcript preparation guidelines.

Purpose: To adopt examination and set professional standards.

Statutory Authority for Adoption: RCW 18.145.050.

Statute Being Implemented: Chapter 18.145 RCW.

Summary: To establish standard examination and procedures; and set standards of professional practice and transcript guidelines.

Reasons Supporting Proposal: Enable complete enforcement of RCW.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Judy Riker, 2424 Bristol Court, Olympia, WA, 586-6359.

Name of Proponent: Department of Licensing, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 308-14-085 will allow for adoption of an examination and standards of the examination; WAC 308-14-130 adopts professional standards of practice; and WAC 308-14-135 adopts standard transcript preparation guidelines.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Licensing, Professional Licensing, 2424 Bristol Court, Olympia, WA, on August 10, 1990, at 9:00 a.m.

Submit Written Comments to: Judy Riker, Court Reporters, P.O. Box 9649, Olympia, WA 98504, by August 9, 1990.

Date of Intended Adoption: August 10, 1990.

July 5, 1990

Judy J. Riker

Program Manager

NEW SECTION

WAC 308-14-085 EXAMINATION. (1) The examination for "court reporter," "shorthand reporter," "certified court reporter," or "certified shorthand reporter" shall be the Washington state statutory examination beginning with the April 1990 examination.

(2) Recognition of the Washington state statutory examination as the Washington certification examination is conditioned upon the examination meeting the following requirements:

- (a) Be a timed tape;
- (b) At least ninety-five percent accuracy is needed to pass the examination;
- (c) Be offered at least twice a year;
- (d) The pass/fail scores of the state certification applicants is provided to the department within two weeks of the date of the examination;
- (e) Supply examinations statistics following each examination; the number scheduled, passed, failed, and failed to appear; and
- (f) The examination security requirements of the department of licensing are met.

(3) State applicants who have previously passed the Washington state department of licensing recognized examination within three years prior to application may be issued certification without additional examination if certified documentation of the passed examination is provided.

NEW SECTION

WAC 308-14-130 STANDARDS OF PROFESSIONAL PRACTICE. All certified shorthand reporters (CSR) shall comply with the following professional standards. Certified shorthand reporters shall:

- (1) Include on all transcripts, business cards, and advertisements their CSR reference number.
- (2) Prepare transcripts in accordance with the transcript preparation guidelines established by WAC 308-14-135 or court.
- (3) Preserve and file their shorthand notes in a manner retrievable. Transcribed notes shall be retained for no less than three years. Untranscribed notes shall be retained for no less than ten years or as required by statute, whichever is longer.
- (4) Meet promised delivery dates.
- (5) Prepare accurate transcripts.
- (6) Disclose conflicts, potential conflicts, or appearance of conflicts to all involved parties.

(7) Be truthful and accurate in advertising qualifications and/or services provided.

(8) Preserve confidentiality of information in their possession and take all steps necessary to insure its security and privacy.

(9) Notify all involved parties when transcripts are ordered.

(10) Notify all involved parties, when a transcript is ordered by a person not involved in the case, before a copy of the transcript is furnished. If any party objects, the transcript is not provided without a court order.

(11) Not release a transcript of a statement, other than a deposition, of a witness without the consent of the contracting party or a court order.

(12) Give witness/deponent thirty days to read, correct and sign, before a notary, a correction sheet unless waived by witness or attorney representing the witness.

(13) Deliver the original transcript to the contracting attorney.

(14) Supply certified copies of transcripts to any involved party, when requested.

#### NEW SECTION

WAC 308-14-135 TRANSCRIPT PREPARATION GUIDELINES. The following transcript guidelines will be followed by all certified shorthand reporters (CSRs), except where guidelines are recommended or established by court or agency.

(1) No fewer than twenty-five typed lines on standard 8 1/2 x 11 inch paper.

(2) No fewer than ten characters to the typed inch.

(3) Left-hand margin to be set at no more than 1 7/8" from the left edge of the paper.

(4) Right-hand margin to be set at no more than 1/2" from right edge of the paper.

(5) Each question and answer to begin on a separate line.

(6) Each question and answer to begin at the left-hand margin, with no more than five spaces from the Q and A to the text.

(7) Carryover Q and A lines to begin no more than six spaces from the left margin.

(8) Colloquy material, parentheticals, and exhibit markings to begin no more than fifteen spaces from the left-hand margin. Carryover to begin no more than six spaces from the left-hand margin.

**WSR 90-14-097**  
**PROPOSED RULES**  
**POLLUTION CONTROL**  
**HEARINGS BOARD**  
[Filed July 5, 1990, 10:46 a.m.]

#### Original Notice.

Title of Rule: Amending rules of practice and procedure and repealing public records.

Purpose: To update and simplify the procedural rules of the Pollution Control Hearings Board; and to repeal public records provisions which have been incorporated into chapter 198-12 WAC.

Other Identifying Information: Amendments of chapter 371-08 WAC; and repealing chapter 371-12 WAC.

Statutory Authority for Adoption: RCW 43.21B.110(3).

Statute Being Implemented: Chapter 43.21B RCW.

Summary: Updating of procedural rules to reflect statutory changes and actual board practices.

Reasons Supporting Proposal: New Administrative Procedure Act; amendments to chapter 43.21B RCW; and desire to clarify and simplify rules.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Judith A. Bendor, Lacey, 459-6327.

Name of Proponent: Pollution Control Hearings Board, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Amendment of existing procedural rules, last changed in 1981. The intention is to update these rules to reflect statutory changes occurring in the interim. The effect should be simply to make clear those procedures which are followed by the Pollution Control Hearings Board in complying with the law in actual practice.

Proposal Changes the Following Existing Rules: Changes to the existing rules conform to the new Administrative Procedure Act, chapter 34.05 RCW; and amendments to chapter 43.21B RCW as a result of chapter 109, Laws of 1987. The existing rules on public records are repealed because this subject is covered by substantially similar rules of the Environmental Hearings Office of which the Pollution Control Hearings Board is a part.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Minor or negligible economic effect, RCW 90.85.060(2) [19.85.060(2)].

Hearing Location: Environmental Hearings Office, 4224 6th Avenue S.E., Rowsix, Building No. 2, Lacey, WA 98504, on September 4, 1990, at 1:30 p.m.

Submit Written Comments to: Environmental Hearings Office, Mailstop PY-21, Lacey, Washington 98504-8921, by September 7, 1990.

Date of Intended Adoption: September 14, 1990.

July 5, 1990

Judith A. Bendor  
Chair

#### NEW SECTION

WAC 371-08-001 PURPOSE AND APPLICABILITY. (1) The purpose of chapter 371-08 WAC is to provide comprehensive rules of practice and procedure before the pollution control hearings board (hereinafter board).

(2) This chapter shall apply to all procedural matters before the board and replaces chapters 1-08 and 10-08 WAC, except where specifically noted.

#### NEW SECTION

WAC 371-08-002 COMMENCEMENT OF ADJUDICATIVE PROCEEDINGS. An adjudicative proceeding before the board shall be initiated by filing a notice of appeal with the board and the service of a copy thereof on the agency whose decision is being appealed. For the board to acquire jurisdiction both such filing and such service must be timely accomplished as provided in WAC 371-08-080.

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-005 MEMBERSHIP, FUNCTION AND JURISDICTION. (1) Members. The ~~((pollution control hearings))~~ board ~~((hereinafter board))~~ is ~~((an independent agency of the state of Washington))~~ composed of three members appointed by the governor, with the advice and consent of the senate, for a term of six years. The members are to be qualified by experience or training in pertinent matters pertaining to the environment, and at least one member shall be a lawyer, and not more than two members shall be of the same political party.

(2) Function and jurisdiction. The function of this board is to provide an expeditious and efficient disposition of appeals from the decisions and orders of the department of ecology ~~((hereinafter department))~~ or its director; and from the decisions of air pollution control ~~((boards or))~~ authorities established pursuant to chapter 70.94 RCW, and from the decisions of local health departments, when such orders



and decisions concern matters within the jurisdiction of the board as provided in ~~((the act creating it or any subsequent legislation (chapter 43-21B RCW))~~) RCW 43.21B.110:

(a) ~~((Appeals will lie from the issuance, modification or termination of any permit or license issued by the department or air pollution control boards or authorities, including the issuance, modification, or termination of waste disposal permits; the denial of the application for such permits, or the denial of an application for the modification of the terms of such permits.~~

(b) ~~The board also has jurisdiction to hear and decide appeals from any person aggrieved by an order issued by the department or by such air pollution control boards or authorities with respect to violations of any law administered by the department or of any rule or regulation adopted by the department or by air pollution boards or authorities, inclusive of any variances which the department or air pollution boards and authorities may be authorized to grant, but exclusive of appeals based upon claimed violations of their purely administrative rules and regulations. The board further has jurisdiction to hear and decide appeals from any person aggrieved by any final decision contained in the document issued by the department pursuant to the Environmental Coordination Procedures Act, RCW 90.62.060(6).~~

(c) ~~Civil penalties imposed pursuant to RCW 70.94.431, 70.105.080, 70.107.050, 90.03.600, 90.48.144, and 90.48.350.~~

(b) ~~Orders issued pursuant to RCW 43.27A.190, 70.94.211, 70.94.332, 70.105.095, 86.16.020, 90.14.130, 90.48.120.~~

(c) ~~The issuance, modification, termination or denial of any permit certificate or license by the department of ecology or any air pollution control authority.~~

(d) ~~Decisions of local health departments regarding the grant or denial of solid waste permits pursuant to chapter 70.95 RCW.~~

(e) ~~Any other decision by the department of ecology or an air pollution control authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.~~

(3) ~~ECPA. The board also has jurisdiction to hear and decide appeals from any final decision contained in the document issued by the department of ecology pursuant to RCW 90.62.060(6) of the Environmental Coordination Procedures Act.~~

(4) ~~This section is intended to be general and informational only, and failure herein to list matters over which the board has jurisdiction at law shall not constitute any waiver or withdrawal whatsoever from such jurisdiction.~~

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-010 BOARD ADMINISTRATION—OFFICE AND ADDRESS OF THE BOARD. (1) The administrative business of the board is performed by the Environmental Hearings Office, which holds regular meetings at 10:00 a.m. on the second Tuesday of each month, pursuant to WAC 198-12-030, at the address set forth below and at such other times and places as the chairperson shall designate.

(2) The ((headquarters and principal office of the)) board is housed at the office of the Environmental Hearings Office, 4224 6th Avenue S.E., Building 2 Rowesix, ((Mailstop: PY-21;)) Lacey, Washington. ((Telephone No. (206) 459-6327;)) The principal hearing room used by the board is located at the same address, although many hearings are held near the site of the dispute at issue.

(3) The mailing address of the board is:

Pollution Control Hearings Board  
Mailstop: PY-21  
Olympia, WA 98504

(4) The telephone number of the board is (206) 459-6327. The telefacsimile number is (206) 438-7699.

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-020 BOARD ADMINISTRATION—QUORUM. Two members of the board shall constitute a quorum for making orders or decisions, or for promulgating rules and regulations relating to its procedures, and may act although one position on the board be vacant ~~((RCW 43-21B-090))~~. One member or designated administrative ~~((law))~~ appeals judge may hold hearings and take testimony when assigned by the ~~((board))~~ chairperson to so do. The findings of such member or administrative ~~((law))~~ appeals judge shall not become final

until approved by a quorum of the board. ~~((The lawyer member shall be the chief administrative law judge.))~~

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-030 BOARD ADMINISTRATION—COMMUNICATIONS WITH THE BOARD—PUBLIC RECORDS. (1) All written communications by parties pertaining to a particular case, including ((requests for hearings on claimed violations of rules and regulations as specifically provided in RCW 43-21B-120;)) notices of appeal ((from orders and decisions of the director and/or department;)) and applications and requests for relief of any kind, shall be filed with the board ((at its principal office in Lacey, Washington)) either by manual delivery, by mail or by telefacsimile. Copies of all such written communications shall be furnished to the ~~((department or other))~~ appropriate agency and to all other interested parties ~~((or their representatives of record;))~~ and the original filed with the board shall show thereon compliance with this requirement.

(2) Public records maintained by the board are available for public inspection and copying as provided in chapter 198-12 WAC. The form for requests for public records is set forth in WAC 198-12-140.

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-032 DEFINITIONS. As used in this chapter the following terms shall have the following meaning:

(1) "Adjudicative proceeding" means a proceeding involving an opportunity for hearing before the board as defined in RCW 34.05.010. The term "adjudicative proceeding" is used interchangeably with the terms "case" and "appeal" in this chapter.

(2) "Agency" means any governmental entity—department of ecology, air pollution control authority, local health department, or other agency—whose decisions the board has jurisdiction to review.

(3) "Board" ((refers to and)) means the pollution control hearings board as described in WAC 371-08-005. Where appropriate, the term "board" also refers to the designated agents of the pollution control hearings board.

~~((2))~~ (4) "Department" refers to and means the department of ecology.

~~((3))~~ (5) "Filing" of a document that is required to be filed with the board means delivery of the document to the office of the board. Filing by telefacsimile transmission is effective only where the transmission is ten pages or less and where the original is simultaneously mailed or sent by commercial service delivery company.

(6) "Party" means:

(a) A person to whom any agency decision is specifically directed; or

(b) A person named as a party to the adjudicative proceeding, or allowed to intervene, or joined as a party by the board.

(7) "Person" means any individual, partnership, corporation, association, organization, governmental subdivision, agency, or entity of any character.

(8) "Presiding officer" ((or "hearing officer" shall mean any)) means a member of the board or ((any person)) an administrative appeals judge who is assigned to conduct a conference or hearing by the ~~((chairman or by the vice-chairman in event of the chairman's absence))~~ chairperson.

(9) "Service" means posting in the United States mail, properly addressed, postage prepaid; telefacsimile transmission; or personal service. Service by mail is complete upon deposit in the United States mail. Service by telefacsimile transmission is effective only where copies are simultaneously mailed or sent by commercial service delivery company.

NEW SECTION

WAC 371-08-033 SERVICE OF DOCUMENTS ON REPRESENTATIVES. Service of any document required to be served on a party to a case, including final decisions of the board, may be made by serving the party's representative in the matter.

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-035 APPEARANCE AND PRACTICE BEFORE THE BOARD—PERSONS WHO MAY AND MAY NOT APPEAR. (1) No person may appear in a representative capacity before the board ~~((or its designated hearing officer))~~ other than the following:



~~((1))~~ Attorneys at law duly qualified and entitled to practice before the supreme court of the state of Washington.

~~(2))~~ (a) Attorneys at law duly qualified and entitled to practice before the highest court of record of any state ~~(, if the attorneys at law of the state of Washington are permitted to appear in a representative capacity before administrative agencies of such other state, and if not otherwise prohibited by our state law).~~

~~((3))~~ (b) A bona fide officer, partner ~~((or)),~~ owner, full-time employee or member of an ~~((individual firm;))~~ association, partnership, corporation ~~((or local)),~~ organization, government ~~((unit))~~ subdivision or agency who appears for such ~~((individual, firm, association, partnership, corporation or local government unit))~~ entity.

~~((4))~~ (c) Legal interns admitted to practice under APR 9 of the rules of court ~~((may appear))~~ appearing before the board under the conditions and limitations therein specified.

~~((5))~~ (d) Any other individual designated by an entity to serve as spokesperson in a case, with the approval of the presiding officer.

(2) Nothing in this section shall be construed as limiting the right of any individual to represent himself or herself.

(3) No former employee of the department or member of the attorney general's staff may, at any time after leaving the employment of the department or the attorney general, appear, except when permitted by RCW 42.18.220, in a representative capacity on behalf of other parties in a formal proceeding in which an active part as a representative of the department was taken in the same case or proceeding.

(4) No former member of the board shall, for a period of one year after the termination of his or her membership, act in a representative capacity before the board on any matter.

#### AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-040 APPEARANCE AND PRACTICE BEFORE THE BOARD—APPEARANCE BY REPRESENTATIVE. (1) Appearances may be made on behalf of any party by his or her attorney or other duly authorized representative as defined in WAC 371-08-035, by

(a) Filing a notice of appeal or other pleading or a written notice of appearance containing the name of the party to be represented, and the name, address and telephone number of the representative, or by

(b) Entering an appearance at the time and place of a conference or hearing on the appeal, and notifying the presiding officer conducting the same of the party to be represented and the name, address and telephone number of the representative.

(2) Copies of every written notice of appearance shall be furnished by the representative to all other parties or their representatives of record at the time the original is filed with the board.

(3) Unless the department notifies the board otherwise, the attorney general shall, in all appeals from decisions and orders of the department and director, be deemed to have entered appearance for the department, and shall be exempt from the requirements herein relating to the filing of written notices of appearance and to the furnishing of copies of same to other parties and their representatives.

(4) ~~((Hereafter))~~ After an appearance by a representative for a party has been made, all future notices and orders shall be served by the board upon such representative. Service upon the representative shall constitute service upon the party.

#### AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-065 PRESIDING OFFICER—POWERS AND DUTIES. It shall be the duty of the presiding officer to conduct conferences or hearings in cases assigned in an impartial and orderly manner. The presiding officer shall have the authority, subject to the other provisions of these rules:

(1) To administer oaths and affirmations;

(2) To issue subpoenas and enter protective orders as provided in RCW ~~((34-04-105))~~ 34.05.446;

(3) To rule on all procedural matters, objections and motions;

(4) To rule on all offers of proof and receive relevant evidence;

(5) To ~~((interrogate))~~ question witnesses called by the parties in an impartial manner to develop any facts deemed necessary to fairly and adequately decide the appeal;

(6) To secure and present in an impartial manner such evidence, in addition to that presented by the parties, as deemed necessary to fairly and equitably decide the appeal;

(7) To take appropriate disciplinary action with respect to representatives of parties appearing before the board;

(8) To issue orders joining other parties, on motion of any party, or ~~((sua sponte))~~ on its own when it appears that such other parties may have an interest in, or may be affected by, the proceedings;

(9) To consolidate appeals for hearing when such consolidation will expedite disposition of the appeals and avoid duplication of testimony and when the rights of the parties will not be prejudiced thereby;

(10) To hold conferences for the settlement or amplification of the issues;

(11) To take or cause to be taken depositions and interrogatories pursuant to these rules and to procedures available to litigants in civil cases in superior courts in the state of Washington;

~~((To cause to be submitted, written sworn statements as currently provided in WAC 1-08-470 through 1-08-500;~~

~~((3))~~ To regulate the course of the hearing;

~~((4))~~ (13) To take any other action necessary and authorized by these rules and the law.

#### AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-071 SUBPOENAS. (1) Issuance. Subpoenas may be issued by ~~((any member of the board, or))~~ the presiding officer assigned to the case, or by ~~((the))~~ an attorney of record, as provided in RCW ~~((34-04-105))~~ 34.05.446. Each subpoena shall be subscribed with the signature of the issuing person. Parties desiring subpoenas to be signed by ~~((a person from the board))~~ the presiding officer shall make a showing of general relevance and reasonable scope of the testimony or evidence sought, and shall prepare the subpoenas for issuance, send them to the board's office for signature, and upon return shall make arrangements for service.

(2) Form. Every subpoena shall name the pollution control hearings board and the title of the proceedings, and shall command the person to whom it is directed to attend and give testimony or produce designated books, documents, or things under that person's control at a specified time and place.

(3) Service. Service of subpoenas shall be made by delivering a copy of the subpoena to such person and tendering on demand, where entitled to make such a demand, the fees for one day's attendance and the mileage allowed by law. All costs shall be paid by the party seeking the attendance of the witness.

(4) Proof of service. The person serving the subpoena shall make proof of service by filing the subpoena and the required return, affidavit or acknowledgement of service with the board or presiding officer of the case. Failure to make proof of service does not affect the validity of the service.

(5) Quashing. Upon motion made promptly (at or before the time specified in the subpoena for compliance) by the person to whom the subpoena is directed and upon notice to the party for whom the subpoena was issued, the ~~((board or its))~~ presiding officer may (a) quash, or (b) modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue, or (c) condition denial of the motion upon just and reasonable conditions.

(6) Geographical scope. Attendance of witnesses and production of evidence may be required from any place in the state of Washington, at any designated place of hearing.

#### AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-075 APPEALS TO THE BOARD—CONTENTS OF NOTICE OF APPEAL. The notice of appeal shall contain:

(1) The name, mailing address ~~((and)),~~ telephone number and telefacsimile number (if available) of the appealing party, and of the representative, if any;

(2) ~~((The appealing party's legal residence or principal place of business within the state;))~~ Identification of the parties, by listing in the caption or otherwise. In every case, the agency whose decision is being appealed and the person to whom the decision is directed shall be named as parties;

(3) A copy of the order or decision appealed from, and if the order or decision followed an application, a copy of the application;

(4) A short and plain statement showing the grounds upon which the appealing party considers such order or decision to be unjust or unlawful ~~((, and if one of the grounds so asserted is failure to comply with RCW 43.21C.030 (2)(c) (SEPA), three copies of any environmental impact statement if available to appellant));~~

(5) A clear and concise statement of facts upon which an appealing party relies to sustain his or her grounds for appeal.

~~((6))~~ (7) The relief sought, including the specific nature and extent; A statement that the appealing party has read the notice and believes the contents to be true, followed by the party's signature and the signature of the representative, if any. If the appealing party is unavailable to sign the notice of appeal, it may be signed by the representative.

(8) All pleadings shall be so construed as to do substantial justice.

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-080 APPEALS TO THE BOARD—TIME FOR FILING APPEALS. (1) Unless provided otherwise by law, the notice of appeal shall be filed within thirty days from the date the copy of the order or decision of the ((department or other)) agency ((or pollution control board or authority)) was communicated to the appealing party. ((The original and one copy of the notice of appeal shall be filed, by mail or otherwise, with the board.)) The date of filing shall be the date of actual receipt by the board. Receipt of an appeal shall be acknowledged by the board; the date stamp placed thereon shall be prima facie evidence of the date of receipt. The board may thereafter require additional copies to be filed.

(2) ((If the appeal is of a decision or order of the department, one)) Within the same thirty-day period, a copy of the notice of appeal shall be ((filed)) served, by mail or otherwise, ((with)) on the ((director of ecology. If the decision or order appealed from is made by another agency or an air pollution control board (or authority), a notice of appeal shall also be filed with that agency or board (or authority). If the appeal involves a license or permit, a copy of the notice of appeal shall also be mailed to the holder thereof)) agency whose decision is being appealed. Proof of such service may be made by certificate or affidavit filed with the board.

(3) A copy of the notice of appeal shall also be served on all other persons named as parties to the appeal.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-085 APPEALS TO THE BOARD—JURISDICTIONAL REQUIREMENTS—DISMISSAL ((OF APPEAL)) ON JURISDICTIONAL GROUNDS. (1) Timely filing of the notice of appeal with the board and timely service of the notice of appeal on the appropriate agency must both be accomplished for the board to acquire jurisdiction.

(2) Any party may challenge the jurisdiction of the board to hear an appeal ((on jurisdictional grounds)), and the board may ((sua sponte)) on its own raise the jurisdictional issue. The board ((may)) shall, when satisfied that it does not have jurisdiction, dismiss an appeal.

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-100 APPEALS TO THE BOARD—CORRECTION OR AMENDMENT OF NOTICE. ((+)) Within thirty days of receipt by the board, if any notice of appeal is found ((by the board)) to be defective or insufficient, the board may require the party filing said notice of appeal to correct, clarify or amend the same to conform to the requirements of ((the statute and)) the board's rules. The board may refuse to schedule any conference or hearing thereon until compliance with such requirements, or may issue an appropriate order which may include providing for dismissal of such appeal upon failure to comply within a specified time.

((2)) Prior to the scheduling of the hearing, the party appealing may amend the notice of appeal at any time; thereafter, such amendment may be made on such terms as the board or presiding officer may prescribe, and the presiding officer may, when deemed necessary, in justice to all parties, require correction, clarification or amendment of a notice of appeal before allowing any hearing thereon to proceed, or may issue an order requiring such correction, clarification or amendment to be made within a specified time, and if such requirement is not complied with, the board may issue an appropriate order which may include dismissal of the appeal.))

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-104 APPEALS TO THE BOARD—STAYS. (1) ((The existing law relating to the staying of appealed orders or decisions pending final determination by the board applies to pending matters:

(2) In an appropriate case, a party may apply for a stay of an appealed order or decision. Written application for such stay must be clearly designated as such in the title, preferably by a separate document. The factual and legal reasons for the granting of a stay shall be stated, and the application shall be supported by affidavits, where appropriate. The original application and one copy shall be filed with the board, and one copy shall be served on the appropriate agency and permit holder (if such holder is not the moving party, if any.)) A person appealing an order not stayed by the issuing agency, may obtain a stay of the effectiveness of that order only as set forth in this section.

(2) An appealing party may request a stay by including such a request in the notice of appeal or in a subsequent motion. The request must be accompanied by a statement of grounds for the stay and evidence setting forth the factual basis upon which the request is based.

(3) Upon receipt of ((an application)) a request for a stay, the board will ((schedule a hearing on the motion)) confer with the parties regarding its disposition. If necessary, a hearing on the motion will be held. If it appears that a hearing on the merits and issues of the case should be consolidated with the ((application)) request for a stay, the board will advance the hearing date on its own initiative, or by request of the parties.

(4) The requestor makes a prima facie case for a stay if the requestor demonstrates either a likelihood of success on the merits of the appeal or irreparable harm. Upon such a showing, the board shall grant the stay unless the agency demonstrates either (a) a substantial probability of success on the merits or (b) likelihood of success and an overriding public interest which justifies denial of the stay.

(5) Unless otherwise stipulated by the parties, the board, after granting or denying a request for a stay, shall expedite the hearing and decision on the merits.

(6) Any party aggrieved by the grant or denial of a stay by the board may petition the superior court of Thurston County for review of that decision pending the hearing on the merits before the board.

NEW SECTION

WAC 371-08-106 APPEALS TO THE BOARD—INTERVENTION. (1) The presiding officer may grant a petition for intervention at any time, upon determining that the petitioner qualifies as an intervener pursuant to Civil Rule 24.

(2) The presiding officer may impose conditions upon the intervenor's participation in the proceedings.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-125 CONFERENCES—PURPOSE OF PREHEARING CONFERENCES. The purpose of a prehearing conference shall be ((to obtain a stipulation of facts to show the board's jurisdiction in the matter; to obtain agreement as to the issues of law and fact presented and the simplification or limitation thereof; to determine the necessity of amendments to the notice of appeal or other pleadings; to determine the possibility of obtaining admissions of facts and authenticity of documents which will avoid unnecessary proof; to determine the admissibility of exhibits; to obtain stipulation as to all or part of the facts in the case; to determine the limitation of the number of witnesses; to obtain information as to the number of expert and lay witnesses expected to be called by the parties and their names when possible; to determine the approximate time necessary for the presentation of the evidence of the respective parties; and to obtain all other information which may aid in the prompt disposition of the appeal)):

(1) To determine the feasibility of a settlement of the appeal or, failing settlement;

(2) To prepare the case for hearing by scheduling the hearing and interim dates, by identification of issues, and, to the extent possible, witnesses, exhibits, stipulations, and admissions.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-130 CONFERENCES—WHEN HELD. ((At any time prior to hearing on an appeal, any party thereto may file a written application with the board requesting a prehearing conference.)) (1) The board may, ((thereupon, at its discretion)) upon written request

by a party, or ((at any time)) on its own ((motion, order)), schedule a prehearing conference on not less than seven days' notice mailed to each party to the appeal, at a time and place fixed by the board. ((At any time prior to hearing, the presiding officer to whom the case is assigned, may, pursuant to agreement of all parties, convene and preside at a prehearing conference at a time and place agreed upon. Such prehearing conference may also be held immediately at the conclusion of an informal conference if time permits, or, at the discretion of the presiding officer, may be held at a later time on seven days' written notice to each party to the appeal.))

(2) If any party fails to appear at a prehearing conference, the presiding officer may suspend setting a hearing or may continue or deny continuance of a hearing already set or may otherwise restrict the time or location of hearing.

#### AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-140 CONFERENCES—AGREEMENTS AT PREHEARING CONFERENCES—PREHEARING ORDERS. ((At the conclusion of a prehearing conference, the presiding officer conducting the same shall state on the record the results thereof. The statement shall include the agreements of the parties concerning issues, admissions, witnesses, time and location of hearings, the issues remaining to be determined and other matters that may expedite the subsequent hearing. The statement of agreement and issues, and rulings of the presiding officer, shall control the subsequent course of the proceedings, unless modified for good cause by subsequent order.)) (1) When agreement concerning final disposition of the appeal is reached at a prehearing conference, the parties shall thereafter present an agreed order implementing the agreement. If the agreement is in accordance with the law, the board shall enter the agreed order disposing of the appeal.

(2) After a prehearing conference which has not resulted in settlement, the presiding officer shall set the date of hearing and interim dates and enter a prehearing order. Normally, this will include a statement of issues and lists of witnesses and exhibits or provision for filing such lists, as well as other matters which may bear on the preparation for hearing. The issues stated in the prehearing order shall control the subsequent course of the proceedings, unless modified for good cause by subsequent order.

#### AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-144 PREHEARING PROCEDURES—TELEPHONE. ((Parties may agree to conduct)) The board may schedule any conference or motion hearing, ((or any part thereof, provided in these rules)) to be conducted by telephone conference call((-Upon a timely request, the board or its presiding officer may schedule such conference or hearing)), if it appears to promote the fair, speedy and economical processing of ((a)) the matter ((compatible with this procedure)).

#### NEW SECTION

WAC 371-08-146 PREHEARING PROCEDURES—USE OF CIVIL RULES—DISCOVERY. Except where in conflict with these rules, the statutes and rules regarding pretrial procedures in the superior courts of this state shall be followed in proceedings before the board. Such rules shall include but not be limited by those rules pertaining to discovery of evidence by parties to civil actions.

#### NEW SECTION

WAC 371-08-147 PREHEARING PROCEDURES—MOTIONS. (1) An application to the board for an order shall be by motion which, unless made during a hearing, shall be in writing, state with particularity the grounds therefor and set forth the relief sought. Written motions may be included in the notice of appeal or filed and served separately.

(2) When a motion is filed, the matter will be scheduled separately. In all cases, the defending party shall have an opportunity to respond.

(3) Unless oral argument is requested, a motion will be decided on the written record.

#### NEW SECTION

WAC 371-08-148 PREHEARING PROCEDURES—SUMMARY JUDGMENT. The board will entertain a motion for summary

judgment on some or all of the substantive issues of a case pursuant to the provisions of Civil Rule 56.

#### AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-155 HEARINGS—ELECTION OF TYPE OF HEARINGS. ((In all appeals over which the board has jurisdiction, the party taking the appeal may elect a formal or informal hearing. If different parties appeal from the same order and one)) When a party elects a formal hearing, the hearing will be formal. If no party ((taking an appeal of an order)) makes an election, the hearing will be informal. ((However, notwithstanding any election of a party taking an appeal, the department or any air pollution control board or authority may.)) An agency whose decision is appealed shall, within ten days after receiving a notice of appeal, notify the board of its intention that the hearing be formal ((and when such notice of intention is filed, the hearing will be formal)).

#### AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-156 HEARINGS—ASSIGNMENT ((DAY—TIME)) OF DATES. (1) ((As a general rule, the board, or its designee, shall assign hearing days for cases before it for review on the first Tuesday of each month: PROVIDED, That if such day falls on a legal holiday, the assignment day shall be the next working day. The board in its discretion may make such assignments at other times.

(2) The board or its designee may set prehearing conference dates at the same time and on the same conditions as that set out in subsection (1) above.

(3) In all cases, the chairman shall be consulted before assignments are finalized.)) The board will assign a prehearing conference date or date(s) for the hearing on the merits, and advise the parties thereof by letter.

(2) Normally, when a prehearing conference is held, the scheduling of the hearing on the merits will be deferred until the prehearing conference.

(3) When the board schedules a hearing, it shall mail a written notice thereof to all parties not less than ten days prior to the hearing date.

#### NEW SECTION

WAC 371-08-162 HEARINGS—DEFAULT. (1) If a party fails to attend or participate in a hearing or other stage of an appeal, the presiding officer may serve on all parties an order of default or other dispositive order, which shall include a statement of the grounds for the order.

(2) Within ten days after receipt of an order under subsection (1) of this section, the party against whom it was entered may file and serve a written motion requesting that the order be vacated and stating the grounds relied upon.

**Reviser's note:** The unnecessary underscoring in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

#### AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-165 HEARINGS—CONTINUANCES, ((HEARING POSTPONEMENTS AND)) DISMISSAL. (1) ((Continuances:

(a) Pursuant to agreements at prehearing conference. If agreement is reached at a prehearing conference, continuances shall be granted in accordance with such agreement and no written application therefor shall be required.

(b) Requests prior to hearing. If, prior to the hearing date, a party is not able to fully present evidence at the scheduled hearing, such party shall file a written request for continuance with the board setting forth the reasons therefor as soon as such reasons are known and deliver copies to all other parties.

(c) Requests at time of hearing. If reasons requiring a continuance of a hearing are not known in time to permit compliance with subsection (b) of this section, application therefor may be made orally at the hearing.

(d) When granted. Applications for a continuance made pursuant to subsections (b) or (c) above shall only be granted upon a proper showing of good cause to prevent manifest injustice. In order to show "good

cause," the party applying for a continuance because of the unavailability of a witness or witnesses shall show that due diligence was exercised in attempting to obtain the presence of such witnesses at the time set for hearing and the reasons for their unavailability, and shall identify the witnesses and explain, in substance, what the testimony of such witnesses would prove. In all cases in which a request for continuance is granted, subsequent hearings shall be scheduled.

(2) Hearing postponements. A postponement of a hearing may be requested by any party after receipt of the notice of hearing. ~~PROVIDED, That written objections are filed within ten days of the receipt of such notice. Copies of such request shall be served on all other parties. If the request is granted, all parties shall be notified of the postponement. Requests for postponement not filed within the ten day period shall be granted only in exceptional cases to prevent manifest injustice.~~

~~In all cases in which a request for postponement is granted, subsequent hearings shall be scheduled in accordance with WAC 371-08-175.~~

(3) Dismissal. If the appealing party fails to appear at the scheduled hearing and fails to obtain a continuance or postponement as provided in this section, the appeal shall be dismissed except to prevent manifest injustice or unless such party can show good cause for such failure. Such showing shall be made in writing under oath and shall be filed with the board and copies delivered to all other parties not later than ten days after the mailing of the order of dismissal.)) Continuation of a hearing is within the discretion of the board, whether contested or uncontested by the parties. The board may continue a hearing on its own motion.

(2) Normally, motions for continuance should be filed more than three months before the scheduled hearing date, so that any time cleared on the calendar can be productively used for other appeals.

(3) Prior to moving for a continuance, a person should confer and seek agreement on the matter with the other parties.

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-180 HEARINGS—PROCEDURES AT HEARINGS. (1) Presiding officer. All hearings shall be conducted by a presiding officer who shall conduct the hearing in an orderly manner and rule on all procedural matters, objections and motions.

(2) Testimony under oath. Oaths shall be administered by the presiding officer or other officer with authority to administer oaths. All testimony to be considered by the board shall be sworn, and each person shall swear (or affirm) that the testimony about to be given shall be the truth, the whole truth, and nothing but the truth.

(3) Recording.

(a) An official record of all evidentiary hearings shall be made by manual, electronic, or other type of recording device.

(b) Unofficial use of photographic and recording equipment is permitted at hearings; however, the presiding officer shall be consulted first and may impose conditions on their use as necessary to prevent disruption of the hearing.

(4) Order of presentation of evidence.

(a) The presiding officer shall determine the proper order of presentation of evidence. As a general rule, the appealing party shall initially introduce its evidence, except that in case of an appeal from a regulatory order or an order assessing a penalty, the ((department for air pollution board)) agency, shall initially introduce all evidence necessary to its case. ((Rebuttal evidence will then be received.))

(b) The opposing party shall present its evidence after the party initially presenting evidence has rested.

(c) Rebuttal and surrebuttal evidence will be received only at the discretion of the presiding officer.

(d) Witnesses may be called out of turn in contravention of this rule by agreement of all parties.

~~((4))~~ (5) Opening statements. Unless the presiding officer rules otherwise, parties may present an oral opening statement setting out briefly a statement of the basic facts, disputes, and issues of the case.

~~((5))~~ (6) Written statement of qualifications of expert witnesses. Any party who plans to introduce the testimony of any expert witness at the hearing shall submit as an exhibit to the board and all parties at the hearing a written statement of the qualifications, experience, and expertise of each such expert witness.

~~((6))~~ (7) Former employee as an expert witness. No former employee of the department shall, at any time after leaving the employment of the department, appear, except when permitted by RCW 42.18.220, as an expert witness on behalf of other parties in a formal

proceeding in which an active part in the investigation as a representative of the department was taken.

~~((7))~~ (8) Objections and motions to strike. Objections to the admission or exclusion of evidence shall be in short form, stating the legal grounds of objection relied upon (~~and the transcript shall not include extended argument or debate~~).

~~((8))~~ (9) Rulings. ~~((The presiding officer, on objection or sua sponte, shall exclude all irrelevant or unduly repetitious evidence and))~~ All rulings upon objections to the admissibility of evidence shall be made in accordance with WAC 371-08-185 through 371-08-189.

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-183 HEARINGS—STANDARD AND SCOPE OF REVIEW—BURDEN OF PROOF. (1) The board will apply the specific criteria provided by law in making its decision on each case.

(2) Hearings shall be quasi-judicial in nature and shall be conducted de novo unless otherwise provided by law.

(3) The issuing agency shall have the initial burden of proof in cases involving penalties or regulatory orders. In other cases, the appealing party shall have the initial burden of proof.

#### NEW SECTION

WAC 371-08-184 HEARINGS—INTERPRETERS. Whenever any person involved in an adjudicative proceeding is an "impaired person" as defined by WAC 10-08-150(1), the board shall comply with the provisions of WAC 10-08-150 and 10-08-160(2).

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-186 RULES OF EVIDENCE—ADMISSIBILITY CRITERIA. ~~((Subject to the other provisions of these rules;))~~ (1) Evidence, including hearsay evidence, is admissible if in the judgment of the presiding officer it is the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their affairs. All relevant evidence is admissible which, in the opinion of the presiding officer ((conducting the hearing)), is the best evidence reasonably obtainable, having due regard for its necessity, availability and trustworthiness. In passing upon the admissibility of evidence, the presiding officer ((conducting the hearing)) shall give consideration to, but shall not be bound to follow, the rules of evidence governing civil proceedings in matters not involving trial by jury in the superior courts of the state of Washington.

(2) The presiding officer shall exclude evidence that is excludable on constitutional or statutory grounds or on the basis of evidentiary privilege recognized in the courts of this state.

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-187 RULES OF EVIDENCE—OFFICIAL NOTICE—MATTERS OF LAW. The ~~((board and its hearing officers))~~ presiding officer, upon request made before or during a hearing, will officially notice:

(1) Federal law. The Constitution; congressional acts, resolutions, records, journals and committee reports; decisions of federal courts and administrative agencies; executive orders and proclamations; and all rules, orders and notices published in the Federal Register.

(2) State law. The Constitution of the state of Washington, acts of the legislature, resolutions, records, journals and committee reports; Decisions of administrative agencies of the state of Washington, executive orders and proclamations by the governor; and all rules, orders and notices filed with the code reviser.

(3) Governmental organization. Organization, territorial limitations, officers, departments, and general administration of the government of the state of Washington, the United States, the several states and foreign nations.

(4) Agency organization. The department, commission or board organization, administration, officers, personnel, and official publications (~~and practitioners before its bar~~).

(5) Rules of regional authorities. Rules or regulations of air pollution control boards or authorities established pursuant to chapter 70.94 RCW, when such rules or regulations are filed with the board pursuant to RCW 43.21B.260.

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-188 RULES OF EVIDENCE—OFFICIAL NOTICE—MATERIAL FACTS. In the absence of controverting evidence, the ~~((board and its hearing officers))~~ presiding officer, upon request made before or during a hearing, or in a proposed decision, may officially notice:

(1) Board proceedings. The pendency of, the issues and position of the parties therein, and the disposition of any proceeding then pending before or theretofore concluded by the board;

(2) Business customs. General customs and practices followed in the transaction of business;

(3) Notorious facts. Facts so generally and widely known to all well-informed persons as not to be subject to reasonable dispute, or specific facts which are capable of immediate and accurate demonstration by resort to accessible sources of generally accepted authority, including but not exclusively, facts stated in any publication authorized or permitted by law to be made by any federal or state officer, department, or agency;

(4) Technical knowledge. Matters within the technical knowledge of the board as a body of experts, within the scope or pertaining to the subject matter of its statutory duties, responsibilities or jurisdiction;

(5) Request or suggestion. Any party may request, or the presiding officer may suggest, that official notice be taken of a material fact, which shall be clearly and precisely stated, orally on the record, at any prehearing conference or oral hearing or argument, or may make such request or suggestion by written notice, any pleading, motion, memorandum, or brief served upon all parties, at any time prior to a final decision;

(6) Statement. Where ~~((an initial or))~~ a final decision of the board rests in whole or in part upon official notice of a material fact, such fact shall be clearly and precisely stated in such decision. In determining whether to take official notice of material facts, the ~~((hearing))~~ presiding officer may consult any source of pertinent information, whether or not furnished as it may be, by any party and whether or not admissible under the rules of evidence;

(7) Controversion. Any party may controvert a request or a suggestion that official notice of a material fact be taken at the time the same is made if it be made orally, or by a pleading, which the same is made or suggested. If any decision is stated to rest in whole or in part upon official notice of a material fact which the parties have not had a prior opportunity to controvert, any party may controvert such fact by ~~((appropriate exceptions if such notice be taken in an initial or intermediate decision or by))~~ a petition for reconsideration ~~((if notice of such fact be taken in a final report))~~. Such controversion shall concisely and clearly set forth the sources, authority and other data relied upon to show the existence or nonexistence of the material fact assumed or denied in the decision;

(8) Evaluation of evidence. Nothing herein shall be construed to preclude the board ~~((or its authorized agents))~~ from utilizing their experience, technical competence, and specialized knowledge in the evaluation of the evidence presented to them.

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-189 RULES OF EVIDENCE—TENTATIVE ADMISSION—EXCLUSION—DISCONTINUANCE—OBJECTIONS. When objection is made to the admissibility of evidence, such evidence may be received subject to a later ruling. The presiding officer ~~((conducting the hearing))~~ may, either with or without objection, exclude inadmissible evidence or order cumulative evidence discontinued. ~~((Parties objecting to the introduction of evidence shall state the precise grounds of such objection at the time such evidence is offered.))~~

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-195 DISPOSITION OF ~~((CONTESTED CASES))~~ ADJUDICATIVE PROCEEDINGS—RECORD. The record before the board in any ~~((contested case))~~ adjudicative proceeding shall consist of the decision or order appealed from, the notice of appeal therefrom, responsive pleadings, if any, and notices of appearances, and any other written applications, motions, stipulations or requests duly filed by any party and written reports or orders of the presiding officer. Such record shall also include all depositions, if they

are admitted at the hearing, the transcript of testimony as provided in WAC 371-08-196, and other proceedings at the hearing, together with all exhibits ~~((offered))~~ admitted. No part of the department's record or other documents shall be made part of the record of the board unless admitted in evidence.

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-196 DISPOSITION OF ~~((CONTESTED CASES))~~ ADJUDICATIVE PROCEEDINGS—TRANSCRIPTS. ~~((The following shall be the policy of the board with regard to transcription of the record:))~~

~~((1) If less than two or no members of the board are present at the hearing and if exceptions to the proposed decision and order of the board or presiding officer have been timely filed as provided by WAC 371-08-205, the board shall cause a transcript to be printed for review by the board. Any party may obtain a transcript upon payment of the reasonable cost thereof:))~~

~~((2))~~ (1) The board, in its discretion, may at any time cause a transcript to be printed, but will not normally do so.

~~((3) In any case))~~ (2) When the board shall not cause a transcript to be printed, it shall be the obligation of the party wishing a transcript, or ~~((such))~~ portions of it, to order the same from the board reporter and assume the cost of printing same.

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-200 DISPOSITION OF ~~((CONTESTED CASES—PROPOSED AND))~~ ADJUDICATIVE PROCEEDINGS—FINAL DECISIONS AND ORDERS—PETITION FOR RECONSIDERATION. (1) ~~((Final:))~~

~~((a))~~ When the hearing on the appeal has been ~~((heard by a majority of the board))~~ concluded, and upon completion of the record and submission of the issues for decision and order, a written final decision and order concurred in by ~~((them then))~~ a majority of the board may be adopted which shall contain findings and conclusions as to each contested issue of fact and law.

~~((b))~~ (2)(a) After issuance of a final decision ~~((issued under this subsection))~~, any party may file a petition for reconsideration with the board. Such petition must be filed within ~~((eight))~~ ten days of mailing of the final decision. The board may require an answer to the petition. Copies of the petition for reconsideration, and an answer, if required, shall be served on the other parties of record. ~~((The original and three copies shall be filed with the board.))~~

~~((c))~~ (b) The filing of a petition for reconsideration ~~((shall suspend))~~ does not stay the effectiveness of the final decision of the board ~~((until the petition is denied by the board, or a modified decision is entered by the board)).~~

~~((d))~~ (c) In response to a petition for reconsideration, the board may deny it, or may reverse or modify its decision or may reopen the hearing. The board is deemed to have denied the petition if, within twenty days from the date the petition is filed, the board does not act on the petition or specify a date by which it will act on the petition.

~~((e))~~ Such final decision and order shall be the final decision of the board for purposes of judicial review.

(2) Proposed. When the hearing on the appeal has been heard by less than a majority of the board or when less than a majority of the board concur in the matter or when the board shall otherwise elect to do so, a written proposed final decision and order shall thereafter be prepared which shall contain findings and conclusions as to each contested issue of fact and law.

The provision of WAC 371-08-205, 371-08-210, and 371-08-215 shall apply to such proposed decision and order. Petitions for reconsideration are not applicable to final decisions issued after such proposed decisions. (d) The time for filing a petition for judicial review does not commence until disposition of the petition for reconsideration. However, the filing of a petition for reconsideration is not a prerequisite for seeking judicial review.

(3) Copies of the final decision and order and ~~((proposed decision and order, as the case may be,))~~ of the board's disposition of any petition for reconsideration shall be mailed by the board to each party to the appeal ~~((and))~~ or to the attorney or representative of record. Service on the representative shall be deemed to be service on the party.

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-215 ~~DISPOSITION OF ((CONTESTED CASES)) ADJUDICATIVE PROCEEDINGS—FINAL DECISIONS AND ORDERS. ((After the filing of a statement or statements of exceptions, if any, and reply, if any, the filing of briefs or presentation of oral argument, thereon, if required, and the obtaining of additional evidence, if any, as provided for in WAC 371-08-201;))~~ The record before the board shall be considered by at least two of the members of the board: PROVIDED, That if two members cannot agree on a decision, the third member must consider the record before the board: AND FURTHER PROVIDED, That if two members cannot agree on a decision in any case, the substantive decision of the ~~((department or pollution control board))~~ agency (or authority) will control in those cases where the appealing party has the burden of proof. ~~((Every final decision and order rendered by the board shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law, as well as the board's order based thereon: A copy of the decision and order, including the findings and conclusions, shall be mailed to each party to the appeal and to the attorney of record;))~~

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-220 ~~APPEALS TO THE COURTS—NOTICE OF APPEAL TO THE SUPERIOR COURT. All appeals from orders of the board, whether after a formal or informal hearing, shall be to a superior court. ((See Maple Leaf Investors, Inc. v. Department of Ecology, 10 Wn.App. 586;))~~ The appealing party shall file with the board and all parties of record a copy of the notice of appeal to the superior court.

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1, filed 8/18/81)

WAC 371-08-230 ~~APPEALS TO THE COURTS—CERTIFICATION OF RECORD. Upon receipt of a copy of the notice of appeal to the superior court, the board shall certify and transmit to the reviewing court the record made before the board ((as set forth in RCW 34.04.130(4) and in accordance with WAC 371-08-195 through 371-08-196)).~~ Normally this will not include a transcript of the testimony. Unless the board has caused a transcript to be printed, arrangements for and costs of the written transcript shall be the obligation of the party appealing to the Superior Court.

AMENDATORY SECTION (Amending Order 82-1, Resolution No. 82-1 [Order 75-1], filed 8/18/81 [1/9/75])

WAC 371-08-240 ~~PETITIONS FOR DECLARATORY RULING. ((+)) Right to petition for declaratory ruling. As prescribed by RCW ((34.04.080)) 34.05.240, any interested person may petition the board for a declaratory ruling. The provisions of RCW 34.05.410 through 34.05.494 and the provisions of these rules shall apply to petitions for declaratory rulings as to other cases brought before the board.~~

~~((2)) Form of petition. The form of the petition for a declaratory ruling shall generally adhere to the following:~~

~~(a) At the top of the page shall appear the wording "Before the pollution control hearings board, state of Washington." On the left side of the page below the foregoing, the following caption shall be set out: "In the matter of the petition of (name of petitioning party) for a declaratory ruling." Opposite the foregoing caption shall appear the word "petition."~~

~~(b) The body of the petition shall be set out in numbered paragraphs. The first paragraph shall state the name and address of the petitioning party. The second paragraph shall state all rules or statutes that may be brought into issue by the petition. Succeeding paragraphs shall set out the state of facts relied upon in form similar to that applicable to complaints in civil actions before the superior courts of this state. The concluding paragraphs shall contain the prayer of the petitioner. The petition shall be subscribed and verified in the manner prescribed for certification of complaints in the superior courts of this state.~~

~~(c) The original and two legible copies shall be filed with the board. Petitions shall be on white paper, either 8-1/2" x 11" or 8-1/2" x 13" in size.~~

~~(3) Consideration of petition. The entire board shall consider the petition, and within a reasonable time shall:~~

~~(a) Issue a nonbinding declaratory ruling; or  
(b) Notify the person that no declaratory ruling is to be issued; or  
(c) Set a reasonable time and place for a hearing or for submission of written evidence on the matter, and give reasonable notification to the person of the time and place for such hearing or submission, and of the issues involved.~~

~~(4) Disposition of petition. If a hearing is held or evidence is submitted as provided in subsection (3)(c) above, the board shall, within a reasonable time:~~

~~(a) Issue a binding declaratory ruling; or  
(b) Issue a nonbinding declaratory ruling; or  
(c) Notify the person that no declaratory ruling is to be issued;))~~

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 371-08-015	BOARD ADMINISTRATION—MEETING OF THE BOARD.
WAC 371-08-031	PROCEDURES APPLICABLE.
WAC 371-08-045	APPEARANCE AND PRACTICE BEFORE THE BOARD—NO FORMAL ADMISSION TO PRACTICE.
WAC 371-08-095	APPEALS TO THE BOARD—CROSS-APPEALS.
WAC 371-08-102	APPEALS TO THE BOARD—RESPONSIVE PLEADINGS.
WAC 371-08-105	CONFERENCES—TWO TYPES.
WAC 371-08-110	CONFERENCES—PURPOSE OF INFORMAL CONFERENCES.
WAC 371-08-115	CONFERENCES—WHEN HELD.
WAC 371-08-120	CONFERENCES—AGREEMENTS AT INFORMAL CONFERENCES.
WAC 371-08-131	CONFERENCES—DOCUMENTARY EVIDENCE.
WAC 371-08-132	CONFERENCES—EXCERPTS FROM DOCUMENTARY EVIDENCE.
WAC 371-08-135	CONFERENCES—FAILURE TO SUPPLY PREHEARING INFORMATION.
WAC 371-08-160	HEARINGS—NOTICE OF HEARING.
WAC 371-08-163	HEARINGS—BRIEFS.
WAC 371-08-175	HEARINGS—SETTING SUBSEQUENT HEARINGS.
WAC 371-08-190	DISPOSITION OF CONTESTED CASES—DEFINITION.
WAC 371-08-201	DISPOSITION OF CONTESTED CASES—PRESENTATION OF ADDITIONAL EVIDENCE.
WAC 371-08-205	DISPOSITION OF CONTESTED CASES—EXCEPTIONS.
WAC 371-08-210	DISPOSITION OF CONTESTED CASES—FINALITY OF PROPOSED DECISIONS AND ORDERS.
WAC 371-08-245	PETITIONS FOR RULE MAKING.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 371-12-010	PURPOSE.
WAC 371-12-020	DEFINITIONS.
WAC 371-12-030	PUBLIC RECORDS AVAILABLE.
WAC 371-12-040	COMMUNICATIONS WITH THE BOARD.
WAC 371-12-050	PUBLIC RECORDS OFFICER.
WAC 371-12-060	OFFICE HOURS.
WAC 371-12-070	REQUESTS FOR PUBLIC RECORDS.
WAC 371-12-080	COPYING.
WAC 371-12-090	EXEMPTIONS.
WAC 371-12-100	REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS.
WAC 371-12-110	PROTECTION OF PUBLIC RECORDS.
WAC 371-12-120	RECORDS INDEX.
WAC 371-12-130	ADOPTION OF FORM.



WSR 90-14-098  
 PROPOSED RULES  
 DEPARTMENT OF LICENSING  
 [Filed July 5, 1990, 1:45 p.m.]

## Original Notice.

Title of Rule: Chapter 308-48 WAC, Funeral directors and embalmers; and chapter 308-49 WAC, Prearrangement funeral services.

Purpose: To amend and repeal existing rules, and to establish new rules.

Statutory Authority for Adoption: RCW 18.39.175(4).

Statute Being Implemented: RCW 18.39.035 and 18.39.250.

Summary: Setting forth certain filing, trustee, and depository requirements; telephone solicitation restrictions for prearrangement trust sales. Repealing repetitive and incorrect definition and testing requirements.

Reasons Supporting Proposal: Chapter 390, Laws of 1989, amended RCW 18.39.250 through 18.39.330, making obsolete and insufficient the existing rules governing prearrangement sales. Licensing examination rule requirements in conflict with chapter 18.39 RCW.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Paul Elvig, Program Administrator, 2424 Bristol Court, 586-4905.

Name of Proponent: Board of Funeral Directors and Embalmers, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Deletion of rules are for the purpose of eliminating repeat wording used in the RCW and to eliminate text that exceeds RCW authority. Amendments and new rules will require certain documentation to be submitted by funeral establishments requesting prearrangement registration, rules as to certain disclosures that must be made in prearrangement funeral service contracts, trustee requirements, prearrangement trust fund agreements and master trust fund agreement requirements. The rules will clarify for the applicant what is expected by the board in registering and what the board requires in prearrangement contracts. Telephone solicitation will be limited to certain hours and times of contact and require identification of caller and product. This will result in consumer choice as to continuation of telephone contact.

Proposal Changes the Following Existing Rules: Drops references to depositories, inserting references to trustees, includes changes required in chapter 390, Laws of 1989, such as disclosures to be made to the consumer at the time prearrangement funeral service contracts are utilized.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: King's Table Buffet, 101 Capital Mall, Olympia, WA, Banquet Room, on August 7, 1990, at 9:30 a.m.

Submit Written Comments to: Paul Elvig, Program Administrator, P.O. Box 9012, Olympia, WA 98504-8001, by August 3, 1990.

Date of Intended Adoption: August 7, 1990.

July 2, 1990  
 Marsha Tadano Long  
 Assistant Director

AMENDATORY SECTION (Amending Order PL 420, filed 1/26/83)

WAC 308-49-100 PURPOSE. The purpose of this chapter is to implement the provisions of (~~chapter 66, Laws of 1982 1st ex. sess.~~) RCW 18.39.240 through 18.39.345 and 18.39.360, by establishing rules for the registration of funeral establishments which enter into prearrangement funeral service contracts and to establish uniform minimum requirements for such contracts and prearrangement trust funds.

AMENDATORY SECTION (Amending Order PL 420, filed 1/26/83)

WAC 308-49-130 DEFINITIONS. Unless the (~~context~~) text in this chapter clearly states or requires otherwise, (~~the following~~) definitions shall (~~apply throughout this chapter~~):

(1) ~~"Prearrangement funeral service contract" means any contract, other than a contract entered into by an insurance company, under which, for a specified consideration paid in advance in a lump sum or by installments, a funeral establishment promises upon the death of a beneficiary named or implied in the contract, to furnish funeral merchandise or services.~~

(2) ~~"Funeral merchandise or services" shall mean those services normally performed and merchandise normally provided by funeral establishments including the sale of burial supplies and equipment, but excluding the sale by a cemetery of lands or interests therein, services incidental thereto, markers, memorials, monuments, equipment, crypts, niches or vaults.~~

(3) ~~"Qualified public depository" means a depository defined by RCW 39.58.010 (state banks or trust companies, national banking associations, and certain branches of foreign banks), a credit union as governed by chapter 31.12 RCW, a mutual savings bank as governed by Title 32 RCW, a savings and loan association as governed by Title 33 RCW, or a federal credit union or a federal savings and loan association organized, operated and governed by any act of Congress, in which prearrangement funeral service contract funds are deposited by any funeral establishment.~~

(4) ~~"Funeral establishment" means a place of business licensed under RCW 18.39.145) be as set forth in RCW 18.39.010.~~

AMENDATORY SECTION (Amending Order PM 737, filed 6/6/88)

WAC 308-49-140 REGISTRATION OF ESTABLISHMENTS. (1) Each funeral establishment entering into prearrangement funeral service contracts in which one or more of the following conditions exist must be registered with the board before entering into such contracts:

(a) The sales price of the contract, using either trust or insurance as a method of funding, guarantees a final price for merchandise and services. The guarantee assures the purchaser that there will be no additional charges for the merchandise and services disclosed within the agreement.

(b) The sales price of the contract using a trust as a method of funding plus accruals will be applied toward the cost of merchandise and services at the time of need. Should the cost of merchandise and services selected at the time of need exceed the sales price of the contract plus accruals, the purchaser will pay the difference. Should the cost of merchandise and services selected at the time of need be less than the sales price of the contract plus accruals, the purchaser will receive a refund for the difference.

(c) Insurance is used as a method of funding guaranteeing a final price for merchandise and services. Such guarantee assures the purchaser that there will be no additional charges for merchandise and services disclosed in the agreement.

(2) Before entering into any prearrangement funeral service contracts in this state, a funeral establishment shall first obtain a certificate of registration from the board. To apply for registration, a funeral establishment must file an application on forms approved by the board of funeral directors and embalmers, which includes:

(a) The name, address, and telephone number of the funeral establishment;

(b) ~~((The name and license number of the person at the funeral establishment responsible for supervising the sale of funeral merchandise or service on a prearrangement basis;~~

~~(c)) A statement of the establishment's current financial condition and an explanation of how the establishment plans to offer, market and service prearrangement contracts including:~~

~~(i) The type of business organization which operates the funeral establishment, e.g., sole proprietorship, partnership, or corporation and a list of all officers, directors, partners and managers by name and title, and any person owning more than ten percent of the business;~~

~~(ii) A balance sheet and a profit and loss statement for the most recently concluded fiscal year and/or other such fiscal documents as the board may require;~~

~~((d)) (c) The prearrangement funeral service contract forms the establishment proposes to use need not be in final printed form when submitted; however, a copy of the final printed form shall be filed with the board before the form is used;~~

~~((e) Identification of the qualified public depository the establishment will use with an explanation of the depository's manner of operating and managing the prearrangement funeral service contract trust fund, together with copies of any contract or trust agreement to be entered into in connection with such trust fund, and, if a single trust fund is to be established and maintained with respect to several prearrangement funeral service contracts, a complete explanation of the manner in which records will be maintained to allocate the interest, dividends, increases or accretions and the share of such fund to each contract.~~

~~(2)) (d) Identification of the trustee(s) of the prearrangement funeral service trust, including address and telephone number.~~

~~(e) A copy of the prearrangement funeral service trust agreement and the prearrangement funeral service trust depository agreement.~~

~~(3) Upon review of the application, the board may require additional information or explanation prior to registration or refusing to register the funeral establishment.~~

~~((3)) (4) The application shall be accompanied by a check payable to the state treasurer in the amount required by the director for issuance of the certificate of registration.~~

#### AMENDATORY SECTION (Amending Order PL 420, filed 1/26/83)

WAC 308-49-150 PREARRANGEMENT FUNERAL SERVICE CONTRACT FORM REQUIREMENTS. (1) The terms of prearrangement funeral service contracts are of substantial importance to both consumers and the establishment. Contracts therefore should be written in language that can be easily understood by all parties and printed or typed in easily readable type size and style.

(2) Every contract shall include the following information:

(a) The name of the purchaser and the beneficiary of the contract;

(b) A description of the services and merchandise to be provided, if specific merchandise and services are to be furnished, and a statement clearly setting forth whether the purchase price paid fully pays for such services and merchandise or if the purchase price is to be applied toward the cost of such services and merchandise when they are provided;

(c) The total purchase price to be paid under the contract and the manner and terms which will govern payment;

~~(d) ((Information about the prearrangement funeral service trust fund and the amount to be deposited in the trust fund, and either designate the particular qualified public depository which will be used or provide a means whereby a purchaser or beneficiary may ascertain the depository;~~

~~(e)) If a contract is to be funded through a prearrangement funeral service trust fund it shall also include the following information:~~

~~(i) That a prearrangement funeral service trust exists and of the amount to be deposited into the trust;~~

~~(ii) Identification of the trust to be used and information as to how the trustees may be contacted;~~

~~(iii) If the contract is revocable or not or if there are provisions to convert to an irrevocable status;~~

~~(iv) That all moneys paid are fully refundable if canceled by the purchaser within thirty days of signing;~~

~~(v) In the case of cancellation by purchaser or beneficiary after thirty days of signing that up to ten percent of the contract may be retained by the seller. That all funds placed in trust plus net accruals are subject to refund.~~

~~(vi) That reasonable fees as set forth by statute for the administration of the trust plus taxes paid or withheld shall be deducted from the interest, dividends and increases that the trust may earn.~~

~~(vii) That the board may terminate a contract if the establishment goes out of business, becomes insolvent or bankrupt, makes an assignment for the benefit of creditors, has its prearrangement funeral service certificate of registration revoked, or for any other reason is unable to fulfill the obligations under the contract. That in such event, or upon demand of the purchaser or beneficiary of the prearrangement funeral service contract the funeral establishment shall refund to the purchaser or beneficiary all moneys deposited in trust and allocated to the contract unless otherwise ordered by a court of competent jurisdiction. That the purchaser or beneficiary may, in lieu of a refund, elect to transfer the prearrangement funeral service contract and all amounts in trust to another funeral establishment licensed by the board to enter into prearrangement funeral service contracts which will agree to endorse the contract and to be bound to the contract and to provide for the funeral merchandise or services.~~

~~(e) If a contract is to be funded through insurance, the contract shall also contain language which:~~

~~(i) States the amount of insurance;~~

~~(ii) Informs the purchaser of the name and address of the insurance company through which the insurance will be provided and the policy number;~~

~~(iii) Informs the purchaser that amounts paid for insurance may not be refundable.~~

~~(f) A statement to the purchaser of the contract that the funds deposited under the contract, plus accruals thereon, shall be withdrawable from the ((depository)) trust under the following circumstances and conditions;~~

~~(i) If the funeral establishment files a verified statement with the ((depository)) trust that the prearrangement funeral merchandise and services covered by the contract have been furnished and delivered in accordance therewith; or~~

~~(ii) If the funeral establishment files a verified statement with the ((depository)) trust that the prearrangement funeral merchandise and services covered by the contract have been canceled in accordance with its terms;~~

~~((f) A statement that any purchaser or beneficiary who has entered into a prearrangement funeral service contract shall have the right to receive, on making such demand of the funeral establishment, a refund of the entire amount paid on the contract (including any amounts not deposited, interest charges paid under chapter 63.14 RCW), together with all interest, dividends, increases, or accretions to the fund;~~

~~(g) A statement that the contract will automatically terminate if the funeral establishment goes out of business, becomes insolvent or bankrupt, makes an assignment for the benefit of creditors, or for any other reason is unable to fulfill the obligations under the contract, and that, in such event, and upon demand by the purchaser or beneficiary of the contract, the depository of the contract funds will refund to the purchaser or beneficiary all funds deposited under the contract, unless otherwise ordered by a court of competent jurisdiction;))~~

~~(3) Such contract shall be dated and be executed by the purchaser and by the funeral establishment through its owner, officer or managing agent.~~

~~(4) If a retail installment transaction is involved, the contract shall comply with the requirements of chapter 63.14 RCW.~~

#### NEW SECTION

WAC 308-49-162 TRUSTEE AND MASTER TRUST REQUIREMENTS. (1) When a funeral establishment enters into a prearrangement funeral trust agreement, that establishment shall appoint a minimum of two trustees to administer the trust.

The establishment shall file with the board the name, address and phone number of each trustee and shall advise the board of any change in trustee status.

The duties and responsibilities of the trustee shall be set forth in the prearrangement funeral trust agreement.

(2) Master trusts created under RCW 18.39.250 shall have a minimum of two officers. The officers of the master trust shall act as trustees or shall appoint trustees.

(3) When two or more establishments which are registered to enter into prearrangement funeral service contracts affiliate for the purpose of establishing a master trust they shall enter into a master trust agreement. Such agreements shall contain language that:

(a) Sets forth the conditions under which the establishment will participate;

(b) Details the duties and responsibilities of the master trust;

(c) Details the duties and responsibilities of the participating establishment;



(d) Sets forth the duties and responsibilities of the master trust trustees;

(e) Sets forth the conditions under which deposits to and withdrawals from the master trust will occur;

(f) Provides for amendments to and termination of the master trust and notice to be given each establishment and the board.

(4) Master trusts are an integral part of the prearrangement funeral service contract agreement and shall be approved by the board prior to use. The board shall receive a notice of any change to the master trust or termination thereof thirty days prior to incorporation or termination.

#### NEW SECTION

**WAC 308-49-164 PREARRANGEMENT FUNERAL SERVICE TRUST AGREEMENT REQUIREMENTS.** (1) Each establishment entering into prearrangement funeral service contracts which does not use insurance as a method of funding shall establish one or more prearrangement funeral service trust agreements.

(2) Such prearrangement funeral service trust agreements shall be between the funeral establishment and trustees designated by the funeral establishment. The agreement shall include language that provides for:

(a) Number and appointment of trustees;

(b) Duties and responsibilities of the trustees;

(c) Method of removal of trustees;

(d) Selection of depository(ies);

(e) Procedures to be followed when the establishment deposits prearrangement funeral service contract moneys;

(f) Conditions under which moneys may be withdrawn from the trust and procedures to be followed in making withdrawals;

(g) Details as to investment and administration of the trust;

(h) Compensation of trustees and expenses to be incurred;

(i) Accounting methods to be used;

(j) Provisions for amendment and termination of the trust agreement.

(3) Such prearrangement funeral service trust agreements are an integral part of the prearrangement funeral service contract and shall be approved by the board prior to use. Amendments, changes to the trust agreement, or termination of the trust agreement shall receive prior approval from the board before incorporation of amendment or change, or implementation of termination.

#### NEW SECTION

**WAC 308-49-168 TRUST FUND DEPOSITORY AGREEMENT REQUIREMENTS.** (1) Each prearrangement funeral trust shall enter into an agreement with one or more depositories in which the responsibilities of the depository are set forth. The agreement shall contain language which:

(a) Sets forth the terms and conditions under which deposits and withdrawals are made;

(b) States that instruments of deposit shall be an insured account in a qualified public depository or shall be invested in instruments issued or insured by an agency of the federal government, and states that the trust shall be held in a public depository, and sets forth the conditions for termination and transfer of the prearrangement trust fund depository agreement.

(2) Prearrangement trust fund depository agreements are an integral part of the prearrangement funeral service contract agreement and shall be approved by the board prior to use. Amendments to or changes in the agreement shall be filed with the board prior to incorporation. The board shall be advised prior to termination of any depository agreement.

#### NEW SECTION

**WAC 308-49-200 TELEPHONE SOLICITATION.** (1) The use of telephones for solicitation of prearrangements is prevalent. This form of communication offers unique benefits, but entails special risks and poses potential for abuse. The board finds that any impropriety in telephone solicitation is a matter vitally affecting the public interest. For the general welfare of the public and in order to protect the integrity of the funeral industry, the use of telephones in solicitation of prearrangements must be defined by the board (chapter 19.158 RCW).

(2) Definitions:

(a) "Telephone solicitor" means any person who engages in telephone solicitation on behalf of a holder of an establishment license.

(b) "Telephone solicitation" means an unsolicited telephone call to a person and conversation for the purpose of inducing the person to make funeral prearrangements made without previous invitation, expressed or implied, by the person called.

(3) Time limits:

(a) No licensee may knowingly cause a telephone solicitation to be made to any person more often than once in every six months.

(b) A telephone solicitor shall not place calls which will be received before 8:00 a.m. or after 9:00 p.m. (chapter 19.158 RCW)

(4) Unfair/deceptive practices. A telephone solicitor may not engage in any conduct the natural consequence of which is to harass, intimidate, or torment any person in connection with the telephone call. (chapter 19.158 RCW)

(5) Identification. Within the first thirty seconds of the telephone call, a telephone solicitor or salesperson shall:

(a) Identify himself or herself, the company on whose behalf the solicitation is being made, the property, goods, or services being represented; and

(b) Terminate the telephone call within ten seconds if the purchaser indicates he or she does not wish to continue the conversation. (RCW 80.36.390)

(6) Termination of contact. If at any time during the telephone contact, the purchaser states or indicates that he or she does not wish to be called again by the telephone solicitor or wants to have his or her name and individual telephone number removed from the telephone lists used by the telephone solicitor, the telephone solicitor shall not make any additional telephone solicitation of the called party at that telephone number within a period of at least one year. (RCW 80.36.390)

(7) Enforcement. In the event that the board discerns a pattern of violation of these standards the board may act against the registrant's prearrangement registration as provided by chapter 18.39 RCW.

(8) Conditions. The following conditions are basic to this concept and strategy:

(a) That there be no registration or separate licensing of individuals engaged in telemarketing;

(b) That there be no separate registration or licensing of establishments engaging in telemarketing;

(c) That the primary prearrangement registration is focus for discipline of offenders.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-49-160 REQUIREMENTS AS TO TRUST FUNDS.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-48-165 EXAMINATION SUBJECTS.

### **WSR 90-14-099**

#### **EMERGENCY RULES**

#### **DEPARTMENT OF FISHERIES**

[Order 90-56—Filed July 5, 1990, 2:30 p.m.]

Date of Adoption: July 3, 1990.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:  
Amending WAC 220-36-021 and 220-40-021.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: A harvestable quota of 2500 chinook has been established for the summer fishery for Grays Harbor and Willapa Bay combined. This quota of Columbia River destined stocks was established along with ocean quotas to allow development of a frame work regulation package for the Columbia River and ocean fisheries. The lower Columbia River white sturgeon population, which includes fish in Grays Harbor and Willapa Bay have been harvested at an excessively high rate and as a result need to be protected. The coastal harbors continue to be part of the overall management plan to provide increased protection for white sturgeon.

Effective Date of Rule: 6:00 p.m., July 5, 1990.

July 3, 1990  
J. McKillip  
for Joseph R. Blum  
Director

### NEW SECTION

**WAC 220-36-02100K GRAYS HARBOR SALMON - SUMMER FISHERY** Notwithstanding the provisions of WAC 220-36-015, WAC 220-36-021, and WAC 220-36-031, effective 6 PM July 5, through 6 PM August 15, 1990, or until a combined quota of 2,500 chinook are caught in Grays Harbor and Willapa Bay, it is unlawful to fish for, or possess salmon and sturgeon taken for commercial purposes from any Grays Harbor Salmon Management and Catch Reporting Area except as provided for in this section:

Open to gill net gear:

Area 2B; and Area 2C south of a line true east-west through the northern tip of Goose Island and west of a line true north-south through the southern tip of Goose Island; and Area 2D south of a line true east-west through light "35" (flashing green) near Moon Island and west of a line from light "35" to the mouth of O'Leary Creek.

It is lawful to retain sturgeon for commercial purposes as provided for in WAC 220-20-020(1) taken incidental to this lawful commercial fishery. Prior to August 1, all white sturgeon must be released and returned to the water immediately.

No maximum mesh restriction.

### NEW SECTION

**WAC 220-40-02100T WILLAPA BAY SALMON - SUMMER FISHERY** Notwithstanding the provisions of WAC 220-40-015, WAC 220-40-021, and WAC 220-40-031, effective 6 PM July 5, through 6 PM August 15, 1990, or until a combined quota of 2,500 chinook are caught in Grays Harbor and Willapa Bay, it is unlawful to fish for, or possess salmon and sturgeon taken for commercial purposes from any Willapa Bay Salmon Management and Catch Reporting Area except as provided for in this section:

Open to gill net gear:

Area 2G east of a true north-south line through Willapa Channel Entrance Buoy 10; Area 2H west of Willapa River Channel Marker 35.

It is lawful to retain sturgeon for commercial purposes as provided for in WAC 220-20-020(1) taken incidental

to this lawful commercial fishery. Prior to August 1, all white sturgeon must be released and returned to the water immediately.

No maximum mesh restriction.

### WSR 90-14-100 PROPOSED RULES HORSE RACING COMMISSION

[Filed July 5, 1990, 2:33 p.m.]

Original Notice.

Title of Rule: Daily triple.

Purpose: To set out rules and regulations regarding a new wager proposed to the state of Washington, in which the bettors are permitted to select winners of three successive races on one wager.

Statutory Authority for Adoption: RCW 67.16.040.

Statute Being Implemented: Chapter 67.16 RCW.

Summary: This rule, while providing a new wager for Washington bettors, also repeals a wager (Pick 6) which proved unsuccessful.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Crowley, Executive Secretary, Olympia, Washington, 753-3741.

Name of Proponent: Washington Horse Racing Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this rule is to amend WAC 260-48-327 Daily triple, to allow operation of a daily triple pool on any race when there is an entry or mutuel field.

Proposal Changes the Following Existing Rules: This rule allows the operation of a daily triple pool on any race when there is an entry or mutuel field.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The enactments above are not anticipated to effect more than 20 percent of all industries nor more than 10 percent of any one industry as defined by section 2(3), chapter 6, Laws of 1982. Therefore, a small business economic impact statement has not been prepared.

Hearing Location: Sea-Tac Red Lion, 18740 Pacific Highway South, Seattle, WA 98188, on August 14, 1990, at 2 p.m.

Submit Written Comments to: John Crowley, 210 East Union, Suite C, Olympia, WA 98501, by August 13, 1990.

Date of Intended Adoption: August 14, 1990.

July 5, 1990  
John Crowley  
Executive Secretary

### AMENDATORY SECTION (Amending Order 89-04, filed 6/9/89)

WAC 260-48-327 DAILY TRIPLE. (1) The Daily Triple parimutuel pool is not a parlay and has no connection with or relation to any other parimutuel pool conducted by the association, nor to any win, place, and show pool shown on the totalisator board, nor to the rules governing the distribution of such other pools.

(2) A valid Daily Triple ticket shall be evidence of the binding contract between the holder of the ticket and the racing association, and the said ticket shall constitute an acceptance of Daily Triple provisions

and rules contained in the rules and regulations of the Washington horse racing commission.

(3) A Daily Triple may be given a distinctive name to be selected by the association conducting such races, such as "PICK 3," subject to prior approval of the commission.

(4) The Daily Triple parimutuel pool consists of amounts contributed for a selection for win only in each of three consecutive races designated by the association with the prior approval of the commission. Each person purchasing a Daily Triple ticket shall designate the winning horse in each of the three races comprising the Daily Triple.

(5) ~~((No Daily Triple pool shall be operated on any race when there is an entry or mutuel field.~~

~~((6))~~ (6) The net amount in the parimutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of tickets which correctly designate the winners in all three races comprising the Daily Triple.

~~((7))~~ (7) If no ticket is sold combining the three winners of the Daily Triple, the net amount in the parimutuel pool shall be distributed among the holders of tickets which include the winners of at least two of the three races comprising the Daily Triple.

~~((8))~~ (8) If no ticket is sold combining at least two winners of the Daily Triple, the net amount in the parimutuel pool shall be distributed among holders of tickets which include the winner of any race comprising the Daily Triple.

~~((9))~~ (9) If for any reason one of the races comprising the Daily Triple is cancelled, the net amount of the parimutuel pool shall be distributed as provided in subsections ~~((6), (7), and (8))~~ (5), (6), and (7) of this section.

~~((10))~~ (10) If for any reason two or more of the races comprising the Daily Triple are cancelled, a full and complete refund will be made of the Daily Triple pool.

~~((11))~~ (11) In the event a Daily Triple ticket designated a selection in any one or more of the races comprising the Daily Triple and that selection is scratched, excused, or determined by the stewards to be a nonstarter in the race, the actual favorite, as evidenced by the amounts wagered in the win pool at the time of the start of the race, will be substituted for the nonstarting selection for all purposes, including pool calculations and payoffs.

~~((12))~~ (12) In the event of a dead heat for win between two or more horses in any Daily Triple race, all such horses in the dead heat for win shall be considered as winning horses in the race for the purpose of calculating the pool.

~~((13))~~ (13) No parimutuel ticket for the Daily Triple pool shall be sold, exchanged, or cancelled after the time of the closing of wagering in the first of the three races comprising the Daily Triple, except for such refunds on Daily Triple tickets as required by this section, and no person shall disclose the number of tickets sold in the Daily Triple pool or the number or amount of tickets selecting winners of Daily Triple races until such time as the stewards have determined the last race comprising the Daily Triple to be official. At the conclusion of the second of the three races comprising the Daily Triple, an association may, with the prior approval of the commission, display potential distributions to ticket holders depending upon the outcome of the third race of the Daily Triple.

### WSR 90-14-101

#### PROPOSED RULES

#### HORSE RACING COMMISSION

[Filed July 5, 1990, 2:35 p.m.]

Original Notice.

Title of Rule: Impaired horses.

Purpose: Clarification of the definition of horse which are properly considered in serviceably sound racing condition.

Statutory Authority for Adoption: RCW 67.16.040.

Statute Being Implemented: Chapter 67.16 RCW.

Summary: Summary when a horse is impaired and not eligible for entry in horse races run in Washington.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Crowley, Executive Secretary, Olympia, Washington, 753-3741.

Name of Proponent: Washington Horse Racing Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this rule is to amend WAC 260-40-280 Impaired horses, to clarify the definition of impaired horses, so as to allow trainers to know when a horse is or is not in serviceably sound racing condition.

Proposal Changes the Following Existing Rules: This change recognizes that by definition the use of the permitted medication furosemide (LASIX) implies that a horse is in fact a known bleeder. Therefore, to remove the inconsistency.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The enactments above are not anticipated to effect more than 20 percent of all industries nor more than 10 percent of any one industry as defined by section 2(3), chapter 6, Laws of 1982. Therefore, a small business economic impact statement has not been prepared.

Hearing Location: Sea-Tac Red Lion, 18740 Pacific Highway South, Seattle, WA 98188, on August 14, 1990, at 2 p.m.

Submit Written Comments to: John Crowley, 210 East Union, Suite C, Olympia, WA 98501, by February 13, 1990 [August 13, 1990].

Date of Intended Adoption: August 14, 1990.

July 5, 1990

John Crowley

Executive Secretary

AMENDATORY SECTION (Amending Rules of racing, filed 4/21/61)

WAC 260-40-280 IMPAIRED HORSES. An owner or trainer shall not enter or start a horse that: (1) Is not in serviceably sound racing condition.

(2) ~~((is a known bleeder.~~

~~((3))~~ Has been trachea-tubed.

~~((4))~~ (3) Has been nerved.

(a) Horses that have had a digital neurectomy (heel nerves) may be permitted to race subject to the prerace veterinary examination.

(b) Horses that have been nerved, blocked with alcohol or any other medical drug that desensitizes the nerves above the ankle will not be permitted to race.

~~((5))~~ (4) Has impaired eyesight in both eyes.

### WSR 90-14-102

#### PROPOSED RULES

#### DEPARTMENT OF LABOR AND INDUSTRIES

[Filed July 5, 1990, 2:40 p.m.]

Original Notice.

Title of Rule: Chapter 296-46 WAC, Installing electric wires and equipment.

Purpose: These rules are promulgated under RCW 19.28.010 and 19.28.060 requiring the Department of Labor and Industries to promote safety to life and property by adopting, modifying and supplementing the 1990

National Electrical Code and to provide for the preservation of the public health, safety and general welfare of the citizens of the state of Washington.

Statutory Authority for Adoption: RCW 19.28.060, 19.28.010(1) and 19.28.600.

Statute Being Implemented: Chapter 19.28 RCW.

Summary: WAC 296-46-090, the 1990 edition of the National Electrical Code, including Appendix B, will be adopted. In addition, the department proposes to adopt the 1990 edition of NFPA-20, Centrifugal fire pumps and the 1985 edition of NFPA-110, Emergency and standby power systems. The department will be authorized to enforce city electrical ordinances where those governmental agencies do not make electrical inspections under an established program; WAC 296-46-110, existing language is revised and moved to WAC 296-46-090. This section now will cover "Marking of disconnecting means" where electrical equipment is installed to obtain a series combination. The identification required by Section 110-22 of the National Electrical Code shall be in the form of an adhesive label or decal that contains the words "Caution — Series Rated System" in block letters at least 1/2-inch high; WAC 296-46-130, in addition to minor editing, a definition is included for licensed day-care centers to coordinate with definitions of the Department of Social and Health Services and the State Fire Marshal's office; WAC 296-46-140, in addition to editing, plans of existing electrical systems that are to supply additional loads shall include documentation that proves adequate capacity and ratings for the additional loads; WAC 296-46-150, changes are proposed to Table 1 and Table 2 that will bring wiring methods closer to those required in the National Electrical Code. Types MI, MC or AC cable, as well as manufactured wiring systems, are permitted in several occupancies. Other occupancies are permitted to be wired in accordance with the National Electrical Code; WAC 296-46-160, repealed and renumbered to become WAC 296-46-23001; WAC 296-46-200, repealed, with text relocated to WAC 296-46-23040; WAC 296-46-21008, this section will require an individual branch circuit for the receptacle outlets in dwelling unit bathrooms. These circuits shall not supply other loads. In addition, text from WAC 296-46-420 regarding ground-fault circuit-interrupter protection for personnel is relocated to this section. This revision will group all requirements regarding ground-fault circuit-interrupters in this section; WAC 296-46-21052, this new section provides that receptacles and switches shall not be placed face up on countertops or at other locations where they are subject to moisture or debris entering the device. In addition, where floor receptacles are located out of traffic areas in dwelling units, formed or welded metal boxes that are mounted in a substantial manner and equipped with a metal weather-proof coverplate shall be permitted; WAC 296-46-220, existing text related to service equipment is being moved to new WAC 296-46-23062. New text in this section will require that where unfinished spaces that are adaptable to future dwelling unit living area are not readily accessible to the service or branch circuit panelboard, circuits shall be taken to the area and terminated in a suitable box. Identification of the intent and purpose of

the circuits is required, as is adequate space and capacity in panelboards that will serve the future load; WAC 296-46-23001, this text was relocated from WAC 296-46-160 and contains an additional requirement that for fire wall separation of buildings of more than one hour fire rated construction, the fire wall shall be in compliance with the Uniform Building Code; WAC 296-46-23028, text from WAC 296-46-240 has been relocated to coordinate with the numbering of the WAC rules. In addition, editing has been done to clarify that all masts, regardless of whether they are used for service drops or to support feeders or branch circuits shall have the same integrity; WAC 46-23040, this section includes text moved from WAC 296-46-200. In addition, revisions are proposed for second or additional underground service laterals to multiple occupancy buildings. Multiple service laterals now will be required to originate at the same transformer or power supply, and an exception is provided so that service laterals for two family dwellings are permitted to terminate in meter enclosures that are permitted to be located less than 15 feet apart. A new subsection (6) is proposed that will require service conductors to have an ampacity not less than the rating of the service equipment they supply, unless exempted in Section 240-3, Exceptions 4, 6, 7 or 8 of the National Electrical Code; WAC 296-46-23062, this new section contains text relocated from WAC 296-46-220. A new subsection (4) is proposed that will require equipment ground fault protection systems be tested prior to being placed into service to verify proper installation and operation of the system as determined by the manufacturer's published instructions. The test is required to be performed by a firm that is approved by the Department of Labor and Industries and that has qualified persons and proper equipment to perform the test required. In addition, the department must be notified at least 48 hours before the test is scheduled so a representative may attend to witness the test, if necessary; WAC 296-46-240, this section will be repealed and text relocated to new section WAC 296-46-23028; WAC 296-46-30001, raceways, cables and boxes shall be permitted to be supported from No. 9 and larger suspended ceiling support wires under six conditions: If the raceways are not larger than 3/4-inch trade size; no more than two raceways or cables are supported by a support wire; raceways and cables are secured to the support wires by fittings designed and manufactured for the purpose; the support wires are fastened securely to the structural ceiling and to the ceiling grid system; the raceways or cables serve equipment that is located within the ceiling cavity or is mounted on or supported by the ceiling grid system; and where not prohibited by the building code official. Other cables and raceways systems must be supported from structural members of the building or by support systems installed for the purpose; WAC 296-46-316, changes are being made to coordinate with revisions in the 1990 National Electrical Code. However, the ampacity of service laterals exceeding 2,000 amperes, where the load factor exceeds 70 percent, shall be determined in accordance with Section 310-15(b) (Neher-McGrath Formula). The ampacities contained in Appendix B of the National Electrical Code will be

permitted to be used where directly applicable. Stacked or bundled underground conductors whose ampacity is determined from Table 310-16 of the National Electrical Code are required to be derated in accordance with note eight to those table. Unless equipment is marked by the manufacturer to indicate otherwise, termination provisions are based on the use of 60-degree C ampacities for wire sizes No. 14 through No. 1 AWG and 75-degree C ampacities for wire sizes No. 1/0 and larger; WAC 296-46-324, this section contains text related to knob and tube wiring that has been relocated from WAC 296-46-420; WAC 296-46-336, this new section coordinates with the numbering in the National Electrical Code and includes text relocated from existing WAC 296-46-420; WAC 296-46-350, this section is being repealed and the text relocated to WAC 296-46-700; WAC 296-46-360, this section is being extensively revised and will allow single conductor cables in sizes 250 kcmil and larger to be used under specific conditions. In addition, conductors size 1/0 and larger of multi-conductor cords, as well as single conductor cables, will be permitted to be connected by listed and labeled connection systems that ensure by design, first-make, last-break of the equipment grounding conductor. All existing electrical systems are required to comply with the 1987 edition of the National Electrical Code. Where new amusement rides, concessions or games are purchased, manufactured or constructed, or where existing rides, concessions or games have major modification, the electrical system is required to comply with the most recent edition of the National Electrical Code; WAC 296-46-420, this section is being repealed and text relocated to appropriate sections; WAC 296-46-42401, where fixed electric space heaters are manufactured to permit field modification of wattage, they shall be supplied by a branch circuit rated not less than 125 percent of the maximum wattage rating of the heater; WAC 296-46-45001, transformers must be rated not less than the load served as determined in accordance with Article 220 of the National Electrical Code. A readily-accessible, externally operable, load break rated disconnecting means and overcurrent protection in compliance with Article 450 of the National Electrical Code shall be provided. Location of pad mount transformers and underground transformers still is covered in other sections; WAC 296-46-495, editing is done on this section, including a requirement that where an electrical work permit is required by chapter 19.28 RCW or this chapter, equipment is not to be energized unless an application for a permit is available. An electrical work permit for emergency repairs to existing electrical systems must be obtained no later than the next business day. An electrical work permit application is required to be posted on the jobsite at a conspicuous location prior to beginning electrical work and at all times electrical work is being performed. An electrical work permit is required to be furnished by each person, firm, partnership, corporation or other entity performing the electrical work. The permit is required for all electrical work except for replacement of circuit breakers or fuses, replacement of snap switches, receptacle outlets or heating elements, contactors, relays, timers, starters or similar control components or for

plug-in appliances and travel trailers; WAC 296-46-514, propane pumps or dispensers are added to this section and must be wired in accordance with Article 514 of the National Electrical Code and the WAC rules; WAC 296-46-517, verification of the integrity of the wiring method ground path as required in Section 517-13(b) of the National Electrical Code must be tested by low-voltage, high-current equipment. The ground path must satisfactorily withstand a test current equal to the ampacity of the largest feeder or branch circuit conductor contained within the raceway or cable for a period of five minutes. The department must be notified of the scheduled test and a permanent record of the test must be maintained; WAC 296-46-55001, this section clarifies, that for the purposes of Article 550 of the National Electrical Code, manufactured homes as defined in the Federal Housing and Urban Development (HUD), Mobile Home Construction Safety Standards Act are considered to be mobile homes as defined in Article 550 of the National Electrical Code; WAC 296-46-600, a new subsection (2) is proposed to cover awning signs. This section will require outdoor sign awnings to be provided with wet location fixtures. Indoor awnings can be provided with either incandescent or fluorescent fixtures under specified conditions. A disconnecting means is required to be located within sight from not more than 50 feet from sign awnings. An exception allows listed awning signs to be installed in accordance with the manufacturer's instructions; WAC 296-46-670, this section will require that equipment within the scope of Article 670 of the National Electrical Code that is used to manufacture or process a product and is not available with a listing mark from an accredited electrical testing laboratory to comply with Article 670 of the National Electrical Code using listed and labeled equipment, components and control panels, where available; WAC 296-46-700, text from former WAC 296-46-350 is relocated to this section. In addition, a new subsection (3) will require that in new dwelling units or where bedrooms are added to existing dwellings, 120-volt outlets be provided for smoke detectors in the locations required by the Uniform Building Code. Where 120 volt smoke detectors are installed and sleeping areas within dwelling units are remote from one another, means shall be provided to simultaneously sound each alarm from the other detector. A new subsection (5) that coordinates with the requirements in Article 700 of the National Electrical Code will require that all boxes and enclosures, including transfer switches, generators and panels for emergency systems and circuits be permanently marked with an adhesive label or decal with the words "EMERGENCY SYSTEM" printed or engraved in block letters at least 1/2 inch high; WAC 296-46-725, this new section will require that cables for Class II and Class III circuits be secured in compliance with Section 336-15 and be secured to boxes in compliance with Section 370-7 of the National Electrical Code. Raceways for Class II and III circuit conductors shall be installed in compliance with Chapter 3 of the National Electrical Code; and WAC 296-46-770, optical fiber cables are required to be secured in compliance with Section 336-15 of the National Electrical Code.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Roland LeVasseur, 805 Plum Street S.E., Olympia, 753-2330.

Name of Proponent: Department of Labor and Industries, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: These rules adopt, modify and supplement the 1990 National Electrical Code. The purpose of the rule change is to bring the existing rules into conformity with the current national code changes. The anticipated effect of the changes will be both electrical installations and inspections being performed in accordance with the latest version of the National Electrical Code. RCW 19.28.010 requires that all wires and equipment and installations thereof, that convey electric current shall be in strict conformity with chapter 19.28 RCW, other statutes and administrative rules issued by the Department of Labor and Industries, and approved methods of construction for safety to life and property. Compliance with the regulations and articles of the National Electrical Code, as modified or supplemented by department rules furthering safety to life and safety shall be evidence of conformity with approved methods of construction.

Proposal Changes the Following Existing Rules: This proposal changes the existing rules to conform to the changes in the 1990 National Electrical Code. All changes have been approved and adopted by the Washington Electrical Board to correct problems and address missing components in the existing rules. In addition, several sections have been renumbered to more closely align with those in the National Electrical Code.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The department, based on guidelines established by the Washington Business Assistance Center under the Regulatory Fairness Act, has determined that the proposed rule amendments will have a minor or negligible impact on small business. Specifically, the proposed rule amendments do not create an economic burden for any regulated businesses.

No economic impact.

WAC 296-46-090, no identifiable cost; relocated from WAC 296-46-110 as a "housekeeping" function to conform the ordering of the WAC to the National Electrical Code; WAC 296-46-110, repealed portion was a "housekeeping" function to conform the ordering of the WAC to the National Electrical Code; it was relocated to WAC 296-46-090. Amended portion contains minor or negligible impact. Annual cost of compliance does not create an economic burden for regulated businesses; WAC 296-46-130, no identifiable cost; definitions modified to conform to the National Electrical Code; WAC 296-46-140, no identifiable cost; "housekeeping" grammar corrections; addendum promulgated for the purpose of stating policy, procedure or practice and requires no action on the part of any business; WAC 296-46-150, stringency of requirements relaxed; WAC 296-46-21008, new subsection (1) creates a minor or negligible impact. Annual cost of compliance does not create an

economic burden for regulated businesses. New subsections (2) and (3) have no identifiable cost; relocated from 296-46-420 as a "housekeeping" function to conform the ordering of the WAC to the National Electrical Code; WAC 296-46-21052, stringency of requirements relaxed; WAC 296-46-220, repealed portion was a "housekeeping" function to conform the ordering of the WAC to the national code; it was relocated to WAC 296-46-23062. New section creates a minor or negligible impact. Annual cost of compliance does not create an economic burden for regulated businesses; WAC 296-46-23001, no identifiable cost; relocated from section as a "housekeeping" function to conform the ordering of the WAC to the National Electrical Code; WAC 296-46-23028, no identifiable cost; relocated from WAC 296-46-240 as a "housekeeping" function to conform the ordering of the WAC to the National Electrical Code; WAC 296-46-23040, new subsection (1) has no identifiable cost, promulgated for the purpose of stating policy, procedure or practice and requires no action on the part of any business. New subsections (2), (3), (4) and (5) have no identifiable cost; relocated from WAC 296-46-200 as a "housekeeping" function to conform the ordering of the WAC to the National Electrical Code. New subsection (6) creates a minor or negligible impact. Annual cost of compliance does not create an economic burden for regulated businesses; WAC 296-46-23062, new subsections (1), (2) and (3) have no identifiable cost; relocated from WAC 296-46-220 as a "housekeeping" function to conform the ordering of the WAC to the National Electrical Code. New subsection (4) has no identifiable cost, promulgated for the purpose of stating policy, procedure or practice and requires no action on the part of any business; WAC 296-46-30001, no identifiable cost, promulgated for the purpose of stating policy, procedure or practice and requires no action on the part of any business; WAC 296-46-316, stringency of requirements relaxed; new option allowed for performance of work; WAC 296-46-324, no identifiable cost; relocated from WAC 296-46-420 as a "housekeeping" function to conform the ordering of the WAC to the National Electrical Code; WAC 296-46-336, no identifiable cost, relocated from WAC 296-46-420 as a "housekeeping" function to conform the ordering of the WAC to the National Electrical Code; WAC 296-46-360, stringency of requirements relaxed; WAC 296-46-42401, no identifiable cost, promulgated for the purpose of stating policy, procedure or practice and requires no action on the part of any business; WAC 296-46-45001, no identifiable cost, promulgated for the purpose of stating policy, procedure or practice and requires no action on the part of any business; WAC 296-46-495, no identifiable cost, promulgated for the purpose of stating policy, procedure or practice and requires no action on the part of any business; WAC 496-46-514, no identifiable cost, promulgated for the purpose of stating policy, procedure or practice and requires no action on the part of any business; WAC 296-46-517, stringency of requirements relaxed; WAC 296-46-55001, adopted for the purpose of ensuring conformity and compliance with federal regulations; WAC 296-46-600, stringency of requirements relaxed; WAC 296-46-670, no identifiable

cost, promulgated for the purpose of stating policy, procedure or practice and requires no action on the part of any business; WAC 296-46-700, new subsections (1), (2) and (3) result in no change over existing regulations; new subsections (4) and (5) contain a minor or negligible impact. Annual cost of compliance does not create an economic burden for regulated businesses; WAC 296-46-725, no identifiable cost, promulgated for the purpose of stating policy, procedure or practice and requires no action on the part of any business; and WAC 296-46-770, no change over existing regulations.

Hearing Location: Spokane Community College, North 1810 Greene Street, Lair Student Union Building, Sasquatch Room, on August 8, at 1:00 - 5:00 p.m.; and at the General Administration Building, 1st Floor Auditorium, on August 9, 1990, at 1:00 - 5:00 p.m.

Submit Written Comments to: Joseph Brewer, Assistant Director, B&CSIS, Plum Street, by August 9, 1990.

Date of Intended Adoption: September 10, 1990.

July 5, 1990  
Joseph A. Dear  
Director

#### NEW SECTION

WAC 296-46-090 FOREWORD. The 1990 edition of the National Electrical Code (NFPA 70 - 1990) including Appendix B, the 1990 edition of Centrifugal Fire Pumps (NFPA 20 - 1990) and the 1985 edition of Emergency and Standby Power Systems (NFPA 110 - 1985) are hereby adopted by reference as part of this chapter. Other codes, manuals, and reference works referred to in this chapter are available for inspection and review in the Olympia office of the electrical section of the department during business hours. Where there is any conflict between this chapter and the National Electrical Code (NFPA 70), Centrifugal Fire Pumps (NFPA 20) or Emergency and Standby Power Systems (NFPA 110), the requirements of this chapter shall be observed. Where there is any conflict between Centrifugal Fire Pumps (NFPA 20) or Emergency and Standby Power Systems (NFPA 110) and the National Electrical Code (NFPA 70), the National Electrical Code shall be followed.

Electrical inspectors will give information as to the meaning or application of the National Electrical Code, the standard on Centrifugal Fire Pumps and the standard on Emergency and Standby Power Systems and this chapter, but will not lay out work or act as consultants for contractors, owners, or users.

The department is authorized to enforce city electrical ordinances where those governmental agencies do not make electrical inspections under an established program.

#### AMENDATORY SECTION (Amending Order 87-07, filed 5/1/87)

WAC 296-46-110 ((FOREWORD)) MARKING OF DISCONNECTING MEANS. ((The 1987 edition of the National Electrical Code (NFPA 70-1987) is hereby adopted by reference as part of this chapter. Other codes, manuals, and reference works referred to in this chapter are available for inspection and review in the Olympia office of the electrical section of the department during business hours. Where there is any conflict between this chapter and the National Electrical Code, the requirements of this chapter shall be observed.

Electrical inspectors will give information as to the meaning or application of the National Electrical Code and this chapter, but will not lay out work or act as consultants for contractors, owners, or users.)) Where electrical equipment is installed to obtain a series combination rating, the identification as required by Section 110-22 shall be in the form of an adhesive label or decal or similar approved means that is suitable for the environment and is substantially yellow in color. The words "CAUTION - SERIES RATED SYSTEM" shall be printed or engraved on the label or decal in block letters at least 1/2 inch high and in a contrasting color.

#### AMENDATORY SECTION (Amending Order 87-07, filed 5/1/87)

WAC 296-46-130 CLASSIFICATION OR DEFINITION OF OCCUPANCIES. (1) Educational facility refers to a building or portion of a building used primarily for educational purposes and shall include buildings used for the gathering of groups of six or more persons for purposes of instruction. Educational occupancy includes, but is not restricted to: Schools, colleges, academies, and universities ((and child day care facilities)).

(2) Institutional facility refers to a building or portion of a building used primarily for detention and correctional occupancies where some degree of restraint or security is required. Such occupancies shall include, but are not restricted to: Penal institutions, reformatories, jails, detention centers, correctional centers, and residential-restrained care.

(3) Health or personal care facility. Health or personal care facility refers to buildings or parts of buildings that contain but are not limited to facilities such as a hospital, nursing home, alcoholism hospital, psychiatric hospital, boarding home, alcoholism treatment facility, maternity home, birth center or childbirth center, residential treatment facility for psychiatrically impaired children and youths, and renal hemodialysis clinics ((which) that are licensed by the department of social and health services; and medical, dental or chiropractic offices or clinics, outpatient or ambulatory surgical clinics, and such other health care occupancies where patients who may be unable to provide for their own needs and safety without the assistance of another person are treated.

(a) Boarding home means any home or other institution, however named, which is advertised, announced, or maintained for the express or implied purpose of providing board and domiciliary care to three or more aged persons not related by blood or marriage to the operator. It shall not include any home, institution, or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution, or section thereof.

(b) Private alcoholism hospital means an institution, facility, building, or equivalent designed, organized, maintained, and operated to provide diagnosis, treatment, and care of individuals demonstrating signs or symptoms of alcoholism, including the complications of associated substance use and other medical diseases that can be appropriately treated and cared for in the facility and providing accommodations, medical services, and other necessary services over a continuous period of twenty-four hours or more for two or more individuals unrelated to the operator, provided that this chapter shall not apply to any facility, agency, or other entity which shall be both owned and operated by a public or governmental body.

(c) Detoxification means care or treatment of an intoxicated person during a period where the individual recovers from the effects of intoxication.

(d) Private psychiatric hospital means an institution, facility, building, or agency specializing in the diagnosis, care, and treatment of individuals demonstrating signs and/or symptoms of mental disorder ((as defined in RCW 71.05.020(2)), and providing accommodations and other necessary services over a continuous period of twenty-four hours or more for two or more individuals not related to the operator, provided that this chapter shall not apply to any facility, agency, or other entity which shall be both owned and operated by a public or governmental body.

(e) Alcoholism treatment facility means a private place or establishment, other than a licensed hospital, operated primarily for the treatment of alcoholism.

(f) Maternity home means any home, place, hospital, or institution in which facilities are maintained for the care of four or more women, not related by blood or marriage to the operator, during pregnancy or during or within ten days after delivery: Provided, however, that this definition shall not apply to any hospital approved by the American College of Surgeons, American Osteopathic Association or its successor.

(g) Birth center or childbirth center means a type of maternity home which is a house, building, or equivalent organized to provide facilities and staff to support a birth service, provided that the birth service is limited to low-risk maternal clients during the intrapartum period.

(h) Residential treatment facility for psychiatrically impaired children and youth means a residence, place, or facility designed and organized to provide twenty-four hour residential care and long-term individualized, active treatment for clients who have been diagnosed or evaluated as psychiatrically impaired.

(i) Ambulatory surgical center or ASC means any distinct entity that operates exclusively for the purpose of providing surgical services



to patients not requiring hospitalization(;) or that has an agreement with HFCA under Medicare to participate as an ASC.

(j) Renal ((dialysis)) hemodialysis clinic is a facility in a building or part of a building which is approved to furnish the full spectrum of diagnostic, therapeutic, and rehabilitative services required for the care of renal dialysis patients (including inpatient dialysis furnished directly or under arrangement).

(k) Adult residential treatment facility means a residence, place, or facility designed and organized primarily to provide twenty-four hour residential care, crisis and short-term care, and/or long-term individualized active treatment and rehabilitation for clients diagnosed or evaluated as psychiatrically impaired or chronically mentally ill as defined herein or in chapter 204, Laws of 1982.

(l) Private adult treatment home means a dwelling which is the residence or home of two adults providing food, shelter, beds, and care for two or fewer psychiatrically impaired clients, provided these clients are detained under chapter 71.05 RCW and the dwelling is certified as an evaluation and treatment facility under chapter 71.05 RCW.

(m) Group care facility means ((an agency)) a facility maintained and operated for the care of a group of children on a twenty-four-hour basis.

(4) Licensed day care centers.

(a) "Day care center" means an agency that provides care for thirteen or more children either within the abode of the licensee or within a building or portion of a building used for such purposes for periods of less than twenty-four hours.

(b) "Mini day care center" means:

(i) Day care center for the care of twelve or fewer children in a facility other than the family abode of the person or persons under whose direct care and supervision the child is placed; or

(ii) The care of from seven through twelve children in the family abode of such person or persons.

AMENDATORY SECTION (Amending Order 87-07, filed 5/1/87)

WAC 296-46-140 PLAN REVIEW FOR EDUCATIONAL, INSTITUTIONAL OR HEALTH CARE FACILITIES AND OTHER BUILDINGS. (1) All electrical plans for new or altered electrical installations in educational, institutional, and health or personal care occupancies classified or defined in WAC 296-46-130 and as indicated in WAC 296-46-150, Table 1 or 2 shall be reviewed and approved by the department before the electrical installation or alteration is begun. Plans for these electrical installations within cities ((which)) that perform electrical inspections within their jurisdiction, and provide an electrical plan review program that equals or exceeds ((that of)) the department's program in plans examiner minimum qualifications, policies and procedures, may be submitted to that city for review rather than to the department. Approved plans shall be available on the job site for use during the electrical installation or alteration and for use by the electrical inspector. Refer plans for department review to the Electrical Inspection Section, Department of Labor and Industries, 805 Plum St. SE, Olympia, Washington 98504. Please refer to WAC 296-46-910 for required fees for plan review.

(2) Plans to be reviewed by the department must be legible, identify the name and classification of the facility, clearly indicate the scope and nature of the installation and the person or firm responsible for the electrical plans. The plans shall clearly show the electrical installation or alteration in floor plan view, include switchboard and/or panelboard schedules and when a service or feeder is to be installed or altered, shall include a riser diagram, load calculation, fault current calculation and interrupting rating of equipment. Where existing electrical systems are to supply additional loads, the plans shall include documentation that proves adequate capacity and ratings.

(3) Plan review for new or altered electrical installations of other types of construction may be voluntarily requested by the owner or other interested parties.

AMENDATORY SECTION (Amending Order 87-07, filed 5/1/87)

WAC 296-46-150 WIRING METHODS FOR DESIGNATED BUILDING OCCUPANCIES. Wiring methods, equipment and devices for health or personal care, educational and institutional facilities as defined or classified in WAC 296-46-130 and for places of assembly for one hundred or more persons shall comply with Table 1 or 2 and the notes thereto. For determining the occupant load of places of assembly, the methods of NFPA, ((101-1985)) 101-1988 Life Safety Code shall be used.

Table 1  
Health or Personal Care Facilities  
Electrical System—Wiring Methods

Health or Personal Care Facility	Power, Lighting, or Class 1 Circuits	((General)) Patient Care Areas	((Critical Patient Care))	Emergency Power, Lighting or Signalling	Low Voltage Systems	Special Requirements
Hospital	((+9)) 3	2	((2))	1	6,7	4,5,10
Nursing home	((+9)) 3	2	((2))	1	6,7	4,10
Boarding home						
((more than 16 persons))	((+9)) 3			1	6,7	4,10
((Boarding home 16 persons or less	3			1	7,8	4,10))
Alcoholism hospital	((+9)) 3	2		1	6,7	4,10
Detoxification facilities	((+9)) 3	((+)) 2		1	6,7	4,10
Psychiatric hospital	((+9)) 3	((+)) 2		1	6,7	4,5,10
Alcoholism treatment facility (other than detoxification facility)	3	3		1	6,7	4,10
Maternity home	((+9)) 3	((+)) 2		1	7,8	4,10
Birth or childbirth center	3	((3)) 2		1	7,8	
Residential treatment facility for psychiatrically impaired children & youths	((+9)) 3	((+)) 2		1	6,7	4,5,10



Table 1  
Health or Personal Care Facilities  
Electrical System—Wiring Methods

Health or Personal Care Facility	Power, Lighting, or Class 1 Circuits	((General)) Patient Care Areas	((Critical Patient Care))	Emergency Power, Lighting or Signalling	Low Voltage Systems	Special Requirements
Medical, dental & chiropractic clinics	3	((3)) 2		1	7,8	
Ambulatory surgeries & clinics	((+9)) 3	2	((2))	1	7,8	10
<u>Freestanding Renal hemodialysis clinics</u>	((+9)) 3	2		1	7,8	10
Adult residential treatment facility more than 16 persons	((+9)) 3	2		1	6,7	((4)) 5,10
Adult residential treatment facility 16 persons or less	3	2		1	7,8	4,10
Group care facilities for children more than 16 persons	((+9)) 3			1	6,7	4,5,10
Group care facilities for children 16 persons or less	3			1	7,8	4,5,10

General lighting load for the facilities in Table 1 shall be calculated at two watts per square foot or connected load if greater.

Table 2  
Educational Facilities, Institutional Facilities  
((or))<sub>2</sub> Places of Assembly for 100 or more persons  
or other facilities  
Electrical System—Wiring Methods

Facility	Power, Lighting or Class 1 Circuits	Emergency Power, Lighting	Low Voltage Systems	Special Requirements
Educational	((+9)) 2,9	1	6,7	10
Institutional	((+9)) 2,9	1	6,7	10
Place of assembly for 100 or more persons ((Licensed day care for children aged through 6 years over three-story building))	((+9)) 3,9	1	6,7	
<u>Day care center for thirty or more children</u>	((+9)) 2,9	1	6,7	4,5,10
<u>((Licensed day care for children aged through 6 years — thru three story building)) Day care center licensed for less than thirty children</u>	3	1	7,8	4,5,10
<u>Licensed mini day care center</u>	3	1	7,8	4,5

Notes for Tables 1 and 2

1. Metallic raceways.
2. Metallic raceways, type MI, MC, or AC cable where the outer metal jacket is an approved grounding means of a listed cable assembly, with an insulated equipment grounding conductor. A manufactured wiring system is permitted to be installed in compliance with Article 604 of the National Electrical Code.
3. Wiring methods in accordance with the National Electrical Code.
4. Ground-fault circuit-interrupter protection of 15 or 20 ampere, 125 volt receptacles within a bathroom or shower room or within five feet of a basin ((which)) that is located in a patient room.
5. ((Tamperproof)) Tamper resistant receptacles in licensed day care facilities and pediatric or psychiatric patient care areas for 15 or 20 ampere, 125 volt receptacles. ((Tamperproof)) Tamper resistant receptacles shall, by construction, limit improper access to energized contacts.
6. Fire alarm, nurse call, public address systems used to give directions during an emergency situation or other emergency systems shall be installed in a metallic raceway.
7. Class 2 or 3 limited energy systems and communication systems including telephone, intercom, data processing or similar systems shall be permitted to be installed as open cable systems in compliance with the National Electrical Code.

- 8. Fire alarm systems shall be permitted to be installed as open cable systems in compliance with the National Electrical Code.
- 9. Rigid nonmetallic raceways shall be permitted to be installed outside of buildings, in the earth or in concrete on or below grade.
- 10. Plan review required.

NEW SECTION

WAC 296-46-21008 BRANCH CIRCUITS. (1) An individual branch circuit shall be provided for the receptacle outlet(s) for dwelling unit bathrooms as defined in the National Electrical Code. Whether one or more circuits are used, these circuits shall not supply other loads.

(2) All 125 volt, single phase, 15 and 20 ampere receptacles installed outdoors at a dwelling shall have ground-fault circuit-interrupter protection for personnel.

(3) All 125 volt, single phase, 15 and 20 ampere receptacles installed in kitchens in a dwelling unit on the small appliance branch circuits, except for those receptacle outlets for dedicated use, such as for a dishwasher, disposal, trash compactor, refrigerator or freezer, shall have ground-fault circuit-interrupter protection for personnel.

NEW SECTION

WAC 296-46-21052 RECEPTACLES AND SWITCHES. (1) Receptacles and switches shall not be placed face-up on counter tops or at other locations where subject to moisture or debris entering the device.

(2) Where located out of traffic areas in dwelling units, formed or welded metal boxes that are mounted in a substantial manner such as directly to a framing member shall be permitted to be used for floor receptacle outlets. A metal, weatherproof cover plate shall be used for such installations.

AMENDATORY SECTION (Amending Order 87-07, filed 5/1/87)

WAC 296-46-220 SERVICE EQUIPMENT. ((+) Service equipment, sub-panels, and similar electrical equipment shall be installed so that they are readily accessible and shall not be installed in bathrooms, clothes closets, shower rooms, cupboards, or attics, or above washers, clothes dryers, or plumbed-in fixtures. All indoor service equipment and sub-panel equipment shall be adequately illuminated.

(2) Service switches and other equipment exposed to elements of the outside weather shall be rain-tight-type factory built for the purpose. Refer to NEMA-3R.

(3) Temporary construction service equipment shall not be used for other than construction purposes and shall be disconnected when the permanent service is connected unless an extension for a definite period of time is granted by the department.

(4) Multiple-occupancy buildings. A second or additional underground service lateral to a multiple-occupancy building shall be permitted to be installed at a location separate from other service laterals to the building provided that all the following conditions are complied with:

- (a) Each service lateral is sized in accordance with the National Electrical Code for the calculated load to be served by the conductors;
- (b) Each service lateral terminates in service equipment which is located in or on a unit served by the service equipment;
- (c) The service equipment is separated at least fifteen feet from other service equipment in or on the building; and
- (d) A permanent directory, suitable for the environment, is placed at each service equipment location which identifies all other service equipment locations in or on the building.

Where unfinished spaces adaptable to future dwelling unit living area are not readily accessible to the service or branch circuit panelboard, circuits shall be taken to the area and terminated in a suitable box. The box shall contain an identification of the intended purpose of the circuit(s). Adequate space and capacity shall be provided in the branch circuit panelboard serving the intended load.

NEW SECTION

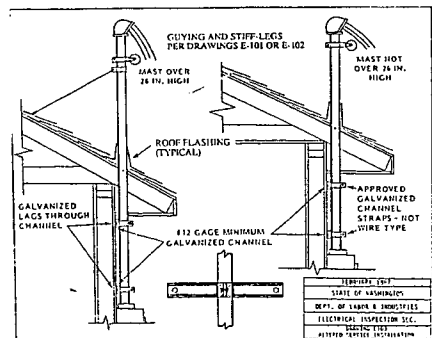
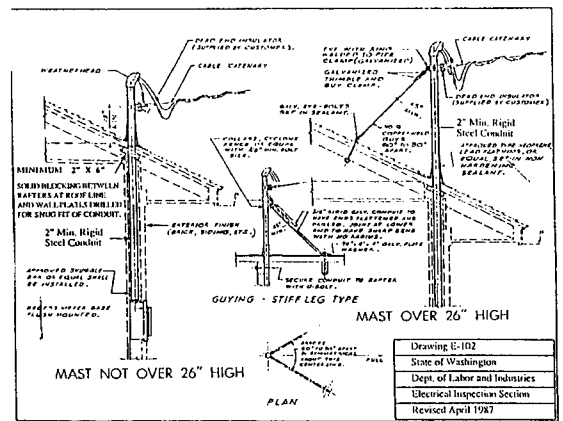
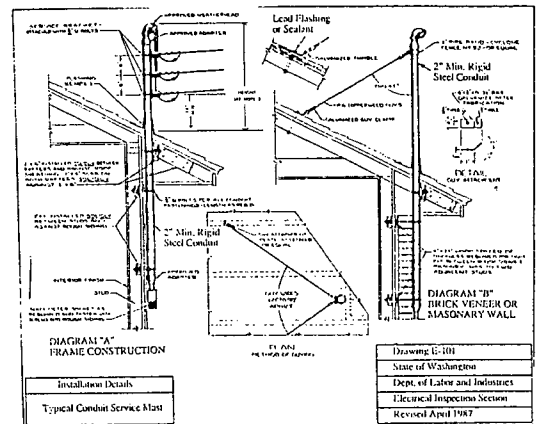
WAC 296-46-23001 SERVICE REQUIREMENTS. (1) The serving utility shall be consulted by the owner, the owner's agent, or the contractor making the installation regarding the service entrance location and meter equipment requirements before installing the service and equipment. Provisions for a meter and related equipment, an attachment of a service drop, or an underground service lateral shall be

made at a location acceptable to the serving utility. The point of attachment for a service drop shall permit the clearances required by the National Electrical Code.

(2) A fire wall shall have a minimum two-hour rating as defined by the Uniform Building Code to be considered a building separation in accordance with Article 100 of the National Electrical Code. Buildings of more than one hour fire rated construction shall have a fire wall separation in compliance with the Uniform Building Code.

NEW SECTION

WAC 296-46-23028 SERVICE OR OTHER MASTS. Conduit extended through the roof to provide means of attaching the service drop or other conductors shall be no smaller than 2-inch rigid steel galvanized conduit, shall provide a structurally sound attachment for the conductors and shall be equipped with a properly installed flashing at the roof line. The installation shall comply with drawings E-101 and/or E-102, or shall provide equivalent strength by other approved means. Masts for altered or relocated installations shall be permitted to comply with drawing E-103.



Notes to drawings E-101, E-102, and E-103.

1. An approved roof flashing shall be installed on each mast where it passes through a roof. Plastic, nonhardening mastic shall be placed between lead-type flashings and the conduit. Neoprene type flashings shall also be permitted to be used.
2. Masts shall be braced, secured, and supported in such a manner that no pressure from the attached conductors will be exerted on a roof flashing, meter base, or other enclosures.
3. Utilization of couplings for a mast are permitted only below the point the mast is braced, secured, or supported.
4. Except as otherwise required by the serving utility, service mast support guys shall be installed if the service drop attaches to the mast more than 24 inches above the roof line or if the service drop is greater than 100 feet in length from the pole or support. Masts for support of other than service drops shall comply with this requirement as well.
5. Intermediate support masts shall be installed in an approved manner with methods identical or equal to those required for service masts.
6. For altered services, where it is impractical to install U bolt mast supports due to interior walls remaining closed, it shall be permissible to use other alternate mast support methods such as heavy gauge, galvanized, electrical channel material that is secured to two or more wooden studs with 5/16 inch diameter or larger galvanized lag bolts.

#### NEW SECTION

WAC 296-46-23040 SERVICE CONDUCTORS. (1) Service entrance conductors shall extend at least 18 inches from the service head to permit connection to the service drop.

(2)(a) The installation of service conductors not exceeding 600 volts nominal, within a building or structure shall be limited to the following methods: Galvanized or aluminum rigid metal conduit; galvanized intermediate metal conduit; wireways; busways; auxiliary gutters; rigid nonmetallic conduit; cablebus; or mineral-insulated, metal-sheathed cable (type MI).

(b) The installation of service conductors exceeding 600 volts, nominal, within a building or structure shall be limited to the following methods: Galvanized rigid metal conduit; galvanized intermediate metal conduit; metal-clad cable that is exposed for its entire length; cablebus; or busways.

(3) Service conductors under the exclusive control of the serving utility, where installed within a building or structure shall be installed in rigid steel galvanized conduit or Schedule 80 nonmetallic conduit. The grounded service conductor shall be permitted to be identified with a yellow jacket or with one or more yellow stripes.

(4) Multiple-occupancy buildings. A second or additional underground service lateral to a building having more than one occupancy shall be permitted to be installed at a location separate from other service laterals to the building provided that all the following conditions are complied with:

(a) Each service lateral is sized in accordance with the National Electrical Code for the calculated load to be served by the conductors;

(b) Each service lateral terminates in service equipment that is located in or on a unit served by the service equipment;

(c) The service laterals originate at the same transformer or power supply;

(d) The service equipment is separated at least fifteen feet from other service equipment in or on the building; and

(e) A permanent directory, suitable for the environment, is placed at each service equipment location that identifies all other service equipment locations in or on the building and the area or units served by each.

Exception: Service laterals for two-family dwellings are permitted to terminate in meter enclosures that are permitted to be located less than 15 feet apart.

(5) The service raceway or cable shall extend no more than fifteen feet inside a building or structure.

(6) Except as provided by the National Electrical Code, Section 240-3, Exceptions No. 4, No. 6, No. 7, and No. 8, service conductors shall have an ampacity not less than the rating of the service equipment they supply.

#### NEW SECTION

WAC 296-46-23062 SERVICE EQUIPMENT. (1) Service equipment, sub-panels, and similar electrical equipment shall be installed so that they are readily accessible and shall not be installed in bathrooms, clothes closets, shower rooms, cupboards, or attics, or above washers, clothes dryers, or plumbed-in fixtures. All indoor service equipment and sub-panel equipment shall be adequately illuminated.

(2) Service switches and other equipment exposed to elements of the outside weather shall be raintight type factory built for the purpose. Refer to NEMA-3R.

(3) Temporary construction service equipment shall not be used for other than construction purposes and shall be disconnected when the permanent service is connected unless an extension for a definite period of time is granted by the department.

(4) Equipment ground fault protection systems shall be tested prior to being placed into service to verify proper installation and operation of the system as determined by the manufacturer's published instructions. The test shall be performed by a firm that is approved by the department and has qualified personnel and proper equipment to perform the tests required. The department shall be notified at least forty-eight hours before the test is scheduled so a representative may attend to witness the test if desired.

#### NEW SECTION

WAC 296-46-30001 SUPPORT OF RACEWAYS AND CABLES. Raceways, cables, and boxes shall be permitted to be supported from Number 9 and larger suspended ceiling support wires under the following conditions:

(1) Raceways and cables are not larger than 3/4 inch trade size.

(2) No more than two raceways or cables are supported by a support wire.

(3) Raceways and cables are secured to the support wires by fittings designed and manufactured for the purpose.

(4) The support wires are securely fastened to the structural ceiling and to the ceiling grid system.

(5) The raceways or cables serve equipment that is located within the ceiling cavity or is mounted on or supported by the ceiling grid system.

(6) Where not prohibited by the building code official.

#### AMENDATORY SECTION (Amending Order 88-14, filed 7/18/88)

WAC 296-46-316 (~~TABLE HEADINGS 1987 NATIONAL ELECTRICAL CODE~~) CONDUCTOR AMPACITIES. (~~+~~) The heading of Table 310-16 of the 1987 National Electrical Code is hereby revised to read as follows: "Table 310-16. Ampacities of not more than three single insulated conductors, rated 0 through 2000 volts, in raceway and ampacities of cable types AC, NM, NMC, and SE. Based on ambient air temperature of 30° C (86° F)."

(2) The heading of Table 310-18 of the 1987 National Electrical Code is hereby revised to read as follows: "Table 310-18. Ampacities of three single insulated conductors, rated 0 through 2000 volts 110° to 250° C in raceway. Based on ambient air temperature of 40° C (104° F)."

(3) The heading of Table 310-22 of the 1987 National Electrical Code is hereby revised to read as follows: "Table 310-22. Ampacities of three insulated conductors, rated 0 through 2000 volts within an overall covering (three conductor cable) in raceway. Based on ambient air temperature of 30° C (86° F)."

(4) Table 310-16 and all accompanying notes of the 1987 National Electrical Code shall be permitted to be used to determine the ampacity of from one through six sets of underground conductors rated 0 through 2000 volts that are directly buried or installed in underground ducts if all the following conditions are complied with:

(a) The load is calculated in accordance with Article 220 of the National Electrical Code.

(b) At least two inches spacing is maintained between ducts or conductor sets.

(c) Select fill is used to backfill around conductor sets or ducts to avoid air gaps. Concrete encasement around approved ducts is acceptable.

(d) Maximum burial depth to the top of duct banks shall be thirty inches, and maximum depth to the top of direct buried cable shall be thirty-six inches.

(e) The load factor does not exceed seventy percent.

Load factor is defined as "the ratio of the average load to the peak load occurring during a twenty-four hour period." Where the load factor exceeds seventy percent, the conductor ampacity from Table 310-16 shall be reduced by the amount the load factor exceeds seventy percent. (For example, if the load factor is eighty-five percent, reduce the ampacity by fifteen percent.)

The ampacity of conductors installed under conditions or in configurations other than indicated above shall be determined in accordance

with section 310-15(b) of the National Electrical Code.) (1) The ampacity of service laterals exceeding 2000 amperes, where the load factor exceeds seventy percent, shall be determined in accordance with Section 310-15(b) of the National Electrical Code. Load factor is defined as "the ratio of the average load to the peak load occurring during a twenty-four hour period."

(2) It shall be permissible to determine the ampacities of conductors from the tables and accompanying notes in Appendix B of the National Electrical Code for applications covered directly by the tables.

(3) Underground conductors whose ampacity is determined from the National Electrical Code Table 310-16 shall be derated in accordance with Note 8 to Ampacity Tables of 0 to 2000 volts, where stacked or bundled (less than 2-inch spacing) a distance equal to 10 feet or 10 percent of the circuit length, whichever is less.

(4) Unless the equipment is marked by the manufacturer to indicate otherwise, termination provisions are based on the use of 60 C ampacities for wire sizes No.'s 14-1 AWG and 75 C ampacities for wire sizes No.'s 1/0 and larger, as provided in the National Electrical Code Table 310-16 for insulated conductors rated 0-2000 volts, or in Table 400-5 A or B for flexible cords and cables.

#### NEW SECTION

WAC 296-46-324 KNOB-AND-TUBE WIRING. The provision of Section 324-4 of the National Electrical Code shall not be construed to prohibit the installation of loose or rolled thermal insulating material in spaces containing existing knob-and-tube wiring provided that all the following conditions are met:

(1) The wiring shall be surveyed by an appropriately licensed electrical contractor who shall certify that the wiring is in good condition with no evidence of improper overcurrent protection, conductor insulation failure or deterioration, and with no improper connections or splices. Repairs, alterations, or extensions of or to the electrical system shall be inspected by an electrical inspector as defined in RCW 19.28.070.

(2) The insulation shall meet Class I specifications as identified in the Uniform Building Code, with a flame spread factor of twenty-five or less as tested using ASTM E84-81a. Foam insulation shall not be used with knob-and-tube wiring.

(3) All knob-and-tube circuits shall have overcurrent protection in compliance with the 60 degree C column of Table 310-16 of the National Electrical Code. Overcurrent protection shall be either circuit breakers or Type S fuses. The Type S fuse adapters shall not accept a fuse of an ampacity greater than that permitted in this chapter.

#### NEW SECTION

WAC 296-46-336 NONMETALLIC CABLE SYSTEMS. All electrical equipment grounding conductors for nonmetallic cable systems shall be completely made up at the time of the inspection.

#### AMENDATORY SECTION (Amending Order 86-23, filed 8/29/86)

WAC 296-46-360 AMUSEMENT RIDES OR STRUCTURES, CARNIVALS, CIRCUSES, AND TRAVELING SHOWS. (1) Electrical installations. Service equipment, separately derived systems, feeders and circuits for each amusement ride, structure or concession and the interconnection of each ride, structure or concession, shall comply with the National Electrical Code and this chapter.

(2) Feeders and circuits for portable rides, structures or concessions shall be ((type "S" flexible cord or an equivalent:

(2)) listed and labeled, multiconductor cord of a type identified in Table 400-4 of the National Electrical Code for hard usage or extra hard usage or as permitted under the conditions in this chapter, by individual, single conductor power cable. Ampacity shall be determined from the appropriate Table 400-5(A) or 400-5(B) in the National Electrical Code including all notes thereto.

(3) Flexible multiconductor cords shall be connected to equipment by approved connectors designed for the purpose or by listed cord caps. Individual conductors of multiconductor cords in sizes 1/0 and larger shall be permitted to be connected by listed and labeled connection systems (receptacles and plugs) that ensure by design, first-make, last-break of the equipment grounding conductor. Where conductors are connected individually by such connection systems, the outer jacket of multiconductor cord shall be secured to the electrical equipment independent from the receptacles and plugs by approved wire mesh cable grips that are installed in a manner to prevent pressure from being applied to the receptacles and plugs.

(4) Individual, single conductor, insulated, portable power cable of a type identified in Table 400-4 of the National Electrical Code for extra hard usage, in sizes 250 kcmil and larger, shall be permitted to be used in the electrical distribution system provided that:

(a) All conductors of the feeder or circuit including the equipment grounding conductor originate in the same electrical equipment and terminate in the same equipment.

(b) All conductors of the feeder or circuit including the ungrounded, grounded, and equipment grounding conductors are run together and, except for portions installed within approved cable protection systems, are lashed together using approved materials at intervals of not more than four feet.

(c) All conductors including the grounded circuit conductor (neutral) if used, the equipment grounding conductor and the ungrounded conductors are listed and labeled cable of the same size, conductor material and insulation.

(d) The cables are secured to the electrical equipment independent from the cable receptacles and plugs by approved wire mesh cable grips that prevent pressure from being applied to the connectors.

(e) The cables are connected to electrical equipment by approved listed and labeled connection systems that ensure by design, first-make, last-break of the equipment grounding conductor.

(5) Disconnecting means. A separate, enclosed, externally operable fused switch or circuit breaker, shall be installed on each amusement ride, structure or concession to disconnect all electrical equipment. The disconnecting means shall be readily accessible and identified as the disconnecting means. Where more than one power supply is employed, the disconnecting means shall be grouped.

((3)) (6) Rotating equipment. Components of amusement rides or structures ((which)) that rotate more than three hundred sixty degrees and which have electrically operated equipment, shall be supplied by approved collector rings ((which)) that shall be totally enclosed or located so they are accessible to authorized personnel only. The collector rings shall be factory produced with an equipment grounding segment having a voltage and current rating ((which)) that equals or exceeds the rating of the current carrying segments. Collector rings shall have an ampacity not less than one hundred twenty-five percent of the full-load current of the largest device served plus the full-load current of all other devices served. Collector rings for control and signal purposes shall have an ampacity not less than one hundred twenty-five percent of the full-load current of the largest device served plus the full-load current of all other devices served.

((4)) (7) Equipment grounding. All noncurrent carrying metal parts of amusement rides and structures shall be grounded by an equipment grounding conductor routed with the feeder or circuit conductors in accordance with the National Electrical Code and these rules. The metallic structure shall not be used as a current carrying conductor.

Exception: The metallic structure shall be permitted to be used as the return path for low voltage systems ((which)) that do not exceed thirty volts, provided that the ungrounded conductors are protected by an overcurrent device in accordance with the National Electrical Code and the system is factory built for such use.

(8) Existing electrical systems shall comply with the 1987 edition of the National Electrical Code and shall be maintained in full compliance with the 1987 edition of the National Electrical Code. Where new amusement rides, concessions or games are purchased, manufactured or constructed, or where existing rides, concessions or games have major modification, the electrical system shall comply with this chapter and the edition of the National Electrical Code in effect at that time. All rides, concessions, and games shall be identified in or on the disconnecting means as well as by make, model and serial number in records furnished to the department with the edition of the National Electrical Code the electrical system is intended to comply with.

#### NEW SECTION

WAC 296-46-42401 FIXED ELECTRIC SPACE HEATING. Fixed electric space heaters that are manufactured to permit field modification of wattage, shall be supplied by a branch circuit rated not less than 125 percent of the maximum wattage rating of the heater(s).

#### NEW SECTION

WAC 296-46-45001 TRANSFORMERS. (1) Transformers shall be rated not less than the load served as determined in accordance with Article 220 of the National Electrical Code.

(2) A readily accessible, externally operable, load break rated disconnecting means and overcurrent protection shall be provided on the line side of power transformers. Overcurrent protection shall comply with Article 450 of the National Electrical Code.

(3) See WAC 296-46-480 for location of pad-mounted transformers and WAC 296-46-490 for location of total underground transformers.

#### AMENDATORY SECTION (Amending Order 87-07, filed 5/1/87)

WAC 296-46-495 ELECTRICAL WORK PERMITS AND FEES. (1) Where an electrical work permit is required by chapter 19-28 RCW or this chapter, inspections shall not be made, equipment energized, nor services connected unless an electrical work permit is completely and legibly filled out and readily available. The classification or type of facility to be inspected and the scope of the electrical work to be performed shall be clearly shown on the electrical work permit. The address where the inspection is to be made shall be identifiable from the street, road or highway ((which)) that serves the premises.

(2) Except for emergency repairs to existing electrical systems, electrical work permits shall be obtained prior to beginning the installation or alteration. An electrical work permit for emergency repairs to existing electrical systems shall be obtained no later than the next business day.

(3) The electrical work permit application shall be posted on the job site at a conspicuous location prior to beginning electrical work and at all times electrical work is performed.

(4) Electrical work permits shall expire one year after the date of purchase unless electrical work is actively and consistently in progress. Electrical work permits for temporary construction activity shall expire ninety days after suspended construction and no later than one year after purchase.

(5) Fees shall be paid in accordance with the inspection fee schedule WAC 296-46-910.

(6) Each person, firm, partnership, corporation, or other entity shall furnish an electrical work permit for the installation, alteration, or other electrical work performed or to be performed by that entity. Each electrical work permit application shall be signed by the electrical contractor's administrator (or designee) or the person, or authorized representative of the firm, partnership, corporation, or other entity ((who or which)) that is performing or responsible for the electrical installation or alteration.

(7) An electrical work permit is required for installation, alteration, or maintenance of electrical systems except for replacement of circuit breakers or fuses, for replacement of snap switches, receptacle outlets or heating elements, replacement of contactors, relays, timers, starters, or similar control components or for plug-in appliances or travel trailers.

#### AMENDATORY SECTION (Amending Order 87-07, filed 5/1/87)

WAC 296-46-514 SERVICE STATIONS AND PROPANE EQUIPMENT. (1) In addition to complying with Article 514 of the National Electrical Code, each circuit leading to or through a gasoline pump shall be provided with an emergency disconnect switch or other approved means which shall simultaneously disconnect all circuit conductors including the grounded circuit conductor if any.

The disconnecting means or operator shall be substantially red in color and identified with a sign as the emergency disconnecting means. The disconnecting means or operator shall be readily accessible and shall be located outdoors and within sight of the gasoline pump or dispenser the disconnect controls. For multicircuit installations an electrically held contactor shall be permitted to be used.

(2) Propane pumps or dispensers. The wiring of propane pumps, dispensers, and associated electrical equipment shall comply with Article 514 of the National Electrical Code and this chapter.

#### NEW SECTION

WAC 296-46-517 HEALTH CARE FACILITIES. (1) Verification of the integrity of the wiring method ground path as required in Section 517-13(b) of the National Electrical Code shall be performed by low voltage, high current equipment. The ground path shall satisfactorily withstand a test current equal to the ampacity of the largest feeder or branch circuit conductor contained within the raceway or cable for a period of five minutes.

(2) The department shall be notified of when the test is scheduled so a representative may attend to witness the test. A permanent record giving the date, time, circuit, current, results, firm, and person performing the test shall be made and furnished to the owner and department.

#### NEW SECTION

WAC 296-46-55001 MOBILE OR MANUFACTURED HOMES. For the purposes of Article 550 of the National Electrical Code, manufactured homes as defined in the Federal Housing and Urban Development (HUD) Mobile Home Construction and Safety Standards Act are considered to be mobile homes as defined in the National Electrical Code.

#### AMENDATORY SECTION (Amending Order 86-23, filed 8/29/86)

WAC 296-46-600 ((PORTABLE OUTDOOR)) ELECTRICAL SIGNS. (1) Portable outdoor signs. A weatherproof receptacle outlet ((which)) that is weatherproof with the supply cord connected shall be installed within six feet of each electrical sign. Extension cords shall not be permitted to supply portable outdoor signs. All new portable outdoor electrical signs shall be listed and labeled by an electrical testing laboratory ((which has been)) that is accredited by the department. Existing portable signs ((which)) that are not listed and labeled or ((which)) do not have ground-fault circuit-interrupter protection, as required by section 600-11 of the National Electrical Code, shall have ground-fault circuit-interrupter protection provided in the branch circuit ((which)) that supplies the portable sign.

(2) Awning signs. Lighting fixtures in outdoor awnings shall be listed as suitable for wet locations and be connected by a wiring method suitable for wet locations. Fluorescent lighting fixtures shall be located at least six inches from the awning fabric. Incandescent lamps or fixtures shall be located at least eighteen inches from the awning fabric. A disconnecting means shall be located within sight from and not more than fifty feet from the awning.

Exception: Listed awning signs shall be installed in compliance with the manufacturer's instructions and the National Electrical Code.

#### NEW SECTION

WAC 296-46-670 MANUFACTURED EQUIPMENT. Equipment within the scope of Article 670 of the National Electrical Code that is used to manufacture or process a product and that is not available with a listing mark from an accredited electrical testing laboratory, shall comply with Article 670 of the National Electrical Code and be wired in accordance with the National Electrical Code using listed and labeled electrical equipment, components, and control panels where available.

#### NEW SECTION

WAC 296-46-700 EMERGENCY SYSTEMS. (1) Exit and emergency lights shall be installed in accordance with the National Electrical Code code, Article 700, and Life Safety Code NFPA 101-1988 in all health or personal care facilities defined in WAC 296-46-130, educational facilities, institutional facilities, hotels, motels, and places of assembly for one hundred or more persons. Installation shall be made in strict accordance with the National Electrical Code, Article 700, and WAC 296-46-150.

(2) Fire alarm systems. Fire alarm systems required by a city, county or state ordinance, statute, or regulation shall be installed in accordance with the National Electrical Code and this chapter. Power-limited fire alarm systems shall be permitted to be installed in metallic raceways using conductors shown in Section 760-16(b) of the National Electrical Code for nonpower-limited circuits or those 600 volt conductors which are rated for 90 degrees C or greater in Table 310-13 of the National Electrical Code.

(3) In new dwelling units or where bedrooms are added to existing dwellings, 120 volt outlets shall be provided for smoke detectors in the locations required by the Uniform Building Code as adopted by the state building code council. Where 120 volt smoke detectors are installed and the sleeping areas within a dwelling unit are remote from one another, means shall be provided to simultaneously sound each alarm from the other detector.

(4) Junction boxes for fire alarm systems other than the surface raceway type, shall be substantially red in color. Power-limited fire protective signalling circuit conductors shall be durably and plainly

marked in or on junction boxes or other enclosures to indicate that it is a power-limited fire protective signalling circuit. Conductors for light, heat, or power shall not be installed in any enclosure, raceway, cable, compartment, outlet box, or similar fitting containing fire alarm conductors.

(5) All boxes and enclosures, including transfer switches, generators, and power panels for emergency systems and circuits shall be permanently marked with an adhesive label or decal or similar approved means that is suitable for the environment and is substantially red in color. The words "emergency system" shall be printed or engraved on the label or decal in block letters at least 1/2 inch high and in a contrasting color.

#### NEW SECTION

WAC 296-46-725 CLASS 2 AND CLASS 3 CABLES. Class 2 and Class 3 cables shall be secured in compliance with Section 336-15 of the National Electrical Code and shall be secured to boxes in compliance with Section 370-7 of the National Electrical Code. Raceways for Class 2 and Class 3 conductors shall be installed in compliance with Chapter 3 of the National Electrical Code.

#### NEW SECTION

WAC 296-46-770 OPTICAL FIBER CABLES. Optical fiber cables shall be secured in compliance with Section 336-15 of the National Electrical Code.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-46-160 SERVICE REQUIREMENTS.  
WAC 296-46-200 SERVICE ENTRANCE CONDUCTORS.  
WAC 296-46-240 SERVICE MAST.  
WAC 296-46-350 EMERGENCY SYSTEMS.  
WAC 296-46-420 NONMETALLIC CABLE SYSTEMS—  
GROUND-FAULT CIRCUIT INTERRUPTER PROTECTION—  
KNOB AND TUBE WIRING.

### WSR 90-14-103

#### NOTICE OF PUBLIC MEETINGS FOREST PRACTICES BOARD

[Memorandum—July 5, 1990]

This notice is given pursuant to provisions of RCW 42-30.075 and WAC 222-08-040.

The Washington Forest Practices Board will hold its regular quarterly meeting on August 8, 1990, at 1:00 p.m. at the Skagit Valley Community College, 2405 College Way, Mt. Vernon, WA.

Additional information may be obtained from the Division of Forest Regulation and Assistance, 1007 South Washington Street, EL-03, Olympia, WA 98504, (206) 753-5315.

### WSR 90-14-104

#### PROPOSED RULES INSURANCE COMMISSIONER

[Filed July 5, 1990, 2:55 p.m.]

Original Notice.

Title of Rule: Organization and operations of the Insurance Commissioner's Office—Special programs—SHIBA.

Purpose: To clarify that no one connected to the commissioner's senior health benefits advisors (SHIBA) program may be an active agent of an insurer selling disability insurance.

Other Identifying Information: Insurance Commissioner Matter No. R 90-8.

Statutory Authority for Adoption: RCW 48.02.060.

Statute Being Implemented: RCW 48.02.160(3).

Summary: In order to assure the objectivity of advice given to the public by SHIBA volunteers, no one connected to the commissioner's SHIBA program may be an active agent of an insurer selling disability insurance in this state.

Reasons Supporting Proposal: The appearance of a conflict of interest and the potential for abuse convinced the commissioner that this rule is necessary to protect the consumers.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: June Mulcahy, Insurance Building, Olympia, Washington, (206) 753-2408.

Name of Proponent: Dick Marquardt, Insurance Commissioner, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The rule clarifies the commissioner's decision to protect consumers from problems which could result if agent-SHIBA volunteers take advantage of counseling sessions to either put their own policies in a more favorable light or to sell consumers their policies.

Proposal does not change existing rules. The rule merely makes formal an informal practice of the commissioner.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

This rule merely clarifies and makes formal an existing practice. No changes are required by any individual or company regulated by the commissioner.

Hearing Location: John A. Cherberg Building, Hearing Room #1, State Capitol Campus, 14th and Water Streets, Olympia, Washington, on August 9, 1990, at 10:00 a.m.

Submit Written Comments to: Insurance Commissioner, Insurance Building, AQ-21, Olympia, Washington 98504-0321, by August 9, 1990.

Date of Intended Adoption: August 14, 1990.

July 5, 1990

Melodie H. Bankers  
Assistant Deputy Commissioner  
for Dick Marquardt  
Insurance Commissioner

#### AMENDATORY SECTION (Amending Order R 88-10, filed 11/18/88)

WAC 284-02-020 ORGANIZATION AND OPERATIONS. The insurance commissioner is the head of an agency generally referred to as the insurance commissioner's office, and as such is its chief administrative officer. The commissioner's office consists of three major divisions: Administrative, company supervision, and consumer protection. The commissioner may appoint a chief deputy commissioner who has the same powers as are granted to the commissioner. The commissioner may appoint additional deputy commissioners for such purposes as he may designate (RCW 48.02.090).

(1) Administrative division.

(a) Licensing and insurance education. Licenses are issued to individuals, partnerships, and corporations to act as insurance agents, brokers, solicitors, adjusters, and premium finance companies. Insurance education and licensing renewal requirements are the responsibility of this section and the content of continuing education programs is supervised by it.

(b) Taxes, fees, and accounting responsibilities. Taxes and fees imposed by the insurance code are collected and processed by the commissioner.

(i) Both domestic and foreign insurers are taxed on gross premium, pursuant to RCW 48.14.020. Fraternal benefit societies and title insurers are not taxed, as provided in chapters 48.36A and 48.14 RCW, respectively. Surplus line insurance is taxed pursuant to the provisions of RCW 48.15.120. Health care service contractors and health maintenance organizations are not taxed. The current rate of taxation is stated at RCW 48.14.020. Under the retaliatory provisions of RCW 48.14.040, if the laws of another state or country impose any taxes, fees, or other obligations in excess of the rate charged a Washington domestic insurer, a like rate or obligation may be imposed by the commissioner.

(ii) Fees paid by insurers (RCW 48.14.010), health care service contractors (RCW 48.44.040), health maintenance organizations (RCW 48.46.140), and agents, brokers, solicitors, and adjusters (chapter 48.17 RCW) are also collected by the administrative division.

(2) Company supervision division. The deputy commissioner for company supervision supervises admission of all insurers and examines their financial condition and adequacy of their forms and rates.

(a) Admissions of companies. Admission of insurance companies, fraternal benefit societies, health care service contractors, and health maintenance organizations is administered by the company supervision division. Additionally the commissioner, through this division, approves proxy statements of domestic stock companies (RCW 48.08.090), supervises the insider trading law (RCW 48.08.100 through 48.08.170) and control of domestic insurers (chapter 48.31A RCW), registers liability risk retention groups (chapter 48.92 RCW), handles certification of official documents, and approves company names.

(b) Examinations (financial and market conduct). Examination of financial insurers is regulated by chapter 48.03 RCW. Each domestic insurer and each rating organization and examining bureau licensed in this state is examined as often as the commissioner deems advisable but at least once in every five years. Examinations of advisory organizations and underwriting or reinsurance groups are performed as often as the commissioner deems appropriate. The commissioner may accept the last recent examination of nondomestic insurers. Examiners analyze the insurers' various accounts, records, and files to determine the financial condition of the company and to ascertain whether business is being conducted in conformity with the insurance code and its regulations. Reports of examinations are furnished to the organization, which then has ten days to request a hearing to consider objections to the report. Once the hearing has been held and modifications deemed necessary have been made, the report may then be made public; although the commissioner may withhold the report if it is in the public interest to do so (RCW 48.03.050).

(c) Rates and forms review. The company supervision division approves forms for policies, applications, policy riders, and endorsements (RCW 48.18.110), and may disapprove such forms pursuant to grounds set forth in RCW 48.18.110. Rates for property, surety, and casualty insurance (chapter 48.19 RCW), and title insurance (RCW 48.29.140) are also approved by this division. Rates may not be excessive, inadequate, or unfairly discriminatory (RCW 28.19.020). Additionally, the insurance commissioner may disapprove rates for disability insurance (RCW 48.18.110), for credit insurance (RCW 48.34.100), and long-term care insurance (RCW 48.84.030), when the rates charged are not reasonable in relation to the benefits conferred. Prima facie acceptable rates have been established for credit insurance (WAC 284-34-010). Contract forms for health care service contractors may be disapproved pursuant to RCW 48.44.020 and health care agreements for health maintenance organizations may be disapproved pursuant to RCW 48.46.060.

(3) Consumer protection division. The deputies in the consumer protection division act as consumer advocates by rendering assistance to consumers who make complaints against insurers. In addition, this division drafts changes to, and interprets issues relative to, the insurance code and its regulations, performs special consumer advocacy functions relating to education of senior citizens, and investigates licensees to insure compliance with the insurance laws and rules of this

state. This division has primary responsibility for the conduct of hearings, the procedural matters preliminary thereto, and the preservation of hearing records.

(a) Consumer assistance. Code compliance officers, currently located in offices of the insurance commissioner in Olympia, Seattle, Spokane, Tacoma and Yakima, handle written and oral inquiries and complaints from policyholders and claimants. Assistance is rendered by the commissioner pursuant to authority to enforce the various provisions of the insurance code, including RCW 48.02.060, 48.02.080, and 48.02.160, and based on authority to take disciplinary action against an insurance company and other licensees. While the consumer protection division provides assistance to members of the public and tries to resolve complaints concerning insurers and licensees, some matters will involve disputed facts or laws and will have to be resolved in court or arbitration proceedings. The commissioner is not a substitute for the courts.

(b) Regulations and statutes. The consumer protection division evaluates existing statutes and rules, proposes additional legislation, drafts new insurance regulations, and assists in the enforcement of laws and regulations.

(c) Special programs. To help senior consumers find their way through the sometimes confusing maze of state, federal, and private insurance options available to citizens over age sixty, the insurance commissioner sponsors the senior health insurance benefit advisors (SHIBA) program. SHIBA volunteers throughout the state act as unpaid advisors to other seniors in the community, answer basic health insurance questions, and refer people to the proper governmental agency to find solutions to their insurance problems. In order to assure the objectivity of advice given by SHIBA volunteers, the commissioner has determined that no one connected to the SHIBA program may be an active agent of an insurer selling disability insurance policies or contracts in this state.

(d) Investigation and enforcement. Members of the consumer protection division investigate activities of licensees and companies to determine whether corrective action or disciplinary proceedings are needed, and institute proceedings leading to fines, license revocations or suspensions, as appropriate.

(4) Legal assistance from the attorney general. Assistant attorneys general are assigned as needed to the insurance commissioner's office to render legal advice, to represent the commissioner in disciplinary hearings and court cases, and to assist in the drafting of legislation and regulations.

(5) Insurance advisory examining board. An insurance advisory examining board, made up of seven Washington insurance agents or brokers who have been licensed in this state for at least five years, has the power to recommend general policy concerning the scope, content, procedure, and conduct of examinations to be given for licenses as insurance agents, brokers, or solicitors (RCW 48.17.135).

## WSR 90-14-105

### PROPOSED RULES

#### DEPARTMENT OF WILDLIFE

[Filed July 5, 1990, 3:38 p.m.]

Original Notice.

Title of Rule: Amending WAC 232-12-168 Fishing contents.

Purpose: To amend current fishing contest permit regulations.

Statutory Authority for Adoption: RCW 77.12.040 and 77.040.055 [77.04.055].

Statute Being Implemented: RCW 77.12.040 and 77.04.055.

Summary: Establishes a time period for denial of subsequent game fish contest permits up to one year for not fulfilling reporting requirements; establishes a ceiling of seven permits per calendar year for any one applicant; and establishes participation limits based on the number of boats rather than number of anglers.

Reasons Supporting Proposal: The law currently states that if an applicant fails to return the required



contest report, future permits for that applicant will be denied. No time limit for denial is stated, so in essence, the denial is permanent. This change in regulation will restrict the denial for a period of one year from the date of the contest for which the report was not returned. Currently, there is no limit on the number of permits any one applicant can get. This led to a problem in 1990, where one person applied for and received 23 permits, thereby blocking some other groups which would have liked to have used at least some of those dates. This change will allow for no more than seven permits to be issued to any one applicant during a calendar year. At present, the regulation sets participation limits for any one body of water based on the size of the water, if the fishing is done from boats. The limitation is described in numbers of anglers. The problem created in some cases is the number of boats rather than the number of anglers. For instance, on a lake of 300 or less acres in size, the limit for the number of anglers who can participate in a contest is 25. Generally, this means 13 boats because usually two people fish in a boat. However, if there are a lot of people who fish by themselves, this could mean as many as 25 boats on the water - which is too many for this small of a lake.

Name of Agency Personnel Responsible for Drafting and Implementation: Patricia Doyle, AD, Fisheries Management Division, Olympia, (206) 753-5713; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: These regulations changes are to provide for more equitable distribution of contest permits, time restrictions on the limitations for denials, and more meaningful means for identifying participation limits. The overall effects of these changes should provide for clearer guidelines relating to game fish contests, provide rules that are more enforceable, and provide the public with a better change for applying for and getting the dates for contests they want.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Cavanaugh's Inn at the Park, West 303 North River Drive, Spokane, WA 99201, on October 6, 1990, at 8:00 a.m.

Submit Written Comments to: Lee S. Smith, 600 Capitol Way North, Olympia, WA 98501-1091, by August 10, 1990.

Date of Intended Adoption: October 6, 1990.

July 5, 1990

Lee S. Smith

Administrative Regulations Officer

AMENDATORY SECTION [(Amending Order 280, filed 10/6/86)]

WAC 232-12-168 FISHING CONTESTS. (1) Fishing contest permit applications should be submitted to the Department by

December 1 of each year for contests that are to take place the following calendar year. After December 1, applications must be submitted not less than 30 days prior to the date for which the contest is proposed.

(2) Applications must include the permit fee required by RCW 77-.32.211. The fee will be returned if the permit is denied. No more than seven permits will be issued to any one permittee during a calendar year.

(3) Fishing contest permits must be in the possession of the contest sponsor or official at the contest site.

(4) Contests are restricted to the species and waters approved on the permit.

(5) Sponsors must report contest information requested by the department within 10 days after the contest has ended. Subsequent contest permits will not be issued for one year after the date of the contest for which the report was not returned if this requirement is not fulfilled.

(6) Fishing contests which may adversely affect fish or wildlife resources or other recreational opportunity may be denied.

(7) Contests will not be allowed on sea-run cutthroat trout, Dolly Varden or bull trout.

(8) Total prize value per contest will not exceed four hundred dollars when trout, steelhead, char, whitefish, grayling, kokanee, walleye or bass are included as target species; provided that contests wherein other species not listed above are targeted, or where bass are the targeted species and at least ninety percent of bass are required to be released alive and in good condition after the contest, may qualify for no limitation on amount of prize.

(9) Contests where all participants expect to fish at the same time on a body of water will not last longer than three consecutive days and have the following limits per water:

ACRES	CONTESTS PER DAY	CONTESTS PER MONTH*	CONTESTS PER YEAR	BOATS PER CONTEST DAY
Less than 300	1	1	5	15
301 - 3,000	1	2	10	35
3,001 - 6,000	1	3	15	60
6,001 - 10,000	1	4	25	125
More than 10,000**	2	5	35	300

\*No more than four weekend days per month may be scheduled on any water.

\*\*Two separate contest permits may be issued with no more than 150 boats per contest.

~~((+10)) Contest participants fishing from boats will not exceed the following limits per water per contest within any given day of the contest:~~

ACRES	PARTICIPANTS
Less than 300	25
301 - 3,000	50
3,001 - 6,000	100
6,001 - 10,000	150
More than 10,000	250

~~((+11)) 10) Contests for juveniles or the handicapped may exceed the participation limits with permission from the director.~~

~~((+12)) 11) Contest participants may not restrict public access at boat launches.~~

~~((+13)) 12) It is unlawful for the fishing contest permittee to fail to comply with the conditions of the fishing contest permit.~~

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

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

WSR 90-14-106

PROPOSED RULES

DEPARTMENT OF WILDLIFE

[Filed July 5, 1990, 3:42 p.m.]

Original Notice.



Title of Rule: Adopting WAC 232-28-61809 1990-92 Washington game fish seasons and catch limits—Cashmere Pond (Yakima County).

Purpose: To establish a juvenile-only fishery on Cashmere Pond in Yakima County.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Statute Being Implemented: RCW 77.12.040 and 77.04.055.

Summary: Establishes a juvenile-only fishery on Cashmere Pond effective April 21, 1991, through October 31, 1991.

Reasons Supporting Proposal: This regulation is intended to implement the legislative policy to maximize recreational fishing opportunities for juvenile citizens. This fishery was requested from local citizens. Department of Transportation has agreed to provide foot access to this fishery subject to Department of Wildlife implementing the proposed juvenile-only regulations.

Name of Agency Personnel Responsible for Drafting and Implementation: Patricia Doyle, AD, Fisheries Management Division, Olympia, (206) 753-5713; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule would establish a juvenile-only fishery. Department of Wildlife does not currently stock this pond, but intends to release catchable rainbow annually if this proposal is implemented. This will provide a new fishing opportunity for juvenile citizens.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Cavanaugh's Inn at the Park, West 303 North River Drive, Spokane, WA 99201, on October 6, 1990, at 8:00 a.m.

Submit Written Comments to: Lee S. Smith, 600 Capitol Way North, Olympia, WA 98501-1091, by August 10, 1990.

Date of Intended Adoption: October 6, 1990.

July 5, 1990

Lee S. Smith

Administrative Regulations Officer

#### NEW SECTION

WAC 232-28-61809 1990-92 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS - CASHMERE POND (YAKIMA COUNTY). Notwithstanding the provisions of WAC 232-28-618, the following regulations apply to the game fishing season for Cashmere Pond (Yakima County):

CASHMERE POND: Juveniles only (under 15 yrs. old).

#### WSR 90-14-107

#### PROPOSED RULES

#### DEPARTMENT OF WILDLIFE

[Filed July 5, 1990, 3:45 p.m.]

Original Notice.

Title of Rule: Adopting WAC 232-28-61810 1990-92 Washington game fish seasons and catch limits—Tolt River; and 232-28-61811 1990-92 Washington game fish seasons and catch limits—Tolt River.

Purpose: Note: Proposed WAC 232-28-61810 and 232-28-61811 relate to the Tolt River. The department may adopt either WAC 232-28-61810 or 232-28-61811, but not both. WAC 232-28-61810 would close the north and south forks of the Tolt River to fishing during the winter season; and WAC 232-28-61811 would keep the wild release regulation on the forks on the Tolt River through the winter season.

Statutory Authority for Adoption: RCW 77.12.040 and 77.040.055 [77.04.055].

Statute Being Implemented: RCW 77.12.040 and 77.04.055.

Summary: Note: Proposed WAC 232-28-61810 and 232-28-61811 relate to the Tolt River. The department may adopt either WAC 232-28-61810 or 232-28-61811, but not both. WAC 232-28-61810 would provide for game fishing on the North Fork from its mouth to Yellow Creek and the South Fork from its mouth to the dam from June 1 through October 31; and WAC 232-28-61811 would provide for game fishing on the North Fork from its mouth to Yellow Creek and the South Fork from its mouth to the dam from June 1 through the last day of February.

Reasons Supporting Proposal: Either WAC 232-28-61810 or 232-28-61811 will meet the intent to protect wild summer steelhead in the Tolt River. The wild steelhead release regulations enacted by the Wildlife Commission in October 1989 protect wild summer runs through October 31. However, wild fish are still in the forks after this date and are vulnerable to harvest during the winter season.

Name of Agency Personnel Responsible for Drafting and Implementation: Patricia Doyle, AD, Fisheries Management Division, Olympia, (206) 753-5713; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Closing the forks on the Tolt River on November 1 or requiring wild steelhead release will protect these fish until they can spawn.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Cavanaugh's Inn at the Park, West 303 North River Drive, Spokane, WA 99201, on October 6, 1990, at 8:00 a.m.

Submit Written Comments to: Lee S. Smith, 600 Capitol Way North, Olympia, WA 98501-1091, by August 10, 1990.

Date of Intended Adoption: October 6, 1990.

July 5, 1990

Lee S. Smith

Administrative Regulations Officer

#### NEW SECTION

WAC 232-28-61810 1990-92 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS - TOLT RIVER. Notwithstanding the provisions of WAC 232-28-618, the following regulations apply to the game fish season for Tolt River:

TOLT RIVER, from its mouth to the confluence of the North and South Forks: June 1 - last day of Feb. season. TROUT - catch limit - 2, min. lgth. 12". WILD STEELHEAD RELEASE, June 1-Oct. 31, see page 5.

North Fork from its mouth to Yellow Creek and South Fork from its mouth to dam: June 1-Oct. 31 season. TROUT - catch limit - 2, min. lgth. 12". WILD STEELHEAD RELEASE, see page 5.

North Fork above Yellow Creek and the South Fork above the dam: June 1-Oct. 31 season. TROUT - catch limit - 2, min. lgth. 12". BAIT PROHIBITED.

#### NEW SECTION

WAC 232-28-61811 1990-92 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS - TOLT RIVER. Notwithstanding the provisions of WAC 232-28-618, the following regulations apply to the game fish season for Tolt River:

TOLT RIVER, from its mouth to the confluence of North and South Forks: June 1 - last day of Feb. season. TROUT - catch limit - 2, min. lgth. 12". WILD STEELHEAD RELEASE, June 1 - Oct. 31, see page 5.

North Fork from its mouth to Yellow Creek and South Fork from its mouth to dam: June 1 - last day of Feb. season. TROUT - catch limit - 2, min. lgth. 12". WILD STEELHEAD RELEASE, June 1 - last day of Feb. season, see page 5.

North Fork above Yellow Creek and South Fork above the dam: June 1 - Oct. 31 season. TROUT - catch limit - 2, min. lgth. 12". BAIT PROHIBITED.

### WSR 90-14-108

#### PERMANENT RULES

#### DEPARTMENT OF WILDLIFE (Wildlife Commission)

[Order 449—Filed July 5, 1990, 3:47 p.m.]

Date of Adoption: April 20, 1990.

Purpose: To identify the types of firearms, cartridges, calibers and gauges that are considered suitable for hunting purposes.

Citation of Existing Rules Affected by this Order: Amending WAC 232-12-047.

Statutory Authority for Adoption: RCW 77.12.040.

Pursuant to notice filed as WSR 90-06-091 on March 7, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 30, 1990

John C. McGlenn

Chairman

Wildlife Commission

#### AMENDATORY SECTION (Amending Order 198, filed 12/2/82)

WAC 232-12-047 UNLAWFUL FIREARMS FOR HUNTING. It is unlawful to hunt any big game with:

(1) A fully automatic firearm.

(2) A handgun(~~(, except)~~) that does not meet the following criteria:

(a) ~~For deer, bear, or cougar ((may be hunted with:~~

~~(a) A 41 magnum, 44 magnum, 44 automatic magnum, or 45 Winchester magnum provided it:~~

~~(i) Has)) (i) be a minimum of .24 caliber; (ii) have a minimum barrel length of ((6)) 4 inches, per manufacturer's specification; and~~

~~((ii) Uses)) (iii) fire a centerfire cartridge which ((is loaded with)) uses a mushrooming or expanding type bullet ((of 100 grains or heavier bullet weight)) that develops a minimum of 500 foot-pounds of energy at 100 yards.~~

~~(b) ((Any handgun .240 caliber or larger provided it) For all other big game species:~~

~~(i) be a minimum of .24 caliber; ((Has)) ((ii)) have a minimum barrel length of ((6)) 4 inches, per manufacturer's specification; and~~

~~((ii) Uses)) (iii) fire a centerfire cartridge ((with a minimum overall length (including bullet) of at least 2 inches and is loaded with)) which uses a mushrooming or expanding type bullet ((of 100 grains or heavier bullet weight)) that develops a minimum of 750 foot-pounds of energy at 100 yards.~~

(3) A rifle with a bore diameter less than .240 of an inch (6mm), or barrel length less than 16 inches.

(4) A rifle cartridge with a bullet weighing less than 85 grains, or that develops less than 900 foot pounds of energy at 100 yds.

(5) A rifle cartridge containing a bullet other than a mushrooming or expanding type designed for big game hunting.

(6) A shotgun, provided that a 20 gauge, or larger shotgun, using shells loaded with slugs or buckshot size #1 or larger, may be used to hunt deer and bear.

(7) A muzzle-loader that does not meet the definition as provided in WAC 232-12-051.

It is unlawful to hunt game birds with a shotgun capable of holding more than three shells.

It is unlawful to hunt game birds or game animals, except bullfrogs, in a manner other than with a firearm, a bow and arrow, or by falconry.

It is unlawful to hunt game animals or game birds with a shotgun larger than 10 gauge.

It is unlawful to hunt game birds with a rifle or pistol, with the exception of blue grouse, spruce grouse and ruffed grouse.

It is unlawful to hunt wildlife with a crossbow.

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

### WSR 90-14-109

#### PERMANENT RULES

#### DEPARTMENT OF WILDLIFE (Wildlife Commission)

[Order 450—Filed July 5, 1990, 3:50 p.m.]

Date of Adoption: April 20, 1990.

Purpose: To identify the types of muzzleloading propellant, firearms and projectiles considered suitable for hunting purposes.

Citation of Existing Rules Affected by this Order: Amending WAC 232-12-051.

Statutory Authority for Adoption: 77.04.055 and 77.12.040.

Pursuant to notice filed as WSR 90-06-092 on March 7, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 30, 1990

John C. McGlenn

Chairman

Wildlife Commission

**AMENDATORY SECTION** (Amending Order 393, filed 5/18/89)

WAC 232-12-051 MUZZLELOADING FIREARMS. (1) It is unlawful to carry or possess any firearm during special muzzleloading seasons which does not meet the following ~~((definition of))~~ specification for a muzzleloader. ~~((Muzzleloader means a single or double barrel wheel lock, matchlock, flintlock or percussion rifle or musket with exposed ignition in which the black powder and ball or bullet must be))~~ A muzzleloading firearm is loaded from the muzzle and uses black powder or a black powder substitute as recommended by the manufacturer for use in muzzleloading firearms. ~~((If the rifle has a removable breech plug, such removal must require the use of tools. Minimum barrel length is 20 inches and minimum caliber is .40. Projectile means a one-piece lead ball or bullet except buckshot size #1 or larger may be used in a smooth bore of .60 caliber or larger for deer. Minimum projectile weight for elk is 170 grains.))~~ A muzzleloading firearm has a single or double barrel of at least 20 inches, rifled or smooth-bored. Ignition is to be wheel lock, matchlock, flintlock, or percussion using original style percussion caps that fit on the nipple and are exposed to the elements. Sights must be metal. Telescopic sights or sights containing glass are prohibited.

(2) A muzzleloading firearm used for deer must fire a single, non-jacketed lead projectile of nominal .40 caliber or larger, except that buckshot size # 1 or larger may be used in a smoothbore of .60 caliber or larger.

(3) A muzzleloading firearm used for all other big game must fire a single, non-jacketed lead projectile of nominal .50 caliber or larger, or fire a single, non-jacketed lead projectile of at least 170 grains.

~~((2))~~ (4) This section shall not apply to the carrying of a handgun designed to be charged with black powder only.

~~((3))~~ (5) This section shall not apply to persons lawfully hunting game birds with a shotgun.

~~((4))~~ (6) Only one barrel of a double barrel muzzleloader may be charged with a load at any one time while hunting in a muzzleloading season except in specified firearm restricted areas.

~~((5))~~ It is unlawful to use a black powder substitute in a muzzleloading firearm during any muzzleloading season.)

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**WSR 90-14-110**

**PERMANENT RULES**

**DEPARTMENT OF WILDLIFE**

**(Wildlife Commission)**

[Order 451—Filed July 5, 1990, 3:53 p.m.]

Date of Adoption: April 20, 1990.

Purpose: To repeal 1989-90 Hunting seasons.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-218 1989-90 General hunting seasons and rules.

Statutory Authority for Adoption: RCW 77.12.040.

Pursuant to notice filed as WSR 90-04-100 on February 7, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 30, 1990

John C. McGlenn

Chairman

Wildlife Commission

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 232-28-218 1989-90 GENERAL HUNTING SEASONS AND RULES

**WSR 90-14-111**

**PROPOSED RULES**

**CENTRALIA COLLEGE**

[Filed July 5, 1990, 4:08 p.m.]

Original Notice.

Title of Rule: Chapter 132L-117 WAC, Parking and traffic regulations; and repealing chapter 132L-30 WAC.

Purpose: Repeal outdated parking and traffic regulations which do not apply to Centralia College.

Statutory Authority for Adoption: RCW 28B.50.140(10).

Statute Being Implemented: RCW 28B.50.140.

Summary: Provides information relevant to parking and traffic regulations at Centralia College: Permits, fees, tickets, fines and penalties; college liability; designated parking; regulatory signs, markings, barricades, etc.; speed limit; pedestrian right of way; two-wheeled motor bikes or bicycles; and accident reporting and vehicle impounding.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jack Kalmbach, Dean of Administration, Administration Building, 736-9391.

Name of Proponent: Centralia College, public.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The objectives of these parking and traffic regulations are: To protect and control pedestrian and vehicular traffic; to assure access at all times for emergency traffic; to minimize traffic disturbances during class hours; to facilitate the work of the college by assuring access to its vehicles and by assigning limited parking spaces; to regulate the use of parking spaces; and to protect state owned property. Chapter 132L-30 WAC is obsolete and does not apply to Centralia College.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Centralia College Administration Building, Boardroom, #122, on August 9, 1990, at 4:30 p.m.

Submit Written Comments to: Jack Kalmbach, Dean of Administration, by August 7, 1990.

Date of Intended Adoption: August 9, 1990.

July 5, 1990  
Jack R. Kalmbach  
Dean of Administration

Chapter 132L-117 WAC  
Parking and Traffic Regulations—Centralia College

WAC

- 132L-117-010 Purpose for adopting parking and traffic regulations.
- 132L-117-020 Applicable parking and traffic regulations.
- 132L-117-030 Definitions.
- 132L-117-040 Authorization for issuance of permits.
- 132L-117-050 Parking fees for vehicle permits.
- 132L-117-060 Parking fee exceptions.
- 132L-117-070 Responsibility of person to whom permit is issued.
- 132L-117-080 Display of permits.
- 132L-117-090 Transfer of permits.
- 132L-117-100 Permit revocation.
- 132L-117-110 Right to refuse permit.
- 132L-117-120 Right to appeal permit revocation/refusal.
- 132L-117-130 Delegation of authority.
- 132L-117-140 Enforcement.
- 132L-117-150 Violation of parking and traffic regulations.
- 132L-117-160 Issuance of traffic tickets or summons.
- 132L-117-170 Fines and penalties.
- 132L-117-180 Appeal proceedings—Appeal of fines and penalties.
- 132L-117-190 Parking advisor committee.
- 132L-117-200 Liability of college.
- 132L-117-210 Designation of parking.
- 132L-117-220 Parking within designated spaces.
- 132L-117-230 Regulatory signs, markings, barricades, etc.
- 132L-117-240 Speed limit.
- 132L-117-250 Pedestrian's right of way.
- 132L-117-260 Two-wheeled motorbikes or bicycles.
- 132L-117-270 Report of accidents.
- 132L-117-280 Disabled and inoperative vehicles—Impounding.
- 132L-117-290 Authority to establish parking fee.
- 132L-117-300 Parking permit fees.

NEW SECTION

WAC 132L-117-010 PURPOSE FOR ADOPTING PARKING AND TRAFFIC REGULATIONS. Pursuant to the authority granted RCW 28B.50.140(10), the Board of Trustees of Community College District 12 is granted authority to adopt rules and regulations for pedestrian and vehicular traffic upon public lands devoted to, operated by or maintained by the college. The objective of these regulations are:

- (1) To protect and control pedestrian and vehicular traffic.
- (2) To assure access at all times for emergency traffic.
- (3) To minimize traffic disturbances during class hours.

(4) To facilitate the work of the college by assuring access to its vehicles and by assigning limited parking space for the most efficient use by all.

- (5) To regulate the use of parking spaces.
- (6) To protect state owned property.

NEW SECTION

WAC 132L-117-020 APPLICABLE PARKING AND TRAFFIC REGULATIONS. (1) All regulations in this chapter and all motor vehicle and other traffic laws of the state of Washington shall apply on the campus.

(2) The traffic code of the city of Centralia shall apply upon all lands located within the city of Centralia.

NEW SECTION

WAC 132L-117-030 DEFINITIONS. As used in this chapter, the following words and phrases shall mean:

- (1) "Board": The Board of Trustees of Community College District 12.
- (2) "Campus": All lands and buildings devoted to, operated by, or maintained by Centralia College, District 12.
- (3) "Campus security officer": Employee of the college who is responsible to the Dean of Administration for Campus traffic control, parking, security, and safety.
- (4) "College": Centralia College, District 12.
- (5) "Safety and security supervisor": The college's safety and security supervisor.
- (6) "Employee": An individual appointed to the faculty, staff, or administration of the college.
- (7) "Guests/visitors": Person or persons who come upon the campus as guests and person or persons who lawfully visit the campus.
- (8) "Continuing permits": Permits issued to full-time employees for an indefinite period of time.
- (9) "Annual permits": Permits which are valid from the date of issue until the first day of the following fall quarter.
- (10) "Temporary permits": Permits which are valid for a specific period designated on the permit.
- (11) "Vehicle": automobile, truck, motor-driven cycle, scooter or and vehicle otherwise powered.
- (12) "Full-time student": Any person who is enrolled on campus for ten credit hours or more at the college.
- (13) "Part-time student": Any person who is enrolled on campus for nine credit hours or less at the college.
- (14) "Full-time employee": An employee of the college employed twenty hours or more per week on a permanent regular basis.
- (15) "Part-time employee": An employee of the college employed less than twenty hours per week.

NEW SECTION

WAC 132L-117-040 AUTHORIZATION FOR ISSUANCE OF PERMITS. (1) The safety and security supervisor, or designee, is authorized to issue parking permits to student, employees, and guests upon the following:

- (a) When the vehicle is properly registered with the college.
  - (b) When a permanent or special parking permit is necessary to enhance the business or operation of the college.
- (2) Additional permits are available at the current fee schedule to individuals who may be registered to drive any one of several vehicles. Only one vehicle registered to an individual under one permit fee shall be permitted to park on campus at any one time.

NEW SECTION

WAC 132L-117-050 VEHICLE PARKING PERMITS. (1) All part-time and full-time employees and students of the college shall obtain and display a currently valid parking permit on all vehicles parked or left standing unattended upon the college campus for both day and night classes, in accordance with WAC 132L-117-040.

(2) All persons parking on the campus shall secure and display a currently valid parking permit within five days from date of registration or from the first day of employment.

NEW SECTION

WAC 132L-117-060 VISITOR PERMITS. All guests/visitors (including salespersons, maintenance or service personnel) will park in

appropriate parking areas after obtaining a temporary permit from Central Services.

#### NEW SECTION

**WAC 132L-117-070 RESPONSIBILITY OF PERSON TO WHOM PERMIT IS ISSUED.** The person to whom a parking permit is issued shall be responsible for all violations of said rules and regulations involving the vehicle; however, such responsibility shall not relieve said driver of the responsibility for violations of the regulations established by this chapter. In the event that a vehicle in violation is not registered with the college, the current registered owner will be responsible for the violations of the campus regulations.

#### NEW SECTION

**WAC 132L-117-080 DISPLAY OF PERMITS.** The parking permit issued by the college shall be visibly affixed on the outside of the rear window of the vehicle, for which the permit is issued on the lower left hand corner of the window as viewed from the rear of the vehicle. If the vehicle is a convertible or has no rear window the permit shall be affixed to the driver side rear bumper or driver side windshield lower corner. Motorcycle permits must be affixed in a conspicuous place.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

#### NEW SECTION

**WAC 132L-117-090 TRANSFER OF PERMITS.** Parking permits are not transferable. If a vehicle is sold or traded, the new vehicle must be registered with Central Services and the permit will be reissued.

#### NEW SECTION

**WAC 132L-117-100 PERMIT REVOCATION.** Permits are licenses and the property of the college, and may be revoked for any of the following reasons:

- (1) When the purpose for which the permit was issued changes or no longer exists.
- (2) When a permit is used on an unregistered vehicle or by an unauthorized person.
- (3) Falsification on a vehicle registration application.
- (4) Continued violations of parking and traffic regulations.
- (5) Counterfeiting or altering of permits.

#### NEW SECTION

**WAC 132L-117-110 RIGHT TO REFUSE PERMIT.** The college Dean of Administration, or designee, reserves the right to refuse the issuance of a parking permit to anyone who has had a previous permit revoked, or whose driving or parking record indicates a disregard for the rights or safety of others.

#### NEW SECTION

**WAC 132L-117-120 RIGHT TO APPEAL PERMIT REVOCATION/REFUSAL.** When a parking permit has been revoked pursuant to WAC 132L-117-100 or has been refused in accordance with WAC 132L-117-110 or when a fine or penalty has been levied against a violator of the rules and regulations set forth in this chapter, such action by the Dean of Administration, or designee, may be appealed in accordance with WAC 132L-117-180.

#### NEW SECTION

**WAC 132L-117-130 DELEGATION OF AUTHORITY.** The authority and powers conferred upon the Dean of Administration by these regulations shall be subject to delegation to that individual's subordinates.

#### NEW SECTION

**WAC 132L-117-140 ENFORCEMENT.** (1) Parking and traffic regulations will be enforced at all times.

(2) The Dean of Administration, or designee shall be responsible for the enforcement of the regulations contained in this chapter.

#### NEW SECTION

**WAC 132L-117-150 VIOLATION OF PARKING AND TRAFFIC REGULATIONS.** (1) Operators of illegally operated or parked vehicles shall be warned or cited through an appropriate means that they are in violation of these regulations. All fines are payable at the cashier's office.

(2) In instances where violations are repeated, and in the judgment of the safety and security supervisor, with appropriate documented evidence, said vehicles may be impounded.

#### NEW SECTION

**WAC 132L-117-160 ISSUANCE OF TRAFFIC TICKETS OR SUMMONS.** (1) The safety and security supervisor or designee may issue a warning or citation for a violation of these regulations. The warning or citation should set forth the date, the approximate time, permit number, license information and nature of violation.

(2) Such warning or citation may be served by attaching or affixing a copy thereof in some prominent place outside such vehicle or by personally serving the operator.

#### NEW SECTION

**WAC 132L-117-170 FINES AND PENALTIES.** The safety and security supervisor, or designee, is authorized to impose the following fines and penalties for violation of the regulations contained in this chapter:

(1) A schedule of fines shall be set by the Board of Trustees. The schedule shall be published by the college in the parking and traffic regulations and on the traffic parking citation form.

(2) Fines will be assessed in accordance with the fees and fines schedules as established by the Board of Trustees for the following violations:

- (a) No valid permit displayed
- (b) Visitor parking violations
- (c) Occupying more than one parking space
- (d) Occupying space/area not designated for parking
- (e) Handicapped parking violation
- (f) Parking in area not authorized by permit
- (g) Parking in reserved staff space without authorization
- (h) Blocking or obstructing traffic (may be towed if creating a safety hazard)
- (i) Parking adjacent to fire hydrant (may be towed if creating a safety hazard)
- (j) Parking in fire lane (may be towed if creating a safety hazard)
- (k) Parking in zone or area marked no parking
- (l) Other violations of college parking traffic regulations and its objectives

(3) At the discretion of the Dean of Administration, or designee, an accumulation of citations by a staff, administrator, or faculty member may be turned over to a private collection agency for the collection of past due fines. Other appropriate collection procedures may be initiated as deemed necessary.

(4) Vehicles parking in a manner so as to obstruct traffic, including access to and from parking spaces and areas, may be subject to a fine and may be impounded and taken to such place for storage as the safety and security supervisor, or designee, selects. The expenses of such impounding and storage shall be the responsibility of the registered owner or driver of the vehicle.

(5) Vehicles impounded by means of an immobilizing device shall be charge a service fee according to the current fee schedule.

(6) The college shall not be liable for loss or damage of any kind resulting from impounding and storage of vehicles.

(7) Vehicles involved in violations of these regulations may be impounded as provided for in these regulations.

(8) Persons may appeal the issuance of a citation according to WAC 132L-117-180.

(9) In the event a person fails or refuses to pay an uncontested fine which has been outstanding in excess of five days, the Dean of Administration, or designee, may initiate the following actions:

- (a) Student may not be able to obtain transcript of credits until all fines are paid.
- (b) Student may not receive a degree/diploma until all fines are paid.
- (c) Students will not be able to register for subsequent quarters until all fines are paid.

NEW SECTION

WAC 132L-117-180 APPEAL PROCEEDINGS—APPEAL OF FINES AND PENALTIES. (1) Appeals must be presented in writing, giving full particulars, listing witnesses, evidence, etc.

(2) Appeals must be submitted to the Dean of Students within five days from date of citation.

(3) If an appeal is not resolved to the satisfaction of the alleged violator, he/she shall have five additional days from receipt of decision by the Dean of Students to appeal to the parking advisory committee.

NEW SECTION

WAC 132L-117-190 PARKING ADVISORY COMMITTEE. The parking advisory committee shall be structured and responsible for the following purposes:

(1) To review and recommend necessary changes to the college parking and traffic regulations annually.

(2) To receive and hear appeals related to parking and traffic violations. All decisions made by the parking advisory committee relative to parking/traffic appeals shall be final.

(3) Membership shall consist of at least: Three student representatives, one faculty representative, one classified representative, one administrator, and the Dean of Administration – ex officio.

NEW SECTION

WAC 132L-117-200 LIABILITY OF COLLEGE. The college assumes no liability under any circumstances for theft or damage occurring to vehicles, bicycles or their contents. No bailment of any sort is created by the purchase of a parking permit.

NEW SECTION

WAC 132L-117-210 DESIGNATION OF PARKING. The parking spaces available on campus may be allocated and designated by the Dean of Administration in such a manner as will best achieve the objectives of these rules and regulations.

(1) Special provisions shall be made for physically disabled employees, visitors, students, or their designee. Physically disabled individuals utilizing handicapped parking spaces must display in that vehicle a valid state issued disabled parking permit or license plate. Temporarily handicapped permits will be issued by the safety and security supervisor. In addition to the disabled permit, valid college parking permits must be purchased and displayed on the vehicle.

(2) Spaces specifically designated as "Visitor" are to be used only by visitors driving vehicles without continuing or annual permits, for a maximum time period of 30 minutes. A temporary permit is not required. Visitors requiring parking for longer than 30 minutes may obtain a temporary permit at Central Services, and will park in normal undesignated spaces.

(3) Parking spaces may be designated for special purposes as deemed necessary.

NEW SECTION

WAC 132L-117-220 PARKING WITHIN DESIGNATED SPACES. (1) No vehicle shall be parked on the campus except in those areas set aside and designated for parking.

(2) No vehicle shall be parked so as to occupy any portion of more than one parking space or stall.

NEW SECTION

WAC 132L-117-230 REGULATORY SIGNS, MARKINGS, BARRICADES, ETC. The Dean of Administration, or designee, is authorized to make and erect signs, barricades, and other structures and to paint marks and other directions upon the streets, entry/exits, and roadways for the regulation of traffic and parking upon the various public lands devoted to, operated by, or maintained or the college. Drivers or vehicles shall observe and obey all the signs, barricades, structures, markings and directions given them by the campus security officer in the control and regulation of traffic and parking.

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

NEW SECTION

WAC 132L-117-240 SPEED LIMIT. No vehicle shall be operated on the campus at a speed in excess of five miles per hour, or such slower speed as is reasonable and prudent to the circumstances.

NEW SECTION

WAC 132L-117-250 PEDESTRIANS RIGHT OF WAY. (1) The operator of a vehicle shall yield right of way to any pedestrian. Pedestrian shall not leave a curb or other place of safety and walk or run into the path of an oncoming vehicle.

(2) When a sidewalk or crosswalk is provided, pedestrians shall proceed upon the sidewalk or crosswalk.

NEW SECTION

WAC 132L-117-260 TWO-WHEELED MOTORCYCLES OR BICYCLES. (1) All two-wheeled vehicles powered by an engine shall park in areas designated for motorcycles only and will not use spaces assigned to automobiles or bicycles.

(2) Bicycles and other nonengine powered cycles are to be parked in bicycle racks where provided. No person shall park a bicycle inside a building, by a doorway, on a path, sidewalk, walkway, or in such a manner as to block or obstruct the normal flow of pedestrian traffic.

NEW SECTION

WAC 132L-117-270 REPORT OF ACCIDENTS. (1) The operator of any vehicle involved in an accident on campus resulting in injury or death of any person or claimed damage to either or both vehicles exceeding five hundred dollars shall immediately report such accident to Central Services. Accidents occurring after the close of business shall be reported the next working day. Operator shall within twenty-four hours after such accident file a State of Washington motor vehicle report.

(2) Other minor accidents may be reported to Central Services for insurance record purposes.

NEW SECTION

WAC 132L-117-280 DISABLED AND INOPERATIVE VEHICLES—IMPOUNDING. (1) Disabled or inoperative vehicles shall not be parked on the campus for a period exceeding seventy-two hours, without authorization from the Dean of Administration, or designee.

(2) Vehicles parked over seventy-two hours without authorization may be impounded and stored at the expense of either or both the owner and operator thereof.

(3) Notice of intent to impound will be posted on the vehicle and sent by registered mail to the legal owner forty-eight hours prior to impound.

NEW SECTION

WAC 132L-117-290 AUTHORITY TO ESTABLISH PARKING FEE. The board shall set and review as necessary parking permit fees in accordance with WAC 132L-117-300 and a schedule of fines and penalties in accordance with WAC 132L-117-170.

NEW SECTION

WAC 132L-117-300 PARKING PERMIT FEES. Fees shall be levied in accordance with the current published fee schedule.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

Chapter 132L-30 WAC Parking and Traffic Regulations—South Puget Sound Community College.

**WSR 90-14-112**  
**COLUMBIA RIVER**  
**GORGE COMMISSION**  
 [Filed July 5, 1990, 4:20 p.m.]

**Reviser's note:** The following material has not been adopted under the Administrative Procedure Act, chapter 34.05 RCW, but has been filed in the office of the code reviser and is published in the Register exactly as filed.

Agency: Columbia River Gorge Commission.

The above named agency gives notice of hearing.

Hearings to be Held: August 27, 1990, 9:30 a.m., Clark County PUD, 89 'C' Street, Washougal, WA 98671.

Hearings Officer(s): Stafford Hansell, Chair.

Pursuant to the statutory authority of RCW 43.97.015 to 43.97.035 the following action is proposed: Amend 350-20-010 and 350-20-015.

No prior notice given.

350-20-010

**Summary:** The amendment extends the validity of a commission approval from one year to two years. Approval of a development proposal will be good for two years instead of one under existing rules.

**Statement of Need:** Failure to amend the current rule will require the commission to review development proposals it has already approved simply because an applicant has failed to seek an extension of the validity of an approval within 12 months of the original approval. This may delay individual development plans and will require additional, unnecessary work and cost by the commission. The amendment is needed to prevent the commission from having to review for a second time applications already approved solely because an applicant fails to request an extension within 12 months.

**Authority:** ORS 196.150 to OR [ORS] 196.165 and RCW 43.97.015 to 43.97.035.

**Documents Relied Upon:** Commission development review tally sheet and requests for extensions.

**Fiscal Impact:** The amendment is likely to have a slightly beneficial impact on private applicants and upon the agency because fewer development approvals will have to go through the development review process upon expiration.

350-20-015

**Summary:** The amendment allows the commission to schedule contested case hearings more than 45 days after the filing on an appeal if necessary. The current rule requires the scheduling within 45 days.

**Statement of Need:** Failure to amend the current rule will require the commission to schedule additional meetings to hear a growing number of appeals. Additional appeal hearings will interfere with the commission's ability to complete a management plan in a timely manner to the prejudice of many landowners and local and state agencies in the scenic area. The amendment is needed to allow the commission to spread its appeal load over a longer period of time in order to devote its principal attention to completion of the management plan.

**Authority:** ORS 196.150 to OR [ORS] 196.165 and RCW 43.97.015 to 43.97.035.

**Documents Relied Upon:** Commission appeal files.

**Fiscal Impact:** The amendment will have a small fiscal impact upon applicants to the commission for development. The rule will result in occasional delays in commission hearings on appeals beyond the 45-day limit (after filing) now provided in commission rules.

Interested persons may comment on the proposed rules orally or in writing at the hearing. Written comments received by August 24, 1990, will also be considered. Written comments should be sent to and copies of the proposed rule making may be obtained from: Columbia River Gorge Commission, 288 East Jewett Boulevard, P.O. Box 730, White Salmon, WA 98672, Jan Brending, Rules Coordinator, (509) 493-3323.

July 2, 1990

Richard Benner

**COLUMBIA RIVER GORGE COMMISSION**  
**Proposed Rule Amendment**  
 350-20

350-20-010. Decision of the Director.

(1) In making a decision on a proposed development action the Director shall:

(a) Consult with the applicant and such agencies as the Director deems appropriate;

(b) Consider information submitted by the applicant and all other relevant information available;

(c) Consider all comments submitted pursuant to 350-20-009(7); and

(d) Solicit and consider the comments of the Forest Service.

(2) The Director shall approve a major development action and new residential development only if it is consistent with the standards of section 6 and the purposes of P.L. 99-663 and the Final Interim Guidelines referred to in section 350-20-004. In approving a proposed development action, the Director may impose conditions as necessary to ensure consistency with the standards and guidelines of 350-20-004.

(3) The Director shall issue a decision on a proposed development action including findings of fact and conclusions of law and any conditions to ensure consistency with the standards of section 6 and the purposes of P.L. 99-663 and the Final Interim Guidelines referred to in section 350-20-004 within thirty (30) working days after acceptance of the application unless the applicant consents to an extension of time.

(4) The Director shall mail a copy of the decision to the applicant, the Commission, the Forest Service, the States of Oregon and Washington, the Indian Tribes, the planning director of the applicable county or city and each person who submitted comments under 350-20-009(7). The decision shall set forth the rights of appeal under 350-20-011.

(5) The decision of the Director shall be final unless a Notice of Appeal is filed in accordance with 350-20-011 or a Notice of Commission Initiated Review is filed in accordance with 350-20-013.

(6) The decision of the Director approving a proposed development action shall become void

(a) in [one year] two years if the development action is not undertaken within that [year] period, or

(b) when the development action is discontinued for any reason for one continuous year or more.

(7) An applicant may request an extension of the validity of a development approval. Such request shall be considered an Administrative Action and shall be submitted to the Executive Director prior to the expiration of such approval, in writing, stating the reason why an extension should be granted. The Executive Director may grant an extension of up to twelve (12) months in the validity of a development approval if it is determined that conditions, for which the applicant was not responsible, would prevent the applicant from commencing his operation within the original time limitation.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**COLUMBIA RIVER GORGE COMMISSION**

**Proposed Rule Amendment**

350-20

350-20-015. Hearing Date and Notice.

(1) The Commission shall at the earliest practical date set a time and place to hear an appeal. In any event, the Commission shall conduct a hearing within forty-five (45) working days after the receipt of a Notice of Appeal or Notice of Commission Initiated Review, [unless the parties agree to a later date] or as soon thereafter as the Commission schedule allows.

(2) Notice of Hearing shall be mailed to all parties at least ten (10) working days in advance of the scheduled hearing in the form prescribed in 350-16-010, the Commission's Administrative Procedures Rule.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 90-14-113**

**RULES COORDINATOR**

**DEPARTMENT OF FISHERIES**

[Filed July 5, 1990, 4:21 p.m.]

Mr. Jacoby continues to be our rules coordinator. His office address is 115 General Administration Building, Olympia, 98504, Mailstop AX-11, (206) 586-2429.

Joseph R. Blum  
Director

**WSR 90-14-114**

**PROPOSED RULES**

**SPOKANE COMMUNITY COLLEGES**

[Filed July 5, 1990, 4:25 p.m.]

Original Notice.

Title of Rule: WAC 132Q-01-005 Board of trustees.

Purpose: Describes the governance of the Community Colleges of Spokane.

Other Identifying Information: Is replaced by WAC 132Q-01-006.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: RCW 34.05.220 (1)(b).

Summary: Provides a description of the governance and administration of the Community Colleges of Spokane.

Reasons Supporting Proposal: Replaced by WAC 132Q-01-006 to meet requirements of RCW 34.05.220 (1)(b).

Name of Agency Personnel Responsible for Drafting and Implementation: Richard B. Halvorson, 1-0103, (509) 536-7413; and Enforcement: Dr. Terrance R. Brown, 1-0111, (509) 536-7400.

Name of Proponent: Community Colleges of Spokane, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The rule provided a brief foundation for the general organization, authority, administration and policies of the Community Colleges of Spokane.

Proposal Changes the Following Existing Rules: It repeals the existing rule so that a new rule, in compliance with RCW 34.05.220 (1)(b) can be promulgated.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Community Colleges of Spokane, District Office, Room 1-0109, North 2000 Greene Street, Spokane, WA 99027 [99207], on August 21, 1990, at 1:30 p.m.

Submit Written Comments to: Richard B. Halvorson, Rules Coordinator, North 2000 Greene Street, Spokane, WA 99207, by August 20, 1990.

Date of Intended Adoption: August 21, 1990.

June 20, 1990

Terrance R. Brown  
Chief Executive Officer

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 132Q-01-005 BOARD OF TRUSTEES

**WSR 90-14-115**

**PROPOSED RULES**

**SPOKANE COMMUNITY COLLEGES**

[Filed July 5, 1990, 4:26 p.m.]

Original Notice.

Title of Rule: WAC 132Q-01-006 Organization and operation.

Purpose: Explains the organization and operation of the Community Colleges of Spokane.

Other Identifying Information: Replaces WAC 132Q-01-005.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: RCW 34.05.220 (1)(b).

Summary: Describes the organization of the Community Colleges of Spokane, its governance and operation,



including addresses, times of operation and sources of information.

Reasons Supporting Proposal: Required by RCW 34-05.220 (1)(b).

Name of Agency Personnel Responsible for Drafting and Implementation: Richard B. Halvorson, 1-0103, (509) 536-7413; and Enforcement: Dr. Terrance R. Brown, 1-0111, (509) 536-7400.

Name of Proponent: Community Colleges of Spokane, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule outlines the organization of the multi-campus college district, governance by a five-member board of trustees and administration by a chief executive officer, provides specific addresses and office hours of the two colleges and the institute, as well as sources of information of interest to the general public. The publication of this rule will provide a concise directory of the Community Colleges of Spokane.

Proposal Changes the Following Existing Rules: It replaces WAC 132Q-01-005 in order to more fully describe the operation of the Community Colleges of Spokane.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Community Colleges of Spokane, District Office, Room 1-0109, North 2000 Greene Street, Spokane, WA 99027 [99207], on August 21, 1990, at 1:30 p.m.

Submit Written Comments to: Richard B. Halvorson, Rules Coordinator, North 2000 Greene Street, Spokane, WA 99207, by August 20, 1990.

Date of Intended Adoption: August 21, 1990.

June 20, 1990

Terrance R. Brown  
Chief Executive Officer

#### NEW SECTION

##### WAC 132Q-01-006 ORGANIZATION AND OPERATION.

(1) Organization: Washington Community college District 17 (The Community Colleges of Spokane, including Spokane Community College, Spokane Falls Community College and The Institute for Extended Learning) is established in Title 28B RCW as a public institution of higher education. The institution is governed by a five-member Board of Trustees, appointed by the Governor. The Board employs a Chief Executive Officer who establishes the structure of the administration.

(2) Operation: The administrative office is located at N. 2000 Greene Street, Spokane, Washington 99207-5499. Spokane Community College is located at N. 1810 Greene Street, Spokane, Washington 99207-5399; Spokane Falls Community College is located at W. 3410 Fort George Wright Drive, Spokane, Washington 99204-5288; The Institute for Extended Learning is located at W. 3305 Fort George Wright Drive, Spokane, Washington 99204-5228. The office hours are 8:00 a.m. to 4:30 p.m. Monday through Friday, except for legal holidays. During the summer months the sections of the District may operate on an alternate schedule and throughout the year, evening services are provided. Specific information is available through the Office of Communications.

(3) Additional and detailed information concerning the educational offerings may be obtained from the college catalog, available at the college libraries or for purchase at the college bookstores.

#### WSR 90-14-116

##### PROPOSED RULES

#### SPOKANE COMMUNITY COLLEGES

[Filed July 5, 1990, 4:27 p.m.]

Original Notice.

Title of Rule: Repealing WAC 132Q-04-055.

Purpose: Repeal existing rule regarding use of firearms.

Other Identifying Information: To be replaced by WAC 132Q-94-150.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: RCW 28B.50.140.

Summary: Repeals existing rule regulating the possession of firearms which applies only to students.

Reasons Supporting Proposal: Allows a comprehensive rule regulating firearms on college property to be promulgated.

Name of Agency Personnel Responsible for Drafting and Implementation: Richard B. Halvorson, 1-0103, (509) 536-7413; and Enforcement: Dr. Terrance R. Brown, 1-0111, (509) 536-7400.

Name of Proponent: Community Colleges of Spokane, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The current rule regulating the possession of firearms on district property pertains only to students, and is limited only to firearms.

Proposal Changes the Following Existing Rules: The existing rule will be replaced by WAC 132Q-94-150 which will include firearms and other dangerous instrumentalities and apply to all persons on college property.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Community Colleges of Spokane, District Office, Room 1-0109, North 2000 Greene Street, Spokane, WA 99027 [99207], on August 21, 1990, at 1:30 p.m.

Submit Written Comments to: Richard B. Halvorson, Rules Coordinator, North 2000 Greene Street, Spokane, WA 99207, by August 20, 1990.

Date of Intended Adoption: August 21, 1990.

June 20, 1990

Terrance R. Brown  
Chief Executive Officer

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 132Q-04-055 FIREARMS.

#### WSR 90-14-117

##### PROPOSED RULES

#### SPOKANE COMMUNITY COLLEGES

[Filed July 5, 1990, 4:28 p.m.]

Original Notice.

Title of Rule: Chapter 132Q-04 WAC, Rules of student conduct and procedures of enforcement, WAC

132Q-04-200, 132Q-04-210, 132Q-04-220, 132Q-04-230 and 132Q-04-240.

Purpose: Amends rules for concurrence with chapter 34.05 RCW.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: RCW 28B.50.140.

Summary: Amends rule regulating student conduct by citing language concurrent with chapter 34.05 RCW.

Reasons Supporting Proposal: Required by chapter 34.05 RCW.

Name of Agency Personnel Responsible for Drafting and Implementation: Richard B. Halvorson, 1-0103, (509) 536-7413; and Enforcement: Dr. Terrance R. Brown, 1-0111, (509) 536-7400.

Name of Proponent: Community Colleges of Spokane, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The amendments to the rules substitute language concurrent with chapter 34.05 RCW. There is no substantive change in the intent or application of the rules.

Proposal Changes the Following Existing Rules: Change is limited to the language of the rules, with no substantive change.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Community Colleges of Spokane, District Office, Room 1-0109, North 2000 Greene Street, Spokane, WA 99027 [99207], on August 21, 1990, at 1:30 p.m.

Submit Written Comments to: Richard B. Halvorson, Rules Coordinator, North 2000 Greene Street, Spokane, WA 99207, by August 20, 1990.

Date of Intended Adoption: August 21, 1990.

June 20, 1990  
Terrance R. Brown  
Chief Executive Officer

AMENDATORY SECTION (Amending WSR 87-16-010, filed 7/23/87)

WAC 132Q-04-200 COMPOSITION OF COLLEGE DISCIPLINARY COMMITTEE. Each (~~(campus of Spokane Community College and after July 1, 1970, each)~~) college created by the board of trustees of Washington State Community College District 17 shall have a college disciplinary committee composed of six members plus the (~~(chairperson)~~) presiding officer who shall be chosen no later than October 15 of each academic year. The membership shall be selected as follows:

(1) The recognized faculty organization shall appoint two members and an alternate who are teaching on the appropriate campus or college; such members shall serve a two-year term.

(2) The college president shall appoint two members from the college administration who shall serve at the pleasure of the president.

(3) Student membership shall be appointed by the respective student governments on each college campus. Student membership must include a male and female student and two alternates who shall serve for no more than one year.

(4) The (~~(chairperson)~~) presiding officer of the college disciplinary committee shall be the dean of student personnel services, or the dean's designee; provided, however, that no person who personally participates in any disciplinary action reviewed by the disciplinary committee may serve as (~~(chairperson)~~) presiding officer, nor may said person cast a vote on the merits of the issue decided by the disciplinary committee pursuant to WAC 132Q-04-240.

AMENDATORY SECTION (Amending WSR 87-16-010, filed 7/23/87)

WAC 132Q-04-210 (~~(PROCEDURES FOR HEARING BEFORE THE COLLEGE DISCIPLINARY COMMITTEE)~~) BRIEF ADJUDICATIVE PROCEEDING. (1) The college disciplinary committee (~~(for each campus, and after July 1, 1970)~~) for each college, will hear, de novo, all disciplinary cases referred to it by the dean of student personnel services, the dean's designee, or cases where the student appeals the dean's decision.

(2) The student has a right to a fair and impartial (~~(hearing)~~) brief adjudicative proceeding before the disciplinary committee on any charge of violating the rules of student conduct. The student's failure to cooperate with the hearing procedures hereinafter outlined, however, shall not preclude the disciplinary committee from making its findings of fact, conclusions and recommendations as provided hereafter. Failure by the student to cooperate may be taken into consideration by the committee.

(3) The student shall be given written notice by registered or certified mail of the time and place of the (~~(hearing)~~) proceeding before the college disciplinary committee, and be afforded not less than twenty days notice thereof. Said notice shall contain:

(a) A statement of the time, place and nature of the disciplinary proceeding;

(b) A statement of the charges including reference to the particular sections of the rules of student conduct involved;

(c) A list of witnesses who will appear and a summary description of any documentary or other physical evidence that will be presented by the college at the (~~(hearing)~~) proceeding.

(4) The student shall be entitled to hear and examine the evidence brought forward and be informed of the identity of its source and shall be entitled to present evidence in the student's own behalf and to cross-examine witnesses testifying against the student as to factual matters. The student shall have all authority possessed by the college to obtain information provided requests for such information is specifically described, in writing, and tendered to the dean of student personnel services no later than three days prior to the (~~(hearings)~~) proceedings, or to request the presence of witnesses or the production of other evidence relevant to the issues of the (~~(hearings)~~) proceedings.

(5) The student may be represented by counsel of choice at the disciplinary (~~(hearing)~~) proceeding. If the student elects to choose a duly licensed attorney admitted to practice in any state in the United States as counsel, the student must tender three days' notice excluding weekends and holidays thereof to the dean of student personnel services.

(6) In all disciplinary proceedings the college may be represented by a designee appointed by the dean of student personnel services; said designee may then present the college's case against the student accused of violating the rules of student conduct, provided that in those cases in which the student elects to be represented by a licensed attorney, the dean of student personnel services may elect to have the college represented by an assistant attorney general.

(7) An adequate summary of all the evidence and facts presented to the disciplinary committee during the course of the proceedings will be taken. A copy thereof shall be available at the office of the dean of student personnel services.

(8) The (~~(chairperson)~~) presiding officer of the college disciplinary committee shall preside at the disciplinary (~~(hearing)~~) proceeding and make rulings on all evidentiary procedural matters heard in the course of the disciplinary (~~(hearing)~~) proceeding.

AMENDATORY SECTION (Amending WSR 87-16-010, filed 7/23/87)

WAC 132Q-04-220 CONDUCT OF DISCIPLINARY (~~(HEARINGS)~~) PROCEEDINGS. (1) (~~(Hearings)~~) Proceedings conducted by the college disciplinary committee generally will be held in closed session, except when a student requests that persons other than those directly involved be invited to attend. If at any time during the conduct of a (~~(hearing)~~) proceedings invited guests are disruptive, the (~~(chairperson)~~) presiding officer of the committee may exclude such persons from the (~~(hearing)~~) proceeding room.

(2) Any student attending the disciplinary committee (~~(hearing)~~) proceeding as an invited guest who continues to disrupt said proceedings after the (~~(chairperson)~~) presiding officer of the committee has asked him to cease and desist therefrom, shall be subject to disciplinary action.

AMENDATORY SECTION (Amending WSR 87-16-010, filed 7/23/87)

WAC 132Q-04-230 EVIDENCE ADMISSIBLE IN ((~~HEARINGS~~)) PROCEEDINGS. (1) Only those matters presented at the ((~~hearing~~)) proceeding in the presence of the accused student, except where the student fails to attend after receipt of proper notice, will be considered in determining whether the college disciplinary committee had sufficient cause to believe that the accused student is guilty of violating the rules the student is charged with having violated.

(2) In determining whether sufficient cause, as stated in subsection (1) of this section, does exist, members of the disciplinary committee shall give probative effect to evidence which possesses probative value commonly accepted by reasonable, prudent persons in the conduct of their affairs.

(3) The ((~~chairperson~~)) presiding officer of the college disciplinary committee shall, in the course of presiding at the disciplinary ((~~hearing~~)) proceeding, give effect to the rules of privilege recognized by law and exclude incompetent, irrelevant, immaterial and unduly repetitious evidence.

AMENDATORY SECTION (Amending WSR 87-16-010, filed 7/23/87)

WAC 132Q-04-240 DECISION BY THE COMMITTEE. (1) Upon conclusion of the disciplinary ((~~hearing~~)) proceeding, the college disciplinary committee shall consider all the evidence therein presented and decide by majority vote of the members of the committee which of the following is to be taken:

(a) That the college terminate the proceedings and exonerate the student or students;

(b) That the college impose minor sanctions directly, such as warning, reprimand or minor fine, subject to the student's right of appeal as hereinafter described;

(c) That the college impose any of the disciplinary actions as provided in WAC 132Q-04-260; or

(d) Issue an order to dismiss under the conditions of WAC 132Q-04-260(4).

(2) Upon conclusion of the disciplinary ((~~hearing~~)) proceeding of a student appeal, the college disciplinary committee shall consider all the evidence therein presented and decide by majority vote of the members of the committee to uphold the previous decision, terminate the proceeding and exonerate the student or students, or impose any disciplinary action authorized under WAC 132Q-04-260.

(3) The student will be provided with a copy of the committee's findings of fact and conclusions regarding whether the student did violate any rule or rules of the code of student conduct. The committee shall also advise the student of the right to present, within seven calendar days, a written statement to the president of the college appealing the decision of the college disciplinary committee.

**WSR 90-14-118****PROPOSED RULES****SPOKANE COMMUNITY COLLEGES**

[Filed July 5, 1990, 4:30 p.m.]

**Original Notice.**

Title of Rule: Chapter 132Q-05 WAC, Summary suspension rules, WAC 132Q-05-060 and 132Q-05-080.

Purpose: Amends rules for concurrence with chapter 34.05 RCW.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: RCW 28B.50.140.

Summary: Amends rules regulating summary suspension by citing language concurrent with chapter 34.05 RCW.

Reasons Supporting Proposal: Required by chapter 34.05 RCW.

Name of Agency Personnel Responsible for Drafting and Implementation: Richard B. Halvorson, 1-0103,

(509) 536-7413; and Enforcement: Dr. Terrance R. Brown, 1-0111, (509) 536-7400.

Name of Proponent: Community Colleges of Spokane, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The amendments to the rules substitute language concurrent with chapter 34.05 RCW. There is no substantive change in the intent or application of the rules.

Proposal Changes the Following Existing Rules: Change is limited to the language of the rules, with no substantive change.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Community Colleges of Spokane, District Office, Room 1-0109, North 2000 Greene Street, Spokane, WA 99027 [99207], on August 21, 1990, at 1:30 p.m.

Submit Written Comments to: Richard B. Halvorson, Rules Coordinator, North 2000 Greene Street, Spokane, WA 99207, by August 20, 1990.

Date of Intended Adoption: August 21, 1990.

June 20, 1990

Terrance R. Brown  
Chief Executive Officer

AMENDATORY SECTION (Amending WSR 87-16-010, filed 7/23/87)

WAC 132Q-05-060 PROCEDURES OF SUMMARY SUSPENSION ((~~HEARING~~)) PROCEEDING. (1) At the summary suspension ((~~hearing~~)) proceeding, the college, through the office of the dean of student personnel services, or the dean's designee, shall make a determination as to whether there is probable cause to believe that the violation stated in the notice of summary suspension proceedings to the student did occur.

(2) The student may offer oral testimony of himself or herself or of any person, submit any statement or affidavit on his or her own behalf, examine any affidavit and cross-examine any witness who may appear against him, and submit any matter in extenuation or mitigation of the offense or offenses charged.

(3) The dean of student personnel services shall at the time of the summary suspension proceeding determine whether there is probable cause to believe that a violation of law or of the rules of student conduct has occurred, pursuant to WAC 132Q-05-040 (1) or (2). In the course of making such a decision, said dean may only consider the sworn affidavit or oral testimony of persons who have alleged that the student charged has committed a violation of law or of the rules of student conduct and oral testimony and affidavits submitted by the student charged.

AMENDATORY SECTION (Amending WSR 87-16-010, filed 7/23/87)

WAC 132Q-05-080 NOTICE OF SUSPENSION. (1) If a student is suspended pursuant to the above rules, said student will be provided with a written copy of the dean of student personnel services' findings of fact and conclusions, as expressly concurred in by the president, as to whether said dean had probable cause to believe that the conditions for summary suspension outlined in WAC 132Q-05-040 exists and whether immediate suspension of said student should be issued.

(2) The student suspended pursuant to the authority of this rule shall be served a copy of the notice of suspension by personal service or by registered mail. Notice by mail shall be sent to said student's last known address. The suspension shall be effective for a ten day period dating from the day the notice of suspension is mailed or personal service accomplished.

(3) During the period of summary suspension, the suspended student shall not enter the campus other than to meet with the dean of student personnel services or to attend the summary suspension ((~~hearing~~))

proceeding. However, the dean of student personnel services may grant the student special permission to enter for the express purpose of meeting with faculty, college personnel, or students in preparation for the ((hearing)) proceeding.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 90-14-119**  
**PROPOSED RULES**  
**SPOKANE COMMUNITY COLLEGES**

[Filed July 5, 1990, 4:31 p.m.]

Original Notice.

Title of Rule: Chapter 132Q-06 WAC, Family Educational Rights and Privacy Act, WAC 132Q-06-020, 132Q-06-025 and 132Q-06-030.

Purpose: Amends rules for concurrence with chapter 34.05 RCW and inserts clarifying language.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: RCW 28B.50.140.

Summary: Amends rule regulating educational rights and privacy by citing language concurrent with chapter 34.05 RCW and adds language to clarify use of record and address references.

Reasons Supporting Proposal: Required by chapter 34.05 RCW.

Name of Agency Personnel Responsible for Drafting and Implementation: Richard B. Halvorson, 1-0103, (509) 536-7413; and Enforcement: Dr. Terrance R. Brown, 1-0111, (509) 536-7400.

Name of Proponent: Community Colleges of Spokane, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The amendments to the rules substitute language concurrent with chapter 34.05 RCW and further clarify records to include those regarding the employment and any challenge to the content of the records and clarifies the information contained in directory information. There is no substantive change in the intent or application of the rules.

Proposal Changes the Following Existing Rules: Change is limited to the language of the rules and clarifying statements, with no substantive change.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Community Colleges of Spokane, District Office, Room 1-0109, North 2000 Greene Street, Spokane, WA 99027 [99207], on August 21, 1990, at 1:30 p.m.

Submit Written Comments to: Richard B. Halvorson, Rules Coordinator, North 2000 Greene Street, Spokane, WA 99207, by August 20, 1990.

Date of Intended Adoption: August 21, 1990.

June 20, 1990  
Terrance R. Brown  
Chief Executive Officer

AMENDATORY SECTION (Amending WSR 87-16-010, filed 7/23/87)

WAC 132Q-06-020 EDUCATION RECORDS—STUDENT'S RIGHT TO INSPECT. (1) A student has the right to inspect and review his/her education records. A list of the types of education records maintained by the college and the record locations may be obtained by the student at the college's dean of student personnel services' office.

(a) For purposes of this section the term "education records" means those records, files, documents, and other materials which contain information directly related to a student, including records regarding the employment of a student when such employment is a result of, and directly related to, student status.

(b) The term "education records" does not include:

(i) Records of instructional, supervisory and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute.

(ii) Records of the campus security department which are kept apart from those records described in (a) of this subsection and which are maintained solely for law enforcement purposes and which are not made available to persons other than law enforcement officials of the same jurisdiction.

(iii) In the case of persons who are employed by an educational agency or institution but who are not in attendance at such agency or institution, records made and maintained in the normal course of business which relate exclusively to such person in that person's capacity as an employee and are not available for use for any other purpose.

(iv) Records on a student which are created or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his/her professional or paraprofessional capacity, or assisting in that capacity and which are created, maintained or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment; provided, however, that such records can be personally reviewed by a physician or other appropriate professional of the student's choice.

(2)(a) Recommendations, evaluations or comments concerning a student that are provided in confidence, either expressed or implied, as between the author and the recipient, shall be made available to the student, except as provided in (b), (c) and (d) of this subsection.

(b) The student may specifically release his or her right to review where the information consists only of confidential recommendations respecting:

(i) Admission to any educational institution; or

(ii) An application for employment; or

(iii) Receipt of an honor or honorary recognition.

(c) A student's waiver of his or her right to access confidential statements shall apply only if:

(i) The student is, upon request, notified of the names of all persons making confidential statements concerning him or her; and

(ii) Such confidential statements are used solely for the purpose for which they were originally intended; and

(iii) Such waivers are not required as a condition for admission to, receipt of financial aid from, or receipt of any other services or benefits from the college.

(d) Recommendations, evaluations or comments concerning a student that have been provided in confidence, either expressed or implied, as between the author and the recipient, prior to January 1, 1975, shall not be subject to release under (a) of this subsection. Such records shall remain confidential and shall be released only with the consent of the author. Such records shall be used by the institution only for the purpose for which they were originally intended.

(3) Where requested records or data include information on more than one student, the student shall be entitled to receive or be informed of only that part of the record or data that pertains to the student.

(4) Students have the right to obtain copies of their education records. Charges for the copies shall not exceed the cost normally charged by the college (except in cases where charges have previously been approved by the boards of trustees' action for certain specified services, such as transcripts and grade sheets).

(5) The dean of student personnel services is the official custodian of academic records; and, therefore, is the only official who may issue a transcript of the student's official academic record.

(6) Student education records may be destroyed in accordance with a department's routine retention schedule. In no case will any record

which is requested by a student for review in accordance with this section and WAC 132Q-06-025 be removed or destroyed prior to providing the student access.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**AMENDATORY SECTION** (Amending WSR 87-16-010, filed 7/23/87)

**WAC 132Q-06-025 REQUESTS AND APPEAL PROCEDURES.** (1) A request by a student for review of information should be made in writing to the college individual(s) or office(s) having custody of the particular record. Any challenge to the contents of education records shall be disposed of by means of a brief adjudicative proceedings.

(2) An individual(s) or office(s) must respond to a request for education records within a reasonable period of time, but in no case more than forty-five days after the request has been made. A college individual(s) or office(s) which is unable to comply with a student's request within the above-stated time period shall inform the student of that fact and the reasons in writing.

(3)(a) A student who feels that his or her request has not been properly answered by a particular individual(s) or office(s) should contact the appropriate dean or director responsible for the individual(s) or office(s) for mediation.

(b) In cases where a student remains dissatisfied after consulting with the appropriate dean or director, the student may then request a ~~((hearing))~~ proceeding by the college records committee. Following the ~~((hearing))~~ proceeding the college's records committee shall render its decision within a reasonable period of time. In all cases the decision of the college's records committee shall be final.

(c) In no case shall any request for review by a student be considered by the college's records committee which has not been filed with that body in writing within ninety days from the date of the initial request to the custodian of the record.

(d) The college's records committee shall not review any matter regarding the appropriateness of official academic grades.

**AMENDATORY SECTION** (Amending WSR 87-16-010, filed 7/23/87)

**WAC 132Q-06-030 RELEASE OF PERSONALLY-IDENTIFIABLE RECORDS.** (1) The college shall not permit access to or the release of education records or personally-identifiable information contained therein, other than "directory information," without the written consent of the student, to any party other than the following:

(a) College personnel, faculty and students when officially appointed to a faculty council or administrative committee, when the information is required for a legitimate educational interest within the performance of their responsibilities to the college, with the understanding that its use will be strictly limited to the performance of those responsibilities.

(b) Federal and state officials requiring access to education records in connection with the audit and evaluation of a federally-supported or state-supported education program or in connection with the enforcement of the federal or state legal requirements which relate to such programs. In such cases the information required shall be protected by the federal or state official in a manner which will not permit the personal identification of students and their parents to other than those officials and such personally-identifiable data shall be destroyed when no longer needed for such audit, evaluation or enforcement of legal requirements.

(c) Agencies or individual's requesting information in connection with a student's application for or receipt of financial aid.

(d) Organizations conducting studies for or on behalf of the college for purposes of developing, validating or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students by persons other than the representatives of such organizations, and such information will be destroyed when no longer needed for the purposes for which it was provided.

(e) Accrediting organizations in order to carry out their accrediting functions.

(f) Any person or entity designated by judicial order or lawfully-issued subpoena, upon condition that the student is notified of all such

orders or subpoenas in advance of the compliance therewith. The college president, the president's designee, or office(s) receiving a subpoena or judicial order for education records should immediately notify the attorney general.

(2) Where the consent of a student is obtained for the release of education records, it shall be in writing, signed and dated by the person giving such consent, and shall include:

(a) A specification of the records to be released;

(b) The reasons for such release; and

(c) The names of the parties to whom such records will be released.

(3) In cases where records are made available without student release as permitted by subsection (1)(b), (c), (d), (e) and (f) of this section, the college shall maintain a record kept with the education record released which will indicate the parties which have requested or obtained access to a student's records maintained by the college and which will indicate the legitimate interest of the investigating party. Releases in accordance with subsection (1)(a) of this section need not be recorded.

(4) Personally-identifiable education records released to third parties, with or without student consent, shall be accompanied by a written statement indicating that the information cannot be subsequently released in a personally-identifiable form to any other parties without obtaining consent of the student.

(5) The term "directory information" used in subsection (1) of this section is defined as student's name, address, telephone listing, date and place of birth, major field of studies, participation in officially-recognized activities, weight and height of members of athletic teams, dates of enrollment, degrees and awards received, and the most recent previous educational agency or institution attended by the student. Students may request that the college not release directory information except through written notice to the dean of student personnel services.

(6) Information from education records may be released to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other person(s).

**WSR 90-14-120**

**PROPOSED RULES**

**SPOKANE COMMUNITY COLLEGES**

[Filed July 5, 1990, 4:32 p.m.]

Original Notice.

Title of Rule: Repealing chapter 132Q-09 WAC, Practice and procedure.

Purpose: Repeals rules regulating formal hearings.

Other Identifying Information: Replaced by chapter 132Q-108 WAC.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: Chapter 34.05 RCW.

Summary: Provided the basic rules for formal hearings held within the Community Colleges of Spokane.

Reasons Supporting Proposal: Allows promulgation of new chapter to implement model rules of procedure pursuant to chapter 34.05 RCW.

Name of Agency Personnel Responsible for Drafting and Implementation: Richard B. Halvorson, 1-0103, (509) 536-7413; and Enforcement: Dr. Terrance R. Brown, 1-0111, (509) 536-7400.

Name of Proponent: Community Colleges of Spokane, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The current rule is not in compliance with chapter 34.05 RCW. The purpose of the repeal is to promulgate new rules to fully implement new rules to insure compliance.

Proposal Changes the Following Existing Rules: Allows adoption of rules pursuant to chapter 34.05 RCW.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Community Colleges of Spokane, District Office, Room 1-0109, North 2000 Greene Street, Spokane, WA 99027 [99207], on August 21, 1990, at 1:30 p.m.

Submit Written Comments to: Richard B. Halvorson, Rules Coordinator, North 2000 Greene Street, Spokane, WA 99207, by August 20, 1990.

Date of Intended Adoption: August 21, 1990.

June 20, 1990  
Terrance R. Brown  
Chief Executive Officer

#### REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 132Q-09 PRACTICE AND PROCEDURE

**WSR 90-14-121**  
**PROPOSED RULES**  
**SPOKANE COMMUNITY COLLEGES**  
[Filed July 5, 1990, 4:33 p.m.]

Original Notice.

Title of Rule: WAC 132Q-16-045 Disposition of challenged ballots—Tally sheets—Investigation by chief election officers.

Purpose: Amends rules for concurrence with chapter 34.05 RCW.

Statutory Authority for Adoption: RCW 28B.50.140.  
Statute Being Implemented: RCW 28B.50.140.

Summary: Amends rules regulating disposition of challenged ballots by citing language concurrent with chapter 34.05 RCW.

Reasons Supporting Proposal: Required by chapter 34.05 RCW.

Name of Agency Personnel Responsible for Drafting and Implementation: Richard B. Halvorson, 1-0103, (509) 536-7413; and Enforcement: Dr. Terrance R. Brown, 1-0111, (509) 536-7400.

Name of Proponent: Community Colleges of Spokane, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The amendments to the rules substitute language concurrent with chapter 34.05 RCW. There is no substantive change in the intent or application of the rules.

Proposal Changes the Following Existing Rules: Change is limited to the language of the rules, with no substantive change.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Community Colleges of Spokane, District Office, Room 1-0109, North 2000 Greene Street, Spokane, WA 99027 [99207], on August 21, 1990, at 1:30 p.m.

Submit Written Comments to: Richard B. Halvorson, Rules Coordinator, North 2000 Greene Street, Spokane, WA 99207, by August 20, 1990.

Date of Intended Adoption: August 21, 1990.

June 20, 1990  
Terrance R. Brown  
Chief Executive Officer

#### AMENDATORY SECTION (Amending Order 71-5, filed 7/26/71)

WAC 132Q-16-045 DISPOSITION OF CHALLENGED BALLOTS—TALLY SHEETS—INVESTIGATION BY CHIEF ELECTION OFFICER. The challenged ballots previously placed in separate envelopes shall be placed in a sealed envelope marked "challenged ballots" and sent along with the tally sheet to the chief election officer. The challenged ballots shall not be opened or counted unless the counting of such ballots might affect the results of the election. If the challenged ballots might affect the results of the election, the chief election officer shall conduct an investigation into, or if necessary (~~a formal hearing on~~) an adjudicative proceeding, the validity of the challenges made. If he concludes that the challenge was properly made, that ballot shall be excluded from the count. Otherwise, such ballot shall be counted as cast.

**WSR 90-14-122**  
**PROPOSED RULES**  
**SPOKANE COMMUNITY COLLEGES**  
[Filed July 5, 1990, 4:34 p.m.]

Original Notice.

Title of Rule: WAC 132Q-20-110 Right to appeal permit revocation or refusal to grant permit.

Purpose: Amends rules for concurrence with chapter 34.05 RCW and chapter 132Q-108 WAC.

Statutory Authority for Adoption: RCW 28B.50.140.  
Statute Being Implemented: RCW 28B.50.140.

Summary: Amends rules regulating right to appeal permit revocation or refusal to grant permit by citing language concurrent with chapter 34.05 RCW and chapter 132Q-108 WAC.

Reasons Supporting Proposal: Required by chapter 34.05 RCW.

Name of Agency Personnel Responsible for Drafting and Implementation: Richard B. Halvorson, 1-0103, (509) 536-7413; and Enforcement: Dr. Terrance R. Brown, 1-0111, (509) 536-7400.

Name of Proponent: Community Colleges of Spokane, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The amendments to the rules substitute language concurrent with chapter 34.05 RCW and replace WAC reference. There is no substantive change in the intent or application of the rules.

Proposal Changes the Following Existing Rules: Change is limited to the language of the rules and WAC reference, with no substantive change.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Community Colleges of Spokane, District Office, Room 1-0109, North 2000 Greene Street, Spokane, WA 99027 [99207], on August 21, 1990, at 1:30 p.m.

Submit Written Comments to: Richard B. Halvorson,  
Rules Coordinator, North 2000 Greene Street, Spokane,  
WA 99207, by August 20, 1990.

Date of Intended Adoption: August 21, 1990.

June 20, 1990

Terrance R. Brown  
Chief Executive Officer

AMENDATORY SECTION (Amending WSR 87-16-010, filed 7/23/87)

WAC 132Q-20-110 RIGHT TO APPEAL PERMIT REVOCATION OR REFUSAL TO GRANT PERMIT. When a parking permit has been recalled pursuant to WAC 132Q-20-090, or has been refused in accordance with WAC 132Q-20-100, or when a fine or penalty has been levied against a violator of the rules and regulations set forth in this chapter, such action by the dean of student personnel services, or the dean's designee, may be appealed pursuant to ((WAC 132Q-04-190)) WAC 132Q-108-050; provided, however, that faculty, administrators, and college personnel of Washington State Community College District 17 shall appeal permit revocations, refusals to grant permits, and fines or penalties levied for violations by the dean of student personnel services to the respective college presidents whose decision on the matter shall be final. Refusal to pay a fine still existing after exhaustion of the appellate process shall be grounds for disciplinary action. In the case of students, failure to pay fines after the exhaustion of the appellate process shall be grounds for the college, in addition to disciplinary action, to deny admission for subsequent enrollment with Washington State Community College District 17. In the case of District 17 employees, failure to pay fines could result in the denial of issuing a permit, and/or impounding of vehicles.

### WSR 90-14-123

#### PROPOSED RULES

#### SPOKANE COMMUNITY COLLEGES

[Filed July 5, 1990, 4:35 p.m.]

Original Notice.

Title of Rule: WAC 132Q-94-010 Declaration of purpose.

Purpose: Extends the jurisdiction of health and safety rules.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: RCW 28B.50.140.

Summary: Extends the jurisdiction of district health and safety rules to all employees and visitors, as well as students.

Reasons Supporting Proposal: Corrects an oversight limiting the jurisdiction of the original rule to students only.

Name of Agency Personnel Responsible for Drafting and Implementation: Richard B. Halvorson, 1-0103, (509) 536-7413; and Enforcement: Dr. Terrance R. Brown, 1-0111, (509) 536-7400.

Name of Proponent: Community Colleges of Spokane, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The rule extends the commitment of the board of trustees for the general welfare of all students, employees and visitors by expanding the jurisdiction of the existing rule to include all persons on any sites under the director or indirect control of the district.

Proposal Changes the Following Existing Rules: Extends the jurisdiction of the rule to students, employees and visitors on any property under the control of the Community Colleges of Spokane.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Community Colleges of Spokane, District Office, Room 1-0109, North 2000 Greene Street, Spokane, WA 99027 [99207], on August 21, 1990, at 1:30 p.m.

Submit Written Comments to: Richard B. Halvorson,  
Rules Coordinator, North 2000 Greene Street, Spokane,  
WA 99207, by August 20, 1990.

Date of Intended Adoption: August 21, 1990.

June 20, 1990

Terrance R. Brown  
Chief Executive Officer

AMENDATORY SECTION (Amending WSR 87-16-010, filed 7/23/87)

WAC 132Q-94-010 DECLARATION OF PURPOSE. By adoption of the following health and safety regulations the board of trustees of the Washington State Community College District 17 expresses its firm commitment to the safety and health of its students and employees. The board further recognizes the importance of students and employees developing safe work habits, particularly in the areas of equipment and machinery operation, and in the handling of potentially hazardous chemical substances. This chapter shall apply to all students ((whether in a work study position or attending classes offered within the Washington State Community College District 17)) employees and visitors and shall pertain to all campuses and sites under the direct or indirect control of the district.

### WSR 90-14-124

#### PROPOSED RULES

#### SPOKANE COMMUNITY COLLEGES

[Filed July 5, 1990, 4:36 p.m.]

Original Notice.

Title of Rule: New section WAC 132Q-94-150 Prohibition of firearms and other dangerous instrumentalities.

Purpose: Promulgates rule regarding use of firearms and dangerous instrumentalities.

Other Identifying Information: Replaces WAC 132Q-04-055 Firearms.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: RCW 28B.50.140.

Summary: Provides a comprehensive rule regulating firearms and other dangerous instrumentalities on district property.

Reasons Supporting Proposal: Replaces WAC 132Q-04-055 which referred only to students and the possession of firearms.

Name of Agency Personnel Responsible for Drafting and Implementation: Richard B. Halvorson, 1-0103, (509) 536-7413; and Enforcement: Dr. Terrance R. Brown, 1-0111, (509) 536-7400.

Name of Proponent: Community Colleges of Spokane, governmental.

Rule is not necessitated by federal law, federal or state court decision.



Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule will permit the regulation of firearms and other dangerous instrumentalities by employees, students and guests.

Proposal Changes the Following Existing Rules: The proposed rule replaces WAC 132Q-04-055, which was limited only to students and the possession of firearms.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Community Colleges of Spokane, District Office, Room 1-0109, North 2000 Greene Street, Spokane, WA 99027 [99207], on August 21, 1990, at 1:30 p.m.

Submit Written Comments to: Richard B. Halvorson, Rules Coordinator, North 2000 Greene Street, Spokane, WA 99207, by August 20, 1990.

Date of Intended Adoption: August 21, 1990.

June 20, 1990

Terrance R. Brown  
Chief Executive Officer

#### NEW SECTION

WAC 132Q-94-150 PROHIBITION OF FIREARMS AND OTHER DANGEROUS INSTRUMENTALITIES. No employee, student or guest shall carry, transport within a vehicle or otherwise possess any gun, pistol, or other firearm or explosive device, hazardous chemicals or any other hazardous device or substance on any college campus or other district property except for use in an authorized college activity with express authorization from the district vice president or an authorized designee.

#### **WSR 90-14-125**

#### **WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF HEALTH**

[Filed July 5, 1990, 4:38 p.m.]

The below-listed rules as originally proposed under WSR 90-06-065 filed with the Code Reviser's Office on March 6, 1990, are being withdrawn. The Dental Disciplinary Board will be conducting a new rules hearing on August 11, 1990. The rules which are being withdrawn and are being scheduled for a new rules hearing on August 11, 1990, are: WAC 308-39-150 Conscious sedation with an oral agent; 308-39-160 Conscious sedation with parenteral or multiple oral agents; 308-39-170 General anesthesia (including deep sedation); 308-39-180 Mandatory reporting of death or significant complication; 308-39-190 Application—Permits—Renewals for the administration of conscious sedation with parenteral or multiple oral agents or general anesthesia (including deep sedation); 308-39-200 Application of chapter 18.130 RCW; 308-39-210 Effective date; and 308-39-120 Standards for dental administration of anesthesia.

Judy Mayo  
Program Administrator  
Dental Disciplinary Board

#### **WSR 90-14-126**

#### **PROPOSED RULES**

#### **DEPARTMENT OF HEALTH**

[Filed July 5, 1990, 4:39 p.m.]

Original Notice.

Title of Rule: Amending WAC 248-19-231 Applicability; and new section WAC 248-19-235 Tertiary services identification.

Purpose: Implement recommendations of the tertiary services advisory group regarding a functional definition of tertiary services and changes to the list of tertiary services.

Statutory Authority for Adoption: Chapter 70.38 RCW.

Statute Being Implemented: Chapter 70.38 RCW.

Summary: WAC 248-19-231, megavoltage radiation therapy and diagnostic cardiac catheterization are deleted from the list of tertiary services; and WAC 248-19-235, places in rule the considerations and process for identifying tertiary services.

Reasons Supporting Proposal: Implements findings of the tertiary services advisory group.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kristina M. Sparks, 1300 Quince Street, EY-19, Olympia, 98504, 753-5857.

Name of Proponent: Certificate of need program, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The rule amends certificate of need coverage by eliminating megavoltage radiation therapy and diagnostic cardiac catheterization from review. A new section is added which identifies the functional criteria used to identify tertiary services and sets out a process for reviewing any proposed changes to tertiary services.

Proposal Changes the Following Existing Rules: The amendment eliminates two services from the requirement of certificate of need review. Services eliminated are megavoltage radiation therapy and diagnostic cardiac catheterization.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: General Administration Auditorium, 11th and Columbia, Olympia, Washington, on August 7, 1990, at 10:30 a.m.

Submit Written Comments to: Leslie Baldwin, 1300 Quince Street, Olympia, WA 98504, by August 6, 1990.

Date of Intended Adoption: August 14, 1990.

July 5, 1990

Pam Campbell Mead  
for Kristine M. Gebbie  
Secretary

Amend[atory Section (Amending Order 019, filed 11/21/89, effective 12/22/89)]

WAC 248-19-231 APPLICABILITY OF CHAPTER 248-19 WAC. (1) The following undertakings shall be subject to the provisions of chapter 248-19 WAC, with the exceptions provided for in this section.

(a) The construction, development, or other establishment of a new health care facility;



(i) No new health care facility may be initiated as a health service of an existing health care facility without certificate of need approval as a new health care facility.

(ii) The extension, on a regular and ongoing basis, of the services of a home health agency or a hospice in a county not previously regularly included in the service area of that home health agency or hospice during the preceding twelve months shall be considered the development of a new home health agency or hospice.

(b) The sale, purchase, or lease of part or all of any existing hospital licensed under 70.41 RCW or a psychiatric hospital licensed under 71.12 RCW.

(c) A change in bed capacity of a health care facility which increases the total number of licensed beds or redistributes beds among acute care, skilled nursing, intermediate care, and home care if the bed redistribution is to be effective for a period in excess of six months.

(d) Any new tertiary health services which are offered in or through a health care facility, and which were not offered on a regular basis by, in, or through such health care facility within the twelve-month period prior to the time such services would be offered.

(i) Tertiary services include the following:

(A) Specialty burn services(~~(:)~~). This is a service designed, staffed and equipped to care for any burn patient regardless of the severity or extent of the burn. All staff and equipment necessary for any level of burn care are available.

(B) Intermediate care nursery(~~(:)~~) and/or obstetric services level II. Intermediate care nursery is defined in ((consistent with)) chapter 248-18 WAC.

~~((C)) Neonatal Intensive Care~~

~~((D)) Obstetric Services level II.)) A level II obstetric service ((provides)) is in an area designed, organized, equipped, and staffed to provide a full range of maternal and neonatal services for uncomplicated patients(~~(-Level II units will also provide a full range of services))~~ and for the majority of complicated obstetrical problems. ~~((and certain neonatal illnesses. They will have a highly trained multidisciplinary staff.~~~~

~~((E)) (C) Neonatal intensive care nursery and/or obstetric services level III. Neonatal intensive care nursery is defined in chapter 248-18 WAC. A Level III obstetric service((s are provided)) is in an area designed, organized, equipped, and staffed to provide services to those few women and infants requiring full intensive care services for the most serious type of maternal-fetal and neonatal illnesses and abnormalities. Such a service provides the coordination of care, communications, transfer, and transportation for a given region. Level III services provide leadership in preparatory and continuing education in prenatal and perinatal care and may be involved in clinical and basic research.~~

~~((F)) D) Transplantation of specific categories of solid organs, including, but not limited to heart, liver, pancreas, lung, and kidney and including bone marrow. A transplantation service for each category of solid organ is considered a separate tertiary service.~~

~~((G)) E) Open heart surgery(~~(:)~~) and/or elective therapeutic cardiac catheterization including elective percutaneous transluminal coronary angioplasty (PTCA). Open heart surgery includes the care of patients who have surgery requiring the use of a heart lung bypass machine. Therapeutic cardiac catheterization means passage of a tube or other device into the coronary arteries or the heart chambers to improve blood flow. PTCA means the treatment of a narrowing of a coronary artery by means of inflating a balloon catheter at the site of the narrowing to dilate the artery.~~

~~((H)) Megavoltage radiation therapy;~~

~~((I)) Cardiac Catheterization;~~

~~((J)) Percutaneous Transluminal Coronary Angioplasty (PTCA);~~

~~((K)) F) Inpatient Physical Rehabilitation Services level III. Level III rehabilitation services are those services for persons with usually nonreversible, multiple function impairments of a moderate-to-severe complexity resulting in major changes in the patient's lifestyle and requiring intervention by several rehabilitation disciplines. Services are provided by a multidisciplinary team, including a rehabilitation nurse; physical, occupational, and speech therapists; and vocational counseling; and managed by a physiatrist. The service is provided in a dedicated unit with a separate nurses station staffed by nurses with specialized training and/or experience in rehabilitation nursing. While the service may specialize (i.e., spinal cord injury, severe head trauma, etc.), it is able to treat all persons within the designated diagnostic specialization regardless of level of severity or complexity of the impairments.~~

~~((L)) G) Specialized inpatient pediatric services. The service is designed, staffed, and equipped to treat complex pediatric cases for more than 24 hours. The service has a staff of pediatric specialists and~~

~~subspecialists available on a 24-hour basis ((s are for complex pediatric cases requiring specialized equipment, as well as specialty and subspecialty personnel. The services are provided in dedicated pediatric units)).~~

(ii) The department shall review, periodically revise, and update the list of tertiary services. The department shall change the tertiary services list following the procedures identified in section 235 of this chapter ~~((through the adoption rules adoption process and may change the list on an emergency basis)).~~

(iii) The offering of an inpatient tertiary health service by a health maintenance organization or combination of health maintenance organizations is subject to the provisions ~~((under))~~ of chapter 248-19 WAC unless the offering is exempt under the provisions of RCW 70.38.111.

(e) Any increase in the number of dialysis stations in a kidney disease center;

(f) Any capital expenditure in excess of the expenditure minimum for the construction, renovation, or alteration of a nursing home. However, a capital expenditure, solely for any one or more of the following, which does not substantially affect patient charges, is not subject to certificate of need review:

(i) Communications and parking facilities;

(ii) Mechanical, electrical, ventilation, heating, and air conditioning systems;

(iii) Energy conservation systems;

(iv) Repairs to, or the correction of, deficiencies in existing physical plant facilities necessary to maintain state licensure;

(v) Acquisition of equipment, including data processing equipment, which is not or will not be used in the direct provision of health services;

(vi) Construction, involving physical plant facilities, including administrative and support facilities, which are not and will not be used in the provision of health services;

(vii) Acquisition of land; and

(viii) Refinancing of existing debt.

(g) Any expenditure for the construction, renovation, or alteration of a nursing home or change in nursing home services in excess of the expenditure minimum made in preparation for any undertaking subject to the provisions of chapter 248-19 WAC and any arrangement or commitment made for financing such undertaking;

(h) No person may divide a project in order to avoid review requirements under any of the thresholds specified in this section; and

(i) The department may issue certificates of need authorizing predevelopment expenditures only, without authorizing any subsequent undertaking with respect to which such predevelopment expenditures are made.

(2) No person shall engage in any undertaking subject to certificate of need review unless:

(a) A certificate of need authorizing such undertaking has been issued and remains valid; or

(b) An exemption is granted in accordance with the provisions of this chapter.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

## NEW SECTION

WAC 248-19-235 TERTIARY SERVICES IDENTIFICATION (1) The criteria in this section shall be used as when examining services to determine whether the service is considered a tertiary service.

(2) In determining whether a service is a tertiary service the department shall consider the degree to which the service meets the following criteria:

(a) Whether the service is dependent on the skills and coordination of specialties and subspecialties. Including, but not limited to, physicians, nurses, therapists, social workers;

(b) Whether the service requires immediate access to an acute care hospital;

- (c) Whether the service is characterized by relatively few providers;
- (d) Whether the service is broader than a procedure;
- (e) Whether the service has a low use rate;
- (f) Whether consensus supports or published research shows that sufficient volume is required to impact structure, process and outcomes of care; and

(g) Whether the service carries a significant risk or consequence.

(3) Annually the department shall request review of proposed changes to the list of tertiary services identified in 248-19-231 WAC. The annual review shall be conducted as follows:

(a) The department shall send notice to all persons who have sent the Certificate of Need Program a written request to be notified of the annual review of tertiary services.

(b) The notice shall contain the following:

(i) Identification of the 30 day period during which written comments may be received. This 30 day period shall be called the comment period;

(ii) The criteria listed in subsection 4 of this section; and

(iii) The name and address of the person in the department to whom written comments are to be addressed.

(c) The written comments shall address whether a service satisfies the criteria in subsection 4 of this section.

(d) Within 60 days after the close of the comment period the department shall determine whether to propose any changes to the list of tertiary services in 248-19 WAC. This 60 day period shall be called the consideration period.

(e) During the consideration period information may be exchanged between the department and persons proposing changes to the list of tertiary services in 248-19 WAC.

(4) The department shall convene a technical work group at least every three years to do the following:

(a) Review the criteria listed in subsection 4 of this section to determine whether the criteria appropriately define a tertiary service; and

(b) Propose any necessary changes to the list of tertiary services in 248-19-231 WAC.

## WSR 90-14-127

### PROPOSED RULES

### DEPARTMENT OF HEALTH

[Filed July 5, 1990, 4:40 p.m.]

#### Original Notice.

Title of Rule: WAC 248-19-220 Definitions—Certificate of need program.

Purpose: Amend rules consistent with recommendations of affected parties.

Statutory Authority for Adoption: Chapter 70.38 RCW.

Summary: Defines professional pricing of a continuing care retirement community.

Reasons Supporting Proposal: Clarification of regulatory authority, consistent with legislative intent and planning policy.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kristina Sparks, 1300 South Quince, Mailstop EY-19, Olympia, 753-5857.

Name of Proponent: Home Care Association, Washington Association of Homes for the Aging, public.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Makes necessary changes to clarify definitions in the certificate of need program regarding continuing care retirement communities (CCRC).

Proposal Changes the Following Existing Rules: Clarifies what is necessary for a professional pricing study of a CCRC.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: General Administration Auditorium, 11th and Columbia, Olympia, Washington 98504, on August 7, 1990, at 10:30 a.m.

Submit Written Comments to: Leslie Baldwin, 1300 Quince Street, Olympia, WA 98504, by August 6, 1990.

Date of Intended Adoption: August 14, 1990.

July 5, 1990

Pam Campbell Mead  
for Kristine M. Gebbie  
Secretary

#### AMENDATORY SECTION (Amending Order 023, filed 1/3/90, effective 2/3/90)

WAC 248-19-220 DEFINITIONS. For the purposes of chapter 248-19 WAC, the following words and phrases shall have the following meanings unless the context clearly indicates otherwise.

(1) "Acute care facilities" means hospitals and ambulatory surgical facilities.

(2) "Affected persons" means:

(a) The applicant;

(b) Health care facilities and health maintenance organizations providing services similar to the services under review and located in the health service area;

(c) Third-party payers reimbursing health care facilities in the health service area;

(d) Any agency establishing rates for health care facilities and health maintenance organizations in the health service area where the proposed project is to be located;

(e) Health care facilities and health maintenance organizations which, in the twelve months prior to receipt of the application, have submitted a letter of intent to provide similar services;

(f) Any person residing within the geographic area to be served by the applicant; and

(g) Any person regularly using health care facilities within the geographic area to be served by the applicant.

(3) "Alterations," see "construction, renovation, or alteration."

(4) "Ambulatory care facility" means any place, building, institution, or distinct part thereof not a health care facility as defined in this section and operated for the purpose of providing health services to individuals without providing such services with board and room on a continuous twenty-four-hour basis. The term "ambulatory care facility" includes the offices of private physicians, whether for individual or group practice.

(5) "Ambulatory surgical facility" means a facility, not a part of a hospital, providing surgical treatment to patients not requiring inpatient care in a hospital. This term does not include a facility in the offices of private physicians or dentists, whether for individual or group practice, if the privilege of using such facility is not extended to physicians or dentists outside the individual or group practice.

(6) "Applicant," except as used in WAC 248-19-390, means any person proposing to engage in any undertaking subject to review under the provisions of chapter 70.38 RCW.

"Applicant," as used in WAC 248-19-390, means any person or individual with a ten percent or greater financial interest in a partnership or corporation or other comparable legal entity engaging in any undertaking subject to review under the provisions of chapter 70.38 RCW.

(7) "Capital expenditure" means an expenditure, including a force account expenditure (i.e., an expenditure for a construction project undertaken by a nursing home facility as its own contractor), which, under generally accepted accounting principles, is not properly chargeable as an expense of operation or maintenance. The costs of any studies, surveys, designs, plans, working drawings, specifications, and other activities (including staff effort, consulting and other services which, under generally accepted accounting principles, are not properly chargeable as an expense of operation and maintenance) shall be considered capital expenditures. Where a person makes an acquisition under lease or comparable arrangement, or through donation, which would have required certificate of need review if the acquisition had been made by purchase, such acquisition shall be deemed a capital expenditure. Capital expenditures include donations of equipment or facilities to a nursing home facility, which if acquired directly by such facility, would be subject to review under the provisions of this chapter

and transfer of equipment or facilities for less than fair market value if a transfer of the equipment or facilities at fair market value would be subject to such review.

(8) "Certificate of need" means a written authorization by the secretary's designee for a person to implement a proposal for one or more undertakings.

(9) "Certificate of need program" means that organizational program of the department responsible for the management of the certificate of need program.

(10) "Commencement of the project" means whichever of the following occurs first: In the case of a construction project, giving notice to proceed with construction to a contractor for a construction project; beginning site preparation or development; excavating or starting the foundation for a construction project; or beginning alterations, modification, improvement, extension, or expansion of an existing building. In the case of major medical equipment, installation. In the case of other projects, initiating a health service.

(11) "Construction, renovation, or alteration" means the erection, building, remodeling, modernization, improvement, extension, or expansion of a physical plant of a health care facility, or the conversion of a building or portion thereof to a health care facility.

(12) "Continuing care contract" means a contract providing a person, for the duration of that person's life or for a term in excess of one year, shelter along with nursing, medical, health-related, or personal care services. The contract is conditioned on the transfer of property, the payment of an entrance fee to the provider of such services, or the payment of periodic charges for the care and services involved. A continuing care contract is not excluded from this definition because the contract is mutually terminable or because shelter and services are not provided at the same location.

(13) "Continuing care retirement community" means an entity providing shelter and services under a continuing care contract with the entity's members and sponsoring or including a health care facility or a health service.

(14) "Days" means calendar days. Days are counted starting the day after the date of the event from which the designated period of time begins to run. If the last day of the period falls on a Saturday, Sunday, or legal holiday observed by the state of Washington, a designated period runs until the end of the first working day following the Saturday, Sunday, or legal holiday.

"Working days" exclude Saturdays, Sundays, and legal holidays observed by the state of Washington. Working days are counted in the same way as calendar days.

(15) "Department" means the Washington state department of health.

(16) "Ex parte contact" means any oral or written communication between any person in the certificate of need program or any other person involved in the decision regarding an application for, or the withdrawal of, a certificate of need and the applicant for, or holder of, a certificate of need, any person acting on behalf of the applicant or holder, or any person with an interest regarding issuance or withdrawal of a certificate of need.

(17) "Expenditure minimum" means one million dollars for the twelve-month period beginning with July 24, 1983, adjusted annually by the department according to the provisions of chapter 248-156 WAC.

(18) "Health care facility" means hospitals, psychiatric hospitals, nursing homes, kidney disease treatment centers including freestanding dialysis units, ambulatory surgical facilities, continuing care retirement communities, hospices and home health agencies, and includes such facilities when owned and operated by a political subdivision or instrumentality of the state and such other facilities as required by federal law and implementing regulations, but does not include Christian Science sanatoriums operated or listed and certified by the First Church of Christ Scientist, Boston, Massachusetts. In addition, the term "health care facility" does not include any nonprofit hospital:

- (a) Operated exclusively to provide health care services for children;
- (b) Which does not charge fees for such services; and
- (c) If not contrary to federal law as necessary to the receipt of federal funds by the state.

(d) In addition, the term "health care facility" does not include a continuing care retirement community which:

- (i) Offers services only to contractual members;
- (ii) Provides its members a contractually guaranteed range of services from independent living through skilled nursing, including some form of assistance with activities of daily living;

(iii) Contractually assumes responsibility for costs of services exceeding the member's financial responsibility as stated in contract, so that, with the exception of insurance purchased by the retirement community or its members, no third party, including the Medicaid program, is liable for costs of care even if the member depletes personal resources;

(iv) Offers continuing care contracts and operates a nursing home continuously since January 1, 1988, or obtained a certificate of need to establish a nursing home;

(v) Maintains a binding agreement with the department of social and health services assuring financial liability for services to members, including nursing home services, shall not fall upon the department of social and health services;

(vi) Does not operate, and has not undertaken, a project resulting in a number of nursing home beds in excess of one for every four living units operated by the continuing care retirement community, exclusive of nursing home beds; and

(vii) Has undertaken no increase in the total number of nursing home beds after January 1, 1988, unless a professional review of pricing and long-term solvency was obtained by the retirement community within the prior five years and fully disclosed to members.

(19) "Health maintenance organization" means a public or private organization, organized under the laws of the state, which:

(a) Is a qualified health maintenance organization under Title XIII, Section 1310(d) of the Public Health Service Act; or

(b)(i) Provides or otherwise makes available to enrolled participants health care services, including at least the following basic health care services: Usual physician services, hospitalization, laboratory, x-ray, emergency and preventive services, and out-of-area coverage;

(ii) Is compensated (except for copayments) for the provision of the basic health care services listed in (b)(i) of this subsection to enrolled participants by a payment made on a periodic basis without regard to the date the health care services are provided and fixed without regard to the frequency, extent, or kind of health service actually provided; and

(iii) Provides physicians' services primarily:

(A) Directly through physicians who are either employees or partners of such organization, or

(B) Through arrangements with individual physicians or one or more groups of physicians (organized on a group practice or individual practice basis).

(20) "Health service area" means a geographic region appropriate for effective health planning including a broad range of health services.

(21) "Health services" means clinically related (i.e., preventive, diagnostic, curative, rehabilitative, or palliative) services and includes alcoholism, drug abuse, and mental health services.

(22) "Home health agency" means an entity which is, or is to be, certified as a provider of home health services in the Medicaid or Medicare program. The department shall not require a home health agency previously issued a certificate of need as a new health care facility to obtain additional certificate of need approval if the agency has not received Medicare or Medicaid certification by the effective date of these rules.

(23) "Hospice" means an entity which is, or is to be, certified as a provider of hospice services in the Medicaid or Medicare program. The department shall not require a hospice previously issued a certificate of need as a new health care facility to obtain additional certificate of need approval if the hospice has not received Medicare or Medicaid certification by the effective date of these rules.

(24) "Hospital" means any institution, place, building or agency or distinct part thereof which qualifies or is required to qualify for a license under chapter 70.41 RCW, or as a psychiatric hospital licensed under chapter 71.12 RCW.

(25) "Inpatient" means a person receiving health care services with board and room in a health care facility on a continuous twenty-four-hour-a-day basis.

(26) "Intermediate care facility" means any institution or distinct part thereof certified as an intermediate care facility for participation in the Medicaid (Title XIX of the Social Security Act) program.

(27) "Kidney disease treatment center" means any place, institution, building or agency or a distinct part thereof equipped and operated to provide services, including dialysis and/or kidney transplantation, to persons who have end-stage renal disease.

(28) "May" means an act is permitted, but not required.

(29) "Nursing home" means any home, place, institution, building or agency or distinct part thereof including a nursing unit or a long-

term care area of a hospital operating or maintaining facilities providing convalescent or chronic care, or both, for a period in excess of twenty-four consecutive hours for three or more patients not related by blood or marriage to the operator, who, by reason of illness or infirmity, are unable properly to care for themselves. Convalescent and chronic care may include, but not be limited to, any or all procedures commonly employed in waiting on the sick, such as administration of medicines, preparation of special diets, giving of bedside nursing care, application of dressings and bandages, and carrying out of treatment prescribed by a duly licensed practitioner of the healing arts. Nursing home includes any such entity licensed or required to be licensed under the provisions of chapter 18.51 RCW and any other intermediate care facility or skilled nursing facility as these terms are defined in this section.

(30) "Obligation," when used in relation to a capital expenditure, means the following has been incurred by or on behalf of a health care facility:

(a) An enforceable contract has been entered into by a health care facility or by a person on behalf of the health care facility for the construction, acquisition, lease, or financing of a capital asset; or

(b) A formal internal commitment of funds by a health care facility for a force account expenditure constituting a capital expenditure; or

(c) In the case of donated property, the date on which the gift is completed in accordance with state law.

(31) "Offer," when used in connection with health services, means the health facility provides one or more specific health services.

(32) "Person" means an individual, a trust or estate, a partnership, a corporation (including associations, joint stock companies, and insurance companies), the state, or a political subdivision or instrumentality of the state, including a municipal corporation or a hospital district.

(33) "Predevelopment expenditures" means capital expenditures, the total of which exceeds the expenditure minimum, made for architectural designs, plans, drawings, or specifications in preparation for the acquisition or construction of physical plant facilities. "Predevelopment expenditures" exclude any obligation of a capital expenditure for the acquisition or construction of physical plant facilities and any activity which the department may consider the "commencement of the project" as this term is defined in this section.

(34) "Professional review of continuing care retirement community pricing and long-term solvency" means ((a)) prospective financial statements, supported by professional analysis and documentation, ((attesting to the feasibility of the continuing care retirement community, over a period of ten years or more into the future, and personally prepared by a qualified actuary, defined under WAC 284-05-060, or an independent certified public accountant, using sound financial and actuarial standards and practices. The person preparing the statement shall provide an affidavit stating the person's qualifications to assess the current and future financial and actuarial positions of the continuing care retirement community, including familiarity with current accounting and actuarial professional standards for work concerning continuing care retirement communities)) which:

(a) Conform to Principles and Practices Board Statement Number 9 of the Healthcare Financial Management Association, "Accounting and Reporting Issues Related to Continuing Care Retirement Communities"; and

(b) Project the financial operations of the continuing care retirement community over a period of ten years or more into the future; and

(c) Are prepared and signed by a qualified actuary as defined under WAC 284-05-060 or an independent certified public accountant, or are prepared by management of the continuing care retirement community and reviewed by a qualified actuary or independent certified public accountant who issues a signed examination or compilation report on the prospective financial statements; and

(d) Include a finding by management that the intended expansion project of the continuing care retirement project is financially feasible.

(35) "Project" means all undertakings proposed in a single certificate of need application or for which a single certificate of need is issued.

(36) "Secretary" means the secretary of the Washington state department of health or the secretary's designee.

(37) "Shall" means compliance is mandatory.

(38) "Skilled nursing facility" means any institution or distinct part thereof certified as a skilled nursing facility for participation in the Medicare (Title XVIII) or Medicaid (Title XIX) program.

(39) "State health plan" means a document developed in accordance with RCW 70.38.065 and in effect until June 30, 1990, unless superseded by department-adopted rules.

(40) "State Health Planning and Resources Development Act" means chapter 70.38 RCW.

(41) "Tertiary health service" means a specialized service meeting complicated medical needs of people and requires sufficient patient volume to optimize provider effectiveness, quality of service, and improved outcomes of care.

(42) "Undertaking" means any action subject to the provisions of chapter 248-19 WAC.

**WSR 90-14-128**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
[Filed July 5, 1990, 4:44 p.m.]

Original Notice.

Title of Rule: Chapter 248-38 WAC, Medical test site rules.

Purpose: To establish in WAC the rules for licensure of medical test sites for implementation of chapter 70.42 RCW.

Statutory Authority for Adoption: Chapter 70.42 RCW.

Statute Being Implemented: Chapter 70.42 RCW.

Summary: Chapter 248-38 WAC establishes criteria for licensure of medical test sites which will promote accurate and reliable analysis and be consistent with federal laws licensing and regulation medical testing.

Reasons Supporting Proposal: This rule is necessary to implement chapter 70.42 RCW which requires the Department of Health to adopt rules for licensure of all medical test sites.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Patrick N. O'Brien, Department of Health, 361-2803.

Name of Proponent: Department of Health, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule will establish into WAC the rules for licensure of medical test sites which will implement chapter 70.42 RCW.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 14, 1990, at 10:00 a.m.

Submit Written Comments to: Leslie Baldwin, 1300 Quince Street, Olympia, WA 98504, by August 13, 1990.

Date of Intended Adoption: August 20, 1990.

July 5, 1990  
Pam Campbell Mead  
for Kristine M. Gebbie  
Secretary

Chapter 248-38 WAC  
MEDICAL TEST SITE RULES

NEW SECTION

WAC 248-38-001 PURPOSE. The purpose of this chapter is to implement chapter 70.42 RCW, by establishing minimum licensing

standards for medical test sites, consistent with federal law and regulation, related to quality control, quality assurance, recordkeeping, personnel requirements, proficiency testing, and licensure waivers.

#### NEW SECTION

**WAC 248-38-010 DEFINITIONS.** For the purpose of chapter 70.42 RCW and this chapter, the following words and phrases have these meanings unless the context clearly indicates otherwise.

(1) "Accreditation body" means a public or private organization or agency which accredits, certifies, or licenses medical test sites, by establishing and monitoring standards judged by the department to be consistent with federal law and regulation, and this chapter.

(2) "Authorized person" means any individual allowed by Washington state law or rule to order tests or receive test results.

(3) "Case" means any slide or group of slides, from one patient specimen source, submitted to a medical test site, at one time, for the purpose of cytological or histological examination.

(4) "Category I" means a medical test site performing one or more of the following tests, in addition to any or all tests listed in WAC 248-38-030(10), but none of the tests described for Category II:

(a) Culture for colony counts for urinary tract infections, not including identification and susceptibility testing;

(b) Blood glucose using reagent strip by instrumentation;

(c) Manual or instrumentation hematology or coagulation;

(d) Chemistry tests, limited to glucose, blood urea nitrogen, creatinine, uric acid, sodium, potassium;

(e) Throat culture screen for beta-hemolytic streptococcus using differentiation discs;

(f) Cholesterol screening, limited to qualitative and semi-quantitative determinations;

(g) Group A Strep screen by direct antigen test.

(5) "Category II" means a medical test site performing any test, other than or in addition to any or all of the tests listed in Category I and in WAC 248-38-030(10).

(6) "Certificate of waiver" means a medical test site performing one or more of the tests listed in WAC 248-38-030(10), but none of the tests described for Category I or Category II.

(7) "Days" means calendar days.

(8) "Department" means the department of health.

(9) "Designated specialty test site supervisor" means an available individual, designated in writing by the owner of the medical test site, meeting the qualifications and performing the duties of a designated test site supervisor, as described in this chapter for an assigned specialty or subspecialty.

(10) "Designated test site supervisor" means the available individual responsible for the technical functions of the medical test site and meeting the department qualifications under this chapter.

(11) "Disciplinary action" means license or certificate of waiver denial, suspension, condition, revocation, civil fine, or any combination of the preceding actions, taken by the department against a medical test site.

(12) "Facility" means one or more locations where tests are performed, within one campus or complex, under one owner.

(13) "Federal law and regulation" means Public Law 100-578, Clinical Laboratory Improvement Amendments of 1988, Public Health Service Act, and the regulations to implement the federal amendments.

(14) "May" means permissive or discretionary on the part of the department.

(15) "Medical test site" or "test site" means any facility or site, public or private, which analyzes materials derived from the human body for the purposes of health care, treatment, or screening. A medical test site does not mean a facility or site, including a residence where a test approved for home use by the Federal Food and Drug Administration is used by an individual to test himself or herself without direct supervision or guidance by another and where this test is not part of a commercial transaction.

(16) "Owner" means the person, corporation, or entity legally responsible for the business requiring licensure or a certificate of waiver as a medical test site under chapter 70.42 RCW.

(17) "Person" means any individual, public organization, private organization, agent, agency, corporation, firm, association, partnership, or business.

(18) "Principle health care provider" means the attending physician or other health care provider recognized as primarily responsible for diagnosis and treatment of a patient or, in the absence of such, the health care provider initiating diagnosis, testing or therapy for a patient.

(19) "Provisional license" or "provisional certificate of waiver" means an interim approval issued by the department to the owner of a medical test site.

(20) "Recordkeeping" means books, files, or records necessary to show compliance with the quality control and quality assurance requirements under this chapter.

(21) "Shall" means compliance is mandatory.

(22) "Site" means one or more locations where tests are performed, under one owner, changing or extending location to perform tests on a regular or intermittent basis.

(23) "Specialty" means a group of similar subspecialties or tests. The specialties for a medical test site are as follows:

(a) Chemistry;

(b) Cytogenetics;

(c) Diagnostic immunology;

(d) Immunohematology;

(e) Hematology;

(f) Histocompatibility;

(g) Microbiology;

(h) Pathology; and

(i) Radiobioassay.

(24) "Subspecialty" means a group of similar tests. The subspecialties of a specialty for a medical test site are as follows, for:

(a) Chemistry, the subspecialties are routine chemistry, endocrinology, toxicology, urinalysis, and other chemistry;

(b) Diagnostic immunology, the subspecialties are syphilis serology, general immunology, HIV, and alpha fetoprotein;

(c) Immunohematology, the subspecialties are blood group and Rh typing, antibody identification, crossmatching, transfusion services and blood banking, and other immunohematology;

(d) Hematology, the subspecialties are routine hematology, coagulation, and other hematology;

(e) Microbiology, the subspecialties are bacteriology, mycology, parasitology, virology, and mycobacteriology; and

(f) Pathology, the subspecialties are histopathology, diagnostic cytology, and oral pathology.

(25) "Supervision" means authoritative procedural guidance by a qualified individual, assuming the responsibility for the accomplishment of a function or activity by technical personnel.

(26) "Technical personnel" means individuals employed to perform any test or part of a test.

(27) "Test" means any examination or procedure conducted on a sample taken from the human body, including screening.

#### NEW SECTION

**WAC 248-38-020 LICENSURE OF THE MEDICAL TEST SITES.** (1) After July 1, 1990, no person shall advertise, operate, manage, own, conduct, open, or maintain a medical test site without first obtaining from the department, a license or a certificate of waiver as described under chapter 70.42 RCW and this chapter.

(2) Applicants requesting a medical test site license or renewal shall:

(a) Submit a completed application and fee to the department on forms furnished by the department, including signature of the owner; and

(b) Furnish full and complete information to the department in writing, as required for proper administration of rules to implement chapter 70.42 RCW including:

(i) Name, address, and phone number of the medical test site;

(ii) Name, address, and phone number of the owner of the medical test site;

(iii) Number and types of tests performed, planned, or projected;

(iv) Names and qualifications including educational background, training, and experience of the designated test site supervisor, and any designated specialty test site supervisor;

(v) Names and qualifications including educational background, training, and experience of technical personnel, if requested by the department, in order to determine consistency with federal law and regulation;

(vi) Name and type of proficiency testing program or programs used by the medical test site;

(vii) Other information as required to implement chapter 70.42 RCW; and

(viii) Methodologies for tests performed, when the department determines the information is necessary, consistent with federal law and regulation.

(3) The department shall also issue a license for a medical test site if the medical test site:

(a) Is accredited, certified, or licensed by an accreditation body under WAC 248-38-040; and

(b) Submits the following to the department for department approval:

- (i) Information defined in subsection (2)(a) and (b) of this section;
- (ii) Copies of the most recent graded proficiency testing results; and
- (iii) Proof of accreditation, certification, or licensure by an accreditation body including a copy of the most recent:

- (A) On-site inspection results;
- (B) Statement of deficiencies;
- (C) Plan of correction for the deficiencies cited; and
- (D) Any disciplinary action and results of any disciplinary action taken by the accreditation body against the medical test site; or
- (iv) Authorization for an accreditation body to submit to the department such records or other information about the medical test site required for the department to determine whether or not standards are consistent with chapter 70.42 RCW and this chapter.

(4) The owner or applicant shall submit an application and fee to the department thirty days prior to the expiration date of the current license.

(5) The department shall:

(a) Issue or renew a license for the medical test site, valid for two years, when the applicant or owner meets the requirements of chapter 70.42 RCW and this chapter, subject to subsection (6) of this section;

(b) Terminate a provisional license, at the time a two-year license for the medical test site is issued;

(c) Establish fees to be paid under WAC 248-38-120;

(d) Prohibit transfer or reassignment of a license without thirty days prior written notice to the department and the department's approval;

(e) Examine records of the medical test site, if the department believes a person is conducting tests without an appropriate license;

(f) Give written notice of any violations to the medical test site, including a statement of deficiencies observed and requirements to:

(i) Present a written plan of correction to the department within fourteen days following the date of postmark; and

(ii) Comply within a specified time, not to exceed sixty days, after department approval of a written plan of correction;

(g) Allow the owner a reasonable period of time, not to exceed sixty days, to correct a deficiency unless the deficiency is an immediate threat to life, health, or safety.

(6) The department may:

(a) Issue a provisional license to a medical test site, applying for licensure for the first time, valid for a period of time not to exceed two years from date of issue;

(b) Conduct on-site review of a medical test site at any time to determine compliance with chapter 70.42 RCW and this chapter; and

(c) Initiate disciplinary action, as described under chapter 70.42 RCW and this chapter, if the owner or applicant fails to comply with chapter 70.42 RCW and this chapter, consistent with chapter 34.05 RCW, Administrative Procedure Act.

(7) The owner shall notify the department, in writing, at least thirty days prior to the date of a proposed change of ownership and provide the following information:

(a) Full name, address, and location of the current owner and prospective new owner, if known;

(b) Name and address of the medical test site and the new name of the medical test site, if known;

(c) Changes in technical personnel and supervisors, if known; and

(d) The date of the proposed change of ownership.

(8) The prospective new owner shall submit the information required in subsection (2)(a) and (b) of this section, at least thirty days prior to the change of ownership.

(9) The owner shall inform the department in writing of:

(a) The date of opening or closing the medical test site; and

(b) Any change in the information related to license application, excluding tests which would not affect category change, within thirty days after the change, unless specifically stated otherwise in chapter 70.42 RCW or this chapter.

#### NEW SECTION

WAC 248-38-030 WAIVER FROM LICENSURE OF MEDICAL TEST SITES. (1) The department shall grant a certificate of waiver to a medical test site performing only the tests listed in this section.

(2) Applicants requesting a certificate of waiver or renewal shall:

(a) Submit a completed application and fee for initial certificate of waiver or renewal to the department on forms furnished by the department, including signature of the owner; and

(b) Furnish full and complete information to the department in writing, as required for proper administration of rules to implement chapter 70.42 RCW including:

(i) Name, address, and phone number of the medical test site;

(ii) Name, address, and phone number of the owner of the medical test site;

(iii) Number and types of tests performed, planned or projected;

(iv) Names and qualifications including educational background, training and experience of the designated test site supervisor;

(v) Names and qualifications including educational background, training, and experience of technical personnel, if requested by the department, in order to determine consistency with federal law and regulation;

(vi) Other information as required to implement chapter 70.42 RCW; and

(vii) Methodologies for tests performed, when the department determines the information is necessary consistent with federal law and regulation.

(3) The owner or applicant shall submit an application and fee to the department thirty days prior to the expiration date of the current certificate of waiver.

(4) The department shall:

(a) Grant a certificate of waiver or renewal of a certificate of waiver for the medical test site valid for two years when the applicant or owner meets the requirements of chapter 70.42 RCW and this chapter, subject to subsection (5) of this section;

(b) Terminate a provisional certificate of waiver at the time a two-year certificate of waiver for the medical test site is issued;

(c) Establish fees to be paid under WAC 248-48-120; and

(d) Prohibit transfer or reassignment of a certificate of waiver without thirty days prior written notice to the department and the department's approval.

(5) If the department has reason to believe a waived site is conducting tests requiring a license, the department shall:

(a) Conduct on-site reviews of the medical test site;

(b) Examine records of the medical test site;

(c) Give written notice of any violations to the medical test site, including a statement of deficiencies observed and requirements to:

(i) Present a written plan of correction to the department within fourteen days following the date of postmark; and

(ii) Comply within a specified time not to exceed sixty days after department approval of a written plan of correction;

(d) Allow the owner a reasonable period of time, not to exceed sixty days, to correct a deficiency unless the deficiency is an immediate threat to life, health, or safety.

(6) The department may:

(a) Grant a provisional certificate of waiver to a medical test site, applying for a certificate of waiver for the first time, valid for a period of time not to exceed two years from date of issue;

(b) Conduct on-site review of a medical test site at any time to determine compliance with chapter 70.42 RCW and this chapter; and

(c) Initiate disciplinary action, as described under chapter 70.42 RCW and this chapter, if the owner or applicant fails to comply with chapter 70.42 RCW and this chapter, consistent with chapter 34.05 RCW, Administrative Procedure Act.

(7) The owner shall notify the department, in writing, at least thirty days prior to the date of a proposed change of ownership and provide the following information:

(a) Full name, address, and location of the current owner and prospective new owner, if known;

(b) Name and address of the medical test site and the new name of the medical test site, if known;

(c) Changes in technical personnel and supervisors, if known; and

(d) The date of the proposed change of ownership.

(8) The prospective new owner shall submit the information required in subsection (2)(a) and (b) of this section, at least thirty days prior to the change of ownership.

(9) The owner shall inform the department, in writing of:

(a) The date of opening or closing the medical test site; and

(b) Any change in the information related to certificate of waiver application, excluding tests which would not effect category change or licensure, within thirty days after the change, unless specifically stated otherwise in chapter 70.42 RCW and this chapter.

(10) The department shall grant a certificate of waiver if the medical test site performs only the tests listed in this section and no other tests unless specifically disallowed or allowed under federal law and regulation:

- (a) Microscopic examination:
  - (i) For pinworms by adhesive method;
  - (ii) Of urine sediment;
  - (iii) Of wet mounts;
  - (iv) Of potassium hydroxide (KOH) preparations;
  - (v) For fern tests;
  - (vi) Of gram stains, limited to discharges and exudates;
  - (vii) Of nasal smears by Hansel or Wright-Giemsa stain; and
  - (viii) By any individual meeting the qualifications of a designated test site supervisor, only when same individual diagnoses and treats their own patients;
- (b) Examination of urine by reagent strip or tablet methods;
- (c) Urine specific gravity;
- (d) Examination of whole blood by visual reading of reagent strip or tablet methods, limited to whole blood glucose;
- (e) Examination of whole blood, limited to blood glucose, using instrumentation approved for home use by the Federal Food and Drug Administration and performed in the patient's residence;
- (f) Qualitative serum and urine pregnancy test kits, excluding instrumentation methods;
- (g) Micro hematocrit, spun hematocrit;
- (h) Erythrocyte sedimentation rate;
- (i) Qualitative examination of stool specimens for occult blood;
- (j) Primary inoculation of bacteriological or mycological media for visual reading of a color reaction only;
- (k) Semen analysis;
- (l) Screening tests for Sickle cell, other than electrophoresis methods;
- (m) Ovulation test using visual color test for human luteinizing hormone;
- (n) Whole blood clotting time;
- (o) Antistreptolysin O (ASO) screen by slide agglutination test or equivalent;
- (p) C reactive protein (CRP) screen by slide agglutination test or equivalent;
- (q) Rheumatoid factor screen by slide agglutination test or equivalent; and
- (r) Infectious mononucleosis screen by slide agglutination test or equivalent.

(11) The department shall use the following criteria when determining additional waived tests not listed in subsection (10) of this section, which are determined to have insignificant risk of an erroneous result, including those which:

- (a) Are approved by the Federal Food and Drug Administration for home use;
- (b) Are so simple and accurate as to render the likelihood of erroneous result negligible, judged by the department to require three or less of the following functions:
  - (i) Calculation;
  - (ii) Specimen or reagent preparation;
  - (iii) Six or more steps in the test procedure;
  - (iv) Calibrated or volumetric measurement;
  - (v) Independent judgment other than a single observation and recording of results;
  - (vi) External calibration;
  - (vii) External quality control; and
  - (viii) Equipment maintenance;
- (c) Pose no reasonable risk of harm to the patient if performed incorrectly.

(12) If the medical test site performs tests not included in subsection (10) of this section, the owner shall apply for licensure as defined under chapter 70.42 RCW and this chapter.

#### NEW SECTION

WAC 248-38-040 APPROVAL OF ACCREDITATION BODIES. (1) The department recognizes the following accreditation bodies under RCW 70.42.040:

- (a) United States Department of Health and Human Services, Health Care Financing Administration;
- (b) National Institute on Drug Abuse;
- (c) United States Food and Drug Administration, limited to the manufacture of blood and blood products.

(2) If the owner or applicant requests the department to consider accreditation bodies not currently approved by the department under this section, the owner or applicant shall:

- (a) Apply for acceptance of a specified accreditation body for a medical test site with the department;
- (b) Require the accreditation body to submit to the department a copy of the rules, regulations, and standards used by the accreditation body;
- (c) Agree to and request on-site inspections of the medical test site by the accrediting body, at a frequency similar to department inspections of medical test sites; and
- (d) Agree to submit to the department within thirty days of application for licensure or renewal of licensure, information required under WAC 248-38-020 (3)(b)(i) through (iv).

(3) The department shall:

- (a) Require the accreditation body to demonstrate to the department the use of accreditation, certification, or licensure standards consistent with federal law and regulations, and this chapter;
- (b) Require department-approved accreditation bodies to submit changes in standards to the department at least thirty days before changes are effective;
- (c) Review accreditation standards of bodies approved under subsection (1) of this section when changes are made in standards;
- (d) Require the accreditation body to demonstrate to the department the use of on-site inspectors with qualifications meeting or exceeding the requirements as follows:
  - (i) Qualifies as a designated test site supervisor or specialty test site supervisor as defined by chapter 70.42 RCW and this chapter; or
  - (ii) Qualifies with any of the requirements in 42 CFR 405.1313;
- (e) Require the accreditation bodies to agree in writing to allow the department to have jurisdiction to investigate complaints, do random on-site inspections and take disciplinary action against a medical test site if indicated.
- (4) The department may deny or terminate the license for a medical test site, if the owner or applicant fails to authorize the accreditation body to notify the department of the test site's compliance with the standards of the accreditation body.
- (5) The department shall notify the medical test site if an accreditation body loses department acceptance of approval as an accreditation body for the medical test site.
- (6) The owner or applicant of a medical test site shall reapply for licensure within thirty days, if the acceptance of approval of the accreditation body for the medical test site is denied or terminated.

#### NEW SECTION

WAC 248-38-050 PROFICIENCY TESTING. (1) Except where there is no available proficiency test, each licensed medical test site shall demonstrate satisfactory participation in a department-approved proficiency testing program appropriate for the test or tests performed on-site, excluding waived tests as listed in WAC 248-38-030(10).

(2) The department, upon request, shall furnish a list of the approved proficiency testing programs under RCW 70.42.050.

(3) The department may approve the owner or applicant's use of a specific proficiency testing program when the program:

- (a) Assures the quality of test samples;
  - (b) Appropriately evaluates the testing results;
  - (c) Identifies performance problems in a timely manner;
  - (d) Has the technical ability required to prepare and distribute samples;
  - (e) Uses methods assuring samples mimic actual patient specimens when possible and where applicable;
  - (f) Uses homogenous samples if applicable;
  - (g) Maintains stability of samples within the time frame specified in written instructions for analysis by proficiency testing participants;
  - (h) Provides necessary documentation to establish requirements under this section;
  - (i) Uses an appropriate process for determining the correct answer for each sample; and
  - (j) Uses at least two samples per test each quarter if applicable.
- (4) The medical test site shall:
- (a) Assure testing of proficiency testing samples in a similar manner as patient specimens are tested, unless otherwise specifically requested by the proficiency testing program;
  - (b) Assure testing of proficiency testing samples on-site by the technical personnel performing examinations on patient specimens;
  - (c) Maintain documentation of the:



- (i) Test methodology;
- (ii) Identification of technical personnel performing the tests; and
- (iii) Reporting of results of the proficiency testing samples; and
- (d) Provide a copy of the graded proficiency testing results to the department.

(5) The department shall use grading criteria and evaluation of proficiency testing results as follows:

(a) An evaluation of scores for the last four shipments of proficiency testing samples including:

- (i) Tests;
- (ii) Subspecialties; and
- (iii) Specialties;
- (b) Maintenance of a minimum acceptable score for satisfactory participation as follows:

(i) Seventy-five percent for all tests, subspecialties, and specialties except for human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and immunohematology; and

(ii) One hundred percent for all tests, subspecialties, and specialties for HIV/AIDS and immunohematology;

(c) A grade of marginal performance occurs when:

(i) An unsatisfactory score is obtained on any single test in a shipment for immunohematology or HIV/AIDS; or

(ii) For all other tests, subspecialties, or specialties if:

(A) Unsatisfactory scores are obtained in any specialty or subspecialty on two of any three successive shipments;

(B) An unsatisfactory score is obtained on a single test on two of any three successive shipments; or

(C) An unsatisfactory score is obtained in two or more specialties or subspecialties in a single shipment;

(d) A grade of unsatisfactory performance occurs when:

(i) Unsatisfactory shipment scores are obtained on a single test or in a specialty or subspecialty on three of any four successive shipments; or

(ii) A medical test site takes unacceptable action to correct marginal performance.

(6) For marginal performance on proficiency testing samples the following department and medical test site actions shall occur:

(a) The department shall mail a cautionary letter and a statement of deficiencies to the owner and to the designated test site supervisor;

(b) The medical test site shall respond by submitting a plan of correction within fifteen days from receipt of notice, to the department; and

(c) Following department evaluation of the plan of correction, the department shall mail written notice to the medical test site of acceptance or nonacceptance.

(7) In addition the department may require the owner of the medical test site demonstrating marginal performance in any identified test, subspecialty or specialty, to provide or ensure:

(a) Additional training of personnel;

(b) Necessary technical assistance to meet the requirements of the proficiency testing program and the department;

(c) Participation in a program of additional proficiency testing, if available; or

(d) Any combination of training, technical assistance, or testing described in (a), (b), and (c) of this subsection.

(8) For unsatisfactory performance on proficiency testing samples the department shall send to the owner and designated test site supervisor by certified mail:

- (a) A letter identifying the particular problem;
- (b) A statement of deficiencies;
- (c) Acknowledgement of previous contacts; and
- (d) A notice to the medical test site to cease performing the identified test, subspecialty, or specialty.

(9) The owner shall notify the department within fifteen days of the receipt of the notice of the decision to voluntarily stop performing tests on patient specimens for the identified test, subspecialty, or specialty.

(10) The owner may petition the department for reinstatement of approval to perform tests on patient specimens after demonstrating satisfactory performance on two successive shipments of proficiency testing samples for the identified test, subspecialty, or specialty.

(11) The department shall notify the owner in writing, within fifteen days of receipt of petition, of the decision related to the request for reinstatement.

#### NEW SECTION

WAC 248-38-060 PERSONNEL. (1) Owners shall ensure medical test sites have:

- (a) A designated test site supervisor responsible for:
  - (i) The overall technical supervision and management of the test site personnel; and

- (ii) Performing and reporting of testing procedures;
- (b) Technical personnel, competent to perform tests and report test results.

(2) Owners of medical test sites shall:

(a) Verify or arrange for appropriate education and training of personnel on the prevention, transmission, and treatment of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) consistent with RCW 70.24.310; and

(b) Use infection control standards and educational material consistent with the approved curriculum manual "Know - HIV/AIDS prevention education for health care facility employees," May 31, 1989, published by the department office on HIV/AIDS.

(3) Designated test site supervisors shall:

- (a) Establish and approve policies for:
  - (i) Performing, recording, and reporting of tests;
  - (ii) Maintaining an ongoing quality assurance program;
  - (iii) Supervision of testing; and
  - (iv) Compliance with chapter 70.42 RCW and this chapter;
- (b) Evaluate, verify, and document the following related to technical personnel:

(i) Education, experience, and training in test performance and reporting tests results;

(ii) Sufficient numbers to cover the scope and complexity of the services provided;

(iii) Access to training appropriate for the type and complexity of the test site services offered; and

(iv) Maintenance of competency to perform test procedures and report test results;

(c) Be present, on call, or delegate the duties of the designated test site supervisor to a designated specialty test site supervisor or an on-site technical person during testing.

(4) The designated test site supervisor shall meet one or more of the following qualifications:

(a) A licensed professional under chapter 18.71 RCW Physicians; chapter 18.57 RCW, Osteopathy—Osteopathic medicine and surgery;

(b) A licensed professional under chapter 18.32 RCW, Dentistry; chapter 18.22 RCW, Podiatry; chapter 18.36A RCW, Naturopathy; and chapter 18.88 RCW, Registered Nurses, when they are functioning as the principle health care provider, limited to the tests performed on patients within the legal scope of their practice; or

(c) Individuals meeting the requirements consistent with 42 CFR 405.1312 (b)(1-5).

(5) The designated test site supervisor or designated specialty test site supervisor shall meet the appropriate requirements under 42 CFR 405.1314(b) if the medical test site performs tests in any of the following specialties or subspecialties:

- (a) Cytology;
- (b) Histopathology, excluding dermatopathology;
- (c) Oral pathology;
- (d) Histocompatibility;
- (e) Cytogenetics; or
- (f) Transfusion services and blood banking.

#### NEW SECTION

WAC 248-38-070 RECORDKEEPING. The medical test site shall:

(1) Unless specified otherwise in subsection (2)(a), (b), and (c) of this section, maintain documentation for two years of:

- (a) Test requisitions or equivalent;
- (b) Test reports;
- (c) Quality control; and
- (d) Quality assurance.

(2) Maintain documentation of:

- (a) The items listed in subsection (1)(a), (b), (c), and (d) of this section for transfusion services and blood banking for five years;
- (b) Abnormal cytology and all histology reports for ten years; and
- (c) Normal cytology reports for three years.

(3) Require the following written information to accompany a test request:

- (a) Patient's name or other method of specimen identification;
- (b) Name or other suitable identifier of the authorized person ordering the test;
- (c) Date of specimen collection, and time if appropriate;
- (d) Source of specimen, if appropriate;



- (e) Type of test ordered;
- (f) Sex and age of the patient, if appropriate; and
- (g) For cytology and histology specimens:
- (i) Pertinent clinical information; and
- (ii) For pap smears:
  - (A) The last menstrual period; and
  - (B) Indication whether the patient has history of cervical cancer or its precursors.
- (4) Assure specimen records include:
  - (a) A medical test site identification;
  - (b) The patient's name or other method of specimen identification;
  - (c) The date the specimen was received at the medical test site, and time if appropriate; and
  - (d) The reason for specimen rejection or limitation.
- (5) Assure that test reports:
  - (a) Are maintained in a manner permitting identification and reasonable accessibility;
  - (b) Are released only to authorized persons or designees;
  - (c) Include the name of the medical test site, or where applicable, the name of each medical test site performing each test;
  - (d) Include the date reported; and
  - (e) Include the time reported, if appropriate.
- (6) Assure cytology reports:
  - (a) Distinguish between unsatisfactory specimen and negative results; and
  - (b) Contain narrative descriptions for any abnormal results, such as the Bethesda system of terminology as published in the Journal of the American Medical Association, 1989, Volume 262, pages 931-934, for any abnormal results.
- (7) Establish and make available reference ranges for use by authorized persons ordering or utilizing the test results.
- (8) Issue corrected reports when indicated.
- (9) Maintain appropriate documentation of:
  - (a) Temperature-controlled spaces and equipment;
  - (b) Preventive maintenance activities;
  - (c) Equipment function checks;
  - (d) Procedure calibrations;
  - (e) Validation, precision, and accuracy checks;
  - (f) Expiration date, lot numbers, and other pertinent information for:
    - (i) Reagents;
    - (ii) Solutions;
    - (iii) Culture media;
    - (iv) Controls, as defined in WAC 248-38-090;
    - (v) Calibrators, as defined in WAC 248-38-090;
    - (vi) Standards, as defined in WAC 248-38-090;
    - (vii) Reference materials, as defined in WAC 248-38-090; and
    - (viii) Other testing materials;
    - (g) Testing of quality control samples; and
    - (h) Any remedial action taken in response to quality control, quality assurance, personnel, and proficiency testing.

#### NEW SECTION

WAC 248-38-080 QUALITY ASSURANCE. (1) The medical test site shall establish and implement a written quality assurance plan including policies and procedures, designed to:

- (a) Monitor, evaluate, and review quality control, proficiency testing data, and test results;
  - (b) Identify and correct problems;
  - (c) Establish and maintain accurate, reliable, and prompt reporting of test results;
  - (d) Verify all tests performed and reported by the medical test site conform to specified performance criteria in quality control under WAC 248-38-090; and
  - (e) Establish and maintain the adequacy and competency of the technical personnel.
- (2) The quality assurance plan shall include mechanisms or systems to:
- (a) Establish and apply criteria for specimen acceptance and rejection;
  - (b) Notify the appropriate individuals as soon as possible when test results indicate potential life-threatening conditions;
  - (c) Assess problems identified during quality assurance reviews and discuss them with the appropriate staff;
  - (d) Evaluate all test reporting systems to verify accurate and reliable reporting, transmittal, storage, and retrieval of data;
  - (e) Document all corrective actions taken to:

- (i) Identify problems or potential problems; and
  - (ii) Implement corrective actions;
  - (f) Make available appropriate instructions for specimen collection, handling, preservation, and transportation.
- (3) The owner shall maintain adequate space, facilities, and essential utilities for the performance and reporting of tests.
- (4) The medical test site shall establish policies and procedures for infectious and hazardous site medical wastes consistent with local, state, and federal authorities.

#### NEW SECTION

WAC 248-38-090 QUALITY CONTROL. (1) For the purpose of this section, the following words and phrases have the following meanings, unless the context clearly indicates another meaning:

- (a) "ABO, A, A<sub>1</sub>, B, O, anti-A, anti-B, anti-D, anti Rh<sub>0</sub>, Rh<sub>0</sub> (D), HLA, HLA-A, B, and DR" means taxonomy classifications for blood groups, types, cells, sera, or antisera;
  - (b) "Calibrator" means a material, solution, or lyophilized preparation designed to be used in calibration. The values or concentrations of the analytes of interest in the calibration material are known within limits ascertained during its preparation, or before use;
  - (c) "Control" means a material, solution, lyophilized preparation, or pool of collected serum designed to be used in the process of quality control. The concentrations of the analytes of interest in the control material are known within limits ascertained during its preparation, or before routine use;
  - (d) "Control slide" means a preparation fixed on a glass slide used in the process of quality control;
  - (e) "Reference material" means a material or substance, calibrator, control or standard where one or more properties are sufficiently well established for use in calibrating a process or for use in quality control;
  - (f) "Standard" means a reference material of fixed and known chemical composition capable of being prepared in essentially pure form, or any certified reference material generally accepted or officially recognized as the unique standard for the assay regardless of level or purity of the analyte content.
- (2) The medical test site shall use quality control procedures providing and assuring accurate and reliable test results and reports, meeting the requirements of this chapter.
- (3) The medical test site shall have written procedures and policies available in the work area including:
- (a) Analytical methods used by the technical personnel;
  - (b) Specimen processing procedures;
  - (c) Preparation of solutions, reagents, and stains;
  - (d) Calibration procedures;
  - (e) Proper maintenance of equipment;
  - (f) Quality assurance policies;
  - (g) Quality control procedures;
  - (h) Corrective actions when quality control results deviate from expected values or patterns;
    - (i) Procedures for reporting test results;
    - (j) Limitations of methodologies; and
    - (k) Alternative or backup methods for performing tests including the use of a reference facility if applicable.

(4) The medical test site shall perform quality control complying with the requirements of this section for each specialty and subspecialty as follows:

- (a) At least as frequently as specified in this section;
  - (b) More frequently if recommended by the manufacturer of the instrument or test procedure;
  - (c) More frequently if specified by the medical test site; or
  - (d) Less frequently only when the medical test site documents satisfactory performance and receives prior approval from the department.
- (5) The medical test site shall:
- (a) Perform procedural calibration or recalibration, if applicable, to instrument or method used, when:
    - (i) A new lot number of reagents for a procedure is introduced;
    - (ii) There is major preventive maintenance or replacement of critical parts of equipment or instrumentation;
    - (iii) Controls begin to reflect an unusual trend or are outside acceptable range limits;
    - (iv) The manufacturer recommends; or
    - (v) The medical test site's established schedule specifies;
  - (b) If patient values are above the maximum or below the minimum calibration point or the linear range:
    - (i) Report the patient results as greater than the upper limit or less than the lower limit or an equivalent designation; or

- (ii) Use an appropriate procedure to rerun the sample allowing results to fall within the established linear range;
- (c) For quantitative tests:
  - (i) Include two reference materials, of different concentrations, each day of testing unknown samples, if these reference materials are available; or
  - (ii) Have an equivalent mechanism to assure the quality, accuracy, and precision of the test, if reference materials are not available;
  - (d) For qualitative tests, include positive and negative reference material each day of testing unknown samples;
  - (e) Determine the statistical limits for each lot number of unassayed reference materials through repeated testing;
  - (f) Use the manufacturer's reference material limits for assayed material, provided they are:
    - (i) Verified by the medical test site; and
    - (ii) Appropriate for the methods and instrument used by the medical test site;
  - (g) Report patient results only when reference materials are within acceptable limits;
  - (h) Establish and make readily available reference material limits;
  - (i) Use materials within their documented expiration date, unless the test site provides evidence the materials are stable and reliable beyond the expiration date;
  - (j) For microbiology:
    - (i) Check each batch or shipment of reagents, discs, stains, antisera, and identification system for reactivity with positive and negative reference organisms including:
      - (A) Each time of use for fluorescent stains and Deoxyribonucleic Acid (DNA) probes based on radioisotope methods;
      - (B) Each week of use for reagents and stains;
      - (C) Each month of use for antisera; and
      - (D) Each week of use, using positive and negative reference organisms that evaluate both the extraction and reaction phase for direct antigen detection systems;
    - (ii) Check each new batch of media and each new lot of antimicrobial discs or other testing systems, before initial use and each week of testing using approved reference organisms, when testing antimicrobial susceptibility;
    - (iii) Document that zone sizes or minimum inhibitory concentration for reference organisms are within established limits;
    - (iv) Have available and use appropriate stock organisms for quality control purposes;
    - (v) Have available a collection of slides, photographs, gross specimens, or text books for reference sources to aid in identification of microorganisms;
    - (vi) Document appropriate steps in the identification of microorganisms on patient specimens;
    - (vii) Check each batch or shipment of noncommercial media for sterility, ability to support growth, and if appropriate, selectivity, inhibition, or biochemical response;
    - (viii) If commercially manufactured media quality control results are used:
      - (A) Keep records of the manufacturer's quality control results;
      - (B) Document visual inspection of the media before use; and
      - (C) Follow the manufacturer's specifications for using the media;
    - (ix) When performing parasitology:
      - (A) Use a calibrated ocular micrometer for determining the size of ova and parasites, if size is a critical parameter; and
      - (B) Check permanent stains using reference materials, each month of use;
  - (k) For syphilis serology:
    - (i) Use equipment, glassware, reagents, reference materials, and techniques conforming to manufacturers' specifications;
    - (ii) Perform serologic tests on unknown specimens concurrently with a positive serum reference material with known titer or graded reactivity and a negative reference material; and
    - (iii) Employ reference materials for all test components to ensure reactivity;
  - (l) For general immunology:
    - (i) Perform serologic tests on unknown specimens with a positive and a negative reference material;
    - (ii) Employ reference materials for all test components to ensure reactivity; and
    - (iii) Report test results only when the predetermined reactivity pattern of the reference material is observed;
  - (m) For chemistry, when performing blood gas analysis, include:
    - (i) A two-point calibration and a reference material each eight hours of testing; and
    - (ii) A one-point calibration or reference material each time patient samples are tested; or
    - (iii) Another calibration and reference material schedule, approved by the department as equivalent to this subsection;
  - (n) For hematology and coagulation:
    - (i) Use one level of reference material each day of testing patient samples for manual blood counts; and
    - (ii) Use two levels of reference materials each day of testing for:
      - (A) Instrumentation methods; and
      - (B) Manual tilt tube method for coagulation.
    - (o) For immunohematology, for the services offered:
      - (i) Perform ABO grouping by testing unknown red cells with Federal Food and Drug Administration approved anti-A and anti-B grouping sera;
      - (ii) Confirm ABO grouping of unknown serum with known A<sub>1</sub> and B red cells;
      - (iii) Determine the Rh<sub>0</sub>(D) group by testing unknown red cells with anti-D (anti Rh<sub>0</sub>) blood grouping serum;
      - (iv) Employ a control system capable of detecting false positive Rh test results, when required by the manufacturer; and
      - (v) Perform quality control checks of cells and antisera each day of use;
    - (p) For transfusion services:
      - (i) Perform ABO grouping, Rh<sub>0</sub> (D) typing, antibody detection, and identification and compatibility testing as described by the Food and Drug Administration under 21 CFR Part 606, with the exception of 21 CFR Part 606.20a, Personnel, and 21 CFR Part 640; and
      - (ii) Collect, store, process, distribute and date blood and blood products as described by the Food and Drug Administration under 21 CFR Parts 606, 610.53 and 640;
  - (q) For histopathology:
    - (i) Use positive control slides for each special stain to check for intended level of reactivity;
    - (ii) Retain stained slides at least ten years and specimen blocks at least two years from the date of examination; and
    - (iii) Retain remnants of tissue specimens in an appropriate preserved state until the portions submitted for microscopic examination have been examined and diagnosed;
  - (r) For cytology:
    - (i) Develop criteria for submission of material and the assessment of the adequacy of the sample submitted, including notifying the physician;
    - (ii) Retain all negative slides for three years from the date of examination of the slide;
    - (iii) Retain all abnormal slides for ten years from the date of examination;
    - (iv) Include in quality control the rescreening and documentation of benign gynecological slides as follows:
      - (A) One hundred percent of slides from patient with a known history of cervical cancer or its precursors;
      - (B) Selection of benign slides for a total rescreening of a minimum of ten percent of all benign slides including patients identified in (r)(iv)(A) of this subsection; or
      - (C) Another method demonstrating equivalent effectiveness in discovering errors;
    - (v) Review prior cytologic specimens or records of previous reviews, if available, for each abnormal cytology result;
    - (vi) Correlate abnormal cytology reports with prior cytology reports and with histopathology reports, if available, and determine the cause of any discrepancies;
    - (vii) Document reviews of negative slides from cases known to have a history of abnormal slides;
    - (viii) Evaluate and document technical personnel slide examination performance; and
    - (ix) Evaluate and document significant discrepancies in examination of cytology slides;
  - (s) For histocompatibility:
    - (i) Use applicable quality control standards for immunohematology, transfusion services, and diagnostic immunology as described in this chapter;
    - (ii) For renal allotransplantation:
      - (A) Have available and follow criteria for:
        - (I) Selecting appropriate patient serum samples for crossmatching;
        - (II) The technique used in crossmatching;
        - (III) Preparation of donor lymphocytes for crossmatching;

- (IV) Reporting crossmatch results;
- (V) The preparation of lymphocytes for Human Leukocyte Antigen HLA-A, B and DR typing;
- (VI) Selecting typing reagents; and
- (VII) The assignment of HLA antigens;
- (B) Have available serum specimens for all potential transplant recipients at initial typing, for periodic screening, for pretransplantation crossmatch, and following sensitizing events;
- (C) Have appropriate storage and maintenance of both recipient sera and reagents;
- (D) Indicate, when applicable:
  - (I) Source;
  - (II) Bleeding date;
  - (III) Identification number; and
  - (IV) Volume remaining for reagent typing sera inventory;
- (E) Properly label and store:
  - (I) Cells;
  - (II) Complement;
  - (III) Buffers;
  - (IV) Dyes; and
  - (V) Reagents;
- (F) Type all potential transplant recipient cells and cells from organ donors referred to the medical test site;
- (G) Have adequate reagent trays for typing recipient and donor cells to define all HLA-A, B, and DR specificities as required to determine splits and cross-reactivity;
- (H) Have a written policy that establishes when antigen redefinition and retyping are required;
- (I) Screen recipient sera for preformed antibodies with a suitable lymphocyte panel;
- (J) Use a suitable cell panel for screening patient sera containing all the major HLA specificities and common splits;
- (K) Use the mixed lymphocyte culture, or equivalent, to determine cellularly defined antigens;
- (L) Include positive and negative reference materials on each tray; and
- (M) Participate in at least one national or regional cell exchange program, if available, or develop an exchange system with another medical test site;
  - (iii) When performing only transfusions, other nonrenal transplantation, excluding bone marrow transplants, or disease-associated studies, meet all the requirements specified in this section except for the requirements for the performance of mixed lymphocyte cultures; and
  - (iv) Test donor for HIV reactivity;
- (t) For cytogenetics:
  - (i) Document the number of:
    - (A) Metaphase chromosome spreads and cells counted and karyotyped; and
    - (B) Chromosomes counted for each metaphase spread;
  - (ii) Assure an adequate number of karyotypes are prepared for each patient, according to the indication given for performing cytogenetics study;
    - (iii) Use an adequate patient identification system for:
      - (A) Patient specimens;
      - (B) Photographs, photographic negatives, or computer stored images of metaphase spreads and karyotypes;
      - (C) Slides; and
      - (D) Records;
    - (iv) Include in the final report:
      - (A) The number of cells counted and karyotyped; and
      - (B) An interpretation of the karyotypes findings;
    - (v) Use appropriate nomenclature on final reports;
    - (u) For radioassay and radioimmunoassay:
      - (i) Check the counting equipment for stability each day of use with radioactive standards or reference sources; and
      - (ii) Meeting Washington state radiation standards described under chapter 70.98 RCW, and chapter 402-10 through 402-24, 402-32 through 402-34, 402.62, and 402-70 WAC.
  - (6) If a medical test site performs cytology examinations, the designated test site supervisor or designated specialty test site supervisor shall:
    - (a) Confirm all gynecological smears interpreted to be outside normal limits;
    - (b) Review all nongynecological cytological preparations; and
    - (c) Sign or initial all reports from (a) or (b) of this subsection.
  - (7) Technical personnel shall examine, unless federal law and regulation specify otherwise, no more than one hundred and twenty

cytological slides in a twenty-four hour period and in no less than a six hour period, consisting of:

- (a) No more than eighty unevaluated cytological slides per day; and
- (b) No more than forty slides for quality control purposes.

#### NEW SECTION

WAC 248-38-100 DISCIPLINARY ACTION. (1) The department may take disciplinary action against a medical test site if the medical test site fails to meet the requirements of chapter 70.42 RCW or this chapter; or if an applicant, owner (removed licensee), officer, designated test site supervisor, designated specialty test site supervisor, or any technical personnel of the medical test site violates any provision of chapter 70.42 RCW or this chapter.

(2) The department may take the following disciplinary actions individually or in any combination:

- (a) Denial of a license to a medical test site applicant when the applicant:
  - (i) Refused to comply with the requirements of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;
  - (ii) Held a license under chapter 70.42 RCW which was revoked for cause and never reissued by the department;
  - (iii) Knowingly or with reason to know made a false statement of a material fact in the application for a license or in any data attached or in any record required by the department;
  - (iv) Refused to allow representatives of the department to examine any book, record, or file required under this chapter;
  - (v) Willfully prevented, interfered with, or attempted to impede in any way, the work of a representative of the department; or
  - (vi) Misrepresented, or was fraudulent in, any aspect of the owner's or applicant's business;
- (b) Place conditions on a license limiting or cancelling a test site's authority to conduct any test or group of tests when the owner or applicant:
  - (i) Failed or refused to comply with the requirements of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;
  - (ii) Knowingly or with reason to know made a false statement of a material fact in the application for a license or in any data attached or in any record required by the department;
  - (iii) Refused to allow representatives of the department to examine any book, record, or file required under this chapter;
  - (iv) Willfully prevented, interfered with, or attempted to impede in any way, the work of a representative of the department;
  - (v) Willfully prevented or interfered with preservation of evidence of a known violation of this chapter or the rules adopted under chapter 70.42 RCW; or
  - (vi) Misrepresented, or was fraudulent in, any aspect of the owner or applicant's business;
- (c) Suspend a medical test site license when the owner or applicant:
  - (i) Failed or refused to comply with the requirements of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;
  - (ii) Knowingly, or with reason to know, made a false statement of a material fact in the application for a license or in any data attached or in any record required by the department;
  - (iii) Refused to allow representatives of the department to examine any book, record, or file required by this chapter;
  - (iv) Willfully prevented, interfered with, or attempted to impede in any way, the work of a representative of the department;
  - (v) Willfully prevented or interfered with preservation of evidence of a known violation of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;
  - (vi) Misrepresented, or was fraudulent in, any aspect of the owner or applicant's business;
  - (vii) Used false or fraudulent advertising; or
  - (viii) Failed to pay any civil monetary penalty assessed by the department under chapter 70.42 RCW within twenty-eight days after the assessment becomes final;
- (d) Revoke a medical test site license when the owner or applicant:
  - (i) Failed or refused to comply with the requirements of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;
  - (ii) Knowingly, or with reason to know, made a false statement of a material fact in the application for a license or in any data attached or in any record required by the department;
  - (iii) Refused to allow representatives of the department to examine any book, record, or file required by this chapter;
  - (iv) Willfully prevented, interfered with, or attempted to impede in any way, the work of a representative of the department;

- (v) Willfully prevented or interfered with preservation of evidence of a known violation of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;
- (vi) Misrepresented, or was fraudulent in, any aspect of the owner's or applicant's business;
- (vii) Used false or fraudulent advertising; or
- (viii) Failed to pay any civil monetary penalty assessed by the department under chapter 70.42 RCW within twenty-eight days after the assessment becomes final;
- (e) Impose monetary penalties of up to ten thousand dollars per day that a owner or applicant:
  - (i) Failed or refused to comply with the requirements of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;
  - (ii) Knowingly, or with reason to know, made a false statement of a material fact in the application for a license or in any data attached or in any record required by the department;
  - (iii) Refused to allow representatives of the department to examine any book, record, or file required under this chapter;
  - (iv) Willfully prevented, interfered with, or attempted to impede in any way, the work of any representative of the department;
  - (v) Willfully prevented, or interfered with, preservation of evidence of any known violation of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;
  - (vi) Misrepresented, or was fraudulent, in any aspect of the owner's or applicant's business; or
  - (vii) Used false or fraudulent advertising.
- (3) The department may summarily suspend or revoke a license when it finds continued licensure of a test site immediately jeopardizes the public health, safety, or welfare.
- (4) The department shall give written notice of any disciplinary action taken by the department to the owner or applicant for licensure, including notice of the opportunity for a hearing.

**NEW SECTION**

WAC 248-38-110 ADJUDICATIVE PROCEEDINGS. (1) A license owner or applicant contesting a disciplinary action shall, within twenty-eight days of receipt of the department's decision, file a written application for an adjudicative proceeding with the Legal Support Section, P.O. Box 2245, Olympia, WA 98507-2245. The application shall include or have attached:

- (a) A specific statement of the issue or issues and law involved;
  - (b) The grounds for contesting the department decision; and
  - (c) A copy of the contested department decision.
- (2) The adjudicative proceeding is governed by chapter 34.05 RCW, the Administrative Procedure Act, this chapter, and chapter 248-08 WAC.

If a provision of this chapter conflicts with chapter 248-08 WAC, the provision in this chapter governs.

(3) Any test site in receipt of a denial, condition, suspension, or revocation of its license, or a civil monetary penalty upheld after administrative review may, within sixty days of the administrative determination, petition the superior court for review of the decision.

**NEW SECTION**

WAC 248-38-120 FEES. (1) For the purpose of this section, the following words and phrases have the following meanings:

- (a) "Accredited by organization" means a testing site is accredited, certified, or licensed by an organization meeting the requirements of WAC 248-38-040, Approval of accreditation bodies;
- (b) "Category I (A)" means a medical test site in Category I performing less than five thousand total tests per year or three or less specialties;
- (c) "Category I (B)" means a medical test site in Category I performing five thousand to thirty thousand total tests per year or four to five specialties;
- (d) "Category I (C)" means a medical test site in Category I performing greater than thirty thousand total tests per year or six or more specialties;
- (e) "Category II (A)" means a medical test site in Category II performing less than ten thousand total tests per year or three or less specialties;
- (f) "Category II (B)" means a medical test site in Category II performing ten thousand to fifty thousand total tests per year or four to five specialties;

(g) "Category II (C)" means a medical test site in Category II performing greater than fifty thousand total tests per year or six or more specialties;

(h) "Temporary" means a Category I or II medical test site performing testing at locations separate from the medical test sites permanent location with a frequency of five times a year or less;

(i) "Direct staff time" means all state employees' work time involved in the following functions associated with medical test site licensure:

- (i) On-site follow up visit;
- (ii) Telephone contacts and staff or management conferences in response to a deficiency statement or complaint; and
- (iii) Preparation and participation in a continuing education or training event for a medical test site.

(2) The department shall assess and collect biennial fees for medical test sites as follows:

- (a) Charge fees, based on the requirements authorized under RCW 70.42.090 and this section;
- (b) Prorate fees for the remainder of the biennial period, when the owner or applicant applies for a license or certificate of waiver during a biennium;
- (c) Adjust fees when a medical test site increases or decreases the complexity or volume of testing;
- (d) Determine fees according to criteria below:
  - (i) Certificate of waiver . . . . . \$100 per year or \$200 per biennium;
  - (ii) Category I (A) . . . . . 400 per year or 800 per biennium;
  - (iii) Category I (B) . . . . . 500 per year or 1000 per biennium;
  - (iv) Category I (C) . . . . . 600 per year or 1200 per biennium;
  - (v) Category II (A) . . . . . 500 per year or 1000 per biennium;
  - (vi) Category II (B) . . . . . 700 per year or 1400 per biennium;
  - (vii) Category II (C) . . . . . 850 per year or 1700 per biennium;
  - (viii) Site:
    - (A) One instrument . . . . . 200 per year or 400 per biennium;
    - (B) Each additional instrument . . . . . 100 per year or 200 per biennium;
    - (ix) Temporary . . . . . 50 per year or 100 per biennium;
    - (x) Cytology only . . . . . 450 per year or 900 per biennium;
    - (xi) Cytology in a Category II medical test site . . . . . 250 per year or 500 per biennium;
    - (xii) Accredited by Organization:
      - (A) Category I . . . . . 400 per year or 800 per biennium;
      - (B) Category II . . . . . 500 per year or 1000 per biennium;
      - (C) HCFA-Title 18 . . . . . 50 per year or 100 per biennium;
      - (xiii) Follow up survey for deficiencies . . . . . direct staff time;
      - (xiv) Complaint investigation . . . . . direct staff time;
      - (xv) Continuing education . . . . . direct staff time.

(3) The department shall exclude from fee charges the women, infant, and children (WIC) programs, performing hematocrit testing only for food distribution purposes.

**WSR 90-14-129**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(Dental Disciplinary Board)**  
 [Filed July 5, 1990, 4:45 p.m.]

**Original Notice.**

Title of Rule: New section WAC 308-39-150 Conscious sedation with an oral agent; 308-39-160 Conscious sedation with parenteral or multiple oral agents; 308-39-170 General anesthesia (including deep sedation); 308-39-180 Mandatory reporting of death or significant complication; 308-39-190 Application—Permits—Renewals for the administration of conscious sedation with parenteral or multiple oral agents or general anesthesia (including deep sedation); 308-39-200 Application of chapter 18.130 RCW; and 308-39-210 Effective date; and repealing WAC 308-39-120 Standards for dental administration of anesthesia.

Purpose: To amend rules contained in chapter 308-39 WAC and to add new sections, all which pertain to the

administration of anesthetic agents for dental procedures.

Statutory Authority for Adoption: RCW 18.32.640.

Statute Being Implemented: RCW 18.32.640.

Summary: These rules set forth the requirements for dentists who administer anesthetic agents in dental procedures.

Reasons Supporting Proposal: The current rules concerning the administration of dental anesthesia need to be updated in order to protect the public.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Linda McCue, 1300 Quince Street, Olympia, WA 98504, (206) 753-1150.

Name of Proponent: Dental Disciplinary Board, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed amendments to chapter 308-39 WAC, including the new sections being proposed are for the express purpose of governing the administration of sedation and general anesthesia by dentists licensed in the state of Washington. Different types of anesthesia are defined, and the rules set forth the various training, administration, equipment and permit requirement for each type of dental anesthesia. The board intends these rules to provide greater protection for patients receiving anesthesia in dental procedures.

Proposal Changes the Following Existing Rules: WAC 308-39-120 is repealed.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Wyndham Gardens at Sea-Tac, Salon E, 18118 Pacific Highway South, Seattle, WA 98118, on August 11, 1990, at 9:00 a.m.

Submit Written Comments to: Linda McCue, 1300 S.E. Quince Street, EY-26, Olympia, WA 98504, by July 27, 1990.

Date of Intended Adoption: August 11, 1990.

July 3, 1990

Judy Mayo

Program Administrator

#### NEW SECTION

WAC 308-39-150 CONSCIOUS SEDATION WITH AN ORAL AGENT. Conscious sedation with an oral agent includes the administration or prescription for a single oral sedative agent used alone or in combination with nitrous oxide sedation.

(1) Training requirements: In order to administer oral sedative agents, a dentist must have completed a course containing a minimum of fourteen hours of either predoctoral dental school or postgraduate instruction in the fields of pharmacology and physiology of oral sedative medications. Dentists must possess a valid United States Department of Justice registration for the prescription of controlled substances.

(2) Procedures for administration: Oral sedative agents can be administered in the treatment setting or prescribed for patient dosage prior to the appointment. When nitrous oxide is administered concurrently, a second individual shall be on the office premises who can immediately respond to any request from the person administering the nitrous oxide. The patient shall be continuously observed while nitrous oxide is administered. Any adverse reactions shall be indicated in the records. If purposeful response of the patient to verbal command cannot be maintained under medication, periodic monitoring of pulse, respiration, and blood pressure or pulse oximetry shall be maintained. In

such cases, these same parameters must be taken and recorded at appropriate intervals throughout the procedure and vital signs and level of consciousness shall be recorded prior to dismissal of the patient.

(3) Equipment and emergency medications: All offices in which oral sedation is administered or prescribed must comply with the following recordkeeping and equipment standards:

(a) Dental records must contain appropriate medical history and patient evaluation. Vital signs, dosage, and types of medications administered should be noted. If nitrous oxide-oxygen is used, proportions and duration of administration should be noted.

(b) Office facilities and equipment shall include:

(i) Suction equipment capable of aspirating gastric contents from the mouth and pharynx.

(ii) Portable oxygen delivery system including full face masks and a bag-valve-mask combination with appropriate connectors capable of delivering positive pressure, oxygen-enriched patient ventilation.

(iii) A blood pressure cuff (sphygmomanometer) of appropriate size and stethoscope; or equivalent monitoring devices.

(4) Continuing education: A dentist who administers or prescribes oral sedation for patients must participate in seven hours of continuing education or equivalent every five years. The education must include instruction in one or more of the following areas: Sedation, physiology, pharmacology, nitrous oxide analgesia, patient evaluation, patient monitoring, medical emergencies, basic life support (BLS), or advanced cardiac life support (ACLS).

(5) Permit of authorization: Not required.

#### NEW SECTION

WAC 308-39-160 CONSCIOUS SEDATION WITH PARENTERAL OR MULTIPLE ORAL AGENTS. Conscious sedation with parenteral or multiple oral agents includes the prescription or administration of more than one oral agent to be used concurrently for the purposes of sedation either as a combined regimen or in association with nitrous oxide-oxygen. For purposes of this section, oral agents shall include any nonparenteral agents regardless of route of delivery. This would also include the parenteral administration of medications for the purpose of conscious sedation of dental patients.

(1) Training requirements: In order to administer conscious sedation with parenteral or multiple oral agents, the dentist must have successfully completed a postdoctoral course(s) of sixty clock hours or more which includes training in basic conscious sedation, physical evaluation, venipuncture, technical administration, recognition and management of complications and emergencies, monitoring, and supervised experience in providing conscious sedation to fifteen or more patients.

(2) Procedures for administration: Multiple oral sedative agents can be administered in the treatment setting or prescribed for patient dosage prior to the appointment. In the treatment setting, a patient receiving conscious parenteral sedation must have that sedation administered by a person qualified under this chapter. Only a dentist meeting the above criteria for administration of conscious parenteral sedation may utilize the services of a nurse licensed pursuant to chapter 18.88 RCW to administer conscious parenteral sedation under the close supervision of the dentist as defined in WAC 308-38-110(4). An intravenous infusion should be maintained during the administration of a parenteral agent and pulse oximetry is required to assist in monitoring. The person administering the medications must be continuously assisted by at least one individual experienced in monitoring sedated patients.

In the treatment setting, a patient experiencing conscious sedation with parenteral or multiple oral agents should have visual and tactile observation as well as continual monitoring of pulse, respiration, and blood pressure and/or blood oxygen saturation. Unless prevented by the patient's physical or emotional condition, these vital sign parameters must be noted and recorded whenever possible prior to the procedure. In all cases these vital sign parameters must be noted and recorded at the conclusion of the procedure. Blood oxygen saturation must be continuously monitored and recorded at appropriate intervals throughout any period of time in which purposeful response of the patient to verbal command cannot be maintained. The patient's level of consciousness shall be recorded prior to the dismissal of the patient and individuals receiving these forms of sedation must be accompanied by a responsible individual upon departure from the treatment facility. When verbal contact cannot be maintained during the procedure, continuous monitoring of blood oxygen saturation is required.

For the administration of intravenous agents, an intravenous infusion should be maintained throughout the procedure and pulse oximetry is required to assist in the monitoring.

(3) Equipment and emergency medications: All offices in which par-enteral or multiple oral sedation is administered or prescribed must comply with the following recordkeeping and equipment standards:

(a) Dental records must contain appropriate medical history and patient evaluation. Dosage and forms of medications dispensed shall be noted.

(b) Office facilities and equipment shall include:

(i) Suction equipment capable of aspirating gastric contents from the mouth and pharynx.

(ii) Portable oxygen delivery system including full face masks and a bag-valve-mask combination with appropriate connectors capable of delivering positive pressure, oxygen-enriched patient ventilation and oral and nasal pharyngeal airways of appropriate size.

(iii) A blood pressure cuff (sphygmomanometer) of appropriate size and stethoscope; or equivalent monitoring devices.

(iv) An emergency drug kit with minimum contents of:

-Sterile needles, syringes, and tourniquet

-Narcotic antagonist

-A and B adrenergic stimulant

-Vasopressor

-Coronary vasodilator

-Antihistamine

-Parasympatholytic

-Intravenous fluids, tubing, and infusion set

-Sedative antagonists for drugs used if available.

(4) Continuing education: A dentist who administers conscious par-enteral or multi-agent oral sedation must participate in eighteen hours of continuing education or equivalent every three years. The education must include instruction in one or more of the following areas: Venipuncture, intravenous sedation, physiology, pharmacology, nitrous oxide analgesia, patient evaluation, patient monitoring, medical emergencies, basic life support (BLS), or advanced cardiac life support (ACLS).

(5) Permit of authorization: Required.

#### NEW SECTION

WAC 308-39-170 GENERAL ANESTHESIA (INCLUDING DEEP SEDATION). Deep sedation and general anesthesia must be administered by an individual qualified to do so under this chapter.

(1) Training requirements for dentists: In order to administer deep sedation or general anesthesia, the dentist must have current and documented proficiency in advanced cardiac life support. One method of demonstrating such proficiency is to hold a valid and current ACLS certificate or equivalent. Additionally, a dentist must meet one or more of the following criteria:

(a) Have completed a minimum of one year's advanced training in anesthesiology or related academic subjects, or its equivalent beyond the undergraduate dental school level, in a training program as outlined in Part 2 of Teaching the Comprehensive Control of Pain and Anxiety in an Advanced Education Program, published by the American Dental Association, Council on Dental Education, dated May, 1987.

(b) Is a Fellow of the American Dental Society of Anesthesiology.

(c) Is a Diplomate of the American Board of Oral and Maxillofacial Surgery, or is eligible for examination by the American Board of Oral and Maxillofacial Surgery pursuant to the July 1, 1989, standards.

(d) Is a Fellow of the American Association of Oral and Maxillofacial Surgeons.

Only a dentist meeting the above criteria for administration of deep sedation or general anesthesia may utilize the services of a nurse licensed pursuant to chapter 18.88 RCW to administer deep sedation or general anesthesia under the close supervision of the dentist as defined in WAC 308-38-110(4).

(2) Training requirements for monitoring personnel: In addition to those individuals necessary to assist the practitioner in performing the procedure, a trained individual must be present to monitor the patient's cardiac and respiratory functions. The individual monitoring patients receiving deep sedation or general anesthesia must have received a minimum of fourteen hours of documented training in a course specifically designed to include instruction and practical experience in use of all equipment required in WAC 308-39-170. This must include, but not be limited to, the following equipment:

(a) Sphygmomanometer

(b) Pulse oximeter

(c) Electrocardiogram

(d) Bag-valve-mask resuscitation equipment

(e) Oral and nasopharyngeal airways

(f) Defibrillator

(g) Intravenous fluid administration set.

A course, or its equivalent, may be presented by an individual qualified under WAC 308-39-170 or sponsored by an accredited school, medical or dental association or society, or dental specialty association.

(3) Procedures for administration: Patients receiving deep sedation or general anesthesia must have continual monitoring of their heart rate, blood pressure, and respiration. In so doing, the licensee must utilize electrocardiographic monitoring and pulse oximetry. The patient's blood pressure, heart rate, and respiration shall be recorded at least every five minutes. During deep sedation or general anesthesia, the person administering the anesthesia and the person monitoring the patient, may not leave the immediate area.

During the recovery phase, the patient must be monitored continually by an individual trained to monitor patients recovering from general anesthesia or deep sedation. A discharge entry shall be made in the patient's record indicating the patient's condition upon discharge and the responsible party to whom the patient was discharged.

(4) Equipment and emergency medications: All offices in which general anesthesia (including deep sedation) is administered must comply with the following recordkeeping and equipment standards:

(a) Dental records must contain appropriate medical history and patient evaluation. Anesthesia records shall be recorded during the procedure in a timely manner and must include: Blood pressure, heart rate, respiration, blood oxygen saturation, drugs administered including amounts and time administered, length of procedure, any complications of anesthesia.

(b) Office facilities and equipment shall include:

(i) An operating theater large enough to adequately accommodate the patient on a table or in an operating chair and permit an operating team consisting of at least three individuals to freely move about the patient.

(ii) An operating table or chair which permits the patient to be positioned so the operating team can maintain the airway, quickly alter patient position in an emergency, and provide a firm platform for the administration of basic life support.

(iii) A lighting system which is adequate to permit evaluation of the patient's skin and mucosal color and a backup lighting system of sufficient intensity to permit conclusion of any operation underway at the time of general power failure.

(iv) Suction equipment capable of aspirating gastric contents from the mouth and pharyngeal cavities. A backup suction device must be available.

(v) An oxygen delivery system with adequate full face masks and appropriate connectors that is capable of delivering high flow oxygen to the patient under positive pressure, together with an adequate portable backup system.

(vi) A recovery area that has available oxygen, adequate lighting, suction, and electrical outlets. The recovery area can be the operating theater.

(vii) Ancillary equipment which must include the following:

(A) Laryngoscope complete with adequate selection of blades, spare batteries, and bulb.

(B) Endotracheal tubes and appropriate connectors.

(C) Oral airways.

(D) Tonsillar or pharyngeal suction tip adaptable to all office outlets.

(E) Endotracheal tube forceps.

(F) Sphygmomanometer and stethoscope.

(G) Adequate equipment to establish an intravenous infusion.

(H) Pulse oximeter.

(I) Electrocardiographic monitor.

(J) Synchronized defibrillator available on premises.

(c) Drugs. Emergency drugs of the following types shall be maintained:

(i) Vasopressor.

(ii) Corticosteroid.

(iii) Bronchodilator.

(iv) Muscle relaxant.

(v) Intravenous medications for treatment of cardiac arrest.

(vi) Narcotic antagonist. Sedative antagonist, if available.

(vii) Antihistaminic.

(viii) Anticholinergic.

(ix) Antiarrhythmic.

(x) Coronary artery vasodilator.

(xi) Antihypertensive.

## (xii) Anticonvulsant.

(5) Continuing education: A dentist granted a permit to administer general anesthesia (including deep sedation) under this chapter, must participate in eighteen hours of continuing education every three years. A dentist granted a permit must maintain records that can be audited and must submit course titles, instructors, dates attended, sponsors, and number of hours for each course every three years. The education must be provided by organizations approved by the dental disciplinary board and must be in one or more of the following areas: General anesthesia, conscious sedation, physical evaluation, medical emergencies, monitoring and use of monitoring equipment, pharmacology of drugs and agents used in sedation and anesthesia, or basic life support (BLS), or advanced cardiac life support (ACLS).

(6) Permit of authorization: Required.

**NEW SECTION**

WAC 308-39-180 MANDATORY REPORTING OF DEATH OR SIGNIFICANT COMPLICATION. If a death or other life-threatening complication or permanent injury which may be a result of the administration of nitrous oxide, conscious sedation, deep sedation or general anesthesia, the dentist involved must submit a written report to the board within thirty days of the incident.

The written report must include the following:

- (1) Name, age, and address of the patient.
- (2) Name of the dentist and other personnel present during the incident.
- (3) Address of the facility or office where the incident took place.
- (4) Description of the type of sedation or anesthetic being utilized at the time of the incident.
- (5) Dosages, if any, of drugs administered to the patient.
- (6) A narrative description of the incident including approximate times and evolution of symptoms.
- (7) Additional information which the board may require or request.

**NEW SECTION**

WAC 308-39-190 APPLICATIONS—PERMITS—RENEWALS FOR THE ADMINISTRATION OF CONSCIOUS SEDATION WITH MULTIPLE ORAL OR PARENTERAL AGENTS OR GENERAL ANESTHESIA (INCLUDING DEEP SEDATION). (1) In order to administer conscious sedation with parenteral or multiple oral agents or general anesthesia (including deep sedation), a dentist must first meet the requirements of this chapter (except for the effective date of the educational requirements in WAC 308-38-200), possess and maintain a current license pursuant to chapter 18.32 RCW and obtain a permit of authorization from the board through the department of health. Application forms for permits, which may be obtained from the department, shall be fully completed and any application fee paid.

(2) In order to renew a permit of authorization, which shall be valid for three years from the date of issuance, a permit holder shall fully and timely complete a renewal application form and:

- (a) Demonstrate continuing compliance with this chapter.
- (b) Produce satisfactory evidence of eighteen hours of continuing education as required by this chapter. The dentist must maintain records that can be audited and must submit course titles, instructors, dates attended, sponsors, and number of hours for each course every three years as required by this chapter.
- (c) Pay any applicable renewal fee.

(3) Prior to the issuance or renewal of a permit for the use of general anesthesia, the board may, at its discretion, require an onsite inspection and evaluation of the facility, equipment, personnel, licentiate, and the procedures utilized by such licentiate. Every person issued a permit under this article shall have an onsite inspection at least once in every five-year period. An onsite inspection performed by a public or private organization may be accepted by the board in satisfaction of the requirements of this section.

**NEW SECTION**

WAC 308-39-200 APPLICATION OF CHAPTER 18.130 RCW. The provisions of the Uniform Disciplinary Act, chapter 18.130 RCW, apply to the permits of authorization that may be issued and renewed under this chapter.

**NEW SECTION**

WAC 308-39-210 EFFECTIVE DATE. With the exception of the educational requirements in WAC 308-39-150(1), 308-39-160(1), and 308-39-170(1), the rules in this chapter shall become effective on October 1, 1990. Educational requirements in WAC 308-39-150(1), 308-39-160(1), and 308-39-170(1) must be met by October 1, 1991. A person may be issued a temporary permit until they can supply proof of meeting the educational requirements; however, proof must be supplied by June 1, 1991. Failure to do so will result in the immediate cancellation of this permit.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 308-39-120 STANDARDS FOR DENTAL ADMINISTRATION OF ANESTHESIA.

**WSR 90-14-130****PROPOSED RULES****DEPARTMENT OF HEALTH  
(Chiropractic Disciplinary Board)**

[Filed July 5, 1990, 4:46 p.m.]

**Original Notice.**

Title of Rule: WAC 113-12-104 Delegation of services to auxiliary staff and graduate doctors of chiropractic.

Purpose: WAC 113-12-104 establishes guidelines for the use of auxiliary staff by licensed doctors of chiropractic.

Statutory Authority for Adoption: RCW 18.26.110 and 18.130.050.

Statute Being Implemented: Chapter 18.26 RCW and RCW 18.130.180(10).

Summary: WAC 113-12-104 defines the procedures which can be performed by auxiliary staff, in assisting licensed doctors of chiropractic.

Reasons Supporting Proposal: WAC 113-12-104 defines the procedures which auxiliary staff may perform in conjunction with a licensed doctor of chiropractic. The new rule is proposed to protect the public health, safety, and welfare.

Name of Agency Personnel Responsible for Drafting: Connie Glasgow, Olympia, 753-0776; Implementation and Enforcement: Yvonne Braeme, Olympia, 753-0776.

Name of Proponent: Chiropractic Disciplinary Board, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 113-12-104 establishes the chiropractic procedures which may be delegated to auxiliary staff by licensed doctors of chiropractic. The new section defines chiropractic procedures which constitute the unlicensed practice of chiropractic.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Cavanaugh's Inn at the Park, West 303 North River Drive, Spokane, WA 99201, Cannon Hill Room, on August 9, 1990, at 9:00 a.m.



Submit Written Comments to: Connie Glasgow, P.O.  
Box 1099, Olympia, WA 98507, by August 8, 1990.  
Date of Intended Adoption: August 9, 1990.

June 18, 1990  
Connie M. Glasgow  
Program Manager

#### NEW SECTION

WAC 113-12-104 DELEGATION OF SERVICES TO AUXILIARY STAFF AND GRADUATE DOCTORS OF CHIROPRACTIC. Definitions:

(1)(a) Auxiliary staff: Personnel, except graduate doctors of chiropractic, who are working for or at the direction of a licensed doctor of chiropractic.

(b) Graduate doctor of chiropractic: Graduates of an approved chiropractic college. Graduate doctors of chiropractic who have failed to pass the Washington state chiropractic examination within one year of graduating, or who have had their license suspended or revoked shall not be authorized to perform any auxiliary services.

(c) Auxiliary services: Those services, excluding those practices which are restricted to licensed chiropractors, which may be needed for the support of chiropractic care.

(2) A licensed chiropractor may, within the confines of this section, delegate certain services to auxiliary staff and graduate doctors of chiropractic, provided that these services are performed under the licensed chiropractor's direct supervision. The supervising chiropractor shall be responsible for determining that auxiliary staff and graduate doctors of chiropractic are competent to perform the delegated services. The licensed supervising chiropractor must render adequate supervision so that the patient's health and safety is not at risk.

(3) Auxiliary staff and graduate doctors of chiropractic shall not perform the following services:

- (a) Detection of subluxation;
  - (b) Adjustment or manipulation of the articulations of the spinal column or its immediate articulations;
  - (c) Interpretation or analysis of radiographs;
  - (d) Determining the necessity for chiropractic care;
  - (e) Orthopedic or neurological examinations provided, graduate doctors of chiropractic may perform orthopedic or neurological examinations under the direct supervision of a licensed chiropractor.
- (4) Auxiliary staff and graduate doctors of chiropractic may perform the following auxiliary services: Patient history, height, weight, temperature, blood pressure, pulse rate, and gross postural observation (active spinal range of motion utilizing a generally accepted measuring device).

#### **WSR 90-14-131**

#### **PERMANENT RULES**

#### **DEPARTMENT OF HEALTH**

[Order 069—Filed July 5, 1990, 4:52 p.m.]

Date of Adoption: July 3, 1990.

Purpose: To amend WAC 308-175-200 AIDS prevention and information education requirements—Health care assistants, to allow for waiver of seven hours of required training if applicants have met curriculum requirements.

Citation of Existing Rules Affected by this Order: Amending WAC 308-175-200.

Statutory Authority for Adoption: RCW 18.135.030.

Pursuant to notice filed as WSR 90-11-019 on May 8, 1990.

Effective Date of Rule: Thirty-one days after filing.

July 3, 1990  
Pamela Campbell Mead  
for Kristine M. Gebbie  
Secretary

#### AMENDATORY SECTION (Amending Order PM 785, filed 11/2/88)

WAC 308-175-200 AIDS PREVENTION AND INFORMATION EDUCATION REQUIREMENTS—HEALTH CARE ASSISTANTS. (1) Definitions.

(a) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(b) "Office on AIDS" means that section within the department of social and health services or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(2) Application for certification. Effective January 1, 1989, persons applying for certification shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4) of this section.

(3) 1989 renewal of certificate. Effective for the 1989 renewal period beginning January 1, 1989, all persons making application for certification renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4) of this section. Those persons who must renew during 1989 shall submit evidence of compliance with the education requirements of subsection (4) of this section with their renewal application. Those persons who must renew during 1990 shall submit evidence of compliance with subsection (4) of this section on or before December 31, 1989. Persons whose 1989 certificate expires on or before March 31, 1989, will, upon written application, be granted an extension to April 15, 1989, to meet the AIDS education requirement. Renewal applicants who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by the office on AIDS. Such education and training shall be a minimum of seven clock hours and shall include, but is not limited to, the following: Etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(b) Implementation. Effective January 1, 1989, the requirement for certification, renewal, or reinstatement of any certificate on lapsed, inactive, or disciplinary status shall include completion of AIDS education and training. All persons affected by this section shall show evidence of completion of an education and training program, which meets the requirements of ((subsection)) (a) of this subsection.

(c) Documentation. The applicant shall:

(i) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987;

(ii) Keep records for two years documenting attendance and description of the learning;



(iii) Be prepared to validate, through submission of these records, that attendance has taken place.

(5) Temporary emergency waiver of seven hours training requirement. The secretary may waive the minimum seven clock hour requirement of subsection (4)(a) of this section if evidence is provided which documents compliance with AIDS training curriculum content. Certificates issued under this provision will be effective for one hundred twenty days only.

**Table of WAC Sections Affected**

**KEY TO TABLE**

**Symbols:**

- AMD = Amendment of existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- REP = Repeal of existing section
- REAFF = Order assuming and reaffirming rules
- REMOV = Removal of rule pursuant to RCW 34.04.050(5)
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule
- STMT = Statement regarding previously adopted rule

**Suffixes:**

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- S = Supplemental notice
- W = Withdrawal of proposed action
- No suffix means permanent action

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

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16-158-020	NEW-P	90-08-090	16-230-825	AMD-E	90-09-011	16-304-110	AMD	90-12-098
16-158-020	NEW	90-12-097	16-230-825	AMD-P	90-11-125	16-304-130	AMD-P	90-09-064
16-158-030	NEW-P	90-08-090	16-230-825	AMD	90-14-034	16-304-130	AMD	90-12-098
16-158-030	NEW	90-12-097	16-230-835	AMD-P	90-04-109	16-316-165	AMD-P	90-09-064
16-158-040	NEW-P	90-08-090	16-230-835	AMD-E	90-09-011	16-316-165	AMD	90-12-098
16-158-040	NEW	90-12-097	16-230-835	AMD-W	90-11-025	16-316-285	AMD-P	90-03-090
16-158-050	NEW-P	90-08-090	16-230-835	AMD-P	90-11-125	16-316-285	AMD-W	90-06-105
16-158-050	NEW	90-12-097	16-230-835	AMD	90-14-034	16-316-290	AMD-P	90-03-090
16-158-060	NEW-P	90-08-090	16-230-839	NEW-P	90-04-109	16-316-290	AMD-W	90-06-105
16-158-060	NEW	90-12-097	16-230-839	NEW-W	90-11-025	16-316-370	AMD-P	90-09-064
16-158-070	NEW-P	90-08-090	16-230-840	REP-P	90-04-109	16-316-370	AMD	90-12-098
16-158-070	NEW	90-12-097	16-230-840	REP-W	90-11-025	16-316-474	AMD-P	90-09-064
16-158-080	NEW-P	90-08-090	16-230-845	AMD-P	90-04-109	16-316-474	AMD	90-12-098
16-158-080	NEW	90-12-097	16-230-845	AMD-E	90-09-011	16-316-525	AMD-P	90-09-064
16-158-090	NEW-P	90-08-090	16-230-845	AMD-W	90-11-025	16-316-525	AMD	90-12-098
16-158-090	NEW	90-12-097	16-230-845	AMD-P	90-11-125	16-316-620	AMD-P	90-09-064
16-158-100	NEW-P	90-08-090	16-230-845	AMD	90-14-034	16-316-620	AMD	90-12-098
16-158-100	NEW	90-12-097	16-230-850	REP-P	90-04-109	16-316-622	AMD-P	90-09-064
16-158-110	NEW-P	90-08-090	16-230-850	AMD-E	90-09-011	16-316-622	AMD	90-12-098
16-158-110	NEW	90-12-097	16-230-850	REP-W	90-11-025	16-316-715	AMD-P	90-09-064
16-158-120	NEW-P	90-08-090	16-230-850	AMD-P	90-11-125	16-316-715	AMD	90-12-098
16-158-120	NEW	90-12-097	16-230-850	AMD	90-14-034	16-316-724	AMD-P	90-09-064
16-158-130	NEW-P	90-08-090	16-230-855	AMD-P	90-04-109	16-316-724	AMD	90-12-098
16-158-130	NEW	90-12-097	16-230-855	AMD-E	90-09-011	16-316-800	AMD-P	90-09-064
16-158-140	NEW-P	90-08-090	16-230-855	AMD-W	90-11-025	16-316-800	AMD	90-12-098
16-158-140	NEW	90-12-097	16-230-855	AMD-P	90-11-125	16-316-800	AMD	90-12-098
16-228-164	AMD-E	90-08-017	16-230-855	AMD	90-14-034	16-316-815	AMD-P	90-09-064
16-228-164	RESCIND	90-13-019	16-230-859	NEW-P	90-04-109	16-316-815	AMD	90-12-098
						16-316-820	AMD-P	90-09-064

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
16-316-820	AMD	90-12-098	16-470-705	NEW-E	90-13-010	50-44-020	AMD-P	90-09-091
16-317-040	AMD	90-04-003	16-470-710	NEW-P	90-11-100	50-44-020	AMD	90-12-007
16-317-050	AMD	90-04-003	16-470-710	NEW-E	90-13-010	50-44-030	AMD-P	90-09-091
16-317-060	AMD	90-04-003	16-470-715	NEW-P	90-11-100	50-44-030	AMD	90-12-007
16-317-090	REP	90-04-003	16-470-715	NEW-E	90-13-010	50-44-050	NEW-P	90-09-091
16-318-040	AMD	90-03-026	16-470-720	NEW-P	90-11-100	50-44-050	NEW	90-12-007
16-318-065	NEW	90-03-026	16-470-720	NEW-E	90-13-010	51-04-010	AMD	90-02-108
16-318-200	NEW	90-03-026	16-488-025	AMD-P	90-09-056	51-04-015	NEW	90-02-108
16-318-205	NEW	90-03-026	16-488-025	AMD	90-12-123	51-04-018	NEW	90-02-108
16-318-210	NEW	90-03-026	16-494-001	AMD-P	90-03-090	51-04-020	AMD	90-02-108
16-318-215	NEW	90-03-026	16-494-001	AMD-W	90-06-105	51-04-025	NEW	90-02-108
16-318-220	NEW	90-03-026	16-494-010	AMD-P	90-03-090	51-04-030	NEW	90-02-108
16-318-225	NEW	90-03-026	16-494-010	AMD-W	90-06-105	51-04-035	NEW	90-02-108
16-318-230	NEW	90-03-026	16-516-040	AMD	90-09-068	51-04-037	NEW	90-02-108
16-318-235	NEW	90-03-026	16-555-010	AMD-P	90-05-059	51-04-040	NEW	90-02-108
16-318-240	NEW	90-03-026	16-555-010	AMD	90-11-001	51-04-050	NEW	90-02-108
16-318-300	NEW	90-03-026	16-555-040	AMD-P	90-05-059	51-04-060	NEW	90-02-108
16-318-305	NEW	90-03-026	16-555-040	AMD-W	90-11-026	51-04-070	NEW	90-02-108
16-318-310	NEW	90-03-026	16-557-010	NEW-W	90-05-068	51-06-010	AMD	90-02-108
16-318-315	NEW	90-03-026	16-557-010	NEW-W	90-13-073	51-06-020	AMD	90-02-108
16-318-320	NEW	90-03-026	16-557-020	NEW-W	90-05-068	51-06-030	REP	90-02-108
16-318-325	NEW	90-03-026	16-557-020	NEW-W	90-13-073	51-06-040	REP	90-02-108
16-318-330	NEW	90-03-026	16-557-030	NEW-W	90-05-068	51-06-050	REP	90-02-108
16-318-335	NEW	90-03-026	16-557-030	NEW-W	90-13-073	51-06-060	REP	90-02-108
16-318-340	NEW	90-03-026	16-557-040	NEW-W	90-05-068	51-06-070	AMD	90-02-108
16-318-345	NEW	90-03-026	16-557-040	NEW-W	90-13-073	51-06-080	REP	90-02-108
16-318-350	NEW	90-03-026	16-557-041	NEW-W	90-05-068	51-06-090	REP	90-02-108
16-318-355	NEW	90-03-026	16-557-041	NEW-W	90-13-073	51-06-100	REP	90-02-108
16-318-360	NEW	90-03-026	16-557-050	NEW-W	90-05-068	51-06-110	REP	90-02-108
16-318-365	NEW	90-03-026	16-557-050	NEW-W	90-13-073	51-06-120	AMD	90-02-108
16-318-370	NEW	90-03-026	16-557-060	NEW-W	90-05-068	51-08-010	AMD	90-02-108
16-318-375	NEW	90-03-026	16-557-060	NEW-W	90-13-073	51-10	AMD	90-02-110
16-318-380	NEW	90-03-026	16-557-070	NEW-W	90-05-068	51-12-201	AMD-P	90-05-064
16-318-385	NEW	90-03-026	16-557-070	NEW-W	90-13-073	51-12-201	AMD-C	90-11-020
16-318-390	NEW	90-03-026	16-557-080	NEW-W	90-05-068	51-12-201	AMD-W	90-13-040
16-318-395	NEW	90-03-026	16-557-080	NEW-W	90-13-073	51-12-202	AMD-P	90-05-064
16-318-400	NEW	90-03-026	16-570-040	AMD-P	90-03-071	51-12-202	AMD-C	90-11-020
16-318-405	NEW	90-03-026	16-570-040	AMD	90-07-013	51-12-202	AMD-W	90-13-040
16-318-410	NEW	90-03-026	16-622-001	NEW	90-08-069	51-12-204	AMD-P	90-05-064
16-318-415	NEW	90-03-026	16-622-005	NEW	90-08-069	51-12-204	AMD-C	90-11-020
16-318-420	NEW	90-03-026	16-622-010	NEW	90-08-069	51-12-204	AMD-W	90-13-040
16-400-010	AMD-E	90-03-034	16-622-015	NEW	90-08-069	51-12-220	AMD	90-02-110
16-400-010	AMD-P	90-05-065	16-622-020	NEW	90-08-069	51-12-403	AMD	90-02-110
16-400-010	AMD	90-09-031	16-622-025	NEW	90-08-069	51-12-404	AMD	90-02-110
16-400-100	AMD-E	90-03-034	16-622-030	NEW	90-08-069	51-12-411	AMD-P	90-05-064
16-400-100	AMD-P	90-05-065	16-622-035	NEW	90-08-069	51-12-411	AMD-C	90-11-020
16-400-100	AMD	90-09-031	16-622-040	NEW	90-08-069	51-12-411	AMD-W	90-13-040
16-400-210	AMD-E	90-03-034	16-622-045	NEW	90-08-069	51-12-426	AMD	90-02-110
16-400-210	AMD-P	90-05-065	16-622-050	NEW	90-08-069	51-12-601	AMD	90-02-110
16-400-210	AMD	90-09-031	16-622-055	NEW	90-08-069	51-12-602	AMD-P	90-05-064
16-403-142	AMD-W	90-03-036	16-622-900	NEW	90-08-069	51-12-602	AMD-C	90-11-020
16-403-142	AMD-P	90-05-066	16-752-400	NEW-P	90-11-089	51-12-602	AMD-W	90-13-040
16-403-142	AMD-P	90-05-067	16-752-405	NEW-P	90-11-089	51-12-608	AMD	90-02-110
16-403-142	AMD	90-09-032	16-752-410	NEW-P	90-11-089	51-16-030	AMD	90-02-110
16-403-142	AMD-W	90-11-009	16-752-415	NEW-P	90-11-089	51-16-050	AMD	90-02-110
16-403-155	AMD-W	90-03-036	16-752-420	NEW-P	90-11-089	51-16-080	AMD-P	90-07-083
16-403-155	AMD-P	90-05-066	44-10-090	AMD-E	90-11-033	51-16-080	AMD	90-13-033
16-403-155	AMD-P	90-10-086	44-10-090	AMD-P	90-11-034	51-16-090	REP-P	90-07-083
16-403-155	AMD-W	90-11-009	44-10-160	AMD-P	90-11-034	51-16-090	REP	90-13-033
16-403-155	AMD	90-13-078	44-10-200	AMD-P	90-11-034	51-18-010	NEW	90-02-110
16-403-190	AMD-E	90-03-035	44-10-215	REP-P	90-11-034	51-18-020	NEW	90-02-110
16-403-190	AMD-W	90-03-036	44-10-235	NEW-P	90-11-034	51-18-030	NEW	90-02-110
16-403-190	AMD-P	90-05-066	50-12-040	REP-P	90-09-090	51-18-040	NEW	90-02-110
16-403-190	AMD-P	90-05-067	50-12-040	REP	90-12-008	51-18-050	NEW	90-02-110
16-403-190	AMD	90-09-032	50-12-045	NEW-P	90-09-090	67-25-560	AMD	90-11-047
16-403-190	AMD-W	90-11-009	50-12-045	NEW	90-12-008	67-25-570	AMD	90-11-047
16-403-220	AMD-W	90-03-036	50-12-310	NEW	90-10-074	72-100-001	NEW-P	90-10-101
16-403-220	AMD-P	90-05-066	50-12-320	NEW	90-10-074	72-108-010	NEW-P	90-10-102
16-403-220	AMD-W	90-11-009	50-12-330	NEW	90-10-074	72-108-020	NEW-P	90-10-102
16-403-280	AMD-W	90-03-036	50-12-340	NEW	90-10-074	72-108-030	NEW-P	90-10-102
16-403-280	AMD-P	90-05-066	50-12-350	NEW	90-10-074	72-108-040	NEW-P	90-10-102
16-403-280	AMD-W	90-11-009	50-12-360	NEW	90-10-074	72-108-060	NEW-P	90-10-102
16-462-060	NEW-P	90-06-050	50-12-370	NEW	90-10-074	72-108-070	NEW-P	90-10-102
16-462-060	NEW	90-10-043	50-36-090	AMD-P	90-03-105	72-108-080	NEW-P	90-10-102
16-470-700	NEW-P	90-11-100	50-36-090	AMD	90-07-011	72-108-090	NEW-P	90-10-102
16-470-700	NEW-E	90-13-010	50-44-010	AMD-P	90-09-091	72-108-100	NEW-P	90-10-102
16-470-705	NEW-P	90-11-100	50-44-010	AMD	90-12-007	72-120-010	NEW-P	90-10-103

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72-120-015	NEW-P 90-10-103	82-30-010	NEW 90-12-009	132E-133-020	NEW-P 90-03-019
72-120-100	NEW-P 90-10-103	82-30-020	NEW 90-12-009	132E-133-020	NEW 90-09-049
72-120-200	NEW-P 90-10-103	82-30-030	NEW 90-12-009	132E-400-010	NEW-P 90-03-021
72-120-205	NEW-P 90-10-103	82-30-040	NEW 90-12-009	132E-400-010	NEW 90-09-005
72-120-210	NEW-P 90-10-103	82-30-050	NEW 90-12-009	132E-400-020	NEW-P 90-03-021
72-120-220	NEW-P 90-10-103	82-30-060	NEW 90-12-009	132E-400-020	NEW 90-09-005
72-120-225	NEW-P 90-10-103	82-50-021	AMD-P 90-14-077	132E-400-030	NEW-P 90-03-021
72-120-230	NEW-P 90-10-103	98-14-200	NEW-P 90-13-105	132E-400-030	NEW 90-09-005
72-120-234	NEW-P 90-10-103	113-12-104	NEW-P 90-09-077	132E-400-040	NEW-P 90-03-021
72-120-236	NEW-P 90-10-103	113-12-104	NEW-P 90-14-130	132E-400-040	NEW 90-09-005
72-130-010	NEW-P 90-10-104	113-12-130	REP-P 90-04-029	132G-108-010	NEW-P 90-10-049
72-130-020	NEW-P 90-10-104	113-12-130	REP 90-08-035	132G-108-010	NEW 90-13-051
72-130-030	NEW-P 90-10-104	113-12-160	REP-P 90-04-029	132G-108-020	NEW-P 90-10-049
72-130-035	NEW-P 90-10-104	113-12-160	REP 90-08-035	132G-108-020	NEW 90-13-051
72-130-040	NEW-P 90-10-104	113-12-161	REP-P 90-04-029	132G-108-030	NEW-P 90-10-049
72-130-050	NEW-P 90-10-104	113-12-161	REP 90-08-035	132G-108-030	NEW 90-13-051
72-140-010	NEW-P 90-10-105	113-12-200	AMD-P 90-04-029	132G-108-040	NEW-P 90-10-049
72-140-020	NEW-P 90-10-105	113-12-200	AMD-C 90-08-036	132G-108-040	NEW 90-13-051
72-140-030	NEW-P 90-10-105	114-12-136	AMD 90-04-094	132G-108-050	NEW-P 90-10-049
72-140-040	NEW-P 90-10-105	114-12-155	AMD-P 90-11-045	132G-108-050	NEW 90-13-051
72-140-050	NEW-P 90-10-105	114-12-190	AMD-P 90-11-045	132G-108-060	NEW-P 90-10-049
72-140-060	NEW-P 90-10-105	130-14-010	NEW-P 90-12-110	132G-108-060	NEW 90-13-051
72-140-070	NEW-P 90-10-105	130-14-020	NEW-P 90-12-110	132G-108-070	NEW-P 90-10-049
72-140-080	NEW-P 90-10-105	130-14-030	NEW-P 90-12-110	132G-108-070	NEW 90-13-051
72-171-001	NEW-P 90-10-106	130-14-040	NEW-P 90-12-110	132G-108-080	NEW-P 90-10-049
72-171-010	NEW-P 90-10-106	130-14-050	NEW-P 90-12-110	132G-108-080	NEW 90-13-051
72-171-015	NEW-P 90-10-106	130-14-060	NEW-P 90-12-110	132G-133-020	NEW-P 90-10-050
72-171-016	NEW-P 90-10-106	130-14-070	NEW-P 90-12-110	132G-133-020	NEW 90-13-050
72-171-100	NEW-P 90-10-106	131-16-055	NEW-E 90-04-066	132H-108-005	REP-P 90-03-077
72-171-110	NEW-P 90-10-106	131-16-500	NEW-E 90-09-069	132H-108-005	REP-E 90-03-079
72-171-120	NEW-P 90-10-106	131-16-500	NEW-P 90-13-095	132H-108-005	REP 90-09-066
72-171-130	NEW-P 90-10-106	132D-108-010	NEW 90-05-045	132H-108-010	REP-P 90-03-077
72-171-140	NEW-P 90-10-106	132D-108-020	NEW 90-05-045	132H-108-010	REP-E 90-03-079
72-171-150	NEW-P 90-10-106	132D-108-030	NEW 90-05-045	132H-108-010	REP 90-09-066
72-171-200	NEW-P 90-10-106	132D-108-040	NEW 90-05-045	132H-108-020	REP-P 90-03-077
72-171-210	NEW-P 90-10-106	132D-108-050	NEW 90-05-045	132H-108-020	REP-E 90-03-079
72-171-220	NEW-P 90-10-106	132D-108-060	NEW 90-05-045	132H-108-020	REP 90-09-066
72-171-230	NEW-P 90-10-106	132D-108-070	NEW 90-05-045	132H-108-030	REP-P 90-03-077
72-171-240	NEW-P 90-10-106	132D-108-080	NEW 90-05-045	132H-108-030	REP-E 90-03-079
72-171-400	NEW-P 90-10-106	132D-108-090	NEW 90-05-045	132H-108-030	REP 90-09-066
72-171-410	NEW-P 90-10-106	132D-130-010	NEW 90-05-045	132H-108-040	REP-P 90-03-077
72-171-420	NEW-P 90-10-106	132D-130-020	NEW 90-05-045	132H-108-040	REP-E 90-03-079
72-171-430	NEW-P 90-10-106	132D-130-030	NEW 90-05-045	132H-108-040	REP 90-09-066
72-171-500	NEW-P 90-10-106	132D-130-035	NEW 90-05-045	132H-108-050	REP-P 90-03-077
72-171-510	NEW-P 90-10-106	132D-130-040	NEW 90-05-045	132H-108-050	REP-E 90-03-079
72-171-600	NEW-P 90-10-106	132D-130-045	NEW 90-05-045	132H-108-050	REP 90-09-066
72-171-610	NEW-P 90-10-106	132D-130-050	NEW 90-05-045	132H-108-060	REP-P 90-03-077
72-171-620	NEW-P 90-10-106	132D-130-055	NEW 90-05-045	132H-108-060	REP-E 90-03-079
72-171-630	NEW-P 90-10-106	132D-130-060	NEW 90-05-045	132H-108-060	REP 90-09-066
72-171-640	NEW-P 90-10-106	132D-130-070	NEW 90-05-045	132H-108-070	REP-P 90-03-077
72-171-650	NEW-P 90-10-106	132D-130-075	NEW 90-05-045	132H-108-070	REP-E 90-03-079
72-276-010	NEW-P 90-10-107	132D-130-080	NEW 90-05-045	132H-108-070	REP 90-09-066
72-276-020	NEW-P 90-10-107	132D-130-085	NEW 90-05-045	132H-108-080	REP-P 90-03-077
72-276-030	NEW-P 90-10-107	132D-130-090	NEW 90-05-045	132H-108-080	REP-E 90-03-079
72-276-040	NEW-P 90-10-107	132D-130-095	NEW 90-05-045	132H-108-080	REP 90-09-066
72-276-050	NEW-P 90-10-107	132D-130-100	NEW 90-05-045	132H-108-090	REP-P 90-03-077
72-276-060	NEW-P 90-10-107	132D-133-020	NEW 90-05-045	132H-108-090	REP-E 90-03-079
72-276-070	NEW-P 90-10-107	132D-400-010	NEW 90-05-045	132H-108-090	REP 90-09-066
72-276-080	NEW-P 90-10-107	132D-400-020	NEW 90-05-045	132H-108-100	REP-P 90-03-077
72-276-090	NEW-P 90-10-107	132D-400-030	NEW 90-05-045	132H-108-100	REP-E 90-03-079
72-276-100	NEW-P 90-10-107	132D-400-040	NEW 90-05-045	132H-108-100	REP 90-09-066
72-276-110	NEW-P 90-10-107	132E-108-010	NEW-P 90-03-012	132H-108-110	REP-P 90-03-077
72-276-120	NEW-P 90-10-107	132E-108-010	NEW 90-09-006	132H-108-110	REP-E 90-03-079
72-276-130	NEW-P 90-10-107	132E-108-020	NEW-P 90-03-012	132H-108-110	REP 90-09-066
72-276-140	NEW-P 90-10-107	132E-108-020	NEW 90-09-006	132H-108-120	REP-P 90-03-077
72-280-010	NEW-P 90-10-108	132E-108-030	NEW-P 90-03-012	132H-108-120	REP-E 90-03-079
72-280-011	NEW-P 90-10-108	132E-108-030	NEW 90-09-006	132H-108-120	REP 90-09-066
72-280-015	NEW-P 90-10-108	132E-108-040	NEW-P 90-03-012	132H-108-130	REP-P 90-03-077
72-280-020	NEW-P 90-10-108	132E-108-040	NEW 90-09-006	132H-108-130	REP-E 90-03-079
72-280-025	NEW-P 90-10-108	132E-108-050	NEW-P 90-03-012	132H-108-130	REP 90-09-066
72-280-030	NEW-P 90-10-108	132E-108-050	NEW 90-09-006	132H-108-140	REP-P 90-03-077
72-280-040	NEW-P 90-10-108	132E-108-060	NEW-P 90-03-012	132H-108-140	REP-E 90-03-079
72-280-050	NEW-P 90-10-108	132E-108-060	NEW 90-09-006	132H-108-140	REP 90-09-066
72-280-055	NEW-P 90-10-108	132E-108-070	NEW-P 90-03-012	132H-108-150	REP-P 90-03-077
72-280-060	NEW-P 90-10-108	132E-108-070	NEW 90-09-006	132H-108-150	REP-E 90-03-079
72-280-070	NEW-P 90-10-108	132E-108-080	NEW-P 90-03-012	132H-108-150	REP 90-09-066
72-325-010	NEW-P 90-10-109	132E-108-080	NEW 90-09-006	132H-108-160	REP-P 90-03-077

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
132H-108-160	REP-E 90-03-079	132H-200-040	NEW-P 90-03-076	132L-108-030	NEW-E 90-03-074
132H-108-160	REP 90-09-066	132H-200-040	NEW-E 90-03-080	132L-108-030	NEW 90-05-005
132H-108-170	REP-P 90-03-077	132H-200-040	NEW 90-09-065	132L-108-040	NEW-E 90-03-074
132H-108-170	REP-E 90-03-079	132H-400-005	NEW-P 90-03-078	132L-108-040	NEW 90-05-005
132H-108-170	REP 90-09-066	132H-400-005	NEW-E 90-03-081	132L-108-050	NEW-E 90-03-074
132H-108-180	REP-P 90-03-077	132H-400-005	NEW 90-09-067	132L-108-050	NEW 90-05-005
132H-108-180	REP-E 90-03-079	132H-400-010	NEW-P 90-03-078	132L-108-060	NEW-E 90-03-074
132H-108-180	REP 90-09-066	132H-400-010	NEW-E 90-03-081	132L-108-060	NEW 90-05-005
132H-108-190	REP-P 90-03-077	132H-400-010	NEW 90-09-067	132L-108-070	NEW-E 90-03-074
132H-108-190	REP-E 90-03-079	132H-400-020	NEW-P 90-03-078	132L-108-070	NEW 90-05-005
132H-108-190	REP 90-09-066	132H-400-020	NEW-E 90-03-081	132L-108-080	NEW-E 90-03-074
132H-108-200	REP-P 90-03-077	132H-400-020	NEW 90-09-067	132L-108-080	NEW 90-05-005
132H-108-200	REP-E 90-03-079	132H-400-030	NEW-P 90-03-078	132L-116-010	NEW-P 90-14-111
132H-108-200	REP 90-09-066	132H-400-030	NEW-E 90-03-081	132L-116-020	NEW-P 90-14-111
132H-108-210	REP-P 90-03-077	132H-400-030	NEW 90-09-067	132L-116-030	NEW-P 90-14-111
132H-108-210	REP-E 90-03-079	132H-400-040	NEW-P 90-03-078	132L-116-040	NEW-P 90-14-111
132H-108-210	REP 90-09-066	132H-400-040	NEW-E 90-03-081	132L-116-050	NEW-P 90-14-111
132H-108-220	REP-P 90-03-077	132H-400-040	NEW 90-09-067	132L-116-060	NEW-P 90-14-111
132H-108-220	REP-E 90-03-079	132J-108-010	NEW-P 90-12-109	132L-116-070	NEW-P 90-14-111
132H-108-220	REP 90-09-066	132J-108-020	NEW-P 90-12-109	132L-116-080	NEW-P 90-14-111
132H-108-230	REP-P 90-03-077	132J-108-030	NEW-P 90-12-109	132L-116-090	NEW-P 90-14-111
132H-108-230	REP-E 90-03-079	132J-108-040	NEW-P 90-12-109	132L-116-100	NEW-P 90-14-111
132H-108-230	REP 90-09-066	132J-108-050	NEW-P 90-12-109	132L-116-110	NEW-P 90-14-111
132H-108-240	REP-P 90-03-077	132J-108-060	NEW-P 90-12-109	132L-116-120	NEW-P 90-14-111
132H-108-240	REP-E 90-03-079	132J-108-070	NEW-P 90-12-109	132L-116-130	NEW-P 90-14-111
132H-108-240	REP 90-09-066	132J-108-110	NEW-P 90-12-012	132L-116-140	NEW-P 90-14-111
132H-108-250	REP-P 90-03-077	132J-108-110	NEW-W 90-12-108	132L-116-150	NEW-P 90-14-111
132H-108-250	REP-E 90-03-079	132J-108-120	NEW-P 90-12-012	132L-116-160	NEW-P 90-14-111
132H-108-250	REP 90-09-066	132J-108-120	NEW-W 90-12-108	132L-116-170	NEW-P 90-14-111
132H-108-260	REP-P 90-03-077	132J-108-130	NEW-P 90-12-012	132L-116-180	NEW-P 90-14-111
132H-108-260	REP-E 90-03-079	132J-108-130	NEW-W 90-12-108	132L-116-190	NEW-P 90-14-111
132H-108-260	REP 90-09-066	132J-108-140	NEW-P 90-12-012	132L-116-200	NEW-P 90-14-111
132H-108-270	REP-P 90-03-077	132J-108-140	NEW-W 90-12-108	132L-116-210	NEW-P 90-14-111
132H-108-270	REP-E 90-03-079	132J-108-150	NEW-P 90-12-012	132L-116-220	NEW-P 90-14-111
132H-108-270	REP 90-09-066	132J-108-150	NEW-W 90-12-108	132L-116-230	NEW-P 90-14-111
132H-108-280	REP-P 90-03-077	132J-108-160	NEW-P 90-12-012	132L-116-240	NEW-P 90-14-111
132H-108-280	REP-E 90-03-079	132J-108-160	NEW-W 90-12-108	132L-116-250	NEW-P 90-14-111
132H-108-280	REP 90-09-066	132J-108-170	NEW-P 90-12-012	132L-116-260	NEW-P 90-14-111
132H-108-290	REP-P 90-03-077	132J-108-170	NEW-W 90-12-108	132L-116-270	NEW-P 90-14-111
132H-108-290	REP-E 90-03-079	132J-108-180	NEW-P 90-12-012	132L-116-280	NEW-P 90-14-111
132H-108-290	REP 90-09-066	132J-108-180	NEW-W 90-12-108	132L-116-290	NEW-P 90-14-111
132H-108-300	REP-P 90-03-077	132J-108-180	NEW-P 90-12-109	132L-116-300	NEW-P 90-14-111
132H-108-300	REP-E 90-03-079	132L-20-090	REP 90-05-004	132L-133-020	NEW-E 90-03-074
132H-108-300	REP 90-09-066	132L-30-010	REP-P 90-14-111	132L-133-020	NEW 90-05-005
132H-108-310	REP-P 90-03-077	132L-30-020	REP-P 90-14-111	132L-280-010	NEW 90-05-004
132H-108-310	REP-E 90-03-079	132L-30-030	REP-P 90-14-111	132L-280-015	NEW 90-05-004
132H-108-310	REP 90-09-066	132L-30-040	REP-P 90-14-111	132L-280-020	NEW 90-05-004
132H-108-320	REP-P 90-03-077	132L-30-050	REP-P 90-14-111	132L-280-030	NEW 90-05-004
132H-108-320	REP-E 90-03-079	132L-30-060	REP-P 90-14-111	132L-280-040	NEW 90-05-004
132H-108-320	REP 90-09-066	132L-30-070	REP-P 90-14-111	132L-280-050	NEW 90-05-004
132H-108-330	REP-P 90-03-077	132L-30-080	REP-P 90-14-111	132L-280-060	NEW 90-05-004
132H-108-330	REP-E 90-03-079	132L-30-090	REP-P 90-14-111	132L-280-070	NEW 90-05-004
132H-108-330	REP 90-09-066	132L-30-100	REP-P 90-14-111	132L-280-080	NEW 90-05-004
132H-108-410	NEW-P 90-03-077	132L-30-110	REP-P 90-14-111	132L-280-090	NEW 90-05-004
132H-108-410	NEW-E 90-03-079	132L-30-120	REP-P 90-14-111	132L-280-100	NEW 90-05-004
132H-108-410	NEW 90-09-066	132L-30-130	REP-P 90-14-111	132L-280-110	NEW 90-05-004
132H-108-420	NEW-P 90-03-077	132L-30-140	REP-P 90-14-111	132L-280-120	NEW 90-05-004
132H-108-420	NEW-E 90-03-079	132L-30-150	REP-P 90-14-111	132L-400-010	NEW-E 90-03-073
132H-108-420	NEW 90-09-066	132L-30-160	REP-P 90-14-111	132L-400-010	NEW 90-05-009
132H-108-430	NEW-P 90-03-077	132L-30-170	REP-P 90-14-111	132L-400-020	NEW 90-05-009
132H-108-430	NEW-E 90-03-079	132L-30-180	REP-P 90-14-111	132L-400-030	NEW 90-05-009
132H-108-430	NEW 90-09-066	132L-30-190	REP-P 90-14-111	132L-400-040	NEW 90-05-009
132H-108-440	NEW-P 90-03-077	132L-30-200	REP-P 90-14-111	132N-400-010	NEW-P 90-04-079
132H-108-440	NEW-E 90-03-079	132L-30-210	REP-P 90-14-111	132N-400-010	NEW-C 90-10-026
132H-108-440	NEW 90-09-066	132L-30-220	REP-P 90-14-111	132N-400-020	NEW-P 90-04-079
132H-108-450	NEW-P 90-03-077	132L-30-230	REP-P 90-14-111	132N-400-020	NEW-C 90-10-026
132H-108-450	NEW-E 90-03-079	132L-30-240	REP-P 90-14-111	132N-400-030	NEW-P 90-04-079
132H-108-450	NEW 90-09-066	132L-30-250	REP-P 90-14-111	132N-400-030	NEW-C 90-10-026
132H-108-460	NEW-P 90-03-077	132L-30-260	REP-P 90-14-111	132N-400-040	NEW-P 90-04-079
132H-108-460	NEW-E 90-03-079	132L-30-270	REP-P 90-14-111	132N-400-040	NEW-C 90-10-026
132H-108-460	NEW 90-09-066	132L-30-280	REP-P 90-14-111	132P-136-040	AMD-P 90-07-058
132H-108-470	NEW-P 90-03-077	132L-30-290	REP-P 90-14-111	132P-136-040	AMD 90-11-077
132H-108-470	NEW-E 90-03-079	132L-30-300	REP-P 90-14-111	132Q-01-005	REP-P 90-14-114
132H-108-470	NEW 90-09-066	132L-108-010	NEW-E 90-03-074	132Q-01-006	NEW-P 90-14-115
132H-108-480	NEW-P 90-03-077	132L-108-010	NEW 90-05-005	132Q-04-055	REP-P 90-14-116
132H-108-480	NEW-E 90-03-079	132L-108-020	NEW-E 90-03-074	132Q-04-200	AMD-P 90-14-117
132H-108-480	NEW 90-09-066	132L-108-020	NEW 90-05-005	132Q-04-210	AMD-P 90-14-117

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132Q-04-220	AMD-P	90-14-117	132S-40-145	NEW-P	90-03-082	136-04-100	AMD	90-07-072
132Q-04-230	AMD-P	90-14-117	132S-40-145	NEW	90-07-006	136-10-010	AMD	90-07-073
132Q-04-240	AMD-P	90-14-117	132S-40-150	NEW-P	90-03-082	136-10-020	AMD	90-07-073
132Q-05-060	AMD-P	90-14-118	132S-40-150	NEW	90-07-006	136-10-030	AMD	90-07-073
132Q-05-080	AMD-P	90-14-118	132S-40-155	NEW-P	90-03-082	136-10-040	AMD	90-07-073
132Q-06-020	AMD-P	90-14-119	132S-40-155	NEW	90-07-006	136-10-050	AMD	90-07-073
132Q-06-025	AMD-P	90-14-119	132T-104-010	REP	90-03-065	136-10-060	AMD	90-07-073
132Q-06-030	AMD-P	90-14-119	132T-104-020	REP	90-03-065	136-12-010	AMD	90-07-074
132Q-09-001	REP-P	90-14-120	132T-104-030	REP	90-03-065	136-12-020	AMD	90-07-074
132Q-09-005	REP-P	90-14-120	132T-104-040	REP	90-03-065	136-12-030	AMD	90-07-074
132Q-09-010	REP-P	90-14-120	132T-104-060	REP	90-03-065	136-12-060	AMD	90-07-074
132Q-09-080	REP-P	90-14-120	132T-104-070	REP	90-03-065	136-12-070	AMD	90-07-074
132Q-09-090	REP-P	90-14-120	132T-104-080	REP	90-03-065	136-12-080	AMD	90-07-074
132Q-09-100	REP-P	90-14-120	132T-104-090	REP	90-03-065	136-14-010	AMD	90-07-075
132Q-09-110	REP-P	90-14-120	132T-104-100	REP	90-03-065	136-14-020	AMD	90-07-075
132Q-09-120	REP-P	90-14-120	132T-104-110	REP	90-03-065	136-14-030	AMD	90-07-075
132Q-09-130	REP-P	90-14-120	132T-104-120	REP	90-03-065	136-14-040	AMD	90-07-075
132Q-09-140	REP-P	90-14-120	132T-104-121	REP	90-03-065	136-14-050	AMD	90-07-075
132Q-09-230	REP-P	90-14-120	132T-104-130	REP	90-03-065	136-14-060	AMD	90-07-075
132Q-09-240	REP-P	90-14-120	132T-104-200	REP	90-03-065	136-16-010	AMD	90-07-076
132Q-09-250	REP-P	90-14-120	132T-104-210	REP	90-03-065	136-16-018	AMD	90-07-076
132Q-09-260	REP-P	90-14-120	132T-104-240	REP	90-03-065	136-16-022	AMD	90-07-076
132Q-09-270	REP-P	90-14-120	132T-104-250	REP	90-03-065	136-16-042	AMD	90-07-076
132Q-09-280	REP-P	90-14-120	132T-104-260	REP	90-03-065	136-16-050	AMD	90-07-076
132Q-09-290	REP-P	90-14-120	132T-104-265	REP	90-03-065	136-20-010	AMD-P	90-13-003
132Q-09-300	REP-P	90-14-120	132T-104-270	REP	90-03-065	136-20-020	AMD-P	90-13-003
132Q-09-310	REP-P	90-14-120	132T-104-280	REP	90-03-065	136-20-030	AMD-P	90-13-003
132Q-09-320	REP-P	90-14-120	132U-03-010	NEW	90-05-043	136-20-040	AMD-P	90-13-003
132Q-09-330	REP-P	90-14-120	132U-03-020	NEW	90-05-043	136-20-060	AMD-P	90-13-003
132Q-09-340	REP-P	90-14-120	132U-03-030	NEW	90-05-043	136-28-010	AMD-P	90-13-002
132Q-09-350	REP-P	90-14-120	132U-108-010	NEW	90-05-043	136-28-020	AMD-P	90-13-002
132Q-09-360	REP-P	90-14-120	132U-108-020	NEW	90-05-043	136-28-030	AMD-P	90-13-002
132Q-09-400	REP-P	90-14-120	132U-108-021	NEW	90-05-043	136-36-010	REP	90-07-077
132Q-09-410	REP-P	90-14-120	132U-108-030	NEW	90-05-043	136-36-020	REP	90-07-077
132Q-09-420	REP-P	90-14-120	132U-116-030	AMD	90-05-043	136-36-030	REP	90-07-077
132Q-09-430	REP-P	90-14-120	132U-400-010	NEW	90-05-043	136-36-040	REP	90-07-077
132Q-09-440	REP-P	90-14-120	132V-400-010	NEW-P	90-03-094	136-40-010	AMD-C	90-13-001
132Q-09-450	REP-P	90-14-120	132V-400-010	NEW	90-07-038	136-40-020	AMD-C	90-13-001
132Q-09-460	REP-P	90-14-120	132V-400-020	NEW-P	90-03-094	136-40-030	AMD-C	90-13-001
132Q-09-470	REP-P	90-14-120	132V-400-020	NEW	90-07-038	136-40-040	AMD-C	90-13-001
132Q-09-480	REP-P	90-14-120	132V-400-030	NEW-P	90-03-094	136-40-044	REP-C	90-13-001
132Q-16-045	AMD-P	90-14-121	132V-400-030	NEW	90-07-038	136-40-048	REP-C	90-13-001
132Q-20-110	AMD-P	90-14-122	132V-400-040	NEW-P	90-03-094	136-40-050	NEW-C	90-13-001
132Q-94-010	AMD-P	90-14-123	132V-400-040	NEW	90-07-038	136-40-052	REP-C	90-13-001
132Q-94-150	NEW-P	90-14-124	132X-60-160	NEW-P	90-10-041	136-40-060	NEW-C	90-13-001
132S-01-010	NEW-P	90-03-082	132X-60-160	NEW	90-13-064	136-40-100	REP-C	90-13-001
132S-01-010	NEW	90-07-006	132X-60-170	NEW-P	90-10-041	136-40-104	REP-C	90-13-001
132S-01-020	NEW-P	90-03-082	132X-60-170	NEW	90-13-064	136-40-108	REP-C	90-13-001
132S-01-020	NEW	90-07-006	132X-60-180	NEW-P	90-10-041	136-40-112	REP-C	90-13-001
132S-01-030	NEW-P	90-03-082	132X-60-180	NEW	90-13-064	136-40-116	REP-C	90-13-001
132S-01-030	NEW	90-07-006	132X-60-190	NEW-P	90-10-041	136-40-120	REP-C	90-13-001
132S-01-040	NEW-P	90-03-082	132Y-108-010	NEW-P	90-02-062	136-40-124	REP-C	90-13-001
132S-01-040	NEW	90-07-006	132Y-108-010	NEW	90-08-022	136-40-128	REP-C	90-13-001
132S-01-050	NEW-P	90-03-082	132Y-108-020	NEW-P	90-02-062	136-40-132	REP-C	90-13-001
132S-01-050	NEW	90-07-006	132Y-108-020	NEW	90-08-022	136-40-136	REP-C	90-13-001
132S-01-060	NEW-P	90-03-082	132Y-108-030	NEW-P	90-02-062	136-40-140	REP-C	90-13-001
132S-01-060	NEW	90-07-006	132Y-108-030	NEW	90-08-022	136-40-200	REP-C	90-13-001
132S-01-070	NEW-P	90-03-082	132Y-108-040	NEW-P	90-02-062	136-40-204	REP-C	90-13-001
132S-01-070	NEW	90-07-006	132Y-108-040	NEW	90-08-022	136-40-208	REP-C	90-13-001
132S-01-080	NEW-P	90-03-082	132Y-108-050	NEW-P	90-02-062	136-40-212	REP-C	90-13-001
132S-01-080	NEW	90-07-006	132Y-108-050	NEW	90-08-022	136-40-300	REP-C	90-13-001
132S-01-090	NEW-P	90-03-082	132Y-108-060	NEW-P	90-02-062	136-40-304	REP-C	90-13-001
132S-01-090	NEW	90-07-006	132Y-108-060	NEW	90-08-022	136-40-308	REP-C	90-13-001
132S-05-010	NEW-P	90-03-082	132Y-108-070	NEW-P	90-02-062	136-40-312	REP-C	90-13-001
132S-05-010	NEW	90-07-006	132Y-108-070	NEW	90-08-022	136-40-316	REP-C	90-13-001
132S-05-015	NEW-P	90-03-082	132Y-108-080	NEW-P	90-02-062	136-40-320	REP-C	90-13-001
132S-05-015	NEW	90-07-006	132Y-108-080	NEW	90-08-022	136-40-324	REP-C	90-13-001
132S-05-020	NEW-P	90-03-082	132Y-108-080	NEW	90-02-063	136-40-400	REP-C	90-13-001
132S-05-020	NEW	90-07-006	132Y-133-020	NEW-P	90-07-071	136-40-404	REP-C	90-13-001
132S-30-037	NEW-P	90-03-082	136-01-010	AMD	90-07-071	136-40-408	REP-C	90-13-001
132S-30-037	NEW	90-07-006	136-01-030	AMD	90-07-071	136-40-412	REP-C	90-13-001
132S-40-130	NEW-P	90-03-082	136-01-040	REP	90-07-071	136-40-416	REP-C	90-13-001
132S-40-130	NEW	90-07-006	136-04-020	AMD	90-07-072	136-40-500	REP-C	90-13-001
132S-40-135	NEW-P	90-03-082	136-04-030	AMD	90-07-072	136-40-504	REP-C	90-13-001
132S-40-135	NEW	90-07-006	136-04-040	AMD	90-07-072	136-40-508	REP-C	90-13-001
132S-40-140	NEW-P	90-03-082	136-04-060	AMD	90-07-072	136-40-512	REP-C	90-13-001
132S-40-140	NEW	90-07-006	136-04-080	AMD	90-07-072	136-40-600	REP-C	90-13-001
132S-40-140	NEW	90-07-006	136-04-090	AMD	90-07-072			

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136-40-604	REP-C	90-13-001	148-171-420	NEW-P	90-10-114	154-40-010	AMD	90-05-078
136-40-608	REP-C	90-13-001	148-171-430	NEW-P	90-10-114	154-44-010	AMD-P	90-02-086
136-40-612	REP-C	90-13-001	148-171-500	NEW-P	90-10-114	154-44-010	AMD	90-05-078
136-40-616	REP-C	90-13-001	148-171-510	NEW-P	90-10-114	154-64-050	AMD-P	90-02-086
136-40-620	REP-C	90-13-001	148-171-600	NEW-P	90-10-114	154-64-050	AMD	90-05-078
136-40-624	REP-C	90-13-001	148-171-610	NEW-P	90-10-114	162-08-091	REP-P	90-13-086
136-40-700	REP-C	90-13-001	148-171-620	NEW-P	90-10-114	162-08-098	AMD-P	90-13-086
136-40-704	REP-C	90-13-001	148-171-630	NEW-P	90-10-114	162-08-099	AMD-P	90-13-086
136-40-708	REP-C	90-13-001	148-171-640	NEW-P	90-10-114	162-08-106	AMD-P	90-13-086
136-40-712	REP-C	90-13-001	148-171-650	NEW-P	90-10-114	173-03-010	AMD-E	90-14-041
136-40-800	REP-C	90-13-001	148-276-010	NEW-P	90-10-115	173-03-020	AMD-E	90-14-041
136-40-804	REP-C	90-13-001	148-276-020	NEW-P	90-10-115	173-03-030	AMD-E	90-14-041
136-40-808	REP-C	90-13-001	148-276-030	NEW-P	90-10-115	173-03-050	AMD-E	90-14-041
136-40-812	REP-C	90-13-001	148-276-040	NEW-P	90-10-115	173-03-060	AMD-E	90-14-041
136-300-010	NEW-E	90-11-113	148-276-050	NEW-P	90-10-115	173-03-070	AMD-E	90-14-041
136-300-020	NEW-E	90-11-113	148-276-060	NEW-P	90-10-115	173-03-100	AMD-E	90-14-041
136-300-030	NEW-E	90-11-113	148-276-070	NEW-P	90-10-115	173-06-030	RE-AD	90-07-014
136-300-040	NEW-E	90-11-113	148-276-080	NEW-P	90-10-115	173-18-090	AMD-C	90-02-107
136-310-010	NEW-E	90-11-113	148-276-090	NEW-P	90-10-115	173-18-090	AMD	90-06-068
136-310-020	NEW-E	90-11-113	148-276-100	NEW-P	90-10-115	173-18-090	AMD-E	90-06-069
136-310-030	NEW-E	90-11-113	148-276-110	NEW-P	90-10-115	173-18-200	AMD-C	90-02-107
136-310-040	NEW-E	90-11-113	148-276-120	NEW-P	90-10-115	173-18-200	AMD	90-06-068
136-310-050	NEW-E	90-11-113	148-276-130	NEW-P	90-10-115	173-18-200	AMD	90-06-068
136-320-010	NEW-E	90-11-113	148-276-140	NEW-P	90-10-115	173-18-200	AMD-E	90-06-069
136-320-020	NEW-E	90-11-113	148-280-010	NEW-P	90-10-116	173-19-1104	AMD	90-02-105
136-320-030	NEW-E	90-11-113	148-280-011	NEW-P	90-10-116	173-19-120	AMD-P	90-13-091
136-330-010	NEW-E	90-11-113	148-280-015	NEW-P	90-10-116	173-19-220	AMD-P	90-03-112
136-330-020	NEW-E	90-11-113	148-280-020	NEW-P	90-10-116	173-19-220	AMD-C	90-07-061
136-340-010	NEW-E	90-11-113	148-280-025	NEW-P	90-10-116	173-19-220	AMD-C	90-08-122
136-340-020	NEW-E	90-11-113	148-280-030	NEW-P	90-10-116	173-19-220	AMD	90-11-072
136-340-030	NEW-E	90-11-113	148-280-040	NEW-P	90-10-116	173-19-220	AMD	90-13-079
136-340-040	NEW-E	90-11-113	148-280-050	NEW-P	90-10-116	173-19-240	RE-AD	90-07-027
136-340-050	NEW-E	90-11-113	148-280-055	NEW-P	90-10-116	173-19-2401	RE-AD	90-07-027
136-350-010	NEW-E	90-11-113	148-280-060	NEW-P	90-10-116	173-19-2505	AMD	90-06-067
136-350-020	NEW-E	90-11-113	148-280-070	NEW-P	90-10-116	173-19-2510	AMD-P	90-13-092
139-05-925	NEW-P	90-03-085	148-325-010	NEW-P	90-10-117	173-19-2512	AMD	90-06-106
139-05-925	NEW	90-07-012	154-04-035	REP-P	90-02-086	173-19-2517	AMD-P	90-09-097
148-100-001	NEW-P	90-10-110	154-04-035	REP	90-05-078	173-19-2517	AMD	90-14-090
148-108-010	NEW-P	90-10-111	154-04-041	NEW-P	90-02-086	173-19-2519	AMD	90-02-101
148-108-020	NEW-P	90-10-111	154-04-041	NEW	90-05-078	173-19-2520	AMD-P	90-05-074
148-108-030	NEW-P	90-10-111	154-04-110	REP-P	90-02-086	173-19-280	AMD-P	90-09-096
148-108-040	NEW-P	90-10-111	154-04-110	REP	90-05-078	173-19-280	AMD	90-14-091
148-108-060	NEW-P	90-10-111	154-08-050	AMD-P	90-02-086	173-19-3514	AMD-P	90-03-110
148-108-070	NEW-P	90-10-111	154-08-050	AMD	90-05-078	173-19-3514	AMD-C	90-08-122
148-108-080	NEW-P	90-10-111	154-12-010	AMD-P	90-02-086	173-19-3514	AMD	90-11-072
148-108-090	NEW-P	90-10-111	154-12-010	AMD	90-05-078	173-19-360	AMD-P	90-03-111
148-108-100	NEW-P	90-10-111	154-12-015	AMD-P	90-02-086	173-19-360	AMD-C	90-06-024
148-130-010	NEW-P	90-10-112	154-12-015	AMD	90-05-078	173-19-360	RE-AD	90-07-026
148-130-020	NEW-P	90-10-112	154-12-030	AMD-P	90-02-086	173-19-360	AMD-C	90-08-122
148-130-030	NEW-P	90-10-112	154-12-030	AMD	90-05-078	173-19-360	AMD	90-11-072
148-130-035	NEW-P	90-10-112	154-12-050	AMD-P	90-02-086	173-19-360	AMD	90-13-089
148-130-040	NEW-P	90-10-112	154-12-050	AMD	90-05-078	173-19-3601	AMD-P	90-05-075
148-130-050	NEW-P	90-10-112	154-12-070	AMD-P	90-02-086	173-19-3601	AMD-C	90-08-122
148-140-010	NEW-P	90-10-113	154-12-070	AMD	90-05-078	173-19-3601	AMD	90-11-072
148-140-020	NEW-P	90-10-113	154-12-080	AMD-P	90-02-086	173-19-390	RE-AD	90-07-025
148-140-030	NEW-P	90-10-113	154-12-080	AMD	90-05-078	173-19-3910	RE-AD	90-07-028
148-140-040	NEW-P	90-10-113	154-12-085	AMD-P	90-02-086	173-19-420	AMD-C	90-05-077
148-140-050	NEW-P	90-10-113	154-12-085	AMD	90-05-078	173-19-420	AMD-C	90-08-122
148-140-060	NEW-P	90-10-113	154-12-086	AMD-P	90-02-086	173-19-420	AMD	90-11-072
148-140-070	NEW-P	90-10-113	154-12-086	AMD	90-05-078	173-19-4201	AMD-P	90-05-076
148-140-080	NEW-P	90-10-113	154-12-087	AMD-P	90-02-086	173-19-4201	AMD-C	90-08-122
148-171-001	NEW-P	90-10-114	154-12-087	AMD	90-05-078	173-19-4201	AMD	90-11-072
148-171-010	NEW-P	90-10-114	154-12-090	AMD-P	90-02-086	173-19-4202	AMD-P	90-05-076
148-171-015	NEW-P	90-10-114	154-12-090	AMD	90-05-078	173-19-4202	AMD-C	90-08-122
148-171-100	NEW-P	90-10-114	154-12-107	REP-P	90-02-086	173-19-4202	AMD	90-11-072
148-171-110	NEW-P	90-10-114	154-12-107	REP	90-05-078	173-19-4203	AMD-P	90-05-076
148-171-120	NEW-P	90-10-114	154-12-110	AMD-P	90-02-086	173-19-4203	AMD-C	90-08-122
148-171-130	NEW-P	90-10-114	154-12-110	AMD	90-05-078	173-19-4203	AMD	90-11-072
148-171-140	NEW-P	90-10-114	154-24-010	AMD-P	90-02-086	173-19-4204	AMD-P	90-05-076
148-171-150	NEW-P	90-10-114	154-24-010	AMD	90-05-078	173-19-4204	AMD-C	90-08-122
148-171-200	NEW-P	90-10-114	154-32-010	AMD-P	90-02-086	173-19-4204	AMD	90-11-072
148-171-210	NEW-P	90-10-114	154-32-010	AMD	90-05-078	173-19-4205	AMD-P	90-05-076
148-171-220	NEW-P	90-10-114	154-32-020	AMD-P	90-02-086	173-19-4205	AMD-C	90-08-122
148-171-230	NEW-P	90-10-114	154-32-020	AMD	90-05-078	173-19-4205	AMD	90-11-072
148-171-240	NEW-P	90-10-114	154-40	AMD-P	90-02-086	173-19-4206	AMD-P	90-05-076
148-171-400	NEW-P	90-10-114	154-40	AMD	90-05-078	173-19-4206	AMD-C	90-08-122
148-171-410	NEW-P	90-10-114	154-40-010	AMD-P	90-02-086	173-19-4206	AMD	90-11-072
						173-19-450	AMD-P	90-13-090

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173-19-4507	AMD	90-07-063	173-166-050	AMD-P	90-02-096	173-306-330	NEW-P	90-02-088
173-32-010	AMD-P	90-11-122	173-166-060	AMD-P	90-02-096	173-306-330	NEW	90-10-047
173-32-020	AMD-P	90-11-122	173-166-070	AMD-P	90-02-096	173-306-340	NEW-P	90-02-088
173-32-030	AMD-P	90-11-122	173-166-080	NEW-P	90-02-096	173-306-340	NEW	90-10-047
173-32-040	AMD-P	90-11-122	173-166-090	NEW-P	90-02-096	173-306-345	NEW-P	90-02-088
173-50-010	RE-AD	90-07-017	173-166-100	NEW-P	90-02-096	173-306-345	NEW	90-10-047
173-50-020	RE-AD	90-07-017	173-166-110	NEW-P	90-02-096	173-306-350	NEW-P	90-02-088
173-50-030	RE-AD	90-07-017	173-166-120	NEW-P	90-02-096	173-306-350	NEW	90-10-047
173-50-040	RE-AD	90-07-017	173-166-130	NEW-P	90-02-096	173-306-400	NEW-P	90-02-088
173-50-040	AMD-P	90-12-086	173-170-010	NEW-P	90-13-104	173-306-400	NEW	90-10-047
173-50-050	RE-AD	90-07-017	173-170-020	NEW-P	90-13-104	173-306-405	NEW-P	90-02-088
173-50-050	AMD-P	90-12-086	173-170-030	NEW-P	90-13-104	173-306-405	NEW	90-10-047
173-50-060	RE-AD	90-07-017	173-170-040	NEW-P	90-13-104	173-306-410	NEW-P	90-02-088
173-50-060	AMD-P	90-12-086	173-170-050	NEW-P	90-13-104	173-306-410	NEW	90-10-047
173-50-070	RE-AD	90-07-017	173-170-060	NEW-P	90-13-104	173-306-440	NEW-P	90-02-088
173-50-070	AMD-P	90-12-086	173-170-070	NEW-P	90-13-104	173-306-440	NEW	90-10-047
173-50-080	RE-AD	90-07-017	173-170-080	NEW-P	90-13-104	173-306-450	NEW-P	90-02-088
173-50-080	AMD-P	90-12-086	173-170-090	NEW-P	90-13-104	173-306-450	NEW	90-10-047
173-50-090	RE-AD	90-07-017	173-170-100	NEW-P	90-13-104	173-306-470	NEW-P	90-02-088
173-50-090	AMD-P	90-12-086	173-170-110	NEW-P	90-13-104	173-306-470	NEW	90-10-047
173-50-100	RE-AD	90-07-017	173-170-120	NEW-P	90-13-104	173-306-480	NEW-P	90-02-088
173-50-100	AMD-P	90-12-086	173-200-010	NEW-P	90-11-074	173-306-480	NEW	90-10-047
173-50-110	RE-AD	90-07-017	173-200-020	NEW-P	90-11-074	173-306-490	NEW-P	90-02-088
173-50-110	AMD-P	90-12-086	173-200-030	NEW-P	90-11-074	173-306-490	NEW	90-10-047
173-50-120	RE-AD	90-07-017	173-200-040	NEW-P	90-11-074	173-306-495	NEW-P	90-02-088
173-50-120	AMD-P	90-12-086	173-200-050	NEW-P	90-11-074	173-306-495	NEW	90-10-047
173-50-130	RE-AD	90-07-017	173-200-060	NEW-P	90-11-074	173-306-500	NEW-P	90-02-088
173-50-130	AMD-P	90-12-086	173-200-070	NEW-P	90-11-074	173-306-500	NEW	90-10-047
173-50-140	RE-AD	90-07-017	173-200-080	NEW-P	90-11-074	173-306-900	NEW-P	90-02-088
173-50-140	AMD-P	90-12-086	173-200-090	NEW-P	90-11-074	173-306-900	NEW	90-10-047
173-50-150	RE-AD	90-07-017	173-200-100	NEW-P	90-11-074	173-306-9901	NEW-P	90-02-088
173-50-150	AMD-P	90-12-086	173-216-125	NEW-P	90-12-086	173-306-9901	NEW	90-10-047
173-50-160	RE-AD	90-07-017	173-220-210	AMD-P	90-12-086	173-309-010	AMD-P	90-11-122
173-50-170	RE-AD	90-07-017	173-221A-010	NEW-P	90-06-071	173-309-020	AMD-P	90-11-122
173-50-180	RE-AD	90-07-017	173-221A-010	NEW	90-14-078	173-309-030	AMD-P	90-11-122
173-50-190	RE-AD	90-07-017	173-221A-020	NEW-P	90-06-071	173-309-040	AMD-P	90-11-122
173-50-190	AMD-P	90-12-086	173-221A-020	NEW	90-14-078	173-309-050	AMD-P	90-11-122
173-50-200	RE-AD	90-07-017	173-221A-030	NEW-P	90-06-071	173-309-060	AMD-P	90-11-122
173-50-200	AMD-P	90-12-086	173-221A-030	NEW	90-14-078	173-309-070	AMD-P	90-11-122
173-50-210	RE-AD	90-07-017	173-221A-100	NEW-P	90-06-071	173-309-080	AMD-P	90-11-122
173-50-210	AMD-P	90-12-086	173-221A-100	NEW	90-14-078	173-309-090	AMD-P	90-11-122
173-50-220	NEW	90-12-086	173-221A-150	NEW-P	90-06-071	173-311-010	NEW-P	90-12-094
173-142-010	REP-P	90-11-059	173-221A-150	NEW	90-14-078	173-311-020	NEW-P	90-12-094
173-142-020	REP-P	90-11-059	173-224-015	RE-AD	90-07-015	173-311-030	NEW-P	90-12-094
173-142-030	REP-P	90-11-059	173-224-020	RE-AD	90-07-015	173-311-040	NEW-P	90-12-094
173-142-040	REP-P	90-11-059	173-224-030	RE-AD	90-07-015	173-311-050	NEW-P	90-12-094
173-142-050	REP-P	90-11-059	173-224-040	RE-AD	90-07-015	173-312-010	AMD-P	90-11-122
173-142-070	REP-P	90-11-059	173-224-050	RE-AD	90-07-015	173-312-020	AMD-P	90-11-122
173-142-080	REP-P	90-11-059	173-224-060	RE-AD	90-07-015	173-312-030	AMD-P	90-11-122
173-142-090	REP-P	90-11-059	173-224-070	RE-AD	90-07-015	173-312-040	AMD-P	90-11-122
173-142-100	REP-P	90-11-059	173-224-080	RE-AD	90-07-015	173-312-050	AMD-P	90-11-122
173-142-110	REP-P	90-11-059	173-224-090	RE-AD	90-07-015	173-315-010	AMD	90-10-058
173-158	AMD-P	90-11-059	173-224-100	RE-AD	90-07-015	173-315-040	AMD	90-10-058
173-158-010	AMD-P	90-11-059	173-224-110	RE-AD	90-07-015	173-315-050	AMD	90-10-058
173-158-020	AMD-P	90-11-059	173-224-120	RE-AD	90-07-015	173-315-060	AMD-P	90-12-094
173-158-030	RE-AD	90-06-059	173-303	PREP	90-06-002	173-321-040	AMD-P	90-11-123
173-158-030	AMD-P	90-11-059	173-303-281	AMD-P	90-10-085	173-321-050	AMD-P	90-11-123
173-158-040	AMD-P	90-11-059	173-303-282	NEW-P	90-10-085	173-322-010	NEW	90-10-057
173-158-045	NEW-P	90-11-059	173-303-355	NEW-P	90-10-085	173-322-020	NEW	90-10-057
173-158-060	RE-AD	90-06-059	173-303-420	REP-P	90-10-085	173-322-030	NEW	90-10-057
173-158-060	REP-P	90-11-059	173-303-806	AMD-P	90-10-085	173-322-040	NEW	90-10-057
173-158-064	NEW-P	90-11-059	173-306-010	NEW-P	90-02-088	173-322-050	NEW	90-10-057
173-158-070	AMD-P	90-11-059	173-306-010	NEW	90-10-047	173-322-060	NEW	90-10-057
173-158-084	NEW-P	90-11-059	173-306-050	NEW-P	90-02-088	173-322-070	NEW	90-10-057
173-158-086	NEW-P	90-11-059	173-306-050	NEW	90-10-047	173-322-080	NEW	90-10-057
173-158-100	REP-P	90-11-059	173-306-100	NEW-P	90-02-088	173-322-090	NEW	90-10-057
173-158-110	REP-P	90-11-059	173-306-100	NEW	90-10-047	173-322-100	NEW	90-10-057
173-158-120	AMD-P	90-11-059	173-306-150	NEW-P	90-02-088	173-322-110	NEW	90-10-057
173-160-215	RE-AD	90-07-016	173-306-150	NEW	90-10-047	173-322-120	NEW	90-10-057
173-166	AMD-P	90-02-096	173-306-200	NEW-P	90-02-088	173-336-010	REP-W	90-02-097
173-166	AMD-C	90-05-048	173-306-200	NEW	90-10-047	173-336-010	REP-P	90-02-098
173-166	AMD-C	90-06-010	173-306-300	NEW-P	90-02-088	173-336-010	REP	90-08-120
173-166	AMD-C	90-08-080	173-306-300	NEW	90-10-047	173-336-020	REP-W	90-02-097
173-166-010	AMD-P	90-02-096	173-306-310	NEW-P	90-02-088	173-336-020	REP-P	90-02-098
173-166-020	AMD-P	90-02-096	173-306-310	NEW	90-10-047	173-336-020	REP	90-08-120
173-166-030	AMD-P	90-02-096	173-306-320	NEW-P	90-02-088	173-336-030	REP-W	90-02-097
173-166-040	AMD-P	90-02-096	173-306-320	NEW	90-10-047	173-336-030	REP-P	90-02-098



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173-338-010	REP-W	90-02-097	173-340-400	NEW	90-08-086	173-360-620	NEW-E	90-14-031
173-338-010	REP-P	90-02-098	173-340-410	NEW-W	90-02-097	173-360-630	NEW-E	90-14-031
173-338-010	REP	90-08-120	173-340-410	NEW-P	90-02-098	173-360-640	NEW-E	90-14-031
173-338-020	REP-W	90-02-097	173-340-410	NEW	90-08-086	173-360-650	NEW-E	90-14-031
173-338-020	REP-P	90-02-098	173-340-420	NEW-W	90-02-097	173-360-655	NEW-E	90-14-031
173-338-020	REP	90-08-120	173-340-420	NEW-P	90-02-098	173-360-660	NEW-E	90-14-031
173-338-030	REP-W	90-02-097	173-340-420	NEW	90-08-086	173-360-670	NEW-E	90-14-031
173-338-030	REP-P	90-02-098	173-340-430	NEW-W	90-02-097	173-360-680	NEW-E	90-14-031
173-338-030	REP	90-08-120	173-340-430	NEW-P	90-02-098	173-360-810	AMD-P	90-05-052
173-338-040	REP-W	90-02-097	173-340-430	NEW	90-08-086	173-400-020	AMD-P	90-05-052
173-338-040	REP-P	90-02-098	173-340-430	NEW-W	90-02-097	173-400-030	AMD-P	90-05-052
173-338-040	REP	90-08-120	173-340-430	NEW-P	90-02-098	173-400-040	AMD-P	90-05-052
173-338-050	REP-W	90-02-097	173-340-500	NEW-W	90-02-097	173-400-050	AMD-P	90-05-052
173-338-050	REP-P	90-02-098	173-340-500	NEW	90-08-086	173-400-060	AMD-P	90-05-052
173-338-050	REP	90-08-120	173-340-500	NEW-P	90-02-098	173-400-070	AMD-P	90-05-052
173-340	AMD-W	90-02-097	173-340-510	NEW-W	90-02-097	173-400-075	AMD-P	90-05-052
173-340	AMD-P	90-02-098	173-340-510	NEW	90-08-086	173-400-100	AMD-P	90-05-052
173-340	AMD	90-08-086	173-340-510	NEW-P	90-02-098	173-400-110	AMD-P	90-05-052
173-340-010	REP-W	90-02-097	173-340-520	NEW-W	90-02-097	173-400-115	AMD-P	90-05-052
173-340-010	REP-P	90-02-098	173-340-520	NEW	90-08-086	173-400-120	AMD-P	90-05-052
173-340-010	REP	90-08-086	173-340-520	NEW-P	90-02-098	173-400-131	NEW-P	90-05-052
173-340-020	REP-W	90-02-097	173-340-530	NEW-W	90-02-097	173-400-136	NEW-P	90-05-052
173-340-020	REP-P	90-02-098	173-340-530	NEW	90-08-086	173-400-141	NEW-P	90-05-052
173-340-020	REP	90-08-086	173-340-530	NEW-P	90-02-098	173-400-151	NEW-P	90-05-052
173-340-030	REP-W	90-02-097	173-340-540	NEW-W	90-02-097	173-400-161	NEW-P	90-05-052
173-340-030	REP-P	90-02-098	173-340-540	NEW	90-08-086	173-400-171	NEW-P	90-05-052
173-340-030	REP	90-08-086	173-340-540	NEW-P	90-02-098	173-400-180	NEW-P	90-05-052
173-340-040	REP-W	90-02-097	173-340-550	NEW-W	90-02-097	173-400-190	NEW-P	90-05-052
173-340-040	REP-P	90-02-098	173-340-550	NEW	90-08-086	173-400-200	NEW-P	90-05-052
173-340-040	REP	90-08-086	173-340-550	NEW-P	90-02-098	173-400-205	NEW-P	90-05-052
173-340-050	REP-W	90-02-097	173-340-560	NEW-W	90-02-097	173-400-210	NEW-P	90-05-052
173-340-050	REP-P	90-02-098	173-340-560	NEW	90-08-086	173-400-220	NEW-P	90-05-052
173-340-050	REP	90-08-086	173-340-560	NEW-P	90-02-098	173-400-230	NEW-P	90-05-052
173-340-100	NEW-W	90-02-097	173-340-560	NEW	90-08-086	173-400-240	NEW-P	90-05-052
173-340-100	NEW-P	90-02-098	173-340-600	NEW-W	90-02-097	173-400-250	NEW-P	90-05-052
173-340-100	NEW	90-08-086	173-340-600	NEW-P	90-02-098	173-400-260	NEW-P	90-05-052
173-340-110	NEW-W	90-02-097	173-340-610	NEW	90-08-086	173-403-010	REP-P	90-05-052
173-340-110	NEW-P	90-02-098	173-340-610	NEW-P	90-02-098	173-403-020	REP-P	90-05-052
173-340-110	NEW	90-08-086	173-340-610	NEW	90-08-086	173-403-030	REP-P	90-05-052
173-340-120	NEW-W	90-02-097	173-340-700	NEW-W	90-02-097	173-403-050	REP-P	90-05-052
173-340-120	NEW-P	90-02-098	173-340-700	NEW-P	90-02-098	173-403-060	REP-P	90-05-052
173-340-120	NEW	90-08-086	173-340-700	NEW	90-08-086	173-403-070	REP-P	90-05-052
173-340-130	NEW-W	90-02-097	173-340-800	NEW-W	90-02-097	173-403-075	REP-P	90-05-052
173-340-130	NEW-P	90-02-098	173-340-800	NEW-P	90-02-098	173-403-080	REP-P	90-05-052
173-340-130	NEW	90-08-086	173-340-800	NEW	90-08-086	173-403-090	REP-P	90-05-052
173-340-140	NEW-W	90-02-097	173-340-810	NEW-W	90-02-097	173-403-100	REP-P	90-05-052
173-340-140	NEW-P	90-02-098	173-340-810	NEW-P	90-02-098	173-403-110	REP-P	90-05-052
173-340-140	NEW	90-08-086	173-340-810	NEW	90-08-086	173-403-120	REP-P	90-05-052
173-340-200	NEW-W	90-02-097	173-340-820	NEW-W	90-02-097	173-403-130	REP-P	90-05-052
173-340-200	NEW-P	90-02-098	173-340-820	NEW-P	90-02-098	173-403-141	REP-P	90-05-052
173-340-200	NEW	90-08-086	173-340-830	NEW	90-08-086	173-403-145	REP-P	90-05-052
173-340-210	NEW-W	90-02-097	173-340-830	NEW	90-08-086	173-403-150	REP-P	90-05-052
173-340-210	NEW-P	90-02-098	173-340-840	NEW-W	90-02-097	173-403-160	REP-P	90-05-052
173-340-210	NEW	90-08-086	173-340-840	NEW-P	90-02-098	173-403-170	REP-P	90-05-052
173-340-300	NEW-W	90-02-097	173-340-840	NEW	90-08-086	173-403-180	REP-P	90-05-052
173-340-300	NEW-P	90-02-098	173-340-850	NEW-W	90-02-097	173-403-190	REP-P	90-05-052
173-340-300	NEW	90-08-086	173-340-850	NEW-P	90-02-098	173-405-012	AMD-P	90-05-052
173-340-310	NEW-W	90-02-097	173-340-860	NEW	90-08-086	173-405-021	AMD-P	90-05-052
173-340-310	NEW-P	90-02-098	173-340-860	NEW-W	90-02-097	173-405-033	AMD-P	90-05-052
173-340-310	NEW	90-08-086	173-340-860	NEW-P	90-02-098	173-405-035	AMD-P	90-05-052
173-340-320	NEW-W	90-02-097	173-340-870	NEW	90-08-086	173-405-040	AMD-P	90-05-052
173-340-320	NEW-P	90-02-098	173-340-870	NEW-W	90-02-097	173-405-041	REP-P	90-05-052
173-340-320	NEW	90-08-086	173-340-870	NEW-P	90-02-098	173-405-045	AMD-P	90-05-052
173-340-330	NEW-W	90-02-097	173-340-880	NEW	90-08-086	173-405-061	AMD-P	90-05-052
173-340-330	NEW-P	90-02-098	173-340-880	NEW-W	90-02-097	173-405-072	AMD-P	90-05-052
173-340-330	NEW	90-08-086	173-340-880	NEW-P	90-02-098	173-405-077	AMD-P	90-05-052
173-340-340	NEW-W	90-02-097	173-340-880	NEW	90-08-086	173-405-078	AMD-P	90-05-052
173-340-340	NEW-P	90-02-098	173-340-890	NEW-W	90-02-097	173-405-086	AMD-P	90-05-052
173-340-340	NEW	90-08-086	173-340-890	NEW-P	90-02-098	173-405-087	AMD-P	90-05-052
173-340-350	NEW-W	90-02-097	173-340-890	NEW	90-08-086	173-405-091	AMD-P	90-05-052
173-340-350	NEW-P	90-02-098	173-342-010	NEW	90-03-020	173-410-012	AMD-P	90-05-052
173-340-350	NEW	90-08-086	173-342-020	NEW	90-03-020	173-410-021	AMD-P	90-05-052
173-340-360	NEW-W	90-02-097	173-342-030	NEW	90-03-020	173-410-035	AMD-P	90-05-052
173-340-360	NEW-P	90-02-098	173-342-040	NEW	90-03-020	173-410-040	AMD-P	90-05-052
173-340-360	NEW	90-08-086	173-342-050	NEW	90-03-020	173-410-042	REP-P	90-05-052
173-340-400	NEW-W	90-02-097	173-360-600	NEW-E	90-14-031			

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173-410-045	AMD-P	90-05-052	173-434-210	AMD-P	90-06-102	174-128-080	REP	90-04-011
173-410-062	AMD-P	90-05-052	173-440-010	AMD-P	90-06-102	174-128-090	REP	90-04-011
173-410-067	AMD-P	90-05-052	173-440-030	AMD-P	90-06-102	174-128-990	REP	90-04-011
173-410-071	AMD-P	90-05-052	173-440-100	AMD-P	90-06-102	174-130-010	NEW	90-04-011
173-410-086	AMD-P	90-05-052	173-490-010	AMD-P	90-05-052	174-130-020	NEW	90-04-011
173-410-087	AMD-P	90-05-052	173-490-020	AMD-P	90-05-052	174-131-010	NEW	90-04-011
173-410-100	NEW-P	90-05-052	173-490-025	AMD-P	90-05-052	174-132	AMD	90-04-011
173-415-010	AMD-P	90-05-052	173-490-030	AMD-P	90-05-052	174-132-010	AMD	90-04-011
173-415-020	AMD-P	90-05-052	173-490-040	AMD-P	90-05-052	174-132-020	REP	90-04-011
173-415-030	AMD-P	90-05-052	173-490-070	REP-P	90-05-052	174-132-030	REP	90-04-011
173-415-040	AMD-P	90-05-052	173-490-071	REP-P	90-05-052	174-132-040	REP	90-04-011
173-415-041	REP-P	90-05-052	173-490-080	AMD-P	90-05-052	174-132-050	REP	90-04-011
173-415-045	AMD-P	90-05-052	173-490-090	AMD-P	90-05-052	174-132-060	REP	90-04-011
173-415-050	AMD-P	90-05-052	173-490-120	REP-P	90-05-052	174-132-070	REP	90-04-011
173-415-051	AMD-P	90-05-052	173-490-130	REP-P	90-05-052	174-132-080	REP	90-04-011
173-415-060	AMD-P	90-05-052	173-490-135	REP-P	90-05-052	174-132-090	REP	90-04-011
173-415-070	AMD-P	90-05-052	173-490-140	REP-P	90-05-052	174-132-100	REP	90-04-011
173-415-080	AMD-P	90-05-052	173-490-150	REP-P	90-05-052	174-132-110	REP	90-04-011
173-422-020	AMD	90-06-062	173-490-200	AMD-P	90-05-052	174-132-120	REP	90-04-011
173-422-035	NEW	90-06-062	173-490-201	AMD-P	90-05-052	174-133-010	NEW	90-04-011
173-422-040	AMD	90-06-062	173-490-202	AMD-P	90-05-052	174-133-020	NEW	90-04-011
173-422-060	AMD	90-06-062	173-490-203	AMD-P	90-05-052	174-135-010	NEW	90-04-011
173-422-070	AMD	90-06-062	173-490-204	AMD-P	90-05-052	174-136-010	REP	90-04-011
173-422-090	AMD	90-06-062	173-490-205	AMD-P	90-05-052	174-136-011	REP	90-04-011
173-422-100	AMD	90-06-062	173-490-207	AMD-P	90-05-052	174-136-012	REP	90-04-011
173-422-130	AMD	90-06-062	173-490-208	AMD-P	90-05-052	174-136-013	REP	90-04-011
173-422-140	AMD	90-06-062	173-495-010	AMD-P	90-06-102	174-136-014	REP	90-04-011
173-422-145	AMD	90-06-062	173-495-020	AMD-P	90-06-102	174-136-015	REP	90-04-011
173-422-160	AMD	90-06-062	173-495-030	AMD-P	90-06-102	174-136-016	REP	90-04-011
173-422-170	AMD	90-06-062	173-495-040	AMD-P	90-06-102	174-136-017	REP	90-04-011
173-422-190	NEW	90-06-062	173-495-045	AMD-P	90-06-102	174-136-018	REP	90-04-011
173-422-195	NEW	90-06-062	173-495-050	AMD-P	90-06-102	174-136-019	REP	90-04-011
173-425-010	AMD-P	90-06-102	173-495-060	AMD-P	90-06-102	174-136-02001	REP	90-04-011
173-425-020	AMD-P	90-06-102	173-495-065	AMD-P	90-06-102	174-136-021	REP	90-04-011
173-425-030	AMD-P	90-06-102	173-495-070	AMD-P	90-06-102	174-136-022	REP	90-04-011
173-425-036	AMD-P	90-06-102	173-495-080	AMD-P	90-06-102	174-136-040	REP-W	90-11-067
173-425-055	AMD-P	90-06-102	173-495-100	AMD-P	90-06-102	174-136-042	REP-W	90-11-067
173-425-065	AMD-P	90-06-102	173-495-120	AMD-P	90-06-102	174-136-060	REP	90-04-011
173-425-075	AMD-P	90-06-102	173-802-050	RE-AD	90-06-014	174-136-080	REP	90-04-011
173-425-085	AMD-P	90-06-102	174-108	AMD	90-04-011	174-136-090	REP	90-04-011
173-425-095	AMD-P	90-06-102	174-108-170	REP	90-04-011	174-136-100	REP	90-04-011
173-425-100	AMD-P	90-06-102	174-108-180	REP	90-04-011	174-136-110	REP	90-04-011
173-425-115	AMD-P	90-06-102	174-108-190	REP	90-04-011	174-136-120	REP	90-04-011
173-425-120	AMD-P	90-06-102	174-108-200	REP	90-04-011	174-136-130	REP	90-04-011
173-425-130	AMD-P	90-06-102	174-108-210	REP	90-04-011	174-136-140	REP	90-04-011
173-425-140	AMD-P	90-06-102	174-108-220	REP	90-04-011	174-136-160	REP	90-04-011
173-430-010	AMD-P	90-06-102	174-108-230	REP	90-04-011	174-136-170	REP	90-04-011
173-430-020	AMD-P	90-06-102	174-108-240	REP	90-04-011	174-136-210	REP	90-04-011
173-430-030	AMD-P	90-06-102	174-108-250	REP	90-04-011	174-136-220	REP	90-04-011
173-430-040	AMD-P	90-06-102	174-108-260	REP	90-04-011	174-136-230	REP	90-04-011
173-430-050	AMD-P	90-06-102	174-108-900	REP	90-04-011	174-136-240	REP	90-04-011
173-430-060	AMD-P	90-06-102	174-108-90001	REP	90-04-011	174-136-250	REP	90-04-011
173-430-070	AMD-P	90-06-102	174-108-90002	REP	90-04-011	174-136-300	REP	90-04-011
173-430-080	AMD-P	90-06-102	174-108-910	NEW	90-04-011	174-136-310	REP	90-04-011
173-433-030	AMD-P	90-06-102	174-112-130	REP	90-04-011	174-136-320	REP	90-04-011
173-433-100	AMD-P	90-06-102	174-112-140	REP	90-04-011	174-136-330	REP	90-04-011
173-433-110	AMD-P	90-06-102	174-112-150	REP	90-04-011	174-157-600	REP	90-04-011
173-433-120	AMD-P	90-06-102	174-122-010	NEW	90-04-011	174-157-610	REP	90-04-011
173-433-130	AMD-P	90-06-102	174-122-020	NEW	90-04-011	174-157-620	REP	90-04-011
173-433-150	AMD-P	90-06-102	174-122-030	NEW	90-04-011	174-157-990	REP	90-04-011
173-433-170	AMD-P	90-06-102	174-122-040	NEW	90-04-011	174-160-010	REP	90-04-011
173-433-170	AMD-E	90-14-040	174-126-010	REP	90-04-011	174-160-020	REP	90-04-011
173-433-200	AMD-P	90-06-102	174-126-020	REP	90-04-011	174-160-030	REP	90-04-011
173-434-010	AMD-P	90-06-102	174-126-030	REP	90-04-011	174-160-040	REP	90-04-011
173-434-020	AMD-P	90-06-102	174-128-010	REP	90-04-011	174-162-010	REP	90-04-011
173-434-030	AMD-P	90-06-102	174-128-020	REP	90-04-011	174-162-015	REP	90-04-011
173-434-050	AMD-P	90-06-102	174-128-030	REP	90-04-011	174-162-020	REP	90-04-011
173-434-070	NEW-P	90-06-102	174-128-040	REP	90-04-011	174-162-025	REP	90-04-011
173-434-090	NEW-P	90-06-102	174-128-042	REP	90-04-011	174-162-030	REP	90-04-011
173-434-100	AMD-P	90-06-102	174-128-044	REP	90-04-011	174-162-035	REP	90-04-011
173-434-110	AMD-P	90-06-102	174-128-046	REP	90-04-011	174-162-040	REP	90-04-011
173-434-120	AMD-P	90-06-102	174-128-050	REP	90-04-011	174-162-045	REP	90-04-011
173-434-130	AMD-P	90-06-102	174-128-060	REP	90-04-011	174-168-010	NEW-W	90-03-037
173-434-160	AMD-P	90-06-102	174-128-062	REP	90-04-011	174-168-010	NEW-P	90-04-028
173-434-170	AMD-P	90-06-102	174-128-064	REP	90-04-011	174-168-010	NEW-C	90-10-001
173-434-190	AMD-P	90-06-102	174-128-066	REP	90-04-011	174-168-010	NEW	90-13-028
173-434-200	AMD-P	90-06-102	174-128-070	REP	90-04-011	174-168-020	NEW-W	90-03-037

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174-168-020	NEW-P	90-04-028	180-24-335	AMD-P	90-13-083	180-56-205	AMD-P	90-13-083
174-168-020	NEW-C	90-10-001	180-24-350	AMD-P	90-13-083	180-56-260	AMD-P	90-13-083
174-168-020	NEW	90-13-028	180-25-005	AMD-P	90-13-083	180-57-005	AMD-P	90-13-083
174-168-030	NEW-P	90-04-028	180-25-015	AMD-P	90-13-083	180-57-100	AMD-P	90-13-083
174-168-030	NEW-C	90-10-001	180-25-025	AMD	90-04-031	180-58-015	AMD-P	90-13-083
174-168-030	NEW	90-13-028	180-25-300	REP	90-04-032	180-58-075	AMD-P	90-13-083
174-168-040	NEW-P	90-04-028	180-26-005	AMD-P	90-13-083	180-59-005	AMD-P	90-13-083
174-168-040	NEW-C	90-10-001	180-27-005	AMD-P	90-13-083	180-59-035	AMD-P	90-13-083
174-168-040	NEW	90-13-028	180-27-015	AMD-P	90-13-083	180-59-145	AMD-P	90-13-083
174-168-050	NEW-P	90-04-028	180-27-020	AMD-P	90-13-083	180-72-045	AMD-P	90-13-083
174-168-050	NEW-C	90-10-001	180-27-025	AMD-P	90-13-083	180-75-003	AMD-P	90-13-083
174-168-050	NEW	90-13-028	180-27-030	AMD-P	90-13-083	180-75-005	AMD	90-02-073
174-168-060	NEW-P	90-04-028	180-27-050	AMD	90-04-031	180-75-018	REP	90-02-073
174-168-060	NEW-C	90-10-001	180-27-058	AMD	90-04-031	180-75-019	REP	90-02-073
174-168-060	NEW	90-13-028	180-27-115	AMD-P	90-13-083	180-75-020	REP	90-02-073
174-168-070	NEW-P	90-04-028	180-27-405	AMD-P	90-13-083	180-75-025	REP	90-02-073
174-168-070	NEW-C	90-10-001	180-27-415	AMD-P	90-13-083	180-75-026	REP	90-02-073
174-168-070	NEW	90-13-028	180-27-425	NEW	90-04-031	180-75-027	REP	90-02-073
174-168-080	NEW-P	90-04-028	180-29-005	AMD-P	90-13-083	180-75-030	REP	90-02-073
174-168-080	NEW-C	90-10-001	180-29-080	AMD-P	90-13-083	180-75-033	REP	90-02-073
174-168-080	NEW	90-13-028	180-29-105	AMD-P	90-13-083	180-75-034	REP	90-02-073
174-276-010	NEW	90-04-011	180-29-110	AMD-P	90-13-083	180-75-035	REP	90-02-073
174-276-020	NEW	90-04-011	180-29-300	REP	90-04-032	180-75-037	REP	90-02-073
174-276-030	NEW	90-04-011	180-30-015	AMD-P	90-13-083	180-75-038	REP	90-02-073
174-276-040	NEW	90-04-011	180-30-105	AMD-P	90-13-083	180-75-039	REP	90-02-073
174-276-050	NEW	90-04-011	180-30-220	AMD-P	90-13-083	180-75-040	REP	90-02-073
174-276-060	NEW	90-04-011	180-30-450	AMD-P	90-13-083	180-75-042	REP	90-02-073
174-276-070	NEW	90-04-011	180-30-460	AMD-P	90-13-083	180-75-043	REP	90-02-073
174-276-080	NEW	90-04-011	180-30-495	AMD-P	90-13-083	180-75-044	REP	90-02-073
174-276-090	NEW	90-04-011	180-30-725	AMD-P	90-13-083	180-75-045	AMD	90-02-073
174-276-100	NEW	90-04-011	180-31-005	AMD-P	90-13-083	180-75-061	AMD-P	90-08-112
174-276-110	NEW	90-04-011	180-32-005	AMD-P	90-13-083	180-75-061	AMD	90-12-121
174-276-120	NEW	90-04-011	180-33-005	AMD-P	90-13-083	180-75-065	AMD-P	90-08-112
174-280-010	NEW	90-04-011	180-33-020	AMD-P	90-13-083	180-75-065	AMD-P	90-13-083
174-280-015	NEW	90-04-011	180-33-030	AMD-P	90-13-083	180-75-081	AMD	90-02-073
174-280-020	NEW	90-04-011	180-34-005	AMD-P	90-13-083	180-75-084	REP	90-02-073
174-280-025	NEW	90-04-011	180-34-010	AMD-P	90-13-083	180-75-085	AMD-P	90-13-083
174-280-030	NEW	90-04-011	180-36-005	AMD-P	90-13-083	180-75-086	REP	90-02-073
174-280-035	NEW	90-04-011	180-38-005	AMD-P	90-13-083	180-75-087	AMD-P	90-13-083
174-280-040	NEW	90-04-011	180-38-025	AMD-P	90-13-083	180-75-090	AMD-P	90-08-112
174-280-045	NEW	90-04-011	180-38-030	AMD-P	90-13-083	180-75-090	AMD	90-12-121
174-400-010	NEW	90-05-031	180-38-040	AMD-P	90-13-083	180-75-100	AMD-P	90-13-083
180-10-003	AMD-P	90-13-083	180-38-045	AMD-P	90-13-083	180-75-199	REP	90-02-073
180-16-002	AMD-P	90-13-083	180-38-050	AMD-P	90-13-083	180-78-003	AMD-P	90-13-083
180-16-006	AMD-P	90-13-083	180-39-005	AMD-P	90-13-083	180-78-010	AMD-P	90-13-083
180-16-164	AMD-P	90-13-083	180-39-020	AMD-P	90-13-083	180-78-057	AMD-P	90-08-113
180-16-180	AMD-P	90-13-083	180-40-200	AMD-P	90-13-083	180-78-057	AMD	90-12-073
180-16-223	AMD-P	90-13-083	180-40-210	AMD-P	90-13-083	180-78-130	AMD-P	90-13-083
180-16-240	AMD-P	90-13-083	180-40-225	AMD-P	90-13-083	180-78-191	AMD	90-02-074
180-20-100	AMD-P	90-13-083	180-40-235	AMD-P	90-13-082	180-78-191	AMD	90-02-104
180-20-105	AMD-P	90-13-083	180-40-245	AMD-P	90-13-083	180-78-192	REP	90-02-074
180-20-106	AMD-P	90-13-083	180-40-260	AMD-P	90-13-083	180-78-192	REP	90-02-104
180-20-200	AMD-P	90-13-083	180-40-275	AMD-P	90-13-083	180-78-193	REP	90-02-074
180-22-100	AMD-P	90-13-083	180-41-010	AMD-P	90-13-083	180-78-193	REP	90-02-104
180-23-037	AMD-P	90-13-083	180-43-005	AMD-P	90-13-083	180-78-194	REP	90-02-074
180-23-043	AMD-P	90-13-083	180-43-010	AMD-P	90-13-083	180-78-194	REP	90-02-104
180-23-065	AMD-P	90-13-083	180-43-015	AMD-P	90-13-083	180-78-195	REP	90-02-074
180-23-077	AMD-P	90-13-083	180-44-005	AMD-P	90-13-083	180-78-195	REP	90-02-104
180-23-090	AMD-P	90-13-083	180-46-005	AMD-P	90-13-083	180-78-197	REP	90-02-074
180-23-120	AMD-P	90-13-083	180-50-100	AMD-P	90-13-083	180-78-197	REP	90-02-104
180-24-003	AMD-P	90-13-083	180-50-105	AMD-P	90-13-083	180-78-198	REP	90-02-074
180-24-007	AMD-P	90-13-083	180-50-115	AMD-P	90-13-083	180-78-198	REP	90-02-104
180-24-008	AMD-P	90-13-083	180-50-120	AMD-P	90-13-083	180-78-199	REP	90-02-074
180-24-013	AMD-P	90-13-083	180-50-125	AMD-P	90-13-083	180-78-199	REP	90-02-104
180-24-021	AMD-P	90-13-083	180-50-130	AMD-P	90-13-083	180-78-225	AMD-P	90-13-083
180-24-080	AMD-P	90-13-083	180-50-135	AMD-P	90-13-083	180-79-045	AMD-P	90-08-114
180-24-115	AMD-P	90-13-083	180-51-005	AMD-P	90-13-083	180-79-045	AMD	90-12-075
180-24-120	AMD-P	90-13-083	180-51-075	AMD-P	90-13-083	180-79-049	AMD-P	90-08-114
180-24-125	AMD-P	90-13-083	180-51-080	AMD-P	90-13-083	180-79-049	AMD	90-12-075
180-24-130	AMD-P	90-13-083	180-51-085	AMD-P	90-13-083	180-79-060	AMD-P	90-08-114
180-24-140	AMD-P	90-13-083	180-51-100	AMD-P	90-13-083	180-79-060	AMD	90-12-075
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180-24-205	AMD-P	90-13-083	180-51-115	AMD-P	90-13-083	180-79-065	AMD	90-12-075
180-24-305	AMD-P	90-13-083	180-52-015	AMD-P	90-13-083	180-79-075	AMD-P	90-08-114
180-24-312	AMD-P	90-13-083	180-53-005	AMD-P	90-13-083	180-79-075	AMD	90-12-075
180-24-320	AMD-P	90-13-083	180-55-005	AMD-P	90-13-083	180-79-080	AMD-P	90-08-114
180-24-330	AMD-P	90-13-083	180-55-015	AMD-P	90-13-083	180-79-080	AMD	90-12-075

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180-79-230	AMD	90-12-075	180-87-020	NEW	90-02-075	204-36-050	AMD	90-07-034
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180-79-245	AMD	90-12-075	180-87-030	NEW	90-02-075	204-36-060	AMD	90-07-034
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180-79-362	AMD	90-12-075	180-87-040	NEW	90-02-075	204-44-030	AMD	90-06-055
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180-85-045	AMD-P	90-08-115	180-87-060	NEW	90-02-075	204-68-020	REP-P	90-13-061
180-85-045	AMD	90-12-076	180-87-065	NEW	90-02-075	204-68-030	REP-P	90-13-061
180-85-080	REP-P	90-08-115	180-87-070	NEW	90-02-075	204-68-040	REP-P	90-13-061
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180-85-083	REP	90-12-076	180-87-090	NEW	90-02-075	204-68-070	REP-P	90-13-061
180-85-085	AMD-P	90-08-115	180-87-095	NEW	90-02-075	204-68-080	REP-P	90-13-061
180-85-085	AMD	90-12-076	180-90-105	AMD-P	90-13-083	204-68-090	REP-P	90-13-061
180-85-100	AMD-P	90-08-115	180-90-125	AMD-P	90-13-083	204-68-100	REP-P	90-13-061
180-85-100	AMD	90-12-076	180-90-150	AMD-P	90-13-083	204-68-110	REP-P	90-13-061
180-85-105	AMD-P	90-08-115	180-90-160	AMD-P	90-13-083	204-68-120	REP-P	90-13-061
180-85-105	AMD	90-12-076	180-95-005	AMD-P	90-13-083	204-68-130	REP-P	90-13-061
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180-85-107	NEW	90-12-076	180-110-010	AMD-P	90-13-083	204-74-030	NEW-P	90-13-062
180-85-108	NEW-P	90-08-115	180-115-005	AMD-P	90-13-083	204-74-040	NEW-P	90-13-062
180-85-108	NEW	90-12-076	182-12-115	AMD-P	90-04-087	204-74-050	NEW-P	90-13-062
180-85-109	NEW-P	90-08-115	182-12-115	AMD	90-12-037	204-74-060	NEW-P	90-13-062
180-85-109	NEW	90-12-076	192-12-050	AMD	90-08-028	204-74-070	NEW-P	90-13-062
180-85-110	AMD-P	90-08-115	192-12-350	NEW	90-08-028	204-74-080	NEW-P	90-13-062
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180-85-115	AMD	90-12-076	192-12-365	NEW	90-08-028	204-74A-030	NEW-P	90-13-062
180-85-202	REP-P	90-08-115	192-16-004	NEW-E	90-09-057	204-74A-040	NEW-P	90-13-062
180-85-202	REP	90-12-076	192-16-004	NEW-P	90-11-120	204-74A-050	NEW-P	90-13-062
180-85-205	AMD-P	90-08-115	192-16-250	NEW-W	90-14-094	204-74A-060	NEW-P	90-13-062
180-85-205	AMD	90-12-076	192-16-300	NEW-W	90-14-094	204-82A-020	AMD-P	90-13-063
180-86-003	NEW	90-02-076	192-16-305	NEW-W	90-14-094	204-82A-040	AMD-P	90-13-063
180-86-005	NEW	90-02-076	192-16-310	NEW-W	90-14-094	204-82A-050	AMD-P	90-13-063
180-86-010	NEW	90-02-076	192-16-315	NEW-W	90-14-094	204-82A-070	NEW-P	90-13-063
180-86-012	NEW	90-02-076	192-16-320	NEW-W	90-14-094	204-88-030	AMD	90-06-056
180-86-015	NEW	90-02-076	192-16-325	NEW-W	90-14-094	204-93-010	AMD-P	90-13-063
180-86-020	NEW	90-02-076	192-16-330	NEW-W	90-14-094	204-93-020	AMD-P	90-13-063
180-86-030	NEW	90-02-076	192-16-335	NEW-W	90-14-094	204-93-030	AMD-P	90-13-063
180-86-035	NEW	90-02-076	192-16-340	NEW-W	90-14-094	204-93-040	AMD-P	90-13-063
180-86-040	NEW	90-02-076	192-16-345	NEW-W	90-14-094	204-93-050	AMD-P	90-13-063
180-86-050	NEW	90-02-076	192-28-115	AMD-P	90-11-119	204-93-060	AMD-P	90-13-063
180-86-055	NEW	90-02-076	192-28-122	NEW-P	90-11-121	204-93-070	AMD-P	90-13-063
180-86-065	NEW	90-02-076	192-28-130	AMD-P	90-11-119	204-93-080	AMD-P	90-13-063
180-86-070	NEW	90-02-076	192-28-145	NEW-P	90-11-121	204-93-090	AMD-P	90-13-063
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180-86-105	NEW	90-02-076	196-27-020	AMD	90-05-071	212-17-300	AMD	90-10-006
180-86-110	NEW	90-02-076	204-30-010	NEW-P	90-10-076	212-17-305	AMD-P	90-04-097
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180-86-130	NEW	90-02-076	204-30-020	NEW	90-13-060	212-17-310	AMD	90-10-006
180-86-135	NEW	90-02-076	204-30-030	NEW-P	90-10-076	212-17-315	AMD-P	90-04-097
180-86-140	NEW	90-02-076	204-30-030	NEW	90-13-060	212-17-315	AMD	90-10-006
180-86-145	NEW	90-02-076	204-30-040	NEW-P	90-10-076	212-17-317	NEW-P	90-04-097
180-86-150	NEW	90-02-076	204-30-040	NEW	90-13-060	212-17-317	NEW	90-10-006
180-86-155	NEW	90-02-076	204-30-050	NEW-P	90-10-076	212-17-325	AMD-P	90-04-097
180-86-160	NEW	90-02-076	204-30-050	NEW	90-13-060	212-17-325	AMD	90-10-006
180-86-165	NEW	90-02-076	204-30-060	NEW-P	90-10-076	212-17-330	AMD-P	90-04-097
180-86-170	NEW	90-02-076	204-30-060	NEW	90-13-060	212-17-330	AMD	90-10-006
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180-86-180	NEW	90-02-076	204-30-070	NEW	90-13-060	212-17-335	AMD	90-10-006
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220-36-021	AMD-P	90-09-092	220-56-128	AMD-P	90-02-112	220-57-31500T	NEW-E	90-12-082
220-36-02100K	NEW-E	90-14-099	220-56-128	AMD	90-06-026	220-57-328	NEW-P	90-02-112
220-36-023	AMD-P	90-09-092	220-56-156	AMD-C	90-06-081	220-57-42500T	NEW-E	90-12-064
220-36-031	AMD-P	90-09-092	220-56-156	AMD	90-08-001	220-57-465	AMD-P	90-02-112
220-40-021	AMD-P	90-09-092	220-56-160	AMD-P	90-02-112	220-57-465	AMD	90-06-026
220-40-02100T	NEW-E	90-14-099	220-56-160	AMD	90-06-026	220-57-497	NEW-P	90-02-112
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220-40-027	AMD-P	90-09-092	220-56-165	AMD	90-06-026	220-57-49700E	NEW-E	90-13-006
220-40-031	AMD-P	90-09-092	220-56-175	AMD-P	90-02-112	220-57-505	AMD-P	90-02-112
220-44-050	AMD-P	90-06-080	220-56-175	AMD	90-06-026	220-57-505	AMD	90-06-026
220-44-050	AMD	90-13-108	220-56-180	AMD-P	90-02-112	220-57-50500R	NEW-E	90-07-032
220-44-05000B	REP-E	90-04-047	220-56-180	AMD	90-06-026	220-57-515	AMD-P	90-02-112
220-44-05000C	NEW-E	90-04-047	220-56-190	AMD-P	90-02-112	220-57-51500E	NEW-E	90-07-032
220-44-05000C	REP-E	90-07-031	220-56-190	AMD	90-06-026	220-57-51500E	REP-E	90-12-067
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220-44-05000E	NEW-E	90-13-109	220-56-195	AMD-P	90-02-112	220-57A	AMD-C	90-06-025
220-47-304	AMD-P	90-09-093	220-56-195	AMD	90-06-026	220-57A-080	AMD-P	90-02-112
220-47-304	AMD	90-13-025	220-56-197	AMD-P	90-02-112	220-57A-080	AMD	90-06-026
220-47-307	AMD-P	90-09-093	220-56-197	AMD	90-06-026	220-57A-180	AMD-P	90-02-112
220-47-307	AMD	90-13-025	220-56-205	AMD-P	90-02-112	220-57A-180	AMD	90-06-026
220-47-311	AMD-P	90-09-093	220-56-205	AMD	90-06-026	220-69-220	AMD	90-03-068
220-47-311	AMD	90-13-025	220-56-230	NEW-P	90-02-112	220-69-237	AMD	90-03-068
220-47-312	REP-P	90-09-093	220-56-230	NEW	90-06-026	220-69-237	AMD-P	90-09-050
220-47-312	REP	90-13-025	220-56-235	AMD-P	90-02-112	220-69-238	AMD	90-03-068
220-47-313	REP-P	90-09-093	220-56-235	AMD	90-06-026	220-69-238	AMD-P	90-09-050
220-47-313	REP	90-13-025	220-56-240	AMD-P	90-02-112	220-69-239	NEW-P	90-09-050
220-47-319	AMD-P	90-09-093	220-56-240	AMD	90-06-026	220-69-23900A	NEW-E	90-09-051
220-47-319	AMD	90-13-025	220-56-24500G	NEW-E	90-08-003	220-69-260	AMD	90-03-068
220-47-401	AMD-P	90-09-093	220-56-25500F	NEW-E	90-08-003	220-69-264	AMD	90-03-068
220-47-401	AMD	90-13-025	220-56-282	AMD-P	90-02-112	220-140-001	NEW	90-04-026
220-47-402	REP-P	90-09-093	220-56-282	AMD	90-06-026	220-140-010	NEW	90-04-026
220-47-402	REP	90-13-025	220-56-307	AMD-P	90-02-112	220-140-020	NEW	90-04-026
220-47-403	REP-P	90-09-093	220-56-310	AMD	90-06-026	220-140-030	NEW	90-04-026
220-47-403	REP	90-13-025	220-56-310	AMD-P	90-02-112	222-16-010	AMD-W	90-10-099

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230-02-022	AMD-P 90-05-034	232-16-720	NEW-P 90-13-099	248-08-190	REP 90-06-018
230-02-022	AMD 90-10-007	232-28-022	NEW-P 90-04-100	248-08-200	REP 90-06-018
230-02-030	AMD-P 90-11-057	232-28-022	NEW 90-13-049	248-08-210	REP 90-06-018
230-04-020	AMD 90-03-064	232-28-215	REP-P 90-13-100	248-08-220	REP 90-06-018
230-04-190	AMD 90-03-064	232-28-218	REP-P 90-04-100	248-08-230	REP 90-06-018
230-04-270	AMD 90-03-064	232-28-218	REP 90-14-110	248-08-240	REP 90-06-018
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230-20-064	AMD-P 90-05-034	232-28-222	NEW-P 90-06-096	248-08-310	REP 90-06-018
230-20-064	AMD 90-10-007	232-28-222	NEW 90-13-047	248-08-320	REP 90-06-018
230-20-325	AMD 90-05-032	232-28-223	NEW-P 90-06-097	248-08-330	REP 90-06-018
230-20-325	AMD-W 90-10-098	232-28-223	NEW 90-13-048	248-08-340	REP 90-06-018
230-20-698	NEW 90-05-033	232-28-224	NEW-P 90-13-100	248-08-350	REP 90-06-018
230-30-052	NEW-P 90-05-034	232-28-413	REP-P 90-13-101	248-08-360	REP 90-06-018
230-30-052	NEW 90-10-007	232-28-414	NEW-P 90-12-101	248-08-370	REP 90-06-018
230-30-070	AMD 90-05-032	232-28-414	NEW-W 90-13-096	248-08-380	REP 90-06-018
230-30-070	AMD-E 90-06-020	232-28-414	NEW-P 90-13-101	248-08-390	REP 90-06-018
230-30-070	AMD-P 90-06-021	232-28-511	REP-P 90-13-102	248-08-400	REP 90-06-018
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230-40-010	AMD 90-05-032	232-28-61728	NEW 90-02-070	248-08-410	NEW 90-06-018
230-40-120	AMD 90-05-032	232-28-61729	NEW 90-02-071	248-08-413	NEW 90-06-018
230-40-125	NEW 90-05-032	232-28-61730	NEW-E 90-03-072	248-08-420	REP 90-06-018
230-40-125	AMD-E 90-07-019	232-28-61731	NEW-E 90-08-066	248-08-425	NEW 90-06-018
230-40-125	AMD-P 90-07-022	232-28-61802	NEW-E 90-02-067	248-08-428	NEW 90-06-018
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230-46-025	NEW 90-13-022	232-28-61803	NEW-E 90-02-068	248-08-434	NEW 90-06-018
230-50-012	AMD-P 90-03-060	232-28-61803	NEW-P 90-04-102	248-08-437	NEW 90-06-018
230-50-012	AMD-E 90-03-061	232-28-61803	NEW 90-08-065	248-08-440	AMD 90-06-018
230-50-012	AMD 90-07-018	232-28-61804	NEW-E 90-02-069	248-08-446	NEW 90-06-018
230-50-560	AMD-E 90-09-073	232-28-61804	NEW-P 90-04-103	248-08-449	NEW 90-06-018
230-50-560	AMD-P 90-10-008	232-28-61804	NEW 90-08-103	248-08-450	REP 90-06-018
230-50-560	AMD 90-13-022	232-28-61805	NEW 90-08-067	248-08-452	NEW 90-06-018
230-50-580	AMD-E 90-09-073	232-28-61805	NEW-E 90-02-066	248-08-460	REP 90-06-018
230-50-580	AMD-P 90-10-008	232-28-61805	NEW-P 90-04-104	248-08-461	NEW 90-06-018
230-50-580	AMD 90-13-022	232-28-61805	NEW 90-08-063	248-08-464	NEW 90-06-018
230-60-010	AMD 90-03-064	232-28-61806	NEW-P 90-06-086	248-08-470	AMD 90-06-018
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230-60-025	AMD 90-03-064	232-28-61807	NEW-P 90-06-087	248-08-490	REP 90-06-018
230-60-100	NEW 90-05-032	232-28-61807	NEW 90-10-069	248-08-500	REP 90-06-018
232-12-011	AMD-P 90-04-098	232-28-61808	NEW-P 90-13-103	248-08-510	REP 90-06-018
232-12-011	AMD 90-11-065	232-28-61809	NEW-P 90-14-106	248-08-515	NEW 90-06-018
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232-12-019	AMD-P 90-06-085	232-28-713	NEW 90-03-083	248-08-535	NEW 90-06-018
232-12-019	AMD 90-10-068	232-28-811	REP-P 90-04-105	248-08-540	REP 90-06-018
232-12-047	AMD-P 90-06-091	232-28-811	REP 90-11-064	248-08-545	NEW 90-06-018
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232-12-168	AMD-P 90-14-105	248-06-385	AMD 90-06-019	248-08-575	NEW 90-06-018
232-12-177	AMD-P 90-06-089	248-08-001	REP 90-06-018	248-08-580	REP 90-06-018
232-12-177	AMD 90-11-050	248-08-010	REP 90-06-018	248-08-590	REP 90-06-018
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		248-08-090	REP 90-06-018	248-08-740	REP 90-06-018
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248-08-765	REP	90-06-018	248-18-705	AMD-P	90-08-099	248-38-110	NEW-P	90-14-128
248-08-770	REP	90-06-018	248-18-705	AMD	90-12-014	248-38-120	NEW-P	90-14-128
248-08-775	REP	90-06-018	248-18-719	AMD-P	90-08-099	248-55-220	AMD	90-06-019
248-08-780	REP	90-06-018	248-18-719	AMD	90-12-014	248-55-230	REP	90-06-019
248-08-785	REP	90-06-018	248-18-99902	AMD-P	90-08-099	248-55-235	NEW	90-06-019
248-08-790	REP	90-06-018	248-18-99902	AMD	90-12-014	248-55-240	AMD	90-06-019
248-08-800	REP	90-06-018	248-19-220	AMD	90-02-093	248-55-250	REP	90-06-019
248-08-805	REP	90-06-018	248-19-220	AMD-P	90-14-127	248-55-260	REP	90-06-019
248-08-810	REP	90-06-018	248-19-231	AMD-P	90-14-126	248-58-085	NEW	90-06-049
248-08-815	REP	90-06-018	248-19-235	NEW-P	90-14-126	248-59-030	AMD	90-06-019
248-08-820	REP	90-06-018	248-19-373	REP-P	90-08-105	248-59-040	REP	90-06-019
248-08-825	REP	90-06-018	248-19-373	REP	90-12-072	248-59-050	REP	90-06-019
248-08-830	REP	90-06-018	248-19-375	REP-P	90-08-105	248-59-060	REP	90-06-019
248-08-835	REP	90-06-018	248-19-375	REP	90-12-072	248-59-070	REP	90-06-019
248-08-840	REP	90-06-018	248-19-403	REP-P	90-08-105	248-59-080	REP	90-06-019
248-08-845	REP	90-06-018	248-19-403	REP	90-12-072	248-63-025	AMD	90-06-049
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248-14-070	AMD	90-04-071	248-19-600	NEW	90-13-116	248-97-135	NEW	90-06-049
248-14-080	AMD-P	90-13-031	248-19-601	NEW-P	90-12-096	248-98-001	AMD-P	90-02-072
248-14-240	AMD-P	90-13-031	248-19-700	NEW-P	90-12-096	248-98-001	AMD	90-07-010
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248-17-213	AMD-P	90-14-042	248-19-805	NEW	90-12-071	248-98-010	AMD-P	90-02-072
248-17-213	AMD-E	90-14-044	248-19-806	NEW-P	90-08-102	248-98-010	AMD	90-07-010
248-17-230	AMD	90-06-019	248-19-806	NEW	90-12-071	248-98-015	NEW-P	90-02-072
248-18-010	AMD-P	90-08-099	248-19-810	NEW-P	90-08-105	248-98-015	NEW	90-07-010
248-18-010	AMD	90-12-014	248-19-810	NEW	90-12-072	248-98-020	AMD-P	90-02-072
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248-18-018	AMD-P	90-08-099	248-19-811	NEW	90-12-072	248-98-025	NEW-P	90-02-072
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248-18-020	AMD	90-12-014	248-19-840	NEW	90-12-072	248-98-030	AMD	90-07-010
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248-18-221	AMD	90-12-014	248-19-860	NEW	90-12-072	248-98-035	NEW	90-07-010
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248-18-245	AMD	90-12-014	248-19-880	NEW-W	90-10-083	248-98-040	AMD	90-07-010
248-18-510	AMD-P	90-08-099	248-19-882	NEW-P	90-08-103	248-98-045	NEW-P	90-02-072
248-18-510	AMD	90-12-014	248-19-882	NEW-W	90-10-083	248-98-045	NEW	90-07-010
248-18-520	AMD-P	90-08-099	248-19-884	NEW-P	90-08-103	248-98-050	AMD-P	90-02-072
248-18-520	AMD	90-12-014	248-19-884	NEW-W	90-10-083	248-98-050	AMD	90-07-010
248-18-525	AMD-P	90-08-099	248-19-886	NEW-P	90-08-103	248-98-060	AMD-P	90-02-072
248-18-525	AMD	90-12-014	248-19-886	NEW-W	90-10-083	248-98-060	AMD	90-07-010
248-18-530	AMD-P	90-08-099	248-21-005	AMD	90-05-038	248-98-080	AMD-P	90-02-072
248-18-530	AMD	90-12-014	248-22-005	AMD	90-06-019	248-98-080	AMD	90-07-010
248-18-534	AMD-P	90-08-099	248-23-010	AMD	90-06-019	248-98-085	NEW-P	90-02-072
248-18-534	AMD	90-12-014	248-25-010	AMD	90-06-019	248-98-085	NEW	90-07-010
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248-18-560	AMD	90-12-014	248-27-045	AMD	90-06-019	248-98-095	NEW	90-07-010
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248-18-565	AMD	90-12-014	248-29-020	AMD	90-06-019	248-98-098	NEW	90-07-010
248-18-568	AMD-P	90-08-099	248-31-025	AMD	90-06-019	248-98-100	AMD-P	90-02-072
248-18-568	AMD	90-12-014	248-31-035	AMD	90-06-019	248-98-100	AMD	90-07-010
248-18-640	AMD-P	90-08-099	248-31-045	AMD	90-06-019	248-98-102	NEW-P	90-02-072
248-18-640	AMD	90-12-014	248-31-055	AMD	90-06-019	248-98-102	NEW	90-07-010
248-18-645	AMD-P	90-08-099	248-33-040	AMD	90-05-038	248-98-104	NEW-P	90-02-072
248-18-645	AMD	90-12-014	248-33-060	REP	90-05-038	248-98-104	NEW	90-07-010
248-18-650	AMD-P	90-08-099	248-33-080	REP	90-05-038	248-98-110	AMD-P	90-02-072
248-18-650	AMD	90-12-014	248-36-025	AMD	90-06-019	248-98-110	AMD	90-07-010
248-18-660	AMD-P	90-08-099	248-36-035	AMD	90-06-019	248-98-120	AMD-P	90-02-072
248-18-660	AMD	90-12-014	248-36-045	AMD	90-06-019	248-98-120	AMD	90-07-010
248-18-665	AMD-P	90-08-099	248-36-055	AMD	90-06-019	248-98-130	NEW-P	90-02-072
248-18-665	AMD	90-12-014	248-38-001	NEW-P	90-14-128	248-98-130	NEW	90-07-010
248-18-675	AMD-P	90-08-099	248-38-010	NEW-P	90-14-128	248-98-135	NEW-P	90-02-072
248-18-675	AMD	90-12-014	248-38-020	NEW-P	90-14-128	248-98-135	NEW	90-07-010
248-18-680	AMD-P	90-08-099	248-38-030	NEW-P	90-14-128	248-98-998	NEW-P	90-02-072
248-18-680	AMD	90-12-014	248-38-040	NEW-P	90-14-128	248-98-998	NEW	90-07-010
248-18-685	AMD-P	90-08-099	248-38-050	NEW-P	90-14-128	248-98-999	REP-P	90-02-072
248-18-685	AMD	90-12-014	248-38-060	NEW-P	90-14-128	248-98-999	REP	90-07-010
248-18-690	AMD-P	90-08-099	248-38-070	NEW-P	90-14-128	248-100-016	AMD-P	90-02-095
248-18-690	AMD	90-12-014	248-38-080	NEW-P	90-14-128	248-100-016	AMD	90-07-033



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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #				
248-100-021	AMD-P	90-06-063		250-70-050	NEW-P	90-11-130	251-22-165	AMD	90-14-018
248-100-021	AMD	90-10-036		250-70-060	NEW-P	90-11-130	260-36-190	NEW-E	90-09-010
248-100-086	AMD-P	90-06-063		250-70-070	NEW-P	90-11-130	260-36-190	NEW-P	90-14-023
248-100-086	AMD	90-10-036		250-70-080	NEW-P	90-11-130	260-36-200	NEW-E	90-09-010
248-100-217	NEW-P	90-06-063		250-70-090	NEW-P	90-11-130	260-36-200	NEW-P	90-14-023
248-100-217	NEW	90-10-036		250-70-100	NEW-P	90-11-130	260-40-280	AMD-P	90-14-101
248-101-020	AMD-E	90-11-038		250-71-010	NEW-E	90-10-002	260-48-327	AMD-W	90-13-072
248-101-220	NEW-E	90-11-038		250-71-010	NEW-P	90-11-108	260-48-327	AMD-P	90-14-100
248-106-001	NEW	90-02-094		250-71-015	NEW-E	90-10-002	260-60-060	AMD-P	90-14-067
248-106-010	NEW	90-02-094		250-71-015	NEW-P	90-11-108	275-16-030	AMD-P	90-14-045
248-106-020	NEW	90-02-094		250-71-020	NEW-E	90-10-002	275-16-030	AMD-E	90-14-057
248-106-030	NEW-P	90-08-104		250-71-020	NEW-P	90-11-108	275-16-055	AMD-C	90-04-019
248-140-200	AMD	90-05-038		250-71-025	NEW-E	90-10-002	275-16-055	AMD	90-04-075
248-144-031	AMD	90-06-049		250-71-025	NEW-P	90-11-108	275-19-050	AMD-C	90-04-017
248-168-010	AMD-P	90-11-063		250-71-030	NEW-E	90-10-002	275-19-050	AMD	90-04-073
248-168-015	NEW-P	90-11-063		250-71-030	NEW-P	90-11-108	275-20-080	AMD-C	90-04-018
248-168-020	AMD-P	90-11-063		250-71-035	NEW-E	90-10-002	275-20-080	AMD	90-04-074
248-168-030	AMD-P	90-11-063		250-71-035	NEW-P	90-11-108	275-26-022	AMD-C	90-04-018
248-168-040	AMD-P	90-11-063		250-71-040	NEW-E	90-10-002	275-26-022	AMD	90-04-074
248-168-050	AMD-P	90-11-063		250-71-040	NEW-P	90-11-108	275-27-500	AMD-C	90-04-018
248-168-060	AMD-P	90-11-063		250-71-045	NEW-E	90-10-002	275-27-500	AMD	90-04-074
248-168-070	NEW-P	90-11-063		250-71-045	NEW-P	90-11-108	275-36-310	AMD-C	90-04-018
248-170-001	NEW	90-04-082		250-71-050	NEW-E	90-10-002	275-36-310	AMD	90-04-074
248-170-020	NEW	90-04-082		250-71-050	NEW-P	90-11-108	275-38-770	AMD-E	90-11-005
248-170-100	NEW	90-04-082		250-71-055	NEW-E	90-10-002	275-38-770	AMD-P	90-11-007
248-170-130	NEW	90-04-082		250-71-055	NEW-P	90-11-108	275-38-860	AMD-E	90-11-005
248-170-160	NEW	90-04-082		250-71-060	NEW-E	90-10-002	275-38-860	AMD-P	90-11-007
248-170-200	NEW	90-04-082		250-71-060	NEW-P	90-11-108	275-38-906	AMD-E	90-11-005
248-170-300	NEW	90-04-082		250-71-065	NEW-E	90-10-002	275-38-906	AMD-P	90-11-007
248-170-320	NEW	90-04-082		250-71-065	NEW-P	90-11-108	275-38-960	AMD-C	90-04-018
248-180-010	NEW	90-03-052		250-71-070	NEW-E	90-10-002	275-38-960	AMD	90-04-074
248-180-020	NEW	90-03-052		250-71-070	NEW-P	90-11-108	275-56-005	AMD	90-03-113
248-320-340	NEW	90-06-018		250-71-075	NEW-E	90-10-002	275-56-010	AMD	90-03-113
248-320-350	NEW	90-06-018		250-71-075	NEW-P	90-11-108	275-56-015	AMD	90-03-113
248-320-360	NEW	90-06-018		250-72-010	NEW-P	90-12-093	275-56-016	NEW	90-03-113
248-320-370	NEW	90-06-018		250-72-015	NEW-P	90-12-093	275-56-017	NEW	90-03-113
248-320-400	NEW	90-06-018		250-72-020	NEW-P	90-12-093	275-56-020	AMD	90-03-113
248-320-410	NEW	90-06-018		250-72-025	NEW-P	90-12-093	275-56-025	AMD	90-03-113
248-320-500	NEW	90-06-018		250-72-030	NEW-P	90-12-093	275-56-030	REP	90-03-113
248-554-030	AMD-C	90-04-016		250-72-035	NEW-P	90-12-093	275-56-035	AMD	90-03-113
248-554-030	AMD	90-04-072		250-72-040	NEW-P	90-12-093	275-56-040	AMD	90-03-113
250-20-001	AMD	90-04-067		250-72-045	NEW-P	90-12-093	275-56-042	NEW	90-03-113
250-20-011	AMD	90-04-067		250-73-010	NEW-P	90-12-092	275-56-043	NEW	90-03-113
250-20-015	AMD	90-04-067		250-73-015	NEW-P	90-12-092	275-56-050	AMD	90-03-113
250-20-021	AMD	90-04-067		250-73-020	NEW-P	90-12-092	275-56-055	AMD	90-03-113
250-20-031	AMD	90-04-067		250-73-025	NEW-P	90-12-092	275-56-060	AMD	90-03-113
250-20-037	NEW	90-04-067		250-73-030	NEW-P	90-12-092	275-56-065	AMD	90-03-113
250-20-041	AMD	90-04-067		250-73-035	NEW-P	90-12-092	275-56-070	AMD	90-03-113
250-20-051	AMD	90-04-067		250-73-040	NEW-P	90-12-092	275-56-075	AMD	90-03-113
250-20-071	AMD	90-04-067		250-73-045	NEW-P	90-12-092	275-56-080	AMD	90-03-113
250-69-010	NEW-P	90-04-068		251-01-180	AMD-P	90-09-075	275-56-085	AMD	90-03-113
250-69-010	NEW	90-09-003		251-01-180	AMD	90-14-018	275-56-087	NEW	90-03-113
250-69-020	NEW-P	90-04-068		251-04-040	AMD	90-06-023	275-56-088	NEW	90-03-113
250-69-020	NEW	90-09-003		251-04-040	AMD-E	90-13-015	275-56-089	NEW	90-03-113
250-69-030	NEW-P	90-04-068		251-04-040	AMD-P	90-13-120	275-56-090	AMD	90-03-113
250-69-030	NEW	90-09-003		251-09-085	NEW-W	90-06-082	275-56-095	AMD	90-03-113
250-69-040	NEW-P	90-04-068		251-09-090	AMD-C	90-06-083	275-56-095	AMD-C	90-04-019
250-69-040	NEW	90-09-003		251-09-090	AMD	90-10-044	275-56-095	AMD-W	90-04-069
250-69-050	NEW-P	90-04-068		251-09-092	NEW-C	90-06-083	275-56-100	AMD	90-03-113
250-69-050	NEW	90-09-003		251-09-092	NEW	90-10-044	275-56-105	AMD	90-03-113
250-69-060	NEW-P	90-04-068		251-09-094	NEW-C	90-06-083	275-56-110	AMD	90-03-113
250-69-060	NEW	90-09-003		251-09-094	NEW	90-10-044	275-56-115	AMD	90-03-113
250-69-070	NEW-P	90-04-068		251-12-073	AMD-P	90-09-076	275-56-120	REP	90-03-113
250-69-070	NEW	90-09-003		251-12-073	AMD	90-14-018	275-56-125	REP	90-03-113
250-69-080	NEW-P	90-04-068		251-12-085	AMD-P	90-09-074	275-56-130	REP	90-03-113
250-69-080	NEW	90-09-003		251-12-085	AMD	90-13-017	275-56-135	AMD	90-03-113
250-69-090	NEW-P	90-04-068		251-12-099	NEW-P	90-09-074	275-56-140	REP	90-03-113
250-69-090	NEW	90-09-003		251-12-099	NEW	90-13-017	275-56-145	REP	90-03-113
250-69-100	NEW-P	90-04-068		251-18-185	REP-E	90-13-016	275-56-150	AMD	90-03-113
250-69-100	NEW	90-09-003		251-18-185	REP-P	90-13-121	275-56-155	REP	90-03-113
250-69-110	NEW-P	90-04-068		251-18-240	AMD-E	90-13-016	275-56-160	REP	90-03-113
250-69-110	NEW	90-09-003		251-18-240	AMD-P	90-13-121	275-56-165	REP	90-03-113
250-70	NEW-C	90-14-029		251-18-270	REP-E	90-13-016	275-56-170	AMD	90-03-113
250-70-010	NEW-P	90-11-130		251-18-270	REP-P	90-13-121	275-56-175	AMD	90-03-113
250-70-020	NEW-P	90-11-130		251-18-280	AMD-E	90-13-016	275-56-180	AMD	90-03-113
250-70-030	NEW-P	90-11-130		251-18-280	AMD-P	90-13-121	275-56-185	AMD	90-03-113
250-70-040	NEW-P	90-11-130		251-22-165	AMD-P	90-09-075	275-56-190	REP	90-03-113



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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
275-56-195	AMD	90-03-113	284-12-010	REP	90-04-060	284-66-090	NEW	90-07-059
275-56-200	AMD	90-03-113	284-12-030	REP	90-04-060	284-66-100	NEW-P	90-04-089
275-56-205	AMD	90-03-113	284-12-040	REP	90-04-060	284-66-100	NEW	90-07-059
275-56-210	AMD	90-03-113	284-12-080	AMD	90-04-042	284-66-110	NEW-P	90-04-089
275-56-215	AMD	90-03-113	284-17-121	NEW	90-04-060	284-66-110	NEW	90-07-059
275-56-220	AMD	90-03-113	284-17-122	NEW	90-04-060	284-66-120	NEW-P	90-04-089
275-56-225	AMD	90-03-113	284-17-123	NEW	90-04-060	284-66-120	NEW	90-07-059
275-56-230	AMD	90-03-113	284-24-015	AMD-P	90-10-056	284-66-130	NEW-P	90-04-089
275-56-235	AMD	90-03-113	284-24-015	AMD	90-13-041	284-66-130	NEW	90-07-059
275-56-240	AMD	90-03-113	284-24-055	NEW-P	90-10-056	284-66-140	NEW-P	90-04-089
275-56-245	AMD	90-03-113	284-24-055	NEW	90-13-041	284-66-140	NEW	90-07-059
275-56-250	REP	90-03-113	284-24-060	AMD-P	90-10-056	284-66-150	NEW-P	90-04-089
275-56-255	REP	90-03-113	284-24-060	AMD	90-13-041	284-66-150	NEW	90-07-059
275-56-260	AMD	90-03-113	284-24-100	AMD-P	90-10-056	284-66-160	NEW-P	90-04-089
275-56-265	REP	90-03-113	284-24-100	AMD	90-13-041	284-66-160	NEW	90-07-059
275-56-270	REP	90-03-113	284-49-010	NEW-E	90-12-095	284-66-170	NEW-P	90-04-089
275-56-275	AMD	90-03-113	284-49-020	NEW-E	90-12-095	284-66-170	NEW	90-07-059
275-56-280	REP	90-03-113	284-49-050	NEW-E	90-12-095	284-66-180	NEW-P	90-04-089
275-56-285	AMD	90-03-113	284-49-100	NEW-E	90-12-095	284-66-180	NEW	90-07-059
275-56-290	AMD	90-03-113	284-49-115	NEW-E	90-12-095	284-66-190	NEW-P	90-04-089
275-56-295	AMD	90-03-113	284-49-300	NEW-E	90-12-095	284-66-190	NEW	90-07-059
275-56-300	AMD	90-03-113	284-49-330	NEW-E	90-12-095	284-66-200	NEW-P	90-04-089
275-56-305	AMD	90-03-113	284-49-500	NEW-E	90-12-095	284-66-200	NEW	90-07-059
275-56-310	REP	90-03-113	284-49-510	NEW-E	90-12-095	284-66-210	NEW-P	90-04-089
275-56-315	REP	90-03-113	284-49-520	NEW-E	90-12-095	284-66-210	NEW	90-07-059
275-56-320	REP	90-03-113	284-49-900	NEW-E	90-12-095	284-66-220	NEW-P	90-04-089
275-56-325	REP	90-03-113	284-49-999	NEW-E	90-12-095	284-66-220	NEW	90-07-059
275-56-330	REP	90-03-113	284-55-010	REP-P	90-04-089	284-66-230	NEW-P	90-04-089
275-56-335	AMD	90-03-113	284-55-010	AMD-P	90-13-085	284-66-230	NEW	90-07-059
275-56-340	AMD	90-03-113	284-55-020	REP-P	90-04-089	284-66-240	NEW-P	90-04-089
275-56-345	REP	90-03-113	284-55-020	AMD-P	90-13-085	284-66-240	NEW	90-07-059
275-56-350	REP	90-03-113	284-55-030	REP-P	90-04-089	284-66-250	NEW-P	90-04-089
275-56-355	AMD	90-03-113	284-55-030	AMD-P	90-13-085	284-66-250	NEW	90-07-059
275-56-360	REP	90-03-113	284-55-035	REP-P	90-04-089	284-66-260	NEW-P	90-04-089
275-56-365	AMD	90-03-113	284-55-040	REP-P	90-04-089	284-66-260	NEW	90-07-059
275-56-370	REP	90-03-113	284-55-045	REP-P	90-04-089	284-66-270	NEW-P	90-04-089
275-56-375	REP	90-03-113	284-55-050	REP-P	90-04-089	284-66-270	NEW	90-07-059
275-56-380	REP	90-03-113	284-55-060	REP-P	90-04-089	284-66-300	NEW-P	90-04-089
275-56-385	AMD	90-03-113	284-55-065	REP-P	90-04-089	284-66-300	NEW	90-07-059
275-56-390	REP	90-03-113	284-55-067	REP-P	90-04-089	284-66-300	NEW-P	90-04-089
275-56-395	REP	90-03-113	284-55-070	REP-P	90-04-089	284-66-310	NEW	90-07-059
275-56-400	AMD	90-03-113	284-55-080	REP-P	90-04-089	284-66-310	NEW-P	90-04-089
275-56-405	REP	90-03-113	284-55-090	REP-P	90-04-089	284-66-320	NEW	90-07-059
275-56-410	REP	90-03-113	284-55-095	REP-P	90-04-089	284-66-320	NEW-P	90-04-089
275-56-415	REP	90-03-113	284-55-115	REP-P	90-04-089	284-66-330	NEW	90-07-059
275-56-420	REP	90-03-113	284-55-120	REP-P	90-04-089	284-66-330	NEW-P	90-04-089
275-56-425	AMD	90-03-113	284-55-125	REP-P	90-04-089	284-66-340	NEW	90-07-059
275-56-430	REP	90-03-113	284-55-150	REP-P	90-04-089	284-66-340	NEW-P	90-04-089
275-56-435	REP	90-03-113	284-55-155	REP-P	90-04-089	284-66-350	NEW	90-07-059
275-56-440	REP	90-03-113	284-55-160	REP-P	90-04-089	284-66-350	NEW-P	90-04-089
275-56-445	AMD	90-03-113	284-55-165	REP-P	90-04-089	284-66-400	NEW	90-07-059
275-56-450	REP	90-03-113	284-55-172	REP-P	90-04-089	284-66-400	NEW-P	90-04-089
275-56-465	NEW	90-03-113	284-55-172	REP-P	90-13-085	292-08-010	NEW-P	90-03-095
275-56-475	NEW	90-03-113	284-55-177	REP-P	90-04-089	292-08-010	NEW-E	90-08-077
275-56-485	NEW	90-03-113	284-55-177	REP-P	90-04-089	292-08-010	NEW	90-10-059
275-56-495	NEW	90-03-113	284-55-180	REP-P	90-13-085	292-08-020	NEW-P	90-03-095
275-56-505	NEW	90-03-113	284-55-185	REP-P	90-04-089	292-08-020	NEW-E	90-08-077
275-56-515	NEW	90-03-113	284-55-190	REP-P	90-04-089	292-08-020	NEW	90-10-059
275-110-050	AMD-P	90-13-113	284-55-205	REP-P	90-04-089	292-08-030	NEW-P	90-03-095
275-110-060	AMD-P	90-13-113	284-55-210	REP-P	90-04-089	292-08-030	NEW-E	90-08-077
275-110-070	AMD-P	90-13-113	284-66-010	NEW-P	90-04-089	292-08-030	NEW	90-10-059
275-110-080	AMD-P	90-13-113	284-66-010	NEW	90-07-059	292-08-040	NEW-P	90-03-095
275-155-005	NEW-P	90-14-046	284-66-020	NEW-P	90-04-089	292-08-040	NEW-E	90-08-077
275-155-005	NEW-E	90-14-059	284-66-020	NEW	90-07-059	292-08-040	NEW	90-10-059
275-155-010	NEW-P	90-14-046	284-66-030	NEW-P	90-04-089	292-08-050	NEW-P	90-03-095
275-155-010	NEW-E	90-14-059	284-66-030	NEW	90-07-059	292-08-050	NEW-E	90-08-077
275-155-020	NEW-P	90-14-046	284-66-040	NEW-P	90-04-089	292-08-050	NEW	90-10-059
275-155-020	NEW-E	90-14-059	284-66-040	NEW	90-07-059	292-12-010	NEW-P	90-03-095
275-155-030	NEW-P	90-14-046	284-66-050	NEW-P	90-04-089	292-12-010	NEW-E	90-08-077
275-155-030	NEW-E	90-14-059	284-66-050	NEW	90-07-059	292-12-010	NEW	90-10-059
275-155-040	NEW-P	90-14-046	284-66-060	NEW-P	90-04-089	292-12-020	NEW-P	90-03-095
275-155-040	NEW-E	90-14-059	284-66-060	NEW	90-07-059	292-12-020	NEW-E	90-08-077
275-155-050	NEW-P	90-14-046	284-66-070	NEW-P	90-04-089	292-12-020	NEW	90-10-059
275-155-050	NEW-E	90-14-059	284-66-070	NEW	90-07-059	292-12-030	NEW-P	90-03-095
275-155-060	NEW-P	90-14-046	284-66-080	NEW-P	90-04-089	292-12-030	NEW-E	90-08-077
275-155-060	NEW-E	90-14-059	284-66-080	NEW	90-07-059	292-12-030	NEW	90-10-059
284-02-020	AMD-P	90-14-104	284-66-090	NEW-P	90-04-089	292-12-040	NEW-P	90-03-095
						292-12-040	NEW-E	90-08-077

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
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292-12-050	NEW-P	90-03-095	296-06-990	REP	90-07-004	296-18A-520	AMD-P	90-09-072
292-12-050	NEW-E	90-08-077	296-06-99001	REP-P	90-02-089	296-18A-520	AMD	90-14-009
292-12-050	NEW	90-10-059	296-06-99001	REP	90-07-004	296-20-010	AMD	90-04-057
292-12-060	NEW-P	90-03-095	296-14-010	AMD-P	90-13-112	296-20-01002	AMD	90-04-057
292-12-060	NEW-E	90-08-077	296-14-400	AMD	90-04-007	296-20-01002	AMD-P	90-09-072
292-12-060	NEW	90-10-059	296-14-400	AMD-P	90-13-112	296-20-01002	AMD	90-14-009
292-12-070	NEW-P	90-03-095	296-14-410	NEW-P	90-13-112	296-20-015	AMD	90-04-057
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292-12-070	NEW	90-10-059	296-14-970	NEW-E	90-12-105	296-20-02010	AMD	90-04-057
292-12-080	NEW-P	90-03-095	296-14-970	NEW-P	90-12-103	296-20-022	AMD	90-04-057
292-12-080	NEW-E	90-08-077	296-15-020	AMD-P	90-09-071	296-20-024	AMD	90-04-057
292-12-080	NEW	90-10-059	296-15-020	AMD	90-14-036	296-20-03001	AMD	90-04-057
292-12-090	NEW-P	90-03-095	296-15-070	AMD-P	90-09-072	296-20-045	AMD	90-04-057
292-12-090	NEW-E	90-08-077	296-15-070	AMD	90-14-009	296-20-075	AMD	90-04-057
292-12-090	NEW	90-10-059	296-17-350	AMD-P	90-08-092	296-20-097	AMD-P	90-13-112
292-12-110	NEW-P	90-03-095	296-17-350	AMD-C	90-11-099	296-20-1103	AMD-P	90-09-072
292-12-110	NEW-E	90-08-077	296-17-350	AMD	90-13-018	296-20-1103	AMD-W	90-14-035
292-12-110	NEW	90-10-059	296-17-45002	AMD-P	90-08-092	296-20-124	AMD	90-04-007
292-12-120	NEW-P	90-03-095	296-17-45002	AMD-C	90-11-099	296-20-680	AMD	90-04-007
292-12-120	NEW-E	90-08-077	296-17-45002	AMD	90-13-018	296-21-013	AMD-P	90-13-111
292-12-120	NEW	90-10-059	296-17-45003	AMD-P	90-08-092	296-22-053	AMD-P	90-13-111
292-12-130	NEW-P	90-03-095	296-17-45003	AMD-C	90-11-099	296-22-082	AMD-P	90-13-111
292-12-130	NEW-E	90-08-077	296-17-45003	AMD	90-13-018	296-22-205	AMD-P	90-13-111
292-12-130	NEW	90-10-059	296-17-50904	AMD-P	90-08-092	296-23-07907	AMD-P	90-13-111
292-12-140	NEW-P	90-03-095	296-17-50904	AMD-C	90-11-099	296-23-900	AMD-P	90-13-111
292-12-140	NEW-E	90-08-077	296-17-50904	AMD	90-13-018	296-23-910	AMD-P	90-13-111
292-12-140	NEW	90-10-059	296-17-519	AMD-P	90-08-092	296-23A-150	AMD	90-04-057
292-12-150	NEW-P	90-03-095	296-17-519	AMD-C	90-11-099	296-23A-170	AMD	90-04-057
292-12-150	NEW-E	90-08-077	296-17-519	AMD	90-13-018	296-23A-340	AMD-P	90-13-111
292-12-150	NEW	90-10-059	296-17-532	AMD-P	90-08-092	296-24-020	AMD	90-03-029
292-12-160	NEW-P	90-03-095	296-17-532	AMD-C	90-11-099	296-24-07501	AMD-W	90-11-041
292-12-160	NEW-E	90-08-077	296-17-532	AMD	90-13-018	296-24-07801	AMD-W	90-11-041
292-12-160	NEW	90-10-059	296-17-57602	AMD-P	90-08-092	296-24-086	AMD-W	90-11-041
292-12-170	NEW-P	90-03-095	296-17-57602	AMD-C	90-11-099	296-24-102	NEW	90-03-029
292-12-170	NEW-E	90-08-077	296-17-57602	AMD	90-13-018	296-24-10203	NEW	90-03-029
292-12-170	NEW	90-10-059	296-17-590	AMD-P	90-08-092	296-24-12009	AMD	90-03-029
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296-04-001	AMD-P	90-06-103	296-17-592	AMD-C	90-11-099	296-24-16517	AMD	90-03-029
296-04-001	AMD-S	90-07-084	296-17-592	AMD	90-13-018	296-24-20503	AMD	90-03-029
296-04-040	AMD	90-10-021	296-17-59202	NEW-P	90-08-092	296-24-20700	AMD-P	90-03-093
296-04-042	NEW-P	90-06-104	296-17-59202	NEW-C	90-11-099	296-24-20700	AMD	90-09-026
296-04-042	NEW-S	90-07-085	296-17-59202	NEW	90-13-018	296-24-550	AMD	90-03-029
296-04-160	AMD-P	90-06-103	296-17-631	AMD-P	90-08-092	296-24-58513	AMD	90-03-029
296-04-160	AMD-S	90-07-084	296-17-631	AMD-C	90-11-099	296-24-75009	AMD	90-03-029
296-04-270	AMD	90-10-020	296-17-631	AMD	90-13-018	296-24-76503	AMD	90-03-029
296-04-340	AMD	90-10-019	296-17-634	AMD-P	90-08-092	296-24-78007	AMD	90-03-029
296-04-350	AMD	90-10-019	296-17-634	AMD-C	90-11-099	296-24-81003	AMD	90-03-029
296-04-370	AMD	90-10-019	296-17-634	AMD	90-13-018	296-24-81005	AMD	90-03-029
296-06-010	AMD-P	90-02-089	296-17-679	AMD-P	90-08-092	296-24-82503	AMD	90-03-029
296-06-010	AMD	90-07-004	296-17-679	AMD-C	90-11-099	296-24-870	AMD-P	90-03-093
296-06-020	AMD-P	90-02-089	296-17-679	AMD	90-13-018	296-24-870	AMD	90-09-026
296-06-020	AMD	90-07-004	296-17-870	AMD-P	90-08-092	296-24-87001	AMD-P	90-03-093
296-06-030	AMD-P	90-02-089	296-17-870	AMD-C	90-11-099	296-24-87001	AMD	90-09-026
296-06-030	AMD	90-07-004	296-17-870	AMD	90-13-018	296-24-87003	REP-P	90-03-093
296-06-040	AMD-P	90-02-089	296-17-870	AMD	90-08-092	296-24-87003	REP	90-09-026
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296-06-110	AMD	90-07-004	296-18A-440	AMD-P	90-09-072	296-24-87013	NEW-P	90-03-093
296-06-120	AMD-P	90-02-089	296-18A-440	AMD	90-14-009	296-24-87013	NEW	90-09-026
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296-06-130	AMD-P	90-02-089	296-18A-450	AMD	90-14-009	296-24-87015	NEW	90-09-026
296-06-130	AMD	90-07-004	296-18A-480	AMD-P	90-09-072	296-24-87017	NEW-P	90-03-093
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296-06-150	AMD-P	90-02-089	296-18A-500	AMD	90-14-009	296-24-87019	NEW	90-09-026
296-06-150	AMD	90-07-004	296-18A-510	AMD-P	90-09-072	296-24-87031	NEW-P	90-03-093
296-06-170	AMD-P	90-02-089	296-18A-510	AMD	90-14-009	296-24-87031	NEW	90-09-026
296-06-170	AMD	90-07-004	296-18A-515	NEW-P	90-09-072	296-24-87033	NEW-P	90-03-093

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296-24-87035	NEW-P	90-03-093	296-62-40009	NEW-P	90-12-106	296-131-115	NEW-C	90-12-069
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296-36-145	AMD-P	90-12-106	296-62-40017	NEW-P	90-12-106	296-131-120	NEW	90-14-038
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296-46-140	AMD-P	90-14-102	296-104-015	AMD-P	90-04-065	296-131-130	NEW	90-14-038
296-46-150	AMD-P	90-14-102	296-104-015	AMD	90-07-082	296-131-135	NEW-P	90-07-078
296-46-160	REP-P	90-14-102	296-104-195	NEW	90-04-009	296-131-135	NEW-C	90-12-069
296-46-200	REP-P	90-14-102	296-104-200	AMD	90-04-009	296-131-135	NEW	90-14-038
296-46-21008	NEW-P	90-14-102	296-116-075	AMD-P	90-10-060	296-131-140	NEW-P	90-07-078
296-46-21052	NEW-P	90-14-102	296-116-075	AMD-C	90-13-076	296-131-140	NEW-C	90-12-069
296-46-220	AMD-P	90-14-102	296-116-120	AMD-C	90-08-094	296-131-140	NEW	90-14-038
296-46-23001	NEW-P	90-14-102	296-116-120	AMD-W	90-09-016	296-155-200	AMD-W	90-11-041
296-46-23028	NEW-P	90-14-102	296-116-120	AMD-P	90-09-030	296-155-225	AMD-P	90-03-093
296-46-23040	NEW-P	90-14-102	296-116-120	AMD	90-13-065	296-155-227	NEW-P	90-03-093
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296-46-240	REP-P	90-14-102	296-116-130	REP	90-13-077	296-155-480	AMD-P	90-03-093
296-46-30001	NEW-P	90-14-102	296-116-185	AMD-P	90-03-096	296-155-480	AMD	90-09-026
296-46-316	AMD-P	90-14-102	296-116-185	AMD	90-09-013	296-155-485	AMD	90-03-029
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296-46-336	NEW-P	90-14-102	296-116-300	AMD	90-08-095	296-155-48533	AMD	90-03-029
296-46-350	REP-P	90-14-102	296-116-300	AMD-E	90-13-055	296-155-505	AMD	90-03-029
296-46-360	AMD-P	90-14-102	296-116-300	AMD-P	90-14-086	296-155-580	REP-P	90-12-106
296-46-420	REP-P	90-14-102	296-127-016	REP-E	90-08-061	296-155-675	AMD	90-03-029
296-46-42401	NEW-P	90-14-102	296-127-040	AMD-E	90-09-047	296-155-680	AMD	90-03-029
296-46-45001	NEW-P	90-14-102	296-127-045	AMD-E	90-09-047	296-155-680	AMD-P	90-12-106
296-46-495	AMD-P	90-14-102	296-127-400	NEW-E	90-06-008	296-155-682	AMD-P	90-12-106
296-46-514	AMD-P	90-14-102	296-127-400	NEW-P	90-14-001	296-155-690	AMD	90-03-029
296-46-517	NEW-P	90-14-102	296-127-400	NEW-E	90-14-002	296-155-691	AMD-P	90-12-106
296-46-55001	NEW-P	90-14-102	296-127-410	NEW-E	90-06-008	296-155-692	REP	90-03-029
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296-46-700	NEW-P	90-14-102	296-127-420	NEW-E	90-06-008	296-155-697	AMD-P	90-12-106
296-46-725	NEW-P	90-14-102	296-127-420	NEW-P	90-14-001	296-155-725	AMD	90-03-029
296-46-770	NEW-P	90-14-102	296-127-420	NEW-E	90-14-002	296-155-730	AMD	90-03-029
296-46-910	AMD-P	90-12-104	296-127-430	NEW-E	90-06-008	296-305-015	AMD-P	90-12-106
296-46-915	AMD-P	90-12-104	296-127-430	NEW-P	90-14-001	296-306	AMD-C	90-05-002
296-52-417	AMD	90-03-029	296-127-430	NEW-E	90-14-002	296-306-060	AMD-W	90-11-041
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296-52-461	AMD	90-03-029	296-127-440	NEW-P	90-14-001	296-306-40003	NEW	90-11-023
296-52-473	REP	90-03-029	296-127-440	NEW-E	90-14-002	296-306-40005	NEW	90-11-023
296-52-477	AMD	90-03-029	296-127-450	NEW-E	90-06-008	296-350-030	AMD-P	90-03-093
296-52-481	AMD	90-03-029	296-127-450	NEW-P	90-14-001	296-350-030	AMD	90-09-026
296-52-509	AMD	90-03-029	296-127-450	NEW-E	90-14-002	296-401-175	AMD-P	90-12-104
296-52-510	NEW	90-03-029	296-127-460	NEW-E	90-06-008	308-11-030	AMD-P	90-03-107
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296-62-07507	AMD	90-03-029	296-131-001	AMD-C	90-12-069	308-13-150	AMD-P	90-11-061
296-62-07515	AMD	90-03-029	296-131-001	AMD	90-14-038	308-14-080	NEW-P	90-05-058
296-62-07517	AMD-P	90-03-093	296-131-005	NEW-P	90-07-078	308-14-080	NEW	90-10-009
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296-62-07531	AMD-P	90-03-093	296-131-020	NEW-C	90-12-069	308-14-100	NEW-P	90-05-058
296-62-07531	AMD	90-09-026	296-131-020	NEW	90-14-037	308-14-100	NEW	90-10-009
296-62-07540	AMD	90-03-029	296-131-100	NEW-P	90-07-078	308-14-110	NEW-P	90-05-058
296-62-07544	AMD	90-03-029	296-131-100	NEW-C	90-12-069	308-14-110	NEW	90-10-009
296-62-07713	AMD-P	90-12-106	296-131-100	NEW	90-14-038	308-14-130	NEW-P	90-14-096
296-62-3110	AMD-P	90-03-093	296-131-105	NEW-P	90-07-078	308-14-135	NEW-P	90-14-096
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296-62-40003	NEW-P	90-12-106	296-131-110	NEW-C	90-12-069	308-20-107	AMD	90-07-030
296-62-40005	NEW-P	90-12-106	296-131-110	NEW	90-14-038	308-20-140	AMD-P	90-03-018

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308-20-210	AMD	90-07-030	308-39-190	NEW-W	90-14-125	308-56A-505	NEW	90-11-091
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308-25-011	NEW-W	90-12-002	308-39-200	NEW-P	90-06-065	308-56A-510	NEW-E	90-06-016
308-25-015	AMD-W	90-12-002	308-39-200	NEW-W	90-14-125	308-56A-510	NEW	90-11-091
308-25-031	NEW-W	90-12-002	308-39-200	NEW-P	90-14-129	308-56A-515	NEW-P	90-06-015
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308-25-038	NEW-P	90-09-062	308-39-220	NEW-P	90-06-101	308-56A-520	NEW-E	90-06-016
308-25-038	NEW	90-12-068	308-40-107	NEW-P	90-04-085	308-56A-520	NEW	90-11-091
308-25-041	NEW-W	90-12-002	308-40-107	NEW	90-08-011	308-66-150	AMD-P	90-04-048
308-25-045	NEW-W	90-12-002	308-40-115	NEW-P	90-07-067	308-66-150	AMD-C	90-12-089
308-25-046	NEW-W	90-12-002	308-40-115	NEW	90-11-083	308-66-152	NEW-P	90-04-048
308-25-047	NEW-W	90-12-002	308-40-125	AMD-E	90-04-083	308-66-152	NEW-C	90-12-089
308-25-065	AMD	90-04-094	308-40-125	AMD	90-04-094	308-66-190	AMD-P	90-06-022
308-25-290	NEW-P	90-10-037	308-40-130	REP	90-05-039	308-66-190	AMD	90-10-013
308-25-310	NEW-P	90-10-037	308-40-135	NEW	90-05-039	308-67-010	NEW	90-03-022
308-25-320	NEW-P	90-10-037	308-40-150	NEW-P	90-07-068	308-72-509	NEW-P	90-08-116
308-25-330	NEW-P	90-10-037	308-40-150	NEW-P	90-14-079	308-72-509	NEW	90-13-037
308-29-045	AMD-P	90-03-107	308-40-150	NEW-W	90-14-081	308-72-520	AMD-P	90-08-116
308-29-045	AMD	90-06-052	308-40-151	NEW-P	90-07-068	308-72-520	AMD	90-13-037
308-30-030	AMD-P	90-03-107	308-40-151	NEW-P	90-14-079	308-72-540	AMD-P	90-08-116
308-30-040	AMD-P	90-03-107	308-40-151	NEW-W	90-14-081	308-72-540	AMD	90-13-037
308-30-050	AMD-P	90-03-107	308-40-152	NEW-P	90-07-068	308-72-540	AMD	90-13-037
308-30-060	AMD-P	90-03-107	308-40-152	NEW-P	90-14-079	308-72-542	NEW-P	90-08-116
308-30-070	AMD-P	90-03-107	308-40-152	NEW-W	90-14-081	308-72-542	NEW	90-13-037
308-30-080	AMD-P	90-03-107	308-41-025	REP-P	90-14-043	308-72-570	AMD-P	90-08-116
308-30-090	AMD-P	90-03-107	308-42-045	AMD-P	90-04-095	308-72-570	AMD	90-13-037
308-30-100	AMD-P	90-03-107	308-42-060	AMD-P	90-04-095	308-72-690	AMD-P	90-08-116
308-30-100	AMD	90-06-052	308-42-145	AMD-P	90-04-095	308-72-690	AMD	90-13-037
308-31-055	AMD-P	90-11-096	308-48-165	REP-P	90-14-098	308-77-034	AMD-P	90-08-117
308-31-055	AMD-E	90-11-097	308-48-800	AMD-P	90-04-110	308-77-034	AMD	90-13-038
308-31-210	NEW-P	90-06-064	308-48-800	AMD	90-07-024	308-77-040	AMD-P	90-08-117
308-31-210	NEW	90-12-013	308-49-100	AMD-P	90-14-098	308-77-040	AMD	90-13-038
308-31-220	NEW-P	90-06-064	308-49-130	AMD-P	90-14-098	308-77-120	AMD-P	90-08-117
308-31-220	NEW	90-12-013	308-49-140	AMD-P	90-14-098	308-77-120	AMD	90-13-038
308-31-230	NEW-P	90-06-064	308-49-140	AMD-P	90-14-098	308-77-125	NEW-E	90-08-060
308-31-230	NEW	90-12-013	308-49-150	AMD-P	90-14-098	308-77-125	NEW-P	90-08-119
308-31-240	NEW-P	90-06-064	308-49-160	REP-P	90-14-098	308-77-125	NEW	90-13-036
308-31-240	NEW	90-12-013	308-49-162	NEW-P	90-14-098	308-77-165	NEW-P	90-08-117
308-31-250	NEW-P	90-06-064	308-49-164	NEW-P	90-14-098	308-77-165	NEW	90-13-038
308-31-250	NEW	90-12-013	308-49-168	NEW-P	90-14-098	308-78-010	AMD-P	90-08-118
308-31-260	NEW-P	90-06-064	308-49-200	NEW-P	90-14-098	308-78-010	AMD	90-13-039
308-31-260	NEW	90-12-013	308-50-295	AMD-W	90-03-069	308-78-030	AMD-P	90-08-118
308-31-270	NEW-P	90-06-064	308-50-295	AMD-P	90-08-107	308-78-030	AMD	90-13-039
308-31-270	NEW	90-12-013	308-50-310	AMD-W	90-03-069	308-78-040	AMD-P	90-08-118
308-31-280	NEW-P	90-06-064	308-50-310	AMD-P	90-08-107	308-78-040	AMD	90-13-039
308-31-280	NEW	90-12-013	308-50-440	AMD	90-04-094	308-78-070	AMD-P	90-08-118
308-32-090	AMD-P	90-03-107	308-51-120	AMD-P	90-07-069	308-78-070	AMD	90-13-039
308-32-090	AMD	90-06-052	308-51-130	AMD	90-13-005	308-91-010	AMD-P	90-10-091
308-33-105	AMD-P	90-03-107	308-51-130	AMD-P	90-07-069	308-91-010	AMD-W	90-13-057
308-33-105	AMD	90-06-052	308-52-100	AMD	90-13-005	308-91-010	AMD-P	90-13-058
308-34-170	AMD	90-04-094	308-52-260	AMD-E	90-05-001	308-91-030	AMD-P	90-10-091
308-34-170	AMD-E	90-08-100	308-52-260	AMD-E	90-12-113	308-91-030	AMD-W	90-13-057
308-34-170	AMD-P	90-08-101	308-52-590	AMD-E	90-04-093	308-91-030	AMD-P	90-13-058
308-34-170	AMD	90-13-084	308-52-590	AMD-E	90-06-100	308-91-040	AMD-P	90-10-091
308-39-100	AMD-P	90-06-065	308-52-590	AMD-E	90-06-100	308-91-040	AMD-W	90-13-057
308-39-110	AMD-P	90-06-065	308-52-590	AMD-P	90-08-009	308-91-040	AMD-P	90-13-058
308-39-120	REP-P	90-06-065	308-52-690	AMD-E	90-09-007	308-91-050	AMD-P	90-10-091
308-39-120	REP-W	90-14-125	308-52-690	AMD-E	90-11-044	308-91-050	AMD-P	90-13-057
308-39-120	REP-P	90-14-129	308-53-075	AMD-P	90-08-106	308-91-050	AMD-W	90-13-058
308-39-125	NEW-P	90-06-065	308-53-075	AMD	90-11-080	308-91-060	AMD-P	90-10-091
308-39-130	NEW-P	90-06-065	308-53-084	AMD-P	90-08-106	308-91-060	AMD-P	90-13-057
308-39-140	NEW-P	90-06-065	308-53-084	AMD	90-11-080	308-91-060	AMD-W	90-13-058
308-39-150	NEW-P	90-06-065	308-53-085	AMD-P	90-08-106	308-91-070	AMD-P	90-10-091
308-39-150	NEW-W	90-14-125	308-53-085	AMD	90-11-080	308-91-070	AMD-W	90-13-057
308-39-150	NEW-P	90-14-129	308-53-210	PREP	90-12-065	308-91-070	AMD-P	90-13-058
308-39-160	NEW-P	90-06-065	308-53-265	PREP	90-12-065	308-91-080	AMD-P	90-10-091
308-39-160	NEW-W	90-14-125	308-54-315	AMD	90-04-094	308-91-080	AMD-W	90-13-057
308-39-160	NEW-P	90-14-129	308-56A-090	NEW-P	90-14-069	308-91-080	AMD-P	90-13-058
308-39-170	NEW-P	90-06-065	308-56A-090	NEW-E	90-14-072	308-91-090	AMD-P	90-10-091
308-39-170	NEW-W	90-14-125	308-56A-420	AMD-P	90-06-022	308-91-090	AMD-W	90-13-057
308-39-170	NEW-P	90-14-125	308-56A-420	AMD	90-10-013	308-91-090	AMD-P	90-13-058
308-39-170	NEW-P	90-14-129	308-56A-500	NEW-P	90-06-015	308-91-160	REP-P	90-10-091

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-91-160	REP-W	90-13-057	308-124E-014	AMD-C	90-05-073	308-124H-240	NEW-C	90-05-072
308-91-160	REP-P	90-13-058	308-124E-014	AMD	90-09-014	308-124H-240	NEW	90-10-010
308-93-010	AMD	90-08-018	308-124H	AMD-P	90-02-102	308-124H-250	NEW-C	90-05-072
308-93-050	AMD	90-08-018	308-124H	AMD-C	90-05-072	308-124H-250	NEW	90-10-010
308-93-140	AMD	90-08-018	308-124H	AMD	90-10-010	308-124H-260	NEW-C	90-05-072
308-93-660	NEW	90-08-018	308-124H-011	NEW-P	90-02-102	308-124H-260	NEW	90-10-010
308-93-670	NEW-P	90-14-071	308-124H-011	NEW-C	90-05-072	308-124H-270	NEW-C	90-05-072
308-93-670	NEW-E	90-14-074	308-124H-011	NEW	90-10-010	308-124H-270	NEW	90-10-010
308-96A-105	AMD-P	90-14-070	308-124H-020	REP-P	90-02-102	308-124H-280	NEW-C	90-05-072
308-96A-105	AMD-E	90-14-073	308-124H-020	REP-C	90-05-072	308-124H-280	NEW	90-10-010
308-96A-106	NEW-P	90-14-070	308-124H-020	REP	90-10-010	308-124H-290	NEW-C	90-05-072
308-96A-106	NEW-E	90-14-073	308-124H-021	NEW-P	90-02-102	308-124H-290	NEW	90-10-010
308-96A-120	AMD-P	90-14-070	308-124H-021	NEW-C	90-05-072	308-124H-300	NEW-C	90-05-072
308-96A-120	AMD-E	90-14-073	308-124H-021	NEW	90-10-010	308-124H-300	NEW	90-10-010
308-100-010	AMD-P	90-14-039	308-124H-025	NEW-P	90-02-102	308-124H-310	NEW-C	90-05-072
308-100-210	NEW-P	90-14-039	308-124H-025	NEW-C	90-05-072	308-124H-310	NEW	90-10-010
308-104-050	AMD-P	90-14-039	308-124H-025	NEW	90-10-010	308-124H-320	NEW-C	90-05-072
308-104-145	NEW-P	90-14-039	308-124H-030	REP-P	90-02-102	308-124H-320	NEW	90-10-010
308-115-405	AMD	90-04-094	308-124H-030	REP-C	90-05-072	308-124H-330	NEW-C	90-05-072
308-117-500	AMD	90-04-094	308-124H-030	REP	90-10-010	308-124H-330	NEW	90-10-010
308-120-165	AMD	90-04-059	308-124H-033	REP-P	90-02-102	308-124H-340	NEW-C	90-05-072
308-120-275	AMD	90-04-094	308-124H-033	REP-C	90-05-072	308-124H-340	NEW	90-10-010
308-120-620	NEW	90-04-059	308-124H-033	REP	90-10-010	308-124H-340	NEW-C	90-05-072
308-121-030	REP-P	90-12-117	308-124H-035	AMD-P	90-02-102	308-124H-510	NEW-C	90-05-072
308-121-040	REP-P	90-12-117	308-124H-035	AMD-C	90-05-072	308-124H-510	NEW	90-10-010
308-121-050	REP-P	90-12-117	308-124H-035	AMD	90-10-010	308-124H-520	NEW-C	90-05-072
308-121-055	REP-P	90-12-117	308-124H-036	AMD-P	90-02-102	308-124H-520	NEW	90-10-010
308-121-060	REP-P	90-12-117	308-124H-036	AMD-C	90-05-072	308-124H-530	NEW-C	90-05-072
308-121-070	REP-P	90-12-117	308-124H-036	AMD	90-10-010	308-124H-530	NEW	90-10-010
308-121-110	NEW-P	90-10-084	308-124H-037	AMD-P	90-02-102	308-124H-540	NEW-C	90-05-072
308-121-110	NEW-C	90-12-115	308-124H-037	AMD-C	90-05-072	308-124H-540	NEW	90-10-010
308-121-120	NEW-P	90-10-084	308-124H-037	AMD	90-10-010	308-124H-550	NEW-C	90-05-072
308-121-120	NEW-C	90-12-115	308-124H-038	REP-P	90-02-102	308-124H-550	NEW	90-10-010
308-121-120	NEW-P	90-10-084	308-124H-038	REP-C	90-05-072	308-124H-560	NEW-C	90-05-072
308-121-130	NEW-C	90-12-115	308-124H-038	REP	90-10-010	308-124H-560	NEW	90-10-010
308-121-140	NEW-P	90-10-084	308-124H-040	REP-P	90-02-102	308-124H-570	NEW-C	90-05-072
308-121-140	NEW-C	90-12-115	308-124H-040	REP-C	90-05-072	308-124H-570	NEW	90-10-010
308-121-145	NEW-P	90-10-084	308-124H-040	REP	90-10-010	308-124H-580	NEW-C	90-05-072
308-121-145	NEW-C	90-12-115	308-124H-041	NEW-P	90-02-102	308-124H-580	NEW	90-10-010
308-121-150	NEW-P	90-10-084	308-124H-041	NEW-C	90-05-072	308-124H-800	NEW-P	90-10-075
308-121-150	NEW-C	90-12-115	308-124H-041	NEW	90-10-010	308-124H-800	NEW-W	90-11-008
308-121-155	NEW-P	90-10-084	308-124H-043	REP-P	90-02-102	308-124H-800	NEW-P	90-11-098
308-121-155	NEW-C	90-12-115	308-124H-043	REP-C	90-05-072	308-1241-010	NEW-P	90-02-102
308-121-160	NEW-P	90-10-084	308-124H-043	REP	90-10-010	308-1241-020	NEW-P	90-02-102
308-121-160	NEW-C	90-12-115	308-124H-045	REP-P	90-02-102	308-1241-030	NEW-P	90-02-102
308-121-165	NEW-P	90-10-084	308-124H-045	REP-C	90-05-072	308-1241-040	NEW-P	90-02-102
308-121-165	NEW-C	90-12-115	308-124H-045	REP	90-10-010	308-1241-050	NEW-P	90-02-102
308-121-170	NEW-P	90-10-084	308-124H-050	REP-P	90-02-102	308-1241-060	NEW-P	90-02-102
308-121-170	NEW-C	90-12-115	308-124H-050	REP-C	90-05-072	308-1241-070	NEW-P	90-02-102
308-121-175	NEW-P	90-10-084	308-124H-050	REP	90-10-010	308-1241-080	NEW-P	90-02-102
308-121-175	NEW-C	90-12-115	308-124H-051	NEW-P	90-02-102	308-1241-090	NEW-P	90-02-102
308-121-180	NEW-P	90-10-084	308-124H-051	NEW-C	90-05-072	308-1241-100	NEW-P	90-02-102
308-121-180	NEW-C	90-12-115	308-124H-051	NEW	90-10-010	308-1241-110	NEW-P	90-02-102
308-122-275	AMD	90-04-094	308-124H-055	REP-P	90-02-102	308-1241-120	NEW-P	90-02-102
308-122-500	AMD-E	90-05-016	308-124H-055	REP-C	90-05-072	308-1241-130	NEW-P	90-02-102
308-122-500	AMD-P	90-05-040	308-124H-055	REP	90-10-010	308-1241-140	NEW-P	90-02-102
308-122-500	AMD-W	90-10-100	308-124H-060	REP-P	90-02-102	308-124J-010	NEW-P	90-02-102
308-122-503	REP	90-05-015	308-124H-060	REP-C	90-05-072	308-124J-020	NEW-P	90-02-102
308-122-503	REP-E	90-05-017	308-124H-060	REP	90-10-010	308-124J-030	NEW-P	90-02-102
308-122-550	REP	90-05-015	308-124H-061	NEW-P	90-02-102	308-124J-040	NEW-P	90-02-102
308-122-550	REP-E	90-05-017	308-124H-061	NEW-C	90-05-072	308-124J-050	NEW-P	90-02-102
308-122-555	REP	90-05-015	308-124H-061	NEW	90-10-010	308-124J-060	NEW-P	90-02-102
308-122-555	REP-E	90-05-017	308-124H-062	NEW-P	90-02-102	308-124J-070	NEW-P	90-02-102
308-122-560	REP	90-05-015	308-124H-062	NEW-C	90-05-072	308-124J-080	NEW-P	90-02-102
308-122-560	REP-E	90-05-017	308-124H-062	NEW	90-10-010	308-127-010	REP-P	90-04-088
308-122-565	REP	90-05-015	308-124H-065	REP-P	90-02-102	308-127-010	REP	90-07-023
308-122-565	REP-E	90-05-017	308-124H-065	REP-C	90-05-072	308-127-020	REP-P	90-04-088
308-122-570	REP	90-05-015	308-124H-065	REP	90-10-010	308-127-020	REP	90-07-023
308-122-570	REP-E	90-05-017	308-124H-070	REP-P	90-02-102	308-127-030	REP-P	90-04-088
308-122-575	REP	90-05-015	308-124H-070	REP-C	90-05-072	308-127-030	REP	90-07-023
308-122-575	REP-E	90-05-017	308-124H-070	REP	90-10-010	308-127-035	NEW-P	90-04-088
308-122-580	REP	90-05-015	308-124H-210	NEW-C	90-05-072	308-127-035	NEW	90-07-023
308-122-580	REP-E	90-05-017	308-124H-210	NEW	90-10-010	308-127-040	AMD-P	90-04-088
308-124C-020	AMD-P	90-10-075	308-124H-220	NEW-C	90-05-072	308-127-040	AMD	90-07-023
308-124C-020	AMD-W	90-11-008	308-124H-220	NEW	90-10-010	308-127-100	REP-P	90-04-088
308-124C-020	AMD-P	90-11-098	308-124H-230	NEW-C	90-05-072	308-127-100	REP	90-07-023
308-124E-014	AMD-P	90-02-103	308-124H-230	NEW	90-10-010	308-127-105	NEW-P	90-04-088
						308-127-105	NEW	90-07-023

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308-127-110	AMD-P	90-04-088	308-310-010	AMD	90-04-094	315-33-040	NEW-P	90-03-109
308-127-110	AMD	90-07-023	308-320-010	NEW	90-02-060	315-33-040	NEW	90-06-060
308-127-120	AMD-P	90-04-088	308-320-010	NEW-E	90-02-061	315-33-050	NEW-P	90-03-109
308-127-120	AMD	90-07-023	308-320-020	NEW	90-02-060	315-33-050	NEW	90-06-060
308-127-130	AMD-P	90-04-088	308-320-020	NEW-E	90-02-061	315-33-060	NEW-P	90-03-109
308-127-130	AMD	90-07-023	308-320-030	NEW	90-02-060	315-33-060	NEW	90-06-060
308-127-140	AMD-P	90-04-088	308-320-030	NEW-E	90-02-061	315-33-070	NEW-P	90-03-109
308-127-140	AMD	90-07-023	308-320-040	NEW	90-02-060	315-33-070	NEW	90-06-060
308-127-155	REP-P	90-04-088	308-320-040	NEW-E	90-02-061	316-55-001	AMD-P	90-03-039
308-127-155	REP	90-07-023	308-320-050	NEW	90-02-060	316-55-001	AMD	90-06-047
308-127-160	NEW-P	90-04-088	308-320-050	NEW-E	90-02-061	316-55-005	NEW-P	90-03-039
308-127-160	NEW	90-07-023	308-320-060	NEW	90-02-060	316-55-005	NEW	90-06-047
308-127-200	AMD-P	90-04-088	308-320-060	NEW-E	90-02-061	316-55-010	AMD-P	90-03-039
308-127-200	AMD	90-07-023	308-320-070	NEW	90-02-060	316-55-010	AMD	90-06-047
308-127-210	AMD-P	90-04-088	308-320-070	NEW-E	90-02-061	316-55-020	AMD-P	90-03-039
308-127-210	AMD	90-07-023	308-320-080	NEW	90-02-060	316-55-020	AMD	90-06-047
308-127-220	REP-P	90-04-088	308-320-080	NEW-E	90-02-061	316-55-030	AMD-P	90-03-039
308-127-220	REP	90-07-023	308-320-090	NEW	90-02-060	316-55-030	AMD	90-06-047
308-127-225	NEW-P	90-04-088	308-320-090	NEW-E	90-02-061	316-55-050	AMD-P	90-03-039
308-127-225	NEW	90-07-023	308-320-100	NEW-W	90-11-068	316-55-050	AMD	90-06-047
308-127-300	AMD-P	90-04-088	308-400-042	AMD	90-04-050	316-55-070	AMD-P	90-03-039
308-127-300	AMD	90-07-023	308-400-095	AMD	90-04-050	316-55-070	AMD	90-06-047
308-128B-060	REP	90-03-098	314-12-135	NEW-P	90-10-088	316-55-070	RE-AD-P	90-03-039
308-128B-080	AMD	90-03-099	314-12-135	NEW	90-14-003	316-55-090	RE-AD	90-06-047
308-138-080	AMD	90-04-094	314-12-175	AMD-P	90-10-087	316-55-090	AMD-P	90-03-039
308-152-030	AMD	90-04-094	314-12-175	REP	90-14-012	316-55-110	AMD	90-06-047
308-152-030	AMD-P	90-08-009	314-16-170	AMD-P	90-03-088	316-55-110	NEW-P	90-03-039
308-171-001	AMD-P	90-04-096	314-20-020	AMD-P	90-10-090	316-55-120	NEW	90-06-047
308-171-010	AMD-P	90-04-096	314-20-025	NEW-P	90-03-089	316-55-120	RE-AD-P	90-03-039
308-171-020	AMD-P	90-04-096	314-40-020	AMD-P	90-10-089	316-55-130	RE-AD	90-06-047
308-171-041	NEW-P	90-04-096	314-40-020	AMD	90-14-004	316-55-150	RE-AD-P	90-03-039
308-173-130	AMD	90-04-094	314-60-040	AMD	90-02-109	316-55-150	RE-AD	90-06-047
308-173-210	NEW-P	90-10-084	315-04-132	AMD-P	90-07-086	316-55-160	AMD-P	90-03-039
308-173-210	NEW-C	90-12-115	315-04-132	AMD	90-11-040	316-55-160	AMD	90-06-047
308-173-220	NEW-P	90-10-084	315-06-080	AMD-P	90-07-086	316-55-170	RE-AD-P	90-03-039
308-173-220	NEW-C	90-12-115	315-06-080	AMD	90-11-040	316-55-170	RE-AD	90-06-047
308-173-230	NEW-P	90-10-084	315-08-010	NEW-P	90-07-086	316-55-500	AMD-P	90-03-039
308-173-230	NEW-C	90-12-115	315-08-010	NEW	90-11-040	316-55-500	AMD	90-06-047
308-173-240	NEW-P	90-10-084	315-08-020	NEW-P	90-07-086	316-55-500	AMD-P	90-03-039
308-173-240	NEW-C	90-12-115	315-08-020	NEW	90-11-040	316-55-505	AMD	90-06-047
308-173-245	NEW-P	90-10-084	315-08-030	NEW-P	90-07-086	316-55-505	RE-AD-P	90-03-039
308-173-245	NEW-C	90-12-115	315-08-030	NEW	90-11-040	316-55-510	RE-AD	90-06-047
308-173-250	NEW-P	90-10-084	315-08-040	NEW-P	90-07-086	316-55-510	AMD-P	90-03-039
308-173-250	NEW-C	90-12-115	315-08-040	NEW	90-11-040	316-55-515	AMD	90-06-047
308-173-255	NEW-P	90-10-084	315-11-480	AMD	90-03-023	316-55-515	AMD	90-03-039
308-173-255	NEW-C	90-12-115	315-11-490	AMD	90-03-023	316-55-517	NEW-P	90-03-039
308-173-260	NEW-P	90-10-084	315-11-491	AMD	90-03-023	316-55-517	NEW	90-06-047
308-173-260	NEW-C	90-12-115	315-11-530	NEW-P	90-03-109	316-55-520	REP-P	90-03-039
308-173-265	NEW-P	90-10-084	315-11-530	NEW	90-06-060	316-55-520	REP	90-06-047
308-173-265	NEW-C	90-12-115	315-11-531	NEW-P	90-03-109	316-55-525	AMD-P	90-03-039
308-173-270	NEW-P	90-10-084	315-11-531	NEW	90-06-060	316-55-525	AMD	90-06-047
308-173-270	NEW-C	90-12-115	315-11-532	NEW-P	90-03-109	316-55-600	RE-AD-P	90-03-039
308-173-275	NEW-P	90-10-084	315-11-532	NEW-P	90-03-109	316-55-600	RE-AD	90-06-047
308-173-275	NEW-C	90-12-115	315-11-532	NEW	90-06-060	316-55-700	NEW-P	90-03-039
308-173-280	NEW-P	90-10-084	315-11-540	NEW-P	90-03-109	316-55-700	NEW	90-06-047
308-173-280	NEW-C	90-12-115	315-11-540	NEW	90-06-060	316-55-710	NEW-P	90-03-039
308-175-140	AMD	90-04-094	315-11-541	NEW-P	90-03-109	316-55-710	NEW	90-06-047
308-175-200	AMD-E	90-06-004	315-11-541	NEW	90-06-060	316-55-730	NEW-P	90-03-039
308-175-200	AMD-P	90-11-019	315-11-542	NEW-P	90-03-109	316-55-730	NEW	90-06-047
308-175-200	AMD	90-14-131	315-11-542	NEW	90-06-060	316-85-001	NEW-P	90-03-040
308-177-110	AMD	90-04-094	315-11-550	NEW-P	90-07-086	316-85-001	NEW	90-06-046
308-180-120	AMD-P	90-05-053	315-11-550	NEW	90-11-040	316-85-010	NEW-P	90-03-040
308-180-120	AMD	90-11-093	315-11-551	NEW-P	90-07-086	316-85-010	NEW	90-06-046
308-180-150	AMD-P	90-08-002	315-11-551	NEW	90-11-040	316-85-020	NEW-P	90-03-040
308-180-150	AMD	90-12-114	315-11-552	NEW-P	90-07-086	316-85-020	NEW	90-06-046
308-180-210	AMD-P	90-08-002	315-11-552	NEW	90-11-040	316-85-030	NEW-P	90-03-040
308-180-210	AMD	90-12-114	315-11-560	NEW-P	90-11-127	316-85-030	NEW	90-06-046
308-180-250	AMD-P	90-08-002	315-11-561	NEW-P	90-11-127	316-85-040	NEW-P	90-03-040
308-180-250	AMD	90-12-114	315-11-562	NEW-P	90-11-127	316-85-040	NEW	90-06-046
308-180-260	AMD	90-04-094	315-11-570	NEW-P	90-11-127	316-85-050	NEW-P	90-03-040
308-180-260	AMD-P	90-08-009	315-11-571	NEW-P	90-11-127	316-85-050	NEW	90-06-046
308-190-010	AMD	90-04-094	315-11-572	NEW-P	90-11-127	316-85-060	NEW-P	90-03-040
308-190-010	AMD-P	90-08-009	315-33-010	NEW-P	90-03-109	316-85-060	NEW	90-06-046
308-300	NEW-E	90-14-021	315-33-020	NEW	90-06-060	316-85-070	NEW-P	90-03-040
308-300	NEW-P	90-14-022	315-33-020	NEW-P	90-03-109	316-85-070	NEW	90-06-046
308-300-075	NEW-E	90-14-021	315-33-030	NEW	90-06-060	316-85-080	NEW-P	90-03-040
308-300-075	NEW-P	90-14-022	315-33-030	NEW-P	90-03-109	316-85-080	NEW	90-06-046
						316-85-090	NEW-P	90-03-040

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
316-85-090	NEW	90-06-046	352-36-120	REP	90-10-024	352-64-060	AMD	90-04-064
316-85-100	NEW-P	90-03-040	352-36-130	REP-P	90-06-109	352-64-070	AMD	90-04-064
316-85-100	NEW	90-06-046	352-36-130	REP	90-10-024	352-64-080	AMD	90-04-064
320-08-002	NEW-P	90-14-080	352-36-140	REP-P	90-06-109	352-65-010	NEW-P	90-09-070
326-30-030	AMD	90-06-040	352-36-140	REP	90-10-024	352-65-010	NEW	90-13-008
326-30-03902	NEW	90-06-041	352-37-010	NEW-P	90-04-106	352-65-020	NEW-P	90-09-070
326-30-03903	NEW-E	90-13-023	352-37-010	NEW-E	90-06-006	352-65-020	NEW	90-13-008
332-24-700	NEW-P	90-12-015	352-37-010	NEW	90-07-050	352-65-030	NEW-P	90-09-070
332-30-166	AMD	90-02-085	352-37-020	NEW-P	90-04-106	352-65-030	NEW	90-13-008
332-130-030	AMD-P	90-03-066	352-37-020	NEW-E	90-06-006	352-65-040	NEW-P	90-09-070
332-130-030	AMD	90-06-028	352-37-020	NEW	90-07-050	352-65-040	NEW	90-13-008
332-130-070	AMD-P	90-03-066	352-37-030	NEW-P	90-04-106	352-65-050	NEW-P	90-09-070
332-130-070	AMD	90-06-028	352-37-030	NEW-E	90-06-006	352-65-050	NEW	90-13-008
332-130-080	AMD-P	90-03-066	352-37-030	NEW	90-07-050	352-65-060	NEW-P	90-09-070
332-130-080	AMD	90-06-028	352-37-040	NEW-P	90-04-106	352-65-060	NEW	90-13-008
332-130-090	AMD-P	90-03-066	352-37-040	NEW-E	90-06-006	352-66-010	NEW-P	90-04-107
332-130-090	AMD	90-06-028	352-37-040	NEW	90-07-050	352-66-010	NEW	90-07-051
352-12-020	AMD-P	90-04-108	352-37-050	NEW-P	90-04-106	352-66-020	NEW-P	90-04-107
352-12-020	AMD	90-07-062	352-37-050	NEW-E	90-06-006	352-66-020	NEW	90-07-051
352-12-020	AMD-E	90-08-121	352-37-050	NEW	90-07-050	352-66-030	NEW-P	90-04-107
352-12-030	AMD-P	90-04-108	352-37-060	NEW-P	90-04-106	352-66-030	NEW	90-07-051
352-12-030	AMD	90-07-062	352-37-060	NEW-E	90-06-006	352-66-040	NEW-P	90-04-107
352-12-030	AMD-E	90-08-121	352-37-060	NEW	90-07-050	352-66-040	NEW	90-07-051
352-20-010	AMD-P	90-04-108	352-37-070	NEW-P	90-04-106	352-66-050	NEW-P	90-04-107
352-20-010	AMD	90-07-062	352-37-070	NEW-E	90-06-006	352-66-050	NEW	90-07-051
352-20-010	AMD-E	90-08-121	352-37-070	NEW	90-07-050	352-66-060	NEW-P	90-04-107
352-20-050	AMD-P	90-04-108	352-37-080	NEW-P	90-04-106	352-66-060	NEW	90-07-051
352-20-050	AMD	90-07-062	352-37-080	NEW-E	90-06-006	352-66-070	NEW-P	90-04-107
352-20-050	AMD-E	90-08-121	352-37-080	NEW	90-07-050	352-66-070	NEW	90-07-051
352-20-050	AMD-P	90-04-108	352-37-090	NEW-P	90-04-106	352-66-080	NEW-P	90-04-107
352-20-050	AMD	90-07-062	352-37-090	NEW-E	90-06-006	352-66-080	NEW	90-07-051
352-20-050	AMD-E	90-08-121	352-37-090	NEW	90-07-050	352-66-090	NEW-P	90-04-107
352-32-010	AMD-W	90-07-064	352-37-090	NEW-E	90-04-106	352-66-090	NEW	90-07-051
352-32-045	AMD-P	90-04-108	352-37-100	NEW-P	90-04-106	352-66-100	NEW-P	90-04-107
352-32-045	AMD	90-07-062	352-37-100	NEW-E	90-06-006	352-66-100	NEW	90-07-051
352-32-045	AMD-E	90-08-121	352-37-100	NEW	90-07-050	352-66-110	NEW-P	90-04-107
352-32-050	AMD-P	90-04-108	352-37-110	NEW-P	90-04-106	352-66-110	NEW	90-07-051
352-32-050	AMD	90-07-062	352-37-110	NEW-E	90-06-006	352-66-120	NEW-P	90-04-107
352-32-050	AMD-E	90-08-121	352-37-110	NEW	90-07-050	352-66-120	NEW	90-07-051
352-32-235	AMD	90-04-025	352-37-120	NEW-P	90-04-106	352-75-010	NEW-P	90-06-110
352-32-250	AMD-P	90-04-108	352-37-120	NEW-E	90-06-006	352-75-010	NEW	90-10-052
352-32-250	AMD	90-07-062	352-37-120	NEW	90-07-050	352-75-020	NEW-P	90-06-110
352-32-250	AMD-E	90-08-121	352-37-120	NEW-P	90-04-106	352-75-020	NEW	90-10-052
352-32-25001	AMD-P	90-04-108	352-37-120	NEW-E	90-06-006	352-75-030	NEW-P	90-06-110
352-32-25001	AMD	90-07-062	352-37-130	NEW	90-07-050	352-75-030	NEW	90-10-052
352-32-25001	AMD-E	90-08-121	352-37-130	NEW-P	90-04-106	352-75-040	NEW-P	90-06-110
352-32-251	AMD	90-04-024	352-37-140	NEW-E	90-06-006	352-75-040	NEW	90-10-052
352-32-252	AMD-P	90-04-108	352-37-140	NEW	90-07-050	352-75-040	NEW	90-10-052
352-32-252	AMD	90-07-062	352-37-140	NEW-P	90-04-106	352-75-050	NEW-P	90-06-110
352-32-252	AMD-E	90-08-121	352-37-150	NEW-E	90-06-006	352-75-050	NEW	90-10-052
352-32-270	AMD-P	90-06-108	352-37-150	NEW	90-07-050	352-75-060	NEW-P	90-06-110
352-32-270	AMD	90-10-023	352-37-150	NEW-P	90-04-106	352-75-060	NEW	90-10-052
352-36-010	REP-P	90-06-109	352-37-160	NEW-E	90-06-006	352-75-070	NEW-P	90-06-110
352-36-010	REP	90-10-024	352-37-160	NEW	90-07-050	352-75-070	NEW	90-10-052
352-36-020	REP-P	90-06-109	352-37-160	NEW-P	90-04-106	352-75-080	NEW-P	90-06-110
352-36-020	REP	90-10-024	352-37-170	NEW-E	90-06-006	352-75-080	NEW	90-10-052
352-36-025	REP-P	90-06-109	352-37-170	NEW	90-07-050	352-75-090	NEW-P	90-06-110
352-36-025	REP	90-10-024	352-37-180	NEW-P	90-04-106	352-75-090	NEW	90-10-052
352-36-030	REP-P	90-06-109	352-37-180	NEW-E	90-06-006	356-05-063	NEW-P	90-11-112
352-36-030	REP	90-10-024	352-37-180	NEW	90-07-050	356-05-210	AMD	90-03-044
352-36-040	REP-P	90-06-109	352-37-190	NEW-P	90-04-106	356-06-020	AMD-P	90-08-074
352-36-040	REP	90-10-024	352-37-190	NEW-E	90-06-006	356-06-020	AMD-E	90-12-026
352-36-050	REP-P	90-06-109	352-37-190	NEW	90-07-050	356-06-055	AMD	90-12-027
352-36-050	REP	90-10-024	352-37-200	NEW-P	90-04-106	356-06-055	AMD-P	90-08-074
352-36-060	REP-P	90-06-109	352-37-200	NEW-E	90-06-006	356-06-055	AMD-E	90-12-026
352-36-060	REP	90-10-024	352-37-200	NEW	90-07-050	356-06-055	AMD	90-12-027
352-36-070	REP-P	90-06-109	352-37-210	NEW-P	90-04-106	356-06-080	AMD-P	90-08-075
352-36-070	REP	90-10-024	352-37-210	NEW-E	90-06-006	356-06-080	AMD-E	90-12-021
352-36-080	REP-P	90-06-109	352-37-210	NEW	90-07-050	356-06-080	AMD	90-12-022
352-36-080	REP	90-10-024	352-40-125	NEW-E	90-13-009	356-07-030	AMD-C	90-03-048
352-36-090	REP-P	90-06-109	352-40-127	NEW-E	90-13-009	356-07-030	AMD	90-07-056
352-36-090	REP	90-10-024	352-40-130	AMD-E	90-13-009	356-14-240	AMD-P	90-03-102
352-36-100	REP-P	90-06-109	352-40-140	AMD-E	90-13-009	356-14-240	AMD-C	90-07-054
352-36-100	REP	90-10-024	352-40-140	AMD-E	90-13-009	356-14-240	AMD-C	90-10-015
352-36-110	REP-P	90-06-109	352-40-900	AMD-E	90-13-009	356-14-240	AMD-W	90-11-043
352-36-110	REP	90-10-024	352-64-020	AMD	90-04-064	356-14-240	AMD-C	90-12-017
352-36-115	REP-P	90-06-109	352-64-030	AMD	90-04-064	356-14-240	AMD-W	90-13-066
352-36-115	REP	90-10-024	352-64-040	AMD	90-04-064	356-15-060	AMD-P	90-03-102
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356-15-060	AMD-C	90-10-015	356-34-140	REP	90-10-018	356-47-030	AMD-P	90-08-073
356-15-060	AMD-C	90-12-017	356-34-160	REP-P	90-03-101	356-47-030	AMD-E	90-12-023
356-15-060	AMD-W	90-13-066	356-34-160	REP-C	90-07-053	356-47-030	AMD	90-12-024
356-15-100	AMD-P	90-11-112	356-34-160	REP-E	90-10-017	356-47-090	AMD-P	90-08-070
356-15-125	AMD-P	90-03-102	356-34-160	REP	90-10-018	356-47-090	AMD	90-12-025
356-15-125	AMD-C	90-07-054	356-34-170	REP-P	90-03-101	360-10-050	AMD-P	90-03-053
356-15-125	AMD-C	90-10-015	356-34-170	REP-C	90-07-053	360-10-050	AMD-W	90-11-069
356-15-125	AMD-C	90-12-017	356-34-170	REP-E	90-10-017	360-10-050	AMD	90-11-079
356-15-125	AMD-W	90-13-066	356-34-170	REP	90-10-018	360-15-010	NEW	90-03-054
356-15-130	AMD-P	90-10-039	356-34-180	REP-P	90-03-101	360-15-020	NEW	90-03-054
356-15-130	AMD-E	90-11-042	356-34-180	REP-C	90-07-053	360-15-030	NEW	90-03-054
356-15-130	AMD	90-13-068	356-34-180	REP-E	90-10-017	360-15-040	NEW	90-03-054
356-22-010	AMD-C	90-03-047	356-34-180	REP	90-10-018	360-15-050	NEW	90-03-054
356-22-010	AMD	90-05-029	356-34-190	REP-P	90-03-101	360-15-060	NEW	90-03-054
356-22-070	AMD-P	90-08-072	356-34-190	REP-C	90-07-053	360-15-070	NEW	90-03-055
356-22-070	AMD	90-12-020	356-34-190	REP-E	90-10-017	360-16A-010	NEW	90-03-055
356-22-11001	REP-C	90-03-047	356-34-190	REP	90-10-018	360-16A-020	NEW	90-03-055
356-22-11001	REP	90-05-029	356-34-200	REP-P	90-03-101	360-16A-030	NEW	90-03-055
356-22-1111	NEW-C	90-03-047	356-34-200	REP-C	90-07-053	360-16A-040	NEW	90-03-055
356-22-111	NEW	90-05-029	356-34-200	REP-E	90-10-017	360-16A-050	NEW-W	90-11-070
356-22-120	AMD-C	90-03-047	356-34-200	REP	90-10-018	360-16A-060	NEW	90-03-055
356-22-120	AMD	90-05-029	356-34-210	REP-P	90-03-101	360-16A-070	NEW	90-03-055
356-26-040	AMD-P	90-12-018	356-34-210	REP-C	90-07-053	360-16A-080	NEW	90-03-055
356-26-060	AMD-P	90-08-075	356-34-210	REP-E	90-10-017	360-16A-090	NEW	90-03-055
356-26-060	AMD-E	90-12-021	356-34-210	REP	90-10-018	360-16A-100	NEW	90-03-055
356-26-060	AMD	90-12-022	356-34-220	REP-P	90-03-101	365-110-020	AMD-P	90-03-017
356-30-145	AMD-C	90-03-045	356-34-220	REP-C	90-07-053	365-110-020	AMD	90-09-008
356-30-145	AMD-C	90-05-027	356-34-220	REP-E	90-10-017	365-110-030	REP-P	90-03-017
356-30-145	AMD-C	90-07-055	356-34-220	REP	90-10-018	365-110-030	REP	90-09-008
356-30-145	AMD-C	90-10-016	356-34-230	REP-P	90-03-101	365-110-035	AMD-P	90-03-017
356-30-145	AMD-W	90-11-043	356-34-230	REP-C	90-07-053	365-110-035	AMD	90-09-008
356-30-180	AMD-C	90-03-045	356-34-230	REP-E	90-10-017	365-110-040	REP-P	90-03-017
356-30-180	AMD-C	90-05-027	356-34-230	REP	90-10-018	365-110-040	REP	90-09-008
356-30-180	AMD-C	90-07-055	356-37-010	NEW-P	90-03-101	365-110-050	REP-P	90-03-017
356-30-180	AMD-W	90-11-043	356-37-010	NEW	90-07-057	365-110-050	REP	90-09-008
356-30-190	AMD-C	90-03-045	356-37-020	NEW-P	90-03-101	365-110-060	REP-P	90-03-017
356-30-190	AMD-C	90-05-027	356-37-020	NEW	90-07-057	365-110-060	REP	90-09-008
356-30-190	AMD-C	90-07-055	356-37-030	NEW-P	90-03-101	365-110-080	REP-P	90-03-017
356-30-190	AMD-W	90-11-043	356-37-030	NEW	90-07-057	365-110-080	REP	90-09-008
356-30-280	AMD-C	90-03-045	356-37-040	NEW-P	90-03-101	371-08-001	NEW-P	90-14-097
356-30-280	AMD-C	90-05-027	356-37-040	NEW	90-07-057	371-08-002	NEW-P	90-14-097
356-30-280	AMD-C	90-07-055	356-37-050	NEW-P	90-03-101	371-08-005	AMD-P	90-14-097
356-30-280	AMD-W	90-11-043	356-37-050	NEW	90-07-057	371-08-010	AMD-P	90-14-097
356-30-320	AMD-C	90-03-045	356-37-060	NEW-P	90-03-101	371-08-015	REP-P	90-14-097
356-30-320	AMD	90-05-028	356-37-060	NEW	90-07-057	371-08-020	AMD-P	90-14-097
356-30-320	AMD-P	90-12-019	356-37-070	NEW-P	90-03-101	371-08-030	AMD-P	90-14-097
356-34-110	REP-P	90-03-101	356-37-070	NEW	90-07-057	371-08-031	REP-P	90-14-097
356-34-110	REP-C	90-07-053	356-37-080	NEW-P	90-03-101	371-08-032	AMD-P	90-14-097
356-34-110	REP-E	90-10-017	356-37-080	NEW	90-07-057	371-08-033	NEW-P	90-14-097
356-34-110	REP	90-10-018	356-37-090	NEW-P	90-03-101	371-08-035	AMD-P	90-14-097
356-34-113	REP-P	90-03-101	356-37-090	NEW	90-07-057	371-08-040	AMD-P	90-14-097
356-34-113	REP-C	90-07-053	356-37-100	NEW-P	90-03-101	371-08-045	REP-P	90-14-097
356-34-113	REP-E	90-10-017	356-37-100	NEW	90-07-057	371-08-065	AMD-P	90-14-097
356-34-113	REP	90-10-018	356-37-110	NEW-P	90-03-101	371-08-071	AMD-P	90-14-097
356-34-115	REP-P	90-03-101	356-37-110	NEW	90-07-057	371-08-075	AMD-P	90-14-097
356-34-115	REP-C	90-07-053	356-37-120	NEW-P	90-03-101	371-08-080	AMD-P	90-14-097
356-34-115	REP-E	90-10-017	356-37-120	NEW	90-07-057	371-08-085	AMD-P	90-14-097
356-34-115	REP	90-10-018	356-37-130	NEW-P	90-03-101	371-08-095	REP-P	90-14-097
356-34-117	REP-P	90-03-101	356-37-130	NEW	90-07-057	371-08-100	AMD-P	90-14-097
356-34-117	REP-C	90-07-053	356-37-140	NEW-P	90-03-101	371-08-102	REP-P	90-14-097
356-34-117	REP-E	90-10-017	356-37-140	NEW	90-07-057	371-08-104	AMD-P	90-14-097
356-34-117	REP	90-10-018	356-37-150	NEW-P	90-03-101	371-08-105	REP-P	90-14-097
356-34-118	REP-P	90-03-101	356-37-150	NEW	90-07-057	371-08-106	NEW-P	90-14-097
356-34-118	REP-C	90-07-053	356-42-055	AMD-P	90-03-104	371-08-110	REP-P	90-14-097
356-34-118	REP-E	90-10-017	356-42-055	AMD	90-08-020	371-08-115	REP-P	90-14-097
356-34-118	REP	90-10-018	356-42-056	NEW-P	90-03-103	371-08-120	REP-P	90-14-097
356-34-119	REP-P	90-03-101	356-46-060	AMD-P	90-07-052	371-08-125	AMD-P	90-14-097
356-34-119	REP-C	90-07-053	356-46-060	AMD	90-12-028	371-08-130	AMD-P	90-14-097
356-34-119	REP-E	90-10-017	356-46-135	NEW-P	90-08-071	371-08-131	REP-P	90-14-097
356-34-119	REP	90-10-018	356-46-135	NEW-C	90-12-016	371-08-132	REP-P	90-14-097
356-34-130	REP-P	90-03-101	356-46-135	NEW-C	90-13-067	371-08-135	REP-P	90-14-097
356-34-130	REP-C	90-07-053	356-46-140	NEW-P	90-08-071	371-08-140	AMD-P	90-14-097
356-34-130	REP-E	90-10-017	356-46-140	NEW-C	90-12-016	371-08-144	AMD-P	90-14-097
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356-34-140	REP-P	90-03-101	356-46-145	NEW-P	90-08-071	371-08-147	NEW-P	90-14-097
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371-08-160	REP-P	90-14-097	388-08-00601	REP-C	90-04-020	388-09-010	REP	90-05-020
371-08-162	NEW-P	90-14-097	388-08-00601	REP	90-04-076	388-09-020	REP-C	90-04-020
371-08-163	REP-P	90-14-097	388-08-010	REP-C	90-04-020	388-09-020	REP	90-05-020
371-08-165	AMD-P	90-14-097	388-08-010	REP	90-04-076	388-09-030	REP-C	90-04-020
371-08-175	REP-P	90-14-097	388-08-405	REP-C	90-04-020	388-09-030	REP	90-05-020
371-08-180	AMD-P	90-14-097	388-08-405	REP	90-04-076	388-09-040	REP-C	90-04-020
371-08-183	AMD-P	90-14-097	388-08-406	REP-C	90-04-020	388-09-040	REP	90-05-020
371-08-184	NEW-P	90-14-097	388-08-406	REP	90-04-076	388-11-100	AMD-C	90-04-021
371-08-186	AMD-P	90-14-097	388-08-409	REP-C	90-04-020	388-11-100	AMD	90-04-077
371-08-187	AMD-P	90-14-097	388-08-409	REP	90-04-076	388-11-105	REP-C	90-04-021
371-08-188	AMD-P	90-14-097	388-08-410	NEW-C	90-04-020	388-11-105	REP	90-04-077
371-08-189	AMD-P	90-14-097	388-08-410	NEW	90-04-076	388-11-180	AMD-C	90-04-021
371-08-190	REP-P	90-14-097	388-08-410	AMD-P	90-09-095	388-11-180	AMD	90-04-077
371-08-195	AMD-P	90-14-097	388-08-410	AMD-W	90-13-053	388-11-185	REP-C	90-04-021
371-08-196	AMD-P	90-14-097	388-08-413	AMD-C	90-04-020	388-11-185	REP	90-04-077
371-08-200	AMD-P	90-14-097	388-08-413	AMD	90-04-076	388-13-050	AMD-C	90-04-021
371-08-201	REP-P	90-14-097	388-08-416	REP-C	90-04-020	388-13-050	AMD	90-04-077
371-08-205	REP-P	90-14-097	388-08-416	REP	90-04-076	388-13-060	AMD-C	90-04-021
371-08-210	REP-P	90-14-097	388-08-425	NEW-C	90-04-020	388-13-060	AMD	90-04-077
371-08-215	AMD-P	90-14-097	388-08-425	NEW	90-04-076	388-13-070	AMD-C	90-04-021
371-08-220	AMD-P	90-14-097	388-08-428	NEW-C	90-04-020	388-13-070	AMD	90-04-077
371-08-230	AMD-P	90-14-097	388-08-428	NEW	90-04-076	388-13-080	REP-C	90-04-021
371-08-240	AMD-P	90-14-097	388-08-431	NEW-C	90-04-020	388-13-080	REP	90-04-077
371-08-245	REP-P	90-14-097	388-08-431	NEW	90-04-076	388-13-110	AMD-C	90-04-021
371-12-010	REP-P	90-14-097	388-08-434	NEW-C	90-04-020	388-13-110	AMD	90-04-077
371-12-020	REP-P	90-14-097	388-08-434	NEW	90-04-076	388-13-120	AMD-C	90-04-021
371-12-030	REP-P	90-14-097	388-08-435	REP-C	90-04-020	388-13-120	AMD	90-04-077
371-12-040	REP-P	90-14-097	388-08-435	REP	90-04-076	388-14-200	AMD	90-05-022
371-12-050	REP-P	90-14-097	388-08-437	NEW-C	90-04-020	388-14-260	AMD-C	90-04-021
371-12-060	REP-P	90-14-097	388-08-437	NEW	90-04-076	388-14-260	AMD	90-04-077
371-12-070	REP-P	90-14-097	388-08-440	NEW-C	90-04-020	388-14-270	AMD-P	90-03-041
371-12-080	REP-P	90-14-097	388-08-440	NEW	90-04-076	388-14-270	AMD-E	90-03-042
371-12-090	REP-P	90-14-097	388-08-446	NEW-C	90-04-020	388-14-270	AMD-C	90-04-021
371-12-100	REP-P	90-14-097	388-08-446	NEW	90-04-076	388-14-270	AMD-W	90-04-069
371-12-110	REP-P	90-14-097	388-08-449	NEW-C	90-04-020	388-14-270	AMD-E	90-11-048
371-12-120	REP-P	90-14-097	388-08-449	NEW	90-04-076	388-14-300	AMD-P	90-12-083
371-12-130	REP-P	90-14-097	388-08-452	NEW-C	90-04-020	388-14-300	AMD-E	90-12-085
374-20-010	NEW-P	90-10-093	388-08-452	NEW	90-04-076	388-14-302	REP-P	90-12-083
374-20-010	NEW	90-14-019	388-08-461	NEW-C	90-04-020	388-14-302	REP-E	90-12-085
374-20-020	NEW-P	90-10-093	388-08-461	NEW	90-04-076	388-14-305	REP-P	90-12-083
374-20-020	NEW	90-14-019	388-08-464	NEW-C	90-04-020	388-14-305	REP-E	90-12-085
374-20-030	NEW-P	90-10-093	388-08-464	NEW	90-04-076	388-14-310	AMD-P	90-12-083
374-20-030	NEW	90-14-019	388-08-470	NEW-C	90-04-020	388-14-310	AMD-E	90-12-085
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374-20-040	NEW	90-14-019	388-08-482	NEW-P	90-09-095	388-14-385	AMD	90-04-077
374-20-050	NEW-P	90-10-093	388-08-482	NEW-W	90-10-028	388-14-390	AMD-C	90-04-021
374-20-050	NEW	90-14-019	388-08-485	NEW-P	90-09-095	388-14-390	AMD	90-04-077
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374-20-060	NEW	90-14-019	388-08-488	NEW-P	90-09-095	388-14-415	AMD	90-04-077
374-20-070	NEW-P	90-10-093	388-08-488	NEW-W	90-10-028	388-14-420	AMD-P	90-12-083
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374-20-080	NEW	90-14-019	388-08-515	NEW-C	90-04-020	388-15-208	AMD-P	90-11-124
374-20-090	NEW-P	90-10-093	388-08-515	NEW	90-04-076	388-15-209	AMD-P	90-11-124
374-20-090	NEW	90-14-019	388-08-525	NEW-C	90-04-020	388-15-212	AMD-P	90-11-124
374-20-100	NEW-P	90-10-093	388-08-525	NEW	90-04-076	388-15-213	AMD-P	90-11-124
374-20-100	NEW	90-14-019	388-08-535	NEW-C	90-04-020	388-15-214	AMD-P	90-11-124
374-30-010	NEW-P	90-10-094	388-08-535	NEW	90-04-076	388-15-215	AMD-P	90-11-124
374-30-010	NEW	90-14-020	388-08-540	REP-C	90-04-020	388-15-216	AMD-P	90-11-124
374-30-020	NEW-P	90-10-094	388-08-540	REP	90-04-076	388-15-217	AMD-P	90-11-124
374-30-020	NEW	90-14-020	388-08-545	NEW-C	90-04-020	388-15-610	AMD-P	90-11-006
374-30-030	NEW-P	90-10-094	388-08-545	NEW	90-04-076	388-15-620	AMD-P	90-11-006
374-30-030	NEW	90-14-020	388-08-550	REP-C	90-04-020	388-15-630	AMD-P	90-11-006
374-30-040	NEW-P	90-10-094	388-08-550	REP	90-04-076	388-15-820	AMD-E	90-02-079
374-30-040	NEW	90-14-020	388-08-555	NEW-C	90-04-020	388-15-820	AMD-P	90-02-084
374-30-050	NEW-P	90-10-094	388-08-555	NEW	90-04-076	388-15-820	AMD	90-06-038
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374-30-060	NEW-P	90-10-094	388-08-560	REP	90-04-076	388-15-870	AMD-P	90-02-084
374-30-060	NEW	90-14-020	388-08-565	NEW-C	90-04-020	388-15-870	AMD	90-06-038
381	AMD	90-14-014	388-08-565	NEW	90-04-076	388-15-880	AMD-E	90-02-079
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388-08-00201	REP	90-04-076	388-08-580	REP-C	90-04-020	388-17-100	AMD-C	90-04-022
388-08-00401	REP-C	90-04-020	388-08-580	REP	90-04-076	388-17-100	AMD	90-04-070
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388-19-005	AMD	90-12-112	388-49-190	AMD-P	90-11-016	388-76-480	AMD	90-03-051
388-19-015	AMD-P	90-10-065	388-49-190	AMD	90-14-064	388-76-490	AMD	90-03-051
388-19-015	AMD	90-12-112	388-49-410	AMD-E	90-07-036	388-76-520	AMD	90-03-051
388-19-020	AMD-P	90-10-065	388-49-410	AMD-P	90-07-079	388-76-530	AMD	90-03-051
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388-19-025	AMD-P	90-10-065	388-49-470	AMD-P	90-08-041	388-77-005	AMD-P	90-09-085
388-19-025	AMD	90-12-112	388-49-470	AMD-E	90-08-058	388-77-005	AMD	90-12-059
388-19-030	AMD-P	90-10-065	388-49-470	AMD-W	90-11-013	388-77-006	NEW-E	90-09-088
388-19-030	AMD	90-12-112	388-49-470	AMD-P	90-12-005	388-77-006	NEW-P	90-09-085
388-19-035	AMD-P	90-10-065	388-49-470	AMD-E	90-12-006	388-77-006	NEW	90-12-059
388-19-035	AMD	90-12-112	388-49-500	AMD-P	90-09-078	388-77-200	AMD-E	90-09-088
388-19-045	AMD-P	90-10-065	388-49-500	AMD	90-12-054	388-77-200	AMD-P	90-09-085
388-19-045	AMD	90-12-112	388-49-520	AMD-P	90-14-050	388-77-200	AMD	90-12-059
388-24	AMD-C	90-12-038	388-49-520	AMD-E	90-14-065	388-77-256	NEW-E	90-09-088
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388-24-050	AMD-C	90-12-039	388-49-560	AMD-C	90-06-030	388-77-515	AMD-P	90-09-084
388-24-050	AMD-C	90-13-043	388-49-560	AMD-E	90-11-015	388-77-515	AMD	90-12-042
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388-28-575	AMD-E	90-07-037	388-70-590	AMD-C	90-04-016	388-82-130	AMD-E	90-14-053
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388-29-110	AMD	90-06-035	388-76-045	NEW	90-03-051	388-83-028	REP-E	90-08-052
388-29-112	AMD	90-06-035	388-76-050	AMD	90-03-051	388-83-028	REP	90-12-060
388-29-160	AMD	90-06-035	388-76-060	AMD	90-03-051	388-83-029	NEW-P	90-08-048
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388-31-020	AMD-P	90-14-049	388-76-155	NEW	90-03-051	388-83-130	AMD	90-12-060
388-31-020	AMD-E	90-14-060	388-76-160	AMD	90-03-051	388-83-200	AMD-P	90-08-046
388-31-025	AMD-P	90-14-049	388-76-170	AMD	90-03-051	388-83-200	AMD-E	90-08-057
388-31-025	AMD-E	90-14-060	388-76-180	AMD	90-03-051	388-83-200	AMD	90-12-050
388-31-030	AMD-P	90-14-049	388-76-185	NEW	90-03-051	388-83-210	AMD-P	90-08-046
388-31-030	AMD-E	90-14-060	388-76-190	AMD	90-03-051	388-83-210	AMD-E	90-08-057
388-31-035	AMD-P	90-14-049	388-76-200	AMD	90-03-051	388-83-210	AMD	90-12-050
388-31-035	AMD-E	90-14-060	388-76-220	AMD	90-03-051	388-83-220	NEW-P	90-14-053
388-33-135	AMD-P	90-13-114	388-76-240	AMD	90-03-051	388-83-220	NEW-E	90-14-063
388-33-135	AMD-E	90-13-115	388-76-250	AMD	90-03-051	388-85-105	AMD-P	90-08-039
388-33-376	AMD-P	90-06-099	388-76-260	AMD	90-03-051	388-85-105	AMD-E	90-08-053
388-33-376	AMD	90-09-035	388-76-280	AMD	90-03-051	388-85-105	AMD	90-12-044
388-33-382	AMD-P	90-06-099	388-76-290	AMD	90-03-051	388-86-005	AMD-P	90-08-109
388-33-382	AMD	90-09-035	388-76-300	AMD	90-03-051	388-86-005	AMD-E	90-08-110
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388-37-030	AMD-E	90-13-115	388-76-340	AMD	90-03-051	388-86-005	AMD-P	90-14-055
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388-42-150	AMD-W	90-05-023	388-76-360	AMD	90-03-051	388-86-00901	AMD	90-04-014
388-42-150	AMD-P	90-05-025	388-76-370	AMD	90-03-051	388-86-019	NEW-P	90-14-055
388-42-150	AMD	90-10-031	388-76-380	AMD	90-03-051	388-86-019	NEW-E	90-14-058
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388-49-020	AMD	90-12-057	388-76-400	AMD	90-03-051	388-86-021	AMD	90-12-046
388-49-070	AMD-P	90-09-080	388-76-410	AMD	90-03-051	388-86-022	NEW-P	90-14-054
388-49-070	AMD	90-12-056	388-76-420	AMD	90-03-051	388-86-027	AMD-P	90-08-037
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388-49-080	AMD-P	90-09-083	388-76-435	NEW	90-03-051	388-86-027	AMD	90-12-061
388-49-080	AMD	90-12-055	388-76-440	AMD	90-03-051	388-86-073	NEW-P	90-14-054

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388-86-085	AMD-C	90-12-040	388-320-185	NEW-C	90-13-013	391-25-210	RE-AD	90-06-072
388-86-085	AMD-C	90-14-056	388-320-185	NEW	90-13-054	391-25-220	NEW	90-06-072
388-86-090	AMD-P	90-14-054	388-320-340	NEW-C	90-04-020	391-25-230	RE-AD	90-06-072
388-86-098	AMD-P	90-14-054	388-320-340	NEW	90-04-076	391-25-250	RE-AD	90-06-072
388-87-005	AMD-P	90-14-055	388-320-350	NEW-C	90-04-020	391-25-252	RE-AD	90-06-072
388-87-005	AMD-E	90-14-058	388-320-350	NEW	90-04-076	391-25-253	RE-AD	90-06-072
388-87-011	AMD-P	90-08-040	388-320-360	NEW-C	90-04-020	391-25-270	RE-AD	90-06-072
388-87-011	AMD-E	90-08-054	388-320-360	NEW	90-04-076	391-25-290	RE-AD	90-06-072
388-87-011	AMD	90-12-047	388-320-370	NEW-C	90-04-020	391-25-299	RE-AD	90-06-072
388-87-019	NEW-P	90-14-055	388-320-370	NEW	90-04-076	391-25-310	RE-AD	90-06-072
388-87-019	NEW-E	90-14-058	388-320-400	NEW-C	90-04-020	391-25-350	AMD	90-06-072
388-87-060	AMD-P	90-08-040	388-320-400	NEW	90-04-076	391-25-370	RE-AD	90-06-072
388-87-060	AMD-E	90-08-054	388-320-410	NEW-C	90-04-020	391-25-390	RE-AD	90-06-072
388-87-060	AMD	90-12-047	388-320-410	NEW	90-04-076	391-25-391	RE-AD	90-06-072
388-92-015	AMD	90-06-036	388-320-500	NEW-C	90-04-020	391-25-410	RE-AD	90-06-072
388-95-320	AMD-E	90-09-040	388-320-500	NEW	90-04-076	391-25-412	RE-AD	90-06-072
388-95-320	AMD-P	90-09-041	390-12-050	AMD-P	90-12-091	391-25-413	RE-AD	90-06-072
388-95-320	AMD	90-12-062	390-12-250	AMD-P	90-12-091	391-25-430	RE-AD	90-06-072
388-95-337	AMD-W	90-06-029	390-12-255	AMD-P	90-12-091	391-25-450	RE-AD	90-06-072
388-95-337	AMD-P	90-08-043	390-16-033	AMD-P	90-16-091	391-25-470	RE-AD	90-06-072
388-95-337	AMD-E	90-08-059	390-16-041	AMD-P	90-16-091	391-25-490	RE-AD	90-06-072
388-95-337	AMD	90-12-049	390-16-120	AMD-P	90-16-091	391-25-510	RE-AD	90-06-072
388-95-360	AMD-W	90-06-029	390-16-125	AMD-P	90-16-091	391-25-530	RE-AD	90-06-072
388-95-360	AMD-P	90-08-043	390-16-155	AMD-P	90-16-091	391-25-531	RE-AD	90-06-072
388-95-360	AMD-E	90-08-059	390-20-022	REP-P	90-12-091	391-25-550	RE-AD	90-06-072
388-95-360	AMD	90-12-049	390-20-111	NEW-E	90-12-004	391-25-570	RE-AD	90-06-072
388-95-400	AMD	90-06-037	390-20-111	NEW-P	90-12-091	391-25-590	RE-AD	90-06-072
388-96-010	AMD-P	90-05-014	390-20-125	AMD-P	90-12-091	391-25-610	RE-AD	90-06-072
388-96-010	AMD	90-09-061	390-20-125	AMD-E	90-12-077	391-25-630	RE-AD	90-06-072
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388-96-559	AMD-P	90-05-014	391-08-001	AMD	90-06-070	391-35-002	RE-AD	90-06-073
388-96-559	AMD	90-09-061	391-08-003	RE-AD	90-06-070	391-35-010	RE-AD	90-06-073
388-96-561	AMD-P	90-05-014	391-08-007	RE-AD	90-06-070	391-35-020	RE-AD	90-06-073
388-96-561	AMD	90-09-061	391-08-010	RE-AD	90-06-070	391-35-030	RE-AD	90-06-073
388-96-585	AMD-E	90-05-013	391-08-020	RE-AD	90-06-070	391-35-050	RE-AD	90-06-073
388-96-585	AMD-P	90-05-014	391-08-030	RE-AD	90-06-070	391-35-070	RE-AD	90-06-073
388-96-585	AMD	90-09-061	391-08-040	RE-AD	90-06-070	391-35-080	NEW	90-06-073
388-96-713	AMD-P	90-05-014	391-08-100	RE-AD	90-06-070	391-35-090	RE-AD	90-06-073
388-96-713	AMD	90-09-061	391-08-110	REP	90-06-070	391-35-099	RE-AD	90-06-073
388-96-719	AMD-P	90-05-014	391-08-120	AMD	90-06-070	391-35-110	RE-AD	90-06-073
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388-96-745	AMD-P	90-05-014	391-08-180	AMD	90-06-070	391-35-170	AMD	90-06-073
388-96-745	AMD	90-09-061	391-08-200	REP	90-06-070	391-35-190	RE-AD	90-06-073
388-96-754	AMD-E	90-05-013	391-08-210	REP	90-06-070	391-35-210	RE-AD	90-06-073
388-96-754	AMD-P	90-05-014	391-08-230	RE-AD	90-06-070	391-35-230	RE-AD	90-06-073
388-96-754	AMD	90-09-061	391-08-300	AMD	90-06-070	391-35-250	RE-AD	90-06-073
388-96-763	AMD-P	90-05-014	391-08-310	AMD	90-06-070	391-45-001	AMD	90-06-074
388-96-763	AMD	90-09-061	391-08-315	NEW	90-06-070	391-45-002	RE-AD	90-06-074
388-96-768	AMD-P	90-05-014	391-08-500	REP	90-06-070	391-45-010	RE-AD	90-06-074
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388-96-773	REP-P	90-05-014	391-08-630	AMD	90-06-070	391-45-070	RE-AD	90-06-074
388-96-773	REP	90-09-061	391-08-800	RE-AD	90-06-070	391-45-090	RE-AD	90-06-074
388-96-774	AMD-P	90-05-014	391-08-810	RE-AD	90-06-070	391-45-110	RE-AD	90-06-074
388-96-774	AMD	90-09-061	391-08-820	AMD	90-06-070	391-45-130	RE-AD	90-06-074
388-96-904	AMD-C	90-04-015	391-08-900	REP	90-06-070	391-45-170	AMD	90-06-074
388-96-904	AMD	90-04-071	391-08-910	REP	90-06-070	391-45-190	RE-AD	90-06-074
388-98-003	NEW-P	90-02-099	391-08-920	REP	90-06-070	391-45-210	RE-AD	90-06-074
388-98-003	NEW-E	90-02-100	391-08-930	REP	90-06-070	391-45-230	RE-AD	90-06-074
388-98-003	NEW	90-06-031	391-25-001	AMD	90-06-072	391-45-250	RE-AD	90-06-074
388-98-810	NEW-P	90-08-108	391-25-002	RE-AD	90-06-072	391-45-260	AMD	90-06-074
388-98-810	NEW	90-12-048	391-25-010	RE-AD	90-06-072	391-45-270	AMD	90-06-074
388-99-010	AMD	90-04-033	391-25-012	RE-AD	90-06-072	391-45-290	RE-AD	90-06-074
388-99-020	AMD	90-06-034	391-25-030	RE-AD	90-06-072	391-45-310	RE-AD	90-06-074
388-99-030	AMD	90-04-034	391-25-050	RE-AD	90-06-072	391-45-330	RE-AD	90-06-074
388-99-030	AMD-E	90-04-035	391-25-070	RE-AD	90-06-072	391-45-350	RE-AD	90-06-074
388-100-010	AMD-P	90-08-038	391-25-090	RE-AD	90-06-072	391-45-370	RE-AD	90-06-074
388-100-010	AMD-E	90-08-049	391-25-092	RE-AD	90-06-072	391-45-390	RE-AD	90-06-074
388-100-010	AMD	90-12-053	391-25-110	RE-AD	90-06-072	391-45-410	RE-AD	90-06-074
388-320	AMD-C	90-04-020	391-25-130	RE-AD	90-06-072	391-45-430	RE-AD	90-06-074
388-320	AMD	90-04-076	391-25-140	RE-AD	90-06-072	391-45-431	RE-AD	90-06-074
388-320-020	AMD-P	90-13-030	391-25-150	RE-AD	90-06-072	391-45-550	RE-AD	90-06-074
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391-95-010	RE-AD	90-06-075	392-122-710	AMD-P	90-11-128	392-127-075	NEW-P	90-09-020
391-95-030	RE-AD	90-06-075	392-122-810	AMD-P	90-11-128	392-127-075	NEW	90-12-078
391-95-050	RE-AD	90-06-075	392-123-003	AMD-P	90-11-128	392-127-080	NEW-P	90-09-020
391-95-070	RE-AD	90-06-075	392-123-005	AMD-P	90-11-128	392-127-080	NEW	90-12-078
391-95-090	RE-AD	90-06-075	392-123-046	AMD-P	90-11-128	392-127-085	NEW-P	90-09-020
391-95-110	RE-AD	90-06-075	392-123-070	AMD-P	90-11-128	392-127-085	NEW	90-12-078
391-95-130	RE-AD	90-06-075	392-123-079	AMD-P	90-11-128	392-127-090	NEW-P	90-09-020
391-95-150	RE-AD	90-06-075	392-123-135	AMD-P	90-11-128	392-127-090	NEW	90-12-078
391-95-170	AMD	90-06-075	392-123-165	AMD-P	90-11-128	392-127-095	NEW-P	90-09-020
391-95-190	RE-AD	90-06-075	392-123-170	AMD-P	90-11-128	392-127-095	NEW	90-12-078
391-95-230	AMD	90-06-075	392-123-175	AMD-P	90-11-128	392-127-101	NEW-P	90-09-020
391-95-250	RE-AD	90-06-075	392-123-180	AMD-P	90-11-128	392-127-101	NEW	90-12-078
391-95-260	RE-AD	90-06-075	392-125-003	AMD-P	90-11-128	392-127-106	NEW-P	90-09-020
391-95-270	RE-AD	90-06-075	392-125-005	AMD-P	90-11-128	392-127-106	NEW	90-12-078
391-95-280	RE-AD	90-06-075	392-125-036	AMD-P	90-11-128	392-127-111	NEW-P	90-09-020
391-95-290	RE-AD	90-06-075	392-125-080	AMD-P	90-11-128	392-127-111	NEW	90-12-078
391-95-310	RE-AD	90-06-075	392-126-004	NEW-P	90-12-122	392-129-003	AMD-P	90-11-128
392-100-060	AMD-P	90-07-043	392-126-006	NEW-P	90-12-122	392-129-005	AMD-P	90-11-128
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392-120-005	AMD	90-09-038	392-126-070	NEW-P	90-12-122	392-137-001	AMD-P	90-11-128
392-120-010	AMD-P	90-05-035	392-126-075	NEW-P	90-12-122	392-137-001	REP-E	90-12-074
392-120-010	AMD	90-09-038	392-126-080	NEW-P	90-12-122	392-137-002	REP-E	90-12-074
392-120-015	AMD-P	90-05-035	392-126-085	NEW-P	90-12-122	392-137-003	AMD-P	90-11-128
392-120-015	AMD	90-09-038	392-126-090	NEW-P	90-12-122	392-137-003	REP-E	90-12-074
392-120-020	AMD-P	90-05-035	392-126-095	NEW-P	90-12-122	392-137-010	AMD	90-04-044
392-120-020	AMD	90-09-038	392-126-099	NEW-P	90-12-122	392-137-010	REP-E	90-12-074
392-120-025	AMD-P	90-05-035	392-126-104	NEW-P	90-12-122	392-137-015	REP-E	90-12-074
392-120-025	AMD	90-09-038	392-126-400	AMD-P	90-11-128	392-137-020	AMD-P	90-11-128
392-120-030	NEW-P	90-05-035	392-126-405	AMD-P	90-11-128	392-137-020	REP-E	90-12-074
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392-120-035	NEW-P	90-05-035	392-127	AMD	90-12-078	392-137-030	REP-E	90-12-074
392-120-035	NEW	90-09-038	392-127-003	REP-P	90-09-020	392-137-035	REP-E	90-12-074
392-120-040	NEW-P	90-05-035	392-127-003	REP	90-12-078	392-137-040	REP-E	90-12-074
392-120-040	NEW	90-09-038	392-127-004	NEW-P	90-09-020	392-137-045	REP-E	90-12-074
392-120-045	NEW-P	90-05-035	392-127-004	NEW	90-12-078	392-137-051	REP-E	90-12-074
392-120-045	NEW	90-09-038	392-127-005	REP-P	90-09-020	392-137-055	REP-E	90-12-074
392-120-050	NEW-P	90-05-035	392-127-005	REP	90-12-078	392-137-060	REP-E	90-12-074
392-120-050	NEW	90-09-038	392-127-006	NEW-P	90-09-020	392-137-065	REP-E	90-12-074
392-120-055	NEW-P	90-05-035	392-127-006	NEW	90-12-078	392-137-070	REP-E	90-12-074
392-120-055	NEW	90-09-038	392-127-010	REP-P	90-09-020	392-137-100	NEW-E	90-12-074
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392-120-070	NEW-P	90-05-035	392-127-015	NEW	90-12-078	392-137-125	NEW-E	90-12-074
392-120-070	NEW	90-09-038	392-127-020	NEW-P	90-09-020	392-137-130	NEW-E	90-12-074
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392-121-257	AMD-P	90-11-128	392-127-030	NEW	90-12-078	392-137-155	NEW-E	90-12-074
392-121-260	AMD-P	90-10-095	392-127-035	NEW-P	90-09-020	392-137-160	NEW-E	90-12-074
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392-121-270	AMD	90-13-088	392-127-045	NEW	90-12-078	392-137-220	NEW-E	90-12-074
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392-121-420	AMD-P	90-11-128	392-127-060	NEW-P	90-09-020	392-137-245	NEW-E	90-12-074
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458-14-090	REP-W	90-11-032	460-44A-500	AMD-P	90-02-087	460-90A-105	REP-P	90-03-106
458-14-091	REP-W	90-11-032	460-44A-500	AMD-S	90-05-061	460-90A-115	AMD-P	90-03-106
458-14-092	REP-W	90-11-032	460-44A-500	AMD	90-09-059	460-90A-115	AMD	90-06-051
458-14-094	REP-W	90-11-032	460-44A-501	AMD-P	90-02-087	460-90A-122	AMD-P	90-03-106
458-14-098	REP-W	90-11-032	460-44A-501	AMD-S	90-05-061	460-90A-122	AMD	90-06-051
458-14-100	REP-W	90-11-032	460-44A-501	AMD	90-09-059	460-90A-125	REP-P	90-03-106
458-14-110	REP-W	90-11-032	460-44A-502	AMD-P	90-02-087	460-90A-140	AMD-P	90-03-106
458-14-115	REP-W	90-11-032	460-44A-502	AMD-S	90-05-061	460-90A-145	AMD-P	90-03-106
458-14-120	REP-W	90-11-032	460-44A-502	AMD	90-09-059	460-90A-145	AMD	90-06-051
458-14-121	REP-W	90-11-032	460-44A-503	AMD-P	90-02-087	463-06-010	AMD-P	90-09-029
458-14-122	REP-W	90-11-032	460-44A-503	AMD-S	90-05-061	463-06-010	AMD-C	90-13-032
458-14-125	REP-W	90-11-032	460-44A-503	AMD	90-09-059	463-10-010	AMD-P	90-09-029
458-14-126	REP-W	90-11-032	460-44A-504	NEW-P	90-02-087	463-10-010	AMD-C	90-13-032
458-14-130	REP-W	90-11-032	460-44A-504	NEW-S	90-05-061	463-14-030	AMD-P	90-09-029
458-14-135	REP-W	90-11-032	460-44A-504	NEW	90-09-059	463-14-030	AMD-C	90-13-032
458-14-140	REP-W	90-11-032	460-44A-508	AMD-P	90-02-087	463-14-080	AMD-P	90-09-029
458-14-145	REP-W	90-11-032	460-44A-508	AMD-S	90-05-061	463-14-080	AMD-C	90-13-032
458-14-150	REP-W	90-11-032	460-44A-508	AMD	90-09-059	463-18-020	AMD-P	90-09-029
458-14-152	REP-W	90-11-032	460-46A	AMD-P	90-02-087	463-18-020	AMD-C	90-13-032
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458-20-107	AMD-P	90-07-087	460-46A-020	AMD-P	90-02-087	463-28-060	AMD-C	90-13-032
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